



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, March 7, 2023

7:00 P.M.

***** NOTICE *****

*Members of the public will be able to participate either in-person at
Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517
or
remotely via Zoom.*

Mayor: Jeff Wan
Vice Mayor: Jim Diaz

Council Members
Peter Cloven
Holly Tillman
Kim Trupiano

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review on the City's website at www.claytonca.gov
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.claytonca.gov
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda is available for review on the City's website at www.claytonca.gov
- If you have a physical impairment that requires special accommodation 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 – March 7

Tonight's meeting will be available to the public both in-person and remotely via Zoom. As a courtesy, and technology permitting, members of the public may continue to provide live remote oral comment via the Zoom video conferencing platform. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time.

To follow or participate in the meeting:

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

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

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

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

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

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

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

Location:

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

To join this virtual meeting on-line click here:

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

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

*** CITY COUNCIL ***

March 7, 2023

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

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

3. **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.

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 February 21, 2023. (City Clerk) ([View here](#))
- (b) Approve the Financial Demands and Obligations of the City. (Finance) ([View here](#))

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Information Only – No Action Requested.
 - Irish-American Heritage Month.
 - Women's History Month.
 - Cesar Chavez Day (March 31)
- (b) Proclamation declaring March as "Red Cross Month" in the City of Clayton. (Mayor Wan) ([View here](#))

- (c) Clayton Valley Village Presentation. (Councilmember Trupiano)

6. REPORTS

- (a) City Manager/Staff

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS

- (a) Consider Termination of the Clayton Business and Community Association Master Use Agreement. (Interim City Manager) ([View here](#))

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

10. COUNCIL REPORTS

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

11. CLOSED SESSION – None.

12. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be March 21, 2023.

#

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

TUESDAY, February 21, 2023

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:00 p.m. by Mayor Wan held via a hybrid meeting format live in-person and Zoom videoconference and broadcast from Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California. Councilmembers present: Mayor Wan, Vice Mayor Diaz, and Councilmembers Cloven, Tillman, and Trupiano. Councilmembers absent: None. Staff present: Interim City Manager Ron Bernal, City Attorney Joanna Gin, Police Chief Richard McEachin, Community Development Director Dana Ayers, Finance Director Angeline Loeffler, and City Clerk Janet Calderon.
2. **PLEDGE OF ALLEGIANCE** – led by Mayor Wan.
3. **PUBLIC COMMENT ON NON - AGENDA ITEMS**

Vito Impastato, Assistant Chief, provided a brief update of Contra Costa Fire happening throughout the county.
4. **CONSENT CALENDAR**

It was moved by Councilmember Cloven, seconded by Councilmember Trupiano, to approve the Consent Calendar items 4(a) – 4(e), as submitted. (Passed 5-0).
 - (a) Approved the minutes of the City Council’s regular meeting of February 7, 2023. (City Clerk)
 - (b) Approved the Financial Demands and Obligations of the City. (Finance)
 - (c) Adopted Ordinance No. 498 Amending Section 3.08.010 of the Clayton Municipal Code, Entitled “Signatures --- Authority Designated”. (Interim City Manager)
 - (d) Adopted Resolution No. 11-2023 of the City Council Terminating the Local Emergency in the City of Clayton Regarding Coronavirus (COVID-19). (City Attorney)
 - (e) Adopted Resolution No. 12-2023 Approving Parcel Map (MS 01-22) at 500 Douglas Road via resolution and find this subdivision project as CEQA Exempt under Class 3 and Class 15. (City Engineer)
5. **RECOGNITIONS AND PRESENTATIONS**
 - (a) Administration of the Oath of Allegiance by the Police Chief to the City’s new Police Sergeant, Torrey Jarvis.

The Oath of Allegiance to Police Sergeant Torrey Jarvis was administered by Police Chief McEachin. Sergeant Jarvis' father Mark Mays pinned her badge to her uniform.

6. REPORTS

- (a) Interim City Manager Ron Bernal introduced Joanna Gin who is serving as our City Attorney this evening, advised the City Hall Closure to the public on Wednesdays, noted the Clayton Budget and Audit Committee meeting is taking place on Monday, February 27, 2023 and introduced Clayton's new Finance Director Angeline Loeffler.

8. ACTION ITEMS

- (a) Continue Use of Hybrid Meetings for City Council, Planning Commission and Budget and Audit Committee Meetings. (City Attorney)

City Attorney Joanna Gin presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment.

Sandy Johnson expressed concern of the total costs of the hybrid meetings.

Mr. Levy is in support of continuing hybrid meetings.

Rosy Straka is also in support of continuing hybrid meetings.

Mayor Wan closed public comment.

It was moved by Councilmember Tillman, seconded by Councilmember Cloven, to continue Use of Hybrid Meetings for City Council, Planning Commission and Budget and Audit Committee Meetings with a modification to no panning during the Budget and Audit Committee meetings. (Passed; 4-1 No; Diaz)

- (b) Endeavor Hall Non-Profit Rental Rate Discussion. (Interim City Manager)

Interim City Manager Ron Bernal presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment.

Carl Wolfe, President Clayton Business and Community Association, expressed concern regarding the increased costs for use of Endeavor Hall which may not be feasible to the Clayton Business and Community Association.

Direction was provided to staff to modify the tiers, add 3 days of fee waivers to Clayton based non-profits with less than \$10,000 in receipts in a calendar year and an 80% discount for additional days, the next tier would offer an 80% discount to Clayton

based non-profits with receipts of \$10,001 – \$150,000, and a 50% discount to Clayton based non-profits with receipts of \$150,001 or more.

- (c) Set March 13, 2023 for City Council Special Meeting: City Council Goal Setting. (Interim City Manager)

Interim City Manager Ron Bernal presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment; no comments were offered.

The City Council agreed to hold the City Council Goal Setting Session on Monday, March 13 at 3:30pm in Hoyer Hall with livestream and zoom capabilities.

9. **COUNCIL ITEMS**

Councilmember Cloven requested a future agenda item to include consideration of funding an additional Crossing Guard.

Councilmember Tillman requested a future agenda item to include traffic calming devices such as speed bumps on Regency Drive.

9. **COUNCIL REPORTS**

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

Councilmember Trupiano attended the East Contra Costa Habitat Conservancy meeting, the Clayton Community Library Foundation meeting, the Clayton City Council Special meeting, met with Carl Wolfe regarding the Concerts in The Grove, and met with the Interim City Manager.

Vice Mayor Diaz met with the Morgan Territory Association meeting; announcing a CERT informational meeting taking place on Monday, February 27 in Hoyer Hall, met with the City Manager, attended the Contra Costa Fire Protection Academy Graduation ceremony, attended the County Connection Board meeting, met with the Interim City Manager, and met with the Police Chief.

Councilmember Tillman met with the Interim City Manager met with the Community Development Director, attended a Rainbow Community Center meeting regarding the upcoming Pride Parade, and met with Congressman DeSaulnier.

Councilmember Cloven attended the TRANSPAC meeting, met with Cub Scout Troop 262, attended the Clayton City Council Special meeting, spoke with constituents, and announced the upcoming Clayton Cleans Up on April 22 sponsored by Clayton Business and Community Association and Republic Services.

Mayor Wan met with staff, spoke with constituents, met with the Mount Diablo Parent Facility Club regarding auction items such as Mayor for the Day and a car in the 4th of July Parade, and announced the City Hall Wednesday closure to the public.

11. **CLOSED SESSION** – None.

12. **ADJOURNMENT**– on call by Mayor Wan, the City Council adjourned its meeting at 8:45 p.m.

The next regularly scheduled meeting of the City Council will be March 7, 2023.

#

Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Jeff Wan, Mayor

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STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JENNIFER GIANTVALLEY, ACCOUNTING TECHNICIAN
ANGELINE LOEFFLER, FINANCE DIRECTOR

DATE: 3/7/2023

SUBJECT: FINANCIAL DEMANDS AND OBLIGATIONS OF THE CITY

RECOMMENDATION:

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

Attached Report	Purpose	Amount
Obligations	Accounts Payable	\$ 149,045.69
Payroll Reconciliation Summary	Payroll, Taxes	\$ 87,046.52
	Total Required	\$ 236,092.21

Attachments:

1. Obligation report for 3/7/23 (1 page)
2. Payroll Reconciliation Summary report PPE 2/19/23 (2 pages)

City of Clayton Obligations for 3/7/23

Vendor name	Invoice date	Invoice number	Invoice description	Amount	Payment method
American Fidelity Assurance Company	02/15/2023	2226183A	FSA PPE 2/5/23	\$80.00	Bank draft
American Fidelity Assurance Company	02/28/2023	D553756	Supplemental Insurance February 2023	\$596.00	Bank draft
CalPERS Health	02/14/2023	17087883	Medical March 2023	\$33,116.17	Bank draft
CalPERS Retirement	02/19/2023	021923	Retirement PPE 2/19/23	\$17,795.35	Bank draft
Mission Square Retirement	02/19/2023	021923	457 Plan contributions PPE 2/19/23	\$225.00	Bank draft
Nationwide	02/19/2023	021923	457 Plan contribution PPE 2/19/23	\$500.00	Bank draft
Neopost (add postage)	02/24/2023	022423	Postage added	\$300.00	Bank draft
All City Management Services, Inc.	02/08/2023	83255	School crossing guard svcs 1/22/23-2/4/23	\$2,631.60	Check
AT&T (HH Internet)	02/07/2023	0767096706	Hoyer Hall Internet 3/22/23-4/21/23	\$184.47	Check
Cintas Corporation	11/25/2022	4138567705	PW uniforms through 11/25/22	\$64.19	Check
Cintas Corporation	12/01/2022	4139167974	PW uniforms through 12/1/22	\$64.19	Check
Cintas Corporation	12/08/2022	4139844951	PW uniforms through 12/8/22	\$64.19	Check
Cintas Corporation	12/30/2022	4142060417	PW uniforms through 12/30/22	\$64.19	Check
Concord Uniforms	11/18/2022	20068	Uniform - McEachin	\$2,182.29	Check
Contra Costa County Clerk Elections Division	02/17/2023	2009-B	11/8/22 General Election	\$119.45	Check
Contra Costa Tractor Mobile Svc	02/14/2023	018717	Service to Ford 260C Tractor	\$1,050.66	Check
Cowan & Thompson Construction, Inc	02/08/2023	32331-32338	Sidewalk work, ADA ramp	\$52,834.00	Check
Dave Bang Associates, Inc of California	12/20/2022	CA53057	Slide for The Grove Park	\$7,573.00	Check
De Lage Landen Financial Services, Inc.	12/17/2022	78493090	PD copier lease March 2023	\$123.52	Check
De Lage Landen Financial Services, Inc.	02/21/2023	79070453	Copier lease March 2023	\$1,004.49	Check
Dimpy Sanduya	02/21/2023	EH012823	EH deposit refund	\$500.00	Check
DPG Pavers & Design	02/24/2023	CAP0439	Deposit refund	\$1,192.62	Check
Globalstar LLC	02/16/2023	46153308	Sat phone 2/16/23-3/15/23	\$136.95	Check
Hamilton Tree Service, Inc	01/06/2023	52409	Emergency removal of Eucalyptus tree fallen in Creek 1/2/23	\$12,004.25	Check
Hammons Supply Company	12/22/2022	121731	Janitorial supplies December 2022	\$701.90	Check
Hammons Supply Company	12/22/2022	121732	Janitorial supplies December 2022	\$347.97	Check
Hammons Supply Company	12/22/2022	121733	Janitorial supplies December 2022	\$355.47	Check
Hammons Supply Company	02/15/2023	122139	Janitorial supplies February 2023	\$451.26	Check
Hammons Supply Company	02/15/2023	122140	Janitorial supplies February 2023	\$234.58	Check
Hammons Supply Company	02/15/2023	122141	Janitorial supplies February 2023	\$710.18	Check
Hammons Supply Company	02/15/2023	122142	Janitorial supplies February 2023	\$502.88	Check
Health Care Dental Trust	02/21/2023	328035	Dental March 2023	\$1,725.80	Check
J&R Floor Services	03/01/2023	Two2023	Janitorial svcs February 2023	\$5,028.00	Check
J&R Floor Services	02/17/2023	Wawona/Morris	Repair sidewalks	\$1,900.00	Check
KB Security Kams, Inc	02/16/2023	831949	Service call, troubleshoot down cameras	\$395.00	Check
LarryLogic Productions	02/15/2023	2088	Planning Commision Meeting Production 2/14/23	\$160.00	Check
League of CA Cities East Bay Division	02/10/2023	5049	Member dues 2023	\$450.00	Check
Occupational Health Centers of California	02/09/2023	78286874	PD Employment med svc	\$154.00	Check
Prestige Printing & Graphics	01/16/2023	83276	FD Business cards	\$91.13	Check
Quadient Leasing USA, Inc	02/16/2023	N9815661	Postage machine lease 9/21/22-3/20/23	\$1,180.32	Check
Turf Star, Inc.	02/21/2023	7266794-00	Landscape tool parts	\$135.18	Check
Vision Service Plan (CA)	02/18/2023	817278399	Vision March 2023	\$115.44	Check
				Total	\$149,045.69

Payroll Summary

City of Clayton

Check Date: 02/24/2023

Process: 2023022401

Pay Period: 02/06/2023 to 02/19/2023

Page 1 of 2

Payroll Totals

Payroll Checks	Check Type	Count	Net Check	Dir Dep Amount	Net Amount	
	Regular	25	0.00	67,883.98	67,883.98	
	Totals	25	0.00	67,883.98	67,883.98	→ 67,883.98

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

	Total Net Payroll Liability			0.00	68,905.63	68,905.63	→ 68,905.63
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Tax Liability

CA and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
CA SDI - Employee	EXEMPT		Semi-Weekly	93,996.41	93,996.41			
California SITW			Semi-Weekly	93,271.41	93,271.41	4,286.39		
Totals						4,286.39	0.00	→ 4,286.39

CASUI and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
CA Edu & Training		0.001000	Quarterly	93,996.41	5,872.88		5.87	
California SUI		0.020000	Quarterly	93,996.41	5,872.88		117.46	
Totals						0.00	123.33	→ 123.33

FITW and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
Federal Income Tax			Semi-Weekly	93,271.41	93,271.41	11,005.25		
Medicare			Semi-Weekly	93,996.41	93,996.41	1,362.97		
Medicare - Employer			Semi-Weekly	93,996.41	93,996.41		1,362.95	
Totals						12,368.22	1,362.95	→ 13,731.17

	Total Tax Liability					16,654.61	1,486.28	→ 18,140.89
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	Total Payroll Liability					87,046.52		→ 87,046.52
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Transfers

Type	Date	Source Account	Amount	
Dir Dep	2/23/2023		67,883.98	
Tax	2/23/2023		18,140.89	
Trust Agency	2/23/2023		1,021.65	
Totals Transfers			87,046.52	→ 87,046.52



Paylocity Corporation
(888) 873-8205

User: JGiantvalley

Run on 2/21/2023 at 6:12 PM

Payroll Summary

City of Clayton

Check Date: 02/24/2023

Process: 2023022401

Pay Period: 02/06/2023 to 02/19/2023

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Tax Deposits

Required Tax Deposits	Tax	Due On	Amount
(Deposit made by Service Bureau)	California SITW	3/1/2023	4,286.39
(Deposit made by Service Bureau)	Federal Income Tax	3/1/2023	13,731.17
(Deposit made by Service Bureau)	California SUI	5/1/2023	123.33
Total Tax Deposits			18,140.89



Paylocity Corporation
(888) 873-8205

User: JGiantvalley

Run on 2/21/2023 at 6:12 PM

declaring
March 2023
as
"Red Cross Month"

WHEREAS; during American Red Cross Month in March, we celebrate the humanitarian spirit of Contra Costa and reaffirm our commitment to help ensure no one faces a crisis alone; and

WHEREAS; caring for one another is at the heart of our community and exemplified by the people of Contra Costa, whose simple acts of kindness through the Red Cross provide help and hope in people's most difficult moments - continuing the lifesaving legacy of Clara Barton, who founded the organization more than 140 years ago to prevent and alleviate human suffering; and

WHEREAS; every day, these ordinary individuals lend a helping hand to make an extraordinary difference for neighbors in need - whether it's providing emergency shelter, food and comfort for families displaced by home fires, floods and other disasters. In 2022 the Red Cross assisted 172 families in need; and

WHEREAS; every day, these individuals donate lifesaving blood for cancer patients, accident victims, and people with sickle cell disease and other life-threatening conditions. In 2022 there were 568 blood drives held in Contra Costa County, collecting over 16,823 units of blood; and

WHEREAS; every day, these ordinary individuals support military members and veterans, along with their families and caregivers, through the unique challenges of service. The Red Cross Service to the Armed Forces opened and assisted 320 cases; and

WHEREAS; every day, these ordinary individuals use vital skills like first aid and CPR to help others survive medical emergencies. In 2022 we trained over 7,000 people in these skills and they deliver international humanitarian aid and reconnect loved ones separated by crises around the world; and

WHEREAS; in addition, these ordinary individuals, through our Red Cross Sound the Alarm program installed 300 smoke alarms making households safer and trained over 400 youth in preparedness through our Prepare with Pedro and Pillowcase Project; and

WHEREAS; the support, volunteerism and generous donations by these ordinary individuals and partners are critical to our community's resilience. We hereby recognize this month of March in honor of all those who fulfill Clara Barton's noble words, "You must never think of anything except the need and how to meet it," and ask everyone to join in this community commitment.

NOW THEREFORE, I, Jeff Wan, Mayor, on behalf of the Clayton City Council, do hereby proclaim March 2023 as "Red Cross Month" in Clayton, California and encourage all citizens of Clayton to reach out and support and its humanitarian mission.



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Ron Bernal, Interim City Manager

DATE: March 7, 2023

SUBJECT: Consider Termination of the Clayton Business and Community Association Master Use Agreement

RECOMMENDATION

It is recommended the City Council discuss this item and provide direction to staff.

BACKGROUND

On May 1, 2008, the City entered into a Master Use Agreement with the Clayton Business and Community Association (CBCA). The basic intent of the agreement was to reduce the amount of work necessary for both CBCA and City staff when CBCA applies for permits, sought fee and cost waivers, and applied for City grants for each of the Art & Wine Festival, Tree Lighting, and Oktoberfest events. Amendment No. 1, effective June 7, 2016 added the Rib Cook Off to the list of events.

DISCUSSION

The Mayor has asked that this item be placed on the City Council agenda for the purpose of discussing the merits of continuing this agreement. Areas for discussion include, but are not limited to, whether there is full cost recovery for services and facilities provided by the City, whether taxpayers funds are being used to subsidize the events associated with this agreement and this organization, and whether the treatment of this group is similar to other groups or organizations.

FISCAL IMPACTS

There is no fiscal impact related to discussing this item.

ATTACHMENTS

Attachment 1: City of Clayton Master Use Agreement with CBCA and Amendment No. 1
Attachment 2: FY 2022-23 Master Fee Schedule

Approved
MAY 1 2008

CITY OF CLAYTON

CITY OF CLAYTON
MASTER USE AGREEMENT WITH CBCA

This Master Use Agreement between the City of Clayton ("City") and the Clayton Business and Community Association ("CBCA") is entered into on May 1, 2008.

RECITALS

WHEREAS, for many years, the CBCA has held special downtown community events including the Art & Wine Festival, Tree Lighting, and the Oktoberfest; and

WHEREAS, under current City procedure, CBCA must separately apply for City Permits, seek waiver of City fees and costs and apply for grants from the City for each event; and

WHEREAS, this process is burdensome and time consuming for City staff as well as CBCA; and

WHEREAS, City staff and CBCA have jointly worked on a process by which a single Master Use Agreement for all of these special events may be entered into and City staff presented this proposal to the City Council at its meeting on March 18, 2008; and

WHEREAS, City Council endorsed the concept and approved the deal points for such an Agreement at its March 18, 2008 meeting for incorporation into a Master Use Agreement and authorized the City Manager to sign the Agreement on behalf of the City following review and approval by the City Attorney; and

WHEREAS, this Agreement has been drafted as authorized by the City Council for execution by the City Manager.

NOW THEREFORE, the City of Clayton and the Clayton Business and Community Association hereby enter into this Master Use Agreement the terms of which are set forth below:

TERMS

1. **Parties**: Effective on the above date, the City and CBCA mutually agree and promise as set forth herein.
2. **Scope**: Scope of the Agreement is as described in Exhibit A, attached

hereto and made a part hereof by this reference.

3. Insurance: CBCA shall, at no cost to the City obtain and maintain for each enumerated event all insurance as set forth in Exhibit "A".

4. Status: The CBCA and all persons performing services on behalf of CBCA are independent contractors and are not and shall not be considered employees of the City of Clayton.

5. Termination By The City: At its option, either party shall have the right to terminate this Agreement at any time by giving sixty (60) days written notice to the other.

6. Breach: In the event that the CBCA fails to perform as required by in this Agreement or otherwise breaches this Agreement, the City shall have the right to pursue all remedies provided by law or equity. Any dispute relating to the performance of this Agreement shall not be subject to non-judicial arbitration.

7. Compliance with Laws: In performing this Agreement, the CBCA shall comply with all applicable laws, statutes, ordinances, rules and regulations, whether federal, state or local in origin.

8. Assignment: This Agreement shall not be assignable or transferable in whole or in part by either party, whether voluntarily, by operation of law or otherwise; provided, however that the CBCA shall have the right to sub-contract that portion of the services for which the CBCA does not have the facilities to perform so long as the CBCA notifies the City of such sub-contracting in conjunction with the submission of the Event Application described in Exhibit "A". Any other purported assignment, transfer or sub-contracting is prohibited.

9. Indemnification: CBCA shall defend, indemnify, save and hold harmless the City and its agents, officers and employees from any and all claims, litigation costs and liability for any damages, injury or death (herein collectively "City Expenses") arising directly or indirectly from or connected with the enumerated events, due to or claimed or alleged to be due to negligent or wrongful acts, errors or omissions or other legal responsibility of CBCA or any person under its control, save and except claims or litigation costs and liability arising through the sole negligence or sole willful misconduct of the City. All City Expenses shall be paid by the CBCA as they are incurred.

10. Heirs, Successor and Assigns: Except as provided otherwise in Section 8 above, this Agreement shall insure to the benefit of and bind the heirs, successors, executors, personal representatives and assigns of the parties.

11. The parties acknowledge that each has participated in the drafting of this Agreement and that any presumption that the terms of the Agreement shall be construed against the drafter shall be inapplicable.

12. In the event of any inconsistency between this Agreement and its Exhibit "A", the terms of this Agreement shall control.

CITY OF CLAYTON


By:



Gary A. Napper
City Manager

CLAYTON BUSINESS and
COMMUNITY ASSOCIATION

By:



Mike Fossan,
President, CBCA

CITY OF CLAYTON

MAY 1 2008
Approved
j. z. z. z.

CITY OF CLAYTON AND CBCA KEY TERMS

The Master Use Agreement covers the following events:
Art & Wine, Oktoberfest, and Tree Lighting.

(note: Concerts in the Grove is not included as the City is the lead with CBCA as so-sponsor and CBCA may provide financial contribution to the City as approved by the CBCA for the Concerts in the Grove)

General Event Terms

City application and permit fees:

- Temporary Use Permit Fee \$75.00..... Fee waived
 - City Street Use Fee \$100.00..... Fee waived
 - Noise Permit Fee \$85.00..... Fee waived
 - Clean Up Deposit (\$500)..... Fee waived
- CBCA will give the City a \$5,000 rolling deposit towards all damage and clean up for all events. Refer to "additional terms for use of The Grove ..." below.
- CBCA agrees it will fully pay for actual costs of damage and clean up even if expenses exceed the Clean Up Deposit amount.
- CBCA to submit one Permit Application to include all CBCA events for the year.
 - City Alcohol Permit Fee \$50.00 (to be paid by CBCA). Submit at least 30 days prior to event date.
 - CBCA to submit copy of the State event alcohol sales permit to the City at least 3 business days prior to the event date.
 - CBCA to pay 50% (e.g. \$3,000) of all City direct support costs (typically estimated at \$6,000) at least one week prior to the event date. The City shall invoice for remaining amount due with CBCA's payment to be provided apx. 30 days after receipt of City invoice.

Additional terms for use of The Grove are as follows:

- City waives all fees per Council Resolution No. 47-2007 for The Grove usage to include; Park Usage Rental Fee (\$1200/day), Special Park Use Permit Fee (\$250), Park Sound System Damage Deposit (\$1000/day). These Fees are waived for the following events:
 - Art & Wine
 - Oktoberfest
 - Tree Lighting
- CBCA shall pay for City Sound Technician (est. \$21/hour based upon 5 hours per day); or, CBCA may use another trained sound technician if pre-approved by the City.
- Some booths may be allowed in the park with City Manager approval for vendor sales. Booths for alcohol, food and glassware product sales are prohibited. If CBCA chooses to have the City consider vendor booths in the park, the CBCA shall provide map layout of the park with booth locations and booth type to the City as part of the event layout information at least 30 days prior to the event for City Manager approval. (Staff will consider foot traffic and other potential damage/maintenance impacts and ADA access in its consideration).

Insurance Information

- City will prepare and have a property condition disclaimer and hold harmless declarations to the CBCA committee at least one month prior event date. CBCA must sign and return to the City not later than one week prior to the event date.
- CBCA shall provide insurance certificate(s) and actual policy endorsement(s) listing the City of Clayton as an additional insured for the event and covering all public properties that will be used; insurance shall include liquor liability coverage. Insurance documentation shall be provided to the City one week prior the event date. CBCA must provide a least \$5 million liability coverage if alcohol is served and at least \$2 million liability coverage if no alcohol is served. Future coverage limits as approved by City Manager.
- CBCA shall provide appropriate insurance documents acceptable to City from any carnival, kiddieland operator (for any inflatables) and other third party contractors to include documentation of CBCA having coverage and naming the City as an additional insured and endorsement to the policy. These documents shall be provided to the City one week prior to the event date.

Application Event Information

Applications submitted by CBCA shall include the following event information:

- Layout map showing where the following items are to be located to enhance public safety review and information at least three weeks prior to the event:
 - Proposed street closures
 - All activity and alcohol areas (beer garden tent/stage; children's entertainer; carnival/kiddieland; beer/wine/schnapps booths; vendor area locations; etc.) – such as:
 - Main Street – for festivals and booths.
 - Old Marsh Creek Road – from Clayton Road to Center Streets – for festival and booths.
 - High Street – from Center Street to Oak Street – for parking.
 - Vacant Lot adjacent to Endeavor Hall (on High Street) for parking.
 - Oak/Center Street vacant lot – for parking.
 - Vacant property off old Marsh Creek Road – adjacent to Samuel Court – for parking.
 - Property – for parking.
 - Endeavor Hall parking lot – for parking.
 - Main Street Parking lot – for Food Court.
 - First Aid Booth
 - Information Booth
 - Carnival or Kiddieland entry/exit locations
 - Portable toilet locations
 - Vendor parking areas
 - Public parking areas
 - Shuttle route (if being used) – public service does not need insurance; private service needs insurance for CBCA and City.

- Specify event dates, the activity associated with those dates, and hours of event operation, hours of street closure, etc.
- Provide a master letter from all private property owners documenting permission to use their property and have signed and filed with the City. City agrees use of private property for these designated CBCA Master Use Agreement Events does not count toward a private property owner's allowable three (3) Temporary Use Permits (TUPs) for special activities/events per any 12 month period.
- Event Parking Plan pursuant to City guidelines (layout, map, narrative) shall be submitted to the Clayton Police Department at least two weeks prior to the event date – plan shall include any shuttle system that might be used.

Miscellaneous Terms:

- After receipt of completed Noise Permit and Master Temporary Use Permit, the City will provide, as it determines is necessary, advanced written notice of the activity and street closures to the appropriate parties (property owners within 300 feet and downtown business owners). Notice of the Noise Permit will be approximately 25 days prior to the event date.
- CBCA is responsible to ensure that street and surrounding areas used by the event are kept clean during the event and cleaned after event. All areas shall be returned to pre-event conditions. Security deposit forfeited or other charges may result if not completed.
- As required by State law, CBCA shall ensure that recycling is a part of the event operations and shall provide written documentation to the City by Allied Waste Services of the event recycling achieved. This report shall be submitted within 30 days of the event end date. Cleanup security deposit shall not be refunded until this document has been provided to the City by the CBCA (via Allied Waste Services).
- City of Clayton may be noted on advertising materials / banners etc.
- In order to reduce City support costs, CBCA may use its own volunteers and vehicles to prepare no parking signage on barricades; pre deploy and remove event barricades and cones needed for the no parking and street closures all in accord with the City Maintenance staff requirements. Applicant must advise the City at least two weeks prior to the event date as to how it will address this. Due to staff scheduling no changes can be made for the barricade/cones set out/pick up after this date.
- CBCA's retention and use of hired security is acceptable as supplemental event security and for night vendor booth security. The CBCA shall arrange and timely inform the City as to the private security to be used during the event. Use of private security is not for the purpose of substitution of sworn law enforcement as directed by the Police Chief and the police operations plan. Each private security company shall have a valid City business license.

Amendment No. 1 – June 7, 2016
to the
Master Use Agreement with CBCA
May 1, 2008

The Master Use Agreement dated May 1, 2008 shall be and is hereby amended to include the CBCA sponsored Rib Cook Off as an annual event. All other terms remaining unchanged.

City of Clayton

By: 

Gary A. Napper,
City Manager

Date: 21 JUNE 2016

Clayton Business and
Community Association
(CBCA)

By: 

Robert Steiner,
President, CBCA

Date: 6/21/2016

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
COMMUNITY DEVELOPMENT DEPARTMENT		
Annexations		
1,3,4,5	Annexation	Time - \$5,000 minimum deposit
General Plan /Zoning Ordinance Amendments		
1,3,4,5	General Plan Map or Text Amendment	Time - \$5,000 minimum deposit
1,3,4,5	Pre Zoning / Re Zoning	Time - \$5,000 minimum deposit
1,3,4,5	Zoning Ordinance Text Amendment	Time - \$5,000 minimum deposit
Site Plans / Development Plans		
1,3,4,5	Site Plan Review Permit - Residential	Time - \$1,000 minimum deposit
1,3,4,5	Site Plan Review Permit - Residential Amendment	Time - \$1,000 minimum deposit
1,3,4,5	Site Plan Review Permit - Non Residential	Time - \$5,000 minimum deposit
1,3,4,5	Site Plan Review Permit - Non Residential Amendment	Time - \$2,000 minimum deposit
1,3,4,5	Development Plan	Time - \$5,000 minimum deposit
Subdivisions		
1,3,4,5	Tentative Subdivision Map Application	Time - \$5,000 minimum deposit
1,3,4,5	Lot Line Adjustment	Time - \$1,000 minimum deposit
1,3,4,5	Lot Merger	Time - \$2,000 minimum deposit
Parcel Maps		
1,3,4,5	Tentative Parcel Map Application	Time - \$2,000 minimum deposit
Environmental Review		
1,3,4,5	Environmental Impact Report	Time - \$5,000 minimum deposit
1,3,4,5	Negative Declaration with Mitigations (Mitigated Neg. Dec.)	Time - \$2,500 minimum deposit
1,3,4,5	Negative Declaration without Mitigations	Time - \$1,500 minimum deposit
	Mitigation Monitoring and Reporting Plan	Included with Mitigated Neg Dec/ EIR
1,3,4,5	Categorical Exemption	County filing fee + Time
Permits		
6	Home Occupation Permit - Administrative Review	\$216
1,3,4,5	Home Occupation Permit - Planning Commission Review	Time - \$750 minimum deposit
→ 10	Use Permit - Fences Administrative Review	\$216
1,3,4,5	Use Permit - Residential - Planning Commission Review	Time - \$1,000 minimum deposit
1,3,4,5	Use Permit - Non- Residential - Planning Commission Review	Time - \$5,000 minimum deposit
6	Temporary Use Permit - Administrative Review	\$216
1,3,4,5	Temporary Use Permit - Planning Commission Review	Time \$500 minimum deposit
→ 6,10	Sign Permit - Administrative Review	\$70
1,3,4,5	Sign Permit - Planning Commission Review	Time - \$1,000 minimum deposit
→ 6,10	Temporary Storage Permit	\$70
→ 6,10	Accessory Dwelling Unit (ADU) Permit - Administrative Review	\$360
→ 6,10	Tree Removal Permit - Administrative Review without notice (per tree - min. applies see below)	\$12
→ 6,10	Tree Removal Permit - Administrative Review Without Notice (Minimum)	\$43
→ 10	Tree Removal Non-Compliance Penalty (Admin Review Without Notice)	\$43
→ 6,10	Tree Removal Permit - Administrative Review with Notice (per tree - minimum applies see below)	\$65
→ 6,10	Tree Removal Permit - Administrative Review with Notice (minimum)	\$143

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
→ 10	Tree Removal Non-Compliance Penalty (Notice Required)	\$143
1,3,4,5	Tree Removal Permit - Planning Commission Review	Time - \$500 minimum deposit
	Tree Replacement In-Lieu Fee (CMC §15.70.040 F & 15.70.55) (per 24" box tree)	\$840
1,3,4,5	Building Moving Permit	Time - \$1,000 minimum deposit
	Noise Permit - Administrative Review	\$216
	Reasonable Accommodations Permit - Administrative Review	\$216
1,3,4,5	Reasonable Accommodations Permit - Planning Commission Review	Time - \$500 minimum deposit
→ 6,10	Outdoor Seating Permit (CMC §17.24.020 -H/Standard Policy No 3)	\$112
Miscellaneous		
1,3,4,5	Variance - Residential	Time - \$1,000 minimum deposit
1,3,4,5	Variance - Non Residential	Time - \$5,000 minimum deposit
6	Appeal - Administrative Decisions	\$70
1,3	Appeal-Administrative Code Enforcement Citation	Time - \$1,800 minimum deposit
→ 6,11	Appeal - Planning Commission Decisions - Residential	\$360
→ 6,11	Appeal - Planning Commission Decisions - Non Residential	\$723
1,3,4,5	Time Extension Request	Time - \$500 minimum deposit
1,3,4,5	Contract Administration	Time - \$1,000 minimum deposit
1,3,4,5	Large Family Day Care Home Permit	Time - \$500 minimum deposit
1,3,4,5	Pre Application Consultation Deposit	Time - \$1,000 minimum deposit
Construction and Demolition (C&D) Recycling Plans		
→ 6,10	Permit processing Fee - Single Family	\$186
→ 6,10	Permit processing Fee - Commercial & Multifamily	\$376
	Mgmt. Plan Deposit - Single Family (Minor Projects Including: re-roof, additions, remodeling, tenant improvements, etc.)	\$1,000 plus \$1/sq. ft. overs 2,000 sq. ft.
	Mgmt. Plan Deposit - Single Family (New Construction) per unit	\$2,000 plus \$1/sq. ft. over 2,000 sq. ft.
	Mgmt. Plan Deposit - Commercial & Multifamily (New Construction)	\$2,000 plus \$1/sq. ft. over 2,000 sq. ft.
Habitat Conservation Area Compliance		
1,3,4,5	Habitat Conservation Plan/Natural CC Plan	Time - \$1,000 minimum deposit
CITY ENGINEERING DEPARTMENT		
2	Bid or Plan Sets	Actual Cost
→ 10	Deed Restriction / Covenant Agreement Preparation (Does not include recordation extra cost. See Administrative Fees.)	\$533
Subdivisions		
→ 10	Final Map Filing Fee (per map)	\$878
1,8	Final Map Checking Fee	Time - \$2,500 minimum deposit
1,8	Construction Plans Checking Fee	Time - \$2,500 minimum deposit
	Construction Inspection Fee - Public Improvements	9% of Bond Estimates
	Construction Inspection Fee - Private Improvements	9% of Bond Estimates
	Construction Inspection Fee - Sanitary Sewer	3% of Bond Estimates
Parcel Maps		
→ 10	Final Parcel Map Filing Fee (per map)	\$174
1,8	Final Parcel Map Plan Checking Fee	Time - \$1,000 minimum deposit

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
1,8	Construction Plan Checking Fee	Time - \$1,000 minimum deposit
	Construction Inspection Fee - Public Improvements	9% of Bond Estimates
	Construction Inspection Fee - Private Improvements	9% of Bond Estimates
	Construction Inspection Fee - Sanitary Sewer	3% of Bond Estimates
Major Grading		
→ 10	Grading Permit Filing Fee (per permit)	\$263
1,8	Grading Permit Plan Check	Time - \$1,000 minimum deposit
1,8	Grading Inspection	Time - \$1,000 minimum deposit
Minor Construction Activity Permits (Including Encroachment, Stormwater, Wireless Installations, and Grading)		
→ 10	Projects that do not disturb the ground (i.e. interior remodels, roof replacement, etc.) (per permit + time - \$500 minimum deposit)	\$159
→ 10	Room additions (including other projects that disturb the ground) (per permit + time - \$2,400 minimum deposit)	\$159
→ 10	Minor concrete repairs or replacement (i.e. sidewalks, curb & gutter) (per permit + time - \$1,000 minimum deposit)	\$294
→ 10	New driveway construction or replacement (Work may require the granting of additional street right of way requiring the preparation of grant deed and recordation. See Deed Restriction/Covenant Agreement Preparation fee above and Document Recording fee in Administrative Fees section.) (per permit + time - \$2,400 minimum deposit)	\$289
→ 10	Pool installation or total removal of existing pool (requires inspection and testing by applicant's third party soils engineer) (per permit + time - \$2,400 minimum deposit)	\$294
→ 10	Partial removal of existing pool (Work requires a grading permit and the preparation and recording of a restricted use covenant. See Deed Restriction/Covenant Agreement Preparation fee above and Document Recording fee in Administrative Fees section.) (per permit + time - \$2,400 minimum deposit)	\$294
1,8	Wireless Installation Encroachment Permit	Time - \$2,000 minimum deposit
11	Transportation Permit Fee	\$16
Major Construction Activity Permits		
→ 10	Major Construction Activity Permit (per permit)	\$83
1,8	Major Plan Check	Time- \$2,500 minimum deposit
1,8	Major Inspection	Time- \$2,500 minimum deposit
	Cash Bond Major Encroachments (may be surety if more than \$10,000)	Per City Engineer
Post Construction Stormwater Compliance		
	Post construction Annual Verification Inspection - Individual Single Family Lot Non-HOA (per lot)	\$280
	Post construction Annual Verification Inspection - Single Family HOA (per HOA - first 10 lots)	\$280
	Post construction Annual Verification Inspection - Single Family HOA (per HOA - additional lots >10)	\$78
	Post construction Annual Verification Inspection - Commercial (per acre - min. 1 acre)	\$280
	Documentation Compliance Review Fee - Individual Single Family (per lot)	\$280
	Documentation Compliance Review Fee - HOA (per HOA)	
	- First 10 lots	\$280

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
	- Each additional lot after 10th	\$80
	Documentation Compliance Review Fee - Commercial (per acre - min. 1 acre)	\$280
	Annual State Reporting preparation/filing Fee - Individual Single Family Lot (per lot)	\$100
	Annual State Reporting preparation/filing Fee - Single Family HOA (per HOA)	\$195
	Annual State Reporting preparation/filing Fee - Commercial (per acre - min. 1 acre)	\$195
POLICE DEPARTMENT		
6	Residential Alarm System Registration Fee (per residential unit)	\$36
6	Commercial Alarm System Registration Fee (per commercial occupancy)	\$74
6	Vehicle Release (per vehicle - cash, credit, debit only)	\$186
6	Police Reports (per report)	\$35
6	VIN Verification (per vehicle)	\$49
6	Clearance Letters (Notary fee extra. See Administrative Fees section) (per letter)	\$36
1	Police Enforcement on Party Ordinance (CMC §6.19.040)	Time - Maximum \$500
1	Police Enforcement of DUI Involving Accident (CA Vehicle Code §53150-53158)	Time - Maximum \$12,000
6	City Alcohol Beverage Permit	\$70
	Booking Fees	As established by County or agreement w/ Concord
	False Alarm Fee (Fixed per City Ordinance 9.18.060(a)(b))	\$52
6	Tobacco Sales Permit (City Ordinance 8.16.130)	\$107
6	Tobacco Sales Permit Fee Renewal (City Ordinance 8.16.130)	\$52
6	Taxicab Permit Fee (City Ordinance 5.36.050) (per taxicab)	\$364
6	Taxicab Permit Fee - Renewal (City Ordinance 5.36.190) (per taxicab)	\$135
	Subpoena Duces Tecum (Per CA Evidence Code 1563)	\$24/hr, \$6/qtr hr
	Repossession Filing Fee (Fixed per CA Gov Code Sec 41612)	\$15
	Witness Fees per California Gov. Code §68096.1 If City Employee subpoenaed (per employee subpoena per day + IRS reimbursement min. rate per CA Gov. Code)	\$288
6	Administrative Fee for Failure to Display Disabled Placards per vehicle code §40226 (per violation)	\$31
6	Firearms Seizure and Processing Fee (per violation)	\$144
6	RV Public parking Permit Fee - Bona fide guest of Clayton Resident (per permit)	\$36
	RV Public Parking Permit Fee - Clayton Resident	No charge
6	Solicitation Permit (Not including live scan. Applicant pays for Livescan directly to Livescan entity) (per permit)	\$95
6	Citation Sign off for correctable offenses - Non Resident (per citation)	\$30
	Citation Sign off for correctable offenses - Resident	No charge
6	Late Fee- Parking Violations (per citation)	\$49
PUBLIC FACILITIES AND PARKS RENTAL FEES		
Library Meeting Room - Hoyer Hall		
6	Non-profit (Non-Clayton Based) (per hour)	\$59
6	Non-profit (Clayton Based) (per hour)	\$31

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
⁶	Resident (per hour)	\$72
⁶	Non resident or Commercial (per hour)	\$90
⁶	Deposit (for all) - clean up/damage - refundable (per rental)	\$217
⁶	Reservation rental time change (same date) (less than 7 calendar days prior to use date)	\$49
⁶	Reservation rental date change (less than 7 calendar days prior to use date)	\$64
⁶	Rental Cancellation Fee (30 or more days prior to event)	\$31
⁶	Rental Cancellation Fee (15-29 days prior to event)	50% refund and \$30 processing fee
	Rental Cancellation Fee (14 days or less)	No refund
Endeavor Hall Meeting Room		
⁶	Non-profits (Clayton-based and Non-Clayton-based Weekdays) (per hour Sun 5pm - Fri 5pm)	\$57
⁶	Clayton-based non-profit only (maximum daily weekday rental)	\$144
⁶	Non-profits (Clayton-based and Non-Clayton-based Weekends) (per hour Fri 5pm - Sun 5pm)	\$216
⁶	Resident - Weekdays (per hour Sun 5pm - Fri 5pm)	\$144
⁶	Non-resident or Commercial - Weekdays (per hour Sun 5pm - Fri 5pm)	\$173
⁶	Resident - Weekends (per hour Fri 5pm - Sun 5pm)	\$216
⁶	Non-resident or Commercial - Weekends (per hour Fri 5pm - Sun 5pm)	\$260
	Deposit (all) - no alcohol or beer and wine only (clean up/damage per reservation)	\$500
	Deposit (all) - hard alcohol (distilled spirits) (clean up/damage per reservation)	\$1,000
⁶	Reservation rental time change (same date) (less than 30 days prior to the event)	\$49
⁶	Reservation rental date change (less than 90 days prior to event)	\$64
	Rental Cancellation Fee (181 or more days prior to event)	95% deposit refund and \$30 processing fee
	Rental Cancellation Fee (91 - 180 days prior to event)	75% deposit refund and \$30 processing fee
	Rental Cancellation Fee (61 - 90 days prior to event)	50% deposit refund and \$30 processing fee
	Rental Cancellation Fee (31 - 60 days prior to event)	25% deposit refund and \$30 processing fee
	Rental Cancellation Fee (30 days or less prior to event)	No refund
City Hall 1st Floor Conference Room		
⁶	Non-profit (Clayton-based or non-Clayton-based non profits) (per hour)	\$31
⁶	Resident (per hour)	\$37
⁶	Non-resident or Commercial (per hour)	\$46
	Deposit (clean up/damage per reservation)	\$100
⁶	Reservation rental time change (same date) (less than 7 calendar days prior to use date)	\$49
⁶	Reservation rental date change (less than 7 calendar days prior to use date)	\$64
⁶	Rental Cancellation Fee (30 or more days prior to event)	\$31

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
6	Rental Cancellation Fee (15-29 days prior to event)	50% refund and \$30 processing fee
	Rental Cancellation Fee (14 days or less)	No refund
City Hall Courtyard		
6	Non-profit (Clayton-based or non-Clayton-based non profits) (per hour)	\$59
6	Resident (per hour)	\$72
6	Non-resident or Commercial (per hour)	\$90
	Deposit (clean up/damage per reservation)	\$100
6	Reservation rental time change (same date) (less than 7 calendar days prior to use date)	\$49
6	Reservation rental date change (less than 7 calendar days prior to use date)	\$64
6	Rental Cancellation Fee (30 or more days prior to event)	\$31
6	Rental Cancellation Fee (15-29 days prior to event)	50% refund and \$30 processing fee
	Rental Cancellation Fee (14 days or less)	No refund
Clayton Community Park and Related Facilities		
Picnic Areas		
6	Picnic Area #2 - Resident (flat fee for 4 hours block)	\$22
6,9	Picnic Area #2 - Non Resident or Commercial (flat fee for 4 hour block)	\$31
6,9	Picnic Area #3 - Resident (flat fee for 4 hours block)	\$22
6,9	Picnic Area #3 - Non Resident or Commercial (flat fee for 4 hour block)	\$31
6,9	Picnic Area #4 - Resident (flat fee for 4 hour block)	\$52
6,9	Picnic Area #4 - Non Resident or Commercial (flat fee for 4 hour block)	\$67
	Picnic Area #5 - Resident (6 separate areas)	
9	- 1st 2 tables - flat fee for 4 hours block (per table)	\$43
9	- Each additional table - flat fee for 4 hour block (per table)	\$7
	Picnic Area #5 - Non Resident or Commercial (6 separate areas)	
6,9	- 1st 2 tables - flat fee for 4 hour block (per table)	\$54
6,7,9	- Each additional table - flat fee for 4 hour block (per table)	\$8
6	Picnic Area #6 Resident (Large Group Area) (per day)	\$360
6	Picnic Area #6 Resident (Large Group Area) (per hour - 4 hr min)	\$43
6	Picnic Area #6 Non Resident or Commercial (Large Group Area) (per day)	\$469
6	Picnic Area #6 Non Resident or Commercial (Large Group Area) (per hour - 4 hr min)	\$60
6	Picnic Area #5 & #6 Combined - Resident (per day)	\$577
6	Picnic Area #5 & #6 Combined - Resident (per hour - 4 hr min)	\$70
6	Picnic Area #5 & #6 Combined - Non Resident or Commercial (per day)	\$751
6	Picnic Area #5 & #6 Combined - Non Resident or Commercial (per hour - 4 hr min)	\$94
6,9	Picnic Area #7 - Resident (per 4 hour block)	\$57
6,9	Picnic Area #7 - Non Resident or Commercial (flat fee for 4 hour block)	\$72
6	Reservation rental time change (same date) (less than 7 calendar days prior to use date)	\$49
6	Reservation rental date change (less than 7 calendar days prior to use date)	\$64
6	Rental Cancellation Fee (30 or more days prior to event)	\$31

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
6	Rental Cancellation Fee (15-29 days prior to event)	50% refund and \$30 processing fee
	Rental Cancellation Fee (14 days or less)	No refund
	Rain out	Reschedule to alt. date at no additional cost (no refund)
Sports Fields		
	Adult Sports Field Rental (per hour per field)	\$43
	Youth Sports Field Rental (per hour per field)	\$24
6	Field Rental Change of Time, Same Date (less than 7 calendar days prior to use date)	\$49
6	Field Rental Change of Date (less than 7 calendar days prior to use date)	\$64
	Field Rental Cancellation	No refund less than 14 days prior to use
	Rain out	Reschedule to alt. date at no additional cost (no refund)
Grove Park and Related Facilities		
	Entire Facility Security Deposits	Events without food or beverage \$1,500
	Entire Facility Security Deposits	Events with food and beverage \$1,800
	Entire Facility Security Deposits	Events closing street (i.e.: either Main or Center etc.) \$2,200
6	Special Event Permit/Application Process (non refundable) - events closing streets (Main or Center etc.) + other permit fees:TUP/NP	\$359
	Gazebo only Rental Security Deposit	\$271
	Amplified Sound - damage/security deposit if using City sound equip	\$1,000
6	Amplified Sound Equipment Use Fee (Noise Permit also required) (per hour)	\$31
2	City provided Sound Equipment Tech if needed for use of City equip	cost
6	Reservation rental time change (same date) (less than 7 calendar days prior to use date)	\$49
6	Reservation rental date change (less than 7 calendar days prior to use date)	\$64
6	Rental Cancellation Fee (30 or more days prior to event)	\$31
6	Rental Cancellation Fee (15-29 days prior to event)	50% refund and \$30 processing fee
	Rental Cancellation Fee (14 days or less)	No refund
	Rain out	Reschedule to alt. date at no additional cost (no refund)
Entire Grove Park Facility		
6	Rental Entire Facility - Resident -- Weekends (per hour)	\$216
6	Rental Entire Facility - Resident -- Weekends (per day)	\$1,734
6	Rental Entire Facility - Non-profit (verification req'd) -- Weekends (per hour)	\$216
6	Rental Entire Facility - Non-profit (verification req'd) -- Weekends (per day)	\$1,734
6	Rental Entire Facility - Non-resident or Commercial -- Weekends (per hour)	\$260
6	Rental Entire Facility - Non-resident or Commercial -- Weekends (per day)	\$2,081
6	Rental Entire Facility - Resident -- Weekdays (per hour)	\$144
6	Rental Entire Facility - Resident -- Weekdays (per day)	\$1,156
6	Rental Entire Facility - Non-profit (verification req'd) -- Weekdays (per hour)	\$144
6	Rental Entire Facility - Non-profit (verification req'd) -- Weekdays (per day)	\$1,128

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
6	Rental Entire Facility - Non-resident or Commercial -- Weekdays (per hour)	\$173
6	Rental Entire Facility - Non-resident or Commercial -- Weekdays (per day)	\$1,526
	Gazebo Only	
6	Rental Gazebo only -Resident - Weekends (per hour)	\$151
6	Rental Gazebo only -Resident - Weekends (per day)	\$1,214
6	Rental Gazebo only -Non-profit (verification req'd) - Weekends (per hour)	\$151
6	Rental Gazebo only -Non-profit (verification req'd) - Weekends (per day)	\$1,214
6	Rental Gazebo only - Non-resident or Commercial - Weekends (per hour)	\$181
6	Rental Gazebo only - Non-resident or Commercial - Weekends (per day)	\$1,456
6	Rental Gazebo only -Resident - Weekdays (per hour)	\$107
6	Rental Gazebo only -Resident - Weekdays (per day)	\$433
6	Rental Gazebo only -Non-profit (verification req'd) - Weekdays (per hour)	\$107
6	Rental Gazebo only -Non-profit (verification req'd) - Weekdays (per day)	\$433
6	Rental Gazebo only - Non-resident or Commercial - Weekdays (per hour)	\$128
6	Rental Gazebo only - Non-resident or Commercial - Weekdays (per day)	\$520
	Group Picnic Area (Near Tot Lot)	
6	Group Picnic Area - Resident - Weekends (per hour - 4 hour minimum)	\$36
6	Group Picnic Area - Resident - Weekends (per day)	\$250
6	Group Picnic Area - Non-profit (verification req'd) - Weekends (per hour - 4 hour minimum)	\$36
6	Group Picnic Area - Non-profit (verification req'd) - Weekends (per day)	\$250
6	Group Picnic Area - Non-resident or Commercial - Weekends (per hour - 4 hour minimum)	\$43
6	Group Picnic Area - Non-resident or Commercial - Weekends (per day)	\$302
6	Group Picnic Area - Resident - Weekdays (per hour - 4 hour minimum)	\$30
6	Group Picnic Area - Resident - Weekdays (per day)	\$231
6	Group Picnic Area - Non-profit (verification req'd) - Weekdays (per hour - 4 hour minimum)	\$30
6	Group Picnic Area - Non-profit (verification req'd) - Weekdays (per day)	\$231
6	Group Picnic Area - Non-resident or Commercial - Weekdays (per hour - 4 hour minimum)	\$35
6	Group Picnic Area - Non-resident or Commercial - Weekdays (per day)	\$277
	Plaza Picnic Area (Per Table)	
6	Plaza Picnic Area - Resident - Weekends (per hour - 4 hour minimum)	\$36
6	Plaza Picnic Area - Resident - Weekends (per day)	\$250
6	Plaza Picnic Area - Non-profit (verification req'd) - Weekends (per hour - 4 hour minimum)	\$36
6	Plaza Picnic Area - Non-profit (verification req'd) - Weekends (per day)	\$250
6	Plaza Picnic Area - Non-resident or Commercial - Weekends (per hour - 4 hour minimum)	\$43
6	Plaza Picnic Area - Non-resident or Commercial - Weekends (per day)	\$302
6	Plaza Picnic Area - Resident - Weekdays (per hour - 4 hour minimum)	\$30
6	Plaza Picnic Area - Resident - Weekdays (per day)	\$231
6	Plaza Area - Non Profit (verification req'd) - Weekdays (per hour - 4 hour minimum)	\$30
6	Plaza Picnic Area - Non-profit (verification req'd) - Weekdays (per day)	\$231

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
6	Plaza Picnic Area - Non-resident or Commercial - Weekdays (per hour - 4 hour minimum)	\$35
6	Plaza Picnic Area - Non-resident or Commercial - Weekdays (per day)	\$277
6	Fountain operation with geysers (per 48 hour block)	\$468
	Special Event Liability Insurance purchased through City's 3rd party carrier	Insurance cost per schedule rates by insurance provider when purchasing insurance through City 3rd party carrier
6	Special Event Liability Insurance Administrative Fee (per certificate)	\$43
ADMINISTRATIVE FEES		
	Document Copying (10 pages or less)	No charge
7	Document Copying (per page > 10 pages)	\$0.10
6	Document Recording [with County Clerk Recorders Office] (Actual recording fee costs plus staff time & mileage) (per document)	\$150
	Trail Maps (Fixed - per map)	\$2
2	Video/Audio Recording(s) of City Council or Planning Commission Meetings (placed on CD, DVD, flash drive, etc. as applicable)	Cost
2	Printed documents (i.e. general plan, budget, zoning ord., etc.)	Cost
2	Video Recordings of Meetings	Cost
	FPPC Document Copying (per page - State law) (per page)	\$0.10
7	Notary Public Fee (per document - State law) (per document)	\$15
	Business License Initial Registration Fee - New Business	\$70
	Duplicate Business License Fee (CMC §5.04.790)	\$13
	First Returned Check Service Charge - Fixed	\$25
	Subsequent Returned Check Service Charge - Fixed	\$37
	Late Payment Charges for Administrative Fines	Ten percent (10%) of original fine for every 30 days or portion thereof. The Late Payment Charge shall not exceed 100 percent (100%) of the original fine.
6	Street Closure Fee	\$144
	Administrative penalty for City issued permits after the fact (encroachment permit; tree removal permit, etc.)	Double the original permit fee
6	Code Enforcement non-compliance re-inspection after the first inspection (in addition to any citation fines) (per inspection)	\$42

City of Clayton User Benefit, Regulatory and Rental Fees		
Foot Notes	Fee/Deposit Description	Proposed FY 2022-23 Fee/Deposit 5% CPI Increase (8.8% total increase)
FOOT NOTES		
1	"Time" is defined as the cost per hour for an employee at the time the costs are incurred. Costs included salary, benefits, employer taxes, overhead and overtime, as applicable. Time also means City Engineer billing (plus 15%), as well as costs of other contracts and expenses. Detail of costs are available upon request.	
2	"Cost" is defined as the cost of equipment use, non-returnable flash drive (video/audio recordings), materials, labor, and supplies.	
3	Deposits are required upon submittal of an application. A minimum deposit is stipulated by these fees. At City Manager's discretion, deposit requirement can be reduced. Also, if it is the judgment of staff a minimum deposit is not sufficient, the required deposit may be increased. If, after a deposit is made, more funds are needed, the applicant will be notified when approx. 30% of the deposit remains, any additional funds estimated by staff are to be provided to replenish the deposit account for continuing work on the project, until such funds are received work on the project may be suspended.	
4	If a development project requires multiple applications, only a single deposit shall be required. In such cases, the amount of the deposit shall be the largest single deposit required by any of the applications, or an amount determined by the City Manager, not to exceed the sum of the deposits.	
5	All fixed-cost development application fees are refundable based upon the City amount of staff work completed on the process of the application and subject to approval by the City Manager.	
6	City operational costs are driven both by labor increases and by overall cost of living increases and fees are adjusted by the higher of those two each year. For FY22 the CPI is equal to 5.0%, City Labor increases are equal to either 3% or 4%; thus the rates are increasing by 5.0%. They did not increase in FY22 due to staff turnover and COVID related delays; therefore, we are also including an increase of 3.8% for FY22. The total increase from FY21 to FY23 is 8.8%.	
7	CPI in prior year Master Fee Schedule (FY 2021 or FY2022) did not result in a fee increase due to the CPI impact being too trivial to warrant a full dollar increase as fees are adopted in whole dollars only. Therefore, fees in these areas for FY2023 did not increase.	
8	Amount reflects minimum engineering deposit for standard project requirements. However additional amounts may be required as determined by the City Engineer based on the size of the project and for unusual or non-standard circumstances. All costs for inspection and administration relating to this permit shall be deducted from the inspection service deposit(s) or cash bond.	
9	This specified Clayton Community Park picnic area is only available for rent in 4 hour block increments.	
10	An Arrow symbol → Indicates fee increases and will take effect 60 days after adoption that may be subject to California Government Code §66017. All other fees will take effect upon adoption of Resolutions.	
11	This is a newly added fee per California Vehicle Code Section 35700(a)	