



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, April 6, 2021

7:00 P.M.

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

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19 and the Governor's Executive Orders N-25-20 and N-29-20 that allow members of the City Council, City staff and the public to participate and conduct a meeting by teleconference, videoconference or both. In order to comply with public health orders, the requirement to provide a physical location for members of the public to participate in the meeting has been suspended.

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
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda is available for review on the City's website at 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 – April 6

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_8HF1fp4OTkOe8pBgW7LSHQ

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 jcalderon@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.

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_8HF1fp4OTkOe8pBgW7LSHQ

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

*** CITY COUNCIL ***

April 6, 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 March 16, 2021. (City Clerk) ([View Here](#))
- (b) Approve the Financial Demands and Obligations of the City. (Finance) ([View Here](#))
- (c) Second Quarter Ending December 31, 2020 FY 2020/21 Investment Portfolio Report. (Finance Director) ([View Here](#))
- (d) Approval of an Amendment to Consulting Agreement with TRC Solutions, Inc. to Provide Contract Planning Services Including Staffing the Community Development Director Position. (City Manager) ([View Here](#))
- (e) Acceptance of the 2020 General Plan Implementation and Housing Element Annual Progress Report. (Interim Community Development Director) ([View Here](#))
- (f) Adopt a Resolution Directing the Filing of an Annual Engineer's Report for the Diablo Estates Benefit Assessment District (Pursuant to the Landscaping and Lighting Act of 1972). (City Engineer) ([View Here](#))
- (g) City Council Adoption by Minute Order an Update to the Schedule for the Do The Right Thing Program. (City Manager) ([View Here](#))

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Proclamation recognizing April 4-10, 2021 as "National Library Week 2021". (Mayor Wolfe) ([View Here](#))

6. REPORTS

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

7. PUBLIC COMMENT ON NON - AGENDA ITEMS

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

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

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

- (a) Adopt a Resolution of The City Council of the City of Clayton Authorizing the Clayton Police Department to Apply For, And Accept \$465,881 In Grant Funding From The California Department of Justice to Participate In The Tobacco Grant Program. (Police Chief) ([View Here](#))
- (b) Recognition of Cultural Heritage Months and Other Significant Celebrations. (City Manager) ([View Here](#))

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

11. CLOSED SESSION – None.

12. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be April 20, 2021.

#

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

TUESDAY, March 16, 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 and Tillman. Councilmembers absent: Councilmember Wan. Staff present: City Manager Reina Schwartz, Finance Director Paul Rodrigues, Assistant to the City Manager Laura Hoffmeister, City Attorney Mala Subramanian 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 Vice Mayor Cloven, seconded by Councilmember Diaz, to approve the Consent Calendar items 3(a) - 3(f) as submitted. (Passed 4-0).

 - (a) Approved the minutes of the City Council's regular meeting of March 2, 2021. (City Clerk)
 - (b) Approved the Financial Demands and Obligations of the City. (Finance)
 - (c) Adopted Resolution No. 09-2021 Approving Three Contracts for the Purchase and Outfitting of Two New 2021 Ford Police Interceptor Utility Patrol Vehicles to Replace Existing Ford Patrol Vehicles, and Declaring Two 2011 Ford Patrol Vehicles (Unit Numbers 1734 & 1736) as Surplus to City's Needs (Police Chief)
 - (d) Approved of 2021 "Classic Car Show & DJ" Wednesday series at the City Parking Lot on Main Street. (Councilmember Diaz)
 - (e) Accepted the Informational report on Clayton Community Church Project. (City Manager)
 - (f) Adopted Resolution No. 10-2021 Approving Agreement No. 63062 With the California Franchise Tax Board Allowing the City of Clayton to Enter into a Reciprocal Agreement to Exchange Tax Data Specific to City Business License Information for Mutual Tax Administration and Collection Purposes, and Authorizing the City Manager to Execute the Agreement on Behalf of the City of Clayton, CA. (Finance Director)

5. RECOGNITIONS AND PRESENTATIONS

- (a) Certificates of Recognition to public school students for exemplifying the “Do the Right Thing” character trait of “Integrity” during the month of March 2021.
(Mayor Wolfe)

Mayor Wolfe and Mt. Diablo Elementary School Principal Katie Sanchez presented certificates to Daelyn Chippero and Emma Del Bianco.

Mayor Wolfe and Diablo View Middle School Principal Peter Fong presented certificates to Yoseph Sakhri, Corinne Jeandheur and Ruby Nunez.

- (b) A Proclamation declaring March 2021 as “American Red Cross Awareness Month” in the City of Clayton. (Mayor Wolfe)

Mayor Wolfe read and presented the proclamation to Stan Massie, Volunteer and Board Member, American Red Cross Northern California Coastal Region, Contra Costa Leadership Council Chair.

6. REPORTS

- (a) Planning Commission – Chair AJ Chippero stated that the Commission’s meeting of March 9, 2021 included denial without prejudice the proposed subdivision and development of six detached single-family residences on the north side of Marsh Creek Road. This item was denied 3-0 as submitted. Commissioner Gavidia recused himself prior to hearing the item and Commissioner Bassam Altwal was absent from the meeting.

- (b) Trails and Landscaping Committee – No meeting held.

- (c) City Manager/Staff

City Manager Reina Schwartz advised the Trails and Landscaping Committee is in the process of scheduling their next meeting and Contra Costa County is in a less restrictive tier in respects to COVID with City Hall reopening to the public soon.

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

Councilmember Tillman attended the East Bay Youth Speaks meeting, the Contra Costa County Mayors’ Conference, spoke at the Diablo View Middle School Career Day, volunteered with the Mount Diablo Unified School District, two birthday celebrations for former Mayor Bob Hoyer, met with the City Manager, met with prior Clayton Councilmembers and Mayors, and will be providing an update on the Anti-Racist Library fundraising effort at a future meeting.

Councilmember Diaz on behalf of the Contra Costa Mayors’ Conference as a Board Alternate member attended East Bay Regional Communication Authority meeting, met with the consultant regarding Goals and Objectives for the upcoming Special Meeting of March 22, attended two birthday celebrations for former Mayor Bob Hoyer, volunteered with Planning Commissioner Frank Gavidia organized by Terry Carey, Operations Chief, Contra Costa Fire Protection District; Ross Macumber, Branch Director, East Contra Costa County Fire; Ryan Borkert, Lieutenant, Contra Costa County Sheriff’s Office; and Ruth Raisner, Vaccine Coordinator, Contra Costa Health Services on the administration of COVID vaccinations at Los Medanos Community College Learning Center in Brentwood, and met with the City Manager and Police Chief.

Vice Mayor Cloven thanked Mayor Wolfe in regards to the “Do The Right Thing” campaign. Vice Mayor Cloven attended onboarding to the Contra Costa County Transportation Authority and TRANSPAC, attended two birthday celebrations for former Mayor Bob Hoyer, reviewed the Clayton Housing Element, and attended the Cal Cities American Rescue Plan call.

Mayor Wolfe thanked the principals for the “Do The Right Thing” campaign. Mayor Wolfe attended the Contra Costa County Mayors’ Conference, the Contra Costa County Mayors’ Conference Orientation, met with the City Manager, met with the Goal Setting Consultant, attended the Saturday birthday celebration for former Mayor Bob Hoyer, met with Concord Mayor McGallian regarding ideas for the 4th of July, met with the owners of Oakhurst Country Club, spoke with constituents, attended the Memorial Day Committee meeting, met with Councilmember Diaz and Vice Mayor Cloven, met with Assembly Member Grayson regarding SB 9, and with Senator Glazer regarding SB 9.

7. **PUBLIC COMMENT ON NON - AGENDA ITEMS**

Dee Vieira expressed support with indoor and outdoor cultivation of cannabis in the City of Clayton.

Emily Ramey, Ygrene Energy, requested the City Council to allow PACE program financing to the residents of Clayton.

Emmy Cosce expressed support of outdoor cultivation of cannabis in the City of Clayton.

Katherine Lewis expressed support of outdoor cultivation of cannabis in the City of Clayton.

Doug Moore one of the owners of Oakhurst Country Club, expressed support of Ygrene Energy as Oakhurst Country Club is currently working on a solar project.

Jenny Lewis expressed concern over the City’s Urgency Ordinance process specifically with Clayton Ordinance 473.

Mayor Wolfe closed public comment.

8. **PUBLIC HEARINGS – None.**

9. **ACTION ITEMS**

- (a) Adopted Resolution No. 11-2021 Adopting the City of Clayton’s Salary Schedule Effective January 1, 2021 in Conformance with CalPERS Requirements to Provide a Publicly Available Salary Schedule. (City Manager)

City Manager Reina Schwartz introduced the item.

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

It was moved by Councilmember Diaz, seconded by Vice Mayor Cloven, to adopt Resolution No 11-2021 Adopting the City of Clayton's Salary Schedule Effective January 1, 2021 in Conformance with CalPERS Requirements to Provide a Publicly Available Salary Schedule. (Passed 4-0 vote).

- (b) Authorized Release of a Request for Proposal (RFP) for the Housing Element Update (City Manager)

City Manager Reina Schwartz introduced the item.

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

It was moved by Vice Mayor Cloven, seconded by Councilmember Tillman, to Authorize Release of a Request for Proposal (RFP) for the Housing Element Update. (Passed 4-0 vote).

10. COUNCIL ITEMS

Councilmember Diaz requested an item for a future meeting regarding reconsideration of recent claim presented to the City that was denied.

11. CLOSED SESSION – None.

12. ADJOURNMENT– on call by Mayor Wolfe, the City Council adjourned its meeting at 8:26 p.m.

The next regularly scheduled meeting of the City Council will be April 6, 2021.

#

Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Carl Wolfe, Mayor

#

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JENNIFER GIANTVALLEY, ACCOUNTING TECHNICIAN

DATE: 04/06/2021

SUBJECT: FINANCIAL DEMANDS AND OBLIGATIONS OF THE CITY

RECOMMENDATION:

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

Attached Report	Purpose	Date	Amount
Open Invoice Report	Accounts Payable	3/30/2021	\$ 267,191.02
Cash Requirements Report	Payroll, Taxes	3/24/2021	\$ 81,255.15
	Total Required		\$ 348,446.17

Attachments:

1. Open Invoice Report, dated 03/30/21 (6 pages)
2. Cash Requirements report PPE 03/21/21 (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
American Fidelity Assurance Company								
American Fidelity Assurance Company	3/31/2021	3/31/2021	D280527	Supplemental insurance March 2021	\$651.76	\$0.00		\$651.76
American Fidelity Assurance Company	3/19/2021	3/19/2021	2096149	FSA PPE 3/21/21	\$128.45	\$0.00		\$128.45
				<i>Totals for American Fidelity Assurance Company</i>	<u>\$780.21</u>	<u>\$0.00</u>		<u>\$780.21</u>
AT&T (CalNet3)								
AT&T (CalNet3)	3/22/2021	3/22/2021	16216998	Phones 2/22/21-3/21/21	\$1,269.26	\$0.00		\$1,269.26
				<i>Totals for AT&T (CalNet3)</i>	<u>\$1,269.26</u>	<u>\$0.00</u>		<u>\$1,269.26</u>
Bassam Atwal								
Bassam Atwal	3/26/2021	3/26/2021	PC-1,2,3-21	Planning Commission Stipend Jan-Mar 2021	\$360.00	\$0.00		\$360.00
				<i>Totals for Bassam Atwal</i>	<u>\$360.00</u>	<u>\$0.00</u>		<u>\$360.00</u>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	3/4/2021	3/4/2021	20103	No parking signs	\$306.68	\$0.00		\$306.68
Bay Area Barricade Serv.	3/24/2021	3/24/2021	20710	"Lane closed ahead" signs and braces	\$178.24	\$0.00		\$178.24
				<i>Totals for Bay Area Barricade Serv.</i>	<u>\$484.92</u>	<u>\$0.00</u>		<u>\$484.92</u>
Bay Area News Group								
Bay Area News Group	2/28/2021	2/28/2021	1283726	Legal ads February 2021	\$849.68	\$0.00		\$849.68
Bay Area News Group	11/30/2020	11/30/2020	1273797	Legal ads November 2020	\$316.48	\$0.00		\$316.48
				<i>Totals for Bay Area News Group</i>	<u>\$1,166.16</u>	<u>\$0.00</u>		<u>\$1,166.16</u>
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	3/10/2021	3/10/2021	900086	Legal services February 2021	\$9,574.00	\$0.00		\$9,574.00
Best Best & Kreiger LLP	3/10/2021	3/10/2021	900087	Project legal svcs Feburary 2021	\$4,312.00	\$0.00		\$4,312.00
Best Best & Kreiger LLP	3/10/2021	3/10/2021	900088	The Olivia legal svcs February 2021	\$274.00	\$0.00		\$274.00
Best Best & Kreiger LLP	3/10/2021	3/10/2021	900089	Suppl legal svcs Feburary 2021	\$932.40	\$0.00		\$932.40
Best Best & Kreiger LLP	3/10/2021	3/10/2021	900090	Project legal svcs February 2021	\$859.93	\$0.00		\$859.93
				<i>Totals for Best Best & Kreiger LLP</i>	<u>\$15,952.33</u>	<u>\$0.00</u>		<u>\$15,952.33</u>
CA Police Chiefs Association								
CA Police Chiefs Association	3/25/2021	3/25/2021	21-04	County Chiefs' Workshop 5/16/21-5/19/21	\$725.00	\$0.00		\$725.00
				<i>Totals for CA Police Chiefs Association</i>	<u>\$725.00</u>	<u>\$0.00</u>		<u>\$725.00</u>
California State Disbursement Unit								
California State Disbursement Unit	3/26/2021	3/26/2021	PC-2,3-21	Remittance 200000001076542, Loc 0600099	\$120.00	\$0.00		\$120.00
				<i>Totals for California State Disbursement Unit</i>	<u>\$120.00</u>	<u>\$0.00</u>		<u>\$120.00</u>
CalPERS Health								
CalPERS Health	3/15/2021	3/15/2021	16371448	Medical April 2021	\$37,455.42	\$0.00		\$37,455.42
				<i>Totals for CalPERS Health</i>	<u>\$37,455.42</u>	<u>\$0.00</u>		<u>\$37,455.42</u>
CalPERS Retirement								
CalPERS Retirement	3/21/2021	3/21/2021	032121	Retirement PPE 3/21/21	\$17,203.50	\$0.00		\$17,203.50

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Totals for CalPERS Retirement					\$17,203.50	\$0.00		\$17,203.50
CCWD								
CCWD	3/4/2021	3/4/2021	I series	Water 1/5/21-3/3/21	\$11,642.06	\$0.00		\$11,642.06
Totals for CCWD.					\$11,642.06	\$0.00		\$11,642.06
Anthony Chippero								
Anthony Chippero	3/26/2021	3/26/2021	PC-1,2,3-21	Planning Commission Stipend Jan-Mar 2021	\$360.00	\$0.00		\$360.00
Totals for Anthony Chippero					\$360.00	\$0.00		\$360.00
Cintas Corporation								
Cintas Corporation	2/11/2021	2/11/2021	4075646586	PW uniforms through 2/11/21	\$58.88	\$0.00		\$58.88
Cintas Corporation	3/11/2021	3/11/2021	407828/1690	PW uniforms through 3/11/21	\$51.35	\$0.00		\$51.35
Cintas Corporation	3/18/2021	3/18/2021	4078939182	PW uniforms through 3/18/21	\$50.72	\$0.00		\$50.72
Cintas Corporation	3/25/2021	3/25/2021	4079631860	PW uniforms through 3/25/21	\$50.72	\$0.00		\$50.72
Totals for Cintas Corporation					\$211.67	\$0.00		\$211.67
City of Antioch								
City of Antioch	3/15/2021	3/15/2021	245/55/R18	Loose tire replacement	\$367.20	\$0.00		\$367.20
Totals for City of Antioch					\$367.20	\$0.00		\$367.20
City of Concord								
City of Concord	3/3/2021	3/3/2021	87446	Dispatch svcs April 2021	\$24,418.92	\$0.00		\$24,418.92
City of Concord	3/3/2021	3/3/2021	87445	Dispatch svcs March 2021	\$24,418.92	\$0.00		\$24,418.92
City of Concord	3/8/2021	3/8/2021	87792	Live scan service	\$48.00	\$0.00		\$48.00
Totals for City of Concord					\$48,885.84	\$0.00		\$48,885.84
Clean Street								
Clean Street	3/31/2021	3/31/2021	99692 CSSSS	Street sweeping March 2021	\$4,500.00	\$0.00		\$4,500.00
Totals for Clean Street					\$4,500.00	\$0.00		\$4,500.00
CME Lighting Supply, Inc								
CME Lighting Supply, Inc	3/4/2021	3/4/2021	243101	Street light bulbs	\$178.10	\$0.00		\$178.10
Totals for CME Lighting Supply, Inc					\$178.10	\$0.00		\$178.10
Comcast Business (PD)								
Comcast Business (PD)	3/1/2021	3/1/2021	117704614	PD internet February 2021	\$989.42	\$0.00		\$989.42
Totals for Comcast Business (PD)					\$989.42	\$0.00		\$989.42
Concord Garden Equipment								
Concord Garden Equipment	3/30/2021	3/30/2021	599358	Landscape trailer supplies	\$346.83	\$0.00		\$346.83
Concord Garden Equipment	3/30/2021	3/30/2021	597910	Landscape equipment supplies	\$277.75	\$0.00		\$277.75
Totals for Concord Garden Equipment					\$624.58	\$0.00		\$624.58
Contra Costa County - Office of the Sheriff								

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
Contra Costa County - Office of the Sheriff	3/11/2021	3/11/2021	CLPD-2102	Toxicology February 2021	\$200.00	\$0.00		\$200.00
				<i>Totals for Contra Costa County - Office of the Sheriff</i>	<i>\$200.00</i>	<i>\$0.00</i>		<i>\$200.00</i>
Contra Costa County Clerk Elections Division								
Contra Costa County Clerk Elections Division	3/5/2021	3/5/2021	1957	11/3/20 Presidential election Candidate stmt c	\$1,724.40	\$0.00		\$1,724.40
				<i>Totals for Contra Costa County Clerk Elections Division</i>	<i>\$1,724.40</i>	<i>\$0.00</i>		<i>\$1,724.40</i>
Contra Costa County Public Works Dept								
Contra Costa County Public Works Dept	3/17/2021	3/17/2021	703769	Traffic signal maintenance February 2021	\$1,814.14	\$0.00		\$1,814.14
				<i>Totals for Contra Costa County Public Works Dept</i>	<i>\$1,814.14</i>	<i>\$0.00</i>		<i>\$1,814.14</i>
CR Fireline, Inc								
CR Fireline, Inc	3/8/2021	3/8/2021	118858	Library Fire sprinkler inspection	\$425.00	\$0.00		\$425.00
CR Fireline, Inc	3/5/2021	3/5/2021	118835	EH Fire sprinkler inspection	\$425.00	\$0.00		\$425.00
CR Fireline, Inc	3/5/2021	3/5/2021	118834	CH Fire sprinkler inspection	\$425.00	\$0.00		\$425.00
				<i>Totals for CR Fireline, Inc</i>	<i>\$1,275.00</i>	<i>\$0.00</i>		<i>\$1,275.00</i>
Terri Denslow								
Terri Denslow	3/26/2021	3/26/2021	PC-1,2,3-21	Planning Commission Stipend Jan-Mar 2021	\$360.00	\$0.00		\$360.00
				<i>Totals for Terri Denslow</i>	<i>\$360.00</i>	<i>\$0.00</i>		<i>\$360.00</i>
Dillon Electric Inc								
Dillon Electric Inc	3/25/2021	3/25/2021	4350	Street light repairs 3/22/21	\$728.09	\$0.00		\$728.09
Dillon Electric Inc	3/25/2021	3/25/2021	4349	Kelok Wy Solar security light install	\$1,080.64	\$0.00		\$1,080.64
Dillon Electric Inc	3/23/2021	3/23/2021	4348	Street light repairs 3/2/21	\$539.64	\$0.00		\$539.64
				<i>Totals for Dillon Electric Inc</i>	<i>\$2,348.37</i>	<i>\$0.00</i>		<i>\$2,348.37</i>
Fresno City College								
Fresno City College	3/24/2021	3/24/2021	15858378	Training registration	\$115.00	\$0.00		\$115.00
				<i>Totals for Fresno City College</i>	<i>\$115.00</i>	<i>\$0.00</i>		<i>\$115.00</i>
Frank Gavidia								
Frank Gavidia	3/26/2021	3/26/2021	PC-1,2,3-21	Planning Commission Stipend Jan-Mar 2021	\$360.00	\$0.00		\$360.00
				<i>Totals for Frank Gavidia</i>	<i>\$360.00</i>	<i>\$0.00</i>		<i>\$360.00</i>
GFOA								
GFOA	2/28/2021	2/28/2021	300127946	Cert review fee FY 2019	\$460.00	\$0.00		\$460.00
				<i>Totals for GFOA</i>	<i>\$460.00</i>	<i>\$0.00</i>		<i>\$460.00</i>
Globalstar LLC								
Globalstar LLC	3/16/2021	3/16/2021	13035469	Sat phone 3/16/21-4/15/21	\$112.63	\$0.00		\$112.63
				<i>Totals for Globalstar LLC</i>	<i>\$112.63</i>	<i>\$0.00</i>		<i>\$112.63</i>
Harris & Associates, Inc.								
Harris & Associates, Inc.	3/9/2021	3/9/2021	47774	Engineering services 1/31/21-2/27/21	\$10,004.03	\$0.00		\$10,004.03

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Harris & Associates, Inc.	3/9/2021	3/9/2021	47775	Project engineering svcs 1/31/21-2/27/21	\$6,090.00	\$0.00		\$6,090.00
Harris & Associates, Inc.	3/9/2021	3/9/2021	47776	CIP engineering svcs 1/31/21-2/27/21	\$3,605.00	\$0.00		\$3,605.00
				<i>Totals for Harris & Associates, Inc.</i>	<i>\$19,699.03</i>	<i>\$0.00</i>		<i>\$19,699.03</i>
Health Care Dental Trust								
Health Care Dental Trust	3/16/2021	3/16/2021	293807	Dental April 2021	\$1,803.46	\$0.00		\$1,803.46
				<i>Totals for Health Care Dental Trust</i>	<i>\$1,803.46</i>	<i>\$0.00</i>		<i>\$1,803.46</i>
ICMA Retirement Corporation								
ICMA Retirement Corporation	3/21/2021	3/21/2021	032121	457 Plan contributions PPE 3/21/21	\$2,209.62	\$0.00		\$2,209.62
				<i>Totals for ICMA Retirement Corporation</i>	<i>\$2,209.62</i>	<i>\$0.00</i>		<i>\$2,209.62</i>
J&R Floor Services								
J&R Floor Services	3/31/2021	3/31/2021	Three 2021	Janitorial services March 2021	\$3,575.00	\$0.00		\$3,575.00
				<i>Totals for J&R Floor Services</i>	<i>\$3,575.00</i>	<i>\$0.00</i>		<i>\$3,575.00</i>
Edward Miller III								
Edward Miller III	3/26/2021	3/26/2021	PC-2,3-21	Planning Commission Stipend Feb-Mar 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>
Nationwide								
Nationwide	3/21/2021	3/21/2021	032121	457 Plan contribution PPE 3/21/21	\$500.00	\$0.00		\$500.00
				<i>Totals for Nationwide</i>	<i>\$500.00</i>	<i>\$0.00</i>		<i>\$500.00</i>
NBS Govt. Finance Group								
NBS Govt. Finance Group	3/20/2021	3/20/2021	221000180	CFD Administration 4/1/21-6/30/21	\$4,867.81	\$0.00		\$4,867.81
				<i>Totals for NBS Govt. Finance Group</i>	<i>\$4,867.81</i>	<i>\$0.00</i>		<i>\$4,867.81</i>
Neopost (add postage)								
Neopost (add postage)	3/25/2021	3/25/2021	032521	Postage added	\$300.00	\$0.00		\$300.00
				<i>Totals for Neopost (add postage)</i>	<i>\$300.00</i>	<i>\$0.00</i>		<i>\$300.00</i>
Pacific Office Automation								
Pacific Office Automation	3/1/2021	3/1/2021	213737	Copier lease pmt 48 of 60	\$106.58	\$0.00		\$106.58
Pacific Office Automation	3/18/2021	3/18/2021	213886	Copier usage 2/20/21-3/19/21	\$40.13	\$0.00		\$40.13
				<i>Totals for Pacific Office Automation</i>	<i>\$146.71</i>	<i>\$0.00</i>		<i>\$146.71</i>
Paychex								
Paychex	3/21/2021	3/21/2021	2021032201	Payroll fees PPE 3/21/21	\$230.50	\$0.00		\$230.50
Paychex	3/7/2021	3/7/2021	2021030801	Payroll fees PPE 3/7/21	\$254.26	\$0.00		\$254.26
				<i>Totals for Paychex.</i>	<i>\$484.76</i>	<i>\$0.00</i>		<i>\$484.76</i>
PG&E								
PG&E	3/17/2021	3/17/2021	031721	Energy 2/16/21-3/16/21	\$19,928.05	\$0.00		\$19,928.05
				<i>Totals for PG&E.</i>	<i>\$19,928.05</i>	<i>\$0.00</i>		<i>\$19,928.05</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
Site One Landscape Supply, LLC								
Site One Landscape Supply, LLC	3/10/2021	3/10/2021	106707678-001	Irrigation repair supplies	\$64.95	\$0.00		\$64.95
				<i>Totals for Site One Landscape Supply, LLC</i>	<u>\$64.95</u>	<u>\$0.00</u>		<u>\$64.95</u>
Spraytec								
Spraytec	3/12/2021	3/12/2021	16774	Waste water treatment repairs/service	\$7,355.58	\$0.00		\$7,355.58
				<i>Totals for Spraytec.</i>	<u>\$7,355.58</u>	<u>\$0.00</u>		<u>\$7,355.58</u>
Staples Business Credit								
Staples Business Credit	2/25/2021	2/25/2021	1633479796	Office supplies	\$890.98	\$0.00		\$890.98
				<i>Totals for Staples Business Credit</i>	<u>\$890.98</u>	<u>\$0.00</u>		<u>\$890.98</u>
Stericycle Inc								
Stericycle Inc	3/22/2021	3/22/2021	3005488135	Medical waste disposal	\$65.00	\$0.00		\$65.00
				<i>Totals for Stericycle Inc</i>	<u>\$65.00</u>	<u>\$0.00</u>		<u>\$65.00</u>
Texas Life Insurance Company								
Texas Life Insurance Company	3/15/2021	3/15/2021	SM0F1B2021031400	Supplemental insurance April 2021	\$53.00	\$0.00		\$53.00
				<i>Totals for Texas Life Insurance Company</i>	<u>\$53.00</u>	<u>\$0.00</u>		<u>\$53.00</u>
The Mejorando Group								
The Mejorando Group	3/23/2021	3/23/2021	19-2021	Facilitate group development session City Cou	\$4,500.00	\$0.00		\$4,500.00
				<i>Totals for The Mejorando Group</i>	<u>\$4,500.00</u>	<u>\$0.00</u>		<u>\$4,500.00</u>
Verizon Wireless								
Verizon Wireless	3/1/2021	3/1/2021	9874517392	Cell phones 2/2/21-3/1/21	\$382.16	\$0.00		\$382.16
				<i>Totals for Verizon Wireless</i>	<u>\$382.16</u>	<u>\$0.00</u>		<u>\$382.16</u>
Voyager - CalCard								
Voyager - CalCard	3/24/2021	3/24/2021	032421	Fleet fuel stmt end 3/24/21	\$3,603.85	\$0.00		\$3,603.85
				<i>Totals for Voyager - CalCard</i>	<u>\$3,603.85</u>	<u>\$0.00</u>		<u>\$3,603.85</u>
Warner Brothers Tree Service								
Warner Brothers Tree Service	3/10/2021	3/10/2021	15625	Tree work Yolanda Cir/Oakhurst Dr, OMC	\$2,700.00	\$0.00		\$2,700.00
Warner Brothers Tree Service	2/11/2021	2/11/2021	15601	Tree work 256 Stranahan Cir	\$900.00	\$0.00		\$900.00
Warner Brothers Tree Service	2/11/2021	2/11/2021	15602	Tree work Stranahan Cir	\$300.00	\$0.00		\$300.00
Warner Brothers Tree Service	2/11/2021	2/11/2021	15603	Tree work 314 Semillion Cir	\$675.00	\$0.00		\$675.00
Warner Brothers Tree Service	2/11/2021	2/11/2021	15604	Tree work Mitchell Canyon	\$1,125.00	\$0.00		\$1,125.00
Warner Brothers Tree Service	3/26/2021	3/26/2021	15632	Annual tree pruning - Old Marsh Creek	\$25,350.00	\$0.00		\$25,350.00
Warner Brothers Tree Service	3/24/2021	3/24/2021	15631	Tree work Regency Dr, Petar Ct	\$4,200.00	\$0.00		\$4,200.00
				<i>Totals for Warner Brothers Tree Service</i>	<u>\$35,250.00</u>	<u>\$0.00</u>		<u>\$35,250.00</u>
Western Exterminator								
Western Exterminator	3/3/2021	3/3/2021	9757C	Pest control February 2021	\$427.00	\$0.00		\$427.00

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for Western Exterminator</i>					<i>\$427.00</i>	<i>\$0.00</i>		<i>\$427.00</i>
Workers.com								
Workers.com	3/19/2021	3/19/2021	129497	Seasonal workers week end 3/14/21	\$1,476.00	\$0.00		\$1,476.00
Workers.com	3/12/2021	3/12/2021	129408	Seasonal workers week end 3/7/21	\$2,029.53	\$0.00		\$2,029.53
Workers.com	3/5/2021	3/5/2021	129362	Seasonal workers week end 2/28/21	\$2,740.52	\$0.00		\$2,740.52
Workers.com	3/26/2021	3/26/2021	129503	Seasonal workers week end 3/21/21	\$1,672.80	\$0.00		\$1,672.80
<i>Totals for Workers.com</i>					<i>\$7,918.85</i>	<i>\$0.00</i>		<i>\$7,918.85</i>
Yorkshire Roofing								
Yorkshire Roofing	3/11/2021	3/11/2021	BP47-2021	C&D refund, 245 Bigelow St	\$1,000.00	\$0.00		\$1,000.00
<i>Totals for Yorkshire Roofing</i>					<i>\$1,000.00</i>	<i>\$0.00</i>		<i>\$1,000.00</i>
GRAND TOTALS:					\$267,191.02	\$0.00		\$267,191.02

CASH REQUIREMENTS

CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR ELECTRONIC FUNDS TRANSFERS (EFT) FOR CHECK DATE 03/24/21: \$81,255.15

IMPORTANT COVID-19 INFORMATION: If you filed IRS Form 7200, please notify your Paychex representative to avoid owing a balance at the end of the quarter and ensure your Form 941 is accurate.

TRANSACTION SUMMARY

SUMMARY BY TRANSACTION TYPE -	TOTAL ELECTRONIC FUNDS TRANSFER (EFT)	81,255.15
	CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR EFT	81,255.15
	TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES	14,862.84
	CASH REQUIRED FOR CHECK DATE 03/24/21	96,117.99

TRANSACTION DETAIL

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

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		BANK DRAFT AMOUNTS & OTHER TOTALS
03/23/21	BANK OF AMERICA, NA	xxxxxxx799	Direct Deposit	Net Pay Allocations	60,718.76	
03/23/21	BANK OF AMERICA, NA	xxxxxxx799	Direct Deposit	Deductions with Direct Deposit	603.50	61,322.26
03/23/21	BANK OF AMERICA, NA	xxxxxxx799	Readychex®	Check Amounts	1,485.51	1,485.51
				EFT FOR 03/23/21		62,807.77
03/24/21	BANK OF AMERICA, NA	xxxxxxx799	Taxpay®	Employee Withholdings		
				Medicare	1,300.13	
				Fed Income Tax	11,569.46	
				CA Income Tax	4,260.96	
				Total Withholdings	17,130.55	
				Employer Liabilities		
				Medicare	1,300.12	
				Fed Unemploy	3.04	
				CA Unemploy	13.16	
				CA Emp Train	0.51	
				Total Liabilities	1,316.83	18,447.38
				EFT FOR 03/24/21		18,447.38
				TOTAL EFT		81,255.15

REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES - Paychex does not remit these funds. You must ensure accurate and timely payment of applicable items.

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		<u>TOTAL</u>
03/24/21	Refer to your records for account	Information	Payroll	Employee Deductions		
				1959 Surv. Ben.	9.30	
				414h2 EE PD ER Cont.	271.19	
				414h2 Pretax	7,004.50	



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: PAUL L. RODRIGUES, FINANCE DIRECTOR

DATE: APRIL 6, 2021

SUBJECT: SECOND QUARTER ENDING DECEMBER 31, 2020 FY 2020/21 INVESTMENT PORTFOLIO REPORT

RECOMMENDATION

It is recommended the City Council accept the City Investment Portfolio Report for the second quarter (October, November, December) 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 second quarter report 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 second quarter of the 2020/21 fiscal year complete, year-to-date interest earnings for

the General Fund are \$43,487 or 43% of forecasted General Fund interest revenues per the FY 2020-21 adopted budget of \$100,000. With 50% of the year complete, General Fund interest revenues are \$6,513 lower than the year-to-date budget estimate of \$50,000. City-wide investment earnings solely attributable to pooled investments (i.e., not related to cash with fiscal agents such as bond proceeds) through the second quarter of FY 2020/21, totaled \$116,364.

This quarter, the highest yielding investment type, investments in certificates of deposit, government agency bonds, and corporate bonds and notes comprised approximately 71% of the portfolio with a collective weighted average interest rate of 1.69%. Deposits held with pooled investment accounts at CAMP and LAIF, making up 16.3% of the portfolio, with weighted average interest rates of .12% and .54% respectively were the second highest yielding investment type.

The market value of the total investment portfolio was \$14,827,383, which is \$261,022 higher than total carrying value as of December 31, 2020. Currently, 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.

While the earnings outcome of the second quarter of FY 2020/21 are lower than budgeted expectations, management is also expecting that investment income will continue to decline over the next several quarters of the fiscal year as the Federal Reserve cut interest rates to zero in March 2020. In September 2020 it was announced that rates would be kept in the range of 0.0% to 0.25% until 2023. Accordingly, we expect many of the investments purchased at higher yields will be called and replaced with lower yielding investments in CD's and government obligation instruments in the remainder of this fiscal year.

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 – Second Quarter of Fiscal Year 2020-21 (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 – Second Quarter of Fiscal Year 2020/21 (October 1, 2020 – December 31, 2020)

City of Clayton
Investment Holdings Summary
Qtr. Ending: Dec. 31, 2020

ATTACHMENT 1

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	890,475.70	0.12%	0.12%	n/a	n/a	890,475.70
LAIF	Local Agency Pool	Local Agency Investment Fund	n/a	1,490,260.89	0.54%	0.54%	n/a	n/a	1,490,260.89
UBS Financial Services Inc.	Cash	UBS Cash Holding	n/a	28,122.70	0.01%	0.01%	n/a	n/a	28,122.70
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	Morgan Stanley Bk, UT	61747MG96	245,000.00	2.45%	2.45%	1/25/18	1/25/21	245,406.70
	Certificate of Deposit	Truist Bank Charlotte, NC	89788HAH6	100,000.00	1.70%	1.70%	2/4/20	2/3/21	100,156.00
	Certificate of Deposit	Synchrony Bank, UT	87164XLH7	94,000.00	1.70%	1.69%	3/4/16	3/4/21	94,302.68
	Certificate of Deposit	Connectone England Cliffs, NJ	20786ACD5	100,000.00	2.60%	2.58%	3/28/18	3/29/21	100,631.00
	Certificate of Deposit	Townebank Portsmouth, VA	89214PBL2	200,000.00	2.80%	2.77%	4/30/18	4/30/21	201,838.00
	Certificate of Deposit	BLC Comenity Bank, WI	05549CGN4	198,000.00	2.00%	1.98%	11/30/17	5/28/21	199,593.90
	Certificate of Deposit	Wells Fargo Bank NA, SD	9497485W3	50,000.00	1.75%	1.74%	6/17/16	6/17/21	50,362.00
	Certificate of Deposit	UBS BK USA Salt LA UT US	90348JMG2	148,000.00	2.10%	2.08%	7/3/19	7/6/21	149,576.20
	Certificate of Deposit	Barclays Bank, DE	06740KKC0	100,000.00	2.00%	1.98%	7/12/17	7/12/21	101,046.00
	Certificate of Deposit	First Internet Bk IN	32056GCP3	100,000.00	1.95%	1.93%	7/14/17	7/14/21	101,030.00
	Certificate of Deposit	Comenity Cap Bank UT	20033AUX2	245,000.00	2.00%	1.98%	7/17/17	7/16/21	247,616.60
	Certificate of Deposit	UBS BK USA Salt LA UT US	90348JAU4	50,000.00	1.50%	1.49%	7/20/16	7/20/21	50,392.00
	Certificate of Deposit	Synchrony Bank, UT	87164XNA0	50,000.00	1.45%	1.44%	7/22/16	7/22/21	50,393.00
	Certificate of Deposit	Morgan Stanley Prv NY US	61760AR50	250,000.00	2.10%	2.07%	8/1/19	8/2/21	253,047.50
	Certificate of Deposit	Bank Hapoalim, NY	06251AU32	147,000.00	3.00%	2.94%	8/23/18	8/23/21	149,826.81
	Certificate of Deposit	Firstbank Puerto Rico	33767A4K4	157,000.00	2.05%	2.02%	8/25/17	8/25/21	159,059.84
	Certificate of Deposit	Enerbank UT	29266N3H8	50,000.00	1.45%	1.44%	8/26/16	8/26/21	50,462.00
	Certificate of Deposit	Privatebank, IL	74267GVM6	147,000.00	1.50%	1.49%	8/29/16	8/30/21	148,387.68
	Certificate of Deposit	Commercial BK, TN	20143PDR8	197,000.00	3.00%	2.94%	6/21/18	9/21/21	201,223.68
	Certificate of Deposit	Medallion Bk, UT	58403B5Q5	198,000.00	2.05%	2.01%	12/16/16	12/16/21	201,795.66
	Certificate of Deposit	Mercantil Comm Ban FL US	58733ADT3	150,000.00	2.10%	2.05%	1/27/17	1/27/22	153,288.00
	Certificate of Deposit	Franklin Syn Bank, TN	35471TCV2	204,000.00	2.00%	1.96%	1/31/17	1/31/22	208,294.20
	Certificate of Deposit	Sallie Mae Bank, UT	7954502C8	197,000.00	2.65%	2.57%	4/3/19	4/4/22	203,408.41
	Certificate of Deposit	Live Oak Banking, NC	538036CM4	97,000.00	2.25%	2.19%	4/7/17	4/7/22	99,683.99
	Certificate of Deposit	First National Bank of McGregor, TX	36A99U934	145,000.00	2.35%	2.28%	12/20/17	6/20/22	149,547.20
	Certificate of Deposit	Bank of New England, NH	06426KAL2	246,000.00	3.15%	3.00%	7/31/18	7/29/22	257,938.38
	Certificate of Deposit	Ally Bank UT US	02007GKY8	247,000.00	2.15%	2.08%	8/1/19	8/1/22	255,104.07
	Certificate of Deposit	Enerbank UT	29278TKG4	100,000.00	2.05%	1.99%	8/7/19	8/8/22	103,159.00
	Certificate of Deposit	First Bank Highland, IL	319141HN0	247,000.00	2.20%	2.12%	9/7/17	9/7/22	255,773.44
	Certificate of Deposit	Capital One Bank	1404205H9	99,000.00	2.30%	2.21%	10/4/17	10/4/22	102,847.14
	Certificate of Deposit	Commercial Savings Bank, IA	202291AD2	247,000.00	2.10%	2.03%	10/18/17	10/18/22	255,914.23
	Certificate of Deposit	Wells Fargo Bank NA, SD	949495AQ8	248,000.00	1.90%	1.83%	1/17/20	1/17/23	257,099.12
	Certificate of Deposit	Goldman Sachs Bank, UT	38149MNT6	145,000.00	1.90%	1.83%	1/22/20	1/23/23	150,357.75
	Certificate of Deposit	Texas Cap Bank, NY	88224PLY3	250,000.00	0.30%	0.30%	8/7/20	2/7/23	250,995.00
	Certificate of Deposit	Industrial & Coml NY	45581EAR2	250,000.00	2.65%	2.51%	2/14/18	2/14/23	263,447.50
	Certificate of Deposit	Belmont Svgs Bk, MA	080515CH0	200,000.00	2.70%	2.56%	2/28/18	2/28/23	211,156.00
	Certificate of Deposit	Bank Leumi, NY	063248KR8	250,000.00	1.45%	1.41%	3/31/20	3/31/23	257,452.50
	Certificate of Deposit	Citibank, NA SD	17312QJ26	200,000.00	2.90%	2.73%	4/11/18	4/11/23	212,632.00
	Certificate of Deposit	Synchrony Bank, UT	87164XZL3	100,000.00	1.30%	1.27%	4/17/20	4/17/23	102,690.00

City of Clayton
Investment Holdings Summary
Qtr. Ending: Dec. 31, 2020

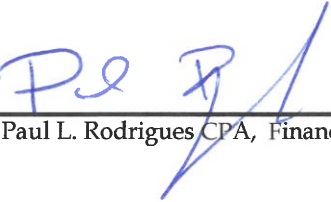
Investment Account	Investment Type	Institution	CUSIP	Carrying Value	Rate	Current Yield	Settlement Date	Maturity Date	Market Value
	Certificate of Deposit	Capital One Bank	14042TDM6	150,000.00	1.40%	1.36%	4/15/20	4/17/23	154,378.50
	Certificate of Deposit	Goldman Sachs Bank, UT	38148P7B7	100,000.00	2.65%	2.50%	5/8/19	5/8/23	105,921.00
	Certificate of Deposit	Enerbank UT	29278TCG3	100,000.00	3.20%	2.97%	7/31/18	7/31/23	107,868.00
	Certificate of Deposit	Third Fed S&L Assn OH	88413QCT3	200,000.00	0.25%	0.25%	8/19/20	8/21/23	200,494.00
	Certificate of Deposit	New York CMNTY Bank	649447TZ2	150,000.00	0.25%	0.25%	10/16/20	10/16/23	150,337.50
	Certificate of Deposit	Bank of Baroda, NY	06063HBH5	250,000.00	3.55%	3.23%	12/28/18	12/28/23	275,122.50
	Certificate of Deposit	Wells Fargo Bank NA, SD	949763A48	197,000.00	2.75%	2.54%	5/3/19	5/3/24	212,984.58
	Certificate of Deposit	BMO Harris BK NA IL	05600XAN0	250,000.00	0.55%	0.55%	7/29/20	7/29/24	250,095.00
	Certificate of Deposit	Texas Exchange BK TX	88241TJG6	198,000.00	0.50%	0.50%	9/11/20	12/11/24	198,102.96
	Certificate of Deposit	CPTL One Natl Assn	14042RPW5	259,817.50	1.45%	1.39%	7/22/20	4/22/25	261,732.50
	Certificate of Deposit	Flagstar Bank, FSB, MI	33847E3D7	250,000.00	1.15%	1.11%	4/23/20	4/29/25	258,525.00
	Certificate of Deposit	Delta Natl B&T Co NY	2477RBW4	250,000.00	0.55%	0.55%	7/22/20	7/21/25	251,732.50
	Certificate of Deposit	USAlliance Fed Cre NY	90352RBD6	149,000.00	0.55%	0.55%	8/20/20	8/28/25	149,511.07
	Certificate of Deposit	State Bank IL US	856283P67	200,000.00	0.50%	0.50%	10/5/20	9/22/25	200,676.00
	Certificate of Deposit	JP Morgan Chase, OH	48128L7E3	250,000.00	0.40%	0.40%	10/28/20	10/30/25	250,305.00
				\$ 9,401,817.50					\$ 9,634,721.29
	Corporate Bonds & Notes	Protective Life Global	74368CAP9	271,575.00	3.10%	2.88%	7/22/20	4/15/24	269,527.50
	Corporate Bonds & Notes	Apple Inc NTS	037833DM9	145,599.00	1.80%	1.72%	9/11/19	9/11/24	157,417.50
	Corporate Bonds & Notes	Wal Mart Stores Inc	931142DV2	100,000.00	2.65%	2.44%	10/20/17	12-15.24	108,446.00
	Corporate Bonds & Notes	Westpac Banking Corp	961214EH2	258,612.50	2.35%	2.19%	10/20/17	12/15/24	268,472.50
				\$ 775,786.50					\$ 803,863.50
	Government Agency	FFCB Bond	3133EMHF2	150,000.00	0.60%	0.60%	11/25/20	11/24/25	150,040.50
	Government Agency								
	Government Agency								
	Government Agency								
				\$ 150,000.00					\$ 150,040.50
				\$ 10,355,726.70					\$ 10,616,747.99
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		1,829,898.13	0.00%	0.00%	n/a	n/a	1,829,898.13


City of Clayton
Investment Holdings Summary
Qtr. Ending: Dec. 31, 2020

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	890,476	6.11%	0.12%	0.11	890,476
LAIF	1,490,261	10.23%	0.54%	0.53	1,490,261
UBS Financial Services Inc.	10,355,727	71.09%	1.69%	2.97	10,616,748
Morgan Stanley	-	0.00%	0.00%	0.00	-
Bank of America (book balance)	1,829,898	12.56%	0.00%	0.00	1,829,898
Total investment Portfolio	14,566,361	100.00%	1.26%	2.12	14,827,383
2020-21 Budgeted Interest - General Fund		\$ 100,000			
2020-21 Budgeted Interest Revenue to date (7/1/20 - 12/31/20)		\$ 50,000			
2020-21 Actual Interest Revenue to date (7/1/20 - 12/31/20)		\$ 43,487			
General Fund Budget % Completed to date (7/1/20 - 12/31/20)		50.00%			
Percent of General Fund Budget Realized		43.49%			
Year to Date Variance			\$ (6,513)	-13.03%	
Quarterly Weighted Average Annual Yield*		1.26%			
2020-21 Total Pooled Investment Income To Date (7/1/20 - 12/31/20)		\$ 116,364			
*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.


Paul L. Rodrigues CPA, Finance Director
3/04/21
Date


Hank Stratford, City Treasurer
3/24/21
Date



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Reina Schwartz, City Manager

DATE: April 6, 2021

SUBJECT: Approval of an Amendment to Consulting Agreement with TRC Solutions, Inc. to Provide Contract Planning Services Including Staffing the Community Development Director Position

RECOMMENDATION

It is recommended that the City Council approve the attached Amendment to the consulting agreement with TRC Solutions, Inc. to provide contract planning services including the staffing of the Community Development Director position.

BACKGROUND

As of April 2, 2021, Clayton's Community Development Director (CDD) has resigned from City service. While the City intends to begin a recruitment for a new permanent CDD Director shortly, there is an immediate need for planning and development assistance.

DISCUSSION

While the City begins recruitment for a new Community Development Director (CDD), there is an immediate need for an Interim CDD. Most recently in 2020, when the City was in a similar position, the City contracted with TRC Solutions, Inc. to bring in an Interim Director. During that time, Dana Ayers served in this capacity and performed well on behalf of the community and the City. Ms. Ayers is available to assist Clayton again.

Attached is an Amendment to the existing Agreement with TRC Solutions, Inc. to update the Agreement. The changes to the Agreement include updating the fee schedule to match the current fees for 2021 and going forward, as well as clarifying that the not-to-exceed amount is per fiscal year as we anticipate the Agreement will cross fiscal years.

FISCAL IMPACT

The fiscal impact of entering into the attached contract with TRC Solutions, Inc. is expected to be within the existing budgetary resources for the remainder of FY2020/21 and FY2021/22. Although the hourly rate is higher than the full-time budgeted rate for the CDD Director position, Ms. Ayers will only be working part-time for Clayton.

**FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF CLAYTON, CALIFORNIA, AND TRC SOLUTIONS, INC.**

This First Amendment to the Professional Services Agreement ("First Amendment") is entered into on March 29, 2021 by and amongst the City of Clayton, California ("City"), a municipal corporation, and TRC Solutions, Inc., a California Corporation ("Consultant").

RECITALS

A. WHEREAS, in December 2019 the City and Consultant entered into that certain Professional Services Agreement to perform all necessary professional planning services for the City ("Agreement");

B. WHEREAS, the compensation was set forth subject to a Schedule of Charges in Exhibit B of that agreement; and

C. WHEREAS, the City and Consultant mutually desire to amend certain provisions of the Agreement which the parties hereby acknowledge and agree as follows:

AGREEMENT

Now therefore, in exchange for goods and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Schedule of Charges referenced in Section 2 of the Agreement and attached as Exhibit B is replaced with the TRC Environmental 2021 Rate Schedule attached to this Amendment.

2. Section 2. Compensation subsection b. is amended to read as follows:

b. In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of \$85,000 per fiscal year. This amount is to cover all printing and related costs, and the City will not pay any additional fees for printing expenses. Periodic payments shall be made within 30 days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for performed will be made on a monthly billing basis.

3. Section 2. Compensation is amended to add subsection c. as follows:

c. The City Manager is authorized to update the annual Schedule of Charges to reflect current rates for TRC Solutions, Inc., subject to the overall payment limit of the Agreement as set forth in subsection b.

4. Except as otherwise specifically set forth in this Agreement, the remaining provisions of the Agreement including the First Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment to the Professional Services Agreement on the date above written.

CITY OF CLAYTON, CALIFORNIA

TRC SOLUTIONS, INC.

By: _____
Reina J. Schwartz
City Manager

By: _____

Printed Name: _____

Title: _____

ATTEST:

Janet Calderon, City Clerk

TRC Environmental 2021 Rate Schedule

CODE	TRC LABOR CLASSIFICATION/Category	2021 HOURLY LABOR RATE
	Principal/Technical Director	
EV28	Level IV	\$309
EV27	Level III	269
EV26	Level II	240
EV25	Level I	223
	Program Manager/Senior Technical Manager	
EV24	Level IV	\$215
EV23	Level III	200
EV22	Level II	194
EV21	Level I	186
	Project/Technical Manager	
EV20	Level IV	\$179
EV19	Level III	170
EV18	Level II	164
EV17	Level I	158
	Senior Scientist/Engineer/Specialist	
EV16	Level IV	\$151
EV15	Level III	144
EV14	Level II	137
EV13	Level I	131
	Project Scientist/Engineer/Specialist	
EV12	Level IV	\$125
EV11	Level III	118
EV10	Level II	112
EV09	Level I	105
	Scientist/Engineer/Specialist, Technicians, and Project Support	
EV08	Level VIII	\$99
EV07	Level VII	93
EV06	Level VI	86
EV05	Level V	80
EV04	Level IV	72
EV03	Level III	66
EV02	Level II	60
EV01	Level I	49

- (1) A 15% Mark-up will be added to non-labor costs and expenses/ODCs. The markup does not apply to equipment & laboratory rates below.
- (2) A 6% Communication/Digital Fee will be applied to labor charges in lieu of separate reimbursement for digital productivity solutions/applications, photocopying, report production, faxing, computer usage, software usage, telephone charges, and postage costs. Digital productivity solutions/applications include mobile and desktop applications designed to increase efficiency in data collection and representation, excluding custom development as required on a per project basis.
- (3) Overtime rates will apply to non-exempt (hourly) staff in conformance with applicable law.
- (4) TRC rates are subject to an annual calendar year escalation.
- (5) Invoicing will apply TRC billing rates in conformance with the rate schedule in effect at the time of the services.
- (6) A 2% fee will be applied to the invoice amount to cover Professional Liability and Related Insurance costs.
- (7) For Litigation or Litigation Support Services, please request a copy of our Standard Rates for Litigation Services.



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Reina Schwartz, City Manager

BY: Dana Ayers, Interim Community Development Director

DATE: April 6, 2021

SUBJECT: Acceptance of the 2020 General Plan Implementation and Housing Element Annual Progress Report

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution accepting the City's 2020 Housing Element Annual Progress Report (APR) and summary of actions related to implementation of other General Plan policies.

BACKGROUND

Government Code Section 65400 requires the planning agency of each jurisdiction to prepare an annual report on the progress in implementation of the jurisdiction's general plan and general plan housing element. The report from the jurisdiction's planning director or staff must be submitted annually to the jurisdiction's legislative body (city council or board of supervisors), to the State Department of Housing and Community Development (HCD) and to the State Office of Planning and Research (OPR).

HCD uses the APR as a tool to facilitate implementation of a community's housing element as well as for the tracking and monitoring of progress in addressing statewide housing needs and goals. Jurisdictions must report the number of residential units in all pending development applications, the number of housing units approved or entitled, and the number of final inspections or certificates of occupancy granted for the reporting calendar year.

The APR includes information on a jurisdiction's progress toward addressing its Regional Housing Needs Allocation (RHNA), including the number of housing units permitted by income level (number of building permits issued), the status of programs in the housing element, and efforts to remove government constraints. HCD also uses the submittal of the report as one

of its threshold requirements for local public agencies to qualify for certain State grants or program funds. The data reported in the APR is provided to HCD for informational purposes only and does not affect certification status of the housing element for the current cycle.

This Agenda report and the attached Resolution also summarize actions taken by the City during the calendar year 2020 with respect to other policies in the Clayton General Plan.

DISCUSSION

This report for the City of Clayton covers the calendar year of January 1 to December 31, 2020. In that timeframe, the Council considered various actions that relate to adopted policies of the Clayton General Plan and Housing Element.

The City's Capital Improvement Program, adopted on June 30, 2020, included a list of and appropriations for various infrastructure projects. Some of these projects, including upgrades to Pine Hollow Road, and road pavement preservation and accessibility improvements in various locations in the City, implement Circulation Element Policy 9C ("Provide systematic upgrades of streets and roads to applicable standards.") Other field and playground rehabilitation projects implement Open Space/Conservation Element Policy 2c ("Review each park/greenbelt area for maintenance needs.")

The 2020 calendar year was the City's sixth full year of the current 2015-2023 Housing Element cycle, and the City has taken various steps during these six years to implement the approved programs of the adopted and HCD-certified 2015-2023 Housing Element. The City's 2015-2023 Housing Element contains 25 Implementation Measures or programs with an associated timeframe for the City to put these Implementation Measures into effect during the eight-year Housing Element cycle. Many of the 25 Implementation Measures are ongoing or annual efforts undertaken by staff; other Implementation Measures require action from the City Council. This year's APR acknowledges the City's initiation of a study to evaluate land use options for development of the City-owned property on Oak Street between Main Street and Clayton Road, an effort related to the intent of Housing Element Implementation Measure I.4.1 to promote and pursue development opportunities in the Town Center.

This year's APR also acknowledges affordable and market-rate housing units approved by the City, which approvals are consistent with Implementation Measure I.3.1 and II.2.1 supporting development of accessory dwelling units and housing for identified special needs groups. More specifically, the 2020 APR recognizes approval of Planning entitlements for The Olivia at Marsh Creek senior apartments (81 units, of which seven units would be deed-restricted for very low-income households) in March 2020. Three building permits requested by three single-family homeowners for accessory dwelling units are also noted in this year's report. The APR for calendar year 2020 also reflects receipt of the development application for Diablo Meadows, an 18-lot subdivision consisting of 21 residences (18 single-family houses and three ADUs). The Planning Commission approved the project in December 2020, and City Council approved the accompanying zoning amendment application as the final entitlement on February 2, 2021. This application is identified as "pending" in the APR for 2020 and will be identified as "approved" for the 2021 reporting year based on the February 2, 2021, approval by the City Council.

FISCAL IMPACT

There are nominal costs related to staff time and printing costs associated with the filing of this report.

ATTACHMENTS

1. Resolution Accepting the 2020 General Plan Implementation Summary and Housing Element Annual Progress Report

Exhibit A to Resolution: Clayton Housing Element Annual Progress Report, 2020

ATTACHMENT 1

RESOLUTION NO. ____-2021

A RESOLUTION APPROVING THE CITY OF CLAYTON 2020 GENERAL PLAN IMPLEMENTATION SUMMARY AND HOUSING ELEMENT ANNUAL PROGRESS REPORT

THE CITY COUNCIL City of Clayton, California

WHEREAS, Government Code Section 65400 requires the Planning Agency of the City of Clayton, California, to prepare an annual report on the City's progress in implementing the its General Plan and Housing Element using forms and definitions adopted by the California Department of Housing and Community Development (HCD); and

WHEREAS, during the reporting period of January 1 through December 31, 2020, the City Council considered various actions that relate to adopted General Plan policies. The City's Capital Improvement Program adopted on June 30, 2020, included a list of and appropriations for various infrastructure projects. Some of these projects, including upgrades to Pine Hollow Road, and road pavement preservation and accessibility improvements in various locations in the City, implement Circulation Element Policy 9C ("Provide systematic upgrades of streets and roads to applicable standards.") Other field and playground rehabilitation projects implement Open Space/Conservation Element Policy 2c ("Review each park/greenbelt area for maintenance needs."); and

WHEREAS, the 2020 Housing Element Annual Progress Report includes information on the City of Clayton's progress in addressing its assigned Regional Housing Needs Allocation, including the total number of housing units submitted as part of a development application, the number of housing units entitled, the number of housing units by income level for which a building permit was issued or finalized, the status of programs in the Housing Element, and efforts to remove government constraints for the reporting period; and

WHEREAS, the 2020 calendar year was the City's sixth full year of the current 2015-2023 Housing Element cycle, and the City has taken various steps during these six years to implement the majority of the approved programs of the adopted and HCD-certified 2015-2023 Housing Element, including consideration of standards for accessory dwelling units, consistent with Housing Element Policy I.3; and adoption of Ordinance No. 484 which applied to rental housing the same inclusionary requirements as were previously imposed on ownership housing, consistent with Housing Element Implementation Measure I.2.1 and in accordance with the provisions of Assembly Bill 1505. This year's APR also acknowledges the City's initiation of a study to evaluate land use options for development of the City-owned property on Oak Street between Main Street and Clayton Road, an effort related to the intent of Housing Element Implementation Measure I.4.1 to promote and pursue development opportunities in the Town Center; and

WHEREAS, this year's APR acknowledges affordable and market-rate housing units approved by the City, which approvals are consistent with Implementation Measure I.3.1 and II.2.1 supporting development of accessory dwelling units and housing for identified special needs groups. More specifically, the 2020 APR recognizes approval of Planning entitlements for The Olivia at Marsh Creek senior apartments (81 units, of which seven units would be deed-restricted for very low-income households) in March 2020. Three building permits requested by three single-family homeowners for accessory dwelling units are also noted in this year's report. The APR for calendar year 2020 also reflects submittal, recommendation for approval, and ongoing review of the development application for Diablo Meadows, an 18-lot subdivision consisting of 21 residences (18 single-family houses and three ADUs); and

WHEREAS, at a public meeting held on April 6, 2021, the Clayton City Council considered the City's proposed 2020 report on General Plan implementation and Housing Element Annual Progress Report for 2020, including the Agenda Report and all other public comments and discussion thereon, and determined the Reports to be correct and factual and therefore satisfactory for acceptance by Resolution, said Resolution to become effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Clayton, California, does hereby accept the 2020 report on General Plan implementation and the 2020 Housing Element Annual Progress Report, a copy of which is attached hereto labeled as Exhibit A and incorporated herein as if fully set forth.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California, at a regular public meeting thereof held on the 6th day of April 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Carl Wolfe, Mayor

ATTEST:

Janet Calderon, City Clerk

Please Start Here

General Information	
Jurisdiction Name	Clayton
Reporting Calendar Year	2020
Contact Information	
First Name	Dana
Last Name	Ayers
Title	Interim Community Development Director
Email	dayers@trccompanies.com
Phone	9256737300
Mailing Address	
Street Address	6000 Heritage Trail
City	Clayton
Zipcode	94517

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated.

v 3_18_21

Jurisdiction	Clayton	
Reporting Year	2020	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.

Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	51											51
	Non-Deed Restricted												
Low	Deed Restricted	25										5	20
	Non-Deed Restricted			1	1			3					
Moderate	Deed Restricted	31											31
	Non-Deed Restricted												
Above Moderate		34			8							8	26
Total RHNA		141											
Total Units				1	9			3				13	128

Note: units serving extremely low-income households are included in the very low-income permitted units totals

Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction		Clayton	
Reporting Year		2020 (Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Implementation Measure I.1.1	To ensure adequate available sites to meet the City's RHNA, the City will maintain an inventory of sites available and appropriate for residential development for households at all income levels	12/31/2023	The City continues to maintain adequate sites available and appropriate for residential development for households at all income levels.
Implementation Measure I.1.2	The City will amend the Multi-Family High Density (MHD) General Plan land use designation or otherwise amend the General Plan and/or Zoning Ordinance as needed to meet state requirements specific to sites rezoned to accommodate the City's lower-income RHNA from the 2007-2014 planning period, specifically to allow multi-family housing by-right on these sites at a minimum density of 20 units per acre.	1/31/2016	The City Council approved a General Plan amendment on July 19, 2016, changing the allowable density in Multi-Family High Density (MHD) from 15.1 to 20 units per acre to 20 units per acre. On August 16, 2016, the City Council passed and adopted an Ordinance requiring multifamily housing types to meet the minimum density limits as set forth in the General Plan. The above was the last action required by the City to meet state law (Gov Code Section 65583.2(h) and (i)).

Implementation Measure I.2.1	For residential projects of 10 or more units, developers will be required to develop an Affordable Housing Plan that requires a 10% minimum of the units to be built or created as affordable housing units.	12/31/2023	On August 16, 2016, the City Council passed and adopted an Inclusionary Housing Ordinance, which provided the details of the Affordable Housing Plan as identified in Implementation Measure I.2.1. This Ordinance requires that 10% of the units for ownership residential projects containing 10 or more units to be established as affordable housing units. On January 15, 2019, the City Council passed an Ordinance to apply the same inclusionary housing requirements to rental housing projects as allowed for by Assembly Bill 1505.
Implementation Measure I.3.1	The City Shall continue to promote the development of second dwelling units and will aim to approve two second dwelling units a year.	12/31/2023	The City continues to promote second dwelling units (accessory dwelling units) and provides informational handouts. The City issued zoning clearance for three accessory dwelling units in the 2020 calendar year.
Implementation Measure I.4.1	To encourage development of mixed-use projects in Town Center, the City has adopted the Specific Plan which details policy direction, standards, and guidelines that encourage mixed-use and second-story residential. The City will promote development opportunities in the Town Center. The City will facilitate the development of at least one-mixed use project within the planning period.	12/31/2023	The City continues to promote and encourage mixed-use development in the Town Center through the availability of the Specific Plan and discussions with potential developers. The Town Center Specific Plan is available at City offices as well as on the City's website. On October 20, 2020, the City initiated a study to evaluate land use options for development of the City-owned property on Oak Street and Clayton Road in the Specific Plan area.
Implementation Measure II.1.1	Work with housing providers to address special housing needs for seniors, large families, female-headed households, single-parent households with children, persons with disabilities and development disabilities, farmworkers, and homeless individuals and families. The City will aim to work with housing providers on at least one project serving a special needs group during the planning period.	12/31/2023	The City continues to discuss special needs populations with housing providers. On March 3, 2020, the City Council approved Planning entitlements for an 81-unit senior residential development with seven units to be reserved for rent to very-low income households.
Implementation Measure II.1.2	The City shall amend the Zoning Ordinance to specifically allow employee housing for six or fewer residents as a permitted use in residential zoning districts.	12/31/2015	On August 16, 2016, the City Council adopted an Ordinance specifically allowing employee housing for six or fewer residents as a permitted use in residential zoning districts, in compliance with Health and Safety Code Section 17021.5.

Implementation Measure II.1.3	The City shall amend the Zoning Ordinance to allow transitional and supportive housing in the LC (Limited Commercial) zoning district as a residential use subject only to the requirements of other residential uses in this district in compliance with Senate Bill 2 (2007).	One to two years after HE adoption	On August 16, 2016, the City Council adopted an Ordinance allowing transitional and supportive housing in the LC zoning district subject only to the requirements of other residential uses in this district.
Implementation Measure II.2.1	The City shall authorize regulatory incentives and concessions for development projects that include extremely low-, very low- and low-income households and special needs groups including disabled and developmentally disabled persons. These incentives and concessions include flexibility in development standards, reduction or deferral of certain development fees, priority application processing, and density bonus. The City will aim to facilitate the development of at least one affordable or special needs project during the planning period.	12/31/2023	The City's Zoning Ordinance allows for flexibility in standards as well as a density bonus for affordable housing developments. The City will also continue to consider regulatory incentives and concessions such as a reduction or deferral in certain development fees and priority application processing. On March 3, 2020, the City Council approved Planning entitlements, including a density bonus with concessions and waivers, for an 81-unit senior residential development with seven units to be reserved for rent to very-low income households.
Implementation Measure II.2.2	The City shall monitor the impact of development fees and consider waiving or deferring fees for affordable housing projects, if and when funding is available.	12/31/2023	The City continues to monitor the impact of development fees and will consider waiving or deferring fees if there is funding available.

Implementation Measure III.1.1	The City shall continue to refer interested persons to the Contra Costa County's Mortgage Credit Certificate Program, the Mortgage Revenue Bond Program, and the Owner-Occupied Housing Rehabilitation Program. The City will continue to disseminate information regarding Contra Costa Housing Authority's Lower-Income Rental Assistance Program and Aftercare Certificates as information becomes available.	12/31/2023	The City continues to promote assistance for first-time homebuyers and lower-income renters by referring inquiries to County programs and by disseminating information as it becomes available.
Implementation Measure III.1.2	The City shall seek funding to develop and implement a down payment assistance program for first-time homebuyers by working with the County or by developing its own program that can be used with the Mortgage Credit Certificate Program, new inclusionary units or alone.	12/31/2015	The City explored funding courses such as CalHome and HOME and did not find any funding sources available for this use. The City will continue to seek funding in order to implement a down payment assistance program for first time homebuyers.
Implementation Measure III.1.3	The City shall review potential funding opportunities through the County HOME program and apply for funding for applicable projects when development opportunities arise.	12/31/2023	The City does not have any eligible projects.
Implementation Measure III.2.1	The City will continue to maintain and annually update the inventory of affordable housing projects and identify those that may be at risk of converting to market rate in the future.	12/31/2023	The City continues to maintain and annually update the inventory of affordable housing, which includes the timeframe of affordability expiration. Annual reports for the privately-owned affordable housing units are required to be submitted to the City.
Implementation Measure IV.1.1	The City shall review its Zoning Ordinance, policies, and practices to ensure compliance with fair housing laws.	12/31/2023	The City continually reviews its Zoning Ordinance, policies and practices to ensure compliance with fair housing laws. The City performs updates and amendments when necessary to ensure compliance.

Implementation Measure IV.2.1	The City will provide information on proposed affordable housing projects to the public through the City's public hearing process in the form of study sessions, public hearings, and public meetings.	12/31/2023	The City ensures the public is notified of any City hearings on development projects, including affordable housing projects. For any such hearings, notice would be placed on community boards within the City, published in the local newspaper of general circulation (East Bay Times), and mailed by first class mail to owners of property within a 300-foot radius of the proposed project site and other parties expressing interest in a project.
Implementation Measure IV.3.1	The City shall continue to distribute public information brochures on reasonable accommodations for disabled persons and enforcement programs of the California Fair Employment and Housing Council.	12/31/2023	The City currently distributes and will continue to distribute public information brochures on reasonable accommodation for disabled persons and enforcement programs.
Implementation Measure IV.3.2	The City will continue to implement its universal design ordinance and continue to distribute its brochure on universal design standards, resources for design, and compliance with City requirements.	12/31/2023	The City continues to implement its universal design ordinance as projects come forward and continues to distribute brochures on universal design.
Implementation Measure V.1.1	The City shall continue to provide energy conservation brochures at City Hall and the Clayton Community Library.	12/31/2023	The City provides and will continue to provide energy conservation brochures at City Hall and at the Clayton Community Library. The City has also dedicated a page on its website to Green Building, which includes energy conservation through building design.
Implementation Measure V.1.2	The City will review and consider possible amendments to the General Plan, Zoning Ordinance, and related policy and regulatory documents to improve energy conservation beyond CalGreen Tier 1 standards.	12/31/2017	The City supports and will continue to support energy conservation by encouraging Green Building in both new development and remodels. During a prior reporting period (2018), the City dedicated a page on its website to Green Building, which includes energy conservation through building design.
Implementation Measure V.1.3	The City will explore home energy and water efficiency improvement financing opportunities available through PACE programs, such as HERO or Figtree.	12/31/2023	The City has opted into three different PACE programs: HERO, Figtree and CaliforniaFirst.

[illegible]

Jurisdiction	Clayton	
Reporting Period	2020	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Table F									
Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)									
Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.									
Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD to receive the password that will enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Clayton	
Reporting Period	2020	(Jan. 1 - Dec. 31)

NOTE: This table must only be filled out if the housing element sites inventory contains a site which is or was owned by the reporting jurisdiction, and has been sold, leased, or otherwise disposed of during the reporting year.

Note: "+" indicates an optional field
Cells in grey contain auto-calculation formulas

Housing Element Implementation
(CCR Title 25 §6202)

[illegible]

Jurisdiction	Clayton	
Reporting Year	2020	(Jan. 1 - Dec. 31)

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	3
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		3

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Housing Applications Summary	
Total Housing Applications Submitted:	1
Number of Proposed Units in All Applications Received:	21
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas

[illegible]

Completed Entitlement Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	3
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		3

Certificate of Occupancy Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	2
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		2



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: William Stracker, PE, City Engineer

DATE: April 6, 2021

SUBJECT: Resolution Directing the Preparation of an Engineer's Report for the Diablo Estates Benefit Assessment District

RECOMMENDATION

Adopt the attached Resolution directing the preparation of an Engineer's Report for the Diablo Estates Benefit Assessment District.

BACKGROUND

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

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

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

time to be levied and collected via the real property tax bills issued by the County in 2021 - 2022.

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

FISCAL IMPACT

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

Attachment: Resolution [2 pp.]

RESOLUTION NO. XX - 2021

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

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

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

WHEREAS, an initial Engineer's Report was prepared by a registered civil engineer, and

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

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

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

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

1. The City Engineer is hereby directed to file an Annual Engineer's Report in accordance with the provisions of the Landscaping & Lighting Act of 1972.

2. This Resolution is adopted pursuant to Section 23622 of the Streets and Highways Code.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 6th day of April 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Carl Wolfe, Mayor

ATTEST:

Janet Calderon, City Clerk

#



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: REINA SCHWARTZ, CITY MANAGER

DATE: APRIL 6, 2021

SUBJECT: CITY COUNCIL ADOPTION BY MINUTE ORDER AN UPDATE TO THE SCHEDULE FOR THE “DO THE RIGHT THING” PROGRAM

RECOMMENDATION

Following staff report and presentation, staff recommends that the Council authorize by minute order amending the schedule of character pillars for the months of March, April and May 2021.

BACKGROUND

The City Council established the “Do The Right Thing” program in July 2010, in conjunction with the principals and Parent Clubs at Mt. Diablo Elementary School, Diablo View Middle School and Clayton Valley High (Charter) School, CBCA Leadership, the Clayton Police Department and other community members.

DISCUSSION

The “Do The Right Thing” (DTRT) is now more than ten years old and continues to be a successful recognition of student achievement and community contribution. In September 2020, the City Council added the pillar of Inclusion and adjusted the year-long schedule assigning different pillars to different months of the year.

Because the 2020/21 School Year has been disrupted, the principals of our local schools and the City Council appointees for DTRT program (Mayor Wolfe and Vice Mayor Cloven) are recommending that the schedule for the order of the pillars be modified over the months of March, April and May 2021.

Currently for the next several months, the schedule includes:

- March/April – Integrity
- May/June/July - Inclusion
- August – Courage
- September – Responsibility

The proposed change is as follows:

- March – Integrity

- April – Courage
- May – Responsibility
- June/July - Inclusion

The principals and the Mayor and Vice Mayor intend to discuss the order for the rest of the year after the end of the school year.

FISCAL IMPACT

There is no significant fiscal impact of this change as the banners have already been purchased. There will be a minimal increase in the amount of time required of staff to hang the banners as they will be changing monthly rather than every other month, but no budgetary adjustment is needed.

**National Library Week 2021
Proclamation**

WHEREAS, libraries of all types are at the heart of their cities, towns, schools, and campuses, serving their communities;

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

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

WHEREAS, for people lacking broadband at home, libraries provide access to computers and wi-fi, even checking out internet hotspots and raspberry pi kits;

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

WHEREAS, libraries offer opportunities for everyone to explore new worlds and become their best selves through access to technology, multimedia content, and educational programs;

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

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

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

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

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

NOW, THEREFORE, be it resolved that I, Carl Wolfe, Mayor, on behalf of the Clayton City Council proclaim National Library Week, April 4-10, 2021. During this week, I encourage all residents to visit their library online to access resources and services. Because of you, Libraries Transform lives and communities.



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Elise Warren, Chief of Police

DATE: April 6, 2021

SUBJECT: Adopt a Resolution of The City Council of the City of Clayton Authorizing the Clayton Police Department to Apply For, And Accept \$465,881 In Grant Funding From The California Department of Justice to Participate In The Tobacco Grant Program

RECOMMENDATION

Adopt a resolution authorizing the Police Chief to apply for the DOJ Tobacco Grant, and if selected, for the City Manager to execute the grant agreement and other documents necessary to secure the Tobacco Grant funds in the amount of \$465,881.

BACKGROUND

The Office of the Attorney General established the California Department of Justice Tobacco Grant Program in 2017 to provide annual funds to local enforcement agencies throughout California. To date, the Tobacco Grant Program has distributed approximately \$124 million dollars in grant funding to approximately 260 grantees through a competitive process. This grant cycle, Fiscal Year 2021/22, the Tobacco Grant Program will make available a total of \$26.8 million dollars in grant funding to promote a healthier California by reducing illegal sales and marketing of cigarettes and tobacco products, including e-cigarettes, to minors.

- Selected public agencies will be funded for a two-year to three-year grant cycle. Funding amounts will be evaluated based on the submitted grant proposal.
- The Tobacco Grant Program is a reimbursement grant. The California Department of Justice will reimburse selected public agencies for approved expenditures upon receipt of approved invoices and proof of payment.

- Selected public agencies may not use awarded funds to supplant existing state, local, or federal funds used for the same purpose.

Funding for the Tobacco Grant Program was a result of the passage of the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Prop. 56) increasing taxes on cigarettes and other tobacco products by \$2.00 starting in April 2017. The initiative allocates a portion of annual revenue to the California Department of Justice.

DISCUSSION

The Tobacco Grant Program is available statewide to support local enforcement efforts to reduce the illegal sale of tobacco products to minors. City Police Departments are eligible to apply for and receive funding to hire, train and support officers who focus on enforcement of tobacco laws.

Grantees may use grant funds to enforce local ordinances and/or state laws related to the illegal sale and marketing of tobacco products, including e-cigarettes, to minors and youth.

The City of Clayton has three retail stores that sell tobacco and tobacco related products, and numerous other retailers within 1/8 of mile of the city border that do so as well. The police department is applying for funds to hire and train a full-time police officer. This officer would be responsible for:

- Acting as a school liaison and provide education to students, teachers and school administrators about tobacco laws at the two schools in the City of Clayton (Diablo View Middle School and Mount Diablo Elementary School);
- Providing education to city tobacco retailers to ensure that they understand and comply with state and local tobacco laws;
- Conducting tobacco related enforcement operations targeting locations where minors are likely to be present such as playgrounds, youth sports events, parks, local festivals etc.;
- Conducting minor decoy and shoulder tap operations directed at tobacco retailers, including electronic cigarettes and vaping products;
- Conducting tobacco retailer license inspections;
- Investigation of tobacco related violations;
- Providing community wide education classes through the use of various platforms;
- Using social media platforms to enhance messaging.

If approved by the City Council, the Police department will seek funding for 36 months to hire and maintain a full-time police officer. This would bring the police department staffing to 12 full time sworn positions. This grant prohibits supplanting of funds, meaning that this funding cannot be used to support an existing position.

If successful, and the additional officer is hired, after the grant funds expire the city would either have to re-apply for grant funds, fund the position with other monies, or eliminate the

position. If the position were to be eliminated, that could be achieved by natural attrition as opposed to layoff. There is no requirement as part of the grant that the position be maintained if the City does not have funding to do so.

FISCAL IMPACTS

The grant funds would cover the salary and benefits of the position, along with minor equipment and other related expenses.

Other expenses not covered by the grant to add an additional officer position would be approximately \$10,000 and include:

- Hiring costs (background, etc.)
- Uniforms and equipment
- POST mandated annual training

These expenses could be funded by SLESF funds (Supplemental Law Enforcement Services Fund), which has a current balance of \$110,552.28.

ATTACHMENTS

- Tobacco Grant Program Factsheet
- Tobacco Grant Application
- Grant Budget template
- Letter of support from All Out Sports League

RESOLUTION NO. ____-2021

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON AUTHORIZING THE CLAYTON POLICE DEPARTMENT TO APPLY FOR, AND ACCEPT \$465,881 IN GRANT FUNDING FROM THE CALIFORNIA DEPARTMENT OF JUSTICE TO PARTICIPATE IN THE TOBACCO GRANT PROGRAM

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

WHEREAS, the City of Clayton supports the grant goals and wishes to participate in the California Department of Justice "Tobacco Grant Program";

WHEREAS, the Clayton Police Department is tasked with working with local businesses, schools and community members to address priority issues which impact our community, including addressing state and local laws related to licensed tobacco establishments within Clayton;

WHEREAS, the City of Clayton has three establishments which sell tobacco products, all of which are located in areas which are accessible to and regularly visited by our youth;

WHEREAS, the Clayton Police Department requests approval to apply for grant funding for one (1) full time police officer to participate in the "Tobacco Grant Program" and for the purchase of related equipment, training, the salary of staff to conduct community outreach, education, training, and specific enforcement operations. Additionally, the assigned officer will conduct inspections and provide training to local business owners on relevant issues, laws, and responsibilities of licensed tobacco establishments. The grant period is from July 1, 2021 through June 30, 2024; and

WHEREAS, the Clayton Police Department requests approval to accept funding to participate in the "Tobacco Grant Program" if selected, the total amount requested from DOJ is \$465,881.

NOW, THEREFORE, BE IT RESOLVED, that the forgoing recitations are true and correct and the City Council of Clayton, California, does hereby authorize the Police Chief to apply for, and accept if selected, the grant award from the Department of Justice Tobacco Grant Program.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California, at a regular public meeting thereof held on the 6th day of April 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Carl Wolfe, Mayor

ATTEST:

Janet Calderon, City Clerk



TOBACCO GRANT PROGRAM

The Office of the Attorney General established the California Department of Justice Tobacco Grant Program in 2017 to provide annual funds to local enforcement agencies throughout California. To date, the Tobacco Grant Program has distributed approximately \$124 million dollars in grant funding to approximately 260 grantees through a competitive process. This grant cycle, the Tobacco Grant Program will make available a total of \$26.8 million dollars in grant funding to promote a healthier California by reducing illegal sales and marketing of cigarettes and tobacco products, including e-cigarettes, to minors.

Eligibility Criteria

Any local public agency within the State of California that has authority to enforce tobacco-related state laws or local ordinances is eligible to apply. This may include law enforcement agencies, cities, counties, public K-12 districts, and public college districts.

Grantees may use grant funds to enforce a local ordinance or state law related to the illegal sale and marketing of tobacco products, including e-cigarettes, to minors and youth. These enforcement efforts may include, but are not limited to:

- Retailer compliance checks
- Retailer training programs
- Public education outreach
- Parent engagement and education
- Tobacco retail license inspections
- Preventing and deterring use of tobacco products in impermissible areas
- Hiring an officer to focus on tobacco enforcement and education efforts

Funding Details

For Fiscal Year 2021-22 a total of \$26.8 million in grant funding is available statewide to support local enforcement efforts to reduce the illegal sale of tobacco products to minors (Please note: The funding amount is subject to change pending final approval of the State's FY 2021-22 budget).

- Selected public agencies will be funded for a two-year to three-year grant cycle. Funding amounts will be evaluated based on the submitted grant proposal.
- The Tobacco Grant Program is a reimbursement grant. The California Department of Justice will reimburse selected public agencies for approved expenditures upon receipt of approved invoices and proof of payment.
- Selected public agencies will be required to submit a resolution from their governing body authorizing acceptance of the grant funding.

-
- Selected public agencies may not use awarded funds to supplant existing state, local, or federal funds used for the same purpose.

Funding for the Tobacco Grant Program was a result of the passage of the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 (Prop. 56) increasing taxes on cigarettes and other tobacco products by \$2.00 starting in April 2017. The initiative allocates a portion of annual revenue to the California Department of Justice.

Grant Proposal

Eligible agencies must submit a completed application to the California Department of Justice by April 14, 2021. Grant proposals may be mailed or emailed. No late applications will be accepted.

Mailed proposals must be received or postmarked by the deadline.

Emailed proposals must be submitted to TobaccoGrantRFP@doj.ca.gov. Email submissions must be received by 11:59 p.m. on the due date noted above.

Grant applications will be assessed for their potential to improve enforcement of laws relating to the sale, marketing, and use of tobacco products to minors.

A grant application must include both of the following documents:

- Completed proposal template
- Completed budget detail excel sheet

Incomplete grant applications will be disqualified and not reviewed by the Merits Review Committee.

Public agencies that propose to develop partnerships with law enforcement agencies or hire full time law enforcement personnel must include a letter of intent from the partnering law enforcement agency as part of the grant application.

To learn more about the Tobacco Grant Program, or to obtain a copy of the Request for Proposal and view related informational documents, please visit: oag.ca.gov/tobaccogrants.

Questions regarding the application process may be directed to the California Department of Justice at TobaccoGrantRFP@doj.ca.gov.

CALIFORNIA DEPARTMENT OF JUSTICE



TOBACCO GRANT PROGRAM

The Tobacco Grant Program is available statewide to support local enforcement efforts to reduce the illegal sale of tobacco products to minors. Below is a list of examples of local law enforcement agencies that are eligible to apply.

Eligible local law enforcement entities

- City police departments, county sheriffs' offices, and school police departments that propose, by way of example, to engage in the following:
 - Conducting minor decoy and shoulder tap operations directed at tobacco retailers, including for electronic cigarettes/vape products;
 - Conducting tobacco retailer license inspections;
 - Conducting tobacco-related enforcement operations targeting locations where minors are likely to be present, such as playgrounds, youth sports events, baseball stadiums, school and college campuses, public transit systems, or vehicles with a minor present; and
 - Providing education classes or diversion programs for tobacco retailers to help ensure that they understand and comply with state and local tobacco laws.
- Local public prosecutors, including city attorneys, county counsels or district attorneys who propose efforts such as:
 - Decreasing underage access to tobacco products through prosecuting cases involving sales and marketing over the internet of tobacco products to youth under 21; and
 - Investigating potential violations and taking enforcement action to ensure tobacco compliance.
- Public school districts, public college districts, and law enforcement agencies under contract with school districts that apply propose to take steps like:
 - Hiring, training, and supporting officers who focus on enforcement of tobacco laws on school campuses and during school-sponsored events.

Note: Public school districts that propose to develop partnerships with law enforcement agencies or hire full time law enforcement personnel must include a letter of intent from the partnering law enforcement agency as part of the grant application.

TOBACCO GRANT PROGRAM
2021-22
GRANT PROPOSAL TEMPLATE
DOJ-PROP56-2021-22-1



XAVIER BECERRA
Attorney General
OFFICE OF THE ATTORNEY GENERAL

**TOBACCO GRANT
PROGRAM DOJ-
PROP56-2021-22-1**

PROPOSAL COVER SHEET

SUBMITTED BY:

PROGRAM CONTACT:

Authorized Signatures:

Name:

Title:

Date:

Name:

Title:

Date:

Name:

Title:

Date:

Name:

Title:

Date:

SUMMARY – DESCRIPTION OF REQUEST

Description		
Funding Requested	\$	
Funding Duration (select one)	24 Months	36 Months
Summary of Goals and Objectives		

PROBLEM STATEMENT – DESCRIBE THE ISSUES OR PROBLEMS TO BE ADDRESSED WITH GRANT FUNDS.

Geographic Area to be Served	
Tobacco Rates and Patterns	
Other Known Factors	

(Agencies are limited to one sheet for each goal, with a maximum of five goals. Goals must be listed in priority order and should match the Goals and Objectives Summary on page 4.)

GOAL 1: _____

Goal Description	
Measurable Outcome	
Timeline	
Narrative Description	

GOAL 2: _____

Goal Description	
Measurable Outcome	
Timeline	
Narrative Description	

GOAL 3: _____

Goal Description	
Measurable Outcome	
Timeline	
Narrative Description	

GOAL 4: _____

Goal Description	
Measurable Outcome	
Timeline	
Narrative Description	

GOAL 5: _____

Goal Description	
Measurable Outcome	
Timeline	
Narrative Description	

Personnel Title(s)	For each personnel title requested, provide a description of each role (see page 8 of the RFP for instruction).

Budget Detail Sheet	All expenditures must be entered into the Excel Budget Detail Sheet. Instructions on how to complete the Budget Detail Sheet are available on the DOJ's website at http://oag.ca.gov/tobaccogrants . Please proceed to the required Budget Narrative (below).
Budget Narrative	All expenditures associated with Operating Expenditures, Equipment, Travel/Registration, and Other Expenses must be adequately justified in this section. Unallowable costs are listed on pages 9 of the RFP. Travel restrictions and limitations are explained on page 9.
Other State and Local Funding Sources for Proposed Grant Projects	

Prior Year Award(s)	Complete the fields below if your agency has been awarded a Tobacco Grant in a previous year/round.
Prior Year Award Accomplishments	
Prior Year Award Comparison	

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

Costs Per Fiscal Year (July 1 - June 30)

A. Personal Services

Salaries

Classification/Positions	Computation	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Police Officer	Hourly \$44.27 (2022), \$45.60 (2023), \$46.97 (2024) x 2080 hours per year	\$ 92,082	\$ 94,848	\$ 97,698	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
SUBTOTAL		\$ 92,082	\$ 94,848	\$ 97,698	\$ -

Overtime

Classification/Positions	Computation	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
2 Police Officer's to assist with undercover operations	2 Officers x 6 hrs (\$66.41/hour) 6 hrs x 8 operations	\$ 6,375	\$ 6,375	\$ 6,375	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
SUBTOTAL		\$ 6,375	\$ 6,375	\$ 6,375	\$ -

Benefits

Classification/Positions	Computation	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Police Officer	Total Benefit Cost	\$ 46,791	\$ 48,194	\$ 49,640	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
SUBTOTAL		\$ 46,791	\$ 48,194	\$ 49,640	\$ -
TOTAL PERSONAL SERVICES		\$ 145,247	\$ 149,417	\$ 153,713	\$ -

B. Operating Expenses and Equipment

Equipment (Tangible items with a per-unit cost of \$5,000 or more)

Description	Computation	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
SUBTOTAL		\$ -	\$ -	\$ -	\$ -

Other Expenses

Description	Computation	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Laptop computer for field use		\$ 2,500	\$ -	\$ -	\$ -
expense for undercover operations	buy money, meals	\$ 1,000	\$ 1,000	\$ 1,000	\$ -
educational materials	flyers, marketing materials	\$ 500	\$ 500	\$ 500	\$ -

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
SUBTOTAL		\$ 4,000	\$ 1,500	\$ 1,500	\$ -

Travel Expenses/Registration Fees*

Description and Destination	Computation	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Tobacco law training	travel, tuition and meals	\$ 250			\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
		\$ -	\$ -	\$ -	\$ -
SUBTOTAL		\$ 250	\$ -	\$ -	\$ -

TOTAL OPERATING EXPENSES AND EQUIPMENT		\$ 4,250	\$ 1,500	\$ 1,500	\$ -
-----------------------------------------------	--	----------	----------	----------	------

*For approved tobacco related training only. Travel cannot exceed current state rates.

C. Administrative Costs*

Description	Computation	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25
Accounting Technician	8 hrs/month x 12 months Hourly \$34.64 (2022), \$35.68 (2023), \$36.75 (2024)	\$ 3,325	\$ 3,425	\$ 3,504	\$ -
		\$ -	\$ -	\$ -	\$ -
TOTAL		\$ 3,325	\$ 3,425	\$ 3,504	\$ -

*Administrative costs may not exceed 5% of the total budget.

TOBACCO LAW ENFORCEMENT GRANT BUDGET DETAIL

SUMMARY

Budget Category	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	Total Request
A. Personal Services	\$ 145,247	\$ 149,417	\$ 153,713	\$ -	\$ 448,377
B. Operating Expenses and Equipment	\$ 4,250	\$ 1,500	\$ 1,500	\$ -	\$ 7,250
C. Administrative Costs	\$ 3,325	\$ 3,425	\$ 3,504	\$ -	\$ 10,254
TOTAL PROJECT COSTS	\$ 152,822	\$ 154,342	\$ 158,717	\$ -	\$ 465,881



To: California Dept. of Justice

From: Casey Copeland, AOSL

Re; Clayton PD grant application

Date; March 19, 2021

Good afternoon,

My name is Casey Copeland. I am the founder of All Out Sports League. We are a non-profit organization that provides sports camps, leagues, mentoring and educational services to the hundreds of kids from the city of Clayton. We have been doing this for the past 7 years in Clayton.

I am writing today to give my full support and recommendation for issuing the Tobacco grant to our Clayton police department. This grant would allow our police department to provide one full time officer, whose responsibility will be to provide education and enforcement on tobacco.

Creating this position would be a major win for our community and another opportunity to mentor the kids in our program.

Thank you for your consideration,

Casey Copeland

510-282-4986



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Reina J. Schwartz, City Manager

DATE: April 6, 2021

SUBJECT: Recognition of Cultural Heritage Months and Other Significant Celebrations

RECOMMENDATION

Staff recommends the City Council receive information, discuss and provide direction to staff regarding future Cultural Heritage recognitions.

BACKGROUND

At the City Council meeting on February 16, 2021, the Council discussed recognition of a series of Cultural Heritage months. At that meeting staff was directed to work with Councilmember Tillman to create a consolidated list of celebration events and bring it back to City Council for further direction.

DISCUSSION

Across the country many jurisdictions recognize and celebrate the heritage of different cultures through various mechanisms as well as recognizing other significant celebrations. These mechanisms may include Proclamations, festivals or other means of highlighting the diversity of a community, region, state or the country.

Attachment 1 to this report includes an updated list of Cultural Heritage Months and Other Significant Celebrations based on the discussion at the February 16th Council meeting. Part of the discussion this evening is to determine if there are any additional changes to be made to this list at this time. Additional changes can be made at any point in the future at the Council's direction.

Another facet of the discussion in February was what the process should be to address the fact that there could be numerous recognitions in a given month which could become cumbersome on the City Council Agenda. One mechanism to address this would be to handle as follows:

- The first time a celebration occurs beginning in April 2021, a Proclamation would be brought forward on the City Council Agenda and read (or read in part as desired).
- In future years, no further action would be needed by the City Council, but an information item could be provided verbally each month as to which celebrations occur during that month so that they could be acknowledged but without the addition of a new Proclamation each time.

This strategy would ensure that important recognitions are not forgotten but without the need for a new Proclamation each time.

FISCAL IMPACTS

Unknown at this time if there would be any fiscal impacts.

ATTACHMENTS

Attachment 1: List of Cultural Heritage Months and Other Significant Celebrations

Cultural Heritage Months and Other Significant Celebrations

- [African American History Month](#) (February)
National African American History Month in February celebrates the contributions that African Americans have made to American history in their struggles for freedom and equality and deepens our understanding of our Nation's history.
- [Irish-American Heritage Month](#) (March)
Irish-American Heritage Month is a month to celebrate the contributions which Irish-Americans have made to the United States.
- [Women's History Month](#) (March)
Women's History Month honors and celebrates the struggles and achievements of American women throughout the history of the United States.
- [Autism Acceptance Month](#) (April)
During the month of April, join autistic individuals, their families, and those who support them to increase public acceptance and appreciation of the diverse range of abilities and talents autistic individuals possess.
- [Arab-American Heritage Month](#) (April)
During the month of April, Arab America formally recognizes the achievements of Arab Americans through the celebration of National Arab American Heritage Month (NAAHM).
- [Earth Day](#) (April 22)
Every year on April 22, Earth Day marks the anniversary of the birth of the modern environmental movement in 1970.
- [Law Day](#) (May 1)
Law Day is a national day to celebrate the rule of law and its contributions to the freedoms Americans enjoy.
- [Cinco de Mayo](#) (May 5)
Cinco de Mayo, or the fifth of May, is a holiday that celebrates the date of the Mexican army's May 5, 1862 victory over France at the Battle of Puebla during the Franco-Mexican War.
- [Armed Services Day](#) (May 15)
Armed Forces Day on the third Saturday in May pays tribute to the military personnel serving in the United States Armed Forces. The celebration takes place each year during Armed Forces Week.
- [Asian Pacific Heritage Month](#) (May)
Asian/Pacific American Heritage Month is a month to celebrate the contributions Asian/Pacific Americans have made to American history, society and culture.
- [Jewish American Heritage Month](#) (May)
Jewish American Heritage Month is a month to celebrate the contributions Jewish Americans have made to America since they first arrived in New Amsterdam in 1654.

- [Juneteenth](#) (June 19)
Juneteenth is tied to the story of enslaved Black people in Galveston, Texas, learning that they had been emancipated, close to two and a half years after the Emancipation Proclamation had formally been put into place. So, it commemorates the end of racial chattel slavery across the United States.
- [Lesbian, Gay, Bisexual, Transgender and Queer Pride Month](#) (June)
Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQI+) Pride Month commemorates the events of June 1969 and works to achieve equal justice and equal opportunity for LGBTQ Americans.
- [National Hispanic Heritage Month](#) (September 15 - October 15)
National Hispanic Heritage Month celebrates and recognizes the contributions Hispanic Americans have made to American society and culture and to honor five of our Central American neighbors who celebrate their Independence days in September.
- [Constitution Day and Citizenship Day](#) (September 17)
Constitution Day and Citizenship Day is observed each year on September 17 to commemorate the signing of the Constitution on September 17, 1787 and “recognize all who, by coming of age or by naturalization, have become citizens.”
- [National Disability Employment Awareness Month](#) (October)
National Disability Employment Awareness Month celebrates the accomplishments in the workplace of persons with disabilities and reaffirms the commitment to ensuring equal employment opportunities to all citizens.
- [Italian-American Heritage Month](#) (October)
During Italian American Heritage and Culture Month, we recognize the rich heritage of Americans of Italian descent and celebrate their immeasurable contributions to our Nation.
- [American Indian Heritage Month](#) (November)
National American Indian Heritage Month celebrates and recognizes the accomplishments of the peoples who were the original inhabitants, explorers and settlers of the United States.
- [Human Rights Day](#) (December 10)
Human Rights Day is observed each year to commemorate the adoption of the Universal Declaration of Human Rights (UDHR) by the United Nations General Assembly on December 10, 1948.