



# **AGENDA**

## **REGULAR JOINT MEETINGS**

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### **CLAYTON CITY COUNCIL and OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)**

\* \* \*

**TUESDAY, October 4, 2016**

**7:00 P.M.**

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

**Mayor:** Howard Geller

**Vice Mayor:** Jim Diaz

#### **Council Members**

Keith Haydon

Julie K. Pierce

David T. Shuey

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail and on the City's Website at least 72 hours prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at [www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- 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) 673-7304.

# **\* CITY COUNCIL \***

**October 4, 2016**

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

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

### 3. **CONSENT CALENDAR**

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

- (a) Approve the minutes of the City Council's regular meeting of September 20, 2016. ([View Here](#))
- (b) Approve the Financial Demands and Obligations of the City. ([View Here](#))
- (c) Adopt a Resolution approving the amended City of Clayton's Conflict of Interest Code, pursuant to the Political Reform Act of 1974, adding the position of Police Administrative Clerk. ([View Here](#))
- (d) Approve the proposed schedule for the ten (10) Saturday "Concerts in The Grove" series in The Grove Park in 2017. ([View Here](#))
- (e) Approve the First Amendment of an Exclusive Negotiation Agreement (ENA) with Pacific Union Land Investors, LLC, for the preparation of a Disposition and Development Agreement (DDA) leading to the sale/purchase, private development and management of certain City-owned vacant real property in the Clayton Town Center for commercial retail establishments and a senior care facility, generally located at 6005 Main Street (APN 118-560-010-1). ([View Here](#))

### 4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Proclamation declaring October 2016 as "Domestic Violence Awareness Month". ([View Here](#))

### 5. **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.
- (e) Other – Introduction of City Council candidates (present at the meeting).

**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 facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the City Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. When one's name is called or you are recognized by the Mayor as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. 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) Consider the second reading and adoption of proposed Ordinance No. 468 which adjusts the monthly compensation for elected members of the Clayton City Council to become effective December 6, 2016. ([View Here](#))  
(City Clerk)

Staff recommendations: 1). Receive the staff report; 2). Receive public comment; 3). Approve a motion to have the City Clerk read Ordinance No. 468 by title and number only and waive further reading; and 4). Following the City Clerk's reading, approve a motion adopting Ordinance No. 468.

- (b) City Council discussion to determine the preferred date of its annual joint special meeting with the Board of Trustees of the Mt. Diablo Unified School District from among the Monday dates offered by MDUSD, and identify any potential City-initiated agenda topics. ([View Here](#))  
(City Council)

Staff recommendation: Following discussion and opportunity for public comment, that Council determine its preferred date(s) and any preliminary topic(s) for its annual joint special meeting with the Mt. Diablo Unified School District's Board of Trustees.

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

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**

The next regularly scheduled meeting of the City Council will be October 18, 2016.

# # # # #

**\* OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT \***  
**October 4, 2016**

1. **CALL TO ORDER AND ROLL CALL** – Chairman Haydon.

2. **PUBLIC COMMENTS**

*Members of the public may address the District Board of Directors on items within the Board's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the Secretary. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chair's discretion. When one's name is called or you are recognized by the Chair as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Board 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 Board.*

3. **CONSENT CALENDAR**

*Consent Calendar items are typically routine in nature and are considered for approval by the Board with one single motion. Members of the Board, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question or input may request so through the Chair.*

(a) **Information Only** – No Action Requested.

1. General Manager Observation Report regarding alleged hillside movement on Crow Place. ([View Here](#))

(b) Approve the Board of Directors' minutes for its regular meeting September 20, 2016. ([View Here](#))

4. **PUBLIC HEARING** – None.

5. **ACTION ITEMS** – None.

6. **BOARD ITEMS** – limited to requests and directives for future meetings.

7. **ADJOURNMENT** – the next meeting of the GHAD Board of Directors will be scheduled as needed.

# # #

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

Agenda Date: 10-11-2016

Agenda Item: 3a

TUESDAY, September 20, 2016

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Geller in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Geller, Vice Mayor Diaz and Councilmembers Haydon, Pierce and Shuey. Councilmembers absent: None. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, City Clerk/HR Manager Janet Brown, City Engineer Rick Angrisani, and Finance Manager Kevin Mizuno.

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

3. **CONSENT CALENDAR**

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to approve Consent Calendar Items (a) – (h), except Item 3 (f). (Passed; 5-0 vote).**

- (a) Approved the minutes of the regular meeting of August 16, 2016.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the City's response letter to FY 2015-16 Contra Costa County Civil Grand Jury Report No. 1609, "Human Trafficking."
- (d) Approved the City's response letter to FY 2015-16 Contra Costa County Civil Grand Jury Report No. 1614, "Where Will We Live?"
- (e) Approved the City's response letter to FY 2015-16 Contra Costa County Civil Grand Jury Report No. 1615, "Truancy and Chronic Absence in Contra Costa County Schools."
- (g) Approved a sole source award of contract to Uretek USA in the amount of \$258,444.50 for use of a polymer fill injection to stabilize the arterial roadways in the 2016-17 Arterial Street Rehabilitation Project (CIP No. 10437) prior to micro-surfacing treatment to resurface Clayton Road, Marsh Creek Road and Oakhurst Drive.
- (h) Approved the Mayoral re-appointment of Joyce Atkinson to serve on the Contra Costa County Library Commission and Jeanne Boyd as the Alternate Library Commissioner, each with a term of office ending June 30, 2018.

**Consent Calendar Item 3 (f) - Pulled**

- (f) Adopt a Resolution revising the City's Public Works Standards and Specifications pertaining to infrastructure capital improvements.

Councilmember Pierce requested that Item 3(f) be pulled for discussion as she has a couple of comments. She does not disagree with the proposed action in general to revert back to the 2010 CalTrans standards but would like to insert appropriate language that as new projects come up where federal funds are involved or CalTrans' approval is required, that project must be engineered according to the 2015 standards. She checked

with regional transportation project professionals who confirmed the City not using the latest CalTrans specifications on federal or state funded projects could have those projects denied for funding until re-engineered to the latest design standards.

City Manager Gary Napper asked City Engineer Rick Angrisani if the City has any projects under design that match that concern. City Engineer Rick Angrisani responded the only possible candidate is the Uretek contract just awarded is based on the 2010 Specifications. Beyond that the only other upcoming project is the Keller Ridge Drive rehabilitation street project which is being federally funded but authorization to proceed has just been received and the project has yet to be designed.

Councilmember Pierce asked for confirmation the Uretek polymer-fill contract is being funded with local monies so there is no need for CalTrans to be involved. Mr. Angrisani confirmed that is correct. Councilmember Pierce recommended the Item be approved subject to a condition the Standards be amended to insert language prepared by the City Attorney that CalTrans' 2015 Public Works Standards and Specifications must be incorporated into projects using federal or state funds.

**It was moved by Councilmember Pierce, seconded by Councilmember Shuey, to approve Consent Calendar Item 3 (f) with the condition it be amended with City Attorney prepared language that CalTrans' 2015 PW Standards and Specifications must be utilized depending on an applicable project's source of funds.**

**(Passed; 5-0 vote).**

#### **4. RECOGNITIONS AND PRESENTATIONS**

- (a) Proclamation declaring September 19<sup>th</sup> – 25<sup>th</sup> as "Falls Prevention Awareness Week."

Mayor Geller read the Proclamation recognizing "Falls Prevention Awareness Week" and presented it to Emily Hopkins. Ms. Hopkins provided information regarding Falls Prevention advising that various programs, such as Meals on Wheels and Senior Outreach, are available to support our vulnerable senior citizens who are most susceptible to health complications arising from falling. Ms. Hopkins spoke briefly about the Meals on Wheels program and how much the recipients appreciate the time the volunteers spend with them while delivering meals.

#### **5. REPORTS**

- (a) Planning Commission – Vice Chair Tuija Catalano summarized the Commission's meeting of August 23, 2016. She indicated its agenda included a Home Occupation Permit to allow a residential cottage food operation for baked goods as well as instruction for fine arts, music and painting to be conducted at 1242 Easley Drive. The Commission approved this permit. Mayor Geller asked if the operator must also obtain a food preparation license from County Health Services to do this; Commissioner Catalano replied in the affirmative.

Ms. Catalano also thanked the City Council for its selection of the Planning Commission's newest members. She advised they have been asking some great questions and each of them has brought some new perspective to the Commission.

- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff – No Report.



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

Vice Mayor Diaz attended the Wednesday Classic Car Show and Concert, the 18<sup>th</sup> Annual Contra Costa County Cops for Kids golf tournament, the Saturday Concerts in The Grove series, the 15<sup>th</sup> Anniversary of 9/11 remembrance at Fire Station 11, the 95<sup>th</sup> Anniversary of Contra Costa County Realtors Association, the County Connection Board meeting, and Clayton Community Church's 13<sup>th</sup> Annual Labor Day Derby and Classic Car Show in downtown.

Councilmember Pierce attended meetings of the Metropolitan Transportation Commission, meetings of the Contra Costa Transportation Authority, meetings of Associated Bay Area Governments, meeting of TRANSPAC, the Contra Costa County Mayors' Conference hosted by the City of El Cerrito, the 15<sup>th</sup> Anniversary of 9/11 remembrance at Fire Station 11, and the Saturday Concerts in The Grove series.

Councilmember Shuey attended the Clayton Community Church's 13<sup>th</sup> Annual Labor Day Derby and Classic Car Show in downtown.

Councilmember Haydon attended the East Contra Costa Habitat Conservancy meeting, the Clayton Business and Community Association General Membership meeting, the Contra Costa County Mayors' Conference hosted by the City of El Cerrito, the Saturday Concerts in The Grove series, the 15<sup>th</sup> Anniversary of 9/11 remembrance at Fire Station 11, and a meeting of the Clayton Library Foundation.

Mayor Geller attended a meeting of the Clayton Valley Village, the Clayton Community Church's 13<sup>th</sup> Annual Labor Day Derby and Classic Car Show in downtown, the Contra Costa County Mayors' Conference hosted by the City of El Cerrito, the Clayton Business and Community Association General Membership meeting. He also announced the Oktoberfest is coming to town next weekend. Mayor Geller also thanked the community for their continued support of the Saturday Concerts in The Grove, noting donations received this year help bring back the Saturday Concerts in The Grove in 2017.

- (e) Other – Introduction of City Council candidates (present at the meeting)

Mayor Geller noted that during city elections, it is City Council Policy that candidates for City Council are allowed 3 minutes to introduce themselves and share a few remarks at City Council meetings if they are in attendance and wish to do so.

Julie Pierce advised she has been a member of the Clayton City Council for a number of years and has volunteered both in and out of Clayton. She also has served in numerous leadership roles on the Contra Costa Transportation Authority and the Association of Bay Area Governments. Ms. Pierce stated in regional matters she is constantly looking out for the interests of small cities making sure that small cities are treated equitably and retain local control.

Jim Diaz advised he is seeking his second term with the Clayton City Council. Mr. Diaz included he is currently the City's representative on the County Connection Board, the League of California Cities' East Bay Division, the League of California Cities Public Safety Committee, and is the City's liaison to the Contra Costa Water District. Mr. Diaz noted he and Councilmember Shuey lead the local campaign effort in re-opening Contra Costa County Fire Protection District's Fire Station 11 in Clayton to full staffing.

Tuija Catalano advised she and her husband moved to Clayton in 2005 because it is a small, safe city which she would like to maintain, along with financial stability. Ms. Catalano noted that she is currently serving on the Planning Commission and has done



so since 2006, except for a two year break to Finland and then returning to Clayton in 2015. She provided a brief history of projects that she has considered on the Planning Commission, believing that experience would be an asset to the City Council having been a City Planning Commissioner as well as a land use and real estate attorney. Ms. Catalano offered she has been a volunteer with the Clayton Business and Community Association assisting with community events such as Art and Wine, Rib Cook-Off and the upcoming Oktoberfest.

Allen Lampo stated he ran for City Council eight (8) years ago and has decided to try again. Mr. Lampo stated he has been a volunteer with the Boy Scouts, he wrote the financial section articles for the Clayton Pioneer, is an announcer for the Dana Hills Swim team, and would like to do even more in the community with his energy and drive.

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

Nancy Salmon, 51 Mt. Tamalpais Place, said she wanted to speak about a very important community event that has been held in Clayton for the past 6 years, namely the Relay for Life fight against cancer. She noted she is here with Pat Middendorf who also represents the event's leadership team. All of the money raised at the Relay for Life and the recent "Round Up" events went to the American Cancer Society totaling over \$140,000. Prior years' events were held at the Clayton Community Park, Clayton Valley Charter High School, and Mt. Diablo Elementary School. However, those event locations have not been ideal, resulting in their search for a more desirable venue. They now believe they have found one: The Grove Park, in the center of the town, would accommodate this annual event. Other community events held in The Grove have larger crowds with a larger event impact on the community. Their Relay for Life participation this year was under 250 people, which is considerably less than crowds drawn for concerts and CBCA festivals. Although Relay for Life is a 24-hour event, the heaviest times are the opening ceremonies, Honoria laps which occur from 10:00 am to approximately 1:00 p.m. and the luminary ceremony taking place at 8:00 p.m. until 9:00 p.m. The event concludes Sunday morning at 9:30 a.m. with the area being cleaned up by noon. Parking has not been an issue as people come and go from the event. Relay for Life members provide information and answer questions to the surrounding neighbors prior to the event. They will do whatever it takes to make this work for City approval at The Grove Park. The small city of Clayton is one of the top leaders in the state for Relay for Life donations from small communities.

Ken Alcock, Logistics Officer for Relay for Life, noted his position entails coordinating the parking, all the facilities, lighting, generators, and power at the venues of the Relay for Life and "Round-Up" events. In the search for something a little bit better than previous venues, The Grove Park's visibility and location may garner more community participation including businesses. The spacing, amenities and road access were evaluated along with the existing public restrooms, eliminating the need to rent port-a-potties and sinks; the park's gazebo and established sound system would help the DJ. Mr. Alcock confirmed the next event is scheduled to take place in August 2017.

Councilmember Shuey responded he likes this idea if it can work from a safety standpoint as it would increase community awareness of this beneficial event.

Jim Whitfield, 807 Eberhardt Court, representing Clayton Valley Village, provided some information on the ongoing efforts and increased awareness of the Clayton Valley Village. The organization is one (1) of over 400 volunteer entities across the United States that help seniors stay successfully in their homes. The Clayton Valley Village has

completed its charter and 501(c) (3) non-profit status and is authorized by the State of California. Clayton Valley Village plans to open in May 2017. Mr. Whitfield invited the community to its upcoming fundraiser and silent auction taking place: the 3<sup>rd</sup> Annual Sunday Supper on October 23 at La Veranda in Clayton. Mr. Whitefield encouraged members of the City Council to consider volunteering with the Clayton Community Village.

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Consider the Introduction and First Reading of a proposed Ordinance to adjust the monthly compensation for elected members of the Clayton City Council to become effective December 7, 2016.

City Clerk Janet Brown provided the staff report noting this subject was discussed by the City Council at its prior meeting of August 16, and this evening's item is simply the first step necessary in the process to adjust the monthly compensation for elected members of the Clayton City Council. If approved this action would not go into effect until after the Clayton City Council reorganization takes place on December 6, 2016, and the entire membership of the City Council is eligible to receive the compensation increase.

Mayor Geller opened the floor to receive public comment; no public comments were offered.

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to have the City Clerk read Ordinance No. 468, by title and number only and waive further reading. (Passed; 5-0 vote).**

The City Clerk read Ordinance No. 468 by title and number only.

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to adopt Ordinance No. 468 revising the monthly compensation for city council members by amending the Clayton Municipal Code Section 2.05.010. (Passed; 5-0 vote).**

- (b) Consider the option to designate a City Council Voting Delegate and Alternate Delegate to the League of California Cities 2016 Annual Conference to be held October 5<sup>th</sup> – 7<sup>th</sup> in Long Beach, and determine a City position, if any, on the one (1) League Conference General Resolution.

City Clerk Janet Brown presented the staff report and noted the registration fee for this year's Annual League of Cities Conference is \$550.00, which does not include additional expenses of transportation or lodging accommodations. This year there is one (1) League Conference General Resolution for consideration at the Business Session. Ms. Brown noted the deadline has passed for pre-conference registration but if the City Council decides to send a voting member to the conference, they merely register at the door. The adopted City Budget for FY 2016-17 has \$1,000 allocated for council member attendance and related expenses.

Mayor Geller opened the floor to receive public comment; no public comments were offered.

The City Council discussed the merits of sending a voting delegate to the annual conference but noted the one Resolution item for the Business Session was insufficient in number and substance to warrant the taxpayer expense. By general consensus, the City Council indicated no need to send a delegate to this year's annual conference.

No Council action was taken on this item.

9. **COUNCIL ITEMS**

a. Mayor Geller requested the 2017 schedule for the Saturday Concerts in The Grove dates be placed for approval on the October 4<sup>th</sup> regular City Council meeting agenda.

b. Mayor Geller requested the discussion of initiating a feasibility study to construct a second public bathroom in the downtown area be included on a future agenda, possible location to be either near the Clayton Historical Society or the Black Diamond corral across the street from The Grove Park.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Geller, the City Council adjourned its meeting at 8:12 p.m. in memory of Mike Mann, former firefighter with Contra Costa County Fire Protection District and long-time Clayton resident, who passed away on Monday.

The next regularly scheduled meeting of the City Council will be October 4, 2016.

# # # # #

Respectfully submitted,

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Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

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Howard Geller, Mayor

# # # # #



Agenda Date 10/4/2016

Agenda Item: 3b

# STAFF REPORT

Approved:   
Gary A. Napper  
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS  
FROM: Kevin Mizuno, FINANCE MANAGER  
DATE: 10/4/16  
SUBJECT: INVOICE SUMMARY

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## RECOMMENDATION:

Approve the following Invoices:

09/20/2016	Cash Requirements	\$ 198,727.32
09/27/2016	ADP Payroll week 39, PPE 9/25/16	\$ 81,341.10

Total \$280,068.42

Attachments:  
Cash Requirements Report dated 9/30/2016 (7 pages)  
ADP payroll report for week 39 (1 page)

## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<b>ADP, LLC</b>								
ADP, LLC	10/4/2016	10/4/2016	480048046	Payroll fees PPE 9/11/16	\$157.28	\$0.00		\$157.28
				<i>Totals for ADP, LLC:</i>	<u>\$157.28</u>	<u>\$0.00</u>		<u>\$157.28</u>
<b>Airgas NCN</b>								
Airgas NCN	10/4/2016	10/4/2016	9055330273	Welding Shielding Gas	\$92.19	\$0.00		\$92.19
Airgas NCN	10/4/2016	10/4/2016	9055236275	Welding shielding gas	\$92.19	\$0.00		\$92.19
				<i>Totals for Airgas NCN:</i>	<u>\$184.38</u>	<u>\$0.00</u>		<u>\$184.38</u>
<b>All City Management Services, Inc.</b>								
All City Management Services, Inc.	10/4/2016	10/4/2016	44825	School crossing guard services 8/28/16-9/10/16	\$458.19	\$0.00		\$458.19
				<i>Totals for All City Management Services, Inc.:</i>	<u>\$458.19</u>	<u>\$0.00</u>		<u>\$458.19</u>
<b>American Fidelity Assurance Company</b>								
American Fidelity Assurance Company	10/4/2016	10/4/2016	B515356	October supplemental insurance	\$257.54	\$0.00		\$257.54
				<i>Totals for American Fidelity Assurance Company:</i>	<u>\$257.54</u>	<u>\$0.00</u>		<u>\$257.54</u>
<b>AT&amp;T (CalNet3)</b>								
AT&T (CalNet3)	10/4/2016	10/4/2016	8636088	Phone 8/22/16-9/21/16	\$1,704.87	\$0.00		\$1,704.87
				<i>Totals for AT&amp;T (CalNet3):</i>	<u>\$1,704.87</u>	<u>\$0.00</u>		<u>\$1,704.87</u>
<b>Bay Area Barricade Serv.</b>								
Bay Area Barricade Serv.	10/4/2016	10/4/2016	0340314-IN	No parking signs, driving gloves	\$562.23	\$0.00		\$562.23
				<i>Totals for Bay Area Barricade Serv.:</i>	<u>\$562.23</u>	<u>\$0.00</u>		<u>\$562.23</u>
<b>Bechtel Communications</b>								
Bechtel Communications	10/4/2016	10/4/2016	1016	Deposit refund - 68 Nottingham Cir	\$2,046.74	\$0.00		\$2,046.74
				<i>Totals for Bechtel Communications:</i>	<u>\$2,046.74</u>	<u>\$0.00</u>		<u>\$2,046.74</u>
<b>Best Best &amp; Kreiger LLP</b>								
Best Best & Kreiger LLP	10/4/2016	10/4/2016	779655	General legal retainer for August	\$8,500.00	\$0.00		\$8,500.00
Best Best & Kreiger LLP	10/4/2016	10/4/2016	779656	August Legal services, Labor/employment PD	\$619.50	\$0.00		\$619.50
Best Best & Kreiger LLP	10/4/2016	10/4/2016	779657	August Legal services, Affordable Housing	\$5,172.50	\$0.00		\$5,172.50
				<i>Totals for Best Best &amp; Kreiger LLP:</i>	<u>\$14,292.00</u>	<u>\$0.00</u>		<u>\$14,292.00</u>
<b>CalPERS Health</b>								
CalPERS Health	10/4/2016	10/4/2016	2121	October Medical	\$30,740.72	\$0.00		\$30,740.72
				<i>Totals for CalPERS Health:</i>	<u>\$30,740.72</u>	<u>\$0.00</u>		<u>\$30,740.72</u>
<b>CalPERS Retirement</b>								
CalPERS Retirement	10/4/2016	10/4/2016	092516	Retirement PPE 9/25/16	\$13,456.23	\$0.00		\$13,456.23
				<i>Totals for CalPERS Retirement:</i>	<u>\$13,456.23</u>	<u>\$0.00</u>		<u>\$13,456.23</u>
<b>Caltronics Business Systems, Inc</b>								
Caltronics Business Systems, Inc	10/4/2016	10/4/2016	2100912	Copier contract 8/17/16-9/16/16	\$215.71	\$0.00		\$215.71
				<i>Totals for Caltronics Business Systems, Inc:</i>	<u>\$215.71</u>	<u>\$0.00</u>		<u>\$215.71</u>



## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<b>CCWD</b>								
CCWD	10/4/2016	10/4/2016	C238734	Irrigation on Marsh Creek Rd	\$204.03	\$0.00		\$204.03
<i>Totals for CCWD:</i>					<u>\$204.03</u>	<u>\$0.00</u>		<u>\$204.03</u>
<b>Concord Uniforms</b>								
Concord Uniforms	10/4/2016	10/4/2016	11538	Uniform - Wright	\$1,148.82	\$0.00		\$1,148.82
<i>Totals for Concord Uniforms:</i>					<u>\$1,148.82</u>	<u>\$0.00</u>		<u>\$1,148.82</u>
<b>Contra Costa County Public Works Dept</b>								
Contra Costa County Public Works Dept	10/4/2016	10/4/2016	700626	Traffic signal maintenance for July	\$2,744.41	\$0.00		\$2,744.41
Contra Costa County Public Works Dept	10/4/2016	10/4/2016	700693	Traffic signal maintenance for August	\$917.90	\$0.00		\$917.90
<i>Totals for Contra Costa County Public Works Dept:</i>					<u>\$3,662.31</u>	<u>\$0.00</u>		<u>\$3,662.31</u>
<b>Contra Costa County Sheriff - Forensic Svc Div (Lab)</b>								
Contra Costa County Sheriff - Forensic S	10/4/2016	10/4/2016	CLPD-1608	Criminalistics, Alcohol test for August	\$1,862.50	\$0.00		\$1,862.50
<i>Totals for Contra Costa County Sheriff - Forensic Svc Div (Lab):</i>					<u>\$1,862.50</u>	<u>\$0.00</u>		<u>\$1,862.50</u>
<b>Contra Costa County Tax Collector</b>								
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120975	Property Taxes - 1007 Oak Street	\$541.88	\$0.00		\$541.88
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120975	Property Taxes - 1007 Oak Street	\$241.18	\$0.00		\$241.18
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120970	Property Taxes - 1005 Oak Street	\$241.18	\$0.00		\$241.18
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120970	Property Taxes - 1005 Oak Street	\$270.94	\$0.00		\$270.94
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120969	Property Taxes - Center Street	\$60.00	\$0.00		\$60.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120915	Property Taxes - Endeavor Hall	\$270.94	\$0.00		\$270.94
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120913	Property Taxes - The Grove Park	\$1,354.70	\$0.00		\$1,354.70
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120899	Property Taxes - Downtown Parking Lot	\$67.00	\$0.00		\$67.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120899	Property Taxes - Downtown Parking Lot	\$270.94	\$0.00		\$270.94
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120361	Property Taxes - 6005 Main Street	\$2,847.94	\$0.00		\$2,847.94
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120321	Property Taxes - Crow Place	\$67.00	\$0.00		\$67.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120203	Property Taxes - Marsh Creek Road	\$67.00	\$0.00		\$67.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	120128	Property Taxes Open space betw. Peacock Cre	\$67.00	\$0.00		\$67.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	119345	Property Taxes - E. of Peacock Creek Tract	\$67.00	\$0.00		\$67.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	119344	Property Taxes - N. of Windmill Canyon	\$67.00	\$0.00		\$67.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	119333	Property Taxes - Forest Hill Dr	\$67.00	\$0.00		\$67.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	119332	Property Taxes - Open space S. of Parcel 118-	\$67.00	\$0.00		\$67.00
Contra Costa County Tax Collector	10/4/2016	10/4/2016	119327	Property Taxes - Open spc betw. Black Dmnd	\$67.00	\$0.00		\$67.00
<i>Totals for Contra Costa County Tax Collector:</i>					<u>\$6,702.70</u>	<u>\$0.00</u>		<u>\$6,702.70</u>
<b>CSAC Excess Insurance Authority</b>								
CSAC Excess Insurance Authority	10/4/2016	10/4/2016	17400955	Employee Assistance Program October - Dec	\$312.00	\$0.00		\$312.00
<i>Totals for CSAC Excess Insurance Authority:</i>					<u>\$312.00</u>	<u>\$0.00</u>		<u>\$312.00</u>
<b>De Lage Landen Financial Services, Inc.</b>								
De Lage Landen Financial Services, Inc.	10/4/2016	10/4/2016	51607411	October Copier lease	\$342.17	\$0.00		\$342.17
<i>Totals for De Lage Landen Financial Services, Inc.:</i>					<u>\$342.17</u>	<u>\$0.00</u>		<u>\$342.17</u>



## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<b>Dynamic Roofing</b>								
Dynamic Roofing	10/4/2016	10/4/2016	CAP0219	Deposit refund, C&D, 1187 Gamay Dr	\$2,000.00	\$0.00		\$2,000.00
Dynamic Roofing	10/4/2016	10/4/2016	CAP0219	Deposit refund for 1187 Gamay Dr	\$500.00	\$0.00		\$500.00
				<i>Totals for Dynamic Roofing:</i>	<u>\$2,500.00</u>	<u>\$0.00</u>		<u>\$2,500.00</u>
<b>Geoconsultants, Inc.</b>								
Geoconsultants, Inc.	10/4/2016	10/4/2016	18828	August Well water monitoring	\$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>
<b>Globalstar LLC</b>								
Globalstar LLC	10/4/2016	10/4/2016	7679297	Sat phone 8/16/16-9/15/16	\$61.70	\$0.00		\$61.70
				<i>Totals for Globalstar LLC:</i>	<u>\$61.70</u>	<u>\$0.00</u>		<u>\$61.70</u>
<b>Hammons Supply Company</b>								
Hammons Supply Company	10/4/2016	10/4/2016	95117	Janitorial supplies for CCP	\$59.13	\$0.00		\$59.13
Hammons Supply Company	10/4/2016	10/4/2016	95008	Janitorial supplies for the Library	\$404.78	\$0.00		\$404.78
				<i>Totals for Hammons Supply Company:</i>	<u>\$463.91</u>	<u>\$0.00</u>		<u>\$463.91</u>
<b>Health Care Dental Trust</b>								
Health Care Dental Trust	10/4/2016	10/4/2016	215867	October Dental	\$2,627.62	\$0.00		\$2,627.62
				<i>Totals for Health Care Dental Trust:</i>	<u>\$2,627.62</u>	<u>\$0.00</u>		<u>\$2,627.62</u>
<b>Intoximeters, Inc.</b>								
Intoximeters, Inc.	10/4/2016	10/4/2016	543425	2 Intoximeters and accessories	\$1,095.80	\$0.00		\$1,095.80
				<i>Totals for Intoximeters, Inc.:</i>	<u>\$1,095.80</u>	<u>\$0.00</u>		<u>\$1,095.80</u>
<b>J&amp;R Floor Services</b>								
J&R Floor Services	10/4/2016	10/4/2016	Nine 2016	September Billing	\$4,935.00	\$0.00		\$4,935.00
J&R Floor Services	10/4/2016	10/4/2016	Special services	CCP restroom floor restoration	\$2,450.00	\$0.00		\$2,450.00
				<i>Totals for J&amp;R Floor Services:</i>	<u>\$7,385.00</u>	<u>\$0.00</u>		<u>\$7,385.00</u>
<b>Landscape Pest Control Services, Inc</b>								
Landscape Pest Control Services, Inc	10/4/2016	10/4/2016	94168	Gopher control Lydia Lane Park	\$1,200.00	\$0.00		\$1,200.00
Landscape Pest Control Services, Inc	10/4/2016	10/4/2016	94147	Gopher service at North Valley Park	\$1,400.00	\$0.00		\$1,400.00
Landscape Pest Control Services, Inc	10/4/2016	10/4/2016	94171	Gopher maintenance - CCP, North Valley Pa	\$500.00	\$0.00		\$500.00
Landscape Pest Control Services, Inc	10/4/2016	10/4/2016	94149	Gopher extermination - City Hall, Monuments	\$530.00	\$0.00		\$530.00
Landscape Pest Control Services, Inc	10/4/2016	10/4/2016	94170	Ground squirrel control - Clayton Rd open sp	\$1,800.00	\$0.00		\$1,800.00
Landscape Pest Control Services, Inc	10/4/2016	10/4/2016	94148	Gopher maintenance - CCP	\$1,800.00	\$0.00		\$1,800.00
Landscape Pest Control Services, Inc	10/4/2016	10/4/2016	94169	Ground squirrel control - CCP, open space	\$1,200.00	\$0.00		\$1,200.00
				<i>Totals for Landscape Pest Control Services, Inc:</i>	<u>\$8,430.00</u>	<u>\$0.00</u>		<u>\$8,430.00</u>
<b>LarryLogic Productions</b>								
LarryLogic Productions	10/4/2016	10/4/2016	1605	City Council meeting production 9/20/16	\$300.00	\$0.00		\$300.00
				<i>Totals for LarryLogic Productions:</i>	<u>\$300.00</u>	<u>\$0.00</u>		<u>\$300.00</u>
<b>Main Fire Protection Inc.</b>								

## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Main Fire Protection Inc.	10/4/2016	10/4/2016	0091497	Stove hood service 8/9/16	\$190.69	\$0.00		\$190.69
				<i>Totals for Main Fire Protection Inc.:</i>	<i>\$190.69</i>	<i>\$0.00</i>		<i>\$190.69</i>
<b>Marken Mechanical Services Inc</b>								
Marken Mechanical Services Inc	10/4/2016	10/4/2016	2808	July City Hall HVAC maintenance	\$332.50	\$0.00		\$332.50
Marken Mechanical Services Inc	10/4/2016	10/4/2016	2864	July EH HVAC maintenance	\$247.00	\$0.00		\$247.00
Marken Mechanical Services Inc	10/4/2016	10/4/2016	2863	July City Hall HVAC controls maintenance	\$900.00	\$0.00		\$900.00
Marken Mechanical Services Inc	10/4/2016	10/4/2016	2862	July Library HVAC controls maintenance	\$900.00	\$0.00		\$900.00
Marken Mechanical Services Inc	10/4/2016	10/4/2016	3433	September management services - Diablo Esta	\$4,375.00	\$0.00		\$4,375.00
				<i>Totals for Marken Mechanical Services Inc:</i>	<i>\$6,754.50</i>	<i>\$0.00</i>		<i>\$6,754.50</i>
<b>NBS Govt. Finance Group</b>								
NBS Govt. Finance Group	10/4/2016	10/4/2016	9160000204	Qtrly Admin fees -CFD- October-December	\$4,346.93	\$0.00		\$4,346.93
				<i>Totals for NBS Govt. Finance Group:</i>	<i>\$4,346.93</i>	<i>\$0.00</i>		<i>\$4,346.93</i>
<b>Benjamin Overfield</b>								
Benjamin Overfield	10/4/2016	10/4/2016	110516	Refund of park fees for 11/5/16	\$167.00	\$0.00		\$167.00
				<i>Totals for Benjamin Overfield:</i>	<i>\$167.00</i>	<i>\$0.00</i>		<i>\$167.00</i>
<b>Pacific Telemanagement Svc</b>								
Pacific Telemanagement Svc	10/4/2016	10/4/2016	870461	October courtyard pay phone	\$73.00	\$0.00		\$73.00
				<i>Totals for Pacific Telemanagement Svc:</i>	<i>\$73.00</i>	<i>\$0.00</i>		<i>\$73.00</i>
<b>PERMCO, Inc.</b>								
PERMCO, Inc.	10/4/2016	10/4/2016	10628	General engineering svcs 9/10/16-9/23/16	\$4,552.00	\$0.00		\$4,552.00
PERMCO, Inc.	10/4/2016	10/4/2016	10629	O&M Inspections, Stormwater - 9/10/16-9/2	\$228.75	\$0.00		\$228.75
PERMCO, Inc.	10/4/2016	10/4/2016	10630	CAP Inspection 9/10/16-9/23/16	\$41.50	\$0.00		\$41.50
PERMCO, Inc.	10/4/2016	10/4/2016	10631	Prep plans, bid pkg for Caltrans 9/10/16-9/23/	\$610.00	\$0.00		\$610.00
PERMCO, Inc.	10/4/2016	10/4/2016	10632	Review prelim plans, St John's 9/10/16-9/23/	\$75.00	\$0.00		\$75.00
PERMCO, Inc.	10/4/2016	10/4/2016	10633	Split into 2 proj, Arterial rehab, 9/10/16-9/23/	\$1,667.75	\$0.00		\$1,667.75
PERMCO, Inc.	10/4/2016	10/4/2016	10634	Review repts, prep assess rolls, Oakhurst GHA	\$700.50	\$0.00		\$700.50
				<i>Totals for PERMCO, Inc.:</i>	<i>\$7,875.50</i>	<i>\$0.00</i>		<i>\$7,875.50</i>
<b>PG&amp;E</b>								
PG&E	10/4/2016	10/4/2016	092116	Electricity, Gas 8/16/16-9/14/16	\$19,908.33	\$0.00		\$19,908.33
PG&E	10/4/2016	10/4/2016	092116	Electricity 8/22/16-9/20/16	\$3,977.54	\$0.00		\$3,977.54
				<i>Totals for PG&amp;E:</i>	<i>\$23,885.87</i>	<i>\$0.00</i>		<i>\$23,885.87</i>
<b>Pond M Solutions</b>								
Pond M Solutions	10/4/2016	10/4/2016	32	August fountain maintenance	\$650.00	\$0.00		\$650.00
Pond M Solutions	10/4/2016	10/4/2016	32	September fountain maintenance	\$650.00	\$0.00		\$650.00
				<i>Totals for Pond M Solutions:</i>	<i>\$1,300.00</i>	<i>\$0.00</i>		<i>\$1,300.00</i>
<b>Premier Pools &amp; Spas</b>								
Premier Pools & Spas	10/4/2016	10/4/2016	CAP0213	Deposit refund for 1044 Pebble Beach	\$1,880.68	\$0.00		\$1,880.68
				<i>Totals for Premier Pools &amp; Spas:</i>	<i>\$1,880.68</i>	<i>\$0.00</i>		<i>\$1,880.68</i>

## City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<b>Quality Roofing Co</b>								
Quality Roofing Co	10/4/2016	10/4/2016	CAP0218	C&D Deposit refund for 244 Mountaire Circ	\$2,000.00	\$0.00		\$2,000.00
Quality Roofing Co	10/4/2016	10/4/2016	CAP0218	Deposit refund for 244 Mountaire Cir	\$500.00	\$0.00		\$500.00
				<i>Totals for Quality Roofing Co:</i>	<u>\$2,500.00</u>	<u>\$0.00</u>		<u>\$2,500.00</u>
<b>Quill Corp.</b>								
Quill Corp.	10/4/2016	10/4/2016	7594486	Copier paper, clipboards	\$103.71	\$0.00		\$103.71
Quill Corp.	10/4/2016	10/4/2016	9234787	Office supplies	\$213.08	\$0.00		\$213.08
				<i>Totals for Quill Corp.:</i>	<u>\$316.79</u>	<u>\$0.00</u>		<u>\$316.79</u>
<b>Reliable Automotive, LLC</b>								
Reliable Automotive, LLC	10/4/2016	10/4/2016	20450	replace shift cable on F350	\$672.23	\$0.00		\$672.23
				<i>Totals for Reliable Automotive, LLC:</i>	<u>\$672.23</u>	<u>\$0.00</u>		<u>\$672.23</u>
<b>Riso Products of Sacramento</b>								
Riso Products of Sacramento	10/4/2016	10/4/2016	161366	Copier contract PD 9/18/16-10/17/16	\$94.86	\$0.00		\$94.86
				<i>Totals for Riso Products of Sacramento:</i>	<u>\$94.86</u>	<u>\$0.00</u>		<u>\$94.86</u>
<b>Ross Recreation Equipment, Co., Inc</b>								
Ross Recreation Equipment, Co., Inc	10/4/2016	10/4/2016	98820	Trash receptacles	\$7,445.90	\$0.00		\$7,445.90
				<i>Totals for Ross Recreation Equipment, Co., Inc:</i>	<u>\$7,445.90</u>	<u>\$0.00</u>		<u>\$7,445.90</u>
<b>Site One Landscape Supply, LLC</b>								
Site One Landscape Supply, LLC	10/4/2016	10/4/2016	77543766	Irrigation parts	\$219.93	\$0.00		\$219.93
				<i>Totals for Site One Landscape Supply, LLC:</i>	<u>\$219.93</u>	<u>\$0.00</u>		<u>\$219.93</u>
<b>Richard W Spencer</b>								
Richard W Spencer	10/4/2016	10/4/2016	1340	Infiltration Inspection, report for fountain	\$600.00	\$0.00		\$600.00
Richard W Spencer	10/4/2016	10/4/2016	1341	Infiltration inspection, report for CCP	\$700.00	\$0.00		\$700.00
				<i>Totals for Richard W Spencer:</i>	<u>\$1,300.00</u>	<u>\$0.00</u>		<u>\$1,300.00</u>
<b>Superior Court of California Contra Costa County</b>								
Superior Court of California Contra Cos	10/4/2016	10/4/2016	0920216	Small claims filing, servicing fees	\$80.00	\$0.00		\$80.00
				<i>Totals for Superior Court of California Contra Costa County:</i>	<u>\$80.00</u>	<u>\$0.00</u>		<u>\$80.00</u>
<b>Turf Star, Inc.</b>								
Turf Star, Inc.	10/4/2016	10/4/2016	353736-00	Maintenance supplies	\$588.20	\$0.00		\$588.20
				<i>Totals for Turf Star, Inc.:</i>	<u>\$588.20</u>	<u>\$0.00</u>		<u>\$588.20</u>
<b>U S Healthworks Medical Group, PC</b>								
U S Healthworks Medical Group, PC	10/4/2016	10/4/2016	2985532-CA	Pre-employment exams, PW, PD	\$516.00	\$0.00		\$516.00
U S Healthworks Medical Group, PC	10/4/2016	10/4/2016	2989272-CA	Pre-employment exam, PW	\$70.00	\$0.00		\$70.00
				<i>Totals for U S Healthworks Medical Group, PC:</i>	<u>\$586.00</u>	<u>\$0.00</u>		<u>\$586.00</u>
<b>US Bank - Corp Pmt System CalCard</b>								
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Staff name plates, postage mach supplies, batt	\$270.03	\$0.00		\$270.03
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Oakhurst Country Club Mayors' Conference D	\$1,275.00	\$0.00		\$1,275.00

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Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Interview panel snacks	\$38.24	\$0.00		\$38.24
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Adding machine, mouse for acctg tech	\$105.52	\$0.00		\$105.52
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Recording fee for Mitchell Canyon	\$30.25	\$0.00		\$30.25
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Recording fee for Easley Dr	\$27.25	\$0.00		\$27.25
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Recording fee for Verna Wy	\$2,262.75	\$0.00		\$2,262.75
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Interview panel snacks	\$24.93	\$0.00		\$24.93
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Parking	\$16.00	\$0.00		\$16.00
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Volunteer Meals @ Ed's	\$306.66	\$0.00		\$306.66
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Volunteer Meals @ Ed's	\$160.49	\$0.00		\$160.49
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Central Storage, rent	\$145.00	\$0.00		\$145.00
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Pressure gauges, hose repair parts, landscape t	\$747.58	\$0.00		\$747.58
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	The Grove materials, faucet parts, lube	\$102.33	\$0.00		\$102.33
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Catch basin tools	\$97.26	\$0.00		\$97.26
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Landscape safety videos, training	\$881.80	\$0.00		\$881.80
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Fuel	\$667.98	\$0.00		\$667.98
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Landscape fuel	\$1,071.80	\$0.00		\$1,071.80
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	ASP, Nextel holster clips, storage unit	\$482.58	\$0.00		\$482.58
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Lunch for Officer Oral Board	\$49.64	\$0.00		\$49.64
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	CCC Sheriff, DAR class for Starick	\$698.00	\$0.00		\$698.00
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Enterprise rental car, fuel - ABC Conference	\$83.97	\$0.00		\$83.97
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Erroneous charges by Embassy Suites, refund	\$581.15	\$0.00		\$581.15
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Office supplies	\$148.61	\$0.00		\$148.61
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Vehicle fuel	\$2,003.55	\$0.00		\$2,003.55
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Autozone - fuses, battery, car washes	\$125.80	\$0.00		\$125.80
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Printer carts, auto jack. tools, welder parts	\$1,489.70	\$0.00		\$1,489.70
US Bank - Corp Pmt System CalCard	10/4/2016	10/4/2016	Stmt ending 8/22/16	Meals, hotel - Chief, England - ABC Conferen	\$1,306.11	\$0.00		\$1,306.11
<i>Totals for US Bank - Corp Pmt System CalCard:</i>					<u>\$15,199.98</u>	<u>\$0.00</u>		<u>\$15,199.98</u>
<b>Warner Brothers Tree Service</b>								
Warner Brothers Tree Service	10/4/2016	10/4/2016	13173	Tree work at CCP	\$1,800.00	\$0.00		\$1,800.00
Warner Brothers Tree Service	10/4/2016	10/4/2016	13166	Tree work at Atchinson Stage/Clayton Rd	\$600.00	\$0.00		\$600.00
Warner Brothers Tree Service	10/4/2016	10/4/2016	13167	Tree work on Clayton Rd	\$300.00	\$0.00		\$300.00
Warner Brothers Tree Service	10/4/2016	10/4/2016	13174	Tree work at Clayton/Mitchell Cyn & Eagle P	\$500.00	\$0.00		\$500.00
Warner Brothers Tree Service	10/4/2016	10/4/2016	13171	Tree work on Oak Street	\$800.00	\$0.00		\$800.00
Warner Brothers Tree Service	10/4/2016	10/4/2016	13172	Tree work on Old Marsh Creek	\$1,000.00	\$0.00		\$1,000.00
Warner Brothers Tree Service	10/4/2016	10/4/2016	13169	Tree work at City Hall parking lot	\$1,000.00	\$0.00		\$1,000.00
Warner Brothers Tree Service	10/4/2016	10/4/2016	13170	Tree work at the Library	\$1,600.00	\$0.00		\$1,600.00
Warner Brothers Tree Service	10/4/2016	10/4/2016	13168	Tree work on Main Street	\$250.00	\$0.00		\$250.00
<i>Totals for Warner Brothers Tree Service:</i>					<u>\$7,850.00</u>	<u>\$0.00</u>		<u>\$7,850.00</u>
<b>Western Exterminator</b>								
Western Exterminator	10/4/2016	10/4/2016	4399059	August Pest control	\$385.50	\$0.00		\$385.50
<i>Totals for Western Exterminator:</i>					<u>\$385.50</u>	<u>\$0.00</u>		<u>\$385.50</u>
<b>Workers.com</b>								
Workers.com	10/4/2016	10/4/2016	116660	Seasonal wo veek ending 9/18/16	\$6,725.67	\$0.00		\$6,725.67

# City of Clayton Cash Requirements Report

Workers.com	10/4/2016	10/4/2016	116587	Seasonal workers week ending 9/11/16	\$5,567.14	\$0.00	\$5,567.14
				<i>Totals for Workers.com:</i>	<u>\$12,292.81</u>	<u>\$0.00</u>	<u>\$12,292.81</u>
				<b>GRAND TOTALS:</b>	\$198,727.32	\$0.00	\$198,727.32



# Earnings Statement

0 Employees With Overflow Statement  
0 Overflow Statement 1 Total Statement  
Tot Cks/Vchrs:00000000029 Tot Docs in all:00000000032  
First No. Last No. Total  
Checks: ADPCHECK ADPCHECK 00000000006  
Vouchers: 00000390001 00000390023 00000000023

Z7L TOTAL DOCUMENT  
CITY OF CLAYTON  
LOCATION 0001

## CHECK STUFFING, RECONCILIATION

81341.10 GROSS  
56458.23 NET PAY (INCLUDING ALL DEPOSITS)  
10199.50 FEDERAL TAX  
101.72 SOCIAL SECURITY  
1124.26 MEDICARE  
.00 MEDICARE SURTAX  
.00 SUI TAX  
3249.27 STATE TAX  
.00 LOCAL TAX  
62170.39 DEDUCTIONS  
4495.96 NET CHECK

COMPANY CODE Z7L  
CITY OF CLAYTON  
TOTAL DOCUMENT  
LOCATION 0001

VERIFY DOCUMENT AUTHENTICITY - COLORED AREA MUST CHANGE IN TONE GRADUALLY AND EVENLY FROM DARK AT TOP TO LIGHTER AT BOTTOM

NON-NEGOTIABLE - VOID - NON-NEGOTIABLE  
NON-NEGOTIABLE - VOID - NON-NEGOTIABLE  
NON-NEGOTIABLE - VOID - NON-NEGOTIABLE  
NON-NEGOTIABLE - VOID - NON-NEGOTIABLE  
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NON-NEGOTIABLE - VOID - NON-NEGOTIABLE  
NON-NEGOTIABLE - VOID - NON-NEGOTIABLE  
NON-NEGOTIABLE - VOID - NON-NEGOTIABLE





Agenda Date: 10-4-2016

Agenda Item: 3c

Approved:

Gary A. Napper  
City Manager

# AGENDA REPORT

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** Janet Brown, City Clerk

**DATE:** October 4, 2016

**SUBJECT:** Adopt a Resolution Amending Conflict of Interest Code and Filing of the Biennial Notice with the City Clerk.

---

## RECOMMENDATION

Adopt a Resolution amending Clayton's Conflict of Interest Code and file the Biennial Notice with the City Clerk.

## BACKGROUND

The Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if it is accurate or, alternatively, that the code must be amended. Once the determination has been made, a notice must be submitted to the Code Reviewing Body (City Council) no later than October 1 of even-numbered years.

The City Attorney's office reviewed the code for completeness and accuracy. Amendments were made to the Code as shown in the attached document. A notice was sent to individuals in all affected positions on September 27, 2016, and they were asked to provide comments in writing by 7:00 p.m. this night. The Notice of Intention to amend the Code was also posted on the City's posting boards. No comments were received at the time this staff report was prepared.

Elected and appointed top administrative official (e.g. City Council, City Manager, City Attorney, Planning Commission) classifications are not listed in an agency's local Conflict of Interest Code as each must file annual disclosure statements, per California Government Code Section 87200, et. Seq.

## FISCAL IMPACT

None.

Attachments: 

1. 2016 Local Biennial Notice
2. Clayton's Amended Conflict of Interest Code with changes in red
3. Resolution and final version of the Code.

## 2016 Local Agency Biennial Notice

Name of Agency: City of Clayton

Mailing Address: 6000 Heritage Trail

Contact Person: Janet Brown Phone No. (925) 673-7304

Email: jbrown@ci.clayton.ca.us Alternate Email: \_\_\_\_\_

**Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.**

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

**An amendment is required. The following amendments are necessary:**

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) \_\_\_\_\_

**The code is currently under review by the code reviewing body.**

**No amendment is required.** (If your code is over five years old, amendments may be necessary.)

---

### Verification (to be completed if no amendment is required)

*This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.*

\_\_\_\_\_  
*Signature of Chief Executive Officer*

\_\_\_\_\_  
*Date*

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2016**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

**PLEASE DO NOT RETURN THIS FORM TO THE FPPC.**



# NOTICE PACKET

## **NOTICE OF INTENTION TO AMEND THE CONFLICT OF INTEREST CODE OF THE CITY OF CLAYTON**

NOTICE IS HEREBY GIVEN that the City of Clayton intends to amend its Conflict of Interest Code (the "Code") pursuant to Government Code Section 87306.

The Code designates those employees, members, officers, and consultants who are subject to the disclosure and disqualification requirements of the Code. The City's proposed amendment adds a new position that must be designated, , and includes updated Regulation numbers and language as provided by the Fair Political Practices Commission to clarify certain requirements.

The proposed amended Code will be considered by the City Council on October 4, 2016, at 7:00 p.m. at Clayton Community Library, 6125 Clayton Road, Clayton, California. Any interested person may be present and comment at the public meeting or may submit written comments concerning the proposed amendment. Any comments or inquiries should be directed to the attention of Janet Brown, City Clerk, City of Clayton, 6000 Heritage Trail, Clayton, California 94517; 925-673-7304. Written comments must be submitted no later than October 4, 2016, at 7:00 p.m.

The proposed amended Code may be reviewed at, and copies obtained from, the office of the City Clerk.

**LEGISLATIVE VERSION**  
**(SHOWS CHANGES MADE)**

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**CITY OF CLAYTON**



# CONFLICT OF INTEREST CODE OF THE CITY OF CLAYTON

(Adopted ~~September 18, 2012~~October 4, 2016)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the **City of Clayton (the "City")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City's Filing Officer. The **City Clerk** shall make and retain a copy of all statements filed by the Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, and forward the originals of such statements to the Fair Political Practices Commission. The **City Clerk** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.)



# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

### CITY OF CLAYTON

(Adopted ~~September 18, 2012~~ October 4, 2016)

### EXHIBIT PART "A"

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and All Other City Officials who manage public investments, as defined by 2 Cal. Code of Regs. § ~~18720~~ 18700.3, are NOT subject to the City's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments<sup>1</sup>. These positions are listed here for informational purposes only.

Finance Manager

Financial Consultant

---

<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant City Attorney	1, 2
Assistant Planner	1, 2
Assistant to the City Manager	2, 3, 4
Chief of Police	5
City Clerk	5
City Engineer	1, 2
Community Development Director	1, 2
Maintenance Supervisor	5
Office Assistant/Code Enforcement Officer	6
<u>Police Administrative Clerk</u>	<u>6</u>
Police Sergeant	5
Successor Agency Special Legal Counsel	1, 2
 <u>BOARDS &amp; COMMISSIONS</u>	
Oversight Board of Successor Agency	1, 2
Successor Agency	1, 2

**DESIGNATED POSITIONS'**  
**TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES**  
**ASSIGNED**

Consultants and New Positions<sup>2</sup>

---

<sup>2</sup> Individuals serving as a consultant as defined in FPPC Reg ~~18701-18700.3~~ or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The City Manger's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)



## EXHIBIT PART "B"

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the City.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that do business or own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the City.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated employee's department, unit or division.

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<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)



RESOLUTION OF ADOPTION  
WITH AMENDED CODE ATTACHED  
TO BE ADOPTED BY CITY

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION APPROVING AN AMENDED CONFLICT  
OF INTEREST CODE PURSUANT TO THE POLITICAL  
REFORM ACT OF 1974**

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

**WHEREAS**, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000, et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the City of Clayton (the "City"), and requires all public agencies to adopt and promulgate a conflict of interest code; and

**WHEREAS**, the City Council adopted a Conflict of Interest Code (the "Code") which was amended on September 18, 2012, in compliance with the Act; and

**WHEREAS**, subsequent changed circumstances within the City have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the City's Code; and

**WHEREAS**, notice of the time and place of a public meeting on, and of consideration by the City Council of, the proposed amended Code was provided to each affected designated employee and was publicly posted for review at the offices of the City; and

**WHEREAS**, a public meeting was held upon the proposed amended Code at a regular meeting of the City Council on October 4, 2016, at which all present were given an opportunity to be heard on the proposed amended Code.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Clayton, California, as follows:

**Section 1.** The City Council does hereby approve and adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the City Clerk and available to the public for inspection and copying during regular and business hours;

**Section 2.** The said amended Conflict of Interest Code shall become effective immediately upon its adoption and approval of the Resolution (Effective Date); and

**Section 3.** All previous Conflict of Interest Codes of the City of Clayton and amendments thereto shall be rescinded as of the effective date of said amended Conflict of Interest Code as approved and adopted by the City Council.



**PASSED AND ADOPTED** by the City Council of the City of Santee, California, at a regular meeting thereof held this 4th day of October, 2016, by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON

\_\_\_\_\_  
HOWARD GELLER, MAYOR

ATTEST:

\_\_\_\_\_  
JANET BROWN, CITY CLERK

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**CITY OF CLAYTON**

# CONFLICT OF INTEREST CODE OF THE CITY OF CLAYTON

(Adopted October 4, 2016)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the **City of Clayton (the "City")**.

All officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City's Filing Officer. The **City Clerk** shall make and retain a copy of all statements filed by the Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, and forward the originals of such statements to the Fair Political Practices Commission. The **City Clerk** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.)

# **APPENDIX**

## **CONFLICT OF INTEREST CODE**

### **OF THE**

### **CITY OF CLAYTON**

(Adopted October 4, 2016)

### **PART "A"**

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and All Other City Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18700.3, are NOT subject to the City's Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

### **OFFICIALS WHO MANAGE PUBLIC INVESTMENTS**

It has been determined that the positions listed below are Other City Officials who manage public investments<sup>1</sup>. These positions are listed here for informational purposes only.

Finance Manager

Financial Consultant

---

<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.



## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant City Attorney	1, 2
Assistant Planner	1, 2
Assistant to the City Manager	2, 3, 4
Chief of Police	5
City Clerk	5
City Engineer	1, 2
Community Development Director	1, 2
Maintenance Supervisor	5
Office Assistant/Code Enforcement Officer	6
Police Administrative Clerk	6
Police Sergeant	5
Successor Agency Special Legal Counsel	1, 2
 <u>BOARDS &amp; COMMISSIONS</u>	
Oversight Board of Successor Agency	1, 2
Successor Agency	1, 2

**DESIGNATED POSITIONS'**  
**TITLE OR FUNCTION**

**DISCLOSURE CATEGORIES**  
**ASSIGNED**

Consultants and New Positions<sup>2</sup>

---

<sup>2</sup> Individuals serving as a consultant as defined in FPPC Reg 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The City Manger's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

## PART "B"

### DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the City.

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Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated employee's department, unit or division.

---

<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)



Agenda Date: 10-4-2016

Agenda Item: 3d

Approved:

Gary A. Napper  
City Manager

# AGENDA REPORT

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: CITY MANAGER**

**DATE: 04 OCTOBER 2016**

**SUBJECT: APPROVE PROPOSED SCHEDULE FOR CALENDAR YEAR 2017  
SATURDAY "CONCERTS IN THE GROVE" SERIES**

## RECOMMENDATION

As requested by Mayor Geller, by minute motion it is recommended the City Council authorize the use of The Grove Park for the ten (10) Saturday "Concerts in The Grove" series on the following approved dates in calendar year 2017:

<u>Saturday</u>	<u>Calendar Comment</u>
May 13, 2017	Mothers' Day weekend
May 27, 2017	Memorial Day weekend
June 10, 2017	
June 24, 2017	
July 8, 2017	
July 22, 2017	
August 5, 2017	
August 19, 2017	
September 2, 2017	Labor Day weekend
September 16, 2017	

## BACKGROUND

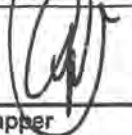
The popular "Concerts in The Grove" series on selected Saturdays requires the City Council's official approval for use of the public park for this purpose. In addition, the City Council's approval accompanies the allowance of alcohol consumption in The Grove Park only during the times of this community event as the *Clayton Municipal Code* prohibits alcohol consumption in any municipal park unless otherwise expressly permitted by the City (ref. CMC Section 11.04.190, which by definition includes public open spaces, recreation areas, and City trails).





Agenda Date: 10-4-2016

Agenda Item: 3e

Approved:   
Gary A. Napper  
City Manager

# AGENDA REPORT

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**  
**FROM: CITY MANAGER**  
**DATE: 04 OCTOBER 2016**  
**SUBJECT: APPROVE FIRST AMENDMENT TO EXCLUSIVE NEGOTIATION AGREEMENT FOR SALE/PURCHASE/DEVELOPMENT OF CITY-OWNED REAL PROPERTY**

## RECOMMENDATION

It is recommended the City Council, by minute motion, approve the First Amendment to the Exclusive Negotiation Agreement (ENA) between the City and Pacific Union Land Investors, LLC (PULI), involving the City's sale and PULI's purchase and subsequent development of City-owned real property in the Clayton Town Center (APN: 118-560-010-1), and authorize its City Manager to sign the First Amendment on behalf of the City.

## BACKGROUND

At its public meeting held on 19 July 2016, the City Council approved an ENA with Pacific Union Land Investors, LLC, for its prospective purchase and private development of several retail commercial stores and a senior care facility on approximately one acre of undeveloped land owned by the City (6005 Main Street). To further its proposed development plans, PULI also negotiated a separate sale/purchase agreement with the Clayton Community Church to incorporate their Main Street frontage property into its development plans.

In that private agreement a provision stipulated the church had an unconditional right without penalty or jeopardy to terminate the sale of its land to PULI through 15 September 2016. Within recent weeks PULI informed City staff the church wanted a greater time extension on its right to terminate, and those parties ultimately agreed to extend that deadline an additional thirty (30) days to 15 October 2016.

## IMPACT TO ENA TIMELINES

A portion of the ENA's negotiated terms and conditions contemplated a certain 45 day time period (until 01 November 2016) from the original ending date of the church's unilateral right to terminate the sale of its land to PULI; within this 45-day time frame, able to proceed with greater assurance the actual sale of the church's land would occur, PULI would then conduct its own feasibility analysis of the proposed land use/development transaction with the City (defined as "Initial Negotiation Period").

For purposes therein, PULI's required submission of an Initial Application during this stated period shall include at a minimum: Preliminary Site Plan, Preliminary Building Elevations, Project Narrative, and the following application forms must be submitted, along with payment of applicable fees: General Plan Amendment Application, Specific Plan Amendment Application, and the Development Plan Permit Application, as deemed necessary by City (collectively, the "Initial Application").

Pushed by the church's desire to procure thirty (30) additional days before losing its unconditional right to extract itself from selling its downtown property to PULI, PULI now wishes to recapture the full forty-five (45) day time period to perform its own feasibility analysis on the City transaction originally scheduled to end 01 November 2016. The recommended First Amendment to the ENA flips the Initial Negotiation Period deadline to 01 December 2016, which action recovers PULI's original intent to have forty-five (45) days from its now-revised provision with the church (i.e. 45 days from 15 October 2016).

While the City and PULI are eager to move forward with application submittals on the proposed development of the City-owned property, the 30 day ENA time extension seems reasonable, although further time extensions work contrary to the City's primary objective for development of its real property for local economic purposes.

Attachments:    A. First Amendment to ENA [1 pg.]  
                      B. Second Amendment to Purchase and Sale and Joint Escrow Instructions  
                                  between Clayton Community Church and PULI [1 pg.]

FIRST AMENDMENT TO EXCLUSIVE NEGOTIATION AGREEMENT

THIS FIRST AMENDMENT TO EXCLUSIVE NEGOTIATION AGREEMENT (the "First Amendment") is entered into this \_\_\_\_\_ day of October, 2016, by and between the City of Clayton, a municipal corporation (the "City"), and Pacific Union Land Investors LLC, a California limited liability company ("Developer"), on the terms and provisions set forth below.

Whereas, the City and Developer entered in the Exclusive Negotiation Agreement ("Agreement") on July 20, 2016 and now desire to extend the Initial Negotiation Period.

THE CITY AND DEVELOPER HEREBY AGREE AS FOLLOWS:

1. The first sentence of Section 102 Duration of this Agreement is hereby amended in its entirety as follows:

"Developer shall have until December 1, 2016 to conduct its feasibility analysis of the transaction contemplated herein (the "Initial Negotiation Period")."

2. Except as specifically set forth in this First Amendment, all recitals and sections of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment as of the date set forth above.

\_\_\_\_\_, 2016

"CITY"

The City of Clayton, a municipal corporation

By: \_\_\_\_\_  
Gary A. Napper, City Manager

Oct 29, 2016

"DEVELOPER"

Pacific Union Land Investors LLC,  
a California limited liability company

By: Matt Tunney  
Matt Tunney, Secretary

**SECOND AMENDMENT TO AGREEMENT OF PURCHASE AND SALE  
AND JOINT ESCROW INSTRUCTIONS**

This Second Amendment to the Agreement of Purchase and Sale and Joint Escrow Instructions ("**Second Amendment**"), dated as of September 14, 2016, modifies and amends that certain Agreement of Purchase and Sale and Joint Escrow Instructions, dated April 14, 2016, as amended by the First Amendment to Agreement of Purchase and Sale and Joint Escrow Instructions, dated May 11, 2016 (collectively the "**Agreement**") between Clayton Community Church Inc., a California nonprofit religious corporation ("**Seller**"), and Pacific Union Land Investors LLC, a California limited liability company ("**Buyer**").

In consideration of the mutual covenants contained in this Second Amendment, and for other good and valuable mutual consideration, the adequacy and receipt of which Seller and Buyer each hereby acknowledge, Seller and Buyer agree as follows:

1. The deadline for Seller to exercise Seller's Termination Right, as defined in Section 49 of the Agreement, shall be extended to October 15, 2016.
2. Except as expressly modified by this Second Amendment, all other terms and conditions of the Agreement shall remain unchanged.

WHEREFORE, the parties have executed this Second Amendment on the dates written below.

SELLER:  
CLAYTON COMMUNITY CHURCH INC.,  
a California nonprofit religious corporation

BUYER:  
PACIFIC UNION LAND INVESTORS LLC,  
a California limited liability company

By:   
Dr. Shawn A. Robinson, Senior Pastor

By:   
Lori R. Waltzer, CFO

Date: 9/14/16

Date: 9/14/16



during

October 2016

As

### Domestic Violence Awareness Month

WHEREAS, family violence continues to become more prevalent as a social problem due to the imbalance of power in gender and age; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial, affectional preference and societal barriers and are supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security and humanity due to the systematic use of physical, emotional, sexual, psychological and economic control and/or abuse; and

WHEREAS, the impact of domestic violence is wide-ranging, directly affecting women, children and men, and society as a whole; and

WHEREAS, it is survivors of domestic violence themselves who have been in the forefront of efforts to bring peace and equality to the home; and

WHEREAS, all residents of Contra Costa County should feel safe in their homes, their schools, and their communities; and

WHEREAS, STAND! For Families Free of Violence helps end the cycle of family violence for 15,000 people each year in Contra Costa County by saving lives, rebuilding families, and changing the future; and

WHEREAS, STAND! For Families Free of Violence is a multi-service agency providing: 24 hour crisis line, emergency and transitional shelter, legal advocacy, children and teen programs, counseling, support groups, employment training, batterer's treatment program, and educational prevention programs; and

WHEREAS, STAND! for Families Free of Violence works to raise awareness through education, so individuals will become advocates, and will take action to end violence in their communities.

NOW THEREFORE, I, Howard Geller, Mayor, on behalf of the Clayton City Council, do hereby proclaim October 2016 as "Domestic Violence Awareness Month" and urge my fellow citizens to actively participate in the efforts to end violence in our homes, in our schools, and in our communities.

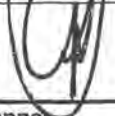
Agenda Item: 4e

Agenda Date: 10/4



Agenda Date: 10-4-2016

Agenda Item: 8a

Approved:   
\_\_\_\_\_  
Gary A. Napper  
City Manager

# STAFF REPORT

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS

**FROM:** Janet Brown, City Clerk

**DATE:** October 4, 2016

**SUBJECT:** Second Reading and Adoption of Ordinance No. 468 Revising Monthly Compensation for City Council

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## RECOMMENDATION

It is recommended the City Council consider Ordinance No. 468 for Second Reading and Adoption, and take the following actions:

1. Motion to have a Second Reading of Ordinance No. 468 by title and number only and waive further reading; and, on conclusion of the City Clerk's reading:
2. Motion to adopt Ordinance No. 468 revising the monthly compensation for City Council members by amending the *Clayton Municipal Code* Section 2.05.010

## BACKGROUND

At its September 20, 2016 meeting the City Council introduced Ordinance No. 468 with increases for the City Council's monthly compensation. This evening would finalize Ordinance No. 468 as required to increase the City Council compensation and would not go into effect until after the November 2016 general municipal election and City Council re-organization scheduled to take place on December 6, 2016.

Attachments: 1. Ordinance No. 468 (2 pages)  
2. Staff Report dated September 20, 2016 (2 pages)

**ORDINANCE NO. 468**

**AN ORDINANCE REVISING THE MONTHLY COMPENSATION FOR CITY  
COUNCIL MEMBERS BY AMENDING THE CLAYTON MUNICIPAL CODE  
SECTION 2.05.010**

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

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

**WHEREAS**, California Government Code, Section 36516, permits a city council salary increase in an amount not to exceed five (5) percent for each calendar year from the operative date of the last salary adjustment; and

**WHEREAS**, the last adjustment to the City Council monthly salary occurred eight years ago in 2008, which currently provides Council members with \$390 per month starting in December 2008; and

**WHEREAS**, the Clayton City Council salary may legally be increased by up to 40 percent, for a total of \$546 per month; and

**WHEREAS**, the Clayton City Council has determined to increase its monthly salary by only 20.5 percent for a new monthly salary of \$470 commencing December 6, 2016.

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

**Section 1.** Section 2.05.010 of the Clayton Municipal Code (Monthly Compensation) is hereby amended to read in its entirety as follows:

“2.05.010 Monthly Compensation. Each member of the City Council shall receive compensation in the amount of Four Hundred Seventy Dollars (\$470.00) per month for each full month of a Council Member's term of office, provided however, no compensation shall be paid for any month in which the City Council fails to hold at least one regular public meeting.”

**Section 2.** Monthly compensation for City Council members as set forth in Section 1 above shall not become effective until December 6, 2016, which date follows the next City Council election in November 2016, when one or more members of the Council shall begin a new term of office.

**Section 3.** **Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance, or the application thereof to any person or circumstances, is held to be unconstitutional or to be otherwise invalid by any court competent jurisdiction, such invalidity shall not affect other provisions or clauses of this Ordinance or application thereof which can be implemented without the invalid provisions, clause, or application, and to this end such provisions and clauses of the Ordinance are declared to be severable.

**Section 4. Conflicting Ordinances Repealed.** Any ordinance or part thereof, or regulations in conflict with the provisions of this Ordinance, are hereby repealed. The provisions of this Ordinance shall control with regard to any provision of the Clayton Municipal Code that may be inconsistent with the provisions of this Ordinance.

**Section 5. Effective Date and Publication.** This Ordinance shall become effective thirty (30) days from and after its passage. Within fifteen (15) days after the passage of the Ordinance, the City Clerk shall cause it to be posted in three (3) public places heretofore designated by resolution by the City Council for the posting of ordinances and public notices. Further, the City Clerk is directed to cause Section 1 of this Ordinance to be entered into the City of Clayton Municipal Code.

The foregoing Ordinance was introduced at a regular public meeting of the City Council of the City of Clayton held on September 20, 2016.

Passed, adopted, and ordered posted by the City Council of the City of Clayton at a regular public meeting thereof held on October 4, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

\_\_\_\_\_  
Howard Geller, Mayor

ATTEST

\_\_\_\_\_  
Janet Brown, City Clerk

APPROVED AS TO FORM

APPROVED BY ADMINISTRATION

\_\_\_\_\_  
Malathy Subramanian, City Attorney

\_\_\_\_\_  
Gary A. Napper, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Clayton held on September 20, 2016 and was duly adopted, passed, and ordered posted at a regular meeting of the City Council held on October 4, 2016.

\_\_\_\_\_  
Janet Brown, City Clerk





Approved:

Gary A. Napper  
City Manager

# STAFF REPORT

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** Janet Brown, City Clerk  
**DATE:** September 20, 2016  
**SUBJECT:** Consideration of a proposed Ordinance adjusting monthly compensation for elected members of the Clayton City Council to be effective beginning December 7, 2016.

## RECOMMENDATION

It is recommended the City Council consider its proposed Ordinance No. 468 for Introduction and First Reading.

## BACKGROUND

As a general law city, the City of Clayton is governed by the California Government Code [Sections 36516] pertaining to the maximum amount a general law elected city councilmember may earn for compensation. It also regulates when such adjustments in compensation may be authorized.

A. Section 36516 (a)(1)

In cities up to and including 35,000 in population, each member of the city council may receive up to and including \$300 per month in compensation. Said amount is *not* inclusive of any other benefits the city councilmembers may receive. That base amount may be increased by action of the governing body according to the formula outlined in Section C below.

The current compensation received by each member of the Clayton City Council is \$390.00.

B. Section 36516.5

A change in compensation can not apply to a councilmember during one's term of office when voted into place; however, the prohibition herein expressed shall not prevent the adjustment of the compensation of all members of the council serving staggered terms whenever one or more members of such council becomes eligible for a salary increase by virtue of beginning a new term of office.

C. Section 36516 (c)

Compensation of council members may be increased beyond the amount provided in Section A (above) by a local ordinance or by an amendment to a local ordinance but the amount of the increase may not exceed an amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted. No salary ordinance shall be enacted or amended which provides for automatic future increase in salary.

**DISCUSSION**

Pursuant to the applicable laws of the California Government Code, the Clayton City Council, by adoption of a new local ordinance, may adjust the current \$390 per month city council compensation to be effective for each member of the City Council [5] newly-constituted and reorganized after the certified results of the municipal election to be held 08 November 2016. Such an ordinance should be adopted [Second Reading] by this City Council no later than 04 October 2016 or the Council's second regular meeting in October in order to be clearly effective for the "new" Clayton City Councilmembers.

The only available method of increasing compensation, Section 36516 (c) allows the monthly compensation amount to exceed the allowable \$390 per month with a 5% increase for each calendar year from the previous increase. The previous increase was adopted to increase the City Council compensation commencing December 2008 (by Ordinance No. 461).

**Calculation**

- A. Calendar years since December 2008: 8  
8 years x 5% per year = 40% (max)  
\$390/mo X 40% \$546/month maximum allowed

- B. After reviewing this matter at its August 16, 2016 City Council meeting, the Council requested staff move forward with preparing an Ordinance which could encompass a 20.5% increase over the current \$390 per month:

$$\$390 \times 20.5\% = \$469.95$$

The City Council directed staff to round up the proposed monthly compensation to \$470.00 per month for each member of the City Council.

- C. For comparison during the intervening eight (8) years since its last compensation adjustment, the Consumer Price Index (CPI) for the Bay Area (All Urban Consumers) rose by 21.74% (December 2008 – June 2016; 47.513 pts.).

**FISCAL IMPACT**

Should the City Council decide to proceed with the enactment of a local ordinance increasing the monthly compensation of each City Councilmember seated after the November 2016 general municipal election (in December 2016), the net budgetary impact would be realized for the remaining 7 months of FY 2008-2009 [assumption: \$470/month set]:

<b>Council Compensation and Associated Costs (per Councilmember)</b>	<b>FY 2016-2017 (7 months)</b>	<b>Annual Impact thereafter</b>
Council compensation (5):	\$560	\$960
PERS (2):	\$86.11	\$147.62
Workers Comp (5):	\$27.25	\$46.71
FICA/Medicare (3):	\$42.84	\$73.44
<b>Total per Councilmember:</b>	<b>\$750.92</b>	<b>\$1,287.29</b>
<b>Total X 5 Councilmembers:</b>	<b>\$3,754.60</b>	<b>\$6,436.46</b>

It is noted that members of the City Council do not, in past practice, submit any expenses for costs incurred in the performance of one's elected duties, such as telephone or cell phone charges, gasoline/mileage expenses, or home paper costs.

Attachments: 1. Draft Ordinance No. 468- Only Council Compensation Changes (2 pages)



Agenda Date: 10-4-2016

Agenda Item: 8b

Approved:

Gary A. Napper  
City Manager

# AGENDA REPORT

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: CITY MANAGER**

**DATE: 04 OCTOBER 2016**

**SUBJECT: SELECTION OF PREFERRED DATE(S) FOR A JOINT SPECIAL MEETING WITH THE MT. DIABLO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION**

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## **RECOMMENDATION**

Following City Council discussion of preferred dates and potential topics for its annual Joint Special Meeting with the Board of Education of the Mt. Diablo Unified School District, it is recommended the City Council, by general consensus, provide staff with a slate of preferred meeting dates among those proposed for transmittal to the School District Superintendent.

## **BACKGROUND**

In March 2014 the Clayton City Council met for the first time in recent years in a joint special meeting with the Board of Education of the Mt. Diablo Unified School District (MDUSD) to converse over items of mutual interest. A second joint meeting was held in Clayton on 9 February 2015 followed by a third joint meeting on 29 February 2016. No official actions have been taken by either governing body at these joint meetings but the communication exchange did lead to further inter-agency staff contact and cooperation, including the 2015 mutually beneficial storm water drainage improvements at the campus and along the public trail adjacent to Mt. Diablo Elementary School.

## **POTENTIAL MEETING DATES**

By letter dated August 19, 2016 (ref. Attachment A), the MDUSD Board of Education again expressed interest in a joint meeting in furtherance of maintaining relationships with communities from which its public school students reside. Since distribution of its letter, City staff has confirmed the dates of 07 November 2016 and May 1, 2017 are no longer available. Typically, this City Council has selected joint meeting dates in the month of February; each day offered by MDUSD is the first Monday of the respective month (except April 10<sup>th</sup>, which is the 2<sup>nd</sup> Monday).



**POTENTIAL AGENDA TOPICS**

At this time, the City Council may wish to identify several joint discussion topics for this meeting, or it can wait until the meeting date is confirmed and the City Council takes subsequent action to formally call and set the joint meeting with an accompanying agenda. Attached is a copy of the City's minutes from the 29 February 2016 joint meeting.

Attachments: A. August 2016 letter from MDUSD [1 pg.]  
B. City Minutes from February 29, 2016 Joint Special Meeting [5 pp.]



MT. DIABLO UNIFIED SCHOOL DISTRICT  
JAMES W. DENT EDUCATION CENTER  
1936 Carlotta Drive  
Concord, California 94519-1358  
(925) 682-8000, ext. 4000

ATTACHMENT A

OFFICE OF  
SUPERINTENDENT

August 19, 2016

The Honorable Members of  
the Clayton City Council  
6000 Heritage Trail  
Clayton, CA 94519

**Received**  
**AUG 30 2016**  
**City of Clayton**

Dear Councilmembers:

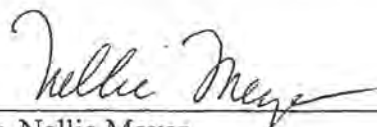
We would like to continue developing our relationship with the communities in which our students attend our schools. The last several years, we had an opportunity to meet with you as a Board, along with our Superintendent, to discuss some of the issues which are important to your City and community, as well as to our schools, our students and the parent community we serve. As we move towards full implementation of the Local Control Funding Formula, and its accountability plan, as well as the Common Core curriculum within each of our classrooms, we believe it is more important than ever to hear from our communities as to how we can better meet the needs of our students.

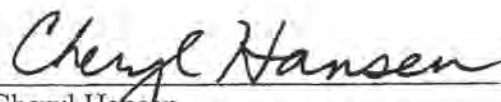
The Board approved at its' August 8, 2016, meeting, a number of dates throughout this school year, at which time we are available to meet with you. The following dates have been set aside for these meetings: October 3, 2016; November 7, 2016; December 5, 2016; February 6, 2017; March 6, 2017; April 10, 2017; and May 1, 2017. If any of the above dates would be appropriate for your Council to meet with us, please select one and call (925) 682-8000, x4000, or email [superintendentoffice@mdusd.org](mailto:superintendentoffice@mdusd.org). We will schedule the meeting date at either your facility, one of our schools or our Board Room.

Thank you for your dedication to our communities. We look forward to hearing from you.

Sincerely,

MT. DIABLO UNIFIED SCHOOL DISTRICT

  
\_\_\_\_\_  
Dr. Nellie Meyer  
Superintendent

  
\_\_\_\_\_  
Cheryl Hansen  
President, Board of Education

**MINUTES  
OF THE  
SPECIAL JOINT MEETING**

**ATTACHMENT B**

**CLAYTON CITY COUNCIL AND THE  
BOARD OF TRUSTEES OF THE MT.  
DIABLO UNIFIED SCHOOL DISTRICT**

**Monday, February 29, 2016**

**1. CALLS TO ORDER AND ROLL CALLS**

The Clayton City Council meeting was called to order at 6:35 p.m. by Mayor Geller in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Vice Mayor Diaz (arrived at 7:02 p.m.), Councilmembers Haydon, Pierce (arrived at 6:46 p.m.) and Shuey. Councilmembers absent: None. City Staff present: City Manager Gary Napper, City Clerk Janet Brown, and Chief of Police Chris Wenzel.

Mt. Diablo Unified School District Board Members present: President Cheryl Hansen, Vice President Debra Mason, Trustees Barbara Oaks and Linda Mayo. Board Members absent: Trustee Brian Lawrence. School District Staff present: Superintendent Dr. Nellie Meyer, and Secretary Debbie Maher.

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

**3. OPENING REMARKS** – were made by Mayor Howard Geller.

**4. OPENING REMARKS** – were made by Mt. Diablo Unified School District Board President Cheryl Hansen.

**5. PUBLIC COMMENT PERIOD**

7:45 p.m. Remarks were provided by Dr. Harmesh Kumar, a candidate for the office of California State Assembly, District 14. He considered the exchange between the Clayton City Council and Mt. Diablo Unified School District Board members went well; he would also like to see public education funds spent on the students, not attorneys.

**6. INFORMATIONAL EXCHANGE WITH MT. DIABLO UNIFIED SCHOOL DISTRICT**

(a) Report on the success of an inter-agency storm water runoff containment project performed on MDUSD school property and on City property adjacent to the asphalt public trail rimming the Mt. Diablo Elementary School. (Clayton City Council)

Vice Mayor Geller provided a brief background during a slideshow of the joint storm water runoff project; he was very pleased that City Maintenance Staff and MDUSD staff were able to work together and resolve the drainage problems.

City Manager Gary Napper thanked the School District for its collaboration on this storm water runoff containment project. He noted in years past with any measurable rainfall, the dirt hillside between the elementary school and Clayton Road would experience dirt kick-outs causing road blockages and vehicular hazards. After the repairs and despite the El Nino heavy rains, not one dirt slide has occurred. Councilmember Haydon also thanked the Mt. Diablo Unified School District for its portion of expenses on this storm water runoff containment project.

- (b) Discuss opportunities for improved protocols for area neighborhood notification when outdoor school and/or Parent-Faculty Club events on school campuses occur during non-traditional school hours. (Clayton City Council)

Mayor Geller advised this item was requested by Councilmember Pierce who is currently not present; however, he thought it would be good for both the Council and the surrounding neighborhoods near the public schools to know of outdoor after-school hour events that would involve loudspeakers and/or amplified music. Councilmember Haydon added surrounding neighborhoods are impacted by the additional sound and possible parking issues.

(Councilmember Pierce arrived)

MDUSD Board President Hansen inquired of which sites were being referred to: Diablo View Middle and/or Mt. Diablo Elementary schools. Councilmember Pierce responded from her perspective it is primarily Mt. Diablo Elementary School; the issue arose recently when the school had an outdoor movie night and she received many calls from her neighbors inquiring on the event, noise, and how long it would last. She noted indoor events do not generate as much noise and are not really a problem.

MDUSD Board President Hansen suggested adding neighbors to the school's email blast or auto caller when such events are scheduled. She was also open to other ideas on how to effectively notify the school neighbors.

Councilmember Pierce asked if there could be something as simple as a separate sign posted at the school entrance or fence to highlight the event; the existing reader board has many events scrolling and it could take some time for non-school hour events to circulate and be noticed by area residents. MDES Principal Irene Keenan thought placing a sign on the fence was a great idea and will speak with the Parent Faculty Club to see if this is something they will do.

- (c) Discuss vehicle traffic during drop-off and pick-up hours near Mt. Diablo Elementary School. (Clayton City Council)

Councilmember Pierce provided a brief history of occurrences and near vehicular misses experienced during student drop-off and pick-up times in her neighborhood near Mt. Diablo Elementary School. Driver behavior is getting worse and an accident is going to happen by some drivers driving up the opposing traffic lane just to get ahead of the long queue.

MDUSD President Hansen asked if neighborhood kids are using the "walking school bus" idea as suggested at last year's joint meeting. Councilmember Pierce advised some neighborhood kids are participating in this manner which has helped traffic congestion to



some degree; however, families with students not residing in the surrounding neighborhood but attending Mt. Diablo Elementary are still part of the traffic problem, and noted it is worse during rainy weather.

(Vice Mayor Diaz arrived)

Chief of Police Chris Wenzel advised he initiated a recent traffic/school route inspection conducted by an expert from Livermore and added the usual "3 E's" are applicable here (Engineering, Enforcement and Education). In his observation, part of the traffic issue is the design of the school. In his off-duty role as a member of the Livermore School District Board, he suggested one alternative is for older students to be on the school's sidewalk and open the car doors of other students during drop-off times in the morning to expedite this process, under the supervisor of a teacher or staff member of the school.

MDUSD Board President responded she liked the idea of trying a "student valet". She also inquired if there could be a Clayton police officer present for traffic enforcement and how often that could occur?

Chief Wenzel advised under current police staffing levels it would be difficult to schedule a Clayton police officer to be present during daily drop-off and pick-up times. He noted the Livermore school traffic expert will be coming out again on the afternoon of March 8 to further observe and provide some ideas to help with the traffic congestion.

City Manager Gary Napper indicated he had been chatting now with Superintendent Meyer about ways to address the elementary school's chronic traffic problems; he suggested there may be merit for both agencies to bring on a School Resource Officer that would be able to share time between Mt. Diablo Elementary and Diablo View Middle School campuses handling not only school/student police concerns, intervention, and preventative matters but also provide traffic enforcement each day at the elementary school during student drop off and pick up hours. Superintendent Nellie Meyer added a School Resource Officer could further assist in speaking with students about various topics including drug prevention.

Vice President Mason also included Bel Air Elementary experienced similar issues which seemed to resolve with the addition of the School Resource Officer. President Hansen added she would love for Clayton to have a School Resource Officer but always thought it was financially infeasible. Chief Wenzel noted a School Resource Officer could also assist at school and community special events, help educate adults, and aid getting information out to surrounding neighborhoods.

City Manager Napper indicated he and Superintendent Meyer will work together regarding the possible implementation of a School Resource Officer.

- (d) Report/Update from MDUSD regarding the inaugural year of its after-school intra-mural sports programs at Diablo View Middle School. (MDUSD Board)

Superintendent Meyer introduced Mr. Jonathan Eagan, Assistant Superintendent of Middle Schools, to discuss the successes of the inaugural year of Diablo View Middle School's intra-mural sports programs.



Mr. Eagan presented a brief slideshow depicting the types of after-school intra-mural sports programs now being offered at Diablo View Middle School and their successes in playing teams from the other MDUSD middle school. He remarked these programs are offered at no-cost, provides free transportation for the players to the other schools, adults are legally cleared, participants grades are checked weekly, and referees are concussion trained. Participation includes coed for some of the sports, as well as male and female sports teams

Superintendent Meyer added there have been measurable reductions in student D and F grades and fewer discipline issues since beginning the after-school intra-mural sports program.

Councilmember Pierce inquired on the number of students participating in each of the sports offered? Mr. Eagan advised Diablo View Middle School had 45 participants for soccer, and enough participants to fill three basketball teams consisting of two boys' teams and one girls' team.

The Clayton City Council expressed its appreciation and pleasure with the information provided and success of the MDUSD's intra-mural sports program.

- (e) Share information/feedback regarding the Clayton Valley Charter High School relationship. (Clayton City Council)

Councilmember Shuey provided a chronology on the relationship between the Clayton City Council and Clayton Valley Charter High School and requested feedback from the Mt. Diablo Unified School District Board on its current relationship with Clayton Valley Charter High School. From his perspective, the School District is spending way too much public money on attorneys battling the Charter High School when such funds could be better used going to student education.

MDUSD Board President Hansen advised the School District is the landlord and Clayton Valley Charter High School is the tenant in this particular relationship; the School District is not involved with the charter's day-to-day operations. Councilmember Shuey added the Charter High School is here to stay and he inquired whether the School District or its local school principals are preparing local students to enter the Charter's curriculum.

Diablo View Middle School Principal Patti Bannister commented she has had a conversation with Clayton Valley Charter High School regarding Elective Courses offered and is currently working on grant funding. Mt. Diablo Elementary School Principal Irene Keenan noted Clayton Valley Charter High School students help out with the Elementary School's Science Fair, extracurricular activities and also chaperone 5<sup>th</sup> Grade camps.

Councilmember Shuey asked if the Mt. Diablo Unified School District Board would be interested in a joint Clayton Valley Charter High School meeting, similar to what they are currently doing with Clayton and in neighboring cities. Board Trustee Linda Mayo advised conversations are occurring between the teachers deciding on interests, including the best person to speak with and setting up a time to discuss.

- (f) Discuss the need for a performing arts studio in the Clayton Valley area.  
(Clayton City Council)

Councilmember Shuey inquired on the prospects of a performing arts studio in the Clayton Valley area and thought it would provide a great opportunity for kids not necessarily interested in mainstream public education. Vice President Mason responded a performing arts studio would serve many kids in the community and could meet the needs of the Clayton Valley area.

Councilmember Pierce asked if the Board members had any requests for Clayton City Council. MDUSD President Hansen responded the items on this Agenda pretty well flushed out the joint interests.

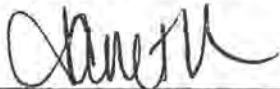
Mayor Geller and Board President Hansen thanked everyone for attending and stated that general guidance to respective staff was provided and that no formal action was taken on any of these agenda items.

6. **ADJOURNMENT**– on call by Mayor Geller the Clayton City Council joint meeting adjourned at 7:47 p.m.

The next regularly scheduled City Council meeting is on March 1, 2016.

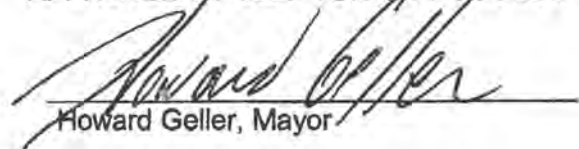
# # # # #

Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Howard Geller, Mayor



Agenda Date: 10-4-2016  
Agenda Item: 3a GHAD

# GHAD STAFF REPORT

## INFORMATION ONLY

**TO:** HONORABLE CHAIRPERSON AND BOARDMEMBERS  
**FROM:** RICK ANGRISANI, DISTRICT MANAGER  
**DATE:** OCTOBER 4, 2016  
**SUBJECT:** OBSERVATION REPORT – CROW PLACE

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### RECOMMENDATION

None.

### BACKGROUND

Mr. Joe Beaty, a resident on Crow Place, requested an inspection of Crow Place to determine if monitoring equipment should be installed by GHAD. Mr. Beaty related the property owner of one house ("119" - 119 Crow Place) in the bulb area had to replace parts of his driveway due to movement in the underlying soils.

Staff inspected the area, noted the replaced driveway sections and found a small section of sidewalk had raised up approximately 1" on the north side of the 119 driveway. The remainder of the curb, gutter, sidewalk and pavement looked to be in good shape. There is no sign of movement in the slope at the end of Crow Place.

We then reviewed the original grading plans and found that intersection of Crow Place at Keller Ridge Drive was constructed on approximately 35' of fill. Traveling up Crow Place, the depth of the fill reduces to zero and the cul-de-sac bulb (and 119) is in 5+ feet of cut. It appears that any soil movement or expansion on 119 that may have caused damage to the driveway is limited to 119.

The GHAD's Plan of Control specifically excludes any hazards that are entirely within the limits of one single residential lot. Therefore, the GHAD cannot be responsible for or make any private property repairs, if needed, on an individual lot (not that the GHAD has any funds available for such repairs). Further, since the bulb area is in a cut area and no other movement was noted in the areas of the street constructed on fill, no monitoring of any kind is warranted by GHAD at the present time.

**MINUTES**  
**REGULAR PUBLIC MEETING**  
**OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)**

September 20, 2016

1. **CALL TO ORDER AND ROLL CALL** – the meeting was called to order at 8:13 p.m. by Chairman Haydon. Board Members present: Chairman Haydon, Vice Chair Diaz and Board Members Geller, Pierce, and Shuey. Board Members absent: None. Staff present: City Manager Gary Napper, General Legal Counsel Mala Subramanian, GHAD District Manager Rick Angrisani, and Secretary Janet Brown.
2. **PUBLIC COMMENTS** – None.
3. **CONSENT CALENDAR** – It was moved by Board Member Pierce, seconded by Board Member Geller, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).
  - (a) Information Only – No Action Requested.
    1. Transmittal of the July 2016 geotechnical monitoring and inspection services report by Stevens, Ferrone & Bailey Engineering Company concerning the existing inclinometers, piezometers and de-watering wells in Kelok Way/North Valley Park in the Oakhurst Development.
    2. Transmittal of the July 2016 geotechnical monitoring and inspection services report by Berlogar Stevens & Associates concerning the existing inclinometers and piezometers in Pebble Beach Drive and the Open Space Slope below Lots 59 through 61 of the Peacock Creek Portion of the Oakhurst Development.
  - (b) Approved the Board of Directors' minutes for its regular meeting July 19, 2016.
4. **PUBLIC HEARINGS** – None.
5. **ACTION ITEMS** – None.
6. **BOARD ITEMS** – None.
7. **ADJOURNMENT** - on call by Chairman Haydon, the meeting adjourned at 8:14 p.m.

Respectfully submitted,

---

Janet Brown, Secretary

Approved by the Board of Directors  
Oakhurst Geological Hazard Abatement District

---

Keith Haydon, Chairman