



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, May 19, 2020

7:00 P.M.

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

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.

Mayor: Julie K. Pierce

Vice Mayor: Jeff Wan

Council Members

Tuija Catalano

Jim Diaz

Carl Wolfe

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review 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 – May 19

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

To follow or participate in the meeting:

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

https://us02web.zoom.us/webinar/register/WN_W6OrO0IQTUm2B4Lby3w4DA

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. In addition, emailed public comments may be received during the meeting and up until the public comment period on the relevant agenda item is closed. All E-mail Public Comments will be forwarded to the entire City Council upon receipt.

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_W6OrO0IQTUm2B4Lby3w4DA

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

*** CITY COUNCIL ***

May 19, 2020

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

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

3. **CONSENT CALENDAR**

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

- (a) Approve the minutes of the City Council’s regular meeting of May 5, 2020 and City Council special meeting of May 12, 2020. (City Clerk) ([View Here](#))
- (b) Approve the Financial Demands and Obligations of the City. (Finance) ([View Here](#))

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

5. **REPORTS**

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

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

Members of the public may address the City Council on items within the Council’s jurisdiction, (which are not on the agenda) at this time. To 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.

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

(a) Adopt a Resolution Affirming and Clarifying the Duties and Responsibilities of the “Trails and Landscape Committee” which serves as the Citizens Oversight Committee for the Citywide Landscape Maintenance District CFD 2007-1. (Assistant to the City Manager) ([View Here](#))

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

10. **CLOSED SESSION**

1. Public Employee Performance Evaluation
Government Code section 54957
Title: City Manager

11. **ADJOURNMENT**

The next regularly scheduled meeting of the City Council will be June 2, 2020.

#

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, May 5, 2020

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:02 p.m. by Mayor Pierce on a virtual web meeting and telephonically (877) 853-5257. Councilmembers present: Mayor Pierce, Vice Mayor Wan and Councilmembers Catalano, Diaz and Wolfe. Councilmembers absent: None. Staff present: City Manager Ikani Taumoepeau, City Attorney Mala Subramanian, Police Chief Elise Warren, Finance Director Paul Rodrigues, Community Development Director Matthew Feske, and City Clerk/HR Manager Janet Calderon.

2. **PLEDGE OF ALLEGIANCE**

3. **CONSENT CALENDAR**

It was moved by Councilmember Diaz, seconded by Councilmember Wolfe, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).

- (a) Approved the minutes of the City Council’s regular meeting of April 21, 2020.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the Biennial Review of Conflict of Interest Code.
- (d) Adopted Resolution No 21-2020 Approving Certain Contracts Related to the Purchase and Outfitting of a New Replacement Police Patrol Vehicle and Authorize the Disposal of a Police Vehicle (Unit 1734) as Surplus to the Needs of the City.

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

5. **REPORTS**

- (a) Planning Commission – Community Development Director Matthew Feske indicated the Commission’s agenda at its meeting of April 28, 2020, included routine business items and introductions..
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff –

City Manager Taumoepeau introduced staff to provide their departments reports.

Police Chief Elise Warren provided a brief update in the Police Department for the month of April.

Community Development Director Matthew Feske provided a brief update of the Planning Department.

Finance Director Paul Rodrigues provided a brief update regarding his review of the City's budget.

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

Councilmember Wolfe observed Regency Drive, emailed and called constituents, and conference calls with Senator Glazer.

Councilmember Catalano indicated "No Report".

Vice Mayor Wan emailed constituents, and had communications with residents on Mountaire Parkway who are now experiencing congestion due to the restricted parking on Regency and Rialto Drive.

Mayor Pierce attended several virtual meetings with the Metropolitan Transportation Commission Governance Committee, Association of Bay Area Governments Executive Board and Finance Committee meeting, and Contra Costa Transportation Authority. Mayor Pierce also received several emails regarding Regency Drive and Dana Hills residents regarding trail access. She also attended conference calls with Senator Glazer.

Councilmember Diaz had communications with residents on Regency Drive and had positive feedback regarding Oakhurst Golf Course.

- (e) Other – None.

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

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Continuation of the Local Emergency Declaration Regarding Novel Corona Virus (COVID-19) Indefinitely.

City Manager Ikani Taumoepeau presented the report.

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

It was moved by Vice Mayor Wan, seconded by Councilmember Wolfe to Continue the Local Emergency Declaration Regarding Novel Corona Virus (COVID-19) Indefinitely. (Passed 5-0)

- (b) Discuss and Consider the LGBT Pride Month Proclamation in the City of Clayton.
- (c) Adopted Resolution No. 22-2020 Directing Staff to Fly the Rainbow Flag at City Hall, Clayton Library, and The Grove Throughout the Month of June and Discuss and Consider a Possible Ceremony to Raise the Pride Flag.

Councilmember Catalano and Councilmember Wolfe presented the report noting a suggestion of a revision to the abbreviation.

City Attorney Subramanian advised the City Council they have the option to hear the next staff report then take Public Comment on both items.

Mayor Pierce noted the language in the Resolution and Proclamation in sync as far as the language to LGBTQ+ and "Q" to questioning throughout the documents.

Following questions by City Council, Mayor Pierce opened public comments.

The City Clerk read Public Comment received by Fred Fuld III requesting the City Council to show its appreciation to Clayton's essential workers in the month of June as it is National Safety month.

The City Clerk read public Comment received by Kahni Horton expressed the possible unintended consequences of flying the rainbow flags in the City of Clayton. She objects to flying any other flag except for the state of California and American flag.

The City Clerk read public Comment received by Lisa Miller objects to the City promoting any special interest symbol on public property.

The City Clerk read public Comment received by Glenn Miller who is also opposed to the flying of the rainbow flag as there are some staff cost to raise and lower the flag.

Kiku Johnson expressed support of this item and gratitude to the City.

Cesar Zepeda expressed support of this item further noting that he will be donating pride flags for presentation to the City.

Dee Vieira expressed support of this item and shared the meaning of the pride flag. Ms. Vieira would also like to assist in the celebration of the raising of the pride flag.

Daphne Valdez expressed support of this item.

Mayor Pierce closed public comment.

It was moved by Councilmember Wolfe, seconded by Councilmember Diaz to approve the LGBT Pride Month Proclamation, as amended and adopt Resolution No. 22-2020 Recognizing June 2020 as Lesbian, Gay, Bisexual, Transgender, Queer, Plus (LGBTQ+) Pride Month in the City of Clayton and Directing Staff to Fly the Rainbow Flag at City Hall, Clayton Library, and The Grove Throughout the Month of June, as amended. (Passed 5-0)

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION**

Mayor Pierce announced the City Council will adjourn into Closed Session for the following noticed item (8:28 p.m.):

1. Conference with Legal Counsel – Existing Litigation
Government Code section 54956.9(d)(1)
Clayton for Responsible Development vs. City of Clayton
Contra Costa Superior Court Case No. N20-0543

Report out of Closed Session (8:53 p.m.)

Mayor Pierce reported the City Council received information from its City Attorney regarding this matter but no reportable action was taken.

11. **ADJOURNMENT**– on call by Mayor Pierce, the City Council adjourned its meeting at 8:54 p.m.

The next regularly scheduled meeting of the City Council will be May 19, 2020.

#

Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Julie Pierce, Mayor

#

MINUTES
OF THE
SPECIAL MEETING
CLAYTON CITY COUNCIL
TUESDAY, May 12, 2020

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 5:22 p.m. by Mayor Pierce on a virtual web meeting and telephonically (888) 475-4499. Councilmembers present: Mayor Pierce, Vice Mayor Wan, Councilmembers Catalano, Diaz, and Wolfe. Councilmembers absent: None. Staff present: City Manager Ikani Taumoepeau, City Attorney Mala Subranmanian, and City Clerk/Human Resources Manager Janet Calderon.

PLEDGE OF ALLEGIANCE – led by Councilmember Diaz.

2. **PUBLIC COMMENTS** – None.

3. **CONSENT ITEM**

- (a) Approval of California Office of Emergency Services (CalOES) Form 130 and Adopting a Resolution Designating Agents necessary to Provide for All Matters Pertaining to State and Federal Emergency Management Agency (FEMA) Reimbursements.

City Manager Ikani Taumoepeau presented the staff report.

Mayor Pierce suggested the Police Chief added as an Authorized Agent.

It was moved by Councilmember Catalano, seconded by Vice Mayor Wan to adopt Resolution No. 23-2020 Designating the City Manager, Finance Director, Police Chief, and the Assistant to the City Manager on Behalf of the City, to be the Authorized Agent to Engage with the Federal Emergency Management Agency and the Governor’s Office of Emergency Services Regarding Grants Applied for by the City of Clayton. (Passed 5-0 vote).

4. **CLOSED SESSION**

Mayor Pierce announced the City Council will adjourn into Closed Session for the following noticed item (5:26 p.m.):

1. Public Employee Performance Evaluation
Government Code section 54957
Title: City Manager

Report out of Closed Session (7:26 p.m.)

Mayor Pierce reported no reportable action was taken.

5. **ADJOURNMENT**– on call by Mayor Pierce the meeting adjourned at 7:27 p.m.

#

Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie Pierce, Mayor

#



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JENNIFER GIANTVALLEY, ACCOUNTING TECHNICIAN

DATE: 05/19/2020

SUBJECT: FINANCIAL DEMANDS AND OBLIGATIONS OF THE CITY

RECOMMENDATION:

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

Attached Report	Purpose	Date	Amount
Open Invoice Report	Accounts Payable	5/12/2020	\$ 241,581.56
Cash Requirements Report	Payroll, Taxes	5/6/2020	82,575.16
	Total Required		\$ 324,156.72

Attachments:

1. Open Invoice Report, dated 5/12/20 (5 pages)
2. Cash Requirements report PPE 5/3/20 (1 page)

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Ace Sierra Tow								
Ace Sierra Tow	4/30/2020	4/30/2020	59545	Tow veh#1740 to Clayton, then Antioch for r	\$155.00	\$0.00		\$155.00
				<i>Totals for Ace Sierra Tow</i>	<u>\$155.00</u>	<u>\$0.00</u>		<u>\$155.00</u>
American Fidelity Assurance Company								
American Fidelity Assurance Company	5/5/2020	5/1/2020	2068728	FSA PPE 5/3/20	\$83.07	\$0.00		\$83.07
				<i>Totals for American Fidelity Assurance Company</i>	<u>\$83.07</u>	<u>\$0.00</u>		<u>\$83.07</u>
Bassam Atwal								
Bassam Atwal	5/7/2020	5/7/2020	PC-04-20	Planning Commission Stipend April 2020	\$120.00	\$0.00		\$120.00
Bassam Atwal	5/11/2020	5/11/2020	PC-03-20	Planning Commission Stipend March 2020	\$120.00	\$0.00		\$120.00
				<i>Totals for Bassam Atwal</i>	<u>\$240.00</u>	<u>\$0.00</u>		<u>\$240.00</u>
Authorize.net								
Authorize.net	5/4/2020	5/4/2020	March20	Online credit card gateway fee March 2020	\$30.70	\$0.00		\$30.70
				<i>Totals for Authorize.net</i>	<u>\$30.70</u>	<u>\$0.00</u>		<u>\$30.70</u>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	4/21/2020	4/21/2020	11800	Special parking signs	\$380.63	\$0.00		\$380.63
				<i>Totals for Bay Area Barricade Serv.</i>	<u>\$380.63</u>	<u>\$0.00</u>		<u>\$380.63</u>
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	5/8/2020	5/8/2020	876312	Legal services April 2020	\$9,470.00	\$0.00		\$9,470.00
Best Best & Kreiger LLP	5/8/2020	5/8/2020	876313	The Olivia Legal svcs April 2020	\$3,882.00	\$0.00		\$3,882.00
Best Best & Kreiger LLP	5/8/2020	5/8/2020	876314	Gun confiscation Legal svcs April 2020	\$446.17	\$0.00		\$446.17
Best Best & Kreiger LLP	5/8/2020	5/8/2020	876315	Labor Legal svcs April 2020	\$592.20	\$0.00		\$592.20
Best Best & Kreiger LLP	4/17/2020	4/17/2020	874811	Legal services March 2020	\$9,470.00	\$0.00		\$9,470.00
Best Best & Kreiger LLP	4/17/2020	4/17/2020	874812	The Olivia Legal svcs March 2020	\$8,687.41	\$0.00		\$8,687.41
Best Best & Kreiger LLP	4/17/2020	4/17/2020	874813	Gun confiscation Legal svcs March 2020	\$5,988.52	\$0.00		\$5,988.52
Best Best & Kreiger LLP	4/17/2020	4/17/2020	874814	Labor Legal svcs March 2020	\$296.10	\$0.00		\$296.10
				<i>Totals for Best Best & Kreiger LLP</i>	<u>\$38,832.40</u>	<u>\$0.00</u>		<u>\$38,832.40</u>
CalPERS Retirement								
CalPERS Retirement	5/5/2020	5/5/2020	050320	Retirement PPE 5/3/20	\$16,967.85	\$0.00		\$16,967.85
				<i>Totals for CalPERS Retirement</i>	<u>\$16,967.85</u>	<u>\$0.00</u>		<u>\$16,967.85</u>
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	4/27/2020	4/27/2020	3022547	Copier usage 3/30/20-4/29/20	\$134.09	\$0.00		\$134.09
				<i>Totals for Caltronics Business Systems, Inc</i>	<u>\$134.09</u>	<u>\$0.00</u>		<u>\$134.09</u>
Anthony Chippero								
Anthony Chippero	5/11/2020	5/11/2020	PC-03*20	Planning Commission Stipend March 20	\$120.00	\$0.00		\$120.00
Anthony Chippero	5/7/2020	5/7/2020	PC-04-20	Planning Commission Stipend April 20	\$120.00	\$0.00		\$120.00
				<i>Totals for Anthony Chippero</i>	<u>\$240.00</u>	<u>\$0.00</u>		<u>\$240.00</u>

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Cintas Corporation								
Cintas Corporation	5/7/2020	5/7/2020	4049949483	PW uniforms through 5/7/20	\$49.44	\$0.00		\$49.44
Cintas Corporation	3/19/2020	3/19/2020	4045795620	PW uniforms through 3/19/20	\$49.44	\$0.00		\$49.44
Cintas Corporation	3/12/2020	3/12/2020	4045152429	PW uniforms through 3/12/20	\$49.44	\$0.00		\$49.44
Cintas Corporation	3/26/2020	3/26/2020	4046428792	PW uniforms through 3/26/20	\$49.44	\$0.00		\$49.44
Cintas Corporation	4/22/2020	4/22/2020	1901264996	Gloves	\$205.46	\$0.00		\$205.46
Cintas Corporation	4/30/2020	4/30/2020	4049363631	PW uniforms through 4/30/20	\$49.44	\$0.00		\$49.44
<i>Totals for Cintas Corporation</i>					<u>\$452.66</u>	<u>\$0.00</u>		<u>\$452.66</u>
City of Concord								
City of Concord	4/30/2020	4/30/2020	83726	Dispatch svcs June 2020	\$23,256.11	\$0.00		\$23,256.11
City of Concord	4/30/2020	4/30/2020	83724	Business card printing	\$70.16	\$0.00		\$70.16
City of Concord	4/30/2020	4/30/2020	83725	CAFR printing FY2019	\$319.11	\$0.00		\$319.11
<i>Totals for City of Concord</i>					<u>\$23,645.38</u>	<u>\$0.00</u>		<u>\$23,645.38</u>
Peter Cloven								
Peter Cloven	5/11/2020	5/11/2020	PC-03-20	Planning Commission Stipend March 20	\$120.00	\$0.00		\$120.00
Peter Cloven	5/7/2020	5/7/2020	PC-04-20	Planning Commission Stipend April 20	\$120.00	\$0.00		\$120.00
<i>Totals for Peter Cloven</i>					<u>\$240.00</u>	<u>\$0.00</u>		<u>\$240.00</u>
Comcast Business								
Comcast Business	5/5/2020	5/5/2020	050520	Internet 5/10/20-6/9/20	\$386.09	\$0.00		\$386.09
<i>Totals for Comcast Business</i>					<u>\$386.09</u>	<u>\$0.00</u>		<u>\$386.09</u>
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	6/15/2020	5/2/2020	67854519	Copier contract 5/15/20-6/14/20	\$304.59	\$0.00		\$304.59
<i>Totals for De Lage Landen Financial Services, Inc.</i>					<u>\$304.59</u>	<u>\$0.00</u>		<u>\$304.59</u>
Terri Denslow								
Terri Denslow	5/11/2020	5/11/2020	PC-03-20	Planning Commission Stipend March 20	\$120.00	\$0.00		\$120.00
Terri Denslow	5/7/2020	5/7/2020	PC-04-20	Planning Commission Stipend April 20	\$120.00	\$0.00		\$120.00
<i>Totals for Terri Denslow</i>					<u>\$240.00</u>	<u>\$0.00</u>		<u>\$240.00</u>
Dillon Electric Inc								
Dillon Electric Inc	5/4/2020	5/4/2020	4144	Streetlight repairs 4/27/20	\$667.61	\$0.00		\$667.61
<i>Totals for Dillon Electric Inc</i>					<u>\$667.61</u>	<u>\$0.00</u>		<u>\$667.61</u>
Envirotech Enterprises								
Envirotech Enterprises	5/1/2020	5/1/2020	A001A-3A-20	Weed abatement April 20	\$9,260.00	\$0.00		\$9,260.00
<i>Totals for Envirotech Enterprises</i>					<u>\$9,260.00</u>	<u>\$0.00</u>		<u>\$9,260.00</u>
Alison Fargas								
Alison Fargas	5/7/2020	5/7/2020	050320	CCP refund	\$156.00	\$0.00		\$156.00
<i>Totals for Alison Fargas</i>					<u>\$156.00</u>	<u>\$0.00</u>		<u>\$156.00</u>

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Frank Gavidia								
Frank Gavidia	5/11/2020	5/11/2020	PC-03-20	Planning Commission Stipend March 20	\$120.00	\$0.00		\$120.00
Frank Gavidia	5/7/2020	5/7/2020	PC-04-20	Planning Commission Stipend April 20	\$120.00	\$0.00		\$120.00
<i>Totals for Frank Gavidia</i>					<u>\$240.00</u>	<u>\$0.00</u>		<u>\$240.00</u>
Geoconsultants, Inc.								
Geoconsultants, Inc.	4/29/2020	4/29/2020	19070	Well monitoring April 20	\$1,546.50	\$0.00		\$1,546.50
<i>Totals for Geoconsultants, Inc.</i>					<u>\$1,546.50</u>	<u>\$0.00</u>		<u>\$1,546.50</u>
Globalstar LLC								
Globalstar LLC	4/16/2020	4/16/2020	375925	Sat phone 4/16/20-5/15/20	\$106.57	\$0.00		\$106.57
<i>Totals for Globalstar LLC</i>					<u>\$106.57</u>	<u>\$0.00</u>		<u>\$106.57</u>
Graybar Electric Co, Inc								
Graybar Electric Co, Inc	4/24/2020	4/24/2020	9315645087	Light pole	\$1,680.33	\$0.00		\$1,680.33
<i>Totals for Graybar Electric Co, Inc</i>					<u>\$1,680.33</u>	<u>\$0.00</u>		<u>\$1,680.33</u>
Harris & Associates, Inc.								
Harris & Associates, Inc.	5/5/2020	5/5/2020	44668	Engineering svcs 3/29/20-4/25/20	\$9,863.00	\$0.00		\$9,863.00
Harris & Associates, Inc.	5/5/2020	5/5/2020	44669	Engineering inspections 3/29/20-4/25/20	\$6,050.00	\$0.00		\$6,050.00
Harris & Associates, Inc.	5/5/2020	5/5/2020	44670	Engineering project billings 3/29/20-4/25/20	\$8,514.38	\$0.00		\$8,514.38
Harris & Associates, Inc.	3/16/2020	3/16/2020	44176	Verna Wy-Prep subdivision agreement, agend	\$920.00	\$0.00		\$920.00
Harris & Associates, Inc.	3/31/2020	3/31/2020	44261	Engineering svcs 1/26/20-2/22/20	\$9,863.00	\$0.00		\$9,863.00
Harris & Associates, Inc.	3/31/2020	3/31/2020	44262	Engineering inspections 1/26/20-2/22/20	\$3,070.00	\$0.00		\$3,070.00
Harris & Associates, Inc.	3/31/2020	3/31/2020	44263	Engineering project billings 1/26/20-2/22/20	\$38,358.41	\$0.00		\$38,358.41
<i>Totals for Harris & Associates, Inc.</i>					<u>\$76,638.79</u>	<u>\$0.00</u>		<u>\$76,638.79</u>
ICMA Retirement Corporation								
ICMA Retirement Corporation	5/7/2020	5/7/2020	050320	457 plan contributions PPE 5/30/20	\$1,550.00	\$0.00		\$1,550.00
ICMA Retirement Corporation	4/24/2020	4/24/2020	43999	Annual plan fee 4/1/20-6/30/20	\$125.00	\$0.00		\$125.00
<i>Totals for ICMA Retirement Corporation</i>					<u>\$1,675.00</u>	<u>\$0.00</u>		<u>\$1,675.00</u>
Kilbourne & Kilbourne								
Kilbourne & Kilbourne	3/25/2020	3/25/2020	98104	1-year employee pins (100)	\$826.50	\$0.00		\$826.50
<i>Totals for Kilbourne & Kilbourne</i>					<u>\$826.50</u>	<u>\$0.00</u>		<u>\$826.50</u>
MPA								
MPA	5/17/2020	5/17/2020	INV001053	EAP April-June 2020	\$268.41	\$0.00		\$268.41
MPA	5/11/2020	5/11/2020	May20	Life/LTD May 20	\$2,081.18	\$0.00		\$2,081.18
MPA	5/4/2020	5/4/2020	INV001087	Unmet liability deductible April 20	\$840.76	\$0.00		\$840.76
<i>Totals for MPA.</i>					<u>\$3,190.35</u>	<u>\$0.00</u>		<u>\$3,190.35</u>
MSR Mechanical, LLC								
MSR Mechanical, LLC	6/6/2020	6/6/2020	113697	CH HVAC repair	\$1,232.51	\$0.00		\$1,232.51

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 MSR Mechanical, LLC</i>					\$1,232.51	\$0.00		\$1,232.51
Nationwide								
Nationwide	5/6/2020	5/6/2020	050320	457 plan contribution PPE 5/3/20	\$500.00	\$0.00		\$500.00
<i>Totals for Nationwide.</i>					\$500.00	\$0.00		\$500.00
NBS Govt. Finance Group								
NBS Govt. Finance Group	2/28/2020	2/28/2020	22000068	Delinquency Mgmt	\$180.00	\$0.00		\$180.00
<i>Totals for NBS Govt. Finance Group</i>					\$180.00	\$0.00		\$180.00
New Pig Corporation								
New Pig Corporation	2/28/2020	2/28/2020	4888903-00	Spill absorbant	\$157.16	\$0.00		\$157.16
<i>Totals for New Pig Corporation</i>					\$157.16	\$0.00		\$157.16
Nutrien Ag Solutions								
Nutrien Ag Solutions	4/29/2020	4/29/2020	41857807	Landscape chemicals	\$1,704.95	\$0.00		\$1,704.95
Nutrien Ag Solutions	12/24/2019	12/24/2019	40993263	Sales tax for landscape chemicals	\$555.06	\$0.00		\$555.06
<i>Totals for Nutrien Ag Solutions</i>					\$2,260.01	\$0.00		\$2,260.01
ParcelQuest								
ParcelQuest	5/1/2020	5/1/2020	20874	ParcelQuest 6/1/20-5/31/21	\$1,799.00	\$0.00		\$1,799.00
<i>Totals for ParcelQuest.</i>					\$1,799.00	\$0.00		\$1,799.00
Paychex								
Paychex	5/6/2020	5/6/2020	2020050401	Payroll fees PPE 5/3/20	\$212.30	\$0.00		\$212.30
<i>Totals for Paychex.</i>					\$212.30	\$0.00		\$212.30
Paysafe Payment Processing								
Paysafe Payment Processing	5/1/2020	5/1/2020	April20	Bankcard fee April 20	\$24.94	\$0.00		\$24.94
Paysafe Payment Processing	5/1/2020	5/1/2020	April20	Online bankcard fee April 20	\$52.00	\$0.00		\$52.00
<i>Totals for Paysafe Payment Processing</i>					\$76.94	\$0.00		\$76.94
Pond M Solutions								
Pond M Solutions	5/1/2020	5/1/2020	661	Fountain maintenance March 20	\$650.00	\$0.00		\$650.00
Pond M Solutions	5/1/2020	5/1/2020	662	Fountain maintenance April 20	\$650.00	\$0.00		\$650.00
<i>Totals for Pond M Solutions</i>					\$1,300.00	\$0.00		\$1,300.00
Rex Lock & Safe, Inc.								
Rex Lock & Safe, Inc.	4/30/2020	4/30/2020	126661	Posting board keys	\$48.94	\$0.00		\$48.94
<i>Totals for Rex Lock & Safe, Inc.</i>					\$48.94	\$0.00		\$48.94
Riso Products of Sacramento								
Riso Products of Sacramento	5/1/2020	5/1/2020	207511	Copier lease pmt 38 of 60	\$106.09	\$0.00		\$106.09
<i>Totals for Riso Products of Sacramento</i>					\$106.09	\$0.00		\$106.09
Site One Landscape Supply, LLC								

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	4/15/2020	4/15/2020	98636675-001	Irrigation parts	\$145.61	\$0.00		\$145.61
				<i>Totals for Site One Landscape Supply, LLC</i>	<i>\$145.61</i>	<i>\$0.00</i>		<i>\$145.61</i>
Sprint Comm (PD)								
Sprint Comm (PD)	4/29/2020	4/29/2020	703335311-221	Cell phones 3/26/20-4/25/20	\$715.52	\$0.00		\$715.52
				<i>Totals for Sprint Comm (PD)</i>	<i>\$715.52</i>	<i>\$0.00</i>		<i>\$715.52</i>
Staples Business Credit								
Staples Business Credit	4/25/2020	4/25/2020	1628827693	Office supplies	\$10.17	\$0.00		\$10.17
				<i>Totals for Staples Business Credit</i>	<i>\$10.17</i>	<i>\$0.00</i>		<i>\$10.17</i>
Swenson's Mobile Fleet Repair								
Swenson's Mobile Fleet Repair	4/29/2020	4/29/2020	1001717	Repair to '06 F-550	\$358.14	\$0.00		\$358.14
				<i>Totals for Swenson's Mobile Fleet Repair</i>	<i>\$358.14</i>	<i>\$0.00</i>		<i>\$358.14</i>
TRC Environmental Corporation								
TRC Environmental Corporation	5/1/2020	5/1/2020	413889	Planning services through 4/24/20	\$2,254.00	\$0.00		\$2,254.00
				<i>Totals for TRC Environmental Corporation</i>	<i>\$2,254.00</i>	<i>\$0.00</i>		<i>\$2,254.00</i>
Yosso Group, Inc								
Yosso Group, Inc	3/10/2020	3/10/2020	1288	North Valley Park repairs	\$51,905.06	\$0.00		\$51,905.06
				<i>Totals for Yosso Group, Inc</i>	<i>\$51,905.06</i>	<i>\$0.00</i>		<i>\$51,905.06</i>
				GRAND TOTALS:	\$241,581.56	\$0.00		\$241,581.56

CASH REQUIREMENTS

CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR ELECTRONIC FUNDS TRANSFERS (EFT) FOR CHECK DATE 05/06/20: \$82,575.16

TRANSACTION SUMMARY

SUMMARY BY TRANSACTION TYPE -	TOTAL ELECTRONIC FUNDS TRANSFER (EFT)	82,575.16
	CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR EFT	82,575.16
	TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES	13,430.62
	CASH REQUIRED FOR CHECK DATE 05/06/20	96,005.78

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
05/05/20	BANK OF AMERICA, NA	xxxxxx4799	Direct Deposit	Net Pay Allocations	63,386.28	
05/05/20	BANK OF AMERICA, NA	xxxxxx4799	Direct Deposit	Deductions with Direct Deposit	663.50	64,049.78
05/05/20	BANK OF AMERICA, NA	xxxxxx4799	Readychex®	Check Amounts	2,816.02	2,816.02
05/05/20	BANK OF AMERICA, NA	xxxxxx4799	Garnishment	Employee Deductions	75.00	75.00
				EFT FOR 05/05/20		66,940.80
05/06/20	BANK OF AMERICA, NA	xxxxxx4799	Taxpay®	Employee Withholdings		
				Social Security	187.71	
				Medicare	1,303.22	
				Fed Income Tax	8,830.34	
				CA Income Tax	3,491.87	
				Total Withholdings	13,813.14	
				Employer Liabilities		
				Social Security	187.71	
				Medicare	1,303.22	
				Fed Unemploy	52.16	
				CA Unemploy	269.43	
				CA Emp Train	8.70	
				Total Liabilities	1,821.22	15,634.36
				EFT FOR 05/06/20		15,634.36
				TOTAL EFT		82,575.16



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: May 19, 2020

SUBJECT: Adopt a Resolution Affirming and Clarifying the Duties and Responsibilities of the “Trails and Landscape Committee” (TLC) which serves as the Citizens Oversight Committee for the Citywide Landscape Maintenance District CFD 2007-1

RECOMMENDATION

Review and make a determination regarding the Duties and Responsibilities of the “Trails and Landscape Committee” (Exhibit A) that serves as the Citizens Oversight Committee for the Citywide Landscape Maintenance District CFD 2007-1; and consider adoption of Resolution by majority vote.

BACKGROUND

At its February 18, 2020 public meeting, the City Council considered and reviewed the staff recommended Resolution regarding the Trails and Landscaping Committee roles and responsibilities. At the Conclusion of the meeting with consensus of the City Council, Mayor Pierce appointed an Ad Hoc committee consisting of Vice Mayor Wan and Councilmember Catalano. The purpose of the Ad Hoc Committee was to preview the language after staff revisions were made that consisted of formatting and eliminating any redundant statements for clarification.

The Ad Hoc Committee had both areas of agreement and differences regarding specific language used to outline duties and responsibilities of TLC and staff. The matter is being brought before the full City Council to receive direction on the Resolution, including language preference. The Ad Hoc Committee has reached an impasse between the usage of “may” vs “shall”.

Exhibit A is the most recent draft from the Ad Hoc Committee and staff. In Exhibit A, staff accepted track changes where the Ad Hoc Committee were aligned, but left the notes and comments where there was not agreement with some notes from staff.

The Ad Hoc Committee members will present their comments to the City Council where agreement was not reached. Once City Council majority has agreed to the final language, then the Resolution may be adopted. This resolution will supersede all prior resolutions.

Attachments

1 – Resolution xx-2020

2 - Exhibit A: Resolution with track changes and comments of Membership and Responsibilities of the “Trails and Landscaping Committee” which serves as the Citizen Oversight Committee for the Citywide Landscape Maintenance District CFD 2007-1; and that of the City Council and City Staff

RESOLUTION NO. ____ -2020

**MEMBERSHIP, DUTIES AND RESPONSIBILITIES OF THE
“TRAILS AND LANDSCAPING COMMITTEE”
WHICH SERVES AS THE CITIZENS OVERSIGHT COMMITTEE FOR THE
CITYWIDE LANDSCAPE MAINTENANCE DISTRICT CFD 2007- 1;
AND THAT OF THE CITY COUNCIL AND CITY STAFF**

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

WHEREAS, on November 4, 1997 the voters of Clayton, California approved the formation of Community Facilities District 1997-1, Measure “E”, to provide special parcel tax revenues for the maintenance of public roadway landscaping, open space and trail system improvements within the City of Clayton. This measure replace two separate districts (the Oakhurst Landscape Assessment District, and the Clayton Landscape District), and added other parcels not previously covered by these two Districts; and

WHEREAS, this District known as the “Citywide Landscape Maintenance District” was authorized by voters for a time period of ten (10) years to expire in 2007 unless otherwise approved or re-authorized by another affirmative vote of the local electorate; and

WHEREAS, in December 2003 the Clayton City Council created an ad-hoc citizens’ advisory committee (Blue Ribbon Committee) of fifteen (15) members for “... *the express purpose of developing and recommending to the City Council a strategic plan to guide the Citywide Landscape Maintenance District functions in the remaining four (4) years of its inaugural existence and to recommend modifications and/or options to sustain and enhance the District’s operations presently and in preparation for voter reauthorization...*” of the District; and

WHEREAS, the Blue Ribbon Landscape Committee did subsequently tender a written Strategic Plan to the City Council in January 2005 that culminated in the submittal of Measure “M” to the local electorate on the November 2005 ballot for renewal of the District for an additional fifteen (15) years at an increased per parcel special tax rate; and

WHEREAS, city voters rejected Measure “M” in 2005 yet the Citywide Landscape Maintenance District remained in purpose until July 2007 and its operations and functions can still benefit from citizens’ perspectives, critiques and input concerning its current standard of maintenance, improvement and reauthorization status; and

WHEREAS, with its assigned mission accomplished the ad-hoc Blue Ribbon Landscape Committee was disbanded the City Council in favor of establishing a permanent citizens’ advisory committee to advise the City Council and City staff on matters related to the operation of the 1997 Citywide Landscape Maintenance District; and

WHEREAS, on February 21, 2006 the City Council of Clayton, California established a permanent citizens advisory committee for the 1997 Citywide Landscape Maintenance District with a membership of up to fifteen (15) members appointed by the City Council and to be known as the “Trails and Landscaping Committee”; and

WHEREAS, on February 21, 2006, the City Council designated that the Trails and Landscaping Committee will serve in an advisory capacity to the City Council on matters related to the operation and renewal of the 1997 Citywide Landscape Maintenance District; and

WHEREAS, said citizens committee met regularly during 2006 and into 2007 reviewing matters related to priorities, public outreach, maintenance standards, citizen complaints, and related operations of the Landscape Maintenance District and did recommend to the City Council a ballot measure for replacement of the expiring 1997 District; and

WHEREAS, on February 20, 2007, a proposed local ballot measure (Measure “B”) a replacement Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2017), recommended by the Trails and Landscaping Committee (Citizens Committee), was approved by the City Council to be placed before the Clayton electorate on the June 5, 2007 election; and

WHEREAS, on June 5, 2007, Measure “B” was approved by an 83% affirmative vote and provisions of the replacement Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2017); and

WHEREAS, on August 7, 2007 the City Council modified the numerical membership of the established City Council appointed Trails and Landscape Committee, from up to 15 members, to up to eleven (11) citizen members, to have it continue to serve as the citizens oversight committee for the Citywide Landscape Maintenance District (CFD 2007-1) as stated in the ballot measure Argument in Favor of Measure “B”: to advise the City Council and staff concerning the Landscape Maintenance Districts annual budget, and provide a public forum for citizens’ concerns, recommend priorities to address District resource deficiencies and monitor these critical landscape services that are funded through this special district tax; and

WHEREAS, on March 15, 2011 the City Council, by request of the Trails and Landscape Committee, modified the overlapping two-year term of office ending date for members of the Trails and Landscape Committee (The Citizens’ Oversight Committee) to the Citywide Landscape Maintenance District (CFD 2007-1) from June 30th to December 31; and

WHEREAS, on March 1, 2016 a proposed local ballot measure (Measure “H”) a continuation of the Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2027), continuing the same tax rate and methodology and included the continuation of the Citizens Oversight Committee, recommended by the Trails and Landscaping Committee (Citizens Oversight Committee), was approved by the City Council to be placed before the Clayton electorate for election on June 7, 2017 for voter consideration; and

WHEREAS, on June 7, 2016 Measure “H” was approved by 79% affirmative vote for the continuation of the “Citywide Landscape Maintenance District” CFD 2007-1, for a time period of ten (10) years to expire in 2027 unless otherwise approved or re-authorized by another affirmative vote of the local electorate, and included the continuation of the Citizens Oversight Committee; and

WHEREAS, on January 16, 2018, at the request of the TLC and City staff, the City Council provided clarification as to the scope and responsibilities of the Trails and Landscape Committee as it relates to oversight of the Landscape Maintenance District and directed staff to prepare this information in written form by Resolution for City Council review and approval; and

WHEREAS, at its February 6, 2018 public meeting the City Council did review, consider and approve Resolution 02-2018 “Affirming and Clarifying the Duties and Responsibilities of the ‘Trails and Landscape Committee’ which serves as the Citizen Oversight Committee for the Citywide Landscape Maintenance District”; and

WHEREAS, at its January 21, 2020 meeting the City Council agreed to review the Duties and Responsibilities of the Trails and Landscape Committee at a future meeting; and

WHEREAS, at its February 18, 2020 meeting, the City Council directed staff to consolidate the prior resolutions regarding the establishment, roles and responsibilities of the Trails and Landscape Committee which serves as the Citizen Oversight Committee CFD 2007-1, and approved an Ad Hoc Committee, (comprised of Vice Mayor Wan and Councilmember Catalano) to work with City staff to review recommend a final draft for the City Council consideration at a future public meeting; and

NOW, THEREFORE, BE IT RESOLVED at its May 19, 2020 public meeting the City Council did review, consider and approve the attached Exhibit A, Membership, Duties and Responsibilities of the ‘Trails and Landscape Committee’ which serves as the Citizen Oversight Committee for the Citywide Landscape Maintenance District [CFD 2007- 1]”, and that of City Council and City Staff”.

NOW, FURTHER BE IT RESOLVED that this Resolution shall supersede prior Resolution No. 08-2006; Resolution No. 38-2007; Resolution No. 04-2011; and Resolution No. 02-2018.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 19th day of May, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Julie Pierce, Mayor

ATTEST:

Janet Calderon, City Clerk

**MEMBERSHIP AND RESPONSIBILITIES OF THE
“TRAILS AND LANDSCAPING COMMITTEE”
WHICH SERVES AS THE CITIZENS OVERSIGHT COMMITTEE FOR THE
CITYWIDE LANDSCAPE MAINTENANCE DISTRICT CFD 2007- 1;
AND THAT OF THE CITY COUNCIL AND CITY STAFF**

Background:

In 1997 the voters of Clayton, California approved the formation of Community Facilities District 1997-1 Measure “E” to provide special parcel tax revenues for the maintenance of public roadway landscaping, open space and trail system improvements within the City of Clayton. (This measure replaced two separate districts (the Oakhurst Landscape Assessment District, and the Clayton Landscape District, and added other parcels not previously covered by these two Districts Tax districts). Revenue generated from Measure E was used exclusively for the District only.

This District known as the “Citywide Landscape Maintenance District” (LMD) was authorized by voters for a time period of ten (10) years to expire in 2007 unless otherwise approved or re-authorized by another affirmative vote of the local electorate. On June 5, 2007, Measure “B” a replacement Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2017) was passed (83%) by the voters at a special municipal election.

On August 7, 2007 the Clayton City Council established the Trails and Landscape Committee to be comprised of up to eleven (11) citizen members, appointed by the City Council, as the citizens oversight committee for the City wide Landscape Maintenance District (CFD 2007-1) The continued use of a citizens committee was included in the ballot measure Argument in Favor of Measure “B”: *to advise the City Council and staff concerning the Landscape Maintenance Districts annual budget, and provide a public forum for citizens’ concerns, recommend priorities to address District resource deficiencies and monitor these critical landscape services that are funded through this special district tax;*

On June 7, 2017 the voters approved (79%) an extension (Measure “H”) of the “Citywide Landscape Maintenance District” CFD 2007-1, for a time period of ten (10) years to expire in 2027 unless otherwise approved or re-authorized by another affirmative vote of the local electorate, and included the continuation of the Citizens Oversight Committee.

What is the District:

The District covers 2 million square feet of roadway landscape area; 40,700 sq feet of lawns and flowerbeds; apx. 3,000 city trees; 515 acres of open space; 7 miles of creekside trails; 20 miles of open space trails; apx. 50 street islands and medians.

District Standards:

Standards for the District include: mandatory firebreaks one time per year; weeds trimmed along major trails and creeks twice a year; trees trimmed for safety purposes; irrigation breaks

[Clean Rev 2 Draft Draft for Ad Hoc Committee review](#)

Consolidated Resolution [Reso for ad how committee review TLC JW Ed and LH comments on edits RE-](#)

[TLC follow up from Feb. 18, 2020 Clayton City Council Meeting](#)

repaired as necessary; public roadway landscaping trimmed twice a year; landscape areas fertilized one a year as necessary.

Citizens Oversight Committee:

Measure H established the continuation of the Citizens’ Oversight Committee. The Citizens Oversight Committee is called the Trails and Landscape Committee “Committee”. The Committee is an advisory committee to the City Council and City Staff related to matters involving the Citywide Landscape Maintenance District” CFD 2007-1.

A. Purpose of the Committee:

1. The Committee serves in an advisory body to the City staff and the City Council on matters relating to the Citywide Landscape Maintenance District CFD 2007-1 (“District”), (public roadway landscaping, open space weed abatement Clayton Fountain and trail system and their related infrastructure – it does not include parks).

B. Committee Membership size:

1. The Committee is comprised of up to eleven (11) citizen members, appointed by the City Council.
2. The Vice Mayor shall serve as the City Council ex-officio liaison (non-voting member) to the Committee. A City Council Alternate shall also be recommended by the Mayor and confirmed by the City Council.

C. Term of Office:

1. Term of office for Committee members (not ex-officio members) shall be for overlapping two calendar year terms, regardless of when appointed during the 2-year period, appointment terms end December 31st.
2. There are no term limits for the Committee members.
3. Committee members may/shall be considered for reappointment to a new 2-year term if they submit new application.

Comment [tc1]: Keep as clarifying since the liaison is considered a non-voting “member” per C.1. above.

D. Committee Meetings:

1. The Committee meets as needed, typically three times a year, and is subject the public meeting laws (Brown Act). [late May/early June: draft Budget review/CPI review; Feb/March: mid-year budget review; Oct/Nov: prior Fiscal Year review / Committee Annual Report].
2. Meeting dates and time are determined/coordinated by staff in consultation with the Committee members to ensure quorum.
3. Agendas and meeting materials are publically available and the public may comment at the meetings in accordance with the Brown Act.
4. Ad-Hoc committee(s) may be established as determined by the Committee in accordance with the Brown Act and within the scope of the responsibilities of the Committee.

Comment [LH2]: Staff needs to have the ability to have the final say on meeting dates based upon our ability to prepare the reports and staff availability, we come up with dates sometimes at the meeting but often they are not set at the meeting and staff sends out date options to the committee members to see what works for all or at minimum a quorum . Coordinate does not seem convey this. Using coordinate seems that the Committee will have the final say on when to meet, which is not correct and not what we want the Committee to interpret that is why the word determined was used.

[Clean Rev 2 Draft Draft for Ad Hoc Committee review](#)

Consolidated Resolution [Reso for ad how committee review TLC JW Ed and LH comments on edits RE- TLC follow up from Feb. 18, 2020 - Clayton City Council Meeting](#)

5. A quorum of the Committee is a simple majority of the appointed members.

E. Responsibilities of the Committee:

1. Preparation of Annual Report in accordance with the Brown Act.
 - a. The Committee shall review the fiscal year end actual revenues collected and actual expenses of the District to determine and verify the funds received from the special parcel tax have been used for District purposes, as called for in Measure “H”.
 - b. The Committee shall prepare a public Annual Report to the City Council regarding the prior Fiscal Year activities, maintenance and financial status of the “District” and verify the funds received from the special parcel tax have been used for “District” purposes.
 - c. The Annual Report format and information shall be determined by the Committee and written by the Committee. The Committee may request relevant information and clarification from City staff to facilitate preparation of the Annual Report.
2. Consider and make recommendations to the City Council for the renewal or extension of the Citywide Landscape Maintenance District by the local electorate prior to the District’s scheduled expiration in July 2027.

3. The Committee may/shall review the conditions of the landscape, trails and open space and ~~annually as part of the fiscal year budget process~~ recommend suggestions to staff and the City Council regarding proposed operations and proposed projects no less frequently than annually. Recommending suggestions may occur as part of the fiscal year budget process, or at any time is appropriate as determined by the Committee that should be repaired/reconstructed within the available funding and staffing of the “District”.

Comment [tc3]: What is our ability to process suggestions that are not done in connection with the budget? At minimum, if this language is kept, then add that there is a strong preference that the suggestions be provided in connection with the budget process.

4. The Committee may/shall review the staff prepared draft fiscal year budget and mid-year budget review for the “District”, ~~The Committee shall~~ accept or make alternative recommendations and suggestions to the City Council within the financial and staff resources available in regarding the District’s budget.

Comment [tc4]: I would keep this. The expectation is for the District to operate on a balanced budget. No need to create unrealistic expectations that suggest that the Committee should make suggestions that are not executable.

5. The Committee may/shall review the Annual staff recommended CPI adjustment to the special parcel tax levy pursuant to Measure “H” and make recommendation to City Council.

~~6.~~ The Committee may/shall make suggestions to staff and the City Council concerning the care, maintenance, repair, replacement and improvement of the “District’s” assets and infrastructure. within the financial and staff resources available in the District’s budget.

Comment [tc5]: I would keep this. The District needs to operate within its budget, and the responsibilities should not list expectations that are unrealistic.

7.6. _____

Clean Rev 2 Draft Draft for Ad Hoc Committee review

Consolidated Resolution Reso for ad how committee review TLC JW Ed and LH comments on edits RE- TLC follow up from Feb. 18, 2020 Clayton City Council Meeting

8-7. The Committee may/shall seek and consider Clayton citizen and Clayton business person suggestions and/or input regarding the operations and maintenance of the “District”.

9-8. The Committee may/shall suggest future agenda items within the scope of the responsibilities of the Committee as needed and determined by the Committee.

Comment [tc6]: These need to stay as “may”. The Measure did not list these as mandatory requirements.

10-9. The Committee shall review, accept or modify the draft minutes prior to action by the Committee.

Comment [LH7]: This addition appears to allow the Committee to determine what is within their scope and responsibilities. This document is clarify – this added wording seems to create more confusion and less clarity from staff perspective

11-10. The Committee shall select a Chair and Vice Chair as needed.

12-11. A Committee member may provide oral public update report at City Council meetings on topics covered at the prior Committee meeting.

13-12. Perform other such responsibilities or duties as may be assigned from time to time by the City Council.

G. City Staff Responsibilities:

1. Set/Coordinate meeting dates and time in consultation with the Committee members to ensure quorum.

2. Committee Agenda preparation including: Identifying agenda items, posting agendas and preparation of staff reports and drafting of minutes.

3. Receive input from Committee members on agenda items and for future agenda topics that are within the scope of the Committees responsibilities and duties.

4. Provide staffing and support services appropriate to the Committee, and schedule Committee meetings as necessary to assist in and facilitate the Committee’s deliberations and fulfillment of its assigned duties and responsibilities.

5. Consult with the Chair, on a draft agenda prior to finalization.

6. Provide appropriate available background information and/or documents to the Committee as requested for their independent Annual Report preparation.

7. Provide periodic status reports for the Committee meeting of “District” activities and projects.

Comment [LH8]: Staff is the one that actually sets date --has the final say on meeting dates based upon our ability to prepare the reports and staff availability, meeting room availability we come up with options based on the above and consult with members to ensure we have a quorum sometimes can be done at the meeting but often they are not set at the meeting and staff sends out date options to the committee members to see what works for all or at minimum a quorum . Coordinate does not seem convey this. It seems that the Committee will have the final say on when to meet.

8. Prepare draft Annual District budget, with staff recommendations on revenues and expenditures, for the Committee to review at their meeting, subject to a quorum of the Committee being available, prior to City Council meeting packet completion.

~~8. for the Committee review at their meeting prior to City Council adoption.~~

Comment [LH9]: Deletion of the words does not appear to make sense here. Not a complete sentence. The process has been that we will provide a draft to the TLC for their review prior to City Council adoption- the committee is covered by the Brown Act so it has to be done accordingly at a meeting

Clean Rev 2 Draft Draft for Ad Hoc Committee review

Consolidated Resolution Reso for ad how committee review TLC JW Ed and LH comments on edits RE-
TLC follow up from Feb. 18, 2020 Clayton City Council Meeting

9. Provide mid-year “District” budget information for the Committee to review at their meeting, review subject to a quorum of the Committee being available, prior to ~~City Council meeting packet completion. action.~~
10. Receive suggestions from the Committee and public regarding the “District”
11. Provide staff reports to the Committee and City Council as needed on Committee recommendations.
12. Respond to Committee questions and requests for information within the scope of the Committees responsibilities and duties.
- ~~13.~~ Respond to citizen questions or requests for information related to the District and District Activities.
- ~~43.~~ In collaboration with the Committee, receive suggestions and recommendations from the Committee regarding the conditions of the landscape, trails and open space proposed operations and proposed projects. Staff shall have discretion as to appropriate follow up on recommendations and comments received by the Committee.
- ~~44.~~
- ~~45.~~ 14. Implementation of adopted budget, including in collaboration with the Committee; determination of priorities, review and/or recommending contracts, specifications, construction plan review, defining the scope of a project, project implementation, project scheduling and project management.
- ~~46.~~ 15. After budget adoption, the implementation spending priorities, schedule implementation, project implementation details or financing plans.
- ~~47.~~ 16. Perform other such duties as may be assigned from time to time by the City Council.

Comment [LH10]: This addition is not needed here as it is already covered in No 2 above.

Comment [LH11]: Added by staff in attempt to capture Vice Mayors objective to provide that staff will collaborate with the Committee.

Comment [LH12]: Staff has strong concerns on this change. The original language is meant to state clearly that these are staff implementation operational matters, NOT Committee (and also not Council) – staff decides work priorities – not the Committee – we do not collaborate our daily and monthly work schedules – we are given what needs to be done for the year via the adopted budget and we have to prioritize with our other work items. We do not bring contracts or bid specifications to Committee or Council. Those are staff technical implementation matters. This original language was place intentionally to keep everyone in their proper lane.

H. City Council Responsibilities:

1. Annually the Mayor shall appoint the Vice Mayor as the ex-officio Councilmember Liaison and recommend an Alternate ex-officio Councilmember Liaison to the Committee. The appointments shall be confirmed by the City Council.
2. The Ex-Officio is a non-voting member of the Committee, but may provide input to discussion from a Council perspective and can report out at City Council meeting the discussion and or recommendations of the Committee.
3. The City Council may receive recommendations and suggestions from City Staff and the Committee, consider the information and make decision or provide direction as appropriate.

Clean Rev 2 Draft Draft for Ad Hoc Committee review

Consolidated Resolution Reso for ad how committee review TLC JW Ed and LH comments on edits RE- TLC follow up from Feb. 18, 2020 - Clayton City Council Meeting

4. The City Council shall receive the Committee's Annual Report at a public meeting (this can be a consent calendar item) regarding the prior Fiscal Year activities, maintenance and financial status of the "District", and verifies the funds received from the special parcel tax have been used for "District" purposes.

[Clean Rev 2 Draft Draft for Ad Hoc Committee review](#)

Consolidated Resolution [Reso for ad how committee review TLC JW Ed and LH comments on edits RE-
TLC follow up from Feb. 18, 2020 Clayton City Council Meeting](#)