



AGENDA

REGULAR JOINT MEETINGS

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

* * *

TUESDAY, June 19, 2018

5:45 P.M.

and

7:00 P.M.

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

Mayor: Keith Haydon

Vice Mayor: David T. Shuey

Council Members

Julie K. Pierce

Jim Diaz

Tuija Catalano

- 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
- 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 ***

June 19, 2018

5:45 P.M.

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

2. **COUNCIL INTERVIEW OF PLANNING COMMISSION APPLICANTS**

Four (4) candidates to be interviewed separately for three appointed offices with terms expiring on June 30, 2020. ([View Here](#))

- Short Recess -

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7:00 P.M. REGULAR PUBLIC MEETING

3. **RECALL TO ORDER THE CITY COUNCIL MEETING** – Mayor Haydon.

4. **PLEDGE OF ALLEGIANCE** – led by Mayor Haydon.

5. **CONSENT CALENDAR**

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

(a) Approve the minutes of the City Council's regular meeting of June 5, 2018.

([View Here](#))

(b) Approve the Financial Demands and Obligations of the City. ([View Here](#))

(c) Adopt a Resolution authorizing the levy of annual real property tax assessments for Community Facility District No. 2006-1 (Downtown "The Grove" Park O & M; Fund No. 211) in Fiscal Year 2018-2019. ([View Here](#))

(d) Adopt a Resolution authorizing the levy of annual real property tax assessments for Community Facility District No. 2007-1 (Citywide Landscape Maintenance District; Fund No. 210) in Fiscal Year 2018-2019. ([View Here](#))

(e) Adopt a Resolution authorizing the levy of annual real property tax assessments for the Middle School Community Facilities District (CFD 1990-1R, 2007 Special Tax Refunding Bonds; Fund No. 420) in Fiscal Year 2018-2019. ([View Here](#))

- (f) Adopt a Resolution regarding negotiated employer pick-up of employee contributions towards employer pension costs concerning the City's contract with the California Public Employees Retirement System. ([View Here](#))
- (g) Adopt a Resolution approving a 3-year Memorandum of Understanding (MOU) with the Clayton Police Officers' Association (POA) effective July 1, 2018 regarding negotiated terms and conditions of employment, compensation and benefits. ([View Here](#))
- (h) Adopt two Resolutions related to the regularly-scheduled General Municipal Election to be held this year on November 6, 2018 to elect two (2) City Council Members at large to public office for 4-year terms ending December 2022. ([View Here](#))
- (i) Approve the award of sole-source vendor contract to Site One in the amount of \$28,035 for the purchase and installation of two (2) Rain Master wireless-communication irrigation controllers for the Landscape Maintenance District, and authorize the appropriation of an additional \$8,035 from the District's fund balance (Fund 210) to gap-fund the capital replacement project. ([View Here](#))

6. RECOGNITIONS AND PRESENTATIONS – None.

7. 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

8. 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.

9. PUBLIC HEARINGS

- (a) Public Hearing on the proposed City of Clayton Budget for Fiscal Year 2018-19, its 5-Year Capital Improvement Project Budget (CIP) for Fiscal Years 2018-2023. (Finance Manager) ([View Here](#))

Staff recommendations: **1)** Receive the staff report and presentation; **2)** Open the Public Hearing and receive public comments; **3)** Close the Public Hearing; **4)** Provide any final Budget modifications; and **5)** Adopt the Resolution approving a City Budget for FY 2018-19 and a 5-Year CIP Budget for FYs 2018-2023.

- (b) Public Hearing on the proposed real property tax assessments in FY 2018-19 for the Diablo Estates at Clayton Benefit Assessment District (BAD), and consider the adoption of the Resolution setting, ordering and levying the annual assessments. ([View Here](#))
(City Engineer)

Staff recommendations: **1)** Receive the staff report; **2)** Open the Public Hearing and receive public comments; **3)** Close the Public Hearing; and **4)** Subject to any modification, by motion adopt the Resolution setting and levying this BAD's real property tax assessments for FY 2018-19.

10. ACTION ITEMS

- (a) Consider the Introduction and First Reading of proposed City-initiated Ordinance No. 482 amending Chapter 6.04 to adopt by reference the Contra Costa County Animal Control Code, including County Ordinances Nos. 80-97 (“Revised Animal Control Ordinance”), 83-10 (“Animal Control Ordinance Amendments”), 85-23 (“Animal Services Contracting”), 87-74 (“Regulation of Dangerous Animals and Potentially Dangerous Animals”), 97-33 (“Penalty for Abandonment of Animal”), 2005-24 (“Dangerous Animals”), 2006-05 (“Amendment to Dangerous Animal Ordinance”), 2011-08 (“Spaying and Neutering Dogs Impounded Dogs Prior to Release”), 2011-09 (“Microchipping Impounded Dogs and Cats Before Release”), 2016-02 (“Exemptions For Animal License Fees”), and 2017-12 (“Amendments to Division 416 (Animals) of the County Ordinance Code”), and Adopting Penalties therefor as provided in County Ordinance Nos. 97-33 and 2017-12 of the *Clayton Municipal Code* for conformity with recent Contra Costa County animal control laws. ([View Here](#))
(City Attorney)

Staff recommendations: **1)** Receive the staff report; **2)** Open the Public Hearing and receive public comments; **3)** Close the Public Hearing; **4)** Following Council discussion or subject to any amendments to the proposed Ordinance, approve a motion to have the City Clerk read Ordinance No. 482 by title and number only and waive further reading; **5)** Following the City Clerk’s reading, by motion approve Ordinance No. 482 for Introduction with the finding the action does not constitute a project under CEQA this activity will not have a significant effect or physical change to the environment; and **6)** Adopt a separate motion to set July 17, 2018 at 7:00 p.m. in Hoyer Hall of the Clayton Community Library as the date, time and location of a Public Hearing to consider the adoption of Ordinance No.482.

- (b) City Council discussion and determination of citizen appointments to three (3) openings on the Clayton Planning Commission for two 2-year terms of appointed office from July 1, 2018 through June 30, 2020. ([View Here](#))
(Mayor Haydon)

Staff recommendation: Following opportunity for public comment, that Council nominate up to three citizens for appointment and then adopt the Resolution appointing three (3) selected citizens to the Clayton Planning Commission for the two year terms of public office.

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

12. **CLOSED SESSION** – None.

13. **ADJOURNMENT** – the City Council meeting of July 3, 2018 has been canceled.

The next regularly scheduled meeting of the City Council will be July 17, 2018.

#

Agenda Date: 6-19-2018

Agenda Item: 2

Planning Commission Interview Schedule

5:45 p.m. – Bassam Altwal

6:00 p.m. – Carl “CW” Wolfe

6:15 p.m. – William Gall

6:30 p.m. – Kevin Dern

Applicants:

Please have a seat outside the Council Chambers in the Library Lobby. Our City Clerk will be out to get you when the Council interview is ready.

Thank you!

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 6-19-2018

Agenda Item: 5a

TUESDAY, June 5, 2018

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Haydon in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Haydon, Vice Mayor Shuey and Councilmembers Catalano and Diaz. Councilmembers absent: Councilmember Pierce. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Finance Manager Kevin Mizuno, Community Development Director Mindy Gentry, City Engineer Scott Alman, and City Clerk/HR Manager Janet Brown.

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

3. **CONSENT CALENDAR**

It was moved by Councilmember Catalano, seconded by Vice Mayor Shuey, to approve the Consent Calendar as submitted. (Passed; 4-0 vote).

- (a) Information Only – No action required.
1. Notification to Clayton real property owners of the City of Concord's annual sewer services rate increase effective July 1, 2018 (8.23% increase to \$592/year per single-family dwelling) for real property sewer services including treatment, maintenance, repair and operation of Clayton's municipal sewer system.
- (b) Approved the minutes of the City Council's regular meeting of May 15, 2018.
- (c) Approved the Financial Demands and Obligations of the City.
- (d) Approved the award of consultant contract to Economic and Planning Systems, Inc. (Oakland, CA) in the total amount of \$89,850.00 for an Affordable Housing In-Lieu Fee Study (\$47,855) and an Open Space (Active and Passive) Development Impact Fee Study (\$41,995).
- (e) Adopted Resolution No. 17-2018 approving the award of low-bid contract to VSS International in the amount of \$ 789,000.00 for the Keller Ridge Collector Street Repave Project (CIP No. 10425).
- (f) Approved a Fourth Amendment to a Tolling Agreement further extending the limitations period for the filing of a legal challenge by West Coast Homebuilders, Inc., concerning a final map for the Oak Creek Canyon residential subdivision project (SUBD.6826).

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Issuance of a Proclamation declaring June 2018 as "Elder and Dependent Adult Abuse Awareness Month" in the City of Clayton.

Mayor Haydon read the Proclamation declaring June 2018 as "Elder and Dependent Adult Abuse Awareness Month" and presented it to Michelle Calabio, social worker, Adult Protective Services, who then thanked the City Council and provided some

information about the services offered including some local statistics: in 2017 the City of Clayton had forty-one (41) reports of elder and dependent adult abuse and neglect, where 32% of those reports involved financial abuse allegations. Ms. Calabio noted World Elder Abuse Awareness Day was launched June 15, 2006 by the International Network for the Prevention of Elder and Adult Abuse and World Health Organization at the United Nations.

Lorna Van Ackeran, member of the Contra Costa Advisory Council on Aging, announced an upcoming event on June 29 at the Pleasant Hill Senior Center where over 4,200 purple flags will fly representing elder adults. People can check in and ask questions of various services offered.

5. **REPORTS**

(a) Planning Commission

Commission Chairman Carl Wolfe indicated the Commission's agenda at its meeting of May 22, 2018 included the consideration of Municipal Code Amendments consisting of Inclusionary Housing requirements and to conditionally allow parolee homes. No public comment was received regarding the Inclusionary Housing requirement; that item was recommended for approval by the City Council. The Commission did not feel they received enough information to make a decision to conditionally allow parolee housing homes and so they have recommended its denial to the City Council.

(b) Trails and Landscaping Committee

Committee Member Bill Wiggins indicated the Committee's agenda at its meeting of May 21, 2018 included review of the Landscape Maintenance District proposed budget for FY 2018/19 functioning as the Citizens Oversight Committee on Measure H. This item was approved by the four (4) members of the Trails and Landscaping Committee that were present.

Committee Member Ted Sudderth added there will be a rehabilitation of the downtown kiosk by him and Mayor Haydon consisting of replacing the glass and posting a new Clayton trails map. Mayor Haydon added Ted Sudderth was selected as Vice Chair on the Trails and Landscaping Committee.

(c) City Manager/Staff

City Manager Napper announced the City's upcoming 4th of July Parade is an opportunity to volunteer in the community where help is needed the day of the event to assist with crowd control along with other tasks. If interested, more information and signups can be found on the City's website.

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

Councilmember Catalano attended the Clayton Community Library Foundation's Board meeting and the Council Budget Sub-Committee meeting.

Vice Mayor Shuey indicated "no report".

Councilmember Diaz attended an East Bay Regional Communications System Authority meeting, the Clayton Business and Community Association's upcoming 8th Annual BBQ planning meeting, the Saturday Concert in The Grove featuring Big Band Beat, and the VFW Memorial Day Ceremony.

Mayor Haydon attended the Council Budget Sub-Committee meeting, the Saturday Concert in The Grove featuring Big Band Beat, the VFW Memorial Day event, an Eagle Scout Court of Honor for Logan Schoffstall, and the East Contra Costa County Habitat Conservancy meeting.

(e) Other – None.

6. PUBLIC COMMENT ON NON - AGENDA ITEMS

Mayor Haydon outlined in detail the process for receipt of public comments for matters not on the City Council agenda and in particular abiding by the 3-minute rule so that all have the same time opportunity to share comments. He also summarized the current status of the proposed concept proposal by a developer for a senior assisted living/memory care facility on the City-owned vacant parcel downtown and why members of the City Council cannot comment on the concept proposal at this time for due process reasons.

Ann Stanaway, 1553 Haviland Place, advised on May 17th she heard our current mayor represent to a neighborhood public forum that Clayton's enforcement of public safety ordinances is entirely discretionary indicating the City believes public safety is well served by arbitrary prosecution. With this pronouncement our mayor has put the City at risk for a class-action lawsuit. The public record reflects a clear pattern of intent by this mayor and current vice mayor as both openly mock state public safety regulations, the Americans with Disabilities Act, and federal playground equipment safety regulations.

Joanna Welch was pleased the City installed the license plate reader camera system in Clayton after her suggestion of it several years ago. However, Clayton police officers have told her it is not working well and the camera lens is not clear enough to be useful as images are difficult to read due to the camera maintenance not being performed. Ms. Welch also expressed her opposition to the proposed building in the heart of Clayton; she requested communication to the residents of why this parcel of land must be developed. She requested an interactive forum by the Council with residents in the next thirty (30) days to have open dialogue and discuss concerns of the residents regarding this development. She then quoted David Ford with Fulcrum Development in the May 11th edition of the *Clayton Pioneer* who stated, "*We won't go forward with the project without community support.*" Put it to a vote of the people.

Mayor Haydon provided an update of the status indicating Fulcrum Development is in the concept stage; no formal application has been presented to the Community Development Department as of yet. Vice Mayor Shuey added the downtown parcel has been vacant for decades, the discussion of what to do with this parcel of land has been going on for decades. It has always been discussed during each term of office. The City has solicited public input time after time. The current zoning regulations are for all retail downtown. The proposal does not entail all retail; in order for it to go forward there would have to be a determination any changes in zoning.

Vice Mayor Shuey then asked City Manager Napper if he had a response on the public comment regarding the camera system. Mr. Napper advised he is surprised at the comment regarding an inoperable police camera system and not particularly encouraged by such news either. He will ask about its status in his staff meeting tomorrow morning.

J. Gamble, 202 Prospector Place, felt he didn't get much respect from Mr. Reyes during the Community Meeting and indicated there were no chairs provided for the elderly people in attendance. Mr. Gamble advised he posted the poll and petition on Nextdoor regarding the downtown parcel, noting if the right thing is not done about this issue a real petition will be generated and placed on a ballot as a special election or on the

November ballot. There are too many memories left in the vacant lot to potentially look at a building that will block the existing scenery and view of the mountain.

Frank Gavidia, 104 Gold Rush Court, stated the community does not trust the City Council and has incredible concerns regarding the City Manager being unable to answer a question about the camera system. And he is paid \$300,000 per year, which is outrageous for this little town! With the addition of Ms. Mindy Gentry's salary their combined salaries equal half a million dollars; these are the folks that bring us this projects. The community does not trust the City, which is why Mr. Gamble talks about bringing this to a ballot vote. We don't want to go down that route, and does not believe anyone on the current Council was on the City Council back in 2002, except maybe Julie Pierce who has been there for 40 years.

Jon Challoner, resident of Clayton since the mid-70s, provided a history of his public service and advised the City finds itself in a conflict with a proposed project that is in the concept stage and not formally submitted to the City for review. If it is the desire of the constituency to leave the downtown as it is, a great place for festivals, music and food for about ten (10) days a year and if our city council shares that goal, it also has a responsibility to discharge its fiduciary obligations to its constituency. Once known, if a majority of the stakeholders wish to assume the cost of doing nothing, the City can adjust the tax base to accommodate those wishes; then, create a committee including citizens input as well as financial, legal, real estate marketing and other expertise as needed. The time has come for everyone to take a deep breath and step back.

Brian Buddell indicated on May 16th last year he spoke at the Council meeting about a proposed Zoning Ordinance that was later approved for a possible project in the downtown. He said at that time Councilmember Shuey dismissed his concerns with a smirk; not only does Mr. Buddell have a problem with this project, but a problem with the Council. Mr. Buddell indicated Fulcrum Development has advertised they are in an Exclusive Purchasing Agreement with the City entered into November 2017. Mr. Buddell reminded the City Council their job is to serve the people, the people do not serve them; it is the Council's job to keep the community apprised of what is going on in this City and not the community's job to find it out.

Fiona Hughes indicated she has a huge distrust of the City; there is a lack of communication between the community and discussions with the developer as the developer mentioned groundbreaking would occur in the first quarter of 2019. Ms. Hughes opposes the proposed project; a price cannot be placed on the memories of children jumping from hay bale to hay bale during the Oktoberfest and the atmosphere during hot August nights and the very many things we enjoy around Clayton which would be done away with if something of that magnitude is placed in the vacant parcel.

Dee Vieira stated for the record she is not employed by developers, any city government or assisted living centers. Ms. Vieira expressed her support for the potential Grand Oaks Assisted Living and Memory Care Center with retail downtown and understands no plans are in the process of approval; and further, the current plans are being re-thought to compliment the downtown. This project would allow for thirty-five (35) memory care seniors and sixty (60) assisted seniors; it will not take away our community events and has few if any impacts for the community downtown. It has been more than seven years since the last proposal got shot down and other proposals as well out of concerns over parking, traffic and other issues relating to outside events. Ms. Vieira indicated a downtown location is where life is; these are our parents and grandparents, we would not be here without them. If the Grand Oaks arrives it is not the building size that brings charm, it is what resides in the building that brings charm.

Christina Nadler remarked as residents of Clayton the Council knows how important downtown is to the community and she cannot believe a project like this would even be considered on the Main Street location. Ms. Nadler suggested be more open in communication by separating discussions around this parcel only and away from the development that is being proposed. Ms. Nadler said she is formally requesting an interactive community dialogue with the Council within 30 days to address concerns outside of the Fulcrum Development proposal. The community wants to hear what the Council has to say.

Sandra Adams expressed the importance of good communications as it seems the community has not received all the facts about this proposed project. She complimented the City Council on its good decisions made in the last 33 years, with the exception of the gas station proposal. Ms. Adams attended the developer meeting and spoke to Mr. Reyes [Cornerstone] advising him she is a registered nurse and asked if registered nurses would be on staff at the proposed development? Mr. Reyes advised no, this is only a care home and we will not have any medical staff whatsoever. Ms. Adams felt Mr. Reyes was not really open to her thoughts about this project and she thought the community meeting was going to be more of an interactive session. Ms. Adams is not in favor of this project as the home care will be enormous at 91 beds that are much bigger than any care home in the State of California. And this is going to take up so much land at 70,000 square feet from Oak Street to almost all the way to Marsh Creek Road. That's 70-80% of Main Street, and we only have 2 streets downtown!

Colleen Samsing, 1279 Shell Circle, expressed her strong opposition to this proposed project, and the lack of communication does not inspire trust in the City Council. Ms. Samsing attended the meeting with the developer which seemed more like a marketing session; she felt a hostile, aggressive attitude by the developer and was accused of not liking old people, which is far from the truth. The developer made it seem like this was the only solution; if you weren't for it, then you were against old people.

Brian Krefr commented he felt like the project is already finished and noted the developer's Community Meeting was more of a marketing gimmick as they expressed this project was already a down deal, although it is not too late to kill it. Mr. Krefr feels the project's footprint is too excessive for downtown Clayton; he was not sure that was the vision the Council has for downtown Clayton and fully appreciates the issue of what fits in downtown. Mr. Krefr indicated retail may not be a good fit as the amount of foot traffic it could generate does not support retail; he noted Clayton Station has not panned out all that well for Clayton and the community already pays a lot for police services.

Bill Jordan advised he does not have a position on the downtown project and for the last 2 years he has been following progress of a proposed downtown project. Mr. Jordan noted Pacific Union Land Company was originally proposing the same project; all meetings were properly noticed on the Council's agenda. Mr. Jordan disagrees with the expression of a lack of communication by the City; if one has access to a computer the staff reports are readily available, including the real estate broker's presentation regarding status of how many marketing calls, the renewal of the real estate listing, its marketing and its current status. A project downtown is not anything new. It is his opinion the City has been upfront and noticed everything correctly.

Marci Longchamps, 3001 Coyote Circle, expressed her opposition to the proposed development at this time at that particular location. She advocates nothing be done at this time and instead have an opportunity to communicate with the City Council. She requested we have an interactive forum with the Council together speaking kindly and respectfully to one another within the next 30 days.

Mayor Haydon advised there is a Town Center Specific Plan developed approximately fifteen years ago by public meetings with citizens with representatives from different groups; at that time it was our vision of what Clayton should look like into the future, our dream plan and that is what developers are referred to when asking about downtown development. Mayor Haydon reminded the audience this proposal is at the concept stage only where they are fine tuning their plan prior to submittal to the City.

Councilmember Catalano summarized several procedural matters: one of the most common complaints by citizens is they hear of a potential project too late in the process. At this time there is no application on file, no environmental review has been conducted, no public hearings yet, we are at the very early stages where the potential developer has reached out to the community for feedback. In terms of the property there have been a few public hearings back in 2015 where the City Council discussed what would be the most appropriate types of uses on this parcel. The only decision this Council has made prior to the concept proposal was the Exclusive Negotiation Agreement last November, and that decision was made at a noticed public hearing and not for approval of any project.

She read from the Exclusive Negotiation Agreement [ENA]: *"This Agreement does not constitute a disposition of the property by the City or exercise of control of the property by the Developer. Execution of this Agreement by the City is merely an agreement to enter into a period of exclusionary negotiations according to the terms hereof, reserving final discretion and approval by the City Council."* The ENA specifically called for the developer to reach out to the community, to reach out to them early so they can get some of their feedback. During the Pre-Application period the developer shall hold a minimum of two advertised meetings using a City-provided facility for the purpose of sharing and discussing the proposed project with interested public and shareholders; this is the process the City wanted to ensure the developer does reach out to the community and hears from them. For a project of this scope an application is required to be reviewed by City staff and then comments by City staff under the California Environmental Quality Act (CEQA) for every project that requires a discretionary environmental review. In this phase a project of this size would have to be approved by the Planning Commission and then ultimately approved by the City Council. Before a City Council can say "yes" or "no" to any particular project it is extremely rare the project that is originally proposed in the early stages is the product that gets approved with extensive feedback. Councilmember Catalano advised no one on the City Council is able to take action at this point; under due process the Council must have the full record to review consisting of an application, environmental review, and community feedback.

Mayor Haydon remarked there are numerous requirements a developer has to go through before the project could be presented to City Council for consideration.

Joanna Welch commented the first Community Meeting with the developer had a forum with easels and a little more discussion. At the second Community Meeting, Community Development Director Mindy Gentry was in attendance advising there would be no chairs and the developers announced this would not be a Q&A session. Ms. Welch inquired what constitutes a meeting as not everyone heard the same thing; we did not hear each other's concerns, we did not hear what the developer said to each individual as a whole. We were hoping it would be similar format at the second Community Meeting but that did not happen. The second session was more difficult, they were merely checking the boxes to complete its requirement.

Mayor Haydon apologized for the Community Meeting experience and wanted to let the audience know the Community Meetings were intended as a resource to get the word out about the potential project and the developer had an opportunity to hear the concerns of the community.

Sandra Adams added Mr. Reyes [Cornerstone] indicated all they needed was approval by the City Council then they could break ground. It was as if they did not understand the process completely either.

Vice Mayor Shuey remarked he and the rest of the City Council attend community events in town just as everyone else in the community, and it can be frustrating when we think we have done everything we can in communicating to the community with noticed agendas and then the community states that they did not know; however, there is some responsibility on the citizens. Vice Mayor Shuey indicated the Town Center Specific Plan was developed before computers and that its retail plan may no longer be appropriate at this time. He noted Fulcrum Development does not represent the Council, and clearly there was a disconnect between its presentation to the community and what the Council intended. The process is working right now because citizens are here and expressing anger with the project; Fulcrum Development is listening. The Council cannot decide on anything until an application is submitted for full review. If you communicate with staff, in a nice professional courtesy manner, they will respond back to you. The Council will respond as well, although it may say, "Sorry I can't comment now because the law states I cannot make a decision on that." But we can also forward your comments to staff.

Joanna Welch asked if we can go back to the beginning and work together in a calm respectful way starting with the zoning.

[Unknown male speaker]: We are a democracy, why don't we simply have a vote. We have folks that want it and folks that don't. Let's educate everybody that we are having a vote, let's give it plenty of time that we are going to have a vote, have a vote, draw the red line, and end it.

Mary Ellen Evenson, inquired on the zoning of the parcel, if it is zoned residential? Vice Mayor Shuey responded the property is currently zoned retail/commercial.

Ms. Evenson also asked for the expiration date on the Exclusive Negotiation Agreement with Fulcrum?

City Manager Napper advised the Exclusive Negotiation Agreement with Fulcrum can be viewed on the Council's November 2017 agenda. Fulcrum has submitted a Pre-Application that triggered this process in the Pre-Application period. Our Community Development Department reviewed its preliminary application, a City letter was sent dated May 9th with staff's initial reactions and requirements. The Agreement states from that date, May 9th, the developer has ninety (90) days in which to file its Final Application, which date is approximately August 9th. The process is currently in the developer's hands on whether to move forward. Staff has been forwarding it the citizen comments that are provided to the City. At this stage and junction it is Fulcrum's full risk in terms if they wish to proceed. We have heard the community's reaction along with the developer's reaction; neither is very happy and Fulcrum may be discouraged and they may be re-considering the project. Yet that is the process that was described and referred to in the Exclusive Negotiation Agreement.

With regard to zoning, it is currently a retail/commercial zoning as indicated. In order for the developer to put residential on the ground floor it would require a General Plan Amendment as well as a Town Center Specific Plan Amendment. During this process of marketing the land we have learned the plan developed many years ago, that Clayton might be a second Danville, does not appear like that is going to happen because the retail market with e-commerce has changed. It is no longer sticks and mortars. Much online shopping is occurring and therefore the Downtown Specific Plan vision may need to be revisited.

By the terms of the Exclusive Negotiation Agreement the developer could file a Final Application; they would start paying for all the City staff time to review and critique that project. City staff may come out of that process with a recommendation to the public and to the Planning Commission for denial of the project. If Fulcrum still decides to go to the Planning Commission to overturn the staff recommendation, they can do that. No one needs to appeal the Planning Commission's decision as the matter automatically goes to the legislative body of the City, which is the City Council. Why? Because changing the General Plan as well as the Town Center Specific Plan is an adjudicatory as well as a legislative act. Those acts can only be done by the City Council. The developer did not want to go through this process without securing the price of the parcel so the City would not ask for more money at the end of the process. Similarly, a developer does not want to go initiate a process to then have the City start talking to another developer to bring in a competing identical use project. When the City Council entered into the ENA it did not know the size of the project and was advised it could be two or three stories in height. Staff was surprised by the developer's concept for a three story building with the proposed mass.

J. Gamble inquired why a proposed project of this size is considered while an existing two-story building across the street is only a fraction full. What will happen to all the other small businesses? Mr. Reyes [Cornerstone] advised Mr. Gamble that he will practically give away the retail space.

Will Evenson, Mt. McKinley Court, commented the developers of this project, as often is the case in commercial real estate, is proposing something that is probably out of scope. That is a common tactic; then, of course, they go back to their original plan that was issued going from three stories down to two stories, reduce the beds from ninety-one (91) to sixty (60). It is a very common practice in real estate development; it is an inappropriate use in downtown.

- City Council Recess (8:44 p.m. to 8:56 p.m.) -

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Consider the Introduction/Presentation of the proposed City of Clayton Budget for Fiscal Year 2018-19 and the proposed Capital Improvement Project (CIP) 5-Year Budget, and set the date of Tuesday, June 19, 2018 for a Public Hearing to review and adopt the proposed City Budget.

Finance Manager Kevin Mizuno presented the staff report with a PowerPoint presentation highlighting details of the proposed FY 2018-19 City of Clayton City Budget. Mr. Mizuno outlined a 5-Year Budget trend displaying the General Fund history, Other Funds, Capital Improvement Program, and the Successor Agencies. Mr. Mizuno advised "Other Funds" include the City's Special Revenue (12 funds), Internal Service (3 funds), Enterprise (1 fund), and Fiduciary Funds (8 funds). He noted the 7.96% overall increase from the prior year's budget is largely due to creation of two (2) new funds: 1.) Road Maintenance and Rehabilitation Account (RMRA or SB1); and 2.) Pension Rate Stabilization Fund. He pointed out the noteworthy increase in proposed expenditures occurs from inter-fund transfers from the Measure J fund for 2018 Neighborhood Streets Repave Project (CIP 10436) and Keller Ridge Drive Collector Street Rehabilitation Project (CIP 10425). Mr. Mizuno summarized Total Budget Revenues advising the City's two largest revenue sources are the General Fund at 62.98%, and the Citywide Landscape Maintenance District at 15.27%.

Finance Manager Mizuno summarized the proposed Total Budget Expenditures noting the top three expenditure categories, as they should be, are the City's General Fund at 50.87%, and the Citywide Landscape Maintenance District at 17.47%. Mr. Mizuno provided a chart indicating the General Fund's 18-year revenue trend of budgeted revenues verses a hypothetical revenue gain corresponding to associated Consumer Price Index increases. This comparison found the difference between anticipated revenues next fiscal year is \$909,257 less than if City revenues kept pace with Bay Area Consumer Price Index increases. This chart illustrates the City's ongoing challenge to meet the needs of the community, and its growing needs, with limited financial resources.

Mr. Mizuno discussed the City's share of its allocation of 1% Ad Valorem Property Tax local, regional and state run agencies. The amount of the tax is based on an annually-determined assessed valuation calculated by the County Assessor's office and is paid to the County Tax Collector. The City of Clayton has eleven tax rate areas by current assessed value returning on average 6.6% of the full one percent tax back to the General Fund. In this respect, Clayton is categorized as a "Low Property Tax City" going back to Proposition 13.

Mr. Mizuno commented for the taxable sales in Clayton, the applicable sales tax rate is 8.25% which results in a 1% local return based on the state's approved local Bradley-Burns rate.

Mr. Mizuno outlined the General Fund Revenues at a total of \$4,689,190. The largest General Fund Revenue is 21.0% for Property Tax in Lieu of Vehicle License Fees (VLF), followed by 20.7% for Secured Property Taxes, 12.0% for Franchise Fees, 10.2% for Sales & Use Taxes, and then the 8.8% for the City's share of the Redevelopment Property Tax Trust Fund.

Mr. Mizuno summarized the General Fund Expenditures at a total of \$4,587,220. The largest General Fund allocation is 49.4% for the Police Department. He then provided a year to year comparison proposing a 2.97% increase. This increase is primary explained by post-drought conditions at Clayton Community Park; the state has lifted its previous drought restrictions allowing irrigation at the park to return to normal; and the CalPERS Unfunded Actuarial Liability billings for Tier 1 miscellaneous group. Mr. Mizuno noted the budgeted FY 2018-19 surplus is estimated at \$101,970.

He then provided a summary of the Capital Improvement Projects planned for funding by the restricted-use Gas Tax funds in FY 2018-19. He noted improvement plans in the Landscape Maintenance District with the largest monetary project of the four being the proposed Downtown Planters Replacement Project; the second project is removal of 18 Eucalyptus trees in open space/trails areas; the third project is purchase of more centralized irrigation control field panel, and the fourth is seed money for Sub-Division Entry Landscaping. Mr. Mizuno provided a summary planned CIP projects consisting of the 2018 Neighborhood Street Repave project, the Keller Ridge Collector Street Rehabilitation project, the El Molino Drive Sanitary Sewer Improvement, the North Valley Playground Rehabilitation, the Clayton Community Park Lower Field Rehabilitation, the Pine Hollow Road Upgrades, and then the City Hall ADA Accessibility Project.

Finance Manager Mizuno continued his presentation involving the City's financial status of its CalPERS' Unfunded Actuarial Liabilities (UAL) and its budget impacts between Public Safety and Miscellaneous employees dating back to June 30, 2011. Mr. Mizuno also provided a 15-Year Employer Pension Cost trend analysis displaying the impact of UALs and discount rate change on employer contributions and projections through 2023. The decline during FYs 2012-2015 occurred through the attrition/retirement of Tier 1 City employees, the state's implementation of its Public Employee Pension Reform Act

(PEPRA), and the City proactively establishing a more affordable Tier II Plan prior to the state's enactment of PEPRA.

Mr. Mizuno concluded his report by thanking the City Manager and the Council Budget Subcommittee for their input and time in preparation of the proposed City Budget.

Mayor Haydon opened the floor to receive public comments; no public comments were offered on the proposed City Budget.

City Councilmembers commended City staff on its budget preparations and for its fiscal stewardship of the City.

It was moved by Councilmember Catalano, seconded by Vice Mayor Shuey, to set Tuesday, June 19, 2018 at 7:00 pm in Hoyer Hall as the date, time and location of a Public Hearing on the proposed FY 2018-19 City Budget. (Passed; 4-0 vote).

- (b) City Council discussion of canceling any regularly scheduled Council meetings in July, August and/or September 2018 relative to quorum availability and summer travel plans.

City Manager Napper advised, per the City's Municipal Code, the Clayton City Council meets the first and third Tuesdays of each month. This year the Council's first meeting in July 2018 falls the evening of July 3rd before the annual July 4th Parade. He briefly outlined the upcoming City agenda items staff is tracking. Due to pending City business items, there is a need for at least one of the City Council's regular meetings to occur in each of the months of July, August, and September.

Councilmember Catalano inquired if Councilmember Pierce notified the City of her summer schedule. Mr. Napper advised Councilmember Pierce is unavailable for the August 7th Council meeting.

Vice Mayor Shuey advised he is unavailable July 13 through July 22. The City Council took a quick poll and determined it would still have a quorum for that Council meeting.

Mayor Haydon opened the floor to receive public comments.

Ann Stanaway wondered, with the cancellation of one meeting per month, whether the Public Comment Period during those meetings would be restructured from a 3 minute time limit per person to 6 minutes.

It was moved by Vice Mayor Shuey, seconded by Councilmember Catalano, to cancel the regularly scheduled City Council meetings of July 3, 2018, August 7, 2018 and September 4, 2018. (Passed; 4-0 vote).

9. **COUNCIL ITEMS** – limited to requests and directives for future meetings.
None.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Haydon, the City Council adjourned its meeting at 9:47 p.m.

The next regularly scheduled meeting of the City Council will be June 19, 2018.

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Respectfully submitted,

Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Keith Haydon, Mayor

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Agenda Date: 06/19/18

Agenda Item: 5b

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: Kevin Mizuno, FINANCE MANAGER
DATE: 06/19/18
SUBJECT: INVOICE SUMMARY

Approved: 
Gary A. Napper
City Manager

RECOMMENDATION:

Approve the following:

Cash Requirements Report dated 6/15/18	\$536,243.02
ADP Payroll, week 23, PPE 06/03/18	\$86,708.61
Total	\$622,951.63

Attachments:

Cash Requirements reports, dated 6/15/18 (5 pages)
ADP Payroll reports, week 23 (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
ADP, LLC								
ADP, LLC	6/19/2018	6/19/2018	515431810	ADP fees Q3 FY 18	\$19.80	\$0.00		\$19.80
ADP, LLC	6/19/2018	6/19/2018	515751770	Payroll fees PPE 6/3/18	\$165.90	\$0.00		\$165.90
				<i>Totals for ADP, LLC:</i>	<u>\$185.70</u>	<u>\$0.00</u>		<u>\$185.70</u>
Advanced Elevator Solutions, Inc								
Advanced Elevator Solutions, Inc	6/19/2018	6/19/2018	32033	Elevator maintenance	\$115.00	\$0.00		\$115.00
				<i>Totals for Advanced Elevator Solutions, Inc:</i>	<u>\$115.00</u>	<u>\$0.00</u>		<u>\$115.00</u>
All City Management Services, Inc.								
All City Management Services, Inc.	6/19/2018	6/19/2018	55197	School crossing guard services 5/20/18-6/2/18	\$498.69	\$0.00		\$498.69
				<i>Totals for All City Management Services, Inc.:</i>	<u>\$498.69</u>	<u>\$0.00</u>		<u>\$498.69</u>
Authorize.net								
Authorize.net	6/19/2018	6/19/2018	05/18	Online credit card gateway fee for May	\$27.50	\$0.00		\$27.50
				<i>Totals for Authorize.net:</i>	<u>\$27.50</u>	<u>\$0.00</u>		<u>\$27.50</u>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	6/19/2018	6/19/2018	0355155-IN	Vests, Leg brackets	\$173.95	\$0.00		\$173.95
				<i>Totals for Bay Area Barricade Serv.:</i>	<u>\$173.95</u>	<u>\$0.00</u>		<u>\$173.95</u>
Bay Area News Group East Bay (CCT)								
Bay Area News Group East Bay (CCT)	6/19/2018	6/19/2018	001126221	Legal ads for May	\$390.44	\$0.00		\$390.44
				<i>Totals for Bay Area News Group East Bay (CCT):</i>	<u>\$390.44</u>	<u>\$0.00</u>		<u>\$390.44</u>
Blackbaud								
Blackbaud	6/19/2018	6/19/2018	91492538	FE NXT Subscription FY 19	\$6,467.04	\$0.00		\$6,467.04
				<i>Totals for Blackbaud:</i>	<u>\$6,467.04</u>	<u>\$0.00</u>		<u>\$6,467.04</u>
CalPERS Retirement								
CalPERS Retirement	6/19/2018	6/19/2018	060318	Retirement PPE 6/3/18	\$15,079.88	\$0.00		\$15,079.88
				<i>Totals for CalPERS Retirement:</i>	<u>\$15,079.88</u>	<u>\$0.00</u>		<u>\$15,079.88</u>
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	6/19/2018	6/19/2018	2527941	Copier contract coverage 4/30/18-5/29/18	\$442.74	\$0.00		\$442.74
				<i>Totals for Caltronics Business Systems, Inc:</i>	<u>\$442.74</u>	<u>\$0.00</u>		<u>\$442.74</u>
CCWD								
CCWD	6/19/2018	6/19/2018	L Series	Water 4/3/18-6/2/18	\$27,589.53	\$0.00		\$27,589.53
				<i>Totals for CCWD:</i>	<u>\$27,589.53</u>	<u>\$0.00</u>		<u>\$27,589.53</u>
City of Concord								
City of Concord	6/19/2018	6/19/2018	66628	Livescan services for PD	\$152.00	\$0.00		\$152.00
City of Concord	6/19/2018	6/19/2018	66630	Livescan service for PD	\$76.00	\$0.00		\$76.00
				<i>Totals for City of Concord:</i>	<u>\$228.00</u>	<u>\$0.00</u>		<u>\$228.00</u>
Comcast								

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
Comcast	6/19/2018	6/19/2018	060518	Internet 6/10/18-7/9/18	\$386.08	\$0.00		\$386.08
				<i>Totals for Comcast:</i>	<u>\$386.08</u>	<u>\$0.00</u>		<u>\$386.08</u>
Contra Costa County - Office of the Sheriff								
Contra Costa County - Office of the She	6/19/2018	6/19/2018	CLPD-118	Blood withdrawals January-March	\$299.25	\$0.00		\$299.25
				<i>Totals for Contra Costa County - Office of the Sheriff:</i>	<u>\$299.25</u>	<u>\$0.00</u>		<u>\$299.25</u>
Contra Costa County Office of the Sheriff (Training)								
Contra Costa County Office of the Sheri	6/19/2018	6/19/2018	5590-23320-18-001	Lidar Training 9/13/18	\$102.00	\$0.00		\$102.00
Contra Costa County Office of the Sheri	6/19/2018	6/19/2018	5590-23300-18-001	Radar Operator Training 9/10/18-9/12/18	\$230.00	\$0.00		\$230.00
Contra Costa County Office of the Sheri	6/19/2018	6/19/2018	5590-32075-18-001	Firearms Tactical Rifle Training	\$1,164.00	\$0.00		\$1,164.00
				<i>Totals for Contra Costa County Office of the Sheriff (Training):</i>	<u>\$1,496.00</u>	<u>\$0.00</u>		<u>\$1,496.00</u>
Digital Services								
Digital Services	6/19/2018	6/19/2018	11160	IT services 5/8/18-6/11/18	\$2,635.72	\$0.00		\$2,635.72
Digital Services	6/19/2018	6/19/2018	11169	IT services, website development, pmt 4 of 4	\$3,250.00	\$0.00		\$3,250.00
				<i>Totals for Digital Services:</i>	<u>\$5,885.72</u>	<u>\$0.00</u>		<u>\$5,885.72</u>
Dillon Electric Inc								
Dillon Electric Inc	6/19/2018	6/19/2018	3695	Streetlight repairs 5/31/18	\$470.14	\$0.00		\$470.14
				<i>Totals for Dillon Electric Inc:</i>	<u>\$470.14</u>	<u>\$0.00</u>		<u>\$470.14</u>
Express Services, Inc								
Express Services, Inc	6/19/2018	6/19/2018	20657804	Office temp week end 5/27/18	\$1,196.40	\$0.00		\$1,196.40
Express Services, Inc	6/19/2018	6/19/2018	20693441	Office temp week end 6/3/18	\$740.28	\$0.00		\$740.28
				<i>Totals for Express Services, Inc:</i>	<u>\$1,936.68</u>	<u>\$0.00</u>		<u>\$1,936.68</u>
Kelly Ferro								
Kelly Ferro	6/19/2018	6/19/2018	028551	EH deposit refund, 6/9/18	\$500.00	\$0.00		\$500.00
				<i>Totals for Kelly Ferro:</i>	<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
Fulcrum Real Estate & Development								
Fulcrum Real Estate & Development	6/19/2018	6/19/2018	060718	Deposit refund, downtown lot	\$15,000.00	\$0.00		\$15,000.00
				<i>Totals for Fulcrum Real Estate & Development:</i>	<u>\$15,000.00</u>	<u>\$0.00</u>		<u>\$15,000.00</u>
Harris & Associates, Inc.								
Harris & Associates, Inc.	6/19/2018	6/19/2018	37792	Engineering services for May	\$9,585.00	\$0.00		\$9,585.00
Harris & Associates, Inc.	6/19/2018	6/19/2018	37703	Engineering services for April	\$9,585.00	\$0.00		\$9,585.00
				<i>Totals for Harris & Associates, Inc.:</i>	<u>\$19,170.00</u>	<u>\$0.00</u>		<u>\$19,170.00</u>
HdL Software, LLC								
HdL Software, LLC	6/19/2018	6/19/2018	0012512-IN	Business license software license FY 19	\$3,721.08	\$0.00		\$3,721.08
				<i>Totals for HdL Software, LLC:</i>	<u>\$3,721.08</u>	<u>\$0.00</u>		<u>\$3,721.08</u>
iPayment								
iPayment	6/19/2018	6/19/2018	05/18	Online bankcard fee for May	\$254.57	\$0.00		\$254.57
iPayment	6/19/2018	6/19/2018	05/18	Bankcard fee fr	\$409.09	\$0.00		\$409.09

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
<i>Totals for iPayment:</i>					\$663.66	\$0.00		\$663.66
LarryLogic Productions								
LarryLogic Productions	6/19/2018	6/19/2018	1735	City council meeting production 6/5/18	\$450.00	\$0.00		\$450.00
<i>Totals for LarryLogic Productions:</i>					\$450.00	\$0.00		\$450.00
Legal Defense Fund								
Legal Defense Fund	6/19/2018	6/19/2018	247951	Dues 7/1/18	\$13.50	\$0.00		\$13.50
<i>Totals for Legal Defense Fund:</i>					\$13.50	\$0.00		\$13.50
Matrix Association Management								
Matrix Association Management	6/19/2018	6/19/2018	6631	Diablo Estates management services for June	\$4,532.50	\$0.00		\$4,532.50
<i>Totals for Matrix Association Management:</i>					\$4,532.50	\$0.00		\$4,532.50
MPA								
MPA	6/19/2018	6/19/2018	A051803	Unmet liability deductible for May	\$1,062.00	\$0.00		\$1,062.00
<i>Totals for MPA:</i>					\$1,062.00	\$0.00		\$1,062.00
Municipal Code Corporation								
Municipal Code Corporation	6/19/2018	6/19/2018	00309422	Online municode supplements	\$2,873.01	\$0.00		\$2,873.01
<i>Totals for Municipal Code Corporation:</i>					\$2,873.01	\$0.00		\$2,873.01
NBS Govt. Finance Group								
NBS Govt. Finance Group	6/19/2018	6/19/2018	51800023	Delinquency Mgmt for CFDs	\$516.75	\$0.00		\$516.75
<i>Totals for NBS Govt. Finance Group:</i>					\$516.75	\$0.00		\$516.75
Pacific Telemanagement Svc								
Pacific Telemanagement Svc	6/19/2018	6/19/2018	989687	Courtyard payphone for June	\$73.00	\$0.00		\$73.00
<i>Totals for Pacific Telemanagement Svc:</i>					\$73.00	\$0.00		\$73.00
Peace Officers Research Assoc of CA								
Peace Officers Research Assoc of CA	6/19/2018	6/19/2018	213866	Dues, July 1, 2018	\$10.00	\$0.00		\$10.00
<i>Totals for Peace Officers Research Assoc of CA:</i>					\$10.00	\$0.00		\$10.00
Professional Convergence Solutions, Inc								
Professional Convergence Solutions, Inc	6/19/2018	6/19/2018	PCS0608183	Service calls for phones, Library, CH	\$187.50	\$0.00		\$187.50
<i>Totals for Professional Convergence Solutions, Inc:</i>					\$187.50	\$0.00		\$187.50
Riso Products of Sacramento								
Riso Products of Sacramento	6/19/2018	6/19/2018	184476	Copier lease pmt. 15 of 60	\$106.09	\$0.00		\$106.09
<i>Totals for Riso Products of Sacramento:</i>					\$106.09	\$0.00		\$106.09
Juan Rodriguez								
Juan Rodriguez	6/19/2018	6/19/2018	BF73-18	C&D refund for 40 Mt Rushmore PI	\$2,000.00	\$0.00		\$2,000.00
<i>Totals for Juan Rodriguez:</i>					\$2,000.00	\$0.00		\$2,000.00
Emily Schoffstall								

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
Emily Schoffstall	6/19/2018	6/19/2018	06042018	Deposit refund minus rental fees for 6/3/18	\$17.00	\$0.00		\$17.00
				<i>Totals for Emily Schoffstall:</i>	<i>\$17.00</i>	<i>\$0.00</i>		<i>\$17.00</i>
Sprint Comm (PD)								
Sprint Comm (PD)	6/19/2018	6/19/2018	703335311-198	Cell phones 4/25/18-5/25/18	\$648.55	\$0.00		\$648.55
				<i>Totals for Sprint Comm (PD):</i>	<i>\$648.55</i>	<i>\$0.00</i>		<i>\$648.55</i>
Staples Business Credit								
Staples Business Credit	6/19/2018	6/19/2018	1619904686	Office supplies 4/9/18-5/25/18	\$885.71	\$0.00		\$885.71
				<i>Totals for Staples Business Credit:</i>	<i>\$885.71</i>	<i>\$0.00</i>		<i>\$885.71</i>
Tyris Corp								
Tyris Corp	6/19/2018	6/19/2018	CAP0199	C&D refund for 1133 Easley Dr	\$2,000.00	\$0.00		\$2,000.00
				<i>Totals for Tyris Corp:</i>	<i>\$2,000.00</i>	<i>\$0.00</i>		<i>\$2,000.00</i>
U S Healthworks Medical Group, PC								
U S Healthworks Medical Group, PC	6/19/2018	6/19/2018	333324-CA	Pre-hire exam, Admin	\$130.00	\$0.00		\$130.00
				<i>Totals for U S Healthworks Medical Group, PC:</i>	<i>\$130.00</i>	<i>\$0.00</i>		<i>\$130.00</i>
US Bank - Corp Pmt System CalCard								
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Storage unit rent	\$33.05	\$0.00		\$33.05
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Land's End, shirt for Stacy	\$37.98	\$0.00		\$37.98
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Alpine Awards, plaque for Mark	\$63.84	\$0.00		\$63.84
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Center St Deli, Raley's, Panera - snacks for im	\$46.05	\$0.00		\$46.05
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Indeed Advertising for OA/CEO	\$60.25	\$0.00		\$60.25
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Land's End, shirt for Michelle Poston	\$55.30	\$0.00		\$55.30
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Safeway, Parfaits for Kathy's last day	\$36.51	\$0.00		\$36.51
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Parking for planning director's meeting	\$5.00	\$0.00		\$5.00
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Fuel	\$322.00	\$0.00		\$322.00
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Fuel	\$440.52	\$0.00		\$440.52
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Fuel	\$589.95	\$0.00		\$589.95
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	East Bay Restaurant Supply - Dishwasher, EH	\$3,640.43	\$0.00		\$3,640.43
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Fuel	\$61.79	\$0.00		\$61.79
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	OSH, cable ties, landscape supplies	\$481.50	\$0.00		\$481.50
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Red Wing Shoes, boots for Jorge	\$173.99	\$0.00		\$173.99
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Fuel	\$259.02	\$0.00		\$259.02
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$231.98	\$0.00		\$231.98
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$192.92	\$0.00		\$192.92
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$382.08	\$0.00		\$382.08
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$206.19	\$0.00		\$206.19
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Image Sales, ID cards	\$41.37	\$0.00		\$41.37
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Transunion - Search Engine	\$25.00	\$0.00		\$25.00
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	OSH, Chain, locks for Art & Wine	\$42.78	\$0.00		\$42.78
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$377.55	\$0.00		\$377.55
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	LA Police Gear, O/C Spray	\$19.89	\$0.00		\$19.89
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$342.94	\$0.00		\$342.94

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
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Safeway, CVS - for Art & Wine Fest	\$97.96	\$0.00		\$97.96
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$400.64	\$0.00		\$400.64
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$570.87	\$0.00		\$570.87
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Office supplies	\$505.42	\$0.00		\$505.42
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$253.30	\$0.00		\$253.30
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	OSH, Amazon - Weapon storage cabinet, ai	\$212.63	\$0.00		\$212.63
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$327.70	\$0.00		\$327.70
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Car washes	\$51.96	\$0.00		\$51.96
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	CA Police Chiefs Assn, Dues	\$348.00	\$0.00		\$348.00
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	SmartSigns, Parking signs for Regency Dr	\$526.96	\$0.00		\$526.96
US Bank - Corp Pmt System CalCard	6/19/2018	6/19/2018	Stmt end 5/22/18	Vehicle Gas	\$279.10	\$0.00		\$279.10
<i>Totals for US Bank - Corp Pmt System CalCard:</i>					<i>\$11,744.42</i>	<i>\$0.00</i>		<i>\$11,744.42</i>
US Bank Ops Center								
US Bank Ops Center	6/19/2018	6/19/2018	1097278	Debt service pmt for 2014 Bond	\$399,936.84	\$0.00		\$399,936.84
<i>Totals for US Bank Ops Center:</i>					<i>\$399,936.84</i>	<i>\$0.00</i>		<i>\$399,936.84</i>
Verizon Wireless								
Verizon Wireless	6/19/2018	6/19/2018	9808212883	Cell phones, usage/equipment	\$503.95	\$0.00		\$503.95
<i>Totals for Verizon Wireless:</i>					<i>\$503.95</i>	<i>\$0.00</i>		<i>\$503.95</i>
Don S Vogel								
Don S Vogel	6/19/2018	6/19/2018	062718	Car show 6/27/18	\$225.00	\$0.00		\$225.00
Don S Vogel	6/19/2018	6/19/2018	071118	Car show 7/11/18	\$225.00	\$0.00		\$225.00
Don S Vogel	6/19/2018	6/19/2018	072518	Car show 7/25/18	\$225.00	\$0.00		\$225.00
Don S Vogel	6/19/2018	6/19/2018	080818	Car show 8/8/18	\$225.00	\$0.00		\$225.00
<i>Totals for Don S Vogel:</i>					<i>\$900.00</i>	<i>\$0.00</i>		<i>\$900.00</i>
Warner Brothers Tree Service								
Warner Brothers Tree Service	6/19/2018	6/19/2018	14285	Tree work, removal of cypress @ The Grove	\$3,550.00	\$0.00		\$3,550.00
<i>Totals for Warner Brothers Tree Service:</i>					<i>\$3,550.00</i>	<i>\$0.00</i>		<i>\$3,550.00</i>
Workers.com								
Workers.com	6/19/2018	6/19/2018	122158	Seasonal workers week end 5/27/18	\$3,375.12	\$0.00		\$3,375.12
<i>Totals for Workers.com:</i>					<i>\$3,375.12</i>	<i>\$0.00</i>		<i>\$3,375.12</i>
GRAND TOTALS:					\$536,243.02	\$0.00		\$536,243.02



Agenda Date: 6-19-2018

Agenda Item: 5C

Approved:


Gary A. Napper, City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager 

MEETING DATE: June 19, 2018

SUBJECT: Approval of Resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown "The Grove" Park Maintenance) on the fiscal year 2018-2019 Tax Assessment

RECOMMENDATION

Adoption of Resolution No. ___-2018 ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown "The Grove" Park Operation and Maintenance) on the fiscal year 2018-2019 Tax Assessment Roll.

BACKGROUND

In November 2006 the electorate voted 68.19% approval to establish a special tax, known as Measure O, for the care and maintenance of a Downtown Park, now known as "The Grove" Park. Measure O was established for a 10 year period (through 2017). In November 2014 the voters approved Measure P (81.25%) an extension of the tax with the same rate methodology for 20 years – from FY 2017-2018 through 2036-37. This action represents the second levy under this voter approved extension.

This special tax serves as the only funding source for the Downtown Park Operation and Maintenance - known as Community Facilities District (CFD) 2006-1. To levy the tax the City placed a ballot measure on the November 2014 consolidated election to extend the current time frame and received more than the minimum vote threshold (66.66%) to enact the tax.

The tax is for annual expenses related to costs of the operation, maintenance, repair and replacement landscaping, irrigation, hardscape, lights, public restroom, gazebo, playground, water, electricity, etc. of "The Grove" Park. Other City parks are not maintained by this special tax but through the General Fund.

The collection of the tax is done by the County, and property owners' payments first payment occurred in November/December 2007. "The Grove" Park was opened to public use in January 2008.

Pursuant to the terms of voter-approved Measure P, the special parcel tax rate may be modified annually by the change in the CPI from April to April. However, in no event shall the tax rate be increased by more than 3.0% each year. Given the CPI change (from April 2017 to April 2018) posted at 3.22%, the special parcel tax will be increased at the 3.0% cap for FY 2018-19. This CPI adjustment is also reflected in the City proposed budget for FY 18-19. The FY 2018-19 Budget was introduced and reviewed by the City Council at its June 5, 2018 meeting and is presented for adoption at its June 19, 2018 meeting. It is recommended and included in the proposed levy rates to apply an annual CPI increase of 3.0%.

FISCAL IMPACT

For fiscal year 2018-19 fiscal year the levy amount proposed is \$21.30 per residential parcel (an increase of 62 cents from last year rate of \$20.68). The non-residential parcels for 2018-19 fiscal year are to be levied as follows: Downtown Core, \$287.44 per ¼ acre or fraction thereof (an increase of \$8.37); Other Commercial \$126.02 per ¼ acre or fraction thereof (an increase of \$3.67); Recreation Open Space \$63.00 per ¼ acre or fraction thereof (an increase of \$1.84); Multifamily Residential Care Facilities \$66.21 per ¼ acre or fraction thereof (an increase of \$1.93)

For fiscal year 2018-19 there are approximately 4,104 parcels that are subject to the special tax; of these 4,043 are residential and apx. 61 are non residential. The total amount of revenue estimated to be received from this tax for FY 2018-19 is \$134,188 (an increase of \$3,907 over FY 17-18). These tax revenues are placed into a Special Revenue Fund (No. 211) through which all eligible expenses are tracked, paid and audited. Allowable expenses include only that for the purposes of the Downtown Park Operation and Maintenance District such as materials, supplies, equipment, utilities, labor, and administration.

CONCLUSION

The City Council, by Ordinance 401, pursuant to Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to Community Facilities District 2006-1. This Resolution authorizes the Contra Costa County Auditor to place the taxes on the next assessment roll for the 2018-2019 fiscal year.

Attachments:

- 1) Resolution No. ____ - 2018
- 2) Summary of Exhibit A to Reso. No. ____ - 2018
- 3) Annual Special Tax Levy Report
- 4) Ordinance 401
- 5) Resolution No. 13-2014
 - Exhibit A to Resolution No. 13-2014 (comprising of Resolutions No. 23-2006 and No. 24-2006)
- 6) Resolution 19-2006
- 7) Resolution No. 32-2014
- 8) Resolution No. 43-2014
- 9) Resolution No. 13-2007
- 10) Downtown "The Grove" Park Maintenance (CFD 2006-1) proposed Budget 2018-19

RESOLUTION NO. __-2018

**A RESOLUTION ORDERING THE LEVY AND COLLECTION OF
SPECIAL TAXES AND SETTING THE SPECIAL
TAX AMOUNT FOR FISCAL YEAR 2018-19
FOR COMMUNITY FACILITIES DISTRICT NO. 2006-1
(DOWNTOWN "The Grove" PARK OPERATIONS AND MAINTENANCE)**

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

WHEREAS, the City Council of the City of Clayton, California, (hereinafter referred to as the "legislative body"), has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in Community Facilities District No.2006-1(hereinafter referred to as "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982"; being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"); and,

WHEREAS, this legislative body, by Ordinance No. 401 as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said District, and this legislative body is desirous to establish the specific rate of the special tax to be collected for fiscal year 2018-19; and,

WHEREAS, the special taxes are in compliance with all laws pertaining to the Act and the levy of special taxes; the special taxes are levied without regard to property valuation, and the special taxes are in compliance with the provisions of Prop 218.

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals each true and correct.

SECTION 2. That the specific rate and amount of the special tax to be collected

to pay for the costs and expenses for the next fiscal year (2018-2019) for the referenced District are hereby determined and established as set forth in the attached, referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance 401 of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. That the proceeds of the special tax shall be used as provided in Ordinance No. 401, including, but not limited to, the payment of, in whole or in part, the costs of the following:

- A. Payment of costs and expenses of the operation, maintenance, repair and replacement of the downtown park facilities;
- B. Payment of District administrative costs.
- C. Cost of collecting and administering the special tax

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to collect the special tax and to deduct reasonable administrative costs incurred in collecting said special tax.

SECTION 6. All monies above collected shall be paid into the Community Facilities District 2006-1 fund.

SECTION 7. The Auditor of the County is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public improvements, special tax" or by any other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, and assessor's parcel number (APN), reference is made to the attached Exhibit "A".

SECTION 8. The County Auditor shall then, at the close of the tax collection period, promptly render to this City a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

PASSED, APPROVED, AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on June 19, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

Laura/fy 18-19 rescd2008-fgrovepk

Summary of EXHIBIT A to Resolution ___-2018

CFD 2006-1 Downtown "The Grove" Park Maintenance District Special Tax

For fiscal year 2018-2019 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No. 2006-1 (Downtown "The Grove" Park Maintenance) Preliminary Billing Levy Detail Report for FY 2018-2019 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

Due to the length of the report, it is summarized as follows:

For FY 2018-2019 the following shall be levied:

Residential parcels, (single family, condo, and townhouse) shall have a rate of \$21.30 per parcel.

Downtown Core Area shall have a rate of \$287.44 per ¼ acre or fraction thereof.

Other Commercial Parcels shall have a rate of \$126.02 per ¼ acre or fraction thereof.

Recreation Open Space parcels shall have a rate of \$63.00 per ¼ acre or fraction thereof.

Multifamily residential parcels shall have a rate of \$66.21 per ¼ acre or fraction thereof

Parcel size as shown on the most recent County tax and parcel records.

There are a total of 4104 parcels to be levied:

There are 4043 residential levies

There are 31 downtown core levies comprising 16 acres (or 77 ¼ unit acres)

There are 22 other commercial levies comprising 28 acres (or 125 ¼ unit acres)

There are 6 recreation levies comprising 31 acres (or 125 ¼ unit acres)

There are 2 multifamily levies comprising 8 acres (or 33 ¼ unit acres)

\$86,115.90 est. total revenue from residential

\$22,133.08 est. total revenue from downtown core

\$15,878.64 est. total revenue from other commercial

\$7,875.54 est. total revenue from recreation and open space

\$2,185.08 est. total revenue from multifamily

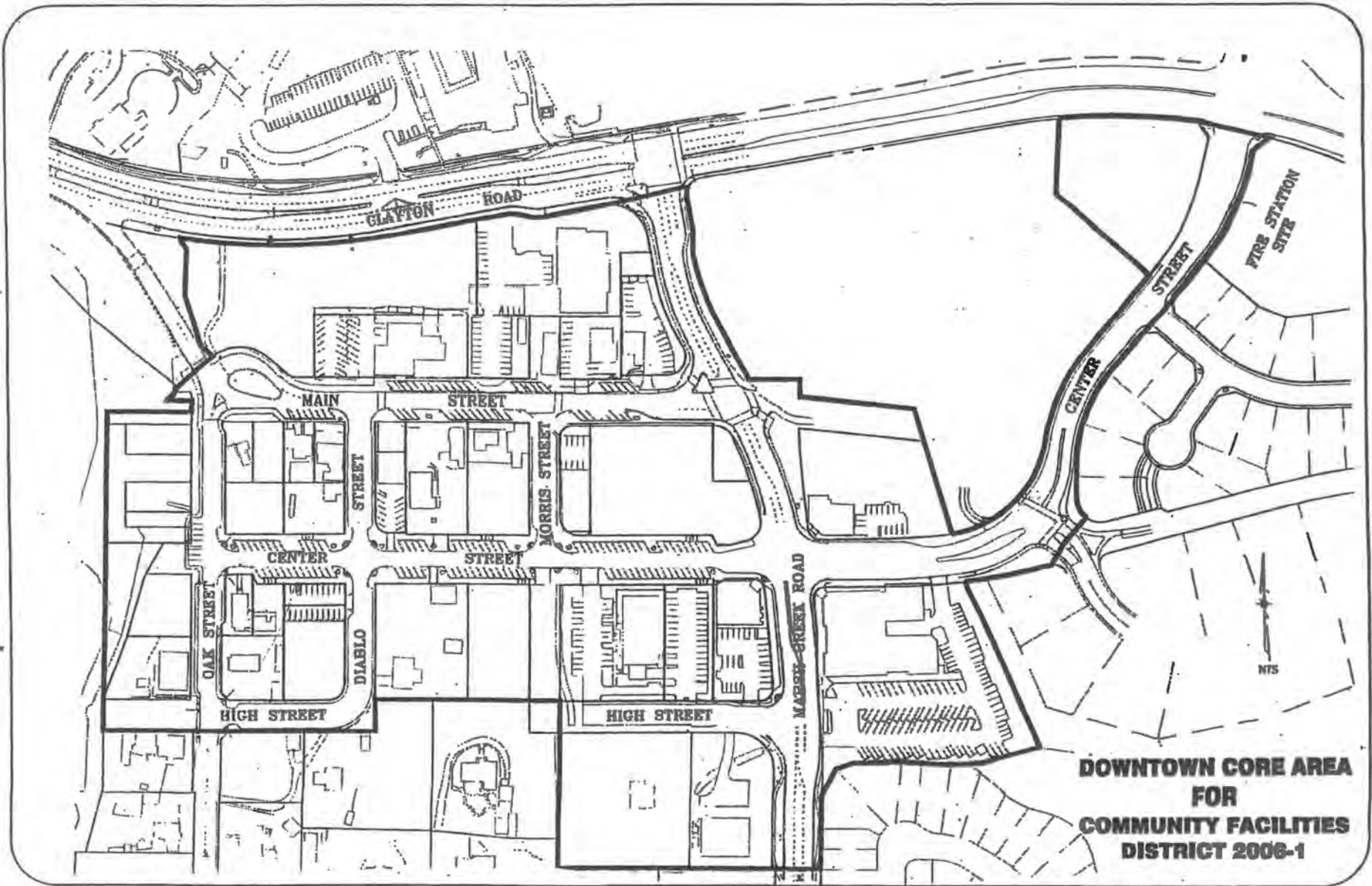
\$ 134,188.24 est. revenue for FY 18-19

leura/Exhibit A rescfd2006-1 fy18-19

COMMUNITY FACILITIES DISTRICT NO. 2006-1 DOWNTOWN PARK OPERATION AND MAINTENANCE TAX



Legend
CFD 2006-1 Boundary



**DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2008-1**



CITY OF CLAYTON

Community Facilities District No. 2006-1

Downtown Park Operation and Maintenance Tax

Annual Report

June 2018

OFFICE LOCATIONS:


Temecula – Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592

San Francisco – Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102

California Satellite Offices
Atascadero, Davis
Huntington Beach,
Joshua Tree, Riverside
Sacramento, San Jose

www.nbsgov.com

Prepared by:

 **NBS** helping communities fund tomorrow

ATTACHMENT 3

CITY OF CLAYTON
6000 Heritage Trail
Clayton, California 94517
Phone – 925.673.7300
Fax – 925.672.4917

City Council

Keith Haydon, Mayor
David T. Shuey, Vice Mayor
Julie K. Pierce, Councilmember
Jim Diaz, Councilmember
Tuija Catalano, Councilmember

City Staff

Gary Napper, City Manager
Laura Hoffmeister, Assistant to the City Manager
Kevin Mizuno, Finance Director

Special Tax Administrator

NBS
Tim Seufert, Client Services Director
Greg Davidson, Director
Kristin Harvey, Senior Consultant

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1. EXECUTIVE SUMMARY/SPECIAL ISSUES

1.1. General Information Summary

Maturity	2018/19 Levy ⁽¹⁾	Parcel Count	Delinquency Rate ⁽²⁾
Fiscal Year 2036/37	\$134,188.24	4,104	2.72%

(1) Includes a rounding adjustment for County tax submittal purposes.

(2) Delinquency Rate for Fiscal Year 2017/18.

Community Facilities District No. 2006-1, Downtown Park Operation and Maintenance Tax (the “District”) was created to finance the costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005 and 006) adjacent to the western edge of (old) March Creek Road between Main and Center Streets located in Town Center Clayton.

In November 2014 voters approved Measure P by 81.25% approval. Measure P is an extension of Measure O, for the care and maintenance of Downtown Park. Measure O was established for a 10-year period (through 2017). The special tax with the same rate methodology is extended for 20 years – beginning Fiscal Year 2017/18 through Fiscal Year 2036/37. The 2017/18 levy is the first year that is covered by Measure P.

For Fiscal Year 2018/19, all taxable parcels within this District will be levied at 100% of their respective Maximum Special Tax. The Maximum Special Tax rates for Fiscal Year 2018/19, which have been escalated by 3.00%, are as follows:

Residential Parcels:	\$21.30 per parcel
Downtown Core Parcels:	\$287.44 per ¼ acre or fraction thereof
Other Commercial Parcels:	\$126.02 per ¼ acre or fraction thereof
Recreational Open Space Parcels:	\$63.00 per ¼ acre or fraction thereof
Multi-Family Residential Care Facilities Parcels:	\$66.21 per ¼ acre or fraction thereof

The delinquency rate for the District was 2.72% for Fiscal Year 2017/18. With the City’s authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

2. 2018/19 LEVY

2.1. Special Tax Spread

All taxable parcels within the District were levied at 100% of their respective Maximum Special Tax rate for Fiscal Year 2018/19. The details of the Special Tax, spread amongst the 4,299 parcels within the District, are as follows:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax	Total Amount Levied (3)
Residential (1)	4,043	\$21.30	\$86,153.01	\$86,115.90
Downtown Core (2)	31	287.44	22,133.37	22,133.08
Other Commercial (2)	22	126.02	15,878.83	15,878.64
Recreational Open Space (2)	6	63.00	7,875.61	7,875.54
Multi-Family Residential Care Facilities (2)	2	66.21	2,185.10	2,185.08
Exempt	195	0.00	0.00	0.00
Total	4,299		\$134,225.92	\$134,188.24

- (1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.
- (2) Per the Rate and Method of Apportionment, the maximum special tax for Downtown Core, other commercial, recreational open space and multi-family residential care facilities is calculated per ¼ acre or fraction thereof.
- (3) Includes a rounding adjustment for County tax submittal purposes.

The table below shows the Fiscal Year 2017/18 Maximum Special Tax within each of the six classifications of the District:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax
Residential (1)	4,043	\$20.68	\$83,609.24
Downtown Core (2)	31	279.07	21,488.56
Other Commercial (2)	22	122.35	15,416.23
Recreational Open Space (2)	6	61.16	7,646.19
Multi-Family Residential Care Facilities (2)	2	64.28	2,121.45
Exempt	195	0.00	0.00
Total	4,299		\$130,281.67

- (1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.
- (2) Per the Rate and Method of Apportionment, the maximum special tax for Downtown Core, other commercial, recreational open space and multi-family residential care facilities is calculated per ¼ acre or fraction thereof.

Please refer to section 4 of this report for details of the Special Tax Formula.

3. DELINQUENCY MANAGEMENT

3.1. Delinquency Summary

The following table shows the Fiscal Year 2017/18 delinquency rate for the District:

Levy	Delinquencies	Delinquency Rate	Delinquency Management Steps Taken
\$130,281.30	\$3,545.59	2.72%	Reminder and Demand Letters Sent

NBS monitors the delinquency rate and reviews the delinquency situation after each payment date. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

Please refer to section 6 of this report for a delinquency detail report for the District.

3.2. Delinquency Summary Report

The following pages summarize delinquencies for the 2017/18 and prior fiscal years.

City of Clayton
Delinquency Summary Report
As of: 05/31/2018

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 2006-1 - CFD 2006-1 Downtown Park Tax									
08/01/2007 Billing:									
	12/10/2007	\$50,888.87	\$50,888.87	\$0.00	0.00%	4,074	4,074	0	0.00%
	04/10/2008	\$50,888.87	\$50,888.87	\$0.00	0.00%	4,074	4,074	0	0.00%
	Subtotal:	\$101,777.74	\$101,777.74	\$0.00	0.00%	8,148	8,148	0	0.00%
08/01/2008 Billing:									
	12/10/2008	\$52,481.16	\$52,481.16	\$0.00	0.00%	4,081	4,081	0	0.00%
	04/10/2009	\$52,481.16	\$52,481.16	\$0.00	0.00%	4,081	4,081	0	0.00%
	Subtotal:	\$104,962.32	\$104,962.32	\$0.00	0.00%	8,162	8,162	0	0.00%
08/01/2009 Billing:									
	12/10/2009	\$53,567.86	\$53,567.86	\$0.00	0.00%	4,105	4,105	0	0.00%
	04/10/2010	\$53,567.86	\$53,567.86	\$0.00	0.00%	4,105	4,105	0	0.00%
	Subtotal:	\$107,135.72	\$107,135.72	\$0.00	0.00%	8,210	8,210	0	0.00%
08/01/2010 Billing:									
	12/10/2010	\$54,504.71	\$54,504.71	\$0.00	0.00%	4,105	4,105	0	0.00%
	04/10/2011	\$54,504.71	\$54,504.71	\$0.00	0.00%	4,105	4,105	0	0.00%
	Subtotal:	\$109,009.42	\$109,009.42	\$0.00	0.00%	8,210	8,210	0	0.00%
08/01/2011 Billing:									
	12/10/2011	\$55,898.46	\$55,898.46	\$0.00	0.00%	4,103	4,103	0	0.00%
	04/10/2012	\$55,898.46	\$55,889.58	\$8.88	0.02%	4,103	4,102	1	0.02%
	Subtotal:	\$111,796.92	\$111,788.04	\$8.88	0.01%	8,206	8,205	1	0.01%
08/01/2012 Billing:									
	12/10/2012	\$57,082.13	\$57,036.78	\$45.35	0.08%	4,103	4,098	5	0.12%
	04/10/2013	\$57,082.13	\$57,036.78	\$45.35	0.08%	4,103	4,098	5	0.12%
	Subtotal:	\$114,164.26	\$114,073.56	\$90.70	0.08%	8,206	8,196	10	0.12%

City of Clayton
Delinquency Summary Report
As of: 05/31/2018

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 2006-1 - CFD 2006-1 Downtown Park Tax									
08/01/2013 Billing:									
	12/10/2013	\$58,417.11	\$58,389.27	\$27.84	0.05%	4,103	4,100	3	0.07%
	04/10/2014	\$58,417.11	\$58,389.27	\$27.84	0.05%	4,103	4,100	3	0.07%
	Subtotal:	\$116,834.22	\$116,778.54	\$55.68	0.05%	8,206	8,200	6	0.07%
08/01/2014 Billing:									
	12/10/2014	\$60,050.88	\$60,022.26	\$28.62	0.05%	4,103	4,100	3	0.07%
	04/10/2015	\$60,050.88	\$60,022.26	\$28.62	0.05%	4,103	4,100	3	0.07%
	Subtotal:	\$120,101.76	\$120,044.52	\$57.24	0.05%	8,206	8,200	6	0.07%
08/01/2015 Billing:									
	12/10/2015	\$61,504.07	\$61,464.99	\$39.08	0.06%	4,103	4,099	4	0.10%
	04/10/2016	\$61,504.07	\$61,455.22	\$48.85	0.08%	4,103	4,098	5	0.12%
	Subtotal:	\$123,008.14	\$122,920.21	\$87.93	0.07%	8,206	8,197	9	0.11%
08/01/2016 Billing:									
	12/10/2016	\$63,247.06	\$63,166.74	\$80.32	0.13%	4,104	4,096	8	0.19%
	04/10/2017	\$63,247.06	\$62,730.21	\$516.85	0.82%	4,104	4,092	12	0.29%
	Subtotal:	\$126,494.12	\$125,896.95	\$597.17	0.47%	8,208	8,188	20	0.24%
08/01/2017 Billing:									
	12/10/2017	\$65,140.65	\$63,734.87	\$1,405.78	2.16%	4,104	4,070	34	0.83%
	04/10/2018	\$65,140.65	\$63,000.84	\$2,139.81	3.28%	4,104	4,025	79	1.92%
	Subtotal:	\$130,281.30	\$126,735.71	\$3,545.59	2.72%	8,208	8,095	113	1.38%
CFD 2006-1	Total:	\$1,265,565.92	\$1,261,122.73	\$4,443.19	0.35%	90,176	90,011	165	0.18%
Agency Grand Total:		\$1,265,565.92	\$1,261,122.73	\$4,443.19	0.35%	90,176	90,011	165	0.18%

4. RATE AND METHOD OF APPORTIONMENT

4.1. Method of Apportionment

A Special Tax will be levied annually on each taxable parcel of land within the District and collected in the same manner as ordinary ad valorem property taxes or in such manner as the City Council or its designee shall determine, including City-originated billing of the affected property owners.

4.2. Definitions

Taxable Parcels - Parcels of land within the boundaries of the District that are not included in the "Exempt Parcel" category listed below.

Exempt Parcels - Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area.

Residential Parcels - Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.

Downtown Core Parcels - Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels."

Other Commercial Parcels - Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels," "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities Parcels."

Recreational Open Space Parcels - Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.

Multi-Family Residential Care Facilities Parcels - Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.

Special Tax - The Special Tax allowed to be levied on property within the District, calculated pursuant to the Rate and Method of Apportionment of Special Tax.

4.3. Special Tax Formula

A. **Residential Parcels** - An annual Special Tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each Fiscal Year 2007/08 through 2036/37:

Residential Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$16.39 per parcel.

B. **Downtown Core Parcels** - An annual Special Tax will be levied on all non-Residential Parcels within the Downtown Core area, as defined above, at the per ¼ acre or fraction thereof, parcel rate shown below for each Fiscal Year 2007/08 through 2036/37:

Downtown Core Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$221.05 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

- C. **Other Commercial Parcels** - An annual Special Tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2036/37:

Other Commercial Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$96.92 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

- D. **Recreational Open Space Parcels** - An annual Special Tax will be levied on all Private Golf Course Parcels, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2036/37:

Recreational Open Space Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$48.46 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

- E. **Multi-Family Residential Care Facilities Parcels** - An annual Special Tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per ¼ acre or fraction thereof parcel rate shown below for each Fiscal Year 2007/08 through 2036/37:

Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$50.92 per ¼ acre or fraction thereof parcel size as shown on the County tax roll.

4.4. Special Tax Escalator Factor

In Fiscal Years 2008/09 through 2036/37, each annual Special Tax rate may be increased annually by the City of Clayton City Council in an amount not to exceed the full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 =100)(the “CPI increase”). This escalation factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses attributable to the District. In no event shall each annual Special Tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

The Special Tax Escalation Factor for Fiscal Year 2018/19 is 3.00%.

4.5. Duration of Special Tax Levy

Per Measure O, the Special Tax will be levied annually for a period of ten (10) years commencing with Fiscal Year 2007/08 through and including Fiscal Year 2016/17. Per Measure P, the Special Tax with the same rate methodology was extended for twenty (20) years commencing with Fiscal Year 2017/18 through and including Fiscal Year 2036/37. After Fiscal Year 2036/37 the Special Tax may no longer be levied or collected unless extended pursuant to applicable laws, except that a Special Tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

5. BACKGROUND INFORMATION

5.1. Project Description

The services that are proposed to be financed by the District shall include the attributable costs of operation, maintenance, repair and replacement of:

Downtown Park – which includes, but is not limited to:

Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005, 006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

Definitions

“Costs of Operation, Maintenance, Repair and Replacement” of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

“Maintenance” also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of the electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County’s cost to levy and collect the District’s assessment through the annual property tax bill, the City’s shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

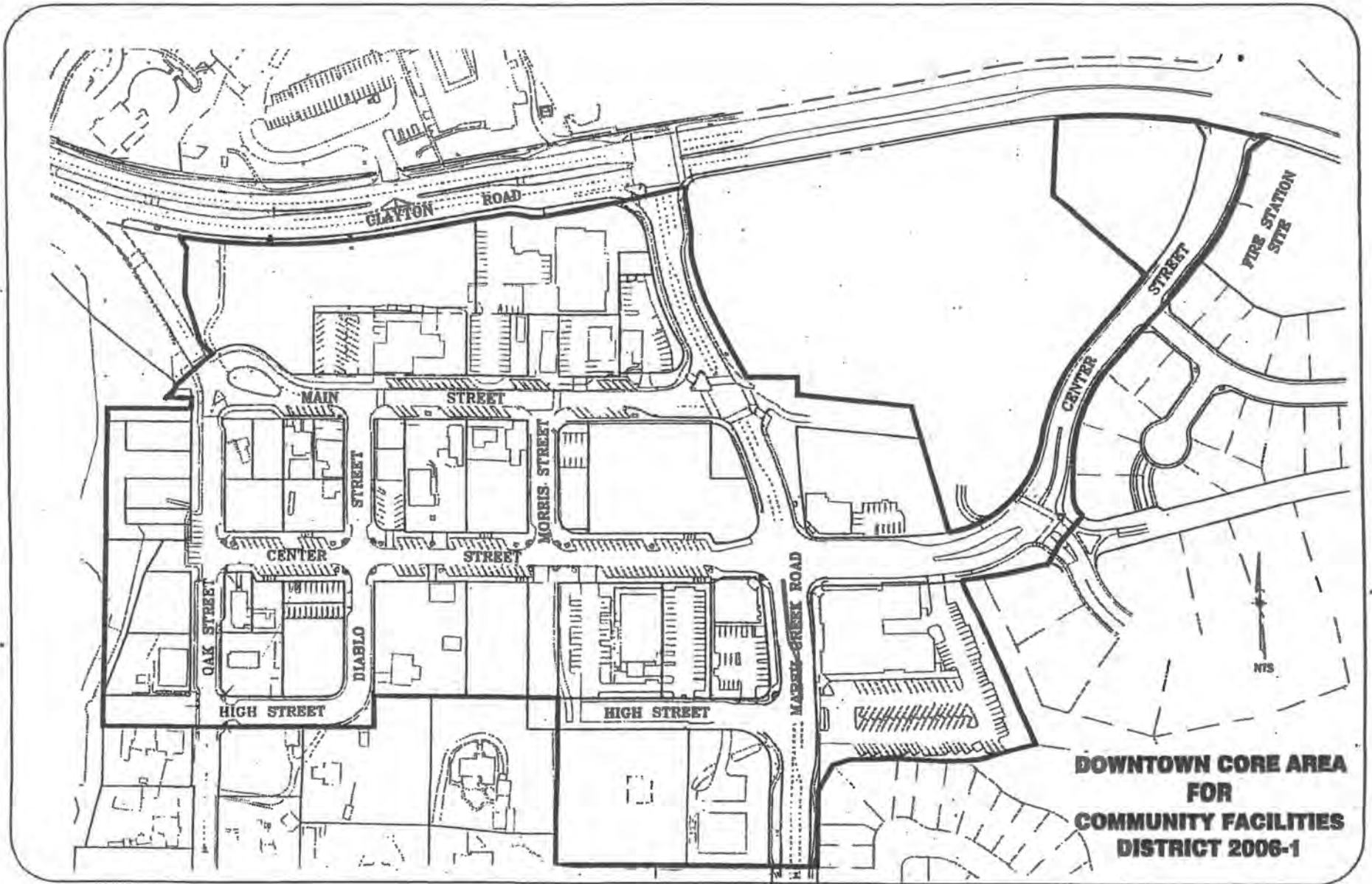
The foregoing services shall be provided through and by the City, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City.

5.2. Resolutions

The resolution approved by the City Council authorizing the levy of the special tax was not available at the time of writing this report.

5.3. Boundary Map

The following pages show the boundaries of the District.



**DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2006-1**

6. DELINQUENCY DETAIL

The following pages detail delinquencies for the 2017/18 and prior fiscal years.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
118-091-006	EMES WILLIAM S & ROSE P 5962 WALLACE DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-093-001	COUCHOT G RICHARD & JANET TRE 5974 CARDINET DR CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
118-093-007	ALOFF HELGA E TRE 5931 WALLACE DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-101-010	CRESCI MARY ELLEN TRE 55 MARQUETTE CT CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-164-056	ZIMMERMAN IRVING H & PATRICIA 1542 HAVILAND PL CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-212-007	DONG CRAIG & PAULINA 1320 OAKCREST WAY ANTIOCH, CA 94531	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FJ=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SD=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Ordered Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
118-410-039	BRENNER MATTHEW & OBRIEN PATRICIA MORGAN 1191 SHELL LN CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-410-076	MILLER LINDA 1292 SHELL CIR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-410-090	MOYLAN JAMES F JR 1336 SHELL LN CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	10.04 10.04 10.34 10.34	2.66 2.66 1.03 1.03	0.00 0.00 0.00 0.00	12.70 12.70 11.37 11.37		
		Account Subtotal:	\$40.76	\$7.38	\$0.00	\$48.14		
118-410-104	BILLO WILLIAM F & YVONNE R TRE 1368 SHELL LN CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	10.04 10.04 10.34 10.34	2.66 2.66 1.03 1.03	0.00 0.00 0.00 0.00	12.70 12.70 11.37 11.37		
		Account Subtotal:	\$40.76	\$7.38	\$0.00	\$48.14		
118-432-002	BISCHER CARMEN B SR TRE 333 AHWANEE LN CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
118-432-020	ARING STEVEN T TRE 422 WAWONA LN CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): R=Reminder Letter Sent; O=Overhead Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FH=Judicial Foreclosure Initiated; CP=County Payment Plan; FA=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; D=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DD=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
118-442-012	VALENCIA JANET 3013 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-451-004	RIVERA ROBERT A & ROBYN O TRE 307 WINDMILL CANYON PL CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-451-006	MISAGHI AKBAR & FOURUZANDEH SIMIN B 311 WINDMILL CANYON PL CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-452-013	SARDI MARILYN J 203 FALCON PL CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-452-021	SINGH PAMELA KAUR 214 FALCON PL CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
118-460-005	KHAN FAROOQ H 608 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-460-025	BERNERT DANIEL 632 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		

(1) Fees: This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SC=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Codared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
118-460-028	HOLBROOK GLORIA HSIAOFANG TRE 638 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-510-031	LALLY KENNETH & KIM 163 SILVERADO CT CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
118-510-042	FURGERSON DONN & KATHLEEN TRE PO BOX 30155 WALNUT CREEK, CA 94598	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-530-016	BECK SUSAN M 1431 INDIANHEAD WAY CLAYTON, CA 94517	12/10/2012 04/10/2013	9.07 9.07	8.93 8.93	0.00 0.00	18.00 18.00		
		Account Subtotal:	\$18.14	\$17.86	\$0.00	\$36.00		
118-530-043	SHIPMAN TANA G TRE 1485 INDIANHEAD CIR CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	10.04 10.04 10.34 10.34	2.66 2.66 1.03 1.03	0.00 0.00 0.00 0.00	12.70 12.70 11.37 11.37		
		Account Subtotal:	\$40.76	\$7.38	\$0.00	\$48.14		
118-550-003	BARTLEY THOMAS A & KAREN K 608 GOLDEN EAGLE PL CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FJ=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LL=Legal Fees and Costs; DO=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DD=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
118-550-008	DAREZZO GREG T BROOKE H 503 RAVEN PL CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-550-010	WEBSTER DAVID S & CURRY MICHELLE 507 RAVEN PL CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-560-006	LFB ENTERPRISES LLC 6123 MAIN ST CLAYTON, CA 94517	04/10/2018	279.07	27.91	0.00	306.98	RL	
		Account Subtotal:	\$279.07	\$27.91	\$0.00	\$306.98		
118-580-003	AGONCILLO SARAH W 204 CONDOR WAY CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-600-018	SMITH DAVID G & ALYSE M 601 CONDOR PL CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-620-008	SKOV BARBARA A TRE 41780 BUTTERFIELD STAGE RD TEMECULA, CA 92592	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-620-026	COLT SAMUEL T & CATHERINE L 6024 GOLDEN EAGLE WAY CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		

(1) Fees: This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; CL=Other Letter Sent; FJ=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Business; LG=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; RP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankrupt; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
118-620-047	INGRAM VINCE B 7016 MOLLUK WAY CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-630-017	KUTTERS DEBORAH LYNNE TRE 3056 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-650-001	HILDERBRAND BENJAMIN & LORI PO BOX 221 CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-650-052	MUJADDIDI EBNE A & CHISHTY ELHAM S 4107 COYOTE CIR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-690-012	DELUMEN TONY & JENNIFER TRE 1237 DEEP CREEK RD LIVERMORE, CA 94550	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
118-700-014	DARCY PATRICK & JUDI 1227 BRIDLEWOOD CT CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
119-018-002	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017 04/10/2018	139.53 139.53	13.95 13.95	0.00 0.00	153.48 153.48	RL RL	
		Account Subtotal:	\$279.06	\$27.90	\$0.00	\$306.96		

(1) Fees: This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; DO=Other Fees; SD=Tax Roll Removal County Fee; PP=Payment Plan

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
119-013-003	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017	139.53	13.95	0.00	153.48	RL	
		04/10/2018	139.53	13.95	0.00	153.48	RL	
Account Subtotal:			\$279.06	\$27.90	\$0.00	\$306.96		
119-013-004	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017	139.53	13.95	0.00	153.48	RL	
		04/10/2018	139.53	13.95	0.00	153.48	RL	
Account Subtotal:			\$279.06	\$27.90	\$0.00	\$306.96		
119-013-007	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017	139.53	13.95	0.00	153.48	RL	
		04/10/2018	139.53	13.95	0.00	153.48	RL	
Account Subtotal:			\$279.06	\$27.90	\$0.00	\$306.96		
119-013-008	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017	139.53	13.95	0.00	153.48	RL	
		04/10/2018	139.53	13.95	0.00	153.48	RL	
Account Subtotal:			\$279.06	\$27.90	\$0.00	\$306.96		
119-021-065	PACIFIC TELEPHONE & TELEGRAPH 1 MONTGOMERY ST #412 SAN FRANCISCO, CA 94104	04/10/2017	406.41	107.70	0.00	514.11	RL	
		12/10/2017	418.61	41.86	0.00	460.47	RL	
		04/10/2018	418.61	41.86	0.00	460.47		
Account Subtotal:			\$1,243.63	\$191.42	\$0.00	\$1,435.05		
119-022-001	MATHEWS JOHN W EST OF VIOLET CHURCHILL 11507 SILVERGATE DR DUBLIN, CA 94568	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
Account Subtotal:			\$20.68	\$2.06	\$0.00	\$22.74		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; PJ=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; L&L=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
119-040-021	UTLEY GLORIA J TRE PO BOX 7 CLAYTON, CA 94517	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
119-040-035	JS FUNDING INC 1875 OLYMPIC BLVD WALNUT CREEK, CA 94596	12/10/2016	10.04	2.66	0.00	12.70	RL,DL	
		04/10/2017	10.04	2.66	0.00	12.70	RL,DL	
		12/10/2017	10.34	1.03	0.00	11.37	RL,DL	
		04/10/2018	10.34	1.03	0.00	11.37	DL	
		Account Subtotal:	\$40.76	\$7.38	\$0.00	\$48.14		
119-111-004	CULLEN JOHN J III & LYNN O 6 KENSTON CT CLAYTON, CA 94517	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
119-111-007	LINVILLE KATHRYN 11 NEWMAN CT CLAYTON, CA 94517	04/10/2012	8.88	10.35	0.00	19.23	RL,DL	
		12/10/2012	9.07	8.93	0.00	18.00	RL,DL	
		04/10/2013	9.07	8.93	0.00	18.00	RL,DL	
		Account Subtotal:	\$27.02	\$28.21	\$0.00	\$55.23		
119-111-010	MARTINEZ ALEJANDRO & DELACERDA CECILIA 1019 KENSTON DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
119-121-014	JENNINGS BARBARA J TRE 1025 KENSTON DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FJ=Judicial Foreclosure Initiated;
 CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantees; LGL=Legal Fees and Costs; OI=Other Fees; SD=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
119-232-029	AYSON LAWRENCE L 4420 SUGARLAND CT CONCORD, CA 94521	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
119-232-039	MADAL JOSEPH AUGUST EST OF JOSEPH M MADAL 4465 VIEJA DR SANTA BARBARA, CA 93110	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
119-232-043	ROUSSEAU GLORIA M 19 MT WILSON WAY CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
119-242-028	GIN YONDA TRE 180 16TH AVE SAN FRANCISCO, CA 94118	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
119-274-001	MORGAN TIMOTHY J 1285 PARKSIDE DR WALNUT CREEK, CA 94596	12/10/2012 04/10/2013 12/10/2013 04/10/2014	9.07 9.07 9.28 9.28	8.93 8.93 7.47 7.47	0.00 0.00 0.00 0.00	18.00 18.00 16.75 16.75	RL, DL RL, DL RL, DL RL, DL	
		Account Subtotal:	\$36.70	\$32.80	\$0.00	\$69.50		
119-275-009	FERRARI LOUIS & MARGARITA TRE 28 BARCELONA WAY CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; RT=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FJ=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DS=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
119-301-013	SOUZA BENJAMIN 566 MT DELL DR CLAYTON, CA 94517	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
Account Subtotal:			\$20.68	\$2.06	\$0.00	\$22.74		
119-322-020	ISAKSON DAVID D & ALICE J TRE 2 MIRANGO CT CLAYTON, CA 94517	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
Account Subtotal:			\$20.68	\$2.06	\$0.00	\$22.74		
119-391-007	COLEMAN DARYN J & JANICE Y 200 FLEMING DR CLAYTON, CA 94517	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
Account Subtotal:			\$20.68	\$2.06	\$0.00	\$22.74		
119-412-010	LAIGN PAUL E JR & ANDREA L 206 MT WILSON PL CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
Account Subtotal:			\$10.34	\$1.03	\$0.00	\$11.37		
119-440-004	JOHNSON ERIK A & CRISTY L TRE 3421 QUICKSTEP CIR HUNTINGTON BEACH, CA 92649	12/10/2015	9.77	4.35	0.00	14.12		
		04/10/2016	9.77	4.35	0.00	14.12		
Account Subtotal:			\$19.54	\$8.70	\$0.00	\$28.24		
119-440-020	MINGHAM STEVEN PETER JR 139 MT EVEREST CT CLAYTON, CA 94517	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
Account Subtotal:			\$20.68	\$2.06	\$0.00	\$22.74		

(1) Fees: This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SL=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated;
 CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; UT=Litigation (Guarantee) (LL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
119-451-005	FRACASSO ANGELO V JR TRE 202 CLIFFORD CT CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
119-452-007	TARANTINO JOSEPH P & DANA M 608 W MYRICK CT CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
119-530-006	CASTANEDA JUAN F TRE 826 SAVIGNON CT CLAYTON, CA 94517	12/10/2014 04/10/2015 04/10/2016 04/10/2017	9.54 9.54 9.77 10.04	5.96 5.96 4.35 2.66	0.00 0.00 0.00 0.00	15.50 15.50 14.12 12.70	RL, DL RL, DL RL, DL DL	
		Account Subtotal:	\$38.89	\$18.93	\$0.00	\$57.82		
119-530-020	WELTY RANDALL E & ANN L 1146 EASLEY DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
119-542-008	KING MAX WAYNE TRE 607 PINOT CT CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
119-554-009	SINGH JITENDRA K & KAMLESH TRE 334 SEMILLON CIR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		

(1) Fees:

This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM):

RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Order Letter Sent; PJ=Judicial Foreclosure Initiated;
 CP=County Payment Plan; JF=Judicial Foreclosure on Hold/Spedal Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes:

DB=Direct Bill Sent; DR=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
119-555-009	CORDOVA CARMEN 1077 NURSERY LN CONCORD, CA 94520	12/10/2015	9.77	4.35	0.00	14.12	RL,DL	
		04/10/2016	9.77	4.35	0.00	14.12	RL,DL	
		12/10/2016	10.04	2.66	0.00	12.70	RL,DL	
		04/10/2017	10.04	2.66	0.00	12.70	DL	
		12/10/2017	10.34	1.03	0.00	11.37	DL	
		04/10/2018	10.34	1.03	0.00	11.37	DL	
Account Subtotal:			\$60.30	\$16.05	\$0.00	\$76.38		
119-593-001	ERNST ANDRE J & LYNNDI A 541 HAMBURG CIR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:			\$10.34	\$1.03	\$0.00	\$11.37
119-600-021	BECK DENNIS K 266 EL PUEBLO PL CLAYTON, CA 94517	12/10/2016	10.04	2.66	0.00	12.70	RL,DL	
		04/10/2017	10.04	2.66	0.00	12.70	RL,DL	
		12/10/2017	10.34	1.03	0.00	11.37	RL,DL	
		04/10/2018	10.34	1.03	0.00	11.37	DL	
Account Subtotal:			\$40.76	\$7.38	\$0.00	\$48.14		
119-600-062	LOMBARDO DENISE M 71 EL PORTAL DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:			\$10.34	\$1.03	\$0.00	\$11.37
119-610-010	CHANDLER CHRISTOPHER P 43 LA CANADA CT CLAYTON, CA 94517	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
Account Subtotal:			\$20.68	\$2.06	\$0.00	\$22.74		
119-620-007	PASCHALL MICHAEL & MELISSA TRE 212 STRANAHAN CIR CLAYTON, CA 94517	12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37		
Account Subtotal:			\$20.68	\$2.06	\$0.00	\$22.74		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; 3R=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated;
 CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Spaid Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LG=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)		
CFD 2006-1 - CFD 2006-1 Downtown Park Tax										
119-620-045	DICKIE DARREN & KATHLEEN 257 STRANAHAN CIR CLAYTON, CA 94517	12/10/2012	9.07	8.93	0.00	18.00	RL,DL			
		04/10/2013	9.07	8.93	0.00	18.00	RL,DL			
		12/10/2013	9.28	7.47	0.00	16.75	RL,DL			
		04/10/2014	9.28	7.47	0.00	16.75	RL,DL			
		12/10/2014	9.54	5.96	0.00	15.50	RL,DL			
		04/10/2015	9.54	5.96	0.00	15.50	DL			
		12/10/2015	9.77	4.35	0.00	14.12	DL			
		04/10/2016	9.77	4.35	0.00	14.12	DL			
		12/10/2016	10.04	2.66	0.00	12.70	DL			
		04/10/2017	10.04	2.66	0.00	12.70	DL			
		12/10/2017	10.34	1.03	0.00	11.37	DL			
		04/10/2018	10.34	1.03	0.00	11.37	DL			
		Account Subtotal:			\$116.08	\$60.80	\$0.00	\$176.88		
		120-013-002	HARE DAVID M TRE 5832 FOUR OAKS LN CLAYTON, CA 94517	12/10/2012	9.07	8.93	0.00	18.00	RL,DL	
04/10/2013	9.07			8.93	0.00	18.00	RL,DL			
12/10/2013	9.28			7.47	0.00	16.75	RL,DL			
04/10/2014	9.28			7.47	0.00	16.75	RL,DL			
12/10/2014	9.54			5.96	0.00	15.50	RL,DL			
04/10/2015	9.54			5.96	0.00	15.50	DL			
12/10/2015	9.77			4.35	0.00	14.12	DL			
04/10/2016	9.77			4.35	0.00	14.12	DL			
12/10/2016	10.04			2.66	0.00	12.70	DL			
04/10/2017	10.04			2.66	0.00	12.70	DL			
12/10/2017	10.34			1.03	0.00	11.37	DL			
04/10/2018	10.34			1.03	0.00	11.37	DL			
Account Subtotal:				\$105.74	\$59.77	\$0.00	\$165.51			
120-025-004	FRANK JENNIFER TRE 2329 SILVER CREEK CIR ANTIOCH, CA 94509			12/10/2017	10.34	1.03	0.00	11.37		
		04/10/2018	10.34	1.03	0.00	11.37				
Account Subtotal:			\$20.68	\$2.06	\$0.00	\$22.74				

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; DL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; PH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantees; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: P=Direct Bill Sent; B=Declared Bankruptcy; PNI=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2006-1 - CFD 2006-1 Downtown Park Tax								
120-032-004	TREMAINE RICHARD E & MARY J 20 NOTTINGHAM CIR CLAYTON, CA 94517	04/10/2017 04/10/2018	10.04 10.34	2.66 1.03	0.00 0.00	12.70 11.37	RL,DL	
		Account Subtotal:	\$20.38	\$3.69	\$0.00	\$24.07		
120-103-001	MOISE ALLYN III & CYNTHIA 1395 EL CAMINO DR CLAYTON, CA 94517	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
120-104-001	VARGAS JOSEPH C 1445 EL CAMINO DR CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
120-105-016	GWYNN DAVID & SHELLY 4416 SMOKE TREE CT CONCORD, CA 94521	04/10/2018	10.34	1.03	0.00	11.37		
		Account Subtotal:	\$10.34	\$1.03	\$0.00	\$11.37		
120-112-001	GUNDERSHAUG GARY 1348 YOSEMITE CIR CLAYTON, CA 94517	12/10/2017 04/10/2018	10.34 10.34	1.03 1.03	0.00 0.00	11.37 11.37		
		Account Subtotal:	\$20.68	\$2.06	\$0.00	\$22.74		
121-170-003	SYLVIA USA LLC 2836 HALLMARK DR BELMONT, CA 94002	04/10/2017 12/10/2017 04/10/2018	10.04 10.34 10.34	2.66 1.03 1.03	0.00 0.00 0.00	12.70 11.37 11.37	RL RL RL	
		Account Subtotal:	\$30.72	\$4.72	\$0.00	\$35.44		
District Totals:	84 Accounts		\$4,443.19	\$731.75	\$0.00	\$5,174.94		

(1) Fees: This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FJ=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LG=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SR=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
Late Charges Calculated Through: 05/31/2018

Report Totals:	84 Accounts	\$4,443.19	\$731.75	\$0.00	\$5,174.94
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- (1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
- (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial foreclosure on Hold/Special Case; FC=Foreclosure Complete; UT=Litigation Guarantee; LG=Legal Fees and Costs; O=Other Fees; SQ=Tax Roll Removal County Fee; PP=Payment Plan.
- (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

7. 2018/19 SPECIAL TAX ROLL

The following pages show the 2018/19 Special Tax Roll for the District.

FY 2018-2019 SPECIAL TAX ROLL

Summary

CFD 2006-1 Downtown "The Grove" Park Maintenance District Special Tax

For fiscal year 2018-2019 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No. 2006-1 (Downtown "The Grove" Park Maintenance) Preliminary Billing Levy Detail Report for FY 2018-2019 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

Due to the length of the report, it is summarized as follows:

For FY 2018-2019 the following shall be levied:

Residential parcels, (single family, condo, and townhouse) shall have a rate of \$21.30 per parcel.

Downtown Core Area shall have a rate of \$287.44 per ¼ acre or fraction thereof.

Other Commercial Parcels shall have a rate of \$126.02 per ¼ acre or fraction thereof.

Recreation Open Space parcels shall have a rate of \$63.00 per ¼ acre or fraction thereof.

Multifamily residential parcels shall have a rate of \$66.21 per ¼ acre or fraction thereof

Parcel size as shown on the most recent County tax and parcel records.

There are a total of 4104 parcels to be levied:

There are 4043 residential levies

There are 31 downtown core levies comprising 16 acres (or 77 ¼ unit acres)

There are 22 other commercial levies comprising 28 acres (or 125 ¼ unit acres)

There are 6 recreation levies comprising 31 acres (or 125 ¼ unit acres)

There are 2 multifamily levies comprising 8 acres (or 33 ¼ unit acres)

\$86,115.90 est. total revenue from residential

\$22,133.08 est. total revenue from downtown core

\$15,878.64 est. total revenue from other commercial

\$7,875.54 est. total revenue from recreation and open space

\$2,185.08 est. total revenue from multifamily

\$ 134,188.24 est. revenue for FY 18-19

ORDINANCE NO. 401

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON LEVYING SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 2006-1 (Downtown Park Operation and Maintenance District)

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

WHEREAS, on May 16, 2006, the City Council (the "Council") of the City of Clayton (the "City") adopted City Resolution No. 19-2006 entitled "*A Resolution of Intention to Establish a Community Facilities District to fund the Annual Operation and Maintenance of a Downtown Park for the time period of Ten Years, and to Authorize the Levy of Special Taxes Therein*" (the "Resolution of Intention") stating its intent to establish City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"), to finance certain services (the "Services"); and

WHEREAS, notice was duly published as required by the Act relative to the intention of this Council to form the CFD and to provide for the Services; and

WHEREAS, this Council held a noticed public hearing on June 20, 2006 as required by Act relative to the determination to proceed with the formation of the CFD and the rate and method of apportionment of the special tax to be levied within the CFD to finance the costs of the Services; and

WHEREAS, at said public hearing all persons desiring to be heard on all matters pertaining to the formation of the CFD and the levy of said special taxes were heard, substantial evidence was presented and considered by this Council and a full and fair hearing was held; and

WHEREAS, subsequent to said public hearing, on June 20, 2006 this Council adopted City Resolution No. 23-2006 entitled "*A Resolution of Formation of a Community Facilities District, Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor*" (the "Resolution of Formation"), and further adopted City Resolution No. 24-2006 entitled "*A Resolution Calling a Special Election in a Community Facilities District,*" which resolutions established the CFD, authorized the levy of a special tax with the CFD, and called an election within the CFD on the propositions of levying a special tax and establishing an appropriations limit within the CFD, respectively; and

WHEREAS, the November 7, 2006 election was held within the CFD in which the eligible registered voters approved the propositions presented by more than the two-thirds vote required by the Act, which approval was confirmed by City Resolution No. 59-2006 of this Council.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON DOES ORDAIN as follows:

Section 1. Special Tax Authorized. By the passage of this Ordinance this Council hereby authorizes and levies special taxes within the CFD pursuant to 53328 and 53340 of the Act, at the rates and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method"). The special taxes are hereby levied commencing in fiscal year 2007-08 and in each fiscal year thereafter through fiscal year 2016-17 for the payment of all costs of the Services and payment of all costs of administering the CFD.

Section 2. Collection Official. Following the approval by the Council of a budget for the CFD for each fiscal year after 2007-08, the City Manager (or his or her designee) (the "Collection Official") is hereby authorized and directed in each fiscal year to determine the specific special tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property within the CFD, in accordance with such approved budget and in the manner and as provided in the Rate and Method of Apportionment. In the event that this Council has not adopted a budget for the CFD by July 31 of any year, the budget for that fiscal year shall be the same as the budget for the previous fiscal year.

Section 3. Exemptions. Properties or entities of the State, federal or local governments shall be exempt from any levy of the special taxes, as are certain other properties, to the extent set forth in the Rate and Method of Apportionment. In no event shall the special taxes be levied on any parcel within the CFD in excess of the maximum tax specified in the Rate and Method of Apportionment.

Section 4. Use of Special Tax. All of the collections of the special tax shall be used as provided for in the Act, the Rate and Method of Apportionment, and in the Resolution of Formation including, but not limited to, the payment of the costs of the Services, the payment of the costs of the City in administering the CFD and the costs of collecting and administering the special tax.

Section 5. Collection Method. The special taxes of the CFD shall be collected from time to time as necessary to meet the financial obligations of the CFD on the secured real property tax roll in the same manner as ordinary *ad valorem* taxes are collected. In each fiscal year commencing in the fiscal year 2007-08, the Collection Official is authorized and directed to provide all necessary information to the auditor/tax collector of the County of Contra Costa and to otherwise take all actions necessary in order to effect proper billing and collection of the special tax so that the special tax shall be levied and collected in sufficient amounts and at the times necessary to satisfy the financial obligations of the CFD in each fiscal year until the City shall cease to collect the special taxes and provision has been made for payment of all of the administrative costs of the CFD.

Notwithstanding the foregoing, the Collection Official may collect the special taxes by means of direct billing by the City to the property owners within the CFD if, in the judgment of

the Collection Official such means of collection will reduce the administrative burden on the City in administering the CFD or is otherwise appropriate in the circumstances. In such event, the special taxes shall become delinquent if not paid when due as set forth in any such respective billing to the property owners.

Whether the special taxes are levied in the manner provided in the first or the second preceding paragraph, the special taxes shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes. In addition, the provisions of Section 53356.1 of the Act shall apply to delinquent special tax payments.

Section 6. Partial Invalidity. If for any reason any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the CFD, by a Court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the remaining parcels within the CFD shall not be affected.

Section 7. Execution and Posting. The Mayor shall sign this Ordinance and the City Clerk, within fifteen (15) days after its passage, shall cause the same to be posted in three (3) public places as designated by Resolution of the Clayton City Council for the posting of ordinances and public notices.

The foregoing Ordinance was introduced at a regular public meeting of the City Council of the City of Clayton held on December 19, 2006.

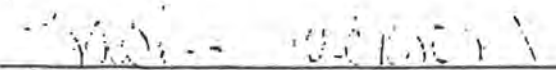
PASSED, ADOPTED and ORDERED posted at a regular public meeting of the City Council of the City of Clayton, California held on January 2, 2007, by the following vote:

AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce, Shuey, and Stratford
NOES: None
ABSENT: None
ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA


WILLIAM R. WALCUTT, Mayor

ATTEST:


Laci J. Jackson, City Clerk

APPROVED AS TO FORM:



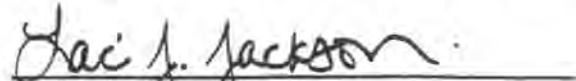
J. Daniel Adams, City Attorney

APPROVED BY ADMINISTRATION:



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 December 19, 2006, and was duly adopted, passed, and ordered posted at a regular meeting of the City Council held on January 2, 2007.



Laci J. Jackson, City Clerk

RESOLUTION NO. 13-2014

**A RESOLUTION OF CONSIDERATION TO EXTEND
THE EXISTING SPECIAL TAX SUBJECT TO THE
SAME ADJUSTMENT METHODOLOGY FOR COMMUNITY
FACILITIES DISTRICT 2006-1 FOR TWENTY YEARS**

**CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

WHEREAS, the City of Clayton established Community Facilities District 2006-1 ("CFD") within the City of Clayton, authorized the levy of a special tax on real property within the CFD and established an initial appropriations limit for the CFD; and

WHEREAS, the special tax levied within the CFD is set to expire in Fiscal Year 2016/2017; and

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 ("Act"), Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code, the City Council of the City of Clayton has determined the public convenience and necessity require that an extension of the existing special tax should be proposed within the CFD to extend the existing special tax subject to the same adjustment methodology for twenty years from Fiscal Year 2017/2018 (i.e., beginning July 1, 2017) through Fiscal Year 2036/2037 (i.e., ending June 30, 2037), and that it should, therefore, adopt a Resolution of Consideration pursuant to Sections 53331 and 53334 of the Act to initiate proceedings for the consideration of such special tax levy; and

WHEREAS, the City Council wishes to schedule a public hearing on such proposed tax extension for July 1, 2014.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON THAT:

SECTION 1. Findings and Background. The City Council finds the preceding recitals are correct and are incorporated into this Resolution.

SECTION 2. Affected Area. The affected area is the Community Facilities District 2006-1 (Downtown Park Operations and Maintenance District) ("CFD"). The territory within the District is generally shown and described on the map of the boundaries of the CFD which was recorded in the Contra Costa Recorder's Office on May 31, 2006 in Book 79 at page 50 of Maps of Assessment and Community Facilities Districts.

SECTION 3. Extended Special Tax. The City Council proposes that an extension of the existing special tax should be levied within the CFD to extend the existing special tax, at its current and existing rate and method of apportionment, for twenty years from Fiscal Year 2017/2018 through Fiscal Year 2036/2037 ("Special Tax"). As such, all references to the expiration or term of the Special Tax in the rate and method of apportionment shall reflect the

new expiration date of Fiscal Year 2036/2037. The rate and method of apportionment for the Special Tax, subject to the extended term set forth in this section, is more particularly described and set forth in Resolutions No. 23-2006 and 24-2006. True and correct copies of these Resolutions are attached as Exhibit A and incorporated by this reference and are on file with the Clayton City Clerk.

SECTION 4. No Changes to Services. This Resolution does not propose any changes to the services or facilities provided by the CFD. The CFD would continue to provide operation and maintenance services for the Downtown Park through the extended term of Fiscal Year 2036/2037 as it currently does without any amendments or modifications.

SECTION 5. Appropriations Limit. The previously approved appropriations limit for the CFD shall not be effected by this Resolution and shall be adjusted by the City as permitted by applicable law.

SECTION 6. Public Hearing. Notice is given that on July 1, 2014, at 7:00 p.m. or as soon thereafter as the matter may be heard, at Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA 94517, a public hearing will be held where the City Council will consider the extension of the Special Tax as proposed herein. At the above-mentioned time and place for public hearing any persons interested, including taxpayers and property owners may appear and be heard. The testimony of all interested persons for or against the Special Tax will be heard and considered. Any protests may be made orally or in writing. However, any protests pertaining to the regularity or sufficiency of the proceedings shall be in writing and clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for the public hearing. Written protests may be withdrawn in writing at any time before the conclusion of the public hearing. If a written majority protest is filed against the Special Tax, the proceedings shall be abandoned.

SECTION 7. Election. If, following the public hearing described in the Section 6 above, the City Council determines to approve the extension of the existing Special Tax, the City Council shall then submit the amendment to the qualified electors of the CFD. As at least twelve (12) persons have been registered to vote within the CFD for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters of the CFD, with each voter having one (1) vote. Approval of the Special Tax shall require two-thirds approval of those voting on the measure.

SECTION 8. Notice. The City Clerk shall provide notice of the public hearing identified in Section 6 as required by Government Code sections 53322 and 53335. The City Council elects not to provide the optional notice permitted by Government Code section 53322.4.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Clayton, California, at a regular meeting thereof held on May 20, 2014 by the following vote:


AYES: Mayor Stratford, Vice Mayor Shuey, Councilmembers Diaz, Geller and Pierce.

NOES: None.

ABSENT: None.

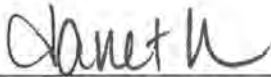
ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA



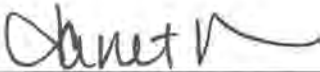
Hank Stratford, Mayor

ATTEST:



Janet Brown, City Clerk

I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a regular meeting held on May 20, 2014.



Janet Brown, City Clerk

EXHIBIT A - To Resolution 13-2014
Comprising
Resolution 23-2006
Resolution 24-2006

RESOLUTION NO. 23-2006

A RESOLUTION OF FORMATION OF A COMMUNITY FACILITIES DISTRICT,
AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN AND PRELIMINARILY
ESTABLISHING AN APPROPRIATIONS LIMIT THEREFOR

City of Clayton, California
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)

WHEREAS, on May 16, 2006, this Council adopted Resolution No. 19-2006 entitled "A Resolution of Intention to Establish a Community Facilities District to Fund the Annual Operation and Maintenance of a Downtown Park for a Time Period of Ten Years, and to Authorize the Levy of Special Taxes Therein" (the "Resolution of Intention"), stating its intention to form the City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD"), pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of the CFD and stating the Services (as described herein) to be provided, the estimated maximum cost of providing such Services, and the rate and method of apportionment of the special tax to be levied within the CFD to pay for the Services (as hereafter defined) with respect to the CFD, are each on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on June 20, 2006, this City Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of the CFD; and

WHEREAS, at said hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the Services to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at said hearing evidence was presented to this Council on said matters before it, including a report by the City Manager (the "Report") as to the Services to be provided through the CFD and the costs thereof, a copy of which is on file with the City Clerk, and this Council at the conclusion of said hearing is fully advised in the premises; and

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of Services and the rate and method of apportionment of the special taxes have not been filed with the City Clerk of the City by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax; and

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed Services to be provided therein, as set forth in Exhibit A hereto, has not been

eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

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

1. **Recitals.** The foregoing recitals are true and correct.
2. **No Majority Protest.** The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Act.
3. **Prior Proceedings.** All prior proceedings taken by this Council in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the requirements of the Act. This Council hereby finds and determines that the CFD is in conformity with the goals and policies heretofore adopted by this Council with respect to the formation of the CFD.
4. **CFD Established.** The community facilities district designated "City of Clayton Community Facilities CFD No. 2006-1 (Downtown Park Operation and Maintenance District)" is hereby established pursuant to the Act.
5. **Boundaries Described.** The boundaries of the CFD, as set forth in the map of the CFD heretofore recorded in the Contra Costa County Recorder's Office on May 31, 2006 in Book 79 at page 50 of Maps of Assessment and Community Facilities Districts, are hereby approved and incorporated herein by reference and shall be the boundaries of the CFD.
6. **Services.** The type of public Services proposed to be financed by the CFD and pursuant to the Act shall consist of those items listed as Services on Exhibit A attached hereto and by this reference incorporated herein (the "Services").
7. **Special Taxes.** Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the special tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the proposed CFD to estimate the probable maximum amount such owner will have to pay, are described in Exhibit B attached hereto and by this reference incorporated herein.
8. **Tax Collector City.** The City Manager, 6000 Heritage Trail, Clayton, California, 94517 telephone number (925) 673-7300 is the officer of the City who will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and who will be responsible for estimating future special tax levies pursuant to Section 53340.2 of the Act.
9. **Tax Lien.** Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each

levy of the special tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the special tax obligation ceases and the lien canceled in accordance with law or until collection of the tax by the City ceases.

10. Appropriations Limit. In accordance with Section 53325.7 of the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at \$100,600.00 and said appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Act.

11. Election. Pursuant to the provisions of the Act, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election the time, place and conditions of which election shall be as specified by a separate resolution of this Council.

12. Effective Date. This Resolution shall take effect upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 20th day of June 2006, on the following vote:

AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA


DAVID T. SHUEY, MAYOR

ATTEST:



Rhonda K. Basore, City Clerk

EXHIBIT A

CITY OF CLAYTON Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District)

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services that are proposed to be financed by the City of Clayton Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") shall include the attributable costs of operation, maintenance, repair and replacement of:

A. Downtown Park – which includes but is not limited to:

Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005,006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

Definition

"Costs of Operation, Maintenance, Repair and Replacement" of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

"Maintenance" also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County's cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

EXHIBIT B

**CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

<u>Taxable Parcels:</u>	Parcels of land within the boundaries of the CFD that are not included in the "Exempt Parcel" category listed below.
<u>Exempt Parcels:</u>	Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area (see map, Attachment 1 of Exhibit B).
<u>Residential Parcels:</u>	Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.
<u>Downtown Core Parcels:</u>	Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels".
<u>Other Commercial Parcels:</u>	Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels", "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities".
<u>Recreational Open Space Parcels:</u>	Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.
<u>Multi-Family Residential Care Facilities Parcels:</u>	Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.
<u>Special Tax:</u>	The special tax allowed to be levied on property within the CFD, calculated pursuant to this Rate and Method of Apportionment of Special Tax.

Special Tax Formula

- A. Residential Parcels: An annual special tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each fiscal year 2007-2008 through 2016-2017:
- Residential Parcel Annual Special Tax Rate: \$16.39 per parcel.
- B. Downtown Core Parcels: An annual special tax will be levied on all non-Residential Parcels within the Downtown Core area (see map, Attachment 1), at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:
- Downtown Core Parcel Annual Special Tax Rate: \$221.05 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.
- C. Other Commercial Parcels: An annual special tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:
- Other Commercial Parcel Annual Special Tax Rate: \$96.92 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.
- D. Recreational Open Space Parcels: An annual special tax will be levied on all Private Golf Course Parcels, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:
- Recreational Open Space Parcel Annual Special Tax Rate: \$48.46 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.
- E. Multi-Family Residential Care Facilities Parcels: An annual special tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per ¼-acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:
- Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate: \$50.92 per ¼-acre or fraction thereof parcel size as shown on the County tax roll.

Duration of Special Tax Levy

The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 (July - June) through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be levied or collected unless extended pursuant to applicable laws, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

Special Tax Escalator Factor

In fiscal years 2008-2009 through 2016-2017, each special annual tax rate may be increased annually by the Clayton City Council in an amount not to exceed the most recent full annual adjustment (April to April) in the Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses funded by the CFD. In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

Attachment 1: Map of Downtown Core area [1 pg.]

**PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2006-1
(DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)**

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 28th DAY OF April, 2006.

BY: Rhonda K. Beane

CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2006-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 16th DAY OF May, 2006, BY ITS RESOLUTION NO. 06-0006.

BY: Rhonda K. Beane

CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 31st DAY OF MAY, 2006, AT THE HOUR OF ONE O'CLOCK P.M. IN BOOK 71 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 59, AND AS INSTRUMENT NUMBER 06-171762 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

06-171762

BY: Stephen L. Weil

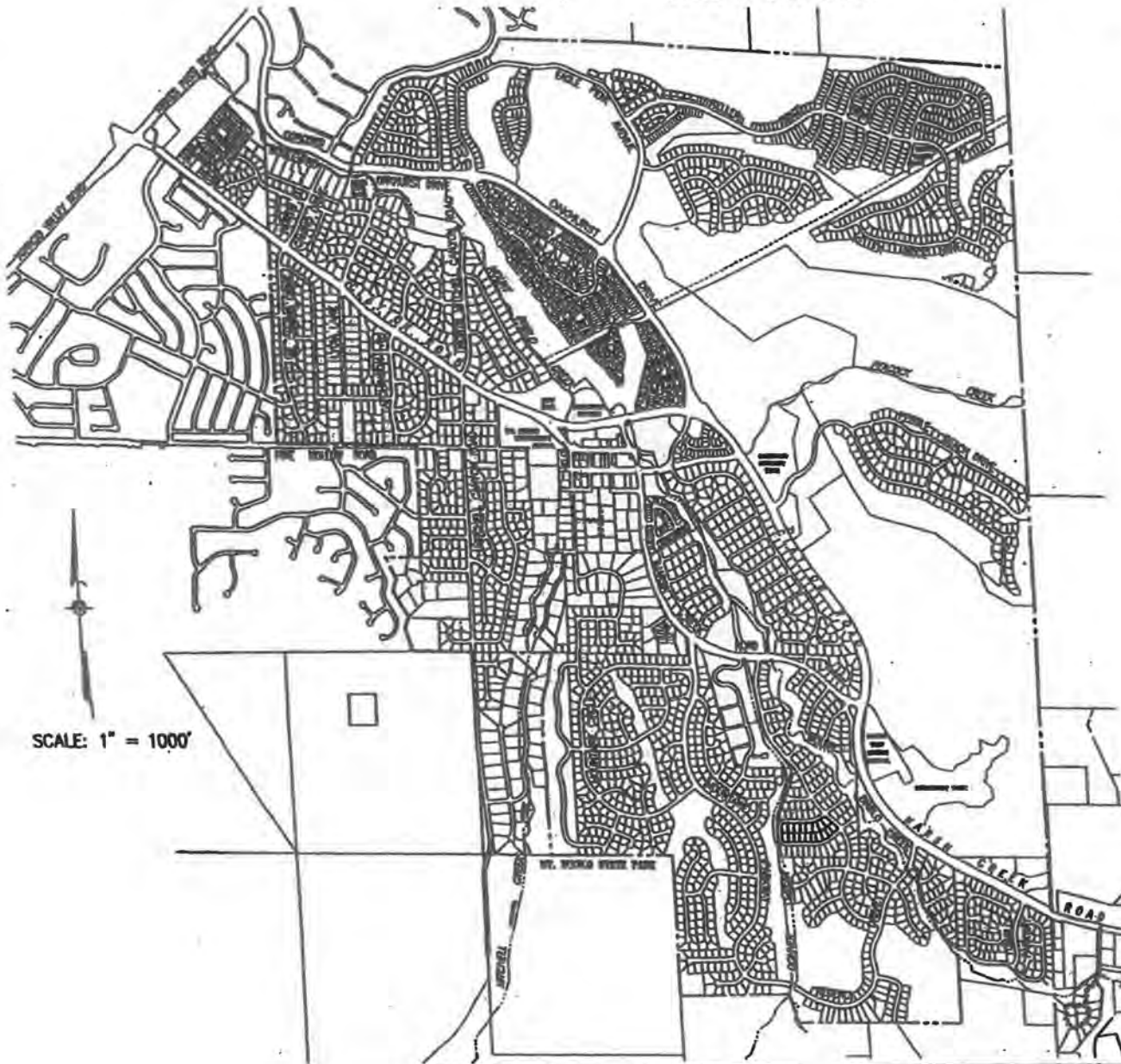
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: Orlando

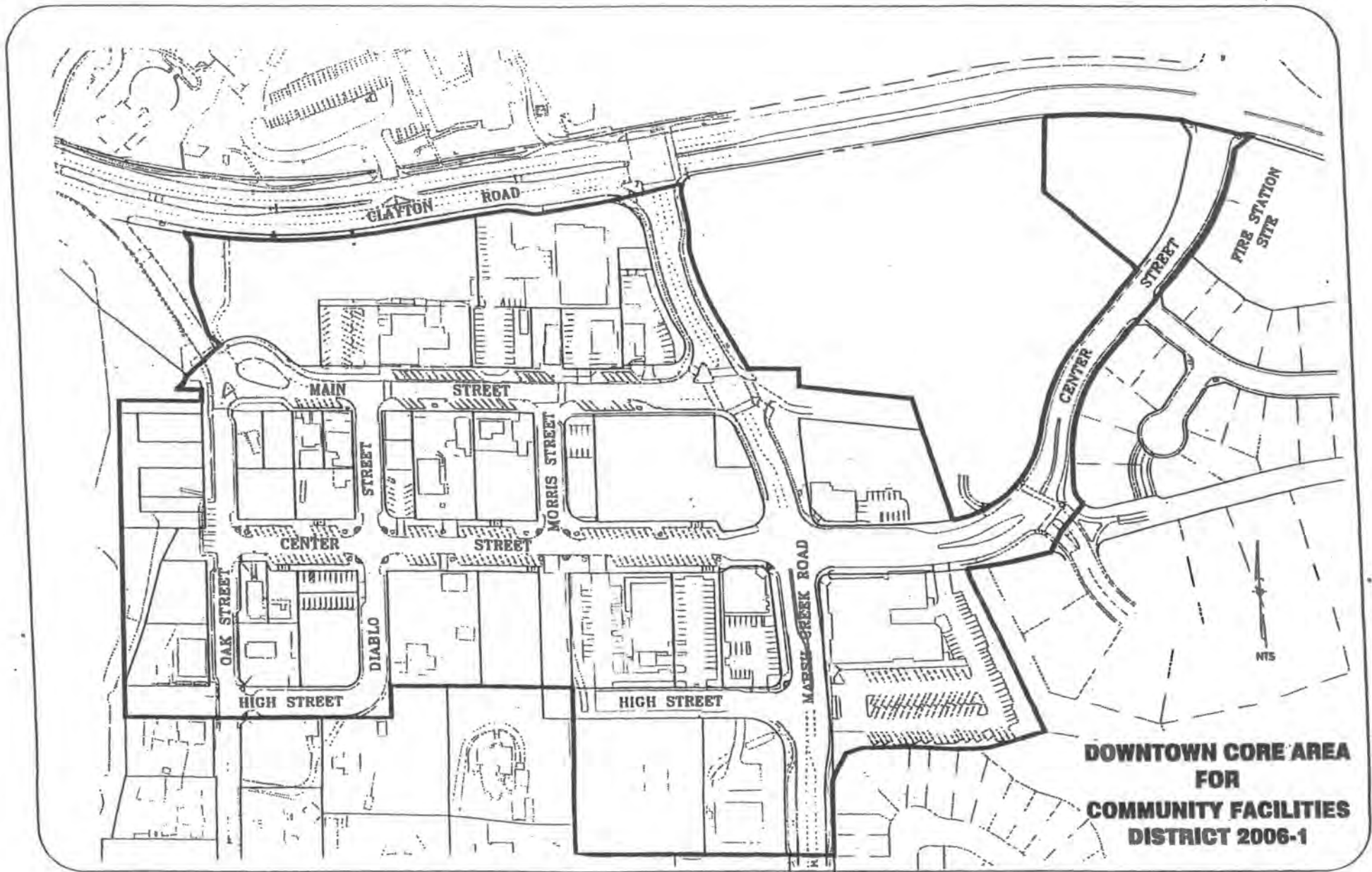
DEPUTY COUNTY RECORDER

LEGEND

----- CITY LIMIT LINE AND
COMMUNITY FACILITY DISTRICT BOUNDARY



SCALE: 1" = 1000'



**DOWNTOWN CORE AREA
FOR
COMMUNITY FACILITIES
DISTRICT 2006-1**

RESOLUTION NO. 24-2006

**A RESOLUTION CALLING A SPECIAL ELECTION
IN A COMMUNITY FACILITIES DISTRICT**

**CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

WHEREAS, on this date, this Council adopted its Resolution No. 23-2006 entitled "A Resolution of Formation of a Community Facilities District, Authorizing the Levy of Special Taxes Therein and Preliminarily Establishing an Appropriations Limit Therefor" (the "Resolution of Formation"), ordering the formation of the City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD"), authorizing the levy of a special tax on real property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, pursuant to the provisions of the Resolution of Formation, the propositions of the levy of the special tax and the establishment of the appropriations limit shall be submitted to the qualified electors of the CFD at a special election as required by the Act; and

WHEREAS, this Council desires that the special election be consolidated with the statewide general election to occur on November 7, 2006 and that the proposition be included on the ballot for the statewide general election which ballot is prepared by the officer charged with the duty of conducting the statewide general election for the County of Contra Costa, such official being the Registrar of Voters of the County of Contra Costa (the "Election Official"); and

WHEREAS, Section 9280 of the Elections Code of the State of California authorizes the filing of an impartial analysis and Sections 9281 to 9287 of said code authorize the filing of written arguments for or against any ballot proposition, and, if adopted by the City Council, rebuttal arguments.

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

1. Issue Submitted. Pursuant to Sections 53326 and 53325.7 of the Act, the issue of the levy of said special tax and the establishment of the appropriations limit shall be submitted to the qualified electors (as defined below) of the CFD at an election called therefor as provided below. The question to be voted upon as it shall appear on the ballot shall be as follows:

Shall the Downtown Park's annual operation and maintenance expenses be funded for a period of 10 years by the formation of a citywide Community Facilities District with an initial appropriations limit of \$100,600 and an annual levy of special taxes?

The full text of the measure to be printed in the Voter Pamphlet shall include the "Description of Services to Be Financed by the CFD" and the "Rate and Method of Levy of Special Tax", attached as Exhibits "A" and "B"; respectively, to the Resolution of Formation of a Community Facilities District (Resolution No. 23-2006).

2. Qualified Electors. Pursuant to Section 53326 of the Act, the vote shall be by the registered voters of the proposed CFD, with each voter having one vote.

3. Conduct of Election. This Council hereby calls a special election (the "Election") to consider the measure described in paragraph 1 above, which election shall be held in the next general election on November 7, 2006, and conducted by the Election Official. Within three business days of the adoption of this Resolution, the City Clerk shall provide to the Election Official a copy of this Resolution, a certified map of the proposed boundaries of the CFD, and a sufficient description to allow the Election Official to determine the boundaries of the CFD.

The Election is hereby ordered consolidated with the statewide general election to be held within the City on said date, and within the territory affected by the consolidation, the election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating the statewide general election and specified herein. The precincts used at the consolidated election shall be those used for the statewide general election, and, where necessary, the County Clerk may adjust precinct lines to coincide with the boundaries of the City. The Board of Supervisors of the County of Contra Costa is hereby requested to order the consolidation of the Election hereby called with said statewide general election, and to permit the County Clerk and the County Election Department to render services relating to the conduct of said election, which services will be determined by the City and the County Election Department, and the Board of Supervisors of the County of Contra Costa is hereby authorized to canvass the returns of said special municipal election, and said election shall be held in all respects as if there were only one election, only one form of ballot shall be used and the returns of the election need not be canvassed by the City Council. The City Clerk is hereby authorized and directed to work with the Elections Official and other appropriate officials of the County to ensure that the applicable requirements of the Elections Code are met.

4. Ballot Materials. The City Attorney is hereby requested to prepare and to provide to Election Official the ballot material described in Section 53327 of the Act.

(a) Impartial Analysis. The City Clerk is hereby directed to submit to the City Attorney a certified copy of the measure set forth above. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the measures showing the effect of the measures on the existing law and the operation of the measures, said analysis to be submitted by the City Attorney to the Election Official for printing before the arguments for and against the measure. The analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Elections Code of the State of California. The deadline date for the submittal of the analysis and primary arguments shall be August 14, 2006.

5. Filing of Primary and Rebuttal Arguments. The deadline for filing primary arguments concerning the ballot measure is August 14, 2006. Provisions for Rebuttal arguments have been previously adopted by the Council. Rebuttal arguments must be filed by August 21, 2006.

6. Effective Date. This Resolution shall take effect upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 20th day of June 2006 on the following vote:

AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.

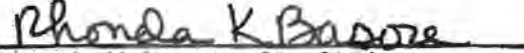
ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA


DAVID T. SHUEY, MAYOR

ATTEST:


Rhonda K. Basore, City Clerk

RESOLUTION NO. 19-2006

A RESOLUTION OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT TO FUND THE ANNUAL OPERATION AND MAINTENANCE OF A DOWNTOWN PARK FOR A TIME PERIOD OF TEN YEARS, AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

**The City Council
City of Clayton, California
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act") Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"), this City Council may be the legislative body for the proposed community facilities district and is empowered with the authority to establish the community facilities district; and

WHEREAS, this City Council now desires to proceed with the establishment of a community facilities district in order to finance the costs of operation, maintenance, repair and replacement services at an approximate 1-acre public park (APN 119-015-005,006) located in the Clayton Town Center (the "Services");

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

1. Recitals. The City Council does hereby find and affirm the above noted Recitals are true and correct facts and information relative to the proceedings at hand.
2. Authority. This Council proposes to conduct proceedings to establish a community facilities district pursuant to the Act.
3. Name of CFD. The name proposed for the community facilities district is City of Clayton Community Facilities District No. 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD").
4. Boundaries Described. The proposed boundaries of the CFD are as shown on the map of it (Exhibit C) on file with the City Clerk, dated 28 April 2006, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to record, or cause to be recorded, said map of the boundaries of the CFD in the office of the County Recorder of the County of Contra Costa (the County) within fifteen days of the date of adoption of this Resolution, but in any event at least fifteen days prior to the public hearing specified in paragraph 10 below. The boundaries of the CFD shall also include any parcels subsequently annexed to the City and the CFD.

5. Services. The types of public services proposed to be financed by the CFD and pursuant to the Act shall consist of all or a portion of those items listed on Exhibit A hereto and hereby incorporated herein.

6. Special Tax. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this City Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CAD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached hereto and hereby incorporated herein.

This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community services district) are inapplicable to the proposed CFD.

7. Exempt Property. Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD specified in Exhibit B, all lands owned by any public entity, including the United States, the State of California, the County and/or the City or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this City Council will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the required amounts to pay for the Services of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.

8. Voting Procedure. The levy of the Special Tax shall be subject to the approval of the qualified electors of the CFD in the next general election held in November 2006. The proposed voting procedure shall be by registered voters within the proposed CFD, with each voter having one vote.

9. CFD Report. The City Manager of the City as the officer having charge and control of the Services in and for the CFD, or his designee, is hereby directed to study said proposed Services and to make, or cause to be made, and file with the City Clerk a report in writing, (the "CFD Report") presenting the following:

(a) A description of the Services by type which will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Services including incidental expenses in connection therewith.

The CFD Report shall be made a part of the record of the public hearing specified below.

10. Public Hearing. Tuesday, June 20, 2006, at 7:00 p.m., or as soon as possible thereafter, in the Community Library Meeting Room, 6125 Clayton Road, Clayton, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD and the levy of the Special Tax.

11. Notice of Hearing. The City Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in the *Contra Costa Times*, a newspaper circulated in the area of the CFD. The publication shall be completed at least seven days before the date herein set for the hearing. The notice shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 16th day of May 2006 on the following vote:

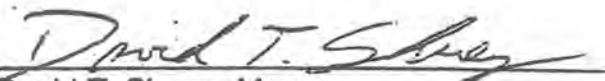
AYES: Councilmember Laurence, Manning, Pierce, Vice Mayor Walcutt and Mayor Shuey.

NOES: None.


ABSENT: None.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA


David T. Shuey, Mayor

ATTEST:


Rhonda K. Basore
City Clerk

I hereby certify that Resolution No. 14-2006
was duly and regularly passed by the City
Council of the City Of Clayton at a regular
meeting held on May 16, 2006


Rhonda K. Basore, City Clerk

Exhibit A — Description of Services to be Financed by CFD
Exhibit B — Rate and Method of Levy of Special Tax
Exhibit C - Map of CFD 2006-1

EXHIBIT A

**CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services that are proposed to be financed by the City of Clayton Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") shall include the attributable costs of operation, maintenance, repair and replacement of:

A. Downtown Park - which includes but is not limited to:

Costs of operation, maintenance, repair and replacement of an approximate 1-acre public park (APN 119-015-005,006) abutting the western edge of (old) Marsh Creek Road between Main and Center Streets located in Town Center Clayton.

Definition

"Costs of Operation, Maintenance, Repair and Replacement" of the foregoing public park improvements means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of a downtown public park with its appurtenant facilities, public restroom, gazebo, playground equipment and improvements, including repair, removal or replacement of all or part of any landscaping or turf or appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, pruning, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris, litter and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, and moles.

"Maintenance" also means the furnishing of water for public health purposes and irrigation of the park turf, trees and landscaping, and the supply of electricity to operate the attendant irrigation systems, park lights and electrical outlets. In addition, allowable expenses include the County's cost to levy and collect the District's assessment through the annual property tax bill, the City's shared equipment and facilities charges, City prorated overhead charges to administer and manage the District, and District reserve funds for capital replacements, vandalism and major repairs.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

EXHIBIT B

**CITY OF CLAYTON
Community Facilities District 2006-1
(Downtown Park Operation and Maintenance District)**

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2006-1 (Downtown Park Operation and Maintenance District) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

<u>Taxable Parcels:</u>	Parcels of land within the boundaries of the CFD that are not included in the "Exempt Parcel" category listed below.
<u>Exempt Parcels:</u>	Parcels of land owned by a public school district, and parcels of land owned by the City of Clayton or the Clayton Redevelopment Agency outside the boundaries of the defined Downtown Core area (see map, Attachment 1 of Exhibit B).
<u>Residential Parcels:</u>	Taxable Parcels of land in the District that are classified in the City of Clayton General Plan as either single-family, multi-family or rural estate residential parcels.
<u>Downtown Core Parcels:</u>	Taxable Parcels within the Downtown Core area that are not classified as "Residential Parcels".
<u>Other Commercial Parcels:</u>	Taxable Parcels outside the boundaries of the Downtown Core area that are not classified as "Residential Parcels", "Recreational Open Space Parcels" or "Multi-Family Residential Care Facilities".
<u>Recreational Open Space Parcels:</u>	Taxable Parcels classified as "Private Golf Course" in the City of Clayton General Plan.
<u>Multi-Family Residential Care Facilities Parcels:</u>	Taxable Parcels having institutional or congregate care residential units within a facility with an on-site manager.
<u>Special Tax:</u>	The special tax allowed to be levied on property within the CFD, calculated pursuant to this Rate and Method of Apportionment of Special Tax.

Special Tax Formula

- A. Residential Parcels: An annual special tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each fiscal year 2007-2008 through 2016-2017:

Residential Parcel Annual Special Tax Rate: \$16.39 per parcel.

- B. Downtown Core Parcels: An annual special tax will be levied on all non-Residential Parcels within the Downtown Core area (see map, Attachment 1), at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Downtown Core Parcel Annual Special Tax Rate: \$221.05 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

- C. Other Commercial Parcels: An annual special tax will be levied on all non-Residential Parcels outside the Downtown Core area, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Other Commercial Parcel Annual Special Tax Rate: \$96.92 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

- D. Recreational Open Space Parcels: An annual special tax will be levied on all Private Golf Course Parcels, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Recreational Open Space Parcel Annual Special Tax Rate: \$48.46 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

- E. Multi-Family Residential Care Facilities Parcels: An annual special tax will be levied on all Multi-Family Residential Care Facilities Parcels, as defined above, at the per $\frac{1}{4}$ -acre or fraction thereof parcel rate shown below for each fiscal year 2007-2008 through 2016-2017:

Multi-Family Residential Care Facilities Parcel Annual Special Tax Rate: \$50.92 per $\frac{1}{4}$ -acre or fraction thereof parcel size as shown on the County tax roll.

Duration of Special Tax Levy

The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 (July - June) through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be levied or collected unless extended pursuant to applicable laws, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

Special Tax Escalator Factor

In fiscal years 2008-2009 through 2016-2017, each special annual tax rate may be increased annually by the Clayton City Council in an amount not to exceed the most recent full annual adjustment (April to April) in the Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational, maintenance, repair and replacement expenses funded by the CFD. In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

Attachment 1: Map of Downtown Core area [1 pg.]

RESOLUTION NO. 32 - 2014

**A RESOLUTION CALLING AN ELECTION TO EXTEND
THE EXISTING SPECIAL TAX SUBJECT TO THE SAME
ADJUSTMENT METHODOLOGY FOR
COMMUNITY FACILITIES DISTRICT (CFD) 2006-1
DOWNTOWN "THE GROVE" PARK
FOR TWENTY YEARS**

**THE CITY COUNCIL
City of Clayton, CA
Community Facilities District 2006-1
[Downtown "The Grove" Park Operation and Maintenance District]**

WHEREAS, the City of Clayton has established Community Facilities District 2006-1 [Downtown "The Grove" Park Operations and Maintenance District] ("CFD") within the City of Clayton, authorized the levy of a special tax on real property within the CFD and established an initial appropriations limit for the CFD; and

WHEREAS, the special tax levied within the CFD is set to expire in Fiscal Year 2016/2017; and

WHEREAS, on May 20, 2014, the City Council adopted Resolution No. 13-2014, a Resolution of Consideration, to extend the existing special tax within the CFD for twenty years from Fiscal Year 2017/2018 (i.e., beginning July 1, 2017) through Fiscal Year 2036/2037 (i.e., ending June 30, 2037); and

WHEREAS, the City Council scheduled a public hearing on such proposed tax extension for July 1, 2014; and

WHEREAS, the City Council continued the public hearing on such proposed tax extension to July 15, 2014 and provided all required notice of the same; and

WHEREAS, at the public hearing, less than a majority of affected property owners protested the extension of the special tax; and

WHEREAS, the City Council wishes to submit the proposed special tax extension to the voters as required by Government Code section 53338.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON THAT:

SECTION 1. Findings and Background. The City Council finds that the preceding recitals are correct and are incorporated into this Resolution.

SECTION 2. Determinations. It is hereby determined by this City Council that:

- A. All prior proceedings pertaining to the formation of the CFD and extension of the special tax proposed herein were valid and taken in conformity with the requirements of the law, and specifically the provisions of the Community Facilities District Law.
- B. The written protests received, if any, do not represent a majority protest as defined by the applicable provisions of the Community Facilities District Law and, therefore, the special tax proposed to be extended has not been precluded by majority protest pursuant to Section 53337 of the Government Code.
- C. The City Council now submits the question of whether to extend the special tax within the CFD as set forth herein to the registered voters of the CFD as required by Government Code section 53326. Each registered voter within the CFD shall be entitled to one vote. The Special Tax will be approved if two-thirds of the votes cast upon the question of levying the tax are in favor of levying the tax.
- D. The City of Clayton boundaries are the same as those in the previous City election (general election of November 2012).

SECTION 3. Election. The City Council hereby calls an election on November 4, 2014 and submits the extension of the levy of the existing special tax within the CFD to the qualified electors of the CFD. As set forth in the Resolution of Consideration, Resolution No. 13-2014, the City Council proposes extending the existing special tax, at its current and existing rate and method of apportionment, for twenty years from Fiscal Year 2017/2018 through Fiscal Year 2036/2037 ("Special Tax"). As such, all references to the expiration or term of the Special Tax in the rate and method of apportionment shall reflect the new expiration date of Fiscal Year 2036/2037. The rate and method of apportionment for the Special Tax, subject to the extended term set forth in this section, is more particularly described and set forth in Resolutions No. 23-2006 and 24-2006.

SECTION 4. Election Consolidation. The City requests the Contra Costa County Board of Supervisors consolidate the election on the Special Tax with the Statewide election on November 4, 2014. The City requests and authorizes the Contra Costa County elections official to provide the services necessary to implement the election and to consolidate the election on the November 4, 2014 Election Ballot for the County of Contra Costa. The elections official is hereby authorized to take any and all steps necessary for holding the above election. The elections official shall perform and render all services and proceedings incidental to and connected with the conduct of the election, including but not limited to, the following:

- A. Prepare and furnish the necessary election supplies for the conduct of the election.
- B. Cause to be printed the requisite number of official ballots, tally sheets and other necessary forms.
- C. Furnish official ballots for the qualified electors of the CFD.
- D. Cause the official ballots to be presented to the qualified electors, as required by law.

- E. Receive the returns of the election and supplies.
- F. Sort and assemble the election material and supplies in preparation for the canvassing of the returns.
- G. Canvass the returns of the election.
- H. Furnish a tabulation of the number of votes given in the election.
- I. Conduct and handle all other matters relating to the proceedings and conduct of the election in the manner and form as required by law

SECTION 5. Ballot Measure. Pursuant to Elections Code section 10403, the ballot forms shall have printed on them the following words with regard to the measure:

CITY OF CLAYTON		
MEASURE: _____.		
DOWNTOWN "THE GROVE" PARK FUNDING – EXTENSION OF EXISTING SPECIAL TAX To continue the operation and maintenance of the Downtown "The Grove" Park, shall the existing special tax, funded by the citywide Community Facilities District 2006-1 levy, be extended at the current annual special tax with the same methodology rate (currently \$19.03 per year for single-family residential parcels, with higher commercial parcel rate) for Fiscal Years 2017/2018 through 2036/2037?	YES	
	NO	

SECTION 6. Impartial Analysis. Pursuant to Government Code section 53327 and Elections Code section 9280, the City Clerk shall transmit a copy of the measure to the City Attorney, who shall prepare an impartial analysis of the measure showing the effect of the measure on existing law and the operation of the measure. The impartial analysis shall be filed with the City Clerk by August 15, 2014.

SECTION 7. Ballot Arguments. Arguments in favor of and in opposition to the ballot measure and rebuttal arguments shall be permitted, and the City hereby adopts the provisions of Elections Code sections 9282 and 9285(a), regarding the acceptance of arguments relating to ballot measures. Primary arguments shall be filed with the City Clerk by August 20, 2014. Rebuttal arguments shall be filed with the City Clerk by August 25, 2014.

SECTION 8. Special Tax Accountability Measures. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, this Board hereby establishes the following accountability measures pertaining to the levy by the CFD of the proposed Special Tax:

- A. The Special Tax shall be levied for the specific purposes set forth in the Resolution of Consideration and Section 9 below.

- B. The proceeds of the levy of each such special tax shall be applied only to the specific applicable purposes set forth in the Resolution of Consideration (Resolution No. 13-2014) and Section 9 below.
- C. The City shall establish a separate account into which the proceeds of the Special Tax shall be deposited.
- D. The City Manager or his or her designee, acting for and on behalf of the CFD, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

SECTION 9. Additional Actions. The City Manager and City Clerk are hereby authorized and directed to take all necessary and appropriate steps to place the measure on the ballot. The City may recover the costs of the election and related procedures to place the Special Tax on the ballot from the proceeds of such Special Tax or the existing special tax as an incidental expense of the CFD. The City Council hereby amends Exhibit "A" of Resolution No. 23-2006 to clarify that the election expenses set forth in this Section as permissible costs of the operation and maintenance of the Downtown "The Grove" Park.

SECTION 10. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Clayton, California, at a regular public meeting thereof held on July 15, 2014 by the following vote:

AYES: Mayor Stratford, Councilmembers Diaz, Geller, Pierce.

NOES: None.

ABSENT: Vice Mayor Shuey.


ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA

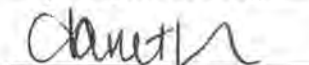


Hank Stratford, Mayor

ATTEST:


Janet Brown, City Clerk

I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a regular meeting held on July 15, 2014.


Janet Brown, City Clerk

RESOLUTION NO. 43-2014

**A RESOLUTION DECLARING RESULTS OF CANVASS OF RETURNS IN
THE 2014 GENERAL MUNICIPAL ELECTION, DECLARING THE PERSONS
ELECTED TO THE CITY COUNCIL OF THE CITY OF CLAYTON AND THE
RESULTS OF THE VOTE ON LOCAL BALLOT MEASURE "P", DOWNTOWN "THE
GROVE" PARK OPERATIONS AND MAINTENANCE DISTRICT SPECIAL TAX
EXTENSION
(Community Facilities District 2006-1)**

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

WHEREAS, a duly noticed general municipal election was held in the City of Clayton on November 4, 2014 for the purpose of voting for candidates for two (2) full-term offices of Council Member on the City Council of the City of Clayton and voter consideration of one (1) local ballot measure, Measure "P", a special tax extension to continue funding the annual operations and maintenance of the Downtown "The Grove" Park for an additional period of twenty (20) years through Fiscal Year 2036-2037; and

WHEREAS, following the canvass of returns by the Contra Costa County Clerk and receipt of his report by the Clayton City Clerk, the City Council met in a regular public meeting on December 2, 2014 and canvassed the returns of the election pursuant to and accordance with applicable provisions of the California Elections Code; and

WHEREAS, the City Council finds the number of votes cast in the City of Clayton at the general municipal election was and is 4,076, a 56.21% turnout; and

WHEREAS, the City Council finds there were seven precincts in the City of Clayton established for holding the November 2014 general municipal election; and

WHEREAS, the City Council finds that the names of the persons voted for and the number of votes given said persons in the general municipal election at each of the above noted precincts and by absentee ballot as candidates for the offices of Council Member on the Clayton City Council and the total votes cast for each candidate, are as set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit A" and incorporated herein by such reference; and

WHEREAS, the City Council further finds that all of the votes in consideration of local ballot Measure "P" submitted to the Clayton voters in the general municipal election are also set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit B" and incorporated herein by such reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton, California that the following candidates (listed by order of top vote) for the two offices of Council

Member of the City Council of the City of Clayton received the highest number of votes and are therefore declared to be the two (2) Council Members duly elected to serve on the Clayton City Council until the results of the November 2014 General Municipal election are canvassed and accepted:

David T. Shuey
Keith Haydon

BE IT FURTHER RESOLVED by the City Council that local Ballot Measure "P" and the levy extension of a special tax therein (Community Facilities District No. 2014-1, Downtown Park Operation and Maintenance District) did garner the requisite two-thirds voter approval and therefore Measure "P" did pass.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 2nd day of December 2014 by the following vote:

AYES: Mayor Stratford, Vice Mayor Shuey, Councilmembers Diaz, Geller and Pierce.

NOES: None.

ABSTAIN: None.

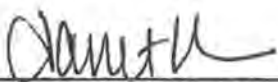
ABSENT: None.

THE CITY COUNCIL OF CLAYTON, CA



Mayor Hank Stratford

ATTEST:



Janet Brown, City Clerk

**CERTIFICATE OF COUNTY CLERK AS TO THE RESULTS OF THE CANVASS OF THE
CITY OF CLAYTON
NOVEMBER 4, 2014 GENERAL ELECTION**

State of California)
) ss.
County of Contra Costa)

I, JOSEPH E. CANCIAMILLA, County Clerk in and for the County of Contra Costa, State of California, do hereby certify that, pursuant to the provisions of the Elections Code, I did canvass the returns of the votes cast in the CITY OF CLAYTON in said county at the General Election held on November 4, 2014 for said city candidates and Measure P submitted to the vote of the voters. I further certify that the statement of the votes cast, to which this certificate is attached, shows the whole number of votes cast in said City and each respective precinct therein, and that the totals of the respective columns and the totals as shown for each candidate are full, true and correct.

WITNESS my hand and Official Seal this 26th day of November, 2014.

JOSEPH E. CANCIAMILLA, County Clerk

By: Rosa Mena
Rosa Mena, Deputy Clerk



CONTRA COSTA COUNTY
 STATEWIDE GENERAL ELECTION
 TUESDAY, NOVEMBER 4, 2014

Final Official Results

RUN DATE:11/26/14 09:21 AM

REPORT-EL45A PAGE 01

TOTAL VOTES % ELECTION DAY VOTE BY MAIL

Measure P - City of Clayton
 Special Tax - 2/3
 Vote For 1
 (WITH 7 OF 7 PRECINCTS COUNTED)

→ Yes	3,212	81.25 ←	1,181	2,031
No.	741	18.75	319	422
Total	3,953		1,500	2,453

RESOLUTION NO. 13-2007

**A RESOLUTION DESIGNATING THE NAME OF
"THE GROVE"
FOR THE DOWNTOWN PARK LOCATED BETWEEN
MAIN STREET, old MARSH CREEK ROAD and CENTER STREET**

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

WHEREAS, the City of Clayton has begun construction of a new un-named public park bordered by Main Street, old Marsh Creek Road, and Center Street, which is expected to be completed by the end of 2007; and

WHEREAS, the area at the intersection of old Marsh Creek Road, Main Street, and Center Street will be further improved to be a complement to the adjacent Black Diamond Plaza and a focal point in the historic downtown Clayton; and

WHEREAS, the Clayton City Council previously adopted a Park Naming Policy; and

WHEREAS, the Community Services Commission on February 8, 2007 considered names using their recommended Park Naming Policy and had split recommendations of the following names: Downtown Park; Joel Clayton Park; and Grove Park; and

WHEREAS, the City Council did consider the Community Services recommendations, and other names consistent with the Park Naming Policy during its regular meeting of April 17, 2007.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton California, that the new downtown park located between Main Street, old Marsh Creek Road, and Center Streets shall be named "The Grove" and further resolves that this name meets the criteria of the City's Park Naming Policy as a historical site basis, as it was the location of historic eucalyptus grove community gathering place.

PASSED, APPROVED and ADOPTED by the City Council of Clayton California at a regular meeting thereof held on the 17th day of April 2007, by the following vote:

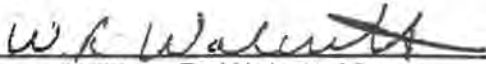
AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford

NOES: None

ABSENT: Councilmember Shuey

ABSTAIN: None

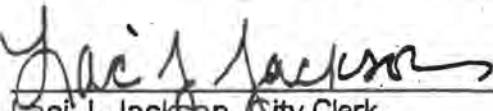
THE CITY COUNCIL OF CLAYTON, CA


William R. Walcutt, Mayor

ATTEST:


Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of Clayton California at a regular meeting thereof held on April 17, 2007.


Laci J. Jackson, City Clerk

Laura park name reso

City of Clayton
The Grove Park Fund 211 (CFD 2006-1)
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	20,225	20,000	10,400	19,000
7112	Temporary Help	22,204	10,000	12,300	11,200
7113	Overtime	-	500	270	500
7218	LTD/STD Insurance	192	350	120	220
7220	PERS Retirement - Normal Cost	2,426	2,300	1,200	2,300
7221	PERS Retirement - Unfunded Liability	3,226	2,400	1,500	2,600
7231	Workers Comp Insurance	1,647	1,300	1,233	1,400
7232	Unemployment Insurance	288	500	500	470
7233	FICA Taxes	739	1,000	610	1,200
7246	Benefit Insurance	3,701	4,500	2,200	3,900
7311	General Supplies	4,969	6,250	4,250	6,000
7331	Rentals/Leases	-	500	-	500
7335	Gas & Electric Serv.	1,518	1,800	1,650	1,800
7338	Water Service	27,700	36,700	27,600	30,000
7341	Buildings/Grounds Maintenance	11,397	5,860	4,300	6,000
7342	Machinery/Equipment Maint.	1,236	700	500	1,000
7343	Vehicle Maintenance	1,979	1,800	1,200	1,500
7344	Vehicle Gas, Oil, and Supplies	2,057	1,400	800	1,000
7381	Property Tax Admin Cost	3,738	3,800	3,800	3,800
7413	Special Legal Services	-	1,000	-	1,000
7417	Janitorial Services	14,170	14,000	13,000	14,000
7419	Other Prof. Services	4,491	4,530	4,545	4,730
7429	Animal/Pest Control Services	501	1,000	610	650
7435	Contract Seasonal Labor	-	-	-	5,000
7440	Tree Trimming Services	2,120	1,500	3,720	2,500
7485	Capital Outlay - Equipment & Machinery	11,563	-	-	-
7486	CERF Charges/Depreciation	2,100	2,100	2,100	1,800
7615	Property Taxes	482	500	500	520
8101	Fund Admin - Transfer to GF	7,070	7,337	7,070	7,574
Total Expenditures		151,739	133,627	105,978	132,164
4613	Downtown Park Special Parcel Tax - O&M	103,493	107,285	107,280	111,190
4613	Downtown Park Special Parcel Tax - Capital	18,000	18,000	18,000	18,000
4613	Downtown Park Special Parcel Tax - Restricted	5,000	5,000	5,000	5,000
5601	Interest	3,826	3,500	3,800	3,800
5602	Park Use Fee	2,781	1,600	2,400	2,500
5606	Unrealized Inv Gain/Loss	(3,070)	-	-	-
5701	Reimbursement/Refunds	-	-	-	-
5702	Donations & Contributions	10,000	-	1,000	-
Total Revenue		140,030	135,385	137,480	140,490
Increase (Decrease) in Fund Balance		(11,709)	1,758	31,502	8,326
Beginning Fund Balance		288,657	291,566	276,948	308,450
Ending Fund Balance		276,948	293,324	308,450	316,776

Ending Fund Balance Includes:

Unrestricted Reserve	156,183	138,122	159,685	145,011
Asset Replacement Reserve	75,765	100,202	93,765	111,765
Unallocated Stabilization Reserve	45,000	55,000	55,000	60,000
Total Fund Balance	276,948	293,324	308,450	316,776

FY 18-19 The Grove Park Fund – No. 211

The Grove Park officially opened to the community on January 12, 2008 and on May 29, 2008, City Maintenance Department assumed full responsibility for the care and maintenance of The Grove Park. On Opening Day, the public park immediately became the signature statement of our community, and ever since it has been the popular gathering place for residents and visitors to the Clayton Town Center. Voters originally approved this restricted special parcel tax in November 2006 to maintain the park for 10 years (levy first collected in FY 2007-08) with FY 2017-18 constituting the 11th year of the special parcel tax's existence. In November 2014, the voters overwhelmingly elected to extend The Grove Park special parcel tax for an additional 20 years through the passage of Measure P (81.3% positive vote). Operations for The Grove Park are separately accounted for by the City in a restricted special revenue fund.

Pursuant to the terms of voter-approved Measure P, the special parcel tax rate may be modified annually by the change in the CPI from April to April. However, in no event shall the tax rate be increased by more than 3.0% each year. Given the CPI change (from April 2017 to April 2018) posted at 3.22%, the special parcel tax growth factor will be capped at 3.0% for FY 2018-19. Accordingly, The Grove Park's projected revenues have been increased by 3.0% to a total of \$134,180 for FY 2018-19. This results in a modest increase to The Grove Park revenues of \$3,905 over the prior year adopted budget. The capped CPI growth adjustment will result in an increase of \$0.62 per residential parcel over the prior year rate (last year's single family rate was \$20.68; including the capped CPI adjustment factor the new rate will be \$21.30). The Grove Park fund received its 10th and final installment of the generous \$10,000 annual donation from Endashiiian, Inc. (developers and landowners of the CVS/Pharmacy store site - formerly Longs Drugs Store), in FY 2016-17. Despite the conclusion of this ten year pledge, Endeashiiian, Inc. graciously donated an additional \$1,000 to The Grove Park fund in FY 2017-18, which was both unexpected and unsolicited.

Bolstered by these revenues and interest earnings, The Grove Park fund maintains a positive fund balance expected to be approximately \$308,450 by the close of FY 2017-18 with reserves slightly increasing to **\$316,776** at the close of FY 2018-19. Of this projected FY 2018-19 ending fund balance amount, \$111,765 sits in the asset replacement reserve approved in the adoption of Measure O, \$60,000 in the unallocated stabilization reserve (increasing by \$5,000 annually), and \$145,011 in unrestricted fund balance. As the park's apparatus and infrastructure ages following 11 years of high public use, these reserves will be key asset to maintain this public gem.

For FY 2017-18, it is projected total expenditures of The Grove Park will be approximately \$105,978 offset by revenues totaling \$137,480, resulting in an operating surplus of \$31,502. This projected surplus is higher than anticipated, due to the costs of water consumption for The Grove Park's newly modified water play feature coming in lower than expected. During FY 2017-18 budget preparation, a conservative figure was

used for the water service line item as no historical information on the new water play feature's consumption was available for budget projection purposes. The Grove Park's new water play feature was activated for the first time during FY 2016-17, which led to substantially higher water consumption over prior years due to its immense popularity with the public. Now given two years of historical information, it appears The Grove Park fund will be able to sustain the increased water consumption costs associated with operation of the water play feature in a balanced budget. However it is currently uncertain whether The Grove Park can sustain annual set-asides of \$18,000 and \$5,000 for the asset replacement and unallocated stabilization reserves prospectively. Fortunately, The Grove Park fund has built up a healthy unrestricted reserve up to this point and any increases to the asset replacement and stabilization reserves not sustainable from fund surpluses can be taken from the unrestricted fund balance for the next six years in worst case scenario. Prospectively, staff will continue to monitor for any unsustainable trends in water demand in order determine what future water play feature use-restrictions, if any, are necessary to sustain the annual reserve set-aside goals established by the ballot measure.

As The Grove Park continues to mature and its public attraction increases, more City Maintenance Department personnel time may be necessary to keep it in a condition worthy of the City's signature piece. During the summer and on Saturday Concert Series weekends, a part-time seasonal maintenance worker is assigned to perform routine maintenance and oversight tasks at The Grove Park to ensure this highly-visible asset shines for our community. The nearby municipal well provides the landscape irrigation and other non-potable water needs of The Grove Park, which saves considerable taxpayers' monies compared to the metered water prices of Contra Costa Water District.

To continue to meet the operational objectives of The Grove Park, appropriations of \$132,164 are proposed for FY 2018-19. This results in a planned operating surplus of **\$8,326**. As this projected surplus is less than what is required for the annual replenishment of the asset replacement and unallocated stabilization reserves (\$23,000 total), it results in an unavoidable allocation of \$14,674 from the unrestricted reserve to meet the reserve set-aside requirements for FY 2018-19. Nevertheless, The Grove Park fund's total reserves remain sufficient beyond its normal yearly operations. The City Council may take action after the adoption of the budget to utilize these reserves for additional capital improvements at The Grove Park.



Agenda Date: 6-19-2018

Agenda Item: 5d

Approved:


Gary A. Napper, City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager 

MEETING DATE: June 19, 2018

SUBJECT: Approval of a Resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2007-1 (City Wide Landscape Maintenance) on the fiscal year 2018-2019 Tax Assessment

RECOMMENDATION

Adoption of Resolution No. ___-2018 ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2007-1 (City Wide Public Landscape Maintenance) on the fiscal year 2018 - 2019 Tax Assessment Roll.

BACKGROUND

In June 2007 the electorate voted 82.94% approval to establish a special tax, known as Measure B, for the care and maintenance of Citywide Public Landscaping. Measure B was established for a 10-year period (through 2017) for the Citywide Public Landscape District-known as Community Facilities District (CFD) 2007-1. Measure B was set to expire in June 2017. This is the only source of funds for the maintenance and operation of the Landscape Maintenance District. In June 2016 the voters approved Measure H (79.11%), a continuation of this sole funding special parcel tax with the same rate methodology for ten years - from FY 2017-2018 through 2026-2027. This action constitutes the second levy under the 2016 voter approved extension.

The tax is for costs related to expenses for public roadway, trail, open space landscape maintenance, and the Clayton Fountain at the corner of Oakhurst Blvd. and Clayton Rd. These areas have 2 million square feet of landscaping and irrigation, 515 acres of open space, 2,871 street trees, and 27 miles of public trails. City parks are not maintained by this special tax but through the General Fund (except for The Grove downtown park which has its own separate special-maintenance-district funding source).

From 1999 -2016 the City employed only five permanent city maintenance employees who spend approximately 60% of their time on tasks in the Landscape Maintenance District. Necessity has required maintenance crews to spend more work hours maintaining District assets as landscaping matures, irrigation systems break, and vandalism or vehicle accidents that cause damage to trees and shrubs; rate increases in metered irrigation water, electricity increases which run the irrigation controllers and pumps to the fountain; professional services are used for open space weed abatement and tree trimming. In FY 2016-17 one additional field maintenance position was added which is dedicated solely to tasks of the Landscape Maintenance District.

The collection of the tax is done by the County, and property owners' payments for this new District first occurred in November/December 2007. Established in the voter approved tax is an ability to increase the assessment by the CPI with a maximum of 3% annually.

Pursuant to the terms of voter-approved Measure H, the special parcel tax rate may be modified annually by the change in the CPI from April to April. However, in no event shall the tax rate be increased by more than 3.0% each year. Given the CPI change (from April 2017 to April 2018) posted at 3.22%, the special parcel tax may be increased to the 3.0% cap for FY 2018-19. The CPI adjustment was reviewed and recommended by the Trails and Landscape Committee at its May 21, 2017 public meeting and reflected in the budget for FY 18-19. The FY 2018-19 Budget was introduced and reviewed by the City Council at its June 5, 2018 meeting and is presented for adoption at its June 19, 2018 meeting. It is recommended (and included in the proposed levy rates) to apply the annual CPI increase of 3.0%.

FISCAL IMPACT

For the 2018-19 fiscal year the levy amount is \$255.86 per residential parcel, or per non residential acre or fraction thereof. For fiscal year 2018-19 there are 4,100 parcels that will be subject to the special tax. Of these 4,040 are residential and 60 are non-residential. The total amount of revenue estimated to be received from this tax for FY 2018-19 is \$1,121,694. These tax revenues are placed into a Special Revenue Fund (No.210) through which all eligible expenses are tracked, paid and audited. Allowable expenses include only that for the purposes of the Landscape District Maintenance materials, supplies, equipment, utilities, labor, and District administration.

There is identified approximately \$2.5 million in desired major landscape replacements/repairs and enhancements yet to be funded through this tax amount. Cost savings from water reductions during the earlier 2-year drought and the prior 5-year drought along with other District costs savings have been used for reinvestment in the Landscape District on a pay as you go basis.

In FY 07-08 an irrigation repair vehicle truck was purchased, apx. \$36,000. In FY 10-11 Landscape Maintenance District savings of \$260,000 were used for hardscape of median island narrow noses, Clayton Fountain area replanting and other targeted tree and shrub replanting. In FY 11-12 \$304,173 in Landscape Maintenance District funds were used for Clayton Road median work (Oakhurst to Mitchell Canyon) and planting of the retaining wall. An additional \$60,000 for trail repairs/resurfacing, additional \$10,000 for tree trimming and \$30,000 for computer based irrigation control.

Finished in FY 12-13 was the Daffodil Hill replanting (equal cost sharing with CBCA) with the Landscape Maintenance District funding being \$26,800, and \$50,000 in trail resurfacing. In FY 14-15 extra fire prevention tree trimming of \$50,000 in open space areas was completed. During FY 15-16 the repair/replacement of wood tread surface of Cardinet Trail pedestrian bridges (\$70,000), Lower Easley Trail resurfacing (\$70,000), were completed, and new a tractor was purchased (\$79,000 with half, \$37,500, funded by the District). During FY 16-17 upper Keller Ridge was replanted (\$58,000), and the Peacock Creek entry sign replanted (\$11,000). In FY 17-18 Jeffry Ranch and Caulfield Ct median islands were re-landscaped (\$6,000) and

irrigation improved to meet new state Water Efficient Landscaping requirements that apply to these areas, and two new wireless irrigation control stations will be purchased and installed (\$28,000).

In addition to recurring landscape maintenance tasks approximately \$1,295,208 has been reinvested into the Landscape District to date. Planned projects for FY 18-19 include repair/replacement of downtown Main Street planter boxes (\$270,000), removal of 18 Eucalyptus trees in open space trail areas near homes (\$185,000), and \$40,000 for landscape replanting lost during the drought throughout the District.

The Citizens Oversight Committee (a.k.a. Trails and Landscape Committee) in August-September will prepare its 11th Annual Report covering the recently completed period FY 17-18. This report is expected to be provided to the City Council at a meeting in October.

CONCLUSION

The City Council, by Ordinance 409, pursuant to Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to Community Facilities District 2007-1. This Resolution authorizes the Contra Costa County Auditor to place unpaid direct bill taxes on the next assessment roll for the 2018-2019 fiscal year.

Attachments:

- 1) Resolution No. ___-2018
- 2) Summary of Exhibit A to Resolution ___-2018
- 3) Annual Special Tax Levy Report
- 4) Ordinance 409
- 5) Resolution No. 07-2016
 - Exhibit A to Resolution No. 07-2007 (Comprising of Resolutions No. 06-2007 and No. 07-2007)
- 6) Resolution No. 04-2007
- 7) Resolution No. 12-2016
- 8) Resolution No. 45-2016
- 9) Landscape District Budget FY 18-19

RESOLUTION NO. __-2018

**A RESOLUTION ORDERING THE LEVY AND COLLECTION OF
SPECIAL TAXES AND SETTING THE SPECIAL
TAX AMOUNT FOR FISCAL YEAR 2018-2019
FOR COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE)**

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

WHEREAS, the City Council of the City of Clayton, California, (hereinafter referred to as the "legislative body"), has initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in Community Facilities District No.2007-1(hereinafter referred to as "District"), all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982"; being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (the "Act"). ; and,

WHEREAS, this legislative body, by Ordinance No. 409 as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said District, and this legislative body is desirous to establish the specific rate of the special tax to be collected for fiscal year 2018 -19; and,

WHEREAS, the special taxes are in compliance with all laws pertaining to the Act and the levy of special taxes; the special taxes are levied without regard to property valuation, and the special taxes are in compliance with the provisions of Prop 218.

NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are each true and correct.

SECTION 2. That the specific rate and amount of the special tax to be collected to pay for the costs and expenses for the next fiscal year (2018 -19) for the referenced District is hereby determined and established as set forth in the attached, referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. That the proceeds of the special tax shall be used as provided in Ordinance No. 409, including, but not limited to, the payment of, in whole or in part, the costs of the following:

- A. Payment of costs and expenses of public landscape facilities;
- B. Payment of District administrative costs.
- C. Cost of collecting and administering the special tax

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to collect the special tax and to deduct reasonable administrative costs incurred in collecting said special tax.

SECTION 6. All monies above collected shall be paid into the Community Facilities District 2007-1 fund.

SECTION 7. The Auditor of the County is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public improvements, special tax" or by any other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, and assessor's parcel number (APN), reference is made to the attached Exhibit "A".

SECTION 8. The County Auditor shall then, at the close of the tax collection period, promptly render to this City a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages so collected and from what property collected, and also provide a statement of any percentages retained for the expense of making any such collection.

PASSED, APPROVED, AND ADOPTED by the City Council of Clayton, California at a regular public meeting of thereof held on June 19, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

Laura/fy18-19 reso cfd 2007-01city lecp

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of this legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. That the proceeds of the special tax shall be used as provided in Ordinance No. 409, including, but not limited to, the payment of, in whole or in part, the costs of the following:

- A. Payment of costs and expenses of public landscape facilities;
- B. Payment of District administrative costs.
- C. Cost of collecting and administering the special tax

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to collect the special tax and to deduct reasonable administrative costs incurred in collecting said special tax.

SECTION 6. All monies above collected shall be paid into the Community Facilities District 2007-1 fund.

SECTION 7. The Auditor of the County is hereby directed to enter in the next County assessment roll on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public improvements, special tax" or by any other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, and assessor's parcel number (APN), reference is made to the attached Exhibit "A".

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PASSED, APPROVED, AND ADOPTED by the City Council of Clayton, California at a regular public meeting of thereof held on June 19, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

Laura/fy16-19 reso cfd 2007-01city lecp

Summary of EXHIBIT A to Resolution ____ -2018

CFD 2007-1 Citywide Landscape Maintenance District Special Tax

For fiscal year 2018-2019 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2007-1 (Citywide Landscape Maintenance) Preliminary Billing Levy Detail Report for FY 2018-19 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

Due to the length of the report, it is summarized as follows:

In general all residential parcels, (single family, condo, and townhouse) shall have a rate for FY 18-19 of \$255.86 per parcel. All non-residential parcels shall have a rate for FY 18-19 of \$255.86 per acre or fraction thereof, based on parcel size as shown on the most recent County tax and parcel records.

There are a total of 4100 parcels to be levied:

There are 4040 residential levies.

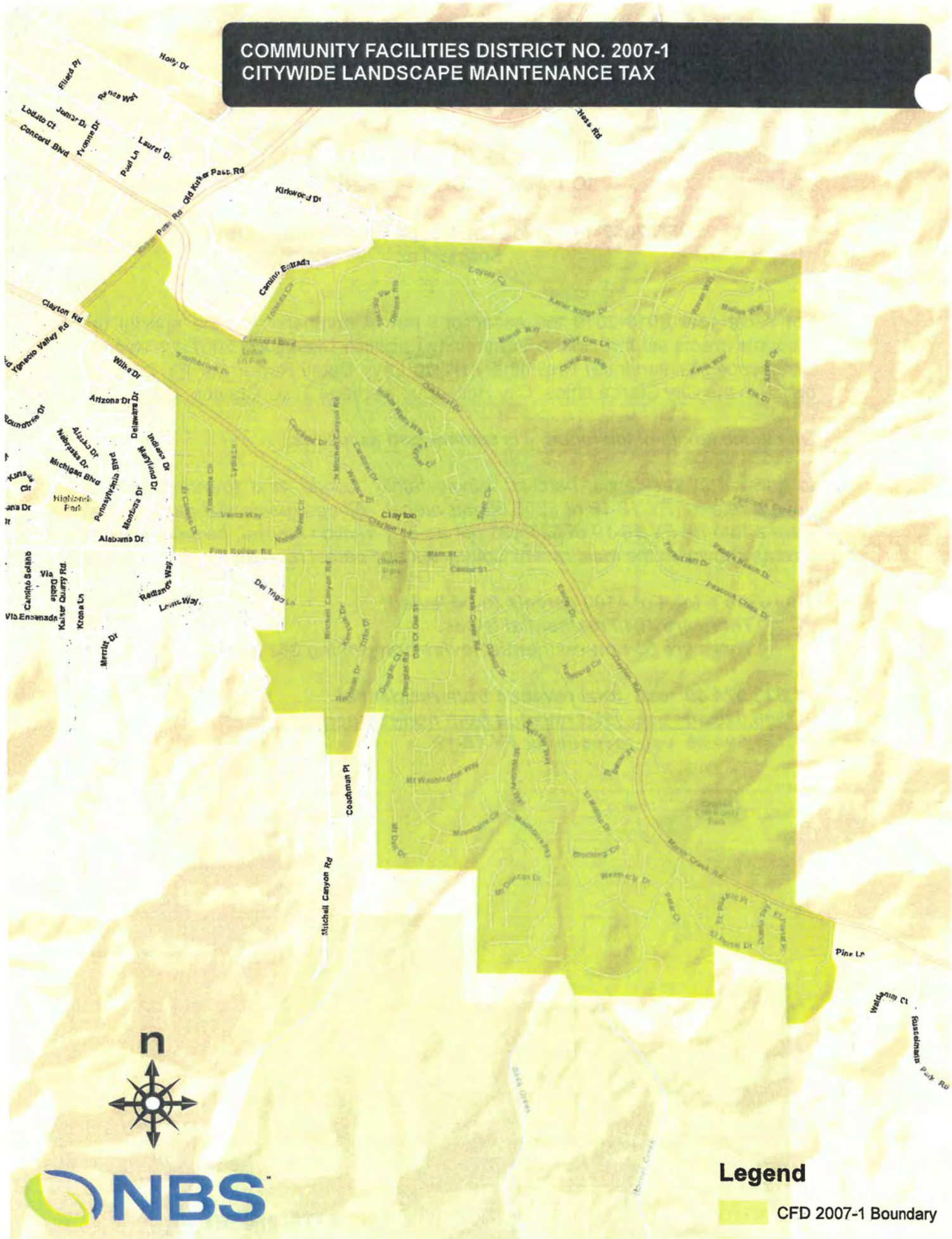
There are 60 non-residential levies comprising 362 acres.

\$1,033,674.40 est. total revenue from residential


\$88,020.16 est. total revenue from non-residential

\$1,121,694.56 est. revenue for FY 18-19

COMMUNITY FACILITIES DISTRICT NO. 2007-1 CITYWIDE LANDSCAPE MAINTENANCE TAX

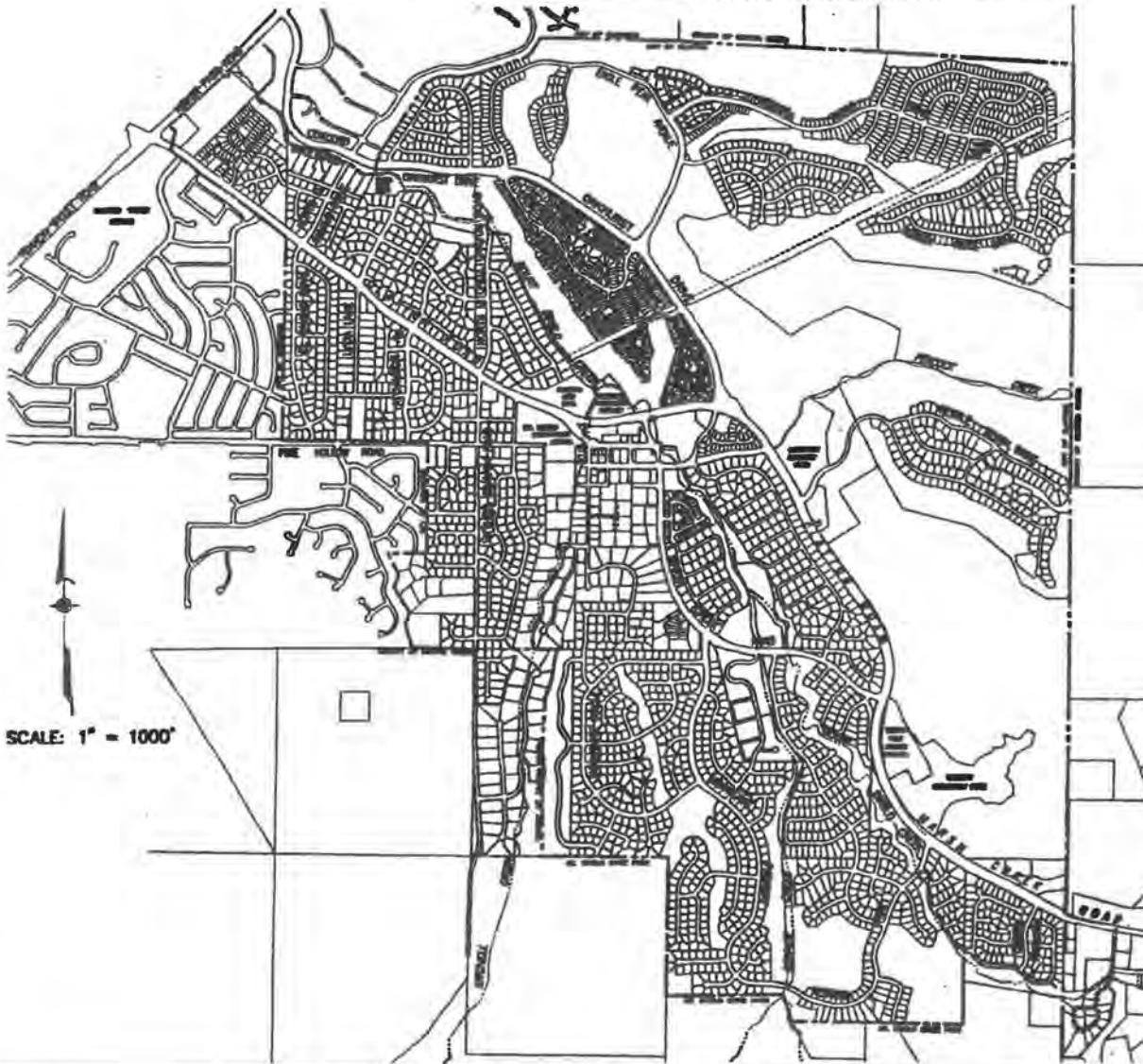


Legend

 CFD 2007-1 Boundary

**PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)**

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 4th DAY OF January, 2007.

BY: *Dei Jackson*
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 18th DAY OF January, 2007, BY ITS RESOLUTION NO. 07-2007

BY: *Dei Jackson*
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 3rd DAY OF January, 2007, AT THE HOUR OF 2:00 O'CLOCK P.M. IN BOOK 37 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 45, AND AS INSTRUMENT NUMBER 07-2007 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: STEPHEN L. WEIR
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: *D. Anderson*
DEPUTY COUNTY RECORDER

LEGEND

----- CITY LIMIT LINE AND
COMMUNITY FACILITY DISTRICT BOUNDARY

THE CITY OF CLAYTON, CALIFORNIA, HAS ADOPTED THESE BOUNDARIES BY RESOLUTION NO. 07-2007, PASSED AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON JANUARY 18, 2007.



CITY OF CLAYTON

Community Facilities District No. 2007-1 Citywide Landscape Maintenance Tax

Annual Report

June 2018

OFFICE LOCATIONS:

Temecula – Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592

San Francisco – Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102

California Satellite Offices
Atascadero, Davis
Huntington Beach,
Joshua Tree, Riverside
Sacramento, San Jose

www.nbsgov.com

Prepared by:



helping communities fund tomorrow

ATTACHMENT 3

CITY OF CLAYTON
6000 Heritage Trail
Clayton, California 94517
Phone – 925.673.7300
Fax – 925.672.4917

City Council

Keith Haydon, Mayor
David T. Shuey, Vice Mayor
Julie K. Pierce, Councilmember
Jim Diaz, Councilmember
Tuija Catalano, Councilmember

City Staff

Gary Napper, City Manager
Laura Hoffmeister, Assistant to the City Manager
Kevin Mizuno, Finance Director

Special Tax Administrator

NBS
Tim Seufert, Client Services Director
Greg Davidson, Director
Kristin Harvey, Senior Consultant

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1. EXECUTIVE SUMMARY/SPECIAL ISSUES

1.1. General Information Summary

Maturity	2018/19 Levy ⁽¹⁾	Parcel Count	Delinquency Rate ⁽²⁾
Fiscal Year 2026/27	\$1,121,694.56	4,299	1.29%

(1) Includes a rounding adjustment for County tax submittal purposes.

(2) Delinquency Rate for Fiscal Year 2017/18.

Community Facilities District No. 2007-1, Citywide Landscape Maintenance Tax (the "District"), was created to finance services necessary to operate and maintain public roadway landscaping, open space and trails and Clayton Fountain.

On June 7, 2016 voters approved Measure H by 79.23% approval. Measure H is an extension of Measure B, for the care and maintenance of City Wide Public Landscaping. Measure B was established for a 10-year period (through 2017). The extension of the tax with the same rate methodology is extended for 10 years – beginning Fiscal Year 2017/18 through Fiscal Year 2026/27.

For Fiscal Year 2018/19, all taxable parcels within this District will be levied at 100% of their respective Maximum Special Tax. The Maximum Special Tax rates for Fiscal Year 2018/19, which have been escalated by 3.00%, are as follows:

Residential Parcels:	\$255.87 per parcel
Non-residential Parcels:	\$255.87 per acre or fraction thereof

The delinquency rate for the District was 1.29% for Fiscal Year 2017/18. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

2. 2018/19 LEVY

2.1. Special Tax Spread

All taxable parcels within the District were levied at 100% of their respective Maximum Special Tax rate for Fiscal Year 2018/19. The details of the Special Tax, spread amongst the 4,299 parcels within the District, are as follows:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax	Total Amount Levied ⁽³⁾
Residential ⁽¹⁾	4,040	\$255.87	\$1,033,714.80	\$1,033,674.40
Non-Residential ⁽²⁾	60	255.87	88,020.51	88,020.16
Exempt	199	0.00	0.00	0.00
Total	4,299		\$1,121,735.31	\$1,121,694.56

- (1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.
- (2) Per the Rate and Method of Apportionment, the maximum special tax for non-residential parcels is calculated per acre or fraction thereof.
- (3) Includes a rounding adjustment for County tax submittal purposes.

The table below shows the Fiscal Year 2017/18 Maximum Special Tax for the District:

Parcel Classification	Parcel Count	Maximum Rate	Total Maximum Special Tax
Residential ⁽¹⁾	4,040	\$248.42	\$1,003,616.80
Non-Residential ⁽²⁾	60	248.42	85,456.92
Exempt	199	0.00	0.00
Total	4,299		\$1,089,073.72

- (1) Per the Rate and Method of Apportionment, the maximum special tax for residential parcels is calculated on a per parcel basis.
- (2) Per the Rate and Method of Apportionment, the maximum special tax for non-residential parcels is calculated per acre or fraction thereof.

Please refer to section 4 of this report for details of the Special Tax Formula.

3. DELINQUENCY MANAGEMENT

3.1. Delinquency Summary

The following table shows the Fiscal Year 2017/18 delinquency rate for the District:

Levy	Delinquencies	Delinquency Rate	Delinquency Management Steps Taken
\$1,089,073.60	\$14,035.73	1.29%	Reminder and Demand Letters Sent

NBS monitors the delinquency rate and reviews the delinquency situation after each payment date. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners to encourage the immediate payment of delinquent property tax bills.

Please refer to section 6 of this report for a delinquency detail report for the District.

3.2. Delinquency Summary Report

The following pages summarize delinquencies for the 2017/18 and prior fiscal years.

City of Clayton
Delinquency Summary Report
As of: 05/31/2018

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax									
08/01/2007 Billing:									
	12/10/2007	\$430,512.48	\$430,512.48	\$0.00	0.00%	4,071	4,071	0	0.00%
	04/10/2008	\$430,512.48	\$430,512.48	\$0.00	0.00%	4,071	4,071	0	0.00%
	Subtotal:	\$861,024.96	\$861,024.96	\$0.00	0.00%	8,142	8,142	0	0.00%
08/01/2008 Billing:									
	12/10/2008	\$443,649.10	\$443,649.10	\$0.00	0.00%	4,078	4,078	0	0.00%
	04/10/2009	\$443,649.10	\$443,649.10	\$0.00	0.00%	4,078	4,078	0	0.00%
	Subtotal:	\$887,298.20	\$887,298.20	\$0.00	0.00%	8,156	8,156	0	0.00%
08/01/2009 Billing:									
	12/10/2009	\$447,607.48	\$447,607.48	\$0.00	0.00%	4,102	4,102	0	0.00%
	04/10/2010	\$447,607.48	\$447,607.48	\$0.00	0.00%	4,102	4,102	0	0.00%
	Subtotal:	\$895,214.96	\$895,214.96	\$0.00	0.00%	8,204	8,204	0	0.00%
08/01/2010 Billing:									
	12/10/2010	\$455,285.26	\$455,285.26	\$0.00	0.00%	4,102	4,102	0	0.00%
	04/10/2011	\$455,285.26	\$455,285.26	\$0.00	0.00%	4,102	4,102	0	0.00%
	Subtotal:	\$910,570.52	\$910,570.52	\$0.00	0.00%	8,204	8,204	0	0.00%
08/01/2011 Billing:									
	12/10/2011	\$467,925.19	\$467,925.19	\$0.00	0.00%	4,100	4,100	0	0.00%
	04/10/2012	\$467,925.19	\$467,818.48	\$106.71	0.02%	4,100	4,099	1	0.02%
	Subtotal:	\$935,850.38	\$935,743.67	\$106.71	0.01%	8,200	8,199	1	0.01%
08/01/2012 Billing:									
	12/10/2012	\$477,658.91	\$477,114.26	\$544.65	0.11%	4,100	4,095	5	0.12%
	04/10/2013	\$477,658.91	\$477,114.26	\$544.65	0.11%	4,100	4,095	5	0.12%
	Subtotal:	\$955,317.82	\$954,228.52	\$1,089.30	0.11%	8,200	8,190	10	0.12%

City of Clayton
Delinquency Summary Report
As of: 05/31/2018

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax									
08/01/2013 Billing:									
	12/10/2013	\$489,017.21	\$488,682.65	\$334.56	0.07%	4,100	4,097	3	0.07%
	04/10/2014	\$489,017.21	\$488,682.65	\$334.56	0.07%	4,100	4,097	3	0.07%
	Subtotal:	\$978,034.42	\$977,365.30	\$669.12	0.07%	8,200	8,194	6	0.07%
08/01/2014 Billing:									
	12/10/2014	\$502,654.17	\$502,310.28	\$343.89	0.07%	4,100	4,097	3	0.07%
	04/10/2015	\$502,654.17	\$502,310.28	\$343.89	0.07%	4,100	4,097	3	0.07%
	Subtotal:	\$1,005,308.34	\$1,004,620.56	\$687.78	0.07%	8,200	8,194	6	0.07%
08/01/2015 Billing:									
	12/10/2015	\$514,771.75	\$514,302.07	\$469.68	0.09%	4,100	4,096	4	0.10%
	04/10/2016	\$514,771.75	\$514,184.65	\$587.10	0.11%	4,100	4,095	5	0.12%
	Subtotal:	\$1,029,543.50	\$1,028,486.72	\$1,056.78	0.10%	8,200	8,191	9	0.11%
08/01/2016 Billing:									
	12/10/2016	\$528,666.56	\$527,701.84	\$964.72	0.18%	4,100	4,092	8	0.20%
	04/10/2017	\$528,666.56	\$527,219.48	\$1,447.08	0.27%	4,100	4,088	12	0.29%
	Subtotal:	\$1,057,333.12	\$1,054,921.32	\$2,411.80	0.23%	8,200	8,180	20	0.24%
08/01/2017 Billing:									
	12/10/2017	\$544,536.80	\$540,313.66	\$4,223.14	0.78%	4,100	4,066	34	0.83%
	04/10/2018	\$544,536.80	\$534,724.21	\$9,812.59	1.80%	4,100	4,021	79	1.93%
	Subtotal:	\$1,089,073.60	\$1,075,037.87	\$14,035.73	1.29%	8,200	8,087	113	1.38%
CFD 2007-1	Total:	\$10,604,569.82	\$10,584,512.60	\$20,057.22	0.19%	90,106	89,941	165	0.18%
Agency Grand Total:		\$10,604,569.82	\$10,584,512.60	\$20,057.22	0.19%	90,106	89,941	165	0.18%

4. RATE AND METHOD OF APPORTIONMENT

4.1. Method of Apportionment

A Special Tax will be levied annually on each taxable parcel of land within the District and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City Council or its designee shall determine, including City-originated billing of the affected property owners.

4.2. Definitions

Taxable Parcels - Parcels of land within the boundaries of the District that are not included in the "Exempt Parcel" category listed below.

Exempt Parcels - Parcels of land owned by a public agency, right-of-way parcels, schools, hospitals, cemeteries, mortuaries, libraries, parks, mineral rights, private roads, pipelines, public parking facilities and common areas.

Residential Parcels - Taxable Parcels of land that are classified as single-family, condominium, townhouse, multi-family or rural residential parcels.

Non-residential Parcels - Taxable Parcels that are not classified as "Residential Parcels."

Special Tax - The Special Tax allowed to be levied on a property within the District, calculated pursuant to the Rate and Method of Apportionment of Special Tax.

4.3. Special Tax Formula

A. **Residential Parcels** - An annual Special Tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each Fiscal Year 2007/08 through 2026/27:

Residential Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$196.77 per parcel.

B. **Non-residential Parcels** - An annual Special Tax will be levied on all Non-residential Parcels, as defined above, at the per acre rate shown below for each Fiscal Year 2007/08 through 2026/27:

Non-residential Parcel Annual Special Tax Rate for Fiscal Year 2007/08: \$196.77 per acre or fraction thereof.

4.4. Special Tax Escalator Factor

In Fiscal Years 2008/09 through 2026/27, the Special Annual Tax rate may be increased annually by the City of Clayton City Council in an amount not to exceed the full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100)(the "CPI increase"). This escalation factor is applicable if determined by the City to be necessary due to expected or actual increases in the operational and maintenance expenses attributable to the District. Such determination shall be made by action of the City of Clayton City Council, which must occur at a regular public meeting thereof accompanied by a prior recommendation of the citizens' Trails and Landscaping Committee established by the City Council in February 2006 (City Resolution No. 08-2006). In

no event shall each annual Special Tax rate in any fiscal year increase by more than three percent (3%) over the previous year

The Special Tax Escalation Factor for Fiscal Year 2018/19 is 3.00%.

4.5. Duration of Special Tax Levy

Per Measure B, the Special Tax will be levied annually for a period of ten (10) years commencing with Fiscal Year 2007/08 through and including Fiscal Year 2016/17. Per Measure H, the Special Tax with the same rate methodology was extended for ten (10) years commencing with Fiscal Year 2017/18 through and including Fiscal Year 2026/27. After Fiscal Year 2026/27 the Special Tax may no longer be collected unless extended pursuant to applicable laws, except that a Special Tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

4.6. Relationship to Special Tax of Community Facilities District 1997-1

The District was created to replace Community Facilities District 1997-1 as the new district to levy an annual Special Tax for Citywide Landscape Maintenance purposes for a duration of 10 years, until Measure H extended the total duration to 20 years. The Community Facilities District 1997-1 had a maturity date of June 30, 2007. In order to continue landscaping maintenance for the City of Clayton, the City has adopted and approved Resolution 06-2007 on February 20, 2007.

5. BACKGROUND INFORMATION

5.1. Project Description

The services to be financed by the District shall include the maintenance of:

A. **Public Roadway Landscaping** – which includes but is not limited to the following improved rights-of-way:

Atchinson Stage Road - from Pine Hollow Road to Caulfield Drive

Black Point Place - center median island

Caulfield Court - center median island

Center Street - from Oak Street to Clayton Road

Clayton Road - from the western city limits to the southern Marsh Creek Road intersection

Cul-de-sacs - landscaped areas at the end of Ahwanee Lane, Wawona Court, Tuyshtak Court, Antelope Court, Obsidian Court, Blue Oak Lane, Falcon Place, Windmill Canyon Place, Hummingbird Place, Raven Place, and Golden Eagle Place

Diablo Parkway - from Marsh Creek Road to El Portal Drive

Eagle Peak Avenue - from the east intersection with Oakhurst Drive to just west of the Ohlone Heights intersection, and including the west intersection with Oakhurst Drive

Indianhead Way - entrance area at Oakhurst Drive

Indian Wells Way - both entrance areas with Oakhurst Drive, and center medians up to Anizume Court and Jalalon Place

Jeffry Ranch Court - center median island

Keller Ridge Drive - to Golden Eagle Place intersection

Lydia Lane - from intersection of Clayton Road to Lydia Lane Park

Main Street - from Clayton Road to (old) Marsh Creek Road

Marsh Creek Road - from the northern intersection of (old) Marsh Creek Road to the eastern city limits

Oakhurst Drive - from the western city limits to Clayton Road intersection

Peacock Creek Drive - from Clayton Road to approximately the Pebble Beach Drive intersection

Pine Hollow Road - from Atchinson Stage Road to Panadero Way

Regency Drive – median entrance from Marsh Creek Road

So. Mitchell Canyon Road - from approx. Del Trigo Lane to Herriman Court intersection

B. **Open Space and Trails** – which include but are not limited to:

Publicly-owned creek-side, intra-community and open space trails located within the boundaries of the District.

C. **Clayton Fountain** – which includes but is not limited to:

Maintenance to the fountain itself, rock structure and all attendant appurtenances, including the geyser and water pump system as well as the surrounding public landscaped area located at east side of the intersection of Oakhurst Drive, Center Street and Clayton Road.

Definitions

Maintenance - the furnishing of services and materials for the ordinary and usual operation, maintenance and care of the public landscaping and appurtenant facilities, including repair, removal or replacement of all or part of any landscaping and appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, moles and wild pig.

“Maintenance” also includes the furnishing of water for irrigation of the public landscaping, and the supply of electricity to operate the attendant irrigation systems.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

Costs - the costs and expenses directly or indirectly incurred by the City of Clayton in connection with the Maintenance described above. Allowable Costs payable from special taxes of the District also include the County’s imposed costs to levy and collect the District’s special taxes through the annual property tax bill, the City’s shared equipment and facilities charges, City prorated overhead charges to administer and manage the District and collect the special taxes and District reserve funds for replacement and major repairs.

5.2. Resolution

The resolution approved by the City Council authorizing the levy of the special tax was not available at the time of writing this report.

5.3. Boundary Map

The following page shows the boundaries of the District.

COMMUNITY FACILITIES DISTRICT NO. 2007-1 CITYWIDE LANDSCAPE MAINTENANCE TAX



Legend

 CFD 2007-1 Boundary



6. DELINQUENCY DETAIL

The following pages detail delinquencies for the 2017/18 and prior fiscal years.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
118-091-006	EMES WILLIAM S & ROSE P 5962 WALLACE DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-093-001	COUCHOT G RICHARD & JANET TRE 5974 CARDINET DR CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
118-093-007	ALOFF HELGA E TRE 5931 WALLACE DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-101-010	CRESCI MARY ELLEN TRE 55 MARQUETTE CT CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-164-056	ZIMMERMAN IRVING H & PATRICIA 1542 HAVILAND PL CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-212-007	DONG CRAIG & PAULINA 1320 OAKCREST WAY ANTIOCH, CA 94531	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): R=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SO=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated;
 CP=County Payment Plan; FJ=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; UT=Litigation Guarantee; LG=Legal Fees and Costs; D=Other Fees; JCR=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DR=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
118-410-039	BRENNER MATTHEW & OBRIEN PATRICIA MORGAN 1191 SHELL LN CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-410-076	MILLER LINDA 1292 SHELL CIR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-410-090	MOYLAN JAMES F JR 1396 SHELL LN CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	120.59 120.59 124.21 124.21	31.96 31.96 12.42 12.42	0.00 0.00 0.00 0.00	152.55 152.55 136.63 136.63		
		Account Subtotal:	\$489.60	\$88.76	\$0.00	\$578.36		
118-410-104	BILLO WILLIAM F & YVONNE R TRE 1368 SHELL LN CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	120.59 120.59 124.21 124.21	31.96 31.96 12.42 12.42	0.00 0.00 0.00 0.00	152.55 152.55 136.63 136.63		
		Account Subtotal:	\$489.60	\$88.76	\$0.00	\$578.36		
118-432-002	BISCHER CARMEN B SR TRE 393 AHWANEE LN CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
118-432-020	ARING STEVEN T TRE 422 WAWONA LN CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): R=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; F=Judicial Foreclosure Initiated;
 CP=County Payment Plan; FJ=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
118-442-012	VALENCIA JANET 3013 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-451-004	RIVERA ROBERT A & ROBYN O TRE 307 WINDMILL CANYON PL CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-451-006	MISAGHI AKBAR & FOURUZANDEH SIMIN B 311 WINDMILL CANYON PL CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-452-013	SARDI MARILYN J 203 FALCON PL CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-452-021	SINGH PAMELA KAUR 214 FALCON PL CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
118-460-005	KHAN FAROOQ H 608 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-460-025	BERNERT DANIEL 632 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		

(1) Fees: This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; P=Judicial Foreclosure Initiated;
 CP=County Payment Plan; F=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LG=Investigation Guaranteed; LGT=Legal Fees and Costs; O=Other Fees; SC=Tax Roll Removal County Fee; PP=Payment Plan;
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
118-460-028	HOLBROOK GLORIA HSIAOFANG TRE 638 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-510-031	LALLY KENNETH & KIM 163 SILVERADO CT CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
118-510-042	FURGERSON DONN & KATHLEEN TRE PO BOX 30155 WALNUT CREEK, CA 94598	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-530-016	BECK SUSAN M 1431 INDIANHEAD WAY CLAYTON, CA 94517	12/10/2012 04/10/2013	108.93 108.93	107.30 107.30	0.00 0.00	216.23 216.23		
		Account Subtotal:	\$217.86	\$214.60	\$0.00	\$432.46		
118-530-043	SHIPMAN TANA G TRE 1485 INDIANHEAD CIR CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	120.59 120.59 124.21 124.21	31.95 31.95 12.42 12.42	0.00 0.00 0.00 0.00	152.55 152.55 136.63 136.63		
		Account Subtotal:	\$489.60	\$88.76	\$0.00	\$578.36		
118-550-003	BARTLEY THOMAS A & KAREN K 608 GOLDEN EAGLE PL CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		

(1) Fees: This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; R=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
118-550-008	DAREZZO GREG T BROOKE H 503 RAVEN PL CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-550-010	WEBSTER DAVID S & CURRY MICHELLE 507 RAVEN PL CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-560-006	LFB ENTERPRISES LLC 6123 MAIN ST CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63	RL	
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-580-003	AGONCILLO SARAH W 204 CONDOR WAY CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-600-018	SMITH DAVID G & ALYSE M 601 CONDOR PL CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-620-008	SKOV BARBARA A TRE 41780 BUTTERFIELD STAGE RD TEMECULA, CA 92592	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-620-026	COLT SAMUEL T & CATHERINE L 6024 GOLDEN EAGLE WAY CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		

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 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SCR=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=Courtesy Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
118-620-047	INGRAM VINCE B 7016 MOLLUK WAY CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-630-017	KUTTERS DEBORAH LYNNE TRE 3055 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-650-001	HILDERBRAND BENJAMIN & LORI PO BOX 221 CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-660-052	MUJADDIDI EBNE A & CHISHTY ELHAM S 4107 COYOTE CIR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-690-012	DELUMEN TONY & JENNIFER TRE 1237 DEEP CREEK RD LIVERMORE, CA 94550	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
118-700-014	DARCY PATRICK & JUDI 1227 BRIDLEWOOD CT CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-013-002	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63	RL RL	
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		

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 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SO=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FH=Judicial Foreclosure Initiated;
 CP=County Payment Plan; FJ=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, reminder delinquent.

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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
119-013-003	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017	124.21	12.42	0.00	136.63	RL	
		04/10/2018	124.21	12.42	0.00	136.63	RL	
Account Subtotal:			\$248.42	\$24.84	\$0.00	\$273.26		
119-013-004	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017	124.21	12.42	0.00	136.63	RL	
		04/10/2018	124.21	12.42	0.00	136.63	RL	
Account Subtotal:			\$248.42	\$24.84	\$0.00	\$273.26		
119-013-007	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017	124.21	12.42	0.00	136.63	RL	
		04/10/2018	124.21	12.42	0.00	136.63	RL	
Account Subtotal:			\$248.42	\$24.84	\$0.00	\$273.26		
119-013-008	IPSEN KENT A TRE 1535 GIAMMONA DR WALNUT CREEK, CA 94596	12/10/2017	124.21	12.42	0.00	136.63	RL	
		04/10/2018	124.21	12.42	0.00	136.63	RL	
Account Subtotal:			\$248.42	\$24.84	\$0.00	\$273.26		
119-021-065	PACIFIC TELEPHONE & TELEGRAPH 1 MONTGOMERY ST #412 SAN FRANCISCO, CA 94104	04/10/2017	120.59	31.96	0.00	152.55	RL	
		12/10/2017	124.21	12.42	0.00	136.63	RL	
		04/10/2018	124.21	12.42	0.00	136.63		
Account Subtotal:			\$369.01	\$56.80	\$0.00	\$425.81		
119-022-001	MATHEWS JOHN W EST OF VIOLET CHURCHILL 11507 SILVERGATE DR DUBLIN, CA 94568	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
Account Subtotal:			\$248.42	\$24.84	\$0.00	\$273.26		

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 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demired Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated;
 CH=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; CO=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
119-040-021	UTLEY GLORIA J TRE PO BOX 7 CLAYTON, CA 94517	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
119-040-035	J5 FUNDING INC 1875 OLYMPIC BLVD WALNUT CREEK, CA 94596	12/10/2016	120.59	31.96	0.00	152.55	RL,DL	
		04/10/2017	120.59	31.96	0.00	152.55	RL,DL	
		12/10/2017	124.21	12.42	0.00	136.63	RL,DL	
		04/10/2018	124.21	12.42	0.00	136.63	DL	
Account Subtotal:	\$489.60	\$88.76	\$0.00	\$578.36				
119-111-004	CULLEN JOHN J III & LYNN D 6 KENSTON CT CLAYTON, CA 94517	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
119-111-007	LINVILLE KATHRYN 11 NEWMAN CT CLAYTON, CA 94517	04/10/2012	106.71	124.32	0.00	231.03	RL,DL	
		12/10/2012	108.93	107.30	0.00	216.23	RL,DL	
		04/10/2013	108.93	107.30	0.00	216.23	RL,DL	
		Account Subtotal:	\$324.57	\$338.92	\$0.00	\$663.49		
119-111-010	MARTINEZ ALEJANDRO & DELACERDA CECILIA 1019 KENSTON DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-121-014	JENNINGS BARBARA J TRE 1025 KENSTON DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		

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 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LIT=Litigation Guarantees; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.
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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
119-232-029	AYSON LAWRENCE L 4420 SUGARLAND CT CONCORD, CA 94521	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-232-039	MADAL JOSEPH AUGUST EST OF JOSEPH M MADAL 4465 VIEJA DR SANTA BARBARA, CA 93110	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-232-043	ROUSSEAU GLORIA M 19 MT WILSON WAY CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
119-242-028	GIN YONDA TRE 180 16TH AVE SAN FRANCISCO, CA 94118	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
119-274-001	MORGAN TIMOTHY J 1285 PARKSIDE DR WALNUT CREEK, CA 94596	12/10/2012 04/10/2013 12/10/2013 04/10/2014	108.93 108.93 111.52 111.52	107.30 107.30 89.77 89.77	0.00 0.00 0.00 0.00	216.23 216.23 201.29 201.29	RL, DL RL, DL RL, DL RL, DL	
		Account Subtotal:	\$440.90	\$394.14	\$0.00	\$835.04		
119-275-009	FERRARI LOUIS & MARGARITA TRE 28 BARCELONA WAY CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		

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(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; PJ=Judicial Foreclosure Initiated; CP=County Payment Plan; FJ=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LG=Liability Guarantee; LGL=Legal Fees and Costs; OI=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: OB=Direct Bill Sale; BR=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
119-301-013	SOUZA BENJAMIN 566 MT DELL DR CLAYTON, CA 94517	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
119-322-020	ISAKSON DAVID O & ALICE J TRE 2 MIRANGO CT CLAYTON, CA 94517	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
119-391-007	COLEMAN DARYN J & JANICE Y 200 FLEMING DR CLAYTON, CA 94517	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
119-412-010	LAIGN PAUL E JR & ANDREA L 205 MT WILSON PL CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-440-004	JOHNSON ERIK A & CRISTY L TRE 3421 QUICKSTEP CIR HUNTINGTON BEACH, CA 92649	12/10/2015	117.42	52.25	0.00	169.67		
		04/10/2016	117.42	52.25	0.00	169.67		
		Account Subtotal:	\$234.84	\$104.50	\$0.00	\$339.34		
119-440-020	MINGHAM STEVEN PETER JR 139 MT EVEREST CT CLAYTON, CA 94517	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		

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 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; 1R=Tax Roll Removal Requested; 5C=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated;
 CP=County Payment Plan; FN=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LG=Legal Fees and Costs; O=Other Fees; SD=Tax Roll Removal County Fee; PP=Payment Plan.
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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
119-451-005	FRACASSO ANGELO V JR TRE 202 CLIFFORD CT CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-452-007	TARANTINO JOSEPH P & DANA M 608 W MYRICK CT CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-530-006	CASTANEDA JUAN F TRE 826 SAVIGNON CT CLAYTON, CA 94517	12/10/2014	114.63	71.64	0.00	186.27	RI,DI	
		04/10/2015	114.63	71.64	0.00	186.27	RI,DI	
		04/10/2016	117.42	52.25	0.00	169.67	RI,DI	
		04/10/2017	120.59	31.96	0.00	152.55	DI	
	Account Subtotal:		\$467.27	\$227.49	\$0.00	\$694.76		
119-530-020	WELTY RANDALL E & ANN L 1146 EASLEY DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-542-008	KING MAX WAYNE TRE 607 PINOT CT CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-554-009	SINGH JITENDRA K & KAMLESH TRE 334 SEMILLON CIR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		

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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
119-555-009	CORDOVA CARMEN 1077 NURSERY LN CONCORD, CA 94520	12/10/2015	117.42	52.25	0.00	169.67	RL,DL	
		04/10/2016	117.42	52.25	0.00	169.67	RL,DL	
		12/10/2015	120.59	31.96	0.00	152.55	RL,DL	
		04/10/2017	120.59	31.96	0.00	152.55	DL	
		12/10/2017	124.21	12.42	0.00	136.63	DL	
		04/10/2018	124.21	12.42	0.00	136.63	DL	
	Account Subtotal:		\$724.44	\$193.26	\$0.00	\$917.70		
119-593-001	ERNST ANDRE J & LYNNDI A 541 HAMBURG CIR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-600-021	BECK DENNIS K 266 EL PUEBLO PL CLAYTON, CA 94517	12/10/2016	120.59	31.96	0.00	152.55	RL,DL	
		04/10/2017	120.59	31.96	0.00	152.55	RL,DL	
		12/10/2017	124.21	12.42	0.00	136.63	RL,DL	
		04/10/2018	124.21	12.42	0.00	136.63	DL	
		Account Subtotal:	\$489.60	\$88.76	\$0.00	\$578.36		
119-600-062	LOMBARDO DENISE M 71 EL PORTAL DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
119-610-010	CHANDLER CHRISTOPHER P 43 LA CANADA CT CLAYTON, CA 94517	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
	Account Subtotal:		\$248.42	\$24.84	\$0.00	\$273.26		
119-620-007	PASCHALL MICHAEL & MELISSA TRE 212 STRANAHAN CIR CLAYTON, CA 94517	12/10/2017	124.21	12.42	0.00	136.63		
		04/10/2018	124.21	12.42	0.00	136.63		
	Account Subtotal:		\$248.42	\$24.84	\$0.00	\$273.26		

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(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SO=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; DLA=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SD=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Distressed Bankruptcy; PM=Partial Payment made, remainder delinquent.

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Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)		
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax										
119-520-045	DICKIE DARREN & KATHLEEN 257 STRANAHAN CIR CLAYTON, CA 94517	12/10/2012	108.93	107.30	0.00	216.23	RL,DL			
		04/10/2013	108.93	107.30	0.00	216.23	RL,DL			
		12/10/2013	111.52	89.77	0.00	201.29	RL,DL			
		04/10/2014	111.52	89.77	0.00	201.29	RL,DL			
		12/10/2014	114.63	71.64	0.00	186.27	RL,DL			
		04/10/2015	114.63	71.64	0.00	186.27	DL			
		12/10/2015	117.42	52.25	0.00	169.67	DL			
		04/10/2016	117.42	52.25	0.00	169.67	DL			
		12/10/2016	120.59	31.96	0.00	152.55	DL			
		04/10/2017	120.59	31.96	0.00	152.55	DL			
		12/10/2017	124.21	12.42	0.00	136.63	DL			
		04/10/2018	124.21	12.42	0.00	136.63	DL			
				Account Subtotal:	\$1,394.60	\$730.68	\$0.00	\$2,125.28		
		120-013-002	HARE DAVID M TRE 5832 FOUR OAKS LN CLAYTON, CA 94517	12/10/2012	108.93	107.30	0.00	216.23	RL,DL	
				04/10/2013	108.93	107.30	0.00	216.23	RL,DL	
12/10/2013	111.52			89.77	0.00	201.29	RL,DL			
04/10/2014	111.52			89.77	0.00	201.29	RL,DL			
12/10/2014	114.63			71.64	0.00	186.27	RL,DL			
04/10/2015	114.63			71.64	0.00	186.27	DL			
12/10/2015	117.42			52.25	0.00	169.67	DL			
04/10/2016	117.42			52.25	0.00	169.67	DL			
12/10/2016	120.59			31.96	0.00	152.55	DL			
04/10/2017	120.59			31.96	0.00	152.55	DL			
12/10/2017	124.21			12.42	0.00	136.63	DL			
04/10/2018	124.21			12.42	0.00	136.63	DL			
				Account Subtotal:	\$1,270.39	\$718.26	\$0.00	\$1,988.65		
120-025-004	FRANK JENNIFER TRE 2329 SILVER CREEK CIR ANTIOCH, CA 94509			12/10/2017	124.21	12.42	0.00	136.63		
				04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26				

(1) Fees: This amount includes Delinquency Management fees that were or will be collected in a subsequent billing.
 (2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SCR=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FJ=Judicial Foreclosure Initiated;
 CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LG=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan
 (3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD 2007-1 - CFD 2007-1 Citywide Landscaping Tax								
120-032-004	TREMAINE RICHARD E & MARY J 20 NOTTINGHAM CIR CLAYTON, CA 94517	04/10/2017 04/10/2018	120.59 124.21	31.96 12.42	0.00 0.00	152.55 136.63	RL,DL	
		Account Subtotal:	\$244.80	\$44.38	\$0.00	\$289.18		
120-103-001	MOISE ALLYN III & CYNTHIA 1395 EL CAMINO DR CLAYTON, CA 94517	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
120-104-001	VARGAS JOSEPH C 1445 EL CAMINO DR CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
120-105-016	BWYNN DAVID & SHELLY 4416 SMOKE TREE CT CONCORD, CA 94521	04/10/2018	124.21	12.42	0.00	136.63		
		Account Subtotal:	\$124.21	\$12.42	\$0.00	\$136.63		
120-112-001	GUNDERSHAUG GARY 1348 YOSEMITE CIR CLAYTON, CA 94517	12/10/2017 04/10/2018	124.21 124.21	12.42 12.42	0.00 0.00	136.63 136.63		
		Account Subtotal:	\$248.42	\$24.84	\$0.00	\$273.26		
121-170-003	SYLVIA USA LLC 2836 HALLMARK DR BELMONT, CA 94002	04/10/2017 12/10/2017 04/10/2018	120.59 124.21 124.21	31.96 12.42 12.42	0.00 0.00 0.00	152.55 136.63 136.63	RL RL RL	
		Account Subtotal:	\$369.01	\$56.80	\$0.00	\$425.81		
District Totals:	84 Accounts		\$20,057.22	\$4,678.69	\$0.00	\$24,735.91		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; UT=Utilization Guarantee; LEL=Legal Fees and Costs; DO=Other Fees; SO=Tax Roll Removal County Fee; PF=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
Late Charges Calculated Through: 05/31/2018

Report Totals:	84 Accounts	\$20,057.22	\$4,678.69	\$0.00	\$24,735.91
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(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; DL=Other Letter Sent; FH=Judicial Foreclosure Initiated;
CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LG=Legal Fees and Costs; DI=Other Fees; SD=Tax Roll Removal County Fee; PP=Payment Plan

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

7. 2018/19 SPECIAL TAX ROLL

The following pages show the 2018/19 Special Tax Roll for the District.

FY 2018 - 2019 SPECIAL TAX ROLL
Summary

CFD 2007-1 Citywide Landscape Maintenance District
Special Tax

For fiscal year 2018-2019 the assessor's parcel numbers and the special tax amounts are as set forth in the Community Facilities District No.2007-1 (Citywide Landscape Maintenance) Preliminary Billing Levy Detail Report for FY 2018-19 on file in the City Clerk's office, City Hall, 6000 Heritage Trail, Clayton, CA.

Due to the length of the report, it is summarized as follows:

In general all residential parcels, (single family, condo, and townhouse) shall have a rate for FY 18-19 of \$255.86 per parcel. All non-residential parcels shall have a rate for FY 18-19 of \$255.86 per acre or fraction thereof, based on parcel size as shown on the most recent County tax and parcel records.

There are a total of 4100 parcels to be levied:

There are 4040 residential levies.

There are 60 non-residential levies comprising 362 acres.

\$1,033,674.40 est. total revenue from residential

\$88,020.16 est. total revenue from non-residential

\$1,121,694.56 est. revenue for FY 18-19

ORDINANCE NO. 409

**AN ORDINANCE LEVYING SPECIAL TAXES WITHIN COMMUNITY
FACILITIES DISTRICT NO. 2007-1
(Citywide Landscape Maintenance)**

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

WHEREAS, on January 16, 2007, the City Council (the "Council") of the City of Clayton (the "City") adopted Resolution No. 04-2007 entitled "*A Resolution of Intention to Establish a Community Facilities District to Fund the Annual Operation and Maintenance of a Citywide Landscape Maintenance District for a Time Period of Ten Years, and to Authorize the Levy of Special Taxes Therein*" (the "Resolution of Intention") stating its intention to establish City of Clayton Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1962, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"), to finance certain services (the "Services"); and

WHEREAS, notice was published as required by the Act relative to the intention of this City Council to form the CFD and to provide for the Services; and

WHEREAS, on February 20, 2007 this City Council held a noticed public hearing as required by the Act relative to the determination to proceed with the formation of the CFD and the rate and method of apportionment of the special tax to be levied within the CFD to finance the costs of the Services; and

WHEREAS, at said hearing all persons desiring to be heard on all matters pertaining to the formation of the CFD and the levy of said special taxes were heard, substantial evidence was presented and considered by this Council and a full and fair hearing was held; and

WHEREAS, subsequent to the public hearing, on February 20, 2007 this City Council adopted Resolution No. 06-2007 entitled "*A Resolution of Formation of a Community Facilities District(Citywide Landscape Maintenance District) For a Period of Ten Years, and Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor*" (the "Resolution of Formation"), and also adopted Resolution No. 07-2007 entitled "*A Resolution Calling Special Election in a Community Facilities District,*" which resolutions established the CFD, authorized the levy of a special tax with the CFD, and called an election within the CFD on the proposition of levying a special tax and establishing an appropriations limit within the CFD, respectively; and

WHEREAS, the election was held on June 5, 2007 within the CFD in which the eligible registered voters approved the propositions presented by more than the two-thirds vote required by the Act, which approvals were confirmed by Resolution No. - 2007 adopted by this City Council on June 19, 2007.

NOW THEREFORE, THE CITY COUNCIL OF CLAYTON, CALIFORNIA DOES ORDAIN as follows:

Section 1. Special Tax Authorized. By the passage of this Ordinance this City Council hereby authorizes and levies special taxes within the CFD pursuant to 53328 and 53340 of the Act, at the rates and in accordance with the method of apportionment set forth in Exhibit B to the Resolution of Formation (the "Rate and Method"). The special taxes are hereby levied commencing in fiscal year 2007-08 and in each fiscal year thereafter through fiscal year 2016-17 for the payment of all costs of the Services and payment of all costs of administering the CFD.

Section 2. Collection Official. Following the approval by the City Council of a budget for the CFD for each fiscal year after 2007-08, the City Manager (or his or her designee) (the "Collection Official") is hereby authorized and directed in each fiscal year to determine the specific special tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property within the CFD, in accordance with such approved budget and in the manner and as provided in the Rate and Method of Apportionment. In the event that this City Council has not adopted a budget for the CFD by July 31 of any year, the budget for that fiscal year shall be the same as the budget for the previous fiscal year.

Section 3. Exemptions. Properties or entities of the State, federal or local governments shall be exempt from any levy of the special taxes, to the extent set forth in the Rate and Method of Apportionment. In no event shall the special taxes be levied on any parcel within the CFD in excess of the maximum tax specified in the Rate and Method of Apportionment.

Section 4. Use of Special Tax. All of the collections of the special tax shall be used as provided for in the Act, the Rate and Method of Apportionment, and in the Resolution of Formation including, but not limited to, the payment of the costs of the Services, the payment of the costs of the City in administering the CFD and the costs of collecting and administering the special tax.

Section 5. Collection Method. The special taxes of the CFD shall be collected from time to time as necessary to meet the financial obligations of the CFD on the secured real property tax roll in the same manner as ordinary *ad valorem* taxes are collected. In each fiscal year commencing in the fiscal year 2007-08, the Collection Official is authorized and directed to provide all necessary information to the auditor/tax collector of the County of Contra Costa and to otherwise take all actions necessary in order to effect proper billing and collection of the special tax, so that the special tax shall be levied and collected in sufficient amounts and at the times necessary to satisfy the

financial obligations of the CFD in each fiscal year until the City shall cease to collect the special taxes and provision has been made for payment of all of the administrative costs of the CFD.

Notwithstanding the foregoing, the Collection Official may collect the special taxes by means of direct billing by the City to the property owners within the CFD if, in the judgment of the Collection Official such means of collection will reduce the administrative burden on the City in administering the CFD or is otherwise appropriate in the circumstances. In such event, the special taxes shall become delinquent if not paid when due as set forth in any such respective billing to the property owners.

Whether the special taxes are levied in the manner provided in the first or the second preceding paragraph, the special taxes shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for ad valorem taxes. In addition, the provisions of Section 53356.1 of the Act shall apply to delinquent special tax payments.

Section 6. Partial Invalidity. If for any reason any portion of this ordinance is found to be invalid, or if the special tax is found inapplicable to any particular parcel within the CFD, by a Court of competent jurisdiction, the balance of this ordinance and the application of the special tax to the remaining parcels within the CFD shall not be affected.

Section 7. Execution and Posting. The Mayor shall sign this Ordinance and the City Clerk, within fifteen (15) days after its passage, shall cause the same to be posted in three (3) public places as designated by Resolution of the Clayton City Council for the posting of ordinances and public notices.

The foregoing Ordinance was introduced at a regular public meeting of the City Council of Clayton, California held on the 19th day of June 2007.

PASSED, ADOPTED and ORDERED posted at an adjourned regular public meeting of the City Council of Clayton, California held on 26 day of June 2007, by the following vote:


AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford

NOES: None

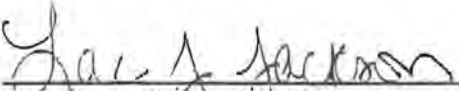
ABSENT: Councilmember Shuey

ABSTAIN: None

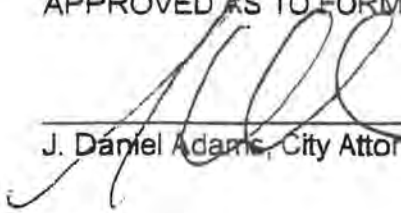
THE CITY COUNCIL OF CLAYTON, CA


WILLIAM R. WALCUTT, Mayor

ATTEST:


Laci J. Jackson, City Clerk

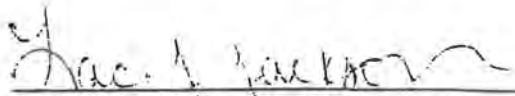
APPROVED AS TO FORM:


J. Daniel Adams, City Attorney

APPROVED BY ADMINISTRATION:

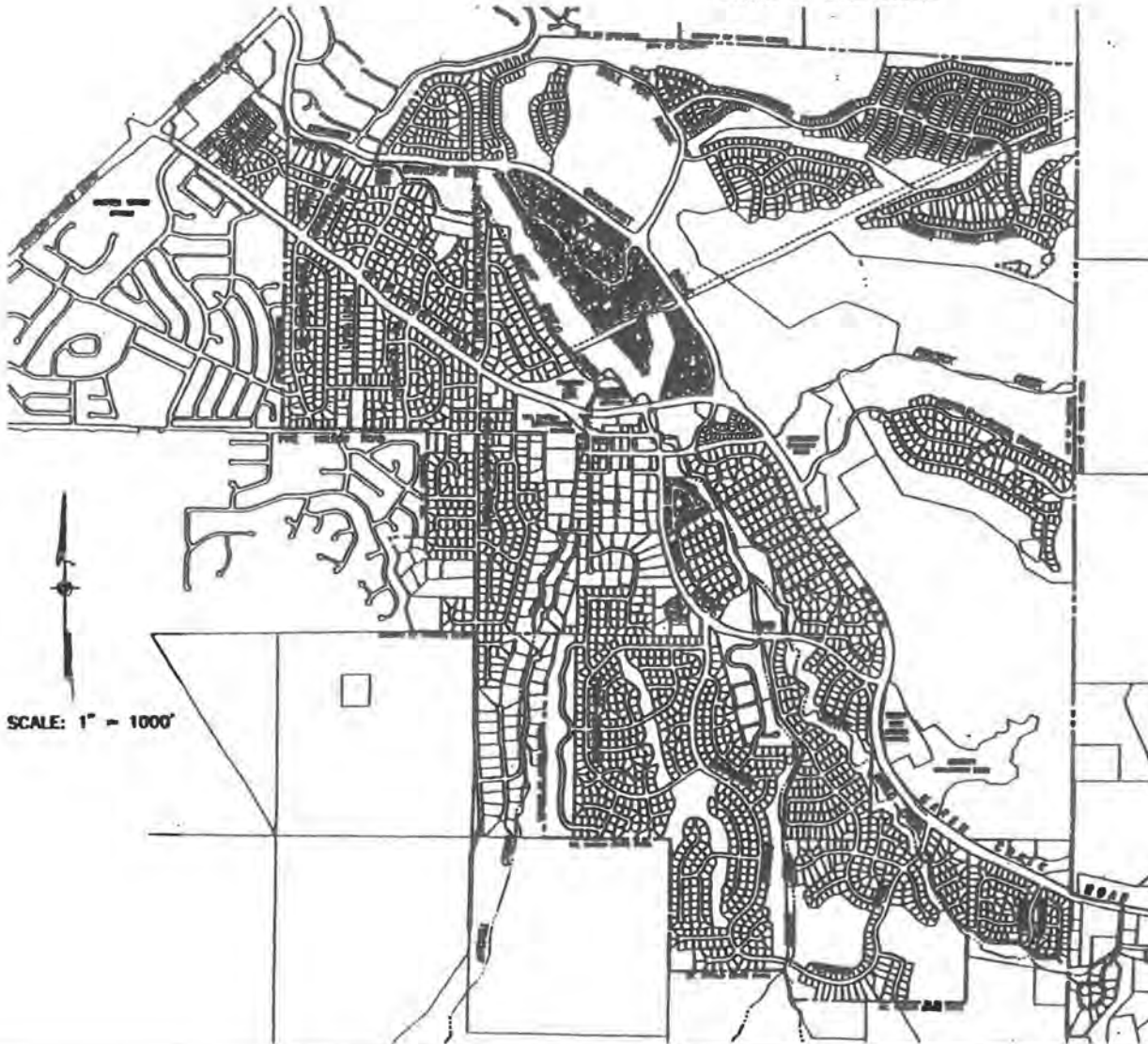

Gary A. Napper, City Manager

I hereby certify that the foregoing Ordinance was duly introduced at a regular public meeting of the City Council of Clayton, California held on June 19, 2007, and was duly adopted, passed, and ordered posted at an adjourned regular meeting of the City Council held on June 26, 2007.


Laci J. Jackson, City Clerk

BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 4TH DAY OF JANUARY, 2007.

BY: *Dei Jackson*
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 14TH DAY OF JANUARY, 2007, BY ITS RESOLUTION NO. 07-1887

BY: *Dei Jackson*
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 23RD DAY OF JANUARY 2007, AT THE HOUR OF 2:07 O'CLOCK P.M. IN BOOK 87 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 16, AND AS INSTRUMENT NUMBER 07-0302 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: *STEPHEN L. WEIR*
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: *Orlando*
DEPUTY COUNTY RECORDER

LEGEND

----- CITY LIMIT LINE AND
COMMUNITY FACILITY DISTRICT BOUNDARY

1-23-07 2:04 PM

81-15

RESOLUTION NO. 07 -2016

**A RESOLUTION OF CONSIDERATION TO EXTEND FOR TEN YEARS
THE EXISTING SPECIAL TAX SUBJECT TO THE
SAME ADJUSTMENT METHODOLOGY FOR COMMUNITY
FACILITIES DISTRICT 2007-1**

**CITY OF CLAYTON
Community Facilities District 2007-1
(Citywide Landscape Maintenance District)**

WHEREAS, the City of Clayton established Community Facilities District 2007-1 ("CFD") within the City of Clayton, authorized the levy of a special tax on real property within the CFD and established an initial appropriations limit for the CFD; and

WHEREAS, the special tax levied within the CFD is set to expire in Fiscal Year 2016/2017; and

WHEREAS, pursuant to the Mello-Roos Community Facilities Act of 1982 ("Act"), Chapter 2.5 (commencing with Section 53311) of Part 1 of Division 2 of Title 5 of the Government Code, the City Council of the City of Clayton has determined the public convenience and necessity require that an extension of the existing special tax should be proposed within the CFD to extend the existing special tax for ten years, from Fiscal Year 2017/2018 (i.e., beginning July 1, 2017) through Fiscal Year 2026/2027 (i.e., ending June 30, 2027), subject to the same adjustment methodology and that it should, therefore, adopt a Resolution of Consideration pursuant to Sections 53331 and 53334 of the Act to initiate proceedings for the consideration of such special tax levy; and

WHEREAS, the City Council wishes to schedule a public hearing on such proposed tax extension for March 1, 2016.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON THAT:

SECTION 1. Findings and Background. The City Council finds the preceding recitals are correct and are incorporated into this Resolution.

SECTION 2. Affected Area. The affected area is the Community Facilities District 2007-1 (Citywide Landscape Maintenance District) ("CFD"). The territory within the District is generally shown and described on the map of the boundaries of the CFD which was recorded in the Contra Costa Recorder's Office on January 23, 2007 in Book 81 at page 15 of Maps of Assessment and Community Facilities Districts.

SECTION 3. Extended Special Tax. The City Council proposes that an extension of the existing special tax should be levied within the CFD to extend the existing special tax, at its current and existing rate and method of apportionment, for ten years from Fiscal Year 2017/2018 through Fiscal Year 2026/2027 ("Special Tax"). As such, all references to the expiration or term of the Special Tax in the rate and method of apportionment shall reflect the new expiration date

of Fiscal Year 2026/2027. The rate and method of apportionment for the Special Tax, subject to the extended term set forth in this section, is more particularly described and set forth in Resolutions No. 06-2007 and 07-2007. True and correct copies of these Resolutions are attached as Exhibit A and incorporated by this reference and are on file with the Clayton City Clerk.

SECTION 4. No Changes to Services. This Resolution does not propose any changes to the services or facilities provided by the CFD. The CFD would continue to provide operation and maintenance services for the Citywide Landscape Maintenance District through the extended term of Fiscal Year 2026/2027 as it currently does without any amendments or modifications.

SECTION 5. Appropriations Limit. The previously approved appropriations limit for the CFD shall not be effected by this Resolution and shall be adjusted by the City as permitted by applicable law.

SECTION 6. Public Hearing. Notice is given that on March 1, 2016, at 7:00 p.m. or as soon thereafter as the matter may be heard, at Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA 94517, a public hearing will be held where the City Council will consider the extension of the Special Tax as proposed herein. At the above-mentioned time and place for public hearing any persons interested, including taxpayers and property owners may appear and be heard. The testimony of all interested persons for or against the Special Tax will be heard and considered. Any protests may be made orally or in writing. However, any protests pertaining to the regularity or sufficiency of the proceedings shall be in writing and clearly set forth the irregularities and defects to which the objection is made. All written protests shall be filed with the City Clerk on or before the time fixed for the public hearing. Written protests may be withdrawn in writing at any time before the conclusion of the public hearing. If a written majority protest is filed against the Special Tax, the proceedings shall be abandoned.

SECTION 7. Election. If, following the public hearing described in the Section 6 above, the City Council determines to approve the extension of the existing Special Tax, the City Council shall then submit the amendment to the qualified electors of the CFD. As at least twelve (12) persons have been registered to vote within the CFD for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by registered voters of the CFD, with each voter having one (1) vote. Approval of the Special Tax shall require two-thirds approval of those voting on the measure.

SECTION 8. Notice. The City Clerk shall provide notice of the public hearing identified in Section 6 as required by Government Code sections 53322 and 53335. The City Council elects not to provide the optional notice permitted by Government Code section 53322.4.

SECTION 9. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Clayton, California, at a regular meeting thereof held on January 19, 2016 by the following vote:

AYES: Mayor Geller, Councilmembers Haydon, Pierce and Shuey.

NOES: None.

ABSENT: Vice Mayor Diaz.

ABSTAIN: None.

THE CITY COUNCIL OF CLAYTON, CA



Howard Geller, Mayor

ATTEST:



Janet Brown, City Clerk

I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a regular meeting held on January 19, 2016.



Janet Brown, City Clerk

EXHIBIT A - to Resolution 07-2017
Comprising of
Resolution 06-2007
Resolution 07-2007

RESOLUTION NO. 06-2007

**A RESOLUTION OF FORMATION OF A COMMUNITY FACILITIES DISTRICT
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT) FOR A PERIOD OF TEN
YEARS, AND AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN AND
PRELIMINARILY ESTABLISHING AN APPROPRIATIONS LIMIT THEREFOR**

**The City Council
City of Clayton, California
Community Facilities District 2007-1
(Citywide Landscape Maintenance)**

WHEREAS, on 16 January 2007 this City Council adopted Resolution No. 04 - 2007 entitled "A Resolution of Intention to Establish a Community Facilities District to Fund the Annual Operation and Maintenance of a Citywide Landscape Maintenance District for a Time Period of Ten Years, and to Authorize the Levy of Special Taxes Therein" (the "Resolution of Intention"), stating its intention to form the City of Clayton, Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) (the "CFD"), pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of the CFD and stating the Services (as described herein) to be provided, the estimated maximum cost of providing such Services, and the rate and method of apportionment of the special tax to be levied within the CFD to pay for the Services (as hereafter defined) with respect to the CFD, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein; and

WHEREAS, on 20 February 2007 this City Council held a duly noticed public hearing as required by the Act on the Resolution of Intention relative to the proposed formation of the CFD; and

WHEREAS, at said public hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD, the Services to be provided therein and the levy of said special tax were heard and a full and fair hearing was held; and

WHEREAS, at said hearing evidence was presented to this Council on said matters before it, including a report by the City Manager (the "Report") as to the Services to be provided through the CFD and the costs thereof, a copy of which is on file with the City Clerk; and this City Council at the conclusion of said hearing is fully advised in the premises; and

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of Services and the rate and method of apportionment of the special taxes have not been filed with the City Clerk by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or property owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax; and

WHEREAS, the special tax proposed to be levied in the CFD to pay for the proposed Services to be provided therein, as set forth in Exhibit A hereto, has not been eliminated by protest by fifty percent (50%) or more of the registered voters residing within the territory of the CFD or the owners of one-half (1/2) or more of the area of land within the CFD and not exempt from the special tax.

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

1. **Recitals**. The foregoing recitals are true and correct.
2. **No Majority Protest**. The proposed special tax to be levied within the CFD has not been precluded by majority protest pursuant to Section 53324 of the Act.
3. **Prior Proceedings**. All prior proceedings taken by this City Council in connection with the establishment of the CFD and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the requirements of the Act. This City Council hereby finds and determines that the CFD is in conformity with the goals and policies heretofore adopted by this City Council with respect to the formation of the CFD.
4. **CFD Established**. The community facilities district designated "City of Clayton, Community Facilities CFD No. 2007-1 (Citywide Landscape Maintenance)" is hereby established pursuant to the Act.
5. **Boundaries Described**. The boundaries of the CFD, as set forth in the map of the CFD heretofore recorded in the Contra Costa County Recorder's Office on 23 January 2007 in Book 81 at page 15 of Maps of Assessment and Community Facilities Districts, are hereby approved and incorporated herein by reference and shall be the boundaries of the CFD.
6. **Services**. The type of public Services proposed to be financed by the CFD and pursuant to the Act shall consist of those items listed as Services on Exhibit A attached hereto and by this reference incorporated herein (the "Services").
7. **Special Taxes**. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this City Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method

of apportionment of the special tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the proposed CFD to estimate the probable maximum amount such owner will have to pay, are described in Exhibit B attached hereto and by this reference incorporated herein.

8. Tax Collector For City. The City Manager, 6000 Heritage Trail, Clayton, California, 94517 telephone number (925) 673-7300 is the officer of the City who will be responsible for preparing annually a current roll of special tax levy obligations by assessor's parcel number and who will be responsible for estimating future special tax levies pursuant to Section 53340.2 of the Act.

9. Tax Lien. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the special tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the special tax obligation ceases and the lien canceled in accordance with law or until collection of the tax by the City ceases.

10. Appropriations Limit. In accordance with Section 53325.7 of the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at \$850,550.00 and said appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing said annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of Section 53325.7 of the Act.

11. Election. Pursuant to the provisions of the Act, the proposition of the levy of the special tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election the time, place and conditions of which election shall be as specified by a separate resolution of this Council.

12. Effective Date. This Resolution shall take effect upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 20th day of February 2007 on the following vote:

AYES: Mayor Walcutt, Vice Mayor Manning, Council Members Pierce, Shuey, and Stratford

NOES: None

ABSENT: None

ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA

William R. Walcutt
William R. Walcutt, Mayor

ATTEST:

Laci J. Jackson
Laci J. Jackson
City Clerk

####

EXHIBIT A

**CITY OF CLAYTON
Community Facilities District 2007-1
(Citywide Landscape Maintenance)**

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services to be financed by the special taxes of the City of Clayton Community Facilities District 2007-1 (Citywide Landscape Maintenance) (the "CFD") shall include the Maintenance of:

A. Public Roadway Landscaping – which includes but is not limited to the following improved rights-of-way:

- Atchinson Stage Road – from Pine Hollow Road to Caulfield Drive
- Black Point Place – center median island.
- Caulfield Court – center median island.
- Center Street – from Oak Street to Clayton Road.
- Clayton Road – from the western city limits to the southern Marsh Creek Road intersection.
- Cul-de-sacs: landscaped areas at end of Ahwanee Lane, Wawona Court, Tuyshtak Court, Antelope Court, Obsidian Court, Blue Oak Lane, Falcon Place, Windmill Canyon Place, Hummingbird Place, Raven Place, and Golden Eagle Place.
- Diablo Parkway – from Marsh Creek Road to El Portal Drive.
- Eagle Peak Avenue – from the east intersection with Oakhurst Drive to just west of the Ohlone Heights intersection, and including the west intersection with Oakhurst Drive.
- Indianhead Way – entrance area at Oakhurst Drive
- Indian Wells Way – both entrance areas with Oakhurst Drive, and center medians up to Anizume Court and Jalalon Place.
- Jeffry Ranch Court – center median island.
- Keller Ridge Drive – to Golden Eagle Place intersection.
- Lydia Lane – from intersection of Clayton Road to Lydia Lane Park.
- Main Street – from Clayton Road to (old) Marsh Creek Road.
- Marsh Creek Road – from the northern intersection of (old) Marsh Creek Road to the eastern city limits.
- Oakhurst Drive – from the western city limits to Clayton Road intersection.
- Peacock Creek Drive – from Clayton Road to approximately the Pebble Beach Drive intersection.
- Pine Hollow Road – from Atchinson Stage Road to Panadero Way.
- Regency Drive – median entrance from Marsh Creek Road.
- So. Mitchell Canyon Road – from approx. Del Trigo Lane to Herriman Court intersection.

B. Open Space and Trails – which include but are not limited to:

Publicly-owned creek-side, intra-community and open space trails located within the boundaries of the CFD.

C. Clayton Fountain – which includes but is not limited to:

Maintenance to the fountain itself, rock structure and all attendant appurtenances, including the geyser and water pump system as well as the surrounding public landscaped area located at east side of the intersection of Oakhurst Drive, Center Street and Clayton Road.

Definitions

“Maintenance” means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of the public landscaping and appurtenant facilities, including repair, removal or replacement of all or part of any landscaping and appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, moles and wild pigs. “Maintenance” also includes the furnishing of water for irrigation of the public landscaping, and the supply of electricity to operate the attendant irrigation systems.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

“Costs” means the costs and expenses directly or indirectly incurred by the City in connection with the Maintenance described above. Allowable Costs payable from special taxes of the District also include the County’s imposed cost to levy and collect the District’s assessment through the annual property tax bill, the City’s shared equipment and facilities charges, City prorated overhead charges to administer and manage the District and collect the special taxes, and District reserve funds for replacement and major repairs.

EXHIBIT B

**CITY OF CLAYTON
Community Facilities District 2007-1
(Citywide Landscape Maintenance)**

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2007-1 (Citywide Landscape Maintenance) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

Taxable Parcels: Parcels of land within the boundaries of the CFD that are not included in the "Exempt Parcel" category listed below.

Exempt Parcels: Parcels of land owned by a public agency, right-of-way parcels, schools, hospitals, cemeteries, mortuaries, libraries, parks, mineral rights, private roads, pipelines, public parking facilities and common areas.

Residential Parcels: Taxable parcels of land that are classified as either single-family, condominium, townhouse, multi-family or rural residential parcels.

Non-residential Parcels: Taxable parcels that are not classified as "Residential Parcels".

Special Tax: The special tax allowed to be levied on property within the CFD, calculated pursuant to this Rate and Method of Apportionment of Special Tax.

Special Tax Formula

A. Residential Parcels: An annual special tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each fiscal year 2007-2008 through 2016-2017:

Residential Parcel Annual Special Tax Rate: \$196.77

B. Non-residential Parcels: An annual special tax will be levied on all Non-residential Parcels at the per acre rate shown below for each fiscal year 2007-2008 through 2016-2017:

Non-residential Parcel Annual Special Tax Rate: \$196.77 per acre or fraction thereof, based on parcel size as shown on the then-current County tax roll.

Duration of Special Tax Levy

The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be collected unless extended pursuant to applicable laws, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

Special Tax Escalator Factor

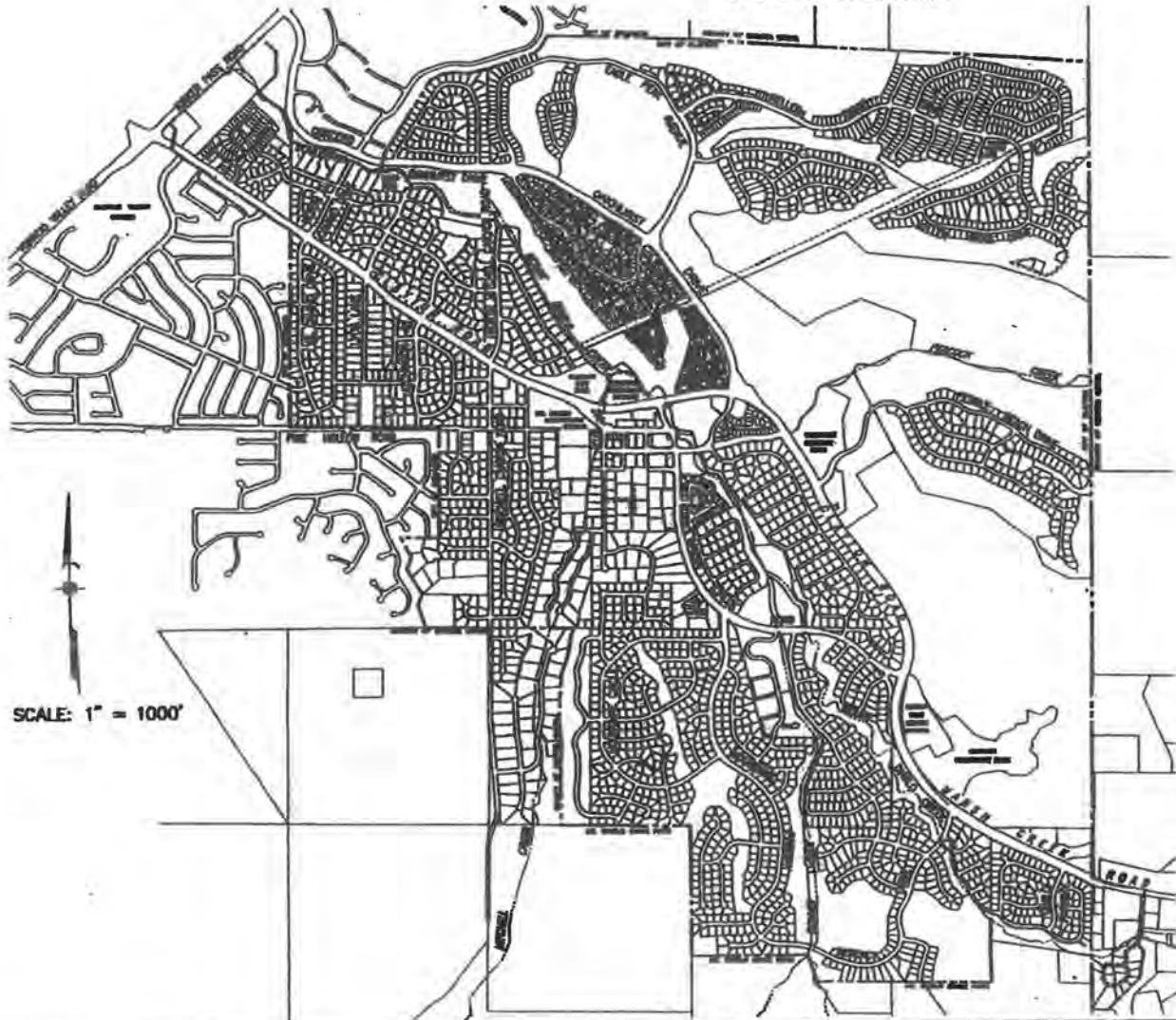
In fiscal years 2008-2009 through 2016-2017, the special tax may be increased annually by the Clayton City Council in an amount not to exceed the full annual adjustment (April to April) in the Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined to be necessary due to expected increases in the operational and maintenance expenses attributable to the CFD. Such determination shall be made by action of the Clayton City Council, which must occur at a regular public meeting thereof accompanied by a prior recommendation of the citizens' Trails and Landscaping Committee established by the City Council in February 2006 (City Resolution No. 08-2006). In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

Relationship to Special Tax of Community Facilities District 1997-1

An intent of the new Community Facilities District 2007-1 is to replace the City's Community Facilities District 1997-1 that levied an annual special tax for Citywide Landscape Maintenance purposes during the last ten years and which special tax automatically expires on June 30, 2007. No further special tax can be levied by CFD 1997-1.

**PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(DOWNTOWN PARK OPERATION AND MAINTENANCE DISTRICT)**

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 4th DAY OF January, 2007.

BY: *David Jackson*
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 11th DAY OF JANUARY, 2007, BY ITS RESOLUTION NO. 07-2007.

BY: *David Jackson*
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS 03rd DAY OF JANUARY, 2007, AT THE HOUR OF 12:00 O'CLOCK P. M. IN BOOK 81 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE 15, AND AS INSTRUMENT NUMBER 07-0001 IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: *STEPHEN L WEBER*
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: *D. Mandler*
DEPUTY COUNTY RECORDER

LEGEND

————— CITY LIMIT LINE AND
- - - - - COMMUNITY FACILITY DISTRICT BOUNDARY

FILED JAN 11 2007 10:07 AM BY REC. REC. CLAYTON (10-07) OFFICE CLAYTON, CALIF. REC. REC. CLAYTON (10-07) OFFICE CLAYTON, CALIF. REC. REC. CLAYTON (10-07) OFFICE CLAYTON, CALIF.

RESOLUTION NO. 07- 2007

**A RESOLUTION CALLING SPECIAL ELECTION
IN A COMMUNITY FACILITIES DISTRICT**

**THE CITY COUNCIL
CITY OF CLAYTON, CALIFORNIA
Community Facilities District 2007-1
(Citywide Landscape Maintenance)**

WHEREAS, on this date, this City Council adopted its Resolution No. 06 -2007 entitled "A Resolution of Formation of a Community Facilities District (Citywide Landscape Maintenance District) for a Period of Ten Years, and Authorizing the Levy of a Special Tax Therein and Preliminarily Establishing an Appropriations Limit Therefor" (the "Resolution of Formation"), ordering the formation of City of Clayton Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) (the "CFD"), authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to the Mello-Roos Community Facilities Act of 1982, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, pursuant to the provisions of the Resolution of Formation, the propositions of the levy of the special tax and the establishment of the appropriations limit shall be submitted to the qualified electors of the CFD at a special election as required by the Act; and

WHEREAS, this City Council desires that the special election be consolidated with any other election to occur in the City on June 5, 2007 and that the proposition be included on the ballot for such election which ballot is prepared by the officer charged with the duty of conducting the general and special elections for the County of Contra Costa, such official being the Registrar of Voters of the County of Contra Costa (the "Election Official"); and

WHEREAS, Section 9280 of the Elections Code of the State of California authorizes the filing of an impartial analysis and Sections 9281 to 9287 of said code authorize the filing of written arguments for or against any ballot proposition, and, if adopted by the City Council, rebuttal arguments.

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

1. Issues Submitted. Pursuant to Sections 53326 and 53325.7 of the Act, the issues of the levy of said special tax and the establishment of the appropriations limit shall be submitted to the qualified electors (as defined below) of the CFD at an election called therefor as provided below. The question to be voted upon as it shall appear on ballot shall be as follows:

Shall a new Community Facilities District 2007-1 (Citywide Landscape Maintenance District) be funded to replace the expiring District for a period of ten years to operate and maintain public roadway landscaping, trails system, open space weed abatement and related costs, with an annual levy of a special tax in the initial amount of \$196.77 per residential parcel and per non-residential acre or fraction thereof, and with an initial yearly appropriations limit of \$850,550?

The full text of the measure to be printed in the Voter Pamphlet shall include the "Description of Services to be Financed by the CFD" and the "Rate and Method of Levy of Special Tax", attached as Exhibits "A" and "B", respectively, to the Resolution of Formation of a Community Facilities District (Resolution No. 06 -2007).

2. Qualified Electors. Pursuant to Section 53326 of the Act, the vote shall be by the registered voters of the proposed CFD, with each voter having one vote.

3. Conduct of Election. This City Council hereby calls a special election (the "Election") to consider the measure described in paragraph 1 above, which election shall be held on June 5, 2007, and conducted by the Election Official. Within three business days of the adoption of this Resolution, the City Clerk shall provide to the Election Official a copy of this Resolution, a certified map of the proposed boundaries of the CFD, and a sufficient description to allow the Election Official to determine the boundaries of the CFD.

The Election is hereby ordered consolidated with any other election to be held within the City on said date, and within the territory affected by the consolidation; the election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, and all other proceedings incidental to and connected with the election shall be regulated and done in accordance with the provisions of law regulating general and special elections in the City and State and specified herein. The precincts used at the election shall be those used for citywide municipal elections, and, where necessary, the County Clerk may adjust precinct lines to coincide with the boundaries of the City. The Board of Supervisors of the County of Contra Costa is hereby requested to order the consolidation of the Election hereby called with any other election held in the City on said date, and to permit the County Clerk and the County Election Department to render services relating to the conduct of said election, which services will be determined by the City and the County Election Department, and the Board of Supervisors of the County of Contra Costa is hereby authorized to canvass the returns of said special municipal election, and said election shall be held in all respects as if there were only one election, only one form of ballot shall be used and the returns of the election need not be canvassed by the City Council. The City Clerk is hereby authorized and directed to work with the Elections Official and other appropriate officials of the County to ensure that the applicable requirements of the Elections Code are met.

4. Ballot Materials. The City Attorney is hereby requested to prepare and to provide to Election Official the ballot material described in Section 53327 of the Act.

Impartial Analysis. The City Clerk is hereby directed to submit to the City Attorney a certified copy of the measure set forth above. The City Attorney is hereby authorized and directed to prepare an impartial analysis of the measures showing the effect of the measures on the existing law and the operation of the measures, said analysis to be submitted by the City Attorney to the Election Official for printing before the arguments for and against the measure. The analysis shall not exceed 500 words in length and shall otherwise comply in all respects with the applicable provisions of the Elections Code of the State of California. The deadline date for the submittal of the analysis and primary arguments shall be March 13, 2007.

5. Filing of Primary and Rebuttal Arguments. The deadline for filing primary arguments concerning the ballot measure is March 13, 2007. Provisions for Rebuttal Arguments have been previously adopted by the Council. Rebuttal arguments must be filed by March 23, 2007.

6. Effective Date. This Resolution shall take effect upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 20th day of February 2007 on the following vote:


AYES: Mayor Walcutt, Vice Mayor Manning, Council Members Pierce, Shuey, and Stratford

NOES: None

ABSENT: None


ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA



William R. Walcutt, Mayor

ATTEST:



Laci J. Jackson
City Clerk

RESOLUTION NO. 04-2007

A RESOLUTION OF INTENTION TO ESTABLISH A COMMUNITY FACILITIES DISTRICT TO FUND THE ANNUAL OPERATION AND MAINTENANCE OF A CITYWIDE LANDSCAPE MAINTENANCE DISTRICT FOR A TIME PERIOD OF TEN YEARS, AND TO AUTHORIZE THE LEVY OF SPECIAL TAXES THEREIN

**City of Clayton, California
Community Facilities District 2007-1
(Citywide Landscape Maintenance)**

WHEREAS, under the Mello-Roos Community Facilities Act of 1982, as amended (the "Act"), Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing at Section 53311, of the California Government Code (the "Act"), this Council may be the legislative body for the proposed community facilities district and is empowered with the authority to establish the community facilities district; and

WHEREAS, this Council now desires to proceed with the establishment of a community facilities district in order to finance the costs of certain landscape maintenance services in the City (the "Services");

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

1. **Recitals.** The City Council does hereby find and affirm the above noted Recitals are true and correct facts and information relative to the proceedings at hand.

2. **Authority.** This Council proposes to conduct proceedings to establish a community facilities district pursuant to the Act.

3. **Name of CFD.** The name proposed for the community facilities district is City of Clayton Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) (the "CFD").

4. **Boundaries Described.** The proposed boundaries of the CFD are as shown on the map of it on file with the City Clerk, dated January 4, 2007, which boundaries are hereby preliminarily approved and to which map reference is hereby made for further particulars. The City Clerk is hereby directed to record, or cause to be recorded, said map of the boundaries of the CFD in the office of the County Recorder of the County of Contra Costa (the "County") within fifteen days of the date of adoption of this Resolution, but in any event at least fifteen days prior to the public hearing specified in paragraph 10 below. The boundaries of the CFD shall also include any parcels subsequently annexed to the City and the CFD.

5. **Services.** The type of public services proposed to be financed by the CFD and pursuant to the Act shall consist of all or a portion of those items listed on Exhibit A hereto and hereby incorporated herein.

6. Special Tax. Except to the extent that funds are otherwise available to the CFD to pay for the Services a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by recordation of a continuing lien against all non-exempt real property in the CFD, will be levied annually within the CFD, and collected in the same manner as ordinary *ad valorem* property taxes or in such other manner as this Council or its designee shall determine, including direct billing of the affected property owners. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are described in Exhibit B attached hereto and hereby incorporated herein.

This Council hereby finds that the provisions of Section 53313.6, 53313.7 and 53313.9 of the Act (relating to adjustments to *ad valorem* property taxes and schools financed by a community services district) are inapplicable to the proposed CFD.

7. Exempt Property. Except as may otherwise be provided by law or by the rate and method of apportionment of the Special Tax for the CFD, all lands owned by any public entity, including the United States, the State of California, the County and/or the City or any departments or political subdivisions thereof, shall be omitted from the levy of the Special Tax to be made to cover the costs and expenses of the Services and the CFD. In the event that a portion of the property within the CFD shall become for any reason exempt, wholly or in part, from the levy of the Special Tax, this Council will, on behalf of the CFD, increase the levy to the extent necessary upon the remaining property within the CFD which is not exempt in order to yield the required amounts to pay for the Services of the CFD, if any, subject to the provisions of the rate and method of apportionment of the Special Tax.

8. Voting Procedure. The levy of the Special Tax shall be subject to the approval of the qualified electors of the CFD in the June 5, 2007 election. The proposed voting procedure shall be by registered voters within the proposed CFD, with each voter having one vote.

9. CFD Report. The City Manager of the City as the officer having charge and control of the Services in and for the CFD, or his designee, is hereby directed to study said proposed Services and to make, or cause to be made, and file with the City Clerk a report in writing, (the "CFD Report") presenting the following:

(a) A description of the Services by type which will be required to adequately meet the needs of the CFD.

(b) An estimate of the fair and reasonable cost of the Services including incidental expenses in connection therewith.

The CFD Report shall be made a part of the record of the public hearing specified below.

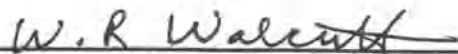
10. Public Hearing. Tuesday, February 20, 2007, at 7:00 p.m., or as soon as possible thereafter, in the Community Library Meeting Room, 6125 Clayton Road, Clayton, California, be, and the same are hereby appointed and fixed as the time and place when and where this Council, as legislative body for the CFD, will conduct a public hearing on the establishment of the CFD and consider and finally determine whether the public interest, convenience and necessity require the formation of the CFD and the levy of the Special Tax.

11. Notice of Hearing. The City Clerk is hereby directed to cause notice of the public hearing to be given by publication one time in the *Contra Costa Times*, a newspaper circulated in the area of the CFD. The publication shall be completed at least seven days before the date herein set for the hearing. The notice shall be substantially in the form specified in Section 53322 of the Act, with the form summarizing the provisions hereof hereby specifically approved.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held this 16th day of January 2007 on the following vote:

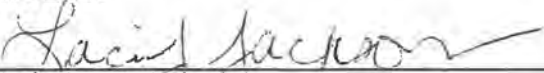
- AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce, Shuey, and Stratford.
- NOES: None
- ABSENT: None
- ABSTAIN: None

THE CITY COUNCIL OF CLAYTON, CA



William R. Walcutt, Mayor

ATTEST:



Laci J. Jackson
City Clerk

Exhibit A – List of Services

Exhibit B – Rate and Method of Apportionment of Special Tax

EXHIBIT A

CITY OF CLAYTON Community Facilities District 2007-1 (Citywide Landscape Maintenance)

DESCRIPTION OF SERVICES TO BE FINANCED BY THE CFD

The Services to be financed by the special taxes of the City of Clayton Community Facilities District 2007-1 (Citywide Landscape Maintenance) (the "CFD") shall include the Maintenance of:

A. Public Roadway Landscaping – which includes but is not limited to the following improved rights-of-way:

- Atchinson Stage Road – from Pine Hollow Road to Caulfield Drive
- Black Point Place – center median island.
- Caulfield Court – center median island.
- Center Street – from Oak Street to Clayton Road.
- Clayton Road – from the western city limits to the southern Marsh Creek Road intersection.
- Cul-de-sacs: landscaped areas at end of Ahwanee Lane, Wawona Court, Tuyshtak Court, Antelope Court, Obsidian Court, Blue Oak Lane, Falcon Place, Windmill Canyon Place, Hummingbird Place, Raven Place, and Golden Eagle Place.
- Diablo Parkway – from Marsh Creek Road to El Portal Drive.
- Eagle Peak Avenue – from the east intersection with Oakhurst Drive to just west of the Ohlone Heights intersection, and including the west intersection with Oakhurst Drive.
- Indianhead Way – entrance area at Oakhurst Drive
- Indian Wells Way – both entrance areas with Oakhurst Drive, and center medians up to Anizume Court and Jalalon Place.
- Jeffry Ranch Court – center median island.
- Keller Ridge Drive – to Golden Eagle Place intersection.
- Lydia Lane – from intersection of Clayton Road to Lydia Lane Park.
- Main Street – from Clayton Road to (old) Marsh Creek Road.
- Marsh Creek Road – from the northern intersection of (old) Marsh Creek Road to the eastern city limits.
- Oakhurst Drive – from the western city limits to Clayton Road intersection.
- Peacock Creek Drive – from Clayton Road to approximately the Pebble Beach Drive intersection.
- Pine Hollow Road – from Atchinson Stage Road to Panadero Way.
- Regency Drive – median entrance from Marsh Creek Road.
- So. Mitchell Canyon Road – from approx. Del Trigo Lane to Herriman Court intersection.

B. Open Space and Trails – which include but are not limited to:

Publicly-owned creek-side, intra-community and open space trails located within the boundaries of the CFD.

C. Clayton Fountain – which includes but is not limited to:

Maintenance to the fountain itself, rock structure and all attendant appurtenances, including the geyser and water pump system as well as the surrounding public landscaped area located at east side of the intersection of Oakhurst Drive, Center Street and Clayton Road.

Definitions

“Maintenance” means the furnishing of services and materials for the ordinary and usual operation, maintenance and care of the public landscaping and appurtenant facilities, including repair, removal or replacement of all or part of any landscaping and appurtenant facilities providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid wastes; and the eradication of landscape pests, including but not limited to vermin and rodents, ground squirrels, gophers, moles and wild pigs. “Maintenance” also includes the furnishing of water for irrigation of the public landscaping, and the supply of electricity to operate the attendant irrigation systems.

The foregoing services shall be provided through and by the City of Clayton, either with its own labor forces or by contract with third parties, or any combination thereof, as determined solely by the City of Clayton.

“Costs” means the costs and expenses directly or indirectly incurred by the City in connection with the Maintenance described above. Allowable Costs payable from special taxes of the District also include the County’s imposed cost to levy and collect the District’s assessment through the annual property tax bill, the City’s shared equipment and facilities charges, City prorated overhead charges to administer and manage the District and collect the special taxes, and District reserve funds for replacement and major repairs.

EXHIBIT B

**CITY OF CLAYTON
Community Facilities District 2007-1
(Citywide Landscape Maintenance District)**

RATE AND METHOD OF LEVY OF SPECIAL TAX

A special tax will be levied annually on each taxable parcel of land not defined below as an "Exempt Parcel" within the Community Facilities District 2007-1 (Citywide Landscape Maintenance) (the "CFD") and collected in the same manner as ordinary ad-valorem property taxes or in such manner as the City of Clayton City Council or its designee shall determine, including City-originated billing of the affected property owners.

Definitions

Taxable Parcels: Parcels of land within the boundaries of the CFD that are not included in the "Exempt Parcel" category listed below.

Exempt Parcels: Parcels of land owned by a public agency, right-of-way parcels, schools, hospitals, cemeteries, mortuaries, libraries, parks, mineral rights, private roads, pipelines, public parking facilities and common areas.

Residential Parcels: Taxable parcels of land that are classified as either single-family, condominium, townhouse, multi-family or rural residential parcels.

Non-residential Parcels: Taxable parcels that are not classified as "Residential Parcels".

Special Tax: The special tax allowed to be levied on property within the CFD, calculated pursuant to this Rate and Method of Apportionment of Special Tax.

Special Tax Formula

A. Residential Parcels: An annual special tax will be levied on all Residential Parcels, as defined above, at the per parcel tax rate shown below for each fiscal year 2007-2008 through 2016-2017:

Residential Parcel Annual Special Tax Rate: \$196.77

B. Non-residential Parcels: An annual special tax will be levied on all Non-residential Parcels at the per acre rate shown below for each fiscal year 2007-2008 through 2016-2017:

Non-residential Parcel Annual Special Tax Rate: \$196.77 per acre.

Duration of Special Tax Levy

The special tax will be levied annually for a period of ten (10) years commencing in fiscal year 2007-2008 through and including fiscal year 2016-2017. After the ten (10) year duration has expired the special tax may no longer be collected unless extended pursuant to applicable laws, except that a special tax that was lawfully levied in or before the final tax year and that remains delinquent may be collected in subsequent years.

Special Tax Escalator Factor

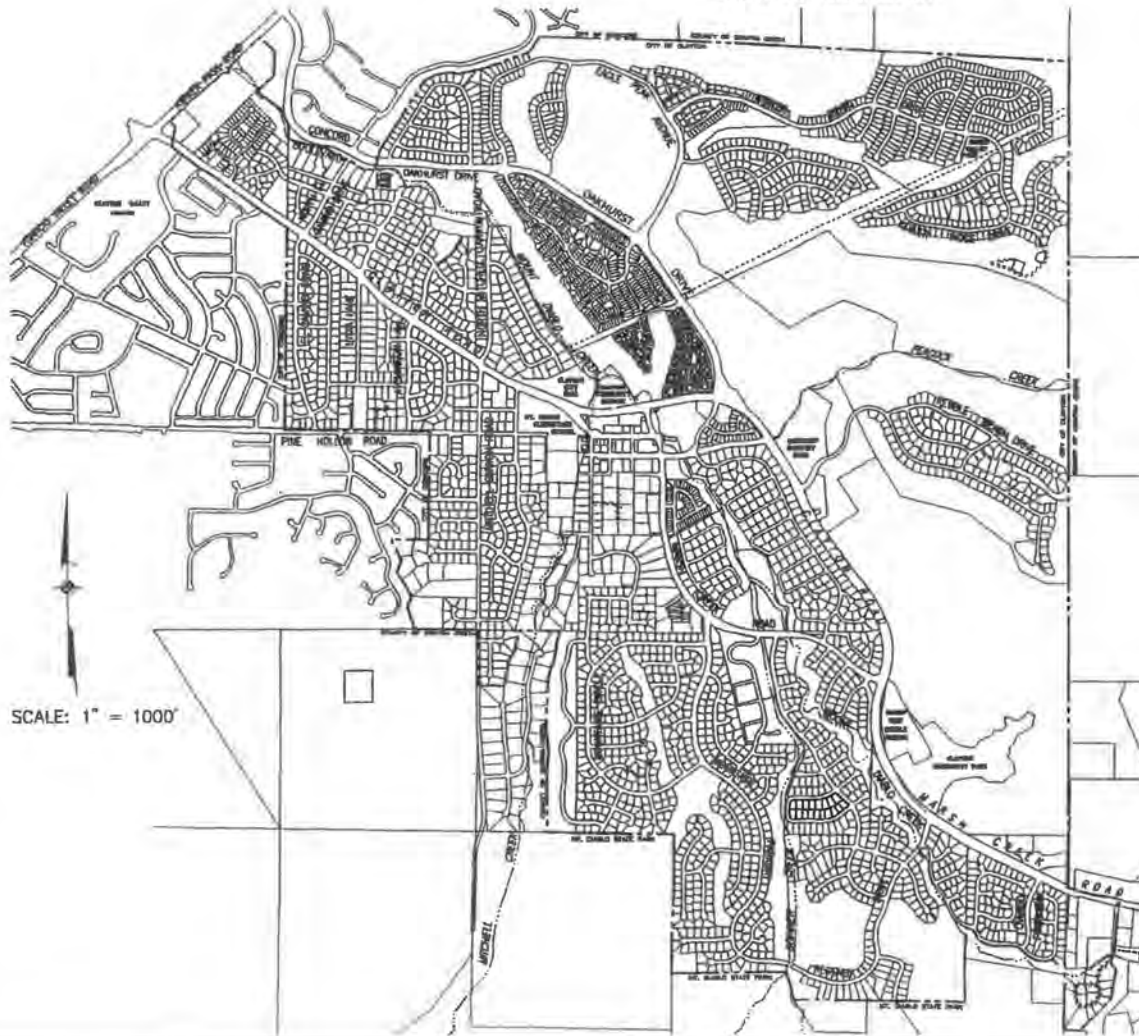
In fiscal years 2008-2009 through 2016-2017, the special tax may be increased annually by the Clayton City Council in an amount not to exceed the full annual adjustment (April to April) in the Consumer Price Index – All Urban Consumers, San Francisco-Oakland-San Jose, CA Area (Base Period 1982-84 = 100). This escalator factor is applicable if determined to be necessary due to expected increases in the operational and maintenance expenses attributable to the CFD. Such determination shall be made by action of the Clayton City Council, which must occur at a regular public meeting thereof accompanied by a prior recommendation of the citizens' Trails and Landscaping Committee established by the City Council in February 2006 (City Resolution No. 08-2006). In no event shall each annual special tax rate in any fiscal year increase by more than three percent (3%) over the previous year.

Relationship to Special Tax of Community Facilities District 1997-1

An intent of the new Community Facilities District 2007-1 is to replace the City's Community Facilities District 1997-1 that levied an annual special tax for Citywide Landscape Maintenance purposes during the last ten years and which special tax automatically expires on June 30, 2007. No further special tax can be levied by CFD 1997-1.

**PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)**

CITY OF CLAYTON, COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



SCALE: 1" = 1000'

CITY RECORDER'S STATEMENT:

FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON, THIS 4th DAY OF January, 2007.

BY: Jacq. Jackson
CITY CLERK
CITY OF CLAYTON

CITY CLERK'S STATEMENT:

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING THE PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NUMBER 2007-1 IN THE CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE ____ DAY OF _____, 2007, BY ITS RESOLUTION NO. _____

BY: _____
CITY CLERK
CITY OF CLAYTON

RECORDER'S CERTIFICATE:

FILED THIS ____ DAY OF _____ 2007, AT THE HOUR OF ____ O'CLOCK ____ M. IN BOOK _____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, AT PAGE _____ AND AS INSTRUMENT NUMBER _____ IN THE OFFICE OF THE COUNTY RECORDER OF CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

BY: _____
COUNTY RECORDER
COUNTY OF CONTRA COSTA

BY: _____
DEPUTY COUNTY RECORDER

LEGEND

----- CITY LIMIT LINE AND
COMMUNITY FACILITY DISTRICT BOUNDARY

RESOLUTION NO. 12 - 2016

**A RESOLUTION CALLING AN ELECTION TO CONTINUE
THE EXISTING SPECIAL PARCEL TAX SUBJECT TO THE SAME
ADJUSTMENT METHODOLOGY FOR
COMMUNITY FACILITIES DISTRICT (CFD) 2007-1
"CITYWIDE TRAILS AND LANDSCAPE MAINTENANCE DISTRICT"
FOR TEN YEARS**

**THE CITY COUNCIL
City of Clayton, CA
Community Facilities District 2007-1
[Citywide Trails and Landscape Operation and Maintenance District]**

WHEREAS, the City of Clayton has established Community Facilities District 2007-1 [Citywide Trails and Landscape Operations and Maintenance District] ("CFD") within the City of Clayton, authorized the levy of a special parcel tax on real property within the CFD and established an initial appropriations limit for the CFD; and

WHEREAS, the special tax levied within the CFD is set to expire in Fiscal Year 2016/2017; and

WHEREAS, on January 19, 2016, the City Council adopted Resolution No. 07-2016, a Resolution of Consideration, to continue the existing special parcel tax within the CFD for ten years from Fiscal Year 2017/2018 (i.e., beginning July 1, 2017) through Fiscal Year 2026/2027 (i.e., ending June 30, 2027); and

WHEREAS, the City Council scheduled a public hearing on such proposed special parcel tax continuance for March 1, 2016; and

WHEREAS, at the DULY-NOTICED public hearing, less than a majority of affected property owners protested the extension of the special parcel tax; and

WHEREAS, the City Council wishes to submit the proposed special parcel tax continuance to the voters as required by Government Code section 53338.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON THAT:

SECTION 1. Findings and Background. The City Council finds that the preceding recitals are correct and are incorporated into this Resolution.

SECTION 2. Determinations. It is hereby determined by this City Council that:

- A. All prior proceedings pertaining to the formation of the CFD and continuation of the special parcel tax proposed herein were valid and taken in conformity with the requirements of the law, and specifically the provisions of the Community Facilities District Law.

- B. The written protests received, if any, do not represent a majority protest as defined by the applicable provisions of the Community Facilities District Law and, therefore, the special parcel tax proposed to be extended has not been precluded by majority protest pursuant to Section 53337 of the Government Code.
- C. The City Council now submits the question of whether to continue the special parcel tax within the CFD as set forth herein to the registered voters of the CFD as required by Government Code section 53326. Each registered voter within the CFD shall be entitled to one vote. The Special Parcel Tax will be approved if two-thirds of the votes cast upon the question of levying the special parcel tax are in favor of levying the special parcel tax.
- D. The City of Clayton boundaries are the same as those in the previous City election.

SECTION 3. Election. The City Council hereby calls an election on June 7, 2016 and submits the extension of the levy of the existing special parcel tax within the CFD to the qualified electors of the CFD. As set forth in the Resolution of Consideration, Resolution No. 07-2016, the City Council proposes continuing the existing special parcel tax, at its current and existing rate and method of apportionment, for ten years from Fiscal Year 2017/2018 through Fiscal Year 2026/2027 ("Special Tax"). As such, all references to the expiration or term of the Special parcel Tax in the rate and method of apportionment shall reflect the new expiration date of Fiscal Year 2026/2027. The rate and method of apportionment for the Special Parcel Tax, subject to the continued term set forth in this section, is more particularly described and set forth in Resolutions No. 06-2007 and 07-2007.

SECTION 4. Election Consolidation. The City requests the Contra Costa County Board of Supervisors consolidate the election on the Special Parcel Tax with the Statewide election on June 7, 2016. The City requests and authorizes the Contra Costa County elections official to provide the services necessary to implement the election and to consolidate the election on the June 7, 2016 Election Ballot for the County of Contra Costa. The elections official is hereby authorized to take any and all steps necessary for holding the above election. The elections official shall perform and render all services and proceedings incidental to and connected with the conduct of the election, including but not limited to, the following:

- A. Prepare and furnish the necessary election supplies for the conduct of the election.
- B. Cause to be printed the requisite number of official ballots, tally sheets and other necessary forms.
- C. Furnish official ballots for the qualified electors of the CFD.

- D. Cause the official ballots to be presented to the qualified electors, as required by law.
- E. Receive the returns of the election and supplies.
- F. Sort and assemble the election material and supplies in preparation for the canvassing of the returns.
- G. Canvass the returns of the election.
- H. Furnish a tabulation of the number of votes given in the election.
- I. Conduct and handle all other matters relating to the proceedings and conduct of the election in the manner and form as required by law

SECTION 5. Ballot Measure. Pursuant to Elections Code section 10403, the ballot forms shall have printed on them the following words with regard to the measure:

CITY OF CLAYTON - MEASURE: _____		
CITYWIDE TRAILS AND LANDSCAPE MAINTENANCE DISTRICT CONTINUATION OF EXISTING SERVICES AND SPECIAL PARCEL TAX Shall the existing Community Facility District 2007-1 (Trails and Landscape Maintenance District) be continued, with a Citizens Oversight Committee, for ten years to fund on-going operations and maintenance of the trails system, roadway landscape, open space weed abatement, and related expenses at the current annual special tax's rate and methodology (presently \$234.84/year per residential and non-residential parcel or fraction thereof), for FYs 2017-2027?	YES	
	NO	

SECTION 6. Impartial Analysis. Pursuant to Government Code section 53327 and Elections Code section 9280, the City Clerk shall transmit a copy of the measure to the City Attorney, who shall prepare an impartial analysis of the measure showing the effect of the measure on existing law and the operation of the measure. The impartial analysis shall be filed with the City Clerk by March 18, 2016.

SECTION 7. Ballot Arguments. Arguments in favor of and in opposition to the ballot measure and rebuttal arguments shall be permitted, and the City hereby adopts the provisions of Elections Code sections 9282 and 9285(a), regarding the acceptance of arguments relating to ballot measures. Primary arguments shall be filed with the City Clerk by March 23, 2016. Rebuttal arguments shall be filed with the City Clerk by March 28, 2016.

SECTION 8. Special Parcel Tax Accountability Measures. Pursuant to and in compliance with the provisions of Government Code Section 50075.1, this Board hereby establishes the following accountability measures pertaining to the levy by the CFD of the proposed Special Tax:

- A. The Special Parcel Tax shall be levied for the specific purposes set forth in the Resolution of Consideration and Section 9 below.
- B. The proceeds of the levy of each such special parcel tax shall be applied only to the specific applicable purposes set forth in the Resolution of Consideration (Resolution No. 07-2017) and Section 9 below.
- C. The City shall establish a separate account into which the proceeds of the Special Parcel Tax shall be deposited.
- D. The City Manager or his or her designee, acting for and on behalf of the CFD, shall annually file a report with the City Council as required pursuant to Government Code Section 50075.3.

SECTION 9. Additional Actions. The City Manager and City Clerk are hereby authorized and directed to take all necessary and appropriate steps to place the measure on the ballot. The City may recover the costs of the election and related procedures to place the Special Parcel Tax on the ballot from the proceeds of such Special Parcel Tax or the existing special parcel tax as an incidental expense of the CFD. The City Council hereby amends Exhibit "A" of Resolution No. 06-2007 to clarify that the election expenses set forth in this Section as permissible costs of the operation and maintenance of the Citywide Trails and Landscape District.

SECTION 10. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Clayton, California, at a regular public meeting thereof held on March 1, 2016 by the following vote:

AYES: Mayor Geller, Vice Mayor Diaz, Councilmembers Haydon, Pierce and Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

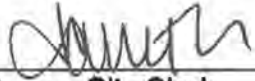
THE CITY COUNCIL OF CLAYTON, CA


Howard Geller, Mayor

ATTEST:


Janet Brown, City Clerk

I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a regular meeting held on March 1, 2016.



Janet Brown, City Clerk

RESOLUTION NO. 45-2016

**A RESOLUTION DECLARING RESULTS OF CANVASS OF RETURNS IN
THE 2016 PRIMARY MUNICIPAL ELECTION, DECLARING THE
RESULTS OF THE VOTE ON LOCAL BALLOT MEASURE "H", CITYWIDE TRAILS
AND LANDSCAPE MAINTENANCE DISTRICT CONTINUATION OF EXISTING
SERVICES AND SPECIAL PARCEL TAX.**

(Community Facilities District 2007-1)

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

WHEREAS, a duly noticed primary election was held in the City of Clayton on June 7, 2016 for the purpose of voting for one (1) local ballot measure, Measure "H", a special tax extension to continue funding the annual operations of the Citywide Trails and Landscape Maintenance District for an additional period of ten (10) years through Fiscal Year 2017-2027; and

WHEREAS, following the canvass of returns by the Contra Costa County Clerk and receipt of his report by the Clayton City Clerk, the City Council met in a regular public meeting on July 19, 2016 and canvassed the returns of the election pursuant to and accordance with applicable provisions of the California Elections Code; and

WHEREAS, the City Council finds the number of votes cast in the City of Clayton at the primary election was and is 4,084, a 54.15% voter turnout; and

WHEREAS, the City Council finds there were seven precincts in the City of Clayton established for holding the June 2016 primary election; and

WHEREAS, the City Council finds that all of the votes in consideration of local ballot Measure "H" submitted to the Clayton voters in the presidential primary election are also set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit A" and incorporated herein by such reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton, California that that local Ballot Measure "H" and the levy extension of a special tax therein (Community Facilities District No. 2007-1, Trails and Landscape Maintenance District) did garner the requisite two-thirds voter approval and therefore Measure "H" did pass (79.23%).

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 19th day of July 2016 by the following vote:

AYES: Mayor Geller, Vice Mayor Diaz, Councilmembers Haydon and Pierce.

NOES: None.

ABSTAIN: None.

ABSENT: Councilmember Shuey.

THE CITY COUNCIL OF CLAYTON, CA



Howard Geller, Mayor

ATTEST:



Janet Brown, City Clerk

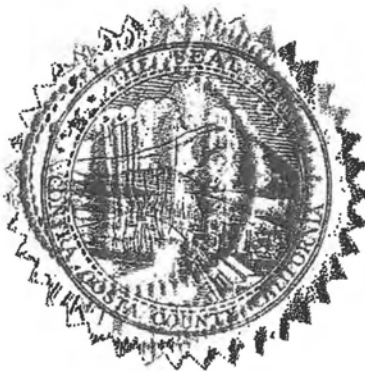
CERTIFICATE OF COUNTY CLERK
AS TO THE RESULT OF THE CANVASS OF THE
CITY OF CLAYTON
MEASURE H
JUNE 7, 2016 PRIMARY ELECTION

State of California)
)
County of Contra Costa) ss.

I, JOSEPH E. CANCIAMILLA, County Clerk of Contra Costa County, State of California, do hereby certify that I did canvass the returns of the votes cast at the June 7, 2016, CITY OF CLAYTON, MEASURE H ELECTION. I further certify that the statement of the votes cast, to which this certificate is attached, shows the whole number of votes cast in said County, and the whole number of votes cast for and against the measure in said County and in each respective precinct therein, and that the totals of the respective columns and the totals as shown for and against the measure are full, true and correct.

WITNESS my hand and Official Seal this 5th day of July, 2016.

JOSEPH E. CANCIAMILLA, County Clerk



By Rosa Mena
Rosa Mena, Deputy Clerk

Official Results

RUN DATE:07/01/16 04:20 PM

CONTRA COSTA COUNTY
PRESIDENTIAL PRIMARY
TUESDAY, JUNE 7, 2016
Democratic

Final

REPORT-EL45A PAGE 015

TOTAL VOTES % ELECTION DAY VOTE BY MAIL

Measure H - City of Clayton
Parcel Tax - 2/3
Vote for 1
(WITH 7 OF 7 PRECINCTS COUNTED)

	TOTAL VOTES	%	ELECTION DAY	VOTE BY MAIL
→ Yes	3,067	79.23 ←	1,080	1,987
No.	804	20.77	271	533
Total	3,871		1,351	2,520

City of Clayton
 Landscape Maintenance District Fund 210 (CFD 2007-1)
 Proposed Budget FY 18-19

Account Number	Account Name	2016-17	2017-18	2017-18	2018-19
		Actual	Adopted Budget	Year End (June 30) Projected	Proposed Budget
7111	Salaries/Regular	164,465	202,000	177,000	211,000
7112	Temporary Help	126,766	149,000	109,000	46,000
7113	Overtime	474	1,000	1,000	1,000
7218	LTD/STD Insurance	1,588	3,500	2,100	2,400
7220	PERS Retirement - Normal Cost	20,683	23,300	19,300	25,200
7221	PERS Retirement - Unfunded Liability	21,777	24,300	18,378	28,290
7231	Workers Comp Insurance	11,934	12,700	12,175	11,600
7232	Unemployment Insurance	2,251	5,000	2,500	2,900
7233	FICA Taxes	4,337	10,500	5,000	6,600
7246	Benefit Insurance	33,875	44,700	37,900	43,400
7301	Recruitment/Pre-employment	-	1,000	500	1,000
7311	General Supplies	44,245	50,100	33,150	50,000
7316	Landscape Replacement Material	17,896	40,000	18,000	40,000
7335	Gas & Electric Serv.	29,072	30,000	28,100	29,600
7338	Water Service	139,832	130,000	148,000	157,000
7341	Buildings/Grounds Maintenance	10,304	20,000	9,800	20,000
7342	Machinery/Equipment Maint.	10,402	19,000	9,500	12,000
7343	Vehicle Maintenance	19,128	18,000	19,600	20,000
7344	Vehicle Gas, Oil, and Supplies	12,594	13,000	12,500	13,000
7381	Property Tax Admin Cost	3,735	4,000	3,900	4,000
7382	Election Services	-	-	-	-
7411	Professional Services Retainer (Legal)	1,996	2,000	2,000	2,000
7419	Other Prof. Services	5,829	6,560	5,480	7,000
7429	Animal/Pest Control Services	3,095	5,000	5,000	5,000
7435	Contract Seasonal Labor	-	-	-	100,000
7440	Tree Trimming Services	29,300	25,000	60,000	60,000
7445	Weed Abatement Services	106,560	122,000	122,000	128,100
7486	CERF Charges/Depreciation	14,500	14,500	14,500	20,070
7520	Project/Program costs	77,739	483,000	52,482	487,157
7615	Property Taxes	2,709	2,800	2,791	2,900
8101	Fund Admin - Transfer to GF	34,780	36,095	36,095	37,258
8111	Transfer to CIP Fund	-	-	-	-
8113	Transfer to Stormwater Fund	1,008	1,008	1,008	1,050
Total Expenditures		952,874	1,499,063	968,759	1,575,525
4604	Clayton LMD Special Parcel Tax	1,058,798	1,089,277	1,089,074	1,121,746
5601	Interest	14,454	12,000	15,400	15,000
5606	Unrealized Inv Gain/Loss	(11,061)	-	-	-
Total Revenue		1,062,191	1,101,277	1,104,474	1,136,746
Increase (Decrease) in Fund Balance		109,317	(397,786)	135,715	(438,779)
Beginning Fund Balance		986,766	1,111,621	1,096,083	1,231,798
Ending Fund Balance		1,096,083	713,835	1,231,798	793,019

7311	<u>General Supplies</u>				
	Bay Area Barricade	4,953	4,000	4,000	4,000
	Cole Supply	1,671	1,600	-	-
	Concord Garden Equipment	294	500	250	500
	Contra Costa Topsoil	1,775	-	1,500	1,500
	Crop production services	6,998	4,000	8,000	5,000
	Fertilizer	-	5,000	-	5,000
	Grainger	-	-	500	-
	Herbicides	-	8,000	-	8,000
	Ross Recreation	-	8,000	1,000	8,000
	Site One Landscape	19,558	8,000	7,900	8,000
	Zee Medical Supply	-	-	-	-
	Misc Supplies (Calcard - US Bank)	8,996	11,000	10,000	10,000
		44,245	50,100	33,150	50,000
		-	-	-	-
7341	<u>Building/Grounds Maintenance</u>				
	Martell Water Systems (Well pump repair	-	5,000	-	5,000
	Pond M Solutions (\$650x12 water feature maintenance)	9,283	8,000	7,800	8,000
	Pond M Solutions (extra repairs)	-	5,000	-	5,000
	Spraytec Maintenance (wastewater)	979	2,000	2,000	2,000
	Supplies for maintenance	42	-	-	-
		10,304	20,000	9,800	20,000
		-	-	-	-
7342	<u>Machinery/Equipment Maintenance</u>				
	Concord Garden Equip/Supplies	6,803	7,000	2,300	5,000
	Concord Trailer World	1,935	5,000	200	2,000
	Contra Costa Tractor	-	5,000	5,000	2,000
	Site One Landscape	-	-	1,000	1,000
	US Bank (Calcard)	1,664	2,000	1,000	2,000
		10,402	19,000	9,500	12,000
		-	-	-	-
7419	<u>Other Professional Services</u>				
	CCC Fire Protection - Operation Permit	-	600	-	1,000
	EBRCSA-Radio Mtn PW radio's	1,300	1,500	1,300	1,500
	NBS Admin Fees+Del letters	4,269	4,200	4,180	4,500
	Misc	260	260	-	-
		5,829	6,560	5,480	7,000
		-	-	-	-
7445	<u>Weed Abatement Services</u>				
	Environtech Enterprises (non-native invasive weed abatement - Oakhurst Mitigation EIR)	57,560	62,000	62,000	65,100
	Waraner Bros Svc 1 x per yr+2 x trails (Fire Protection)	49,000	60,000	60,000	63,000
		106,560	122,000	122,000	128,100

Project/Program costs

Upgrade irrigation controllers (annual until all complete)	-	20,000	20,000	20,000
Sub Division/City Entry Signs (contingency)	-	2,000	-	2,000
LMD2015-1 - Downtown Planters (\$35,000 increased to \$300,000)	19,069	270,000	774	280,157
LMD2015-2 - Jeffrey Ranch Relandscaping (\$6,000)	-	6,000	3,374	-
LMD2015-3 -Keller Ridge Tree rep. (B-\$46,000)	58,670	-	-	-
LMD 2018-1 - Removal of 18 Eucalyptus trees in Open Space Hills (\$185,000)	-	185,000	-	185,000
LMD 2018-2 - Cardinet Trail Repairs Behind Westwood (\$20,000)	-	-	28,334	-
	-	-	-	-
	77,739	483,000	52,482	487,157
	-	-	-	-

East Bay Regional Communication SystemAuthority Radio Interoperability

EBRCSA Breakdown - FY 2015 (Method consistent w/ Prior Years)		
\$	8,808.00	97.71% PD
\$	206.00	2.29% Gas tax
\$	1,368.00	15.18% Landscape
\$	206.00	2.29% grove park
\$	206.00	2.29% street lights
\$	206.00	2.29% stormwater
\$	400.00	4.44% pw - 03
\$	11,400.00	Quoted price per EBRCSA FY 15

Notes:

Extra to run pump for fountain

10 events (31 days @ \$160=\$4960.)

Art n Wine, Memorial Day, 4th of July, BBQ Cook Off, Veterans Day, Xmas Tree Lighting, Presidents Day, Thanksgiving, Garden Tours, Oktoberfest

FY 18-19 Citywide Landscape Maintenance District - Fund No. 210

In June 2007, Clayton voters approved a replacement real property special tax to continue funding the operation and maintenance of its citywide public landscaped areas. This voter action created the City of Clayton Landscape Maintenance Community Facilities District 2007-1 (LMD). This annual parcel tax is restricted to landscape costs associated with: arterial and specified roadway medians and parkways, the trails system, the annual open space non-native (exotic) invasive weed abatement in city-owned open space of the area hills, the annual open space and trails weed abatement for fire and public safety, landscape and turf irrigation and the monthly maintenance and special occasion/holiday operation of the "Clayton Fountain". Operations for the LMD are separately accounted for by the City in a restricted special revenue fund.

Measure B, the 2007 ballot measure, expired June 30, 2017. Given this was the only source of funds for the maintenance and operation of the LMD, in order continue this sole funding a special parcel tax, "Measure H" was placed before the voters on the June 7, 2016 ballot needing two-thirds (66.67%) voter approval. In June 2016, the voters overwhelmingly elected (77.1% positive vote) to extend the LMD special parcel tax for an additional ten (10) years.

Maintenance of City parks is not included as an authorized expenditure under the LMD Act; park maintenance obligations fall to the City's General Fund. *Citywide public landscaping services have always been funded by a special parcel tax levied on private properties throughout the City.* The LMD has now completed its first year of operation under Measure H. The LMD has a City Council-appointed trails and landscaping citizens' oversight committee (TLC) that meets periodically to ensure the promised maintenance standards and efficiencies are achieved and reviews the budget ensuring these special-purpose tax revenues are used for their intended purpose as established under the previous ballot measure for the LMD.

Pursuant to the terms of voter-approved Measure H, the special parcel tax rate may be modified annually by the change in the consumer price index (CPI) as published by the US Bureau of Labor and Statistics from April to April for this geographic region (San Francisco-Oakland-Hayward, CA). In no event shall the parcel tax rate be increased by more than 3.0% annually. Given the CPI change (from April 2017 to April 2018) posted at 3.22%, the special parcel tax growth factor must be capped at 3.0% for FY 2018-19. Accordingly, the LMD'S projected revenues are proposed to be increased by 3.0% to a total of \$1,121,746 for FY 2018-19. This results in a modest increase to LMD special parcel tax revenues of \$32,469 over the prior year adopted budget. The capped CPI growth adjustment will result in an increase of \$7.44 per residential parcel over the prior year rate (last year's single family rate was \$248.42; including the capped CPI adjustment factor the new single-family parcel rate will be \$255.86).

Since 2008, the LMD has used approximately \$1,295,208 of these special tax funds for public landscape and irrigation and trail system improvements. When including an additional \$567,000 of prior-approved projects rolled forward into FY 2018-19, the LMD will have invested over \$1.8 million into landscape related capital improvements in addition to maintaining current landscaping.

For FY 2018-19, the LMD has budgeted to fund the following prior-approved landscape improvement projects:

Downtown Planters Replacement Project	\$ 280,157
Removal of 18 Eucalyptus Trees in Open Space Hills	185,000
Replace Irrigation System Centra Control Field Panel	20,000
Subtotal	<u>485,157</u>
Subdivision/City Entry Sign Replacement Contingency	<u>2,000</u>
Grand Total	<u>\$ 487,157</u>

The proposed LMD budget is a balanced operational budget, utilizing fund balance to undertake non-annual capital improvement projects. This practice is consistent with prior year budgets as the LMD is pay-as-you-go for such improvements, responsibly drawing on fund balance as needed. The budget expenses are primarily adjusted for increased costs from outside agencies as well as for fuel, fertilizer, water, etc.

Prior year's City Council adopted budget included the Downtown Planters (Main Street) replacement project at an estimated \$300,000. Of this amount \$30,000 for plans/specs, and \$270,000 estimated for construction). By the close of FY 2017-18, it is projected \$19,843 has been spent on plan preparation and specifications (\$19,069 in FY 2016-17, and \$774 in FY 2017-18). This leaves a remaining amount that rolls forward of \$280,157. The estimated construction costs are currently \$270,000 and were approved by the City Council in the FY 2017-18 LMD budget. The new City Engineer has been working on street repair and repaving projects and the timing of this project has been delayed, therefore the funding will roll forward to allow this project to move forward in FY 2018-19. The next steps in the process are administrative staff functions which include the City Engineer to review and finalize construction bid documents, and put the project out to bid. The lowest responsive and responsible bidder would then be recommended directly to the City Council for action.

In FY 2017-18 staff identified the need to remove 18 large Eucalyptus trees (\$185,000) in the open space near Regency Drive/El Molino and along a portion of the Cardinet Trail behind the homes on Rachel Ranch, and two remaining trees on Lydia Lane near the park entry. To-date only one of these trees has been removed. The remaining trees are planned for removal early next year with the appropriations being rolled forward to FY 2018-19 proposed budget.

Two years ago the adopted budget included a city-wide subdivision entry re-landscaping project at \$300,000. Although concept plans were approved, outside landscape architect services were needed to survey all utilities/irrigation and prepare construction level plans and specifications for public bidding. Staff has not been able to locate a qualified landscape architect that has the time or inclination to provide a proposal for this work. Therefore last year (FY 2017-18) the City Council put a hold on the project and directed the allocated funds to be returned to LMD reserves in FY 2017-18. There are no plans to move forward with this project at this time.

The proposed budget is a balanced budget, with the use of the LMD fund balance, which has been done in the past in order to undertake certain replacement or repair projects as the LMD is a pay as you go system drawing on the fund balance as needed. The budgeted expenditures are primarily adjusted for increased costs from outside agencies as well as for fuel, fertilizer etc. The District over the past year has generated a sufficient reserve balance to allow the consideration of new landscaping projects to be undertaken. Although an ending fund balance of \$793,019 is projected, staff is not proposing additional capital project beyond that described above in FY 2018-19, in order to allow sufficient time to complete prior City Council approved projects.

An enormous impact on LMD operations from FY 2012-13 through FY 2016-17 was the declared drought conditions and the severe water conservation reductions imposed by Contra Costa Water District (CCWD) as directed by the Governor's Executive Order Emergency declaration. While homeowners were placed under a 25% reduction plan, city and commercial irrigation water consumers were set at a massive 45% mandatory water reduction order. With irrigation cutbacks of that magnitude the LMD suspended irrigation water to turf and bushes, reserving restricted water supplies to irrigate public trees. The LMD also halted all operation of the Clayton Fountain (even though it is a recirculating fountain) and reduced outside watering to two days per week. This action plan impacted some of the water intensive landscape in order to sustain the more valuable plants and mature signature trees in the LMD. Capital improvement projects engaged during the drought were hardscape-only oriented.

Although the State of California and CCWD relaxed water restrictions, allowing more additional outdoor water irrigation uses than in the prior year, there are still reductions needed to balance against water cost increases. The proposed budget for LMD water irrigation supply service incorporates a large projected water cost increase of \$27,000 over the prior year adopted budget, bringing the total budgeted water supply expenditure to \$157,000. The irrigation cost hikes over the last two years incorporates a normalization of water irrigation costs back to pre-drought periods, as well as the 6% water rate increase recently approved by the CCWD Board of Directors.

Personnel services, including contracted seasonal labor, account for \$478,390 (30.36%) of the proposed FY 2018-19 LMD budget, which is reasonably consistent with the prior year (\$476,000). Whenever possible, tasks within the LMD are assigned to temporary

seasonal personnel that are less expensive labor (e.g. trimming), allowing the City's full-time permanent maintenance employees to focus on tasks requiring journeyman-level experience (e.g. irrigation line and system repairs).

As approved by Measure H voters, the LMD's proposed budget includes a recurring line item (account 7316) for the purchase of replacement plants, budgeted at \$40,000 in FY 2018-19. The LMD further contributes an annual allocation to the City's Capital Equipment Replacement Fund (CERF) for its shared cost of utilizing City Maintenance Department vehicles for LMD operations budgeted at \$20,070 in FY 2018-19. An expenditure of \$37,258 (only 3.28% of total LMD revenues) is transferred to the City's General Fund to pay for the LMD's share of administrative support provided by the City (i.e. telephones, payroll processing, accounts payable, management, insurance, etc.).

With all of these actions, the LMD's ending reserve is projected to be **\$793,019** by the close of FY 2018-19. The LMD's healthy reserve position is evidence the City does not siphon "surplus" monies into its General Fund but uses the special parcel tax revenues for its intended voter-approved purposes. Its monetary existence will be crucial in these post-drought conditions is over and the LMD re-examines priorities to replace landscape lost (including adding in more hardscape treatments) from the extreme water conservation measures.

The Trails and Landscape Committee (TLC) reviewed the proposed LMD budget at their public meeting on May 21, 2018, which conveyed the current year CPI rate of 3.22%. After its review, the TLC recommended [vote: 4-0 (3 absent)] that the special parcel tax levy for the LMD be increased by the CPI cap of 3.0% pursuant to the voter approved Measure H specifying a maximum annual increase of 3.0%). The TLC further recommended approval of the proposed LMD budget for FY 2018-19 as presented, including the carrying forward for FY 2018-19 projects totaling \$487,157 [vote: 4-0 (3 absent)].



Agenda Date: 6-19-2018

Agenda Item: 5e

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager *LHH*

MEETING DATE: June 19, 2018

SUBJECT: Approval of Resolution authorizing the levy for fiscal year 2018-19 for Community Facility District No. 1990-1R, 2007 Special Tax Revenue Refunding Bonds (Middle School)

RECOMMENDATION

Adoption of Resolution No. ___-18 placing Special Tax for Community Facilities District 1990-1R (Middle School) on the fiscal year 2018-2019 Tax Assessment Roll.

BACKGROUND

In June 1990 the City established the District and levy in accordance with a lack of majority protest determination ballot process as required by state law. The approval of this district established this special tax for repayment of \$6.5 million in bonds that were for a portion of the construction of the Middle School, and of the Community Park. The District includes all of the Oakhurst Development. The collection of the tax is done by the County. The assessment and method of the levy is in compliance with the provisions of Proposition 218, and are fixed by the bond issuance and therefore cannot be altered.

In 1990 the original bond issuance had an interest rate of 8.6%. In November 1997 the bonds were refinanced to obtain a lower interest rate to 5.9%, and savings passed along to the District ratepayers. In May 2007 the bonds were again refinanced to obtain even a lower interest rate of 4.1% average. The costs savings were also passed along to the Assessment District ratepayers. The bond duration did not change and is expected to be repaid by the year 2022-23. The proposed rates for FY 18 -19 have been reduced on average from last year by about \$3 per parcel. Since the refinancing, homeowners have received an overall reduction by an average of apx. \$130. A chart and graph on Attachment 7 shows the annual levy amount history.

FISCAL IMPACT

There is no fiscal cost to the City. The parcel property owners within the assessment district pay for all costs of bond repayment and minor administrative costs related to its collection by the county and management by the City. The reduced interest rate savings achieved with the May 2007 refinancing are passed along to the rate payers over the remaining life of the bond. The savings vary by size of parcel however generally result in \$300 to \$500 in cumulative total savings from 2007-08 through 2022-23. For FY 2018-19 a levy reduction of \$4,000 will occur over the prior year to be shared amongst the district tax payers. Because different lots have different levies the actual levy decrease for FY 18-19 varies from apx. \$2 to \$5 per parcel with an average of \$3 lower than last year.

CONCLUSION

The City Council, by Ordinance 274, as authorized by Section 53340 of the Government Code of the State of California, authorized the levy of this special tax to pay for costs and expenses related to Community Facilities District 1990-1R (Middle School). This Resolution sets the fees for fiscal year 2018-2019 and authorizes the Contra Costa County auditor to place these taxes on the next assessment roll on which the taxes will become due.

Attachments:

- 1) Resolution __-18
- 2) Exhibit A to Resolution __-18 (assessment levy detail)
- 3) Annual Special Tax Levy Report FY 18/19 CFD 1990-1R, 2007 Special Tax Refunding Bonds- Middle School
- 4) Ordinance 274
- 5) Exhibits to Ordinance 274
- 6) Middle School CFD 1990-1R, 2007 Special Tax Refunding Bonds- Middle School Budget
- 7) Tax Levy History Chart and Graph

RESOLUTION NO. ___-2018

**A RESOLUTION LEVYING THE ANNUAL SPECIAL TAX
FOR FISCAL YEAR 2018-2019 FOR
COMMUNITY FACILITIES DISTRICT 1990-1R
2007 SPECIAL TAX REVENUE REFUNDING BONDS
(Middle School)**

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

WHEREAS, the City Council of the City of Clayton, California, (hereinafter referred to as the "legislative body"), has previously initiated proceedings, held a public hearing, conducted an election and received a favorable vote from the qualified electors relating to the levy of a special tax in a community facilities district, all as authorized pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982"; being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California. This Community Facilities District shall hereinafter be referred to as "District"; and,

WHEREAS, the legislative body, by Ordinance as authorized by Section 53340 of the Government Code of the State of California, has authorized the levy of a special tax to pay for costs and expenses related to said Community Facilities Districts, and this legislative body is desirous to establish the specific rate of the special tax to be collected for the next fiscal year; and,

WHEREAS, the assessments are in compliance with all laws pertaining to the levy of special taxes, and the assessments are levied without regard to property valuation, and the assessments are in compliance with the provisions of Proposition 218.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the above recitals are each true and correct.

SECTION 2: That the specific rate and amount of the special tax to be collected to pay for the costs and expenses for the next fiscal year (2018-2019) for the referenced District is hereby determined and established as set forth in the attached, referenced and incorporated Exhibit "A".

SECTION 3. That the rate as set forth above does not exceed the amount as previously authorized by Ordinance of the legislative body, and is not in excess of that as previously approved by the qualified electors of the District.

SECTION 4. That the proceeds of the special tax shall be used to pay, in whole or part, the costs of the following:

- A. Payment of principal and interest on any outstanding authorized bonded indebtedness;
- B. Necessary replenishment of bond reserve funds or other reserve funds;

- C. Repayment of costs and expenses of authorized public facilities;
- D. Repayment of advances and loans, if appropriate; and
- E. Payment of District administrative costs.

The proceeds of the special taxes shall be used as set forth above, and shall not be used for any other purpose.

SECTION 5. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected, and shall be subject to the same penalties and same procedure and sale in cases of any delinquency for ad valorem taxes, and the Tax Collector is hereby authorized to deduct reasonable administrative costs incurred in collecting any said special tax.

SECTION 6. All monies above shall be paid into the Community Facilities District fund, including any bond fund and reserve fund.

SECTION 7. The Auditor of the County is hereby directed to enter in the next County assessment role on which taxes will become due, opposite each lot or parcel of land effected in a space marked "public improvements, special tax" or by other suitable designation, the installment of the special tax, and for the exact rate and amount of said tax, reference is made to the attached Exhibit "A".

SECTION 8. The County Auditor shall then, at the close of the tax collection period, promptly render to this Agency a detailed report showing the amount and/or amounts of such special tax installments, interest, penalties and percentages retained for the expense of making any such collection.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton at a regular public meeting thereof on June 19, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

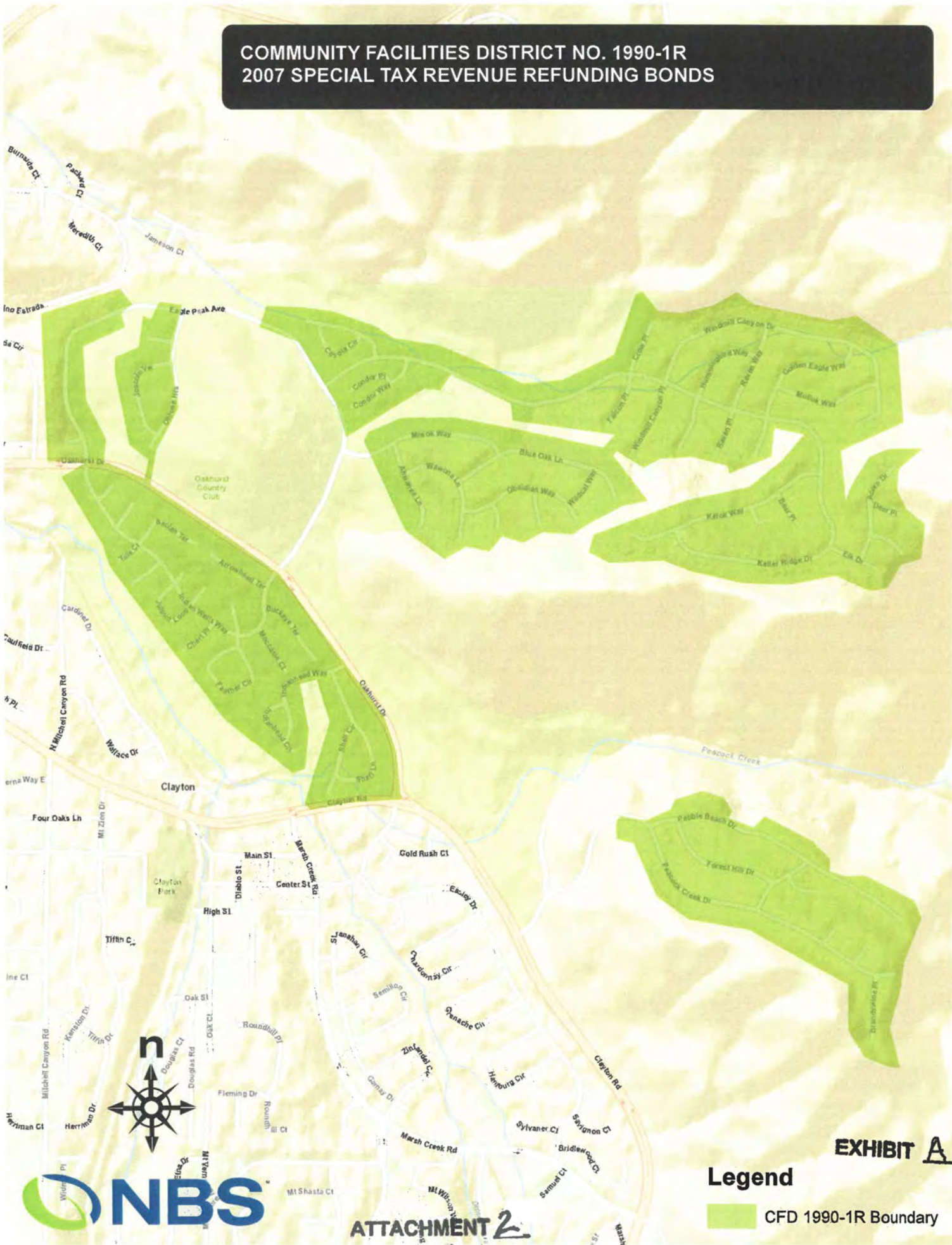
THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

**COMMUNITY FACILITIES DISTRICT NO. 1990-1R
2007 SPECIAL TAX REVENUE REFUNDING BONDS**



Legend
CFD 1990-1R Boundary

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 1990-1
 OF THE CITY OF CLAYTON,
 CONTRA COSTA COUNTY
 STATE OF CALIFORNIA

MAY 1990
 TETRAD ENGINEERING
 PACHECO, CA.

FILED IN THE OFFICE OF THE CITY CLERK THIS 1ST DAY OF MAY, 1990.

WILLIAM S. SCOTT
 CITY CLERK - CITY OF CLAYTON

CITY CLERK STATEMENT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 1990-1 OF THE CITY OF CLAYTON, CONTRA COSTA COUNTY, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A PUBLIC MEETING THEREOF, HELD ON THE 1ST DAY OF MAY, 1990, BY ITS RESOLUTION NO. 16-90.

WILLIAM S. SCOTT
 CITY CLERK - CITY OF CLAYTON

COUNTY CLERK STATEMENT

FILED THIS _____ DAY OF _____, 19____, AT THE HOUR OF _____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF ASSASSINATED AND COMMUNITY FACILITIES DISTRICT AT PAGE _____ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

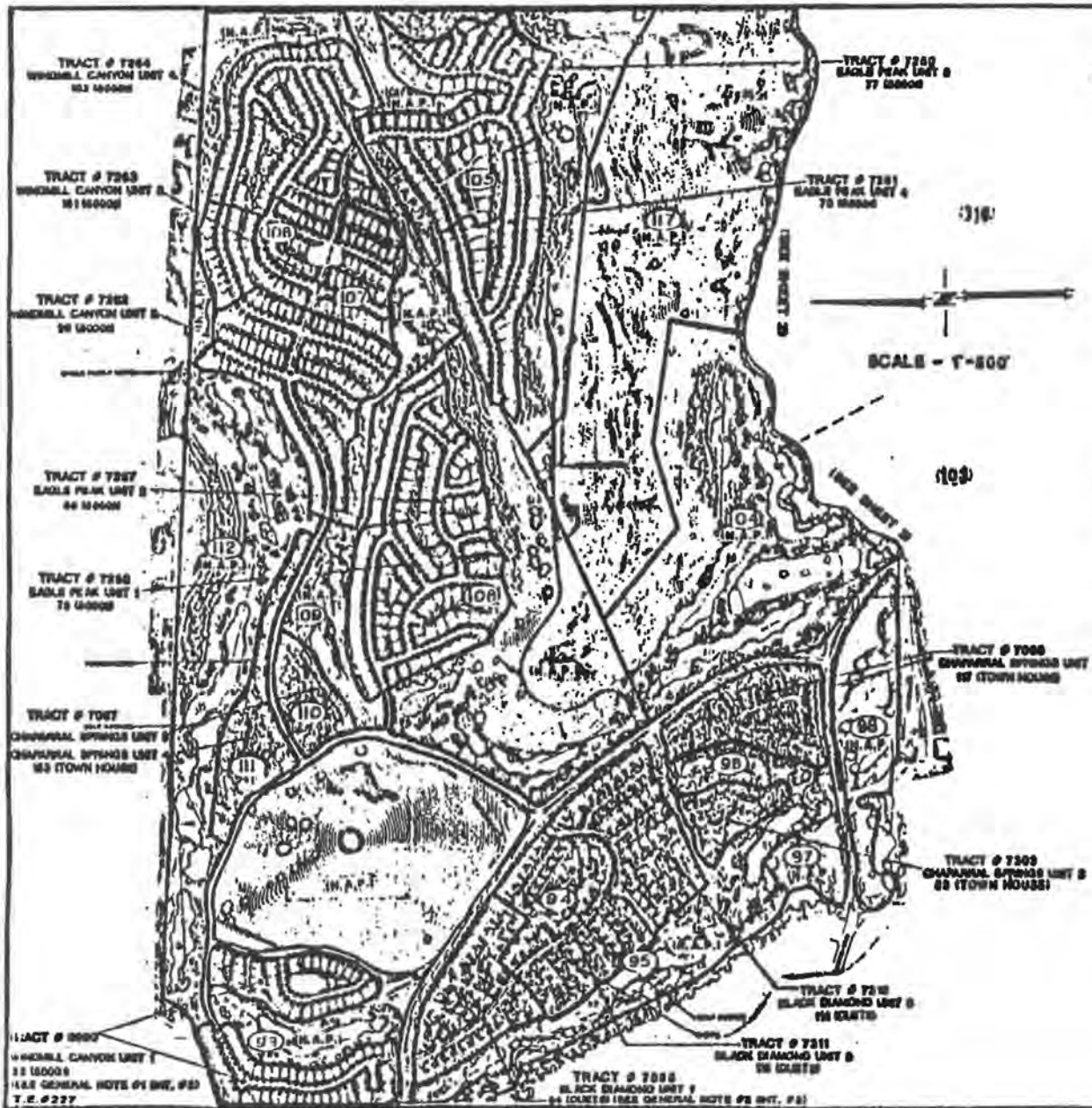
 COUNTY RECORDER OF COUNTY OF CONTRA COSTA

LEGEND

⑪③ LOT NUMBER AS DESIGNATED ON TRACT 4998

⑪⑥ LOT NUMBER AS DESIGNATED ON TRACT 5100 BUT SUBSEQUENTLY REAPPED

M.A.P. NOT A PART (PARCEL TO BE EXCLUDED FROM HILLS 8000 DISTRICT)



TRACT # 2000
 WHITWELL CANYON UNIT 1
 33 (2000)
 I.S.S. GENERAL NOTE #1 INT. #2
 T.E.#227

TRACT # 7288
 BLACK DIAMOND UNIT 7
 34 (2000) (SEE GENERAL NOTE #2 INT. #2)

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 1990-1
OF THE CITY OF CLAYTON,
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

MAY 1990
TETRAD ENGINEERING,
PACHECO, CA.

GENERAL NOTE

1. THE FOLLOWING LOTS WITHIN WINDMILL CANYON UNIT I - TRACT 6990 ARE TO BE EXCLUDED FROM THE HILLO BOGE DISTRICT:
 - LOTS 1 THROUGH 47 INCLUSIVE
 - 48 THROUGH 52 INCLUSIVE
 - 53 THROUGH 55 INCLUSIVE
 - 57 THROUGH 60 INCLUSIVE
2. THE FOLLOWING LOTS WITHIN BLACK DIAMOND UNIT NO. 1 - TRACT 7088 ARE TO BE EXCLUDED FROM THE HILLO BOGE DISTRICT:
 - * LOTS 11 THROUGH 16 INCLUSIVE
 - 20 THROUGH 25 INCLUSIVE
 - 28 THROUGH 100 INCLUSIVE
3. THE PROPOSED SCHOOL SITE WILL MOST LIKELY COMPRISE PORTIONS OF LOTS 99 AND 100 (TRACT 6990). A LOT LINE ADJUSTMENT OR PARCEL MAP WILL BE REQUIRED TO BE FILED TO UNIQUELY PARCEL OUT THE ULTIMATE SCHOOL SITE PARCEL.
4. ALL OPEN SPACE PARCELS ARE TO BE EXCLUDED FROM THE HILLO BOGE DISTRICT.
5. ALL GOLF COURSE PARCELS ARE TO BE EXCLUDED FROM THE HILLO BOGE DISTRICT.
6. ALL CLUB HOUSE FACILITIES ARE TO BE EXCLUDED FROM THE HILLO BOGE DISTRICT.
7. THE TOWN CENTER IS TO BE EXCLUDED FROM THE HILLO BOGE DISTRICT.
8. THE FOLLOWING IS A TABULATION OF THE NUMBER OF UNITS TO PARTICIPATE IN THE HILLO BOGE DISTRICT.

TRACT NAME	TRACT NO.	NO. OF UNITS	UNIT TYPE
WINDMILL CANYON UNIT I	6990	22	4000 # LOTS
WINDMILL CANYON UNIT II	7203	20	4000 # LOTS
WINDMILL CANYON UNIT III	7262	162	4000 # LOTS
WINDMILL CANYON UNIT IV	7264	100	4000 # LOTS
EAGLE PEAK UNIT I	7306	20	4000 # LOTS
EAGLE PEAK UNIT II	7307	20	4000 # LOTS
EAGLE PEAK UNIT III	7308	20	4000 # LOTS
EAGLE PEAK UNIT IV	7309	20	4000 # LOTS
BLACK DIAMOND UNIT I	7040	50	DUETS
BLACK DIAMOND UNIT II	7211	110	DUETS
BLACK DIAMOND UNIT III	7212	110	DUETS
CHAPARRAL SPRINGS UNIT I	7041	117	TOWN HOUSES
CHAPARRAL SPRINGS UNIT II	7203	50	TOWN HOUSES
CHAPARRAL SPRINGS UNIT III	7047	162	TOWN HOUSES
CHAPARRAL SPRINGS UNIT IV	7047		
PEACOCK CREEK UNIT I	7220	20	10,000 # LOTS
PEACOCK CREEK UNIT II	7280	20	10,000 # LOTS
TOTALS		1161 UNITS	



SCALE = 1"=800'

LEGEND

- (113) LOT NUMBER AS DESIGNATED BY TRACT 6990
- (110) LOT NUMBER AS DESIGNATED BY TRACT 6990 BUT SUBSEQUENTLY RENAMED

U.L.A.P.' NOT A PART (PARCEL TO BE EXCLUDED FROM HILLO BOGE DISTRICT)

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-382-015	1828 EAGLE PEAK AVE	\$269.10
118-382-016	1824 EAGLE PEAK AVE	269.10
118-382-017	1820 EAGLE PEAK AVE	269.10
118-382-018	1816 EAGLE PEAK AVE	269.10
118-382-019	1812 EAGLE PEAK AVE	269.10
118-382-020	1808 EAGLE PEAK AVE	269.10
118-382-021	1804 EAGLE PEAK AVE	269.10
118-382-022	1800 EAGLE PEAK AVE	269.10
118-391-018	136 JOSCOLO VIEW	269.10
118-391-024	160 JOSCOLO VIEW	269.10
118-392-001	1816 OHLONE HEIGHTS	269.10
118-392-002	1820 OHLONE HEIGHTS	269.10
118-392-003	1824 OHLONE HEIGHTS	269.10
118-392-004	1828 OHLONE HTS	269.10
118-392-005	1832 OHLONE HEIGHTS	269.10
118-392-006	1836 OHLONE HEIGHTS	269.10
118-392-007	1840 OHLONE HEIGHTS	269.10
118-392-012	129 JOSCOLO VIEW	269.10
118-392-014	135 JOSCOLO VIEW	269.10
118-392-015	139 JOSCOLO VIEW	269.10
118-392-016	145 JOSCOLO VIEW	269.10
118-401-001	1790 INDIAN WELLS WAY	231.28
118-401-002	1788 INDIAN WELLS WAY	231.28
118-401-003	1786 INDIAN WELLS WAY	231.28
118-401-004	1784 INDIAN WELLS WAY	231.28
118-401-005	1782 INDIAN WELLS WAY	231.28
118-401-006	1780 INDIAN WELLS WAY	231.28
118-401-007	1778 INDIAN WELLS WAY	231.28
118-401-008	1776 INDIAN WELLS WAY	231.28
118-401-009	1774 INDIAN WELLS WAY	231.28
118-401-010	1772 INDIAN WELLS WAY	231.28
118-401-019	40 TULE CT	231.28
118-401-029	400 CHUPCAN PL	231.28
118-401-030	402 CHUPCAN PL	231.28
118-401-031	404 CHUPCAN PL	231.28
118-401-032	406 CHUPCAN PL	231.28
118-401-033	408 CHUPCAN PL	231.28
118-401-034	410 CHUPCAN PL	231.28
118-401-035	417 CHUPCAN PL	231.28
118-401-036	415 CHUPCAN PL	231.28



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6/4/2018

ATTACHMENT 2

EXHIBIT A

City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-401-037	411 CHUPCAN PL	231.28
118-401-038	409 CHUPCAN PL	231.28
118-401-039	407 CHUPCAN PL	231.28
118-401-040	405 CHUPCAN PL	231.28
118-401-041	403 CHUPCAN PL	231.28
118-401-042	401 CHUPCAN PL	231.28
118-402-001	1735 INDIAN WELLS WAY	231.28
118-402-002	1737 INDIAN WELLS WAY	231.28
118-402-003	1739 INDIAN WELLS WAY	231.28
118-402-004	1741 INDIAN WELLS WAY	231.28
118-402-005	1743 INDIAN WELLS WAY	231.28
118-402-006	1745 INDIAN WELLS WAY	231.28
118-402-007	1747 INDIAN WELLS WAY	231.28
118-402-008	1749 INDIAN WELLS WAY	231.28
118-402-009	310 SACLAN TERRACE PL	231.28
118-402-010	320 SACLAN TERRACE PL	231.28
118-402-011	326 SACLAN TERRACE PL	231.28
118-402-012	328 SACLAN TERRACE PL	231.28
118-402-013	330 SACLAN TERRACE PL	231.28
118-402-014	332 SACLAN TERRACE PL	231.28
118-402-015	334 SACLAN TERRACE PL	231.28
118-402-016	336 SACLAN TERRACE PL	231.28
118-402-017	338 SACLAN TERRACE PL	231.28
118-402-018	340 SACLAN TERRACE PL	231.28
118-402-019	341 SACLAN TERRACE PL	231.28
118-402-020	339 SACLAN TERRACE PL	231.28
118-402-021	337 SACLAN TERRACE PL	231.28
118-402-022	335 SACLAN TERRACE PL	231.28
118-402-023	333 SACLAN TERRACE PL	231.28
118-402-024	331 SACLAN TERRACE PL	231.28
118-402-025	329 SACLAN TERRACE PL	231.28
118-402-026	327 SACLAN TERRACE PL	231.28
118-402-027	325 SACLAN TERRACE PL	231.28
118-402-028	323 SACLAN TERRACE PL	231.28
118-402-029	321 SACLAN TERRACE PL	231.28
118-410-001	1399 SHELL LN	187.80
118-410-002	1397 SHELL LN	187.80
118-410-003	1389 SHELL LN	187.80
118-410-004	1387 SHELL LN	187.80
118-410-005	1385 SHELL LN	187.80



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-410-006	1383 SHELL LN	187.80
118-410-007	1381 SHELL LN	187.80
118-410-008	1379 SHELL LN	187.80
118-410-009	1377 SHELL LN	187.80
118-410-010	1375 SHELL LN	187.80
118-410-011	1373 SHELL LN	187.80
118-410-012	1371 SHELL LN	187.80
118-410-013	1369 SHELL LN	187.80
118-410-014	1367 SHELL LN	187.80
118-410-015	1365 SHELL LN	187.80
118-410-016	1363 SHELL LN	187.80
118-410-017	1361 SHELL LN	187.80
118-410-018	1359 SHELL LN	187.80
118-410-019	1357 SHELL LN	187.80
118-410-020	1355 SHELL LN	187.80
118-410-021	1353 SHELL LN	187.80
118-410-022	1351 SHELL LN	187.80
118-410-023	1349 SHELL LN	187.80
118-410-024	1347 SHELL LN	187.80
118-410-025	1345 SHELL LN	187.80
118-410-026	1343 SHELL LN	187.80
118-410-027	1341 SHELL LN	187.80
118-410-028	1339 SHELL LN	187.80
118-410-029	1337 SHELL LN	187.80
118-410-030	1335 SHELL LN	187.80
118-410-031	1333 SHELL LN	187.80
118-410-032	1331 SHELL LN	187.80
118-410-033	1329 SHELL LN	187.80
118-410-034	1327 SHELL LN	187.80
118-410-035	1199 SHELL LN	187.80
118-410-037	1195 SHELL LN	187.80
118-410-038	1193 SHELL LN	187.80
118-410-039	1191 SHELL LN	187.80
118-410-040	1189 SHELL LN	187.80
118-410-041	1187 SHELL LN	187.80
118-410-042	1185 SHELL LN	187.80
118-410-043	1183 SHELL LN	187.80
118-410-044	1181 SHELL LN	187.80
118-410-045	1179 SHELL LN	187.80
118-410-046	1177 SHELL LN	187.80



**City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll**

APN	Situs Address	Levy
118-410-047	1175 SHELL LN	187.80
118-410-048	1173 SHELL LN	187.80
118-410-049	1171 SHELL LN	187.80
118-410-050	1169 SHELL LN	187.80
118-410-051	1167 SHELL LN	187.80
118-410-052	1267 SHELL CIR	187.80
118-410-053	1265 SHELL CIR	187.80
118-410-054	1263 SHELL CIR	187.80
118-410-055	1261 SHELL CIR	187.80
118-410-056	1259 SHELL CIR	187.80
118-410-057	1254 SHELL CIR	187.80
118-410-058	1256 SHELL CIR	187.80
118-410-059	1258 SHELL CIR	187.80
118-410-060	1260 SHELL CIR	187.80
118-410-061	1262 SHELL CIR	187.80
118-410-062	1264 SHELL CIR	187.80
118-410-063	1266 SHELL CIR	187.80
118-410-064	1268 SHELL CIR	187.80
118-410-065	1270 SHELL CIR	187.80
118-410-066	1272 SHELL CIR	187.80
118-410-067	1274 SHELL CIR	187.80
118-410-068	1276 SHELL CIR	187.80
118-410-069	1278 SHELL CIR	187.80
118-410-070	1280 SHELL CIR	187.80
118-410-071	1282 SHELL CIR	187.80
118-410-072	1284 SHELL CIR	187.80
118-410-073	1286 SHELL CIR	187.80
118-410-074	1288 SHELL CIR	187.80
118-410-075	1290 SHELL CIR	187.80
118-410-076	1292 SHELL CIR	187.80
118-410-077	1294 SHELL CIR	187.80
118-410-078	1296 SHELL CIR	187.80
118-410-079	1298 SHELL CIR	187.80
118-410-080	1269 SHELL CIR	187.80
118-410-081	1271 SHELL CIR	187.80
118-410-082	1273 SHELL CIR	187.80
118-410-083	1275 SHELL CIR	187.80
118-410-084	1332 SHELL LN	187.80
118-410-085	1330 SHELL LN	187.80
118-410-086	1328 SHELL LN	187.80



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-410-087	1326 SHELL LN	187.80
118-410-088	1340 SHELL LN	187.80
118-410-089	1338 SHELL LN	187.80
118-410-090	1336 SHELL LN	187.80
118-410-091	1334 SHELL LN	187.80
118-410-092	1277 SHELL CIR	187.80
118-410-093	1279 SHELL CIR	187.80
118-410-094	1281 SHELL CIR	187.80
118-410-095	1283 SHELL CIR	187.80
118-410-096	1285 SHELL CIR	187.80
118-410-097	1287 SHELL CIR	187.80
118-410-098	1289 SHELL CIR	187.80
118-410-099	1291 SHELL CIR	187.80
118-410-100	1293 SHELL CIR	187.80
118-410-101	1295 SHELL CIR	187.80
118-410-102	1297 SHELL CIR	187.80
118-410-103	1299 SHELL CIR	187.80
118-410-104	1368 SHELL LN	187.80
118-410-105	1370 SHELL LN	187.80
118-410-106	1372 SHELL LN	187.80
118-410-107	1374 SHELL LN	187.80
118-410-108	1376 SHELL LN	187.80
118-410-109	1378 SHELL LN	187.80
118-410-110	1380 SHELL LN	187.80
118-410-111	1382 SHELL LN	187.80
118-410-112	1388 SHELL LN	187.80
118-410-113	1390 SHELL LN	187.80
118-410-114	1392 SHELL LN	187.80
118-410-115	1394 SHELL LN	187.80
118-410-116	1396 SHELL LN	187.80
118-410-117	1398 SHELL LN	187.80
118-410-120	1197 SHELL LN	187.80
118-421-001	304 AHWANEE LN	402.06
118-421-002	308 AHWANEE LN	402.06
118-421-003	312 AHWANEE LN	402.06
118-422-001	451 OBSIDIAN WAY	402.06
118-422-002	350 BLUE OAK LN	402.06
118-422-003	352 BLUE OAK LN	402.06
118-422-004	354 BLUE OAK LN	402.06
118-422-005	356 BLUE OAK LN	402.06



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APN	Situs Address	Levy
118-422-006	358 BLUE OAK LN	402.06
118-422-007	360 BLUE OAK LN	402.06
118-423-001	361 BLUE OAK LN	402.06
118-423-002	3057 MIWOK WAY	402.06
118-423-003	3055 MIWOK WAY	402.06
118-423-004	3053 MIWOK WAY	402.06
118-423-005	3051 MIWOK WAY	402.06
118-423-006	3049 MIWOK WAY	402.06
118-423-007	3047 MIWOK WAY	402.06
118-423-008	3045 MIWOK WAY	402.06
118-423-009	3043 MIWOK WAY	402.06
118-423-010	3041 MIWOK WAY	402.06
118-423-011	3039 MIWOK WAY	402.06
118-423-012	3037 MIWOK WAY	402.06
118-423-013	3035 MIWOK WAY	402.06
118-423-014	3033 MIWOK WAY	402.06
118-423-015	3031 MIWOK WAY	402.06
118-424-001	359 BLUE OAK LN	402.06
118-424-002	357 BLUE OAK LN	402.06
118-424-003	355 BLUE OAK LN	402.06
118-424-004	353 BLUE OAK LN	402.06
118-424-005	351 BLUE OAK LN	402.06
118-424-006	409 WAWONA LN	402.06
118-424-007	407 WAWONA LN	402.06
118-424-008	405 WAWONA LN	402.06
118-424-009	403 WAWONA LN	402.06
118-424-010	401 WAWONA LN	402.06
118-424-011	3034 MIWOK WAY	402.06
118-424-012	3038 MIWOK WAY	402.06
118-424-013	3040 MIWOK WAY	402.06
118-424-014	3042 MIWOK WAY	402.06
118-424-015	3046 MIWOK WAY	402.06
118-424-016	3048 MIWOK WAY	402.06
118-424-017	3050 MIWOK WAY	402.06
118-424-018	3052 MIWOK WAY	402.06
118-424-019	3054 MIWOK WAY	402.06
118-431-001	316 AHWANEE CT	402.06
118-431-002	320 AHWANEE CT	402.06
118-431-003	324 AHWANEE CT	402.06
118-431-004	328 AHWANEE CT	402.06



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APN	Situs Address	Levy
118-431-005	332 AHWANEE CT	402.06
118-432-002	333 AHWANEE LN	402.06
118-432-003	329 AHWANEE LN	402.06
118-432-004	325 AHWANEE LN	402.06
118-432-005	321 AHWANEE CT	402.06
118-432-006	317 AHWANEE CT	402.06
118-432-007	400 WAWONA LN	402.06
118-432-008	402 WAWONA LN	402.06
118-432-009	404 WAWONA LN	402.06
118-432-010	406 WAWONA LN	402.06
118-432-011	408 WAWONA LN	402.06
118-432-012	410 WAWONA LN	402.06
118-432-013	412 WAWONA LN	402.06
118-432-014	414 WAWONA LN	402.06
118-432-015	416 WAWONA CT	402.06
118-432-016	418 WAWONA LN	402.06
118-432-017	420 WAWONA CT	402.06
118-432-019	337 AHWANEE CT	402.06
118-432-020	422 WAWONA LN	402.06
118-433-002	419 WAWONA LN	402.06
118-433-003	417 WAWONA CT	402.06
118-433-004	421 WAWONA CT	402.06
118-441-001	5101 KELLER RIDGE DR	269.10
118-441-002	5103 KELLER RIDGE DR	269.10
118-441-003	5105 KELLER RIDGE DR	269.10
118-441-004	5107 KELLER RIDGE DR	269.10
118-441-005	5109 KELLER RIDGE DR	269.10
118-441-007	5113 KELLER RIDGE DR	269.10
118-441-008	5115 KELLER RIDGE DR	269.10
118-441-009	5117 KELLER RIDGE DR	269.10
118-441-010	5119 KELLER RIDGE DR	269.10
118-441-011	5121 KELLER RIDGE DR	269.10
118-441-012	5123 KELLER RIDGE DR	269.10
118-441-013	5125 KELLER RIDGE DR	269.10
118-441-014	5127 KELLER RIDGE DR	269.10
118-441-015	5129 KELLER RIDGE DR	269.10
118-441-016	5131 KELLER RIDGE DR	269.10
118-441-017	101 CROW PL	269.10
118-441-018	103 CROW PL	269.10
118-441-019	105 CROW PL	269.10



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APN	Situs Address	Levy
118-441-020	107 CROW PL	269.10
118-441-021	109 CROW PL	269.10
118-441-022	111 CROW PL	269.10
118-441-023	113 CROW PL	269.10
118-441-024	115 CROW PL	269.10
118-441-025	117 CROW PL	269.10
118-441-026	119 CROW PL	269.10
118-442-001	118 CROW PL	269.10
118-442-002	116 CROW PL	269.10
118-442-003	114 CROW PL	269.10
118-442-004	112 CROW PL	269.10
118-442-005	110 CROW PL	269.10
118-442-006	108 CROW PL	269.10
118-442-007	106 CROW PL	269.10
118-442-008	104 CROW PL	269.10
118-442-009	102 CROW PL	269.10
118-442-010	3009 WINDMILL CANYON DR	269.10
118-442-011	3011 WINDMILL CANYON DR	269.10
118-442-012	3013 WINDMILL CANYON DR	269.10
118-442-013	3015 WINDMILL CANYON DR	269.10
118-442-014	3017 WINDMILL CANYON DR	269.10
118-442-015	3019 WINDMILL CANYON DR	269.10
118-442-016	3021 WINDMILL CANYON DR	269.10
118-442-017	3023 WINDMILL CANYON DR	269.10
118-443-001	3022 WINDMILL CANYON DR	269.10
118-443-002	3020 WINDMILL CANYON DR	269.10
118-443-003	3018 WINDMILL CANYON DR	269.10
118-443-004	3016 WINDMILL CANYON DR	269.10
118-443-005	3014 WINDMILL CANYON DR	269.10
118-443-006	3012 WINDMILL CANYON DR	269.10
118-443-007	3010 WINDMILL CANYON DR	269.10
118-451-001	301 WINDMILL CANYON PL	269.10
118-451-002	303 WINDMILL CANYON PL	269.10
118-451-003	305 WINDMILL CANYON PL	269.10
118-451-004	307 WINDMILL CANYON PL	269.10
118-451-005	309 WINDMILL CANYON PL	269.10
118-451-006	311 WINDMILL CANYON PL	269.10
118-451-007	313 WINDMILL CANYON PL	269.10
118-451-008	315 WINDMILL CANYON PL	269.10
118-451-009	317 WINDMILL CANYON PL	269.10



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APN	Situs Address	Levy
118-451-010	319 WINDMILL CANYON PL	269.10
118-451-011	321 WINDMILL CANYON PL	269.10
118-452-001	322 WINDMILL CANYON PL	269.10
118-452-002	320 WINDMILL CANYON PL	269.10
118-452-003	318 WINDMILL CANYON PL	269.10
118-452-004	316 WINDMILL CANYON PL	269.10
118-452-005	314 WINDMILL CANYON PL	269.10
118-452-006	312 WINDMILL CANYON PL	269.10
118-452-007	310 WINDMILL CANYON PL	269.10
118-452-008	308 WINDMILL CANYON PL	269.10
118-452-009	306 WINDMILL CANYON PL	269.10
118-452-010	304 WINDMILL CANYON PL	269.10
118-452-011	302 WINDMILL CANYON PL	269.10
118-452-012	201 FALCON PL	269.10
118-452-013	203 FALCON PL	269.10
118-452-014	205 FALCON PL	269.10
118-452-015	207 FALCON PL	269.10
118-452-016	209 FALCON PL	269.10
118-452-017	211 FALCON PL	269.10
118-452-018	213 FALCON PL	269.10
118-452-019	215 FALCON PL	269.10
118-452-020	216 FALCON PL	269.10
118-452-021	214 FALCON PL	269.10
118-452-022	212 FALCON PL	269.10
118-452-023	210 FALCON PL	269.10
118-452-024	208 FALCON PL	269.10
118-452-025	206 FALCON PL	269.10
118-452-026	204 FALCON PL	269.10
118-452-027	202 FALCON PL	269.10
118-452-028	5126 KELLER RIDGE DR	269.10
118-452-029	5122 KELLER RIDGE DR	269.10
118-452-030	5120 KELLER RIDGE DR	269.10
118-452-031	5118 KELLER RIDGE DR	269.10
118-452-032	5116 KELLER RIDGE DR	269.10
118-452-033	5114 KELLER RIDGE DR	269.10
118-452-034	5112 KELLER RIDGE DR	269.10
118-452-035	5110 KELLER RIDGE DR	269.10
118-452-036	5108 KELLER RIDGE DR	269.10
118-452-037	5106 KELLER RIDGE DR	269.10
118-452-038	5102 KELLER RIDGE DR	269.10



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APN	Situs Address	Levy
118-460-001	600 JLPUN LOOP	231.28
118-460-002	602 JLPUN LOOP	231.28
118-460-003	604 JLPUN LOOP	231.28
118-460-004	606 JLPUN LOOP	231.28
118-460-005	608 JLPUN LOOP	231.28
118-460-006	610 JLPUN LOOP	231.28
118-460-007	612 JLPUN LOOP	231.28
118-460-008	614 JLPUN LOOP	231.28
118-460-009	616 JLPUN LOOP	231.28
118-460-010	618 JLPUN LOOP	231.28
118-460-011	620 JLPUN LOOP	231.28
118-460-012	622 JLPUN LOOP	231.28
118-460-013	615 JLPUN LOOP	231.28
118-460-014	609 JLPUN LOOP	231.28
118-460-015	605 JLPUN LOOP	231.28
118-460-016	601 JLPUN LOOP	231.28
118-460-017	637 JLPUN LOOP	231.28
118-460-018	633 JLPUN LOOP	231.28
118-460-019	629 JLPUN LOOP	231.28
118-460-020	625 JLPUN LOOP	231.28
118-460-021	624 JLPUN LOOP	231.28
118-460-022	626 JLPUN LOOP	231.28
118-460-023	628 JLPUN LOOP	231.28
118-460-024	630 JLPUN LOOP	231.28
118-460-025	632 JLPUN LOOP	231.28
118-460-026	634 JLPUN LOOP	231.28
118-460-027	636 JLPUN LOOP	231.28
118-460-028	638 JLPUN LOOP	231.28
118-460-029	800 CHERT PL	231.28
118-460-030	802 CHERT PL	231.28
118-460-031	804 CHERT PL	231.28
118-460-032	806 CHERT PL	231.28
118-460-033	808 CHERT PL	231.28
118-460-034	810 CHERT PL	231.28
118-460-035	812 CHERT PL	231.28
118-460-036	814 CHERT PL	231.28
118-460-037	819 CHERT PL	231.28
118-460-038	817 CHERT PL	231.28
118-460-039	815 CHERT PL	231.28
118-460-040	813 CHERT PL	231.28



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APN	Situs Address	Levy
118-460-041	811 CHERT PL	231.28
118-460-042	809 CHERT PL	231.28
118-460-043	807 CHERT PL	231.28
118-460-044	805 CHERT PL	231.28
118-460-045	803 CHERT PL	231.28
118-460-046	801 CHERT PL	231.28
118-460-047	51 KARKIN PL	231.28
118-460-048	53 KARKIN PL	231.28
118-460-049	55 KARKIN PL	231.28
118-460-050	57 KARKIN PL	231.28
118-460-051	56 KARKIN PL	231.28
118-460-052	54 KARKIN PL	231.28
118-460-053	52 KARKIN PL	231.28
118-460-054	1733 INDIAN WELLS WAY	231.28
118-460-055	501 SUISUN CT	231.28
118-460-056	503 SUISUN CT	231.28
118-460-057	505 SUISUN CT	231.28
118-460-058	507 SUISUN CT	231.28
118-460-059	509 SUISUN CT	231.28
118-460-060	511 SUISUN CT	231.28
118-460-061	510 SUISUN CT	231.28
118-460-062	508 SUISUN CT	231.28
118-460-063	506 SUISUN CT	231.28
118-460-064	504 SUISUN CT	231.28
118-460-065	502 SUISUN CT	231.28
118-460-066	1731 INDIAN WELLS WAY	231.28
118-460-067	1729 INDIAN WELLS WAY	231.28
118-460-068	1727 INDIAN WELLS WAY	231.28
118-460-069	1725 INDIAN WELLS WAY	231.28
118-460-070	1723 INDIAN WELLS WAY	231.28
118-460-071	1721 INDIAN WELLS WAY	231.28
118-460-072	1719 INDIAN WELLS WAY	231.28
118-460-073	722 ANIZUMNE CT	231.28
118-460-074	720 ANIZUMNE CT	231.28
118-460-075	718 ANIZUMNE CT	231.28
118-460-076	716 ANIZUMNE CT	231.28
118-460-077	714 ANIZUMNE CT	231.28
118-460-078	712 ANIZUMNE CT	231.28
118-460-079	710 ANIZUMNE CT	231.28
118-460-080	708 ANIZUMNE CT	231.28



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APN	Situs Address	Levy
118-460-081	706 ANIZUMNE CT	231.28
118-460-082	704 ANIZUMNE CT	231.28
118-460-083	702 ANIZUMNE CT	231.28
118-460-084	700 ANIZUMNE CT	231.28
118-460-085	1717 INDIAN WELLS WAY	231.28
118-460-086	1715 INDIAN WELLS WAY	231.28
118-460-087	1713 INDIAN WELLS WAY	231.28
118-460-088	1711 INDIAN WELLS WAY	231.28
118-460-089	901 ARROWHEAD TER	231.28
118-460-090	903 ARROWHEAD TER	231.28
118-460-091	905 ARROWHEAD TER	231.28
118-460-092	907 ARROWHEAD TER	231.28
118-460-093	909 ARROWHEAD TER	231.28
118-460-094	911 ARROWHEAD TER	231.28
118-460-095	913 ARROWHEAD TER	231.28
118-460-096	915 ARROWHEAD TER	231.28
118-460-097	917 ARROWHEAD TER	231.28
118-460-098	919 ARROWHEAD TER	231.28
118-460-099	921 ARROWHEAD TER	231.28
118-460-100	923 ARROWHEAD TER	231.28
118-460-101	925 ARROWHEAD TER	231.28
118-460-102	927 ARROWHEAD TER	231.28
118-460-103	929 ARROWHEAD TER	231.28
118-460-105	926 ARROWHEAD TER	231.28
118-460-106	924 ARROWHEAD TER	231.28
118-460-107	922 ARROWHEAD TER	231.28
118-460-108	920 ARROWHEAD TER	231.28
118-460-109	918 ARROWHEAD TER	231.28
118-460-110	916 ARROWHEAD TER	231.28
118-460-111	914 ARROWHEAD TER	231.28
118-460-112	912 ARROWHEAD CIR	231.28
118-460-113	910 ARROWHEAD TER	231.28
118-460-114	908 ARROWHEAD TER	231.28
118-460-115	906 ARROWHEAD TER	231.28
118-460-116	904 ARROWHEAD TER	231.28
118-460-117	902 ARROWHEAD TER	231.28
118-460-118	900 ARROWHEAD TER	231.28
118-460-121	931 ARROWHEAD TER	231.28
118-470-003	1207 BUCKEYE TER	231.28
118-470-004	1205 BUCKEYE TER	231.28



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APN	Situs Address	Levy
118-470-005	1203 BUCKEYE TER	231.28
118-470-006	1201 BUCKEYE TER	231.28
118-470-007	1211 BUCKEYE TER	231.28
118-470-008	1209 BUCKEYE TER	231.28
118-470-009	1213 BUCKEYE TER	231.28
118-470-010	1215 BUCKEYE TER	231.28
118-470-011	1217 BUCKEYE TER	231.28
118-470-012	1221 BUCKEYE TER	231.28
118-470-013	1223 BUCKEYE TER	231.28
118-470-014	1225 BUCKEYE TER	231.28
118-470-015	1227 BUCKEYE TER	231.28
118-470-016	1231 BUCKEYE TER	231.28
118-470-017	1233 BUCKEYE TER	231.28
118-470-018	1235 BUCKEYE TER	231.28
118-470-019	1237 BUCKEYE TER	231.28
118-470-020	1239 BUCKEYE TER	231.28
118-470-021	1241 BUCKEYE TER	231.28
118-470-022	1240 BUCKEYE TER	231.28
118-470-023	1238 BUCKEYE TER	231.28
118-470-024	1236 BUCKEYE TER	231.28
118-470-025	1234 BUCKEYE TER	231.28
118-470-026	1232 BUCKEYE TER	231.28
118-470-027	1230 BUCKEYE TER	231.28
118-470-028	1228 BUCKEYE TER	231.28
118-470-029	1226 BUCKEYE TER	231.28
118-470-030	1220 BUCKEYE TER	231.28
118-470-031	1218 BUCKEYE TER	231.28
118-470-032	1216 BUCKEYE TER	231.28
118-470-033	1214 BUCKEYE TER	231.28
118-470-034	1212 BUCKEYE TER	231.28
118-470-035	1200 BUCKEYE TER	231.28
118-470-036	1151 MOCCASIN CT	231.28
118-470-037	1153 MOCCASIN CT	231.28
118-470-038	1155 MOCCASIN CT	231.28
118-470-039	1159 MOCCASIN CT	231.28
118-470-040	1161 MOCCASIN CT	231.28
118-470-041	1163 MOCCASIN CT	231.28
118-470-042	1165 MOCCASIN CT	231.28
118-470-043	1169 MOCCASIN CT	231.28
118-470-044	1171 MOCCASIN CT	231.28



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APN	Situs Address	Levy
118-470-045	1173 MOCCASIN CT	231.28
118-470-046	1175 MOCCASIN CT	231.28
118-470-047	1174 MOCCASIN CT	231.28
118-470-048	1172 MOCCASIN CT	231.28
118-470-049	1170 MOCCASIN CT	231.28
118-470-050	1168 MOCCASIN CT	231.28
118-470-051	1166 MOCCASIN CT	231.28
118-470-052	1164 MOCCASIN CT	231.28
118-470-053	1160 MOCCASIN CT	231.28
118-470-054	1158 MOCCASIN CT	231.28
118-470-055	1156 MOCCASIN CT	231.28
118-470-056	1154 MOCCASIN CT	231.28
118-470-057	1152 MOCCASIN CT	231.28
118-470-063	1001 FEATHER CIR	231.28
118-470-064	1003 FEATHER CIR	231.28
118-470-065	1005 FEATHER CIR	231.28
118-470-066	1007 FEATHER CIR	231.28
118-470-067	1009 FEATHER CIR	231.28
118-470-068	1011 FEATHER CIR	231.28
118-470-069	1015 FEATHER CIR	231.28
118-470-070	1017 FEATHER CIR	231.28
118-470-071	1019 FEATHER CIR	231.28
118-470-072	1021 FEATHER CIR	231.28
118-470-076	1029 FEATHER CIR	231.28
118-470-079	1035 FEATHER CIR	231.28
118-470-080	1037 FEATHER CIR	231.28
118-470-081	1039 FEATHER CIR	231.28
118-470-082	1041 FEATHER CIR	231.28
118-470-083	1043 FEATHER CIR	231.28
118-470-084	1045 FEATHER CIR	231.28
118-470-085	1047 FEATHER CIR	231.28
118-470-086	1049 FEATHER CIR	231.28
118-470-087	1051 FEATHER CIR	231.28
118-470-088	1053 FEATHER CIR	231.28
118-470-089	1055 FEATHER CIR	231.28
118-470-090	1059 FEATHER CIR	231.28
118-470-091	1061 FEATHER CIR	231.28
118-470-092	1063 FEATHER CIR	231.28
118-470-093	1065 FEATHER CIR	231.28
118-470-094	1067 FEATHER CIR	231.28



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APN	Situs Address	Levy
118-470-095	1069 FEATHER CIR	231.28
118-470-096	1071 FEATHER CIR	231.28
118-470-097	1073 FEATHER CIR	231.28
118-470-098	1075 FEATHER CIR	231.28
118-470-099	1077 FEATHER CIR	231.28
118-470-100	1079 FEATHER CIR	231.28
118-470-101	1074 FEATHER CIR	231.28
118-470-102	1072 FEATHER CIR	231.28
118-470-103	1070 FEATHER CIR	231.28
118-470-104	1066 FEATHER CIR	231.28
118-470-105	1054 FEATHER CIR	231.28
118-470-106	1052 FEATHER CIR	231.28
118-470-107	1050 FEATHER CIR	231.28
118-470-108	1048 FEATHER CIR	231.28
118-470-109	1038 FEATHER CIR	231.28
118-470-110	1034 FEATHER CIR	231.28
118-470-111	1032 FEATHER CIR	231.28
118-470-112	1028 FEATHER CIR	231.28
118-470-113	1016 FEATHER CIR	231.28
118-470-114	1014 FEATHER CIR	231.28
118-470-115	1012 FEATHER CIR	231.28
118-470-118	1023 FEATHER CIR	231.28
118-470-119	1025 FEATHER CIR	231.28
118-470-120	1027 FEATHER CIR	231.28
118-470-121	1031 FEATHER CIR	231.28
118-470-122	1033 FEATHER CIR	231.28
118-480-001	100 FOREST HILL DR	467.92
118-480-002	102 FOREST HILL DR	467.92
118-480-003	104 FOREST HILL DR	467.92
118-480-004	106 FOREST HILL DR	467.92
118-480-005	108 FOREST HILL DR	467.92
118-480-006	110 FOREST HILL DR	467.92
118-480-007	112 FOREST HILL DR	467.92
118-480-008	114 FOREST HILL DR	467.92
118-480-009	116 FOREST HILL DR	467.92
118-480-010	118 FOREST HILL DR	467.92
118-480-011	120 FOREST HILL DR	467.92
118-480-012	121 FOREST HILL DR	467.92
118-480-013	119 FOREST HILL DR	467.92
118-480-014	117 FOREST HILL DR	467.92



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Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-480-015	115 FOREST HILL DR	467.92
118-480-016	113 FOREST HILL DR	467.92
118-480-017	111 FOREST HILL DR	467.92
118-480-018	109 FOREST HILL DR	467.92
118-480-019	105 FOREST HILL DR	467.92
118-480-020	103 FOREST HILL DR	467.92
118-480-023	1008 PEBBLE BEACH DR	467.92
118-480-024	1010 PEBBLE BEACH DR	467.92
118-480-025	1012 PEBBLE BEACH DR	467.92
118-480-026	1014 PEBBLE BEACH DR	467.92
118-480-027	1016 PEBBLE BEACH DR	467.92
118-480-028	1018 PEBBLE BEACH DR	467.92
118-480-029	1020 PEBBLE BEACH DR	467.92
118-480-030	1022 PEBBLE BEACH DR	467.92
118-480-031	1024 PEBBLE BEACH DR	467.92
118-480-034	1033 PEBBLE BEACH DR	467.92
118-480-035	1031 PEBBLE BEACH DR	467.92
118-480-036	1029 PEBBLE BEACH DR	467.92
118-480-037	1027 PEBBLE BEACH DR	467.92
118-480-038	1025 PEBBLE BEACH DR	467.92
118-480-039	1023 PEBBLE BEACH DR	467.92
118-480-040	1021 PEBBLE BEACH DR	467.92
118-480-041	1011 PEBBLE BEACH DR	467.92
118-480-042	1009 PEBBLE BEACH DR	467.92
118-480-043	1007 PEBBLE BEACH DR	467.92
118-480-044	1005 PEBBLE BEACH DR	467.92
118-480-045	1003 PEBBLE BEACH DR	467.92
118-480-046	101 FOREST HILL DR	467.92
118-480-047	1006 PEBBLE BEACH DR	467.92
118-480-048	1028 PEBBLE BEACH DR	935.84
118-490-001	132 INVERNESS WAY	467.92
118-490-003	138 INVERNESS WAY	467.92
118-490-005	140 INVERNESS WAY	467.92
118-490-006	142 INVERNESS WAY	467.92
118-490-007	1032 PEBBLE BEACH DR	467.92
118-490-008	1034 PEBBLE BEACH DR	467.92
118-490-009	1036 PEBBLE BEACH DR	467.92
118-490-010	1038 PEBBLE BEACH DR	467.92
118-490-011	1040 PEBBLE BEACH DR	467.92
118-490-012	1042 PEBBLE BEACH DR	467.92



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APN	Sitius Address	Levy
118-490-013	1044 PEBBLE BEACH DR	467.92
118-490-014	1046 PEBBLE BEACH DR	467.92
118-490-015	1048 PEBBLE BEACH DR	467.92
118-490-016	1050 PEBBLE BEACH DR	467.92
118-490-017	1052 PEBBLE BEACH DR	467.92
118-490-018	1054 PEBBLE BEACH DR	467.92
118-490-019	1056 PEBBLE BEACH DR	467.92
118-490-020	1055 PEBBLE BEACH DR	467.92
118-490-021	1053 PEBBLE BEACH DR	467.92
118-490-022	1051 PEBBLE BEACH DR	467.92
118-490-023	1049 PEBBLE BEACH DR	467.92
118-490-024	1047 PEBBLE BEACH DR	467.92
118-490-025	1045 PEBBLE BEACH DR	467.92
118-490-027	134 INVERNESS WAY	467.92
118-490-028	136 INVERNESS WAY	467.92
118-500-001	1100 PEACOCK CREEK DR	467.92
118-500-002	1102 PEACOCK CREEK DR	467.92
118-500-005	1108 PEACOCK CREEK DR	467.92
118-500-006	1110 PEACOCK CREEK DR	467.92
118-500-007	1112 PEACOCK CREEK DR	467.92
118-500-008	1114 PEACOCK CREEK DR	467.92
118-500-009	1116 PEACOCK CREEK DR	467.92
118-500-010	1118 PEACOCK CREEK DR	467.92
118-500-011	1120 PEACOCK CREEK DR	467.92
118-500-012	1122 PEACOCK CREEK DR	467.92
118-500-013	1124 PEACOCK CREEK DR	467.92
118-500-014	1126 PEACOCK CREEK DR	467.92
118-500-015	1128 PEACOCK CREEK DR	467.92
118-500-016	1130 PEACOCK CREEK DR	467.92
118-500-017	1132 PEACOCK CREEK DR	467.92
118-500-018	1133 PEACOCK CREEK DR	467.92
118-500-019	1131 PEACOCK CREEK DR	467.92
118-500-020	1129 PEACOCK CREEK DR	467.92
118-500-021	1127 PEACOCK CREEK DR	467.92
118-500-022	1125 PEACOCK CREEK DR	467.92
118-500-023	1123 PEACOCK CREEK DR	467.92
118-500-024	1121 PEACOCK CREEK DR	467.92
118-500-025	1117 PEACOCK CREEK DR	467.92
118-500-026	1115 PEACOCK CREEK DR	467.92
118-500-027	1111 PEACOCK CREEK DR	467.92



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APN	Situs Address	Levy
118-500-028	1109 PEACOCK CREEK DR	467.92
118-500-029	1107 PEACOCK CREEK DR	467.92
118-500-030	1105 PEACOCK CREEK DR	467.92
118-500-031	1103 PEACOCK CREEK DR	467.92
118-500-032	1104 PEACOCK CREEK DR	467.92
118-500-033	1106 PEACOCK CREEK DR	467.92
118-510-001	1134 PEACOCK CREEK DR	467.92
118-510-002	1136 PEACOCK CREEK DR	467.92
118-510-003	1138 PEACOCK CREEK DR	467.92
118-510-004	1140 PEACOCK CREEK DR	467.92
118-510-005	1142 PEACOCK CREEK DR	467.92
118-510-006	1144 PEACOCK CREEK DR	467.92
118-510-007	1146 PEACOCK CREEK DR	467.92
118-510-008	1148 PEACOCK CREEK DR	467.92
118-510-009	1150 PEACOCK CREEK DR	467.92
118-510-010	1152 PEACOCK CREEK DR	467.92
118-510-011	170 BRANDYWINE PL	467.92
118-510-012	172 BRANDYWINE PL	467.92
118-510-013	174 BRANDYWINE PL	467.92
118-510-015	185 BRANDYWINE PL	467.92
118-510-016	183 BRANDYWINE PL	467.92
118-510-017	181 BRANDYWINE PL	467.92
118-510-018	179 BRANDYWINE PL	467.92
118-510-019	177 BRANDYWINE PL	467.92
118-510-020	175 BRANDYWINE PL	467.92
118-510-021	173 BRANDYWINE PL	467.92
118-510-022	1160 TORREY PINES PL	467.92
118-510-023	1162 TORREY PINES PL	467.92
118-510-024	1163 TORREY PINES PL	467.92
118-510-025	1161 TORREY PINES PL	467.92
118-510-026	1155 PEACOCK CREEK DR	467.92
118-510-027	1151 PEACOCK CREEK DR	467.92
118-510-028	164 SILVERADO CT	467.92
118-510-029	166 SILVERADO CT	467.92
118-510-030	165 SILVERADO CT	467.92
118-510-031	163 SILVERADO CT	467.92
118-510-032	1149 PEACOCK CREEK DR	467.92
118-510-033	1147 PEACOCK CREEK DR	467.92
118-510-034	1145 PEACOCK CREEK DR	467.92
118-510-035	154 LONE PINE CT	467.92



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APN	Situs Address	Levy
118-510-036	156 LONE PINE CT	467.92
118-510-037	155 LONE PINE CT	467.92
118-510-038	153 LONE PINE CT	467.92
118-510-039	151 LONE PINE CT	467.92
118-510-040	1139 PEACOCK CREEK DR	467.92
118-510-041	1137 PEACOCK CREEK DR	467.92
118-510-042	1135 PEACOCK CREEK DR	467.92
118-530-001	1401 INDIANHEAD WAY	187.80
118-530-002	1403 INDIANHEAD WAY	187.80
118-530-003	1405 INDIANHEAD WAY	187.80
118-530-004	1407 INDIANHEAD WAY	187.80
118-530-005	1409 INDIANHEAD WAY	187.80
118-530-006	1411 INDIANHEAD WAY	187.80
118-530-007	1413 INDIANHEAD WAY	187.80
118-530-008	1415 INDIANHEAD WAY	187.80
118-530-009	1417 INDIANHEAD WAY	187.80
118-530-010	1419 INDIANHEAD WAY	187.80
118-530-011	1421 INDIANHEAD WAY	187.80
118-530-012	1423 INDIANHEAD WAY	187.80
118-530-013	1425 INDIANHEAD WAY	187.80
118-530-014	1427 INDIANHEAD WAY	187.80
118-530-015	1429 INDIANHEAD WAY	187.80
118-530-016	1431 INDIANHEAD WAY	187.80
118-530-017	1433 INDIANHEAD CIR	187.80
118-530-018	1435 INDIANHEAD CIR	187.80
118-530-019	1437 INDIANHEAD CIR	187.80
118-530-020	1439 INDIANHEAD CIR	187.80
118-530-021	1441 INDIANHEAD CIR	187.80
118-530-022	1443 INDIANHEAD CIR	187.80
118-530-023	1445 INDIANHEAD CIR	187.80
118-530-024	1447 INDIANHEAD CIR	187.80
118-530-025	1449 INDIANHEAD CIR	187.80
118-530-026	1451 INDIANHEAD CIR	187.80
118-530-027	1453 INDIANHEAD CIR	187.80
118-530-028	1455 INDIANHEAD CIR	187.80
118-530-029	1457 INDIANHEAD CIR	187.80
118-530-030	1459 INDIANHEAD CIR	187.80
118-530-031	1461 INDIANHEAD CIR	187.80
118-530-033	1465 INDIANHEAD CIR	187.80
118-530-034	1467 INDIANHEAD CIR	187.80



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APN	Situs Address	Levy
118-530-035	1469 INDIANHEAD CIR	187.80
118-530-036	1471 INDIANHEAD CIR	187.80
118-530-037	1473 INDIANHEAD CIR	187.80
118-530-038	1475 INDIANHEAD CIR	187.80
118-530-039	1477 INDIANHEAD CIR	187.80
118-530-040	1479 INDIANHEAD CIR	187.80
118-530-041	1481 INDIANHEAD CIR	187.80
118-530-042	1483 INDIANHEAD CIR	187.80
118-530-043	1485 INDIANHEAD CIR	187.80
118-530-044	1487 INDIANHEAD CIR	187.80
118-530-045	1489 INDIANHEAD CIR	187.80
118-530-046	1491 INDIANHEAD CIR	187.80
118-530-047	1466 INDIANHEAD CIR	187.80
118-530-048	1464 INDIANHEAD CIR	187.80
118-530-049	1462 INDIANHEAD CIR	187.80
118-530-050	1460 INDIANHEAD CIR	187.80
118-530-051	1458 INDIANHEAD CIR	187.80
118-530-052	1456 INDIANHEAD CIR	187.80
118-530-056	1463 INDIANHEAD CIR	187.80
118-540-001	4001 HUMMINGBIRD WAY	269.10
118-540-002	4003 HUMMINGBIRD WAY	269.10
118-540-003	4005 HUMMINGBIRD WAY	269.10
118-540-004	4007 HUMMINGBIRD WAY	269.10
118-540-005	4009 HUMMINGBIRD WAY	269.10
118-540-006	4011 HUMMINGBIRD WAY	269.10
118-540-007	4013 HUMMINGBIRD WAY	269.10
118-540-008	4015 HUMMINGBIRD WAY	269.10
118-540-009	4017 HUMMINGBIRD WAY	269.10
118-540-010	4019 HUMMINGBIRD WAY	269.10
118-540-011	4021 HUMMINGBIRD WAY	269.10
118-540-012	4022 HUMMINGBIRD WAY	269.10
118-540-013	4018 HUMMINGBIRD WAY	269.10
118-540-014	4014 HUMMINGBIRD WAY	269.10
118-540-015	4010 HUMMINGBIRD WAY	269.10
118-540-016	4008 HUMMINGBIRD WAY	269.10
118-540-017	4006 HUMMINGBIRD WAY	269.10
118-540-018	4004 HUMMINGBIRD WAY	269.10
118-540-019	4002 HUMMINGBIRD WAY	269.10
118-540-020	5001 RAVEN WAY	269.10
118-540-021	5003 RAVEN WAY	269.10



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APN	Situs Address	Levy
118-540-022	5005 RAVEN WAY	269.10
118-540-023	5007 RAVEN WAY	269.10
118-540-024	5009 RAVEN WAY	269.10
118-540-025	5011 RAVEN WAY	269.10
118-540-026	4024 HUMMINGBIRD WAY	269.10
118-540-027	5013 RAVEN WAY	269.10
118-540-028	5015 RAVEN WAY	269.10
118-540-029	5017 RAVEN WAY	269.10
118-540-030	5019 RAVEN WAY	269.10
118-540-031	3038 WINDMILL CANYON DR	269.10
118-540-032	3036 WINDMILL CANYON DR	269.10
118-540-033	3034 WINDMILL CANYON DR	269.10
118-540-034	3032 WINDMILL CANYON DR	269.10
118-540-035	3030 WINDMILL CANYON DR	269.10
118-540-036	3028 WINDMILL CANYON DR	269.10
118-540-037	3026 WINDMILL CANYON DR	269.10
118-540-038	3024 WINDMILL CANYON DR	269.10
118-540-039	3025 WINDMILL CANYON DR	269.10
118-540-040	3027 WINDMILL CANYON DR	269.10
118-540-041	3029 WINDMILL CANYON DR	269.10
118-540-042	3031 WINDMILL CANYON DR	269.10
118-540-043	3033 WINDMILL CANYON DR	269.10
118-540-044	3035 WINDMILL CANYON DR	269.10
118-540-045	3037 WINDMILL CANYON DR	269.10
118-540-046	3039 WINDMILL CANYON DR	269.10
118-540-047	3041 WINDMILL CANYON DR	269.10
118-540-048	3043 WINDMILL CANYON DR	269.10
118-540-049	3045 WINDMILL CANYON DR	269.10
118-540-050	3047 WINDMILL CANYON DR	269.10
118-540-051	3049 WINDMILL CANYON DR	269.10
118-540-052	3051 WINDMILL CANYON DR	269.10
118-540-053	3053 WINDMILL CANYON DR	269.10
118-540-054	5022 RAVEN WAY	269.10
118-540-055	5020 RAVEN WAY	269.10
118-540-056	5018 RAVEN WAY	269.10
118-540-057	5016 RAVEN WAY	269.10
118-540-058	5014 RAVEN WAY	269.10
118-540-059	5012 RAVEN WAY	269.10
118-540-060	5010 RAVEN WAY	269.10
118-540-061	5008 RAVEN WAY	269.10



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APN	Situs Address	Levy
118-540-062	5006 RAVEN WAY	269.10
118-540-063	5004 RAVEN WAY	269.10
118-540-064	5002 RAVEN WAY	269.10
118-540-065	5000 RAVEN WAY	269.10
118-550-002	610 GOLDEN EAGLE PL	269.10
118-550-003	608 GOLDEN EAGLE PL	269.10
118-550-004	606 GOLDEN EAGLE PL	269.10
118-550-005	604 GOLDEN EAGLE PL	269.10
118-550-006	602 GOLDEN EAGLE PL	269.10
118-550-007	501 RAVEN PL	269.10
118-550-008	503 RAVEN PL	269.10
118-550-009	505 RAVEN PL	269.10
118-550-010	507 RAVEN PL	269.10
118-550-011	509 RAVEN PL	269.10
118-550-012	511 RAVEN PL	269.10
118-550-013	513 RAVEN PL	269.10
118-550-014	514 RAVEN PL	269.10
118-550-015	512 RAVEN PL	269.10
118-550-016	510 RAVEN PL	269.10
118-550-017	508 RAVEN PL	269.10
118-550-018	506 RAVEN PL	269.10
118-550-019	504 RAVEN PL	269.10
118-550-020	502 RAVEN PL	269.10
118-550-021	401 HUMMINGBIRD PL	269.10
118-550-022	403 HUMMINGBIRD PL	269.10
118-550-023	405 HUMMINGBIRD PL	269.10
118-550-024	407 HUMMINGBIRD PL	269.10
118-550-025	409 HUMMINGBIRD PL	269.10
118-550-026	411 HUMMINGBIRD PL	269.10
118-550-027	413 HUMMINGBIRD PL	269.10
118-550-028	418 HUMMINGBIRD PL	269.10
118-550-029	416 HUMMINGBIRD PL	269.10
118-550-030	414 HUMMINGBIRD PL	269.10
118-550-031	412 HUMMINGBIRD PL	269.10
118-550-032	410 HUMMINGBIRD PL	269.10
118-550-033	408 HUMMINGBIRD PL	269.10
118-550-034	406 HUMMINGBIRD PL	269.10
118-550-035	404 HUMMINGBIRD PL	269.10
118-550-036	402 HUMMINGBIRD PL	269.10
118-550-038	612 GOLDEN EAGLE PL	269.10



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APN	Situs Address	Levy
118-570-001	363 BLUE OAK LN	402.06
118-570-002	365 BLUE OAK LN	402.06
118-570-003	367 BLUE OAK LN	402.06
118-570-004	369 BLUE OAK LN	402.06
118-570-005	371 BLUE OAK LN	402.06
118-570-006	373 BLUE OAK LN	402.06
118-570-007	375 BLUE OAK LN	402.06
118-570-008	377 BLUE OAK LN	402.06
118-570-009	379 BLUE OAK LN	402.06
118-570-010	381 BLUE OAK LN	402.06
118-570-012	385 BLUE OAK LN	402.06
118-570-013	387 BLUE OAK LN	402.06
118-570-014	389 BLUE OAK LN	402.06
118-570-015	391 BLUE OAK LN	402.06
118-570-016	390 BLUE OAK LN	402.06
118-570-017	388 BLUE OAK LN	402.06
118-570-018	81 WILDCAT WAY	402.06
118-570-019	83 WILDCAT WAY	402.06
118-570-020	85 WILDCAT WAY	402.06
118-570-021	477 OBSIDIAN WAY	402.06
118-570-022	479 OBSIDIAN WAY	402.06
118-570-023	478 OBSIDIAN WAY	402.06
118-570-024	476 OBSIDIAN WAY	402.06
118-570-025	474 OBSIDIAN WAY	402.06
118-570-026	470 OBSIDIAN WAY	402.06
118-570-027	468 OBSIDIAN WAY	402.06
118-570-028	63 ANTELOPE CT	402.06
118-570-029	65 ANTELOPE CT	402.06
118-570-030	66 ANTELOPE CT	402.06
118-570-031	64 ANTELOPE CT	402.06
118-570-032	62 ANTELOPE CT	402.06
118-570-033	60 ANTELOPE CT	402.06
118-570-034	458 OBSIDIAN WAY	402.06
118-570-035	456 OBSIDIAN WAY	402.06
118-570-038	56 TUYSHAK CT	402.06
118-570-039	54 TUYSHAK CT	402.06
118-570-040	52 TUYSHAK CT	402.06
118-570-041	453 OBSIDIAN WAY	402.06
118-570-042	455 OBSIDIAN WAY	402.06
118-570-043	457 OBSIDIAN WAY	402.06



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APN	Sitius Address	Levy
118-570-044	459 OBSIDIAN WAY	402.06
118-570-045	461 OBSIDIAN WAY	402.06
118-570-046	463 OBSIDIAN WAY	402.06
118-570-047	465 OBSIDIAN WAY	402.06
118-570-048	467 OBSIDIAN WAY	402.06
118-570-049	469 OBSIDIAN WAY	402.06
118-570-050	471 OBSIDIAN WAY	402.06
118-570-051	473 OBSIDIAN WAY	402.06
118-570-052	84 WILDCAT WAY	402.06
118-570-053	380 BLUE OAK LN	402.06
118-570-054	376 BLUE OAK LN	402.06
118-570-055	374 BLUE OAK LN	402.06
118-570-056	372 BLUE OAK LN	402.06
118-570-057	370 BLUE OAK LN	402.06
118-570-058	368 BLUE OAK LN	402.06
118-570-059	366 BLUE OAK LN	402.06
118-570-060	362 BLUE OAK LN	402.06
118-570-061	383 BLUE OAK LN	402.06
118-570-062	53 TUYSHAK CT	402.06
118-570-063	55 TUYSHAK CT	402.06
118-580-001	200 CONDOR WAY	231.28
118-580-002	202 CONDOR WAY	231.28
118-580-003	204 CONDOR WAY	231.28
118-580-004	206 CONDOR WAY	231.28
118-580-005	208 CONDOR WAY	231.28
118-580-006	210 CONDOR WAY	231.28
118-580-007	212 CONDOR WAY	231.28
118-580-008	214 CONDOR WAY	231.28
118-580-009	216 CONDOR WAY	231.28
118-580-010	218 CONDOR WAY	231.28
118-580-011	220 CONDOR WAY	231.28
118-580-012	222 CONDOR WAY	231.28
118-580-013	224 CONDOR WAY	231.28
118-580-014	226 CONDOR WAY	231.28
118-580-015	5000 KELLER RIDGE DR	231.28
118-580-016	5002 KELLER RIDGE DR	231.28
118-580-017	5004 KELLER RIDGE DR	231.28
118-580-018	5006 KELLER RIDGE DR	231.28
118-580-019	5008 KELLER RIDGE DR	231.28
118-580-020	5010 KELLER RIDGE DR	231.28



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APN	Situs Address	Levy
118-580-021	5012 KELLER RIDGE DR	231.28
118-580-022	5037 KELLER RIDGE DR	231.28
118-580-023	5035 KELLER RIDGE DR	231.28
118-580-024	5033 KELLER RIDGE DR	231.28
118-580-025	5031 KELLER RIDGE DR	231.28
118-580-026	5029 KELLER RIDGE DR	231.28
118-580-027	5027 KELLER RIDGE DR	231.28
118-580-028	5025 KELLER RIDGE DR	231.28
118-580-029	5023 KELLER RIDGE DR	231.28
118-580-030	5021 KELLER RIDGE DR	231.28
118-580-031	5019 KELLER RIDGE DR	231.28
118-580-032	5017 KELLER RIDGE DR	231.28
118-580-033	5015 KELLER RIDGE DR	231.28
118-580-034	5013 KELLER RIDGE DR	231.28
118-580-035	5011 KELLER RIDGE DR	231.28
118-590-004	4705 KELLER RIDGE DR	187.80
118-590-005	4707 KELLER RIDGE DR	187.80
118-590-006	4703 KELLER RIDGE DR	187.80
118-590-007	4701 KELLER RIDGE DR	187.80
118-590-009	4605 KELLER RIDGE DR	187.80
118-590-010	4607 KELLER RIDGE DR	187.80
118-590-011	4603 KELLER RIDGE DR	187.80
118-590-012	4601 KELLER RIDGE DR	187.80
118-590-015	4507 KELLER RIDGE DR	187.80
118-590-016	4505 KELLER RIDGE DR	187.80
118-590-017	4501 KELLER RIDGE DR	187.80
118-590-018	4503 KELLER RIDGE DR	187.80
118-590-022	4905 KELLER RIDGE DR	187.80
118-590-023	4907 KELLER RIDGE DR	187.80
118-590-024	4903 KELLER RIDGE DR	187.80
118-590-025	4901 KELLER RIDGE DR	187.80
118-590-027	4805 KELLER RIDGE DR	187.80
118-590-028	4807 KELLER RIDGE DR	187.80
118-590-029	4803 KELLER RIDGE DR	187.80
118-590-030	4801 KELLER RIDGE DR	187.80
118-600-001	905 CONDOR PL	187.80
118-600-002	907 CONDOR PL	187.80
118-600-003	903 CONDOR PL	187.80
118-600-004	901 CONDOR PL	187.80
118-600-006	807 CONDOR PL	187.80



City of Clayton
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APN	Situs Address	Levy
118-600-007	805 CONDOR PL	187.80
118-600-008	801 CONDOR PL	187.80
118-600-009	803 CONDOR PL	187.80
118-600-011	705 CONDOR PL	187.80
118-600-012	707 CONDOR PL	187.80
118-600-013	703 CONDOR PL	187.80
118-600-014	701 CONDOR PL	187.80
118-600-016	607 CONDOR PL	187.80
118-600-017	605 CONDOR PL	187.80
118-600-018	601 CONDOR PL	187.80
118-600-019	603 CONDOR PL	187.80
118-600-021	505 CONDOR PL	187.80
118-600-022	507 CONDOR PL	187.80
118-600-023	503 CONDOR PL	187.80
118-600-024	501 CONDOR PL	187.80
118-600-026	405 CONDOR PL	187.80
118-600-027	407 CONDOR PL	187.80
118-600-028	403 CONDOR PL	187.80
118-600-029	401 CONDOR PL	187.80
118-600-031	307 CONDOR PL	187.80
118-600-032	305 CONDOR PL	187.80
118-600-033	301 CONDOR PL	187.80
118-600-034	303 CONDOR PL	187.80
118-600-036	207 CONDOR PL	187.80
118-600-037	205 CONDOR PL	187.80
118-600-038	201 CONDOR PL	187.80
118-600-039	203 CONDOR PL	187.80
118-610-001	1947 EAGLE PEAK AVE	187.80
118-610-002	1945 EAGLE PEAK AVE	187.80
118-610-003	1941 EAGLE PEAK AVE	187.80
118-610-004	1943 EAGLE PEAK AVE	187.80
118-610-006	1925 EAGLE PEAK AVE	187.80
118-610-007	1927 EAGLE PEAK AVE	187.80
118-610-008	1923 EAGLE PEAK AVE	187.80
118-610-009	1921 EAGLE PEAK AVE	187.80
118-610-012	3905 COYOTE CIR	187.80
118-610-013	3907 COYOTE CIR	187.80
118-610-014	3903 COYOTE CIR	187.80
118-610-015	3901 COYOTE CIR	187.80
118-610-020	3805 COYOTE CIR	187.80



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APN	Situs Address	Levy
118-610-021	3807 COYOTE CIR	187.80
118-610-022	3803 COYOTE CIR	187.80
118-610-023	3801 COYOTE CIR	187.80
118-610-024	3707 COYOTE CIR	187.80
118-610-025	3705 COYOTE CIR	187.80
118-610-026	3701 COYOTE CIR	187.80
118-610-027	3703 COYOTE CIR	187.80
118-610-028	3605 COYOTE CIR	187.80
118-610-029	3607 COYOTE CIR	187.80
118-610-030	3603 COYOTE CIR	187.80
118-610-031	3601 COYOTE CIR	187.80
118-620-001	6001 GOLDEN EAGLE WAY	269.10
118-620-002	6003 GOLDEN EAGLE WAY	269.10
118-620-003	6005 GOLDEN EAGLE WAY	269.10
118-620-004	6007 GOLDEN EAGLE WAY	269.10
118-620-005	6009 GOLDEN EAGLE WAY	269.10
118-620-006	6011 GOLDEN EAGLE WAY	269.10
118-620-007	6013 GOLDEN EAGLE WAY	269.10
118-620-008	3089 WINDMILL CANYON DR	269.10
118-620-009	3091 WINDMILL CANYON DR	269.10
118-620-010	3093 WINDMILL CANYON DR	269.10
118-620-011	3095 WINDMILL CANYON DR	269.10
118-620-012	3097 WINDMILL CANYON DR	269.10
118-620-013	3099 WINDMILL CANYON DR	269.10
118-620-014	3101 WINDMILL CANYON DR	269.10
118-620-015	3103 WINDMILL CANYON DR	269.10
118-620-016	3105 WINDMILL CANYON DR	269.10
118-620-017	3107 WINDMILL CANYON DR	269.10
118-620-018	3109 WINDMILL CANYON DR	269.10
118-620-019	3111 WINDMILL CANYON DR	269.10
118-620-020	6036 GOLDEN EAGLE WAY	269.10
118-620-021	6034 GOLDEN EAGLE WAY	269.10
118-620-022	6032 GOLDEN EAGLE WAY	269.10
118-620-023	6030 GOLDEN EAGLE WAY	269.10
118-620-024	6028 GOLDEN EAGLE WAY	269.10
118-620-025	6026 GOLDEN EAGLE WAY	269.10
118-620-026	6024 GOLDEN EAGLE WAY	269.10
118-620-027	6022 GOLDEN EAGLE WAY	269.10
118-620-028	6018 GOLDEN EAGLE WAY	269.10
118-620-029	7001 MOLLUK WAY	269.10



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APN	Situs Address	Levy
118-620-030	7003 MOLLUK WAY	269.10
118-620-031	7005 MOLLUK WAY	269.10
118-620-032	7007 MOLLUK WAY	269.10
118-620-033	7009 MOLLUK WAY	269.10
118-620-034	7011 MOLLUK WAY	269.10
118-620-035	7015 MOLLUK WAY	269.10
118-620-036	7019 MOLLUK WAY	269.10
118-620-037	7021 MOLLUK WAY	269.10
118-620-038	7023 MOLLUK WAY	269.10
118-620-039	7025 MOLLUK WAY	269.10
118-620-040	7027 MOLLUK WAY	269.10
118-620-041	7028 MOLLUK WAY	269.10
118-620-042	7026 MOLLUK WAY	269.10
118-620-043	7024 MOLLUK WAY	269.10
118-620-044	7022 MOLLUK WAY	269.10
118-620-045	7020 MOLLUK WAY	269.10
118-620-046	7018 MOLLUK WAY	269.10
118-620-047	7016 MOLLUK WAY	269.10
118-620-048	7014 MOLLUK WAY	269.10
118-620-049	7012 MOLLUK WAY	269.10
118-620-050	7010 MOLLUK WAY	269.10
118-620-051	7008 MOLLUK WAY	269.10
118-620-052	7006 MOLLUK WAY	269.10
118-620-053	7004 MOLLUK WAY	269.10
118-620-054	7002 MOLLUK WAY	269.10
118-620-055	7000 MOLLUK WAY	269.10
118-620-056	5151 KELLER RIDGE DR	269.10
118-620-057	5153 KELLER RIDGE DR	269.10
118-620-058	5155 KELLER RIDGE DR	269.10
118-620-059	5157 KELLER RIDGE DR	269.10
118-620-060	5159 KELLER RIDGE DR	269.10
118-620-061	5161 KELLER RIDGE DR	269.10
118-620-062	5163 KELLER RIDGE DR	269.10
118-630-001	6015 GOLDEN EAGLE WAY	269.10
118-630-002	6017 GOLDEN EAGLE WAY	269.10
118-630-003	6019 GOLDEN EAGLE WAY	269.10
118-630-004	6021 GOLDEN EAGLE WAY	269.10
118-630-005	6023 GOLDEN EAGLE WAY	269.10
118-630-006	6025 GOLDEN EAGLE WAY	269.10
118-630-007	6027 GOLDEN EAGLE WAY	269.10



City of Clayton
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APN	Situs Address	Levy
118-630-008	6031 GOLDEN EAGLE WAY	269.10
118-630-009	3072 WINDMILL CANYON DR	269.10
118-630-010	3070 WINDMILL CANYON DR	269.10
118-630-011	3068 WINDMILL CANYON DR	269.10
118-630-012	3066 WINDMILL CANYON DR	269.10
118-630-013	3064 WINDMILL CANYON DR	269.10
118-630-014	3062 WINDMILL CANYON DR	269.10
118-630-015	3060 WINDMILL CANYON DR	269.10
118-630-016	3058 WINDMILL CANYON DR	269.10
118-630-017	3056 WINDMILL CANYON DR	269.10
118-630-018	3054 WINDMILL CANYON DR	269.10
118-630-019	3055 WINDMILL CANYON DR	269.10
118-630-020	3057 WINDMILL CANYON DR	269.10
118-630-021	3059 WINDMILL CANYON DR	269.10
118-630-022	3061 WINDMILL CANYON DR	269.10
118-630-023	3063 WINDMILL CANYON DR	269.10
118-630-024	3065 WINDMILL CANYON DR	269.10
118-630-025	3067 WINDMILL CANYON DR	269.10
118-630-026	3069 WINDMILL CANYON DR	269.10
118-630-027	3071 WINDMILL CANYON DR	269.10
118-630-028	3073 WINDMILL CANYON DR	269.10
118-630-029	3075 WINDMILL CANYON DR	269.10
118-630-030	3077 WINDMILL CANYON DR	269.10
118-630-031	3079 WINDMILL CANYON DR	269.10
118-630-032	3081 WINDMILL CANYON DR	269.10
118-630-033	3083 WINDMILL CANYON DR	269.10
118-630-034	3085 WINDMILL CANYON DR	269.10
118-630-035	3087 WINDMILL CANYON DR	269.10
118-630-036	3090 WINDMILL CANYON DR	269.10
118-630-037	3088 WINDMILL CANYON DR	269.10
118-630-038	3084 WINDMILL CANYON DR	269.10
118-630-039	3080 WINDMILL CANYON DR	269.10
118-630-040	3078 WINDMILL CANYON DR	269.10
118-640-001	5171 KELLER RIDGE DR	402.06
118-640-002	5173 KELLER RIDGE DR	402.06
118-640-003	5175 KELLER RIDGE DR	402.06
118-640-004	5177 KELLER RIDGE DR	402.06
118-640-005	5179 KELLER RIDGE DR	402.06
118-640-006	5181 KELLER RIDGE DR	402.06
118-640-007	5183 KELLER RIDGE DR	402.06



City of Clayton
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APN	Situs Address	Levy
118-640-008	5185 KELLER RIDGE DR	402.06
118-640-009	5187 KELLER RIDGE DR	402.06
118-640-010	5189 KELLER RIDGE DR	402.06
118-640-011	705 ACORN DR	402.06
118-640-012	707 ACORN DR	402.06
118-640-014	711 ACORN DR	402.06
118-640-015	713 ACORN DR	402.06
118-640-016	715 ACORN DR	402.06
118-640-017	717 ACORN DR	402.06
118-640-018	719 ACORN DR	402.06
118-640-019	721 ACORN DR	402.06
118-640-020	716 ACORN DR	402.06
118-640-022	901 DEER PL	402.06
118-640-024	905 DEER PL	402.06
118-640-025	904 DEER PL	402.06
118-640-026	902 DEER PL	402.06
118-640-027	5188 KELLER RIDGE DR	402.06
118-640-028	5186 KELLER RIDGE DR	402.06
118-640-029	5184 KELLER RIDGE DR	402.06
118-640-030	8001 KELOK WAY	402.06
118-640-031	8003 KELOK WAY	402.06
118-640-032	8005 KELOK WAY	402.06
118-640-033	8007 KELOK WAY	402.06
118-640-034	81 BEAR PL	402.06
118-640-035	83 BEAR PL	402.06
118-640-036	80 BEAR PL	402.06
118-640-037	8011 KELOK WAY	402.06
118-640-038	8010 KELOK WAY	402.06
118-640-039	8008 KELOK WAY	402.06
118-640-040	8006 KELOK WAY	402.06
118-640-041	8004 KELOK WAY	402.06
118-640-042	8002 KELOK WAY	402.06
118-640-043	8000 KELOK WAY	402.06
118-640-044	5174 KELLER RIDGE DR	402.06
118-640-046	903 DEER PL	402.06
118-640-047	714 ACORN DR	402.06
118-640-048	709 ACORN DR	402.06
118-650-001	5191 KELLER RIDGE DR	402.06
118-650-002	9001 ELK DR	402.06
118-650-003	9003 ELK DR	402.06



**City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
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APN	Situs Address	Levy
118-650-004	9005 ELK DR	402.06
118-650-005	701 ACORN DR	402.06
118-650-006	703 ACORN DR	402.06
118-650-007	908 DEER PL	402.06
118-650-008	906 DEER PL	402.06
118-650-009	801 GREY FOX PL	402.06
118-650-010	803 GREY FOX PL	402.06
118-650-011	805 GRAY FOX PL	402.06
118-650-012	807 GREY FOX PL	402.06
118-650-013	809 GREY FOX PL	402.06
118-650-014	806 GREY FOX PL	402.06
118-650-015	804 GREY FOX PL	402.06
118-650-016	800 GRAY FOX PL	402.06
118-650-017	9007 ELK DR	402.06
118-650-018	9009 ELK DR	402.06
118-650-019	9011 ELK DR	402.06
118-650-020	9013 ELK DR	402.06
118-650-021	9008 ELK DR	402.06
118-650-022	9006 ELK DR	402.06
118-650-023	9004 ELK DR	402.06
118-650-024	9002 ELK DR	402.06
118-650-025	5193 KELLER RIDGE DR	402.06
118-650-026	5194 KELLER RIDGE DR	402.06
118-650-027	5192 KELLER RIDGE DR	402.06
118-650-028	5190 KELLER RIDGE DR	402.06
118-650-029	85 BEAR PL	402.06
118-650-030	84 BEAR PL	402.06
118-650-031	82 BEAR PL	402.06
118-660-001	4405 COYOTE CIR	187.80
118-660-002	4407 COYOTE CIR	187.80
118-660-003	4403 COYOTE CIR	187.80
118-660-004	4401 COYOTE CIR	187.80
118-660-006	4307 COYOTE CIR	187.80
118-660-007	4305 COYOTE CIR	187.80
118-660-008	4301 COYOTE CIR	187.80
118-660-009	4303 COYOTE CIR	187.80
118-660-013	4005 COYOTE CIR	187.80
118-660-014	4007 COYOTE CIR	187.80
118-660-015	4003 COYOTE CIR	187.80
118-660-016	4001 COYOTE CIR	187.80



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APN	Situs Address	Levy
118-660-019	3407 COYOTE CIR	187.80
118-660-020	3405 COYOTE CIR	187.80
118-660-021	3401 COYOTE CIR	187.80
118-660-022	3403 COYOTE CIR	187.80
118-660-024	3307 COYOTE CIR	187.80
118-660-025	3305 COYOTE CIR	187.80
118-660-026	3301 COYOTE CIR	187.80
118-660-027	3303 COYOTE CIR	187.80
118-660-029	3205 COYOTE CIR	187.80
118-660-030	3207 COYOTE CIR	187.80
118-660-031	3203 COYOTE CIR	187.80
118-660-032	3201 COYOTE CIR	187.80
118-660-036	2907 COYOTE CIR	187.80
118-660-037	2905 COYOTE CIR	187.80
118-660-038	2901 COYOTE CIR	187.80
118-660-039	2903 COYOTE CIR	187.80
118-660-047	4207 COYOTE CIR	187.80
118-660-048	4205 COYOTE CIR	187.80
118-660-049	4201 COYOTE CIR	187.80
118-660-050	4203 COYOTE CIR	187.80
118-660-052	4107 COYOTE CIR	187.80
118-660-053	4105 COYOTE CIR	187.80
118-660-054	4101 COYOTE CIR	187.80
118-660-055	4103 COYOTE CIR	187.80
118-660-057	3105 COYOTE CIR	187.80
118-660-058	3107 COYOTE CIR	187.80
118-660-059	3103 COYOTE CIR	187.80
118-660-060	3101 COYOTE CIR	187.80
118-660-062	3005 COYOTE CIR	187.80
118-660-063	3007 COYOTE CIR	187.80
118-660-064	3003 COYOTE CIR	187.80
118-660-065	3001 COYOTE CIR	187.80
118-660-067	3507 COYOTE CIR	187.80
118-660-068	3505 COYOTE CIR	187.80
118-660-069	3501 COYOTE CIR	187.80
118-660-070	3503 COYOTE CIR	187.80
118-660-071	3104 COYOTE CIR	187.80
118-660-072	3102 COYOTE CIR	187.80
118-660-073	3106 COYOTE CIR	187.80
118-660-074	3108 COYOTE CIR	187.80



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APN	Situs Address	Levy
118-660-075	3902 COYOTE CIR	187.80
118-660-076	3904 COYOTE CIR	187.80
118-660-077	3906 COYOTE CIR	187.80
118-660-078	3908 COYOTE CIR	187.80
118-660-079	4104 COYOTE CIR	187.80
118-660-080	4102 COYOTE CIR	187.80
118-660-081	4106 COYOTE CIR	187.80
118-660-082	4108 COYOTE CIR	187.80
118-670-001	8012 KELOK WAY	402.06
118-670-002	8014 KELOK WAY	402.06
118-670-003	8016 KELOK WAY	402.06
118-670-004	8018 KELOK WAY	402.06
118-670-005	8020 KELOK WAY	402.06
118-670-006	8022 KELOK WAY	402.06
118-670-007	8024 KELOK WAY	402.06
118-670-008	8026 KELOK WAY	402.06
118-670-009	8028 KELOK WAY	402.06
118-670-010	8030 KELOK WAY	402.06
118-670-011	8032 KELOK WAY	402.06
118-670-012	8034 KELOK WAY	402.06
118-670-013	8036 KELOK WAY	402.06
118-670-014	8038 KELOK WAY	402.06
118-670-015	8040 KELOK WAY	402.06
118-670-016	8042 KELOK WAY	402.06
118-670-017	8053 KELOK WAY	402.06
118-670-018	8051 KELOK WAY	402.06
118-670-019	8049 KELOK WAY	402.06
118-670-020	8047 KELOK WAY	402.06
118-670-021	8045 KELOK WAY	402.06
118-670-022	8043 KELOK WAY	402.06
118-670-023	8041 KELOK WAY	402.06
118-670-024	8039 KELOK WAY	402.06
118-670-025	8037 KELOK WAY	402.06
118-670-026	5229 KELLER RIDGE DR	402.06
118-670-027	5227 KELLER RIDGE DR	402.06
118-670-028	5225 KELLER RIDGE DR	402.06
118-670-029	5223 KELLER RIDGE DR	402.06
118-670-030	5222 KELLER RIDGE DR	402.06
118-670-031	5224 KELLER RIDGE DR	402.06
118-670-032	5226 KELLER RIDGE DR	402.06



City of Clayton
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APN	Situs Address	Levy
118-670-033	5230 KELLER RIDGE DR	402.06
118-670-034	8027 KELOK WAY	402.06
118-670-035	8025 KELOK WAY	402.06
118-670-036	8023 KELOK WAY	402.06
118-670-037	8021 KELOK WAY	402.06
118-670-038	8019 KELOK WAY	402.06
118-670-039	8017 KELOK WAY	402.06
118-670-040	90 KELOK CT	402.06
118-670-041	92 KELOK CT	402.06
118-670-042	94 KELOK WAY	402.06
118-670-043	8015 KELOK WAY	402.06
118-670-044	8013 KELOK WAY	402.06
118-680-001	5221 KELLER RIDGE DR	402.06
118-680-002	5219 KELLER RIDGE DR	402.06
118-680-003	5217 KELLER RIDGE DR	402.06
118-680-004	5215 KELLER RIDGE DR	402.06
118-680-005	5213 KELLER RIDGE DR	402.06
118-680-006	5211 KELLER RIDGE DR	402.06
118-680-007	5209 KELLER RIDGE DR	402.06
118-680-008	5207 KELLER RIDGE DR	402.06
118-680-009	5205 KELLER RIDGE DR	402.06
118-680-010	5203 KELLER RIDGE DR	402.06
118-680-011	5201 KELLER RIDGE DR	402.06
118-680-012	5199 KELLER RIDGE DR	402.06
118-680-013	5197 KELLER RIDGE DR	402.06
118-680-014	5195 KELLER RIDGE DR	402.06
118-680-015	5198 KELLER RIDGE DR	402.06
118-680-016	5200 KELLER RIDGE DR	402.06
118-680-017	5202 KELLER RIDGE DR	402.06
118-680-018	5204 KELLER RIDGE DR	402.06
118-680-019	5206 KELLER RIDGE DR	402.06
118-680-020	5208 KELLER RIDGE DR	402.06
118-680-021	5210 KELLER RIDGE DR	402.06
118-680-022	5212 KELLER RIDGE DR	402.06
118-680-023	5214 KELLER RIDGE DR	402.06
118-680-024	5216 KELLER RIDGE DR	402.06
118-680-025	5218 KELLER RIDGE DR	402.06
118-680-026	5220 KELLER RIDGE DR	402.06
Totals:	1358 Parcels	\$393,793.54





CITY OF CLAYTON

Community Facilities District No. 1990-1R 2007 Special Tax Revenue Refunding Bonds (Middle School)

Annual Report

June 2018

OFFICE LOCATIONS:

Temecula – Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592

San Francisco – Regional Office
870 Market Street, Suite 1223
San Francisco, CA 94102

California Satellite Offices
Atascadero, Davis
Huntington Beach,
Joshua Tree, Riverside
Sacramento, San Jose

www.nbsgov.com

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ATTACHMENT 3

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415.984.5170

Special Tax Administrator

NBS
Tim Seufert, Client Services Director
Greg Davidson, Director
Kristin Harvey, Senior Consultant

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1. EXECUTIVE SUMMARY/SPECIAL ISSUES

1.1. General Information Summary

Maturity Date	2018/19 Levy	Parcel Count	Delinquency Rate(1)	Assessed Value(2)	Outstanding Principal(3)	Value to Outstanding Principal Ratio(4)
9/2/2022	\$393,793.54	1,358	1.27%	\$778,702,681.00	\$1,696,000.00	459.14:1

(1) Delinquency Rate for Fiscal Year 2017/18.

(2) The Assessed Value for all active parcels within the District as of January 1, 2018.

(3) Outstanding principal of the local obligation bonds after the Fiscal Year 2017/18 debt service has been paid.

(4) Assessed Value as of January 1, 2018 of all active parcels, divided by the outstanding principal for the District after the Fiscal Year 2017/18 debt service has been paid.

The Community Facilities District No. 1990-1 Special Tax Bonds were refunded in 1997 by the Clayton Financing Authority 1997 Special Tax Revenue Refunding Bonds. In 2007, the Clayton Financing Authority refunded the 1997 Special Tax Revenue Bonds with the issuance of the 2007 Special Tax Revenue Refunding Bonds.

All taxable parcels within the District are levied a Special Tax of 63.02% of their respective Maximum Special Tax Rate for Fiscal Year 2018/19. A credit in the amount of \$138,469.43 was applied to the Fiscal Year 2018/19 Special Tax Levy. This credit includes \$69,306.74 based on annual Debt Service cash flow between the 2007 Special Tax Revenue Refunding Bonds and CFD 1990-1R Local Obligation bonds and \$69,162.69 based on available district funds.

The delinquency rate for the District was 1.27% for Fiscal Year 2017/18. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners. NBS recommends the City continue to take delinquency management action by sending letters to delinquent property owners in order to maintain a low delinquency rate.

2. FUND ANALYSIS

2.1. Fund Balances

Fund balances as of April 30, 2018 for the District are shown in the following table:

Fund Name	Fund Balance
Acquisition & Construction ⁽¹⁾	\$0.00
Reserve Fund ⁽¹⁾	252,064.00
Revenue Funds ⁽¹⁾	0.00
Special Tax Fund ^{(1) (2)}	2,191,287.00
Rebate Fund	0.00
City Held Funds	312,721.00
Total	\$2,756,072.00

(1) Funds are held by the Clayton Financing Authority.

(2) The Special Tax Fund includes the Redemption Account, Redemption Account Refunding, Bond Reserve Account and Expense Account.

2.2. Acquisition and Construction Fund Analysis

The Acquisition and Construction Fund is created upon formation of the District. All bond proceeds not associated with the financing and administrative costs of the bond issuance are deposited in this Fund to pay for the improvements to be constructed and/or acquired. Once the project has been completed, any remaining balance in the Fund must be treated in accordance with the Bond Indenture.

Some of the requirements of the Act are handled at the formation (bond issuance) of the District and others are handled through annual reports. This section of the report intends to comply with Section 53411 of the California Government Code that states:

“The chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain all of the following:

- (a) The amount of funds collected and expended.
- (b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 53410.”

All money in the Acquisition and Construction Fund is used for payment of the acquisition and construction of the authorized facilities of the District. The improvements have been completed and there are no remaining amounts within the Acquisition and Construction Fund.

2.3. Reserve Fund

Moneys in the Reserve Fund shall be used by the Fiscal Agent solely for the purpose of paying the interest on or principal of or redemption premiums, if any on the bonds in the event there is insufficient money in the Redemption Account available for these purposes. In such case, the Reserve Fund is to be replenished up to the Reserve Requirement as soon as funds become available. Excess funds in the Reserve Fund shall be transferred to the Redemption Account for use in payment of Bond debt service.

The Reserve Fund was established at the time the original bonds were issued. As a result of the refunding, a Reserve Fund is held by the Clayton Financing Authority for the new issue of bonds.

The initial deposit to the Reserve Fund was \$251,982.51 for the 2007 Special Tax Revenue Refunding Bonds. The remaining funds, in the amount of \$206,168.51, are secured by a Qualified Reserve Fund Credit instrument in a form of a surety bond issued by Ambac Assurance Corporation at the time of issuance of the Bonds.

The Reserve Requirement is defined as an amount equal to the least of: (i) 10% of the initial principal amount of the Bonds, (ii) maximum annual debt service on the outstanding Bonds, or (iii) 125% of the average annual debt service on the outstanding Bonds, provided that in no event shall the Reserve Requirement exceed \$458,150.02.

2.4. Revenue Fund

The Revenue Fund consists of the Interest Account and Principal Account. In accordance with the Bond Indenture, the trustee shall deposit all revenues received after the closing date (defined as June 7, 2007) to the Revenue Fund and shall apply amounts in the Revenue Fund as follows.

On each interest payment date and date for redemption of the Bonds, the trustee shall transfer from the Revenue Fund, and deposit into the following respective accounts for the Bonds, the following amounts in the following order of priority, the requirements of each such account (including the making up of delinquencies in any such account resulting from lack of revenue sufficient to make any earlier required deposit) at the time of deposit to be satisfied before any transfer is made to any account subsequent in priority:

- (a) Interest Account
- (b) Principal Account
- (c) Reserve Fund

On each interest payment date after making the transfers required above, upon receipt of a request of the Authority to do so, the trustee shall transfer from the Revenue Fund to the Rebate Fund for deposit in the accounts therein the amounts specified in such request.

On September 2 of each year, after making the deposits required above, the trustee shall transfer all amounts remaining on deposit in the Revenue Fund to the Surplus Fund.

2.5. Special Tax Fund

All money in the Special Tax Fund shall be set aside in the following respective accounts within the Special Tax Fund in the following order of priority, and all money in each of such accounts shall be applied, used and withdrawn only for the purposes authorized in the Fiscal Agent Agreement:

- (a) Redemption Account,
- (b) Reserve Account,
- (c) Expenses Account, and
- (d) Prepayment Account.

2.6. Rebate Fund

The City has covenanted to comply with all of the requirements of Section 148 of the Internal Revenue Code (the "Code") relating to the calculation and payment of any arbitrage rebate amount. Section 148 requires that the specific exceptions, any interest earnings in excess of the bond yield for each bond issue must be rebated to the IRS.

The following table shows the date of the most recent calculation, and the amount of liability (if any):

Most Recent Calculation As of Date	Liability
September 2, 2017	(\$30,303.46)

3. 2017/18 LEVY

3.1. Special Tax Spread

All taxable parcels within the District were levied a Special Tax of 63.02% of their respective Maximum Special Tax for Fiscal Year 2018/19. The following table provides the Special Tax Levy breakdown for the District for 2018/19.

Total Amount Levied	Maximum Special Tax	Percentage of Maximum
\$393,793.54	\$624,874.00	63.02%

3.2. Annual Levy Components

Pursuant to the California Government Code, administrative expenses are identified by consultation with City staff to ensure that the District is self-supporting and is not being subsidized by the City's General Fund.

NBS assists the City with identifying and recovering the following general costs:

- Agency administrative costs. This includes the value of City staff time spent on the administration of the District, calculated by using a fully-loaded salary rate that includes benefits and overhead costs. Any City expenses that have been incurred, such as copying and mailing expenses, are also recovered as part of this calculation.
- Trustee or Paying Agent costs. Includes the total of Trustee/Paying Agent charges to the City for the annual processing of payments to the bondholders, as well as registration and transfer functions that have been performed.
- County Auditor-Controller collection fees. Fees charged by the County Auditor-Controller to place the Special Tax installments on the tax roll each year are identified and recovered.
- Arbitrage Rebate calculation costs. Includes all fees and costs associated with the calculation of the District's arbitrage rebate amount in compliance with Internal Revenue Service Arbitrage Rebate Requirements.
- SEC-required disclosure costs. Administrative costs related to compliance with the Securities and Exchange Commission's requirements for continuing disclosure and dissemination of material events occurring within the District.
- Administration costs. Also fully recoverable are the costs incurred by NBS, as the administrator, in the year-round administration of the District, which includes the preparation of the annual levy, ongoing reporting to the City, and the tracking of activity within the District such as Special Tax prepayments, installment payments and parcel changes.
- Delinquency Management charges. The cost of any delinquency management actions taken on behalf of parcels with delinquencies, including the mailing of reminder, demand and/or foreclosure letters, and the work associated with the initiation of judicial foreclosure as required by the bond covenants.

- Manual adjustments. If special circumstances are discovered, credits and/or charges are made as necessary to the annual Special Tax installment amount for the specific parcels affected by the situation.
- NBS analyzes the fund balances each year. Interest earnings and/or surplus funds that exist may be applied to the annual levy as a credit to reduce each parcel's annual installment. These balances must also be closely monitored to prevent violations of IRS arbitrage regulations.

3.3. Levy Summary

The following table summarizes the components that make up the 2018/19 Levy for the District. Information from the 2017/18 Levy is also included for comparison purposes.



City of Clayton
Community Facilities District 1990-1R
Final Budget for Fiscal Year 2018/19

Category/Item	FY 2018/19	FY 2017/18	Increase / (Decrease)
Debt Service	\$493,290.88	\$495,831.74	(\$2,540.86)
Admin. Expenses	38,751.26	38,270.10	481.16
Miscellaneous	(138,248.60)	(136,306.14)	(1,942.46)
Grand Total:	\$393,793.54	\$397,795.70	(\$4,002.16)
Total Accounts:	1,358	1,358	0

4. DELINQUENCY MANAGEMENT

4.1. Delinquency Summary

The following table shows the Fiscal Year 2017/18 delinquency rate for the District:

Levy	Delinquencies	Delinquency Rate	Delinquency Management Steps Taken
\$397,795.70	\$5,042.94	1.27%	Reminder and Demand Letters sent

NBS monitors the delinquency rate and reviews the delinquency situation after each payment date. With the City's authorization, NBS sent reminder and demand letters to delinquent property owners.

Refer to Section 7 of this report for the Delinquency Detail Report for the District.

4.2. Foreclosure Covenant

The City has covenanted that it will initiate judicial foreclosure against parcels with Special Tax delinquencies. In today's environment of higher delinquency rates and greater bondholder scrutiny of City activities, any non-compliance with foreclosure covenants may expose the City to bondholder lawsuits.

NBS assists the City by providing a comprehensive delinquency management program including discussion of the issuer's foreclosure covenant, providing delinquency information from the County's redemption tapes, and coordinating with the City on the necessary steps required to implement a delinquency management policy. Once a policy is established, City compliance is easier to document and complaints from affected parcel owners can be minimized by showing the City's even-handed, unbiased covenant enforcement.

The foreclosure covenant is defined as follows:

The City has covenanted that it will review the public records of the county relating to the collection of the Special Tax annually on or before June 1 in order to determine the delinquencies within the District. If the Special Tax delinquency rate is greater than 5%, the City shall commence judicial foreclosure proceedings within 30 days. In addition, the City has covenanted to commence judicial foreclosure proceedings against any property owner with a combined delinquency of \$25,000 or more.

4.4. Teeter Plan Participation & County Revenue Apportionment Schedule

The District participates in the Contra Costa County Teeter Plan. Details of the apportionment of funds from the County to the City are provided below:

Date	Percentage Apportioned
12/15	55%
4/15	40%
6/25	5%

4.5. Delinquency Summary Report

The following pages summarize delinquencies for the 2017/18 and prior fiscal years.

City of Clayton
Delinquency Summary Report
As of: 05/31/2018

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD1990-1R - Community Facilities District 1990-1R									
08/01/1997 Billing:									
	12/10/1997	\$283,581.00	\$283,581.00	\$0.00	0.00%	1,256	1,256	0	0.00%
	04/10/1998	\$283,581.00	\$283,581.00	\$0.00	0.00%	1,256	1,256	0	0.00%
	Subtotal:	\$567,162.00	\$567,162.00	\$0.00	0.00%	2,512	2,512	0	0.00%
08/01/1998 Billing:									
	12/10/1998	\$299,009.88	\$299,009.88	\$0.00	0.00%	1,357	1,357	0	0.00%
	04/10/1999	\$299,009.88	\$299,009.88	\$0.00	0.00%	1,357	1,357	0	0.00%
	Subtotal:	\$598,019.76	\$598,019.76	\$0.00	0.00%	2,714	2,714	0	0.00%
08/01/1999 Billing:									
	12/10/1999	\$312,437.00	\$312,437.00	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2000	\$312,437.00	\$312,437.00	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$624,874.00	\$624,874.00	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2000 Billing:									
	12/10/2000	\$269,276.64	\$269,276.64	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2001	\$269,276.64	\$269,276.64	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$538,553.28	\$538,553.28	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2001 Billing:									
	12/10/2001	\$271,004.12	\$271,004.12	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2002	\$271,004.12	\$271,004.12	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$542,008.24	\$542,008.24	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2002 Billing:									
	12/10/2002	\$270,571.30	\$270,571.30	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2003	\$270,571.30	\$270,571.30	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$541,142.60	\$541,142.60	\$0.00	0.00%	2,716	2,716	0	0.00%

City of Clayton
Delinquency Summary Report
As of: 05/31/2018

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD1990-1R - Community Facilities District 1990-1R									
08/01/2003 Billing:									
	12/10/2003	\$271,552.81	\$271,552.81	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2004	\$271,552.81	\$271,552.81	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$543,105.62	\$543,105.62	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2004 Billing:									
	12/10/2004	\$269,663.04	\$269,663.04	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2005	\$269,663.04	\$269,663.04	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$539,326.08	\$539,326.08	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2005 Billing:									
	12/10/2005	\$270,437.60	\$270,437.60	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2006	\$270,437.60	\$270,437.60	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$540,875.20	\$540,875.20	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2006 Billing:									
	12/10/2006	\$270,519.66	\$270,519.66	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2007	\$270,519.66	\$270,519.66	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$541,039.32	\$541,039.32	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2007 Billing:									
	12/10/2007	\$254,356.75	\$254,356.75	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2008	\$254,356.75	\$254,356.75	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$508,713.50	\$508,713.50	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2008 Billing:									
	12/10/2008	\$272,919.45	\$272,919.45	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2009	\$272,919.45	\$272,919.45	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$545,838.90	\$545,838.90	\$0.00	0.00%	2,716	2,716	0	0.00%

City of Clayton
Delinquency Summary Report
As of: 05/31/2018

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD1990-1R - Community Facilities District 1990-1R									
08/01/2009 Billing:									
	12/10/2009	\$277,213.42	\$277,213.42	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2010	\$277,213.42	\$277,213.42	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$554,426.84	\$554,426.84	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2010 Billing:									
	12/10/2010	\$274,092.57	\$274,092.57	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2011	\$274,092.57	\$274,092.57	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$548,185.14	\$548,185.14	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2011 Billing:									
	12/10/2011	\$238,015.42	\$238,015.42	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2012	\$238,015.42	\$238,015.42	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$476,030.84	\$476,030.84	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2012 Billing:									
	12/10/2012	\$228,393.86	\$228,284.94	\$108.92	0.05%	1,358	1,357	1	0.07%
	04/10/2013	\$228,393.86	\$228,284.94	\$108.92	0.05%	1,358	1,357	1	0.07%
	Subtotal:	\$456,787.72	\$456,569.88	\$217.84	0.05%	2,716	2,714	2	0.07%
08/01/2013 Billing:									
	12/10/2013	\$217,137.99	\$217,137.99	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2014	\$217,137.99	\$217,137.99	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$434,275.98	\$434,275.98	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2014 Billing:									
	12/10/2014	\$204,903.64	\$204,903.64	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2015	\$204,903.64	\$204,903.64	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$409,807.28	\$409,807.28	\$0.00	0.00%	2,716	2,716	0	0.00%

City of Clayton
Delinquency Summary Report
As of: 05/31/2018

District	Due Date	Billed Amount	Paid Amount	Delinquent Amount	Delinquent Amount %	Billed Installments	Paid Installments	Delinquent Installments	Delinquent Installments %
CFD1990-1R - Community Facilities District 1990-1R									
08/01/2015 Billing:									
	12/10/2015	\$202,900.84	\$202,900.84	\$0.00	0.00%	1,358	1,358	0	0.00%
	04/10/2016	\$202,900.84	\$202,900.84	\$0.00	0.00%	1,358	1,358	0	0.00%
	Subtotal:	\$405,801.68	\$405,801.68	\$0.00	0.00%	2,716	2,716	0	0.00%
08/01/2016 Billing:									
	12/10/2016	\$200,899.29	\$200,611.86	\$287.43	0.14%	1,358	1,355	3	0.22%
	04/10/2017	\$200,899.29	\$200,611.86	\$287.43	0.14%	1,358	1,355	3	0.22%
	Subtotal:	\$401,798.58	\$401,223.72	\$574.86	0.14%	2,716	2,710	6	0.22%
08/01/2017 Billing:									
	12/10/2017	\$198,897.85	\$197,698.98	\$1,198.87	0.60%	1,358	1,350	8	0.59%
	04/10/2018	\$198,897.85	\$195,053.78	\$3,844.07	1.93%	1,358	1,330	28	2.06%
	Subtotal:	\$397,795.70	\$392,752.76	\$5,042.94	1.27%	2,716	2,680	36	1.33%
CFD1990-1R	Total:	\$10,715,568.26	\$10,709,732.62	\$5,835.64	0.05%	56,830	56,786	44	0.08%
Agency Grand Total:		\$10,715,568.26	\$10,709,732.62	\$5,835.64	0.05%	56,830	56,786	44	0.08%

5. DEBT SERVICE SCHEDULE

The following pages show the scheduled debt service payments for the District, including the Revenue Bonds.



City of Clayton
Community Facilities District 1990-1R
Current Debt Service Schedule

Bonds Dated: 11/19/1997
Bonds Issued: \$6,400,000.00

Payment Date	CUSIP	Interest Rate	Balance	Principal	Interest	Payment Total	Annual Total	Call Premium	Status
03/02/1998		6.5030%	\$6,400,000.00	\$0.00	\$119,077.16	\$119,077.16	\$0.00	3.0000%	Paid
09/02/1998		6.5030	6,400,000.00	.00	208,096.00	208,096.00	327,173.16	3.0000	Paid
03/02/1999		6.5030	6,400,000.00	.00	208,096.00	208,096.00	.00	3.0000	Paid
09/02/1999		6.5030	6,400,000.00	199,000.00	208,096.00	407,096.00	615,192.00	3.0000	Paid
03/02/2000		6.5030	6,201,000.00	.00	201,625.52	201,625.52	.00	3.0000	Paid
09/02/2000		6.5030	6,201,000.00	217,000.00	201,625.52	418,625.52	620,251.04	3.0000	Paid
03/02/2001		6.5030	5,984,000.00	.00	194,569.76	194,569.76	.00	3.0000	Paid
09/02/2001		6.5030	5,984,000.00	130,000.00	194,569.76	324,569.76	519,139.52	3.0000	Paid
03/02/2002		6.5030	5,854,000.00	.00	190,342.81	190,342.81	.00	3.0000	Paid
09/02/2002		6.5030	5,854,000.00	141,000.00	190,342.81	331,342.81	521,685.62	3.0000	Paid
03/02/2003		6.5030	5,713,000.00	.00	185,758.20	185,758.20	.00	3.0000	Paid
09/02/2003		6.5030	5,713,000.00	148,000.00	185,758.20	333,758.20	519,516.40	3.0000	Paid
03/02/2004		6.5030	5,565,000.00	.00	180,945.98	180,945.98	.00	3.0000	Paid
09/02/2004		6.5030	5,565,000.00	159,000.00	180,945.98	339,945.98	520,891.96	3.0000	Paid
03/02/2005		6.5030	5,406,000.00	.00	175,776.09	175,776.09	.00	3.0000	Paid
09/02/2005		6.5030	5,406,000.00	165,000.00	175,776.09	340,776.09	516,552.18	3.0000	Paid
03/02/2006		6.5030	5,241,000.00	.00	170,411.12	170,411.12	.00	3.0000	Paid
09/02/2006		6.5030	5,241,000.00	176,000.00	170,411.12	346,411.12	516,822.24	3.0000	Paid
03/02/2007		6.5030	5,065,000.00	.00	164,688.48	164,688.48	.00	3.0000	Paid
09/02/2007		6.5030	5,065,000.00	187,000.00	164,688.48	351,688.48	516,376.96	3.0000	Paid
03/02/2008		6.5030	4,878,000.00	.00	158,608.17	158,608.17	.00	3.0000	Paid
09/02/2008		6.5030	4,878,000.00	203,000.00	158,608.17	361,608.17	520,216.34	2.0000	Paid
03/02/2009		6.5030	4,675,000.00	.00	152,007.63	152,007.63	.00	2.0000	Paid
09/02/2009		6.5030	4,675,000.00	214,000.00	152,007.63	366,007.63	518,015.26	1.0000	Paid
03/02/2010		6.5030	4,461,000.00	.00	145,049.42	145,049.42	.00	1.0000	Paid
09/02/2010		6.5030	4,461,000.00	230,000.00	145,049.42	375,049.42	520,098.84	0.0000	Paid
03/02/2011		6.5030	4,231,000.00	.00	137,570.97	137,570.97	.00	0.0000	Paid
09/02/2011		6.5030	4,231,000.00	241,000.00	137,570.97	378,570.97	.00	0.0000	Paid
09/02/2011		0.0000	3,990,000.00	190,000.00	.00	190,000.00	706,141.94	0.0000	Bond Call
03/02/2012		6.5030	3,800,000.00	.00	123,557.00	123,557.00	.00	0.0000	Paid
09/02/2012		6.5030	3,800,000.00	246,000.00	123,557.00	369,557.00	493,114.00	0.0000	Paid
03/02/2013		6.5030	3,554,000.00	.00	115,558.31	115,558.31	.00	0.0000	Paid
09/02/2013		6.5030	3,554,000.00	261,000.00	115,558.31	376,558.31	492,116.62	0.0000	Paid
03/02/2014		6.5030	3,293,000.00	.00	107,071.90	107,071.90	.00	0.0000	Paid
09/02/2014		6.5030	3,293,000.00	281,000.00	107,071.90	388,071.90	495,143.80	0.0000	Paid
03/02/2015		6.5030	3,012,000.00	.00	97,935.18	97,935.18	.00	0.0000	Paid
09/02/2015		6.5030	3,012,000.00	296,000.00	97,935.18	393,935.18	491,870.36	0.0000	Paid
03/02/2016		6.5030	2,716,000.00	.00	88,310.74	88,310.74	.00	0.0000	Paid
09/02/2016		6.5030	2,716,000.00	316,000.00	88,310.74	404,310.74	492,621.48	0.0000	Paid
03/02/2017		6.5030	2,400,000.00	.00	78,036.00	78,036.00	.00	0.0000	Paid

City of Clayton
Community Facilities District 1990-1R
Current Debt Service Schedule

Bonds Dated: 11/19/1997
Bonds Issued: \$6,400,000.00

Payment Date	CUSIP	Interest Rate	Balance	Principal	Interest	Payment Total	Annual Total	Call Premium	Status
09/02/2017		6.5030	2,400,000.00	342,000.00	78,036.00	420,036.00	498,072.00	0.0000	Paid
03/02/2018		6.5030	2,058,000.00	.00	66,915.87	66,915.87	.00	0.0000	Paid
09/02/2018		6.5030	2,058,000.00	362,000.00	66,915.87	428,915.87	495,831.74	0.0000	Unpaid
03/02/2019		6.5030	1,696,000.00	.00	55,145.44	55,145.44	.00	0.0000	Unpaid
09/02/2019		6.5030	1,696,000.00	383,000.00	55,145.44	438,145.44	493,290.88	0.0000	Unpaid
03/02/2020		6.5030	1,313,000.00	.00	42,692.20	42,692.20	.00	0.0000	Unpaid
09/02/2020		6.5030	1,313,000.00	409,000.00	42,692.20	451,692.20	494,384.40	0.0000	Unpaid
03/02/2021		6.5030	904,000.00	.00	29,393.56	29,393.56	.00	0.0000	Unpaid
09/02/2021		6.5030	904,000.00	434,000.00	29,393.56	463,393.56	492,787.12	0.0000	Unpaid
03/02/2022		6.5030	470,000.00	.00	15,282.05	15,282.05	.00	0.0000	Unpaid
09/02/2022		6.5030	470,000.00	470,000.00	15,282.05	485,282.05	500,564.10	0.0000	Unpaid
Grand Total:				\$6,400,000.00	\$6,497,869.96	\$12,897,869.96	\$12,897,869.96		

City of Clayton
CFA 2007 Special Tax Revenue Bonds
Current Debt Service Schedule

Bonds Dated: 06/07/2007
Bonds Issued: \$5,060,000.00

Payment Date	CUSIP	Interest Rate	Balance	Principal	Interest	Payment Total	Annual Total	Call Premium	Status
03/02/2008		3.5000%	\$5,060,000.00	\$0.00	\$141,064.65	\$141,064.65	\$0.00	0.0000%	Paid
09/02/2008	184065AU4	3.5000	5,060,000.00	295,000.00	95,817.50	390,817.50	531,882.15	0.0000	Paid
03/02/2009		3.5000	4,765,000.00	.00	90,655.00	90,655.00	.00	0.0000	Paid
09/02/2009	184065AV2	3.5000	4,765,000.00	265,000.00	90,655.00	355,655.00	446,310.00	0.0000	Paid
03/02/2010		3.5000	4,500,000.00	.00	86,017.50	86,017.50	.00	0.0000	Paid
09/02/2010	184065AW0	3.5000	4,500,000.00	275,000.00	86,017.50	361,017.50	447,035.00	0.0000	Paid
03/02/2011		3.5000	4,225,000.00	.00	81,205.00	81,205.00	.00	0.0000	Paid
09/02/2011	184065AX8	3.5000	4,225,000.00	285,000.00	81,205.00	366,205.00	.00	0.0000	Paid
09/02/2011		0.0000	3,940,000.00	190,000.00	.00	190,000.00	637,410.00	0.0000	Bond Call
03/02/2012		3.5000	3,750,000.00	.00	72,541.88	72,541.88	.00	0.0000	Paid
09/02/2012	184065AY6	3.5000	3,750,000.00	280,000.00	72,541.88	352,541.88	425,083.76	0.0000	Paid
03/02/2013		3.6000	3,470,000.00	.00	67,641.88	67,641.88	.00	0.0000	Paid
09/02/2013	184065AZ3	3.6000	3,470,000.00	285,000.00	67,641.88	352,641.88	420,283.76	0.0000	Paid
03/02/2014		3.6250	3,185,000.00	.00	62,511.88	62,511.88	.00	0.0000	Paid
09/02/2014	184065BA7	3.6250	3,185,000.00	305,000.00	62,511.88	367,511.88	430,023.76	0.0000	Paid
03/02/2015		3.7000	2,880,000.00	.00	56,983.75	56,983.75	.00	0.0000	Paid
09/02/2015	184065BB5	3.7000	2,880,000.00	315,000.00	56,983.75	371,983.75	428,967.50	0.0000	Paid
03/02/2016		3.7500	2,565,000.00	.00	51,156.25	51,156.25	.00	0.0000	Paid
09/02/2016	184065BC3	3.7500	2,565,000.00	325,000.00	51,156.25	376,156.25	427,312.50	0.0000	Paid
03/02/2017		4.0000	2,240,000.00	.00	45,062.50	45,062.50	.00	0.0000	Paid
09/02/2017	184065BF6	4.0000	2,240,000.00	340,000.00	45,062.50	385,062.50	430,125.00	0.0000	Paid
03/02/2018		4.0000	1,900,000.00	.00	38,262.50	38,262.50	.00	0.0000	Paid
09/02/2018	184065BF6	4.0000	1,900,000.00	350,000.00	38,262.50	388,262.50	426,525.00	0.0000	Unpaid
03/02/2019		4.0000	1,550,000.00	.00	31,262.50	31,262.50	.00	0.0000	Unpaid
09/02/2019	184065BF6	4.0000	1,550,000.00	360,000.00	31,262.50	391,262.50	422,525.00	0.0000	Unpaid
03/02/2020		4.0000	1,190,000.00	.00	24,062.50	24,062.50	.00	0.0000	Unpaid
09/02/2020	184065BG4	4.0000	1,190,000.00	375,000.00	24,062.50	399,062.50	423,125.00	0.0000	Unpaid
03/02/2021		4.0000	815,000.00	.00	16,562.50	16,562.50	.00	0.0000	Unpaid
09/02/2021	184065BH2	4.0000	815,000.00	395,000.00	16,562.50	411,562.50	428,125.00	0.0000	Unpaid
03/02/2022		4.1250	420,000.00	.00	8,662.50	8,662.50	.00	0.0000	Unpaid
09/02/2022	184065BJ8	4.1250	420,000.00	420,000.00	8,662.50	428,662.50	437,325.00	0.0000	Unpaid
Grand Total:				\$5,060,000.00	\$1,702,058.43	\$6,762,058.43	\$6,762,058.43		

6. RATE AND METHOD OF APPORTIONMENT

6.1. Special Tax Formula

A Special Tax shall be levied on and collected from each parcel in the District in each fiscal year commencing on July 1, 1991, in an amount determined by the City Council of the City of Clayton through the application of the appropriate Special Tax for Residences and Residential Land.

The Special Tax shall be levied upon those lots and parcels listed in Table 1 of the Rate and Method of Apportionment within Subdivision 6990 (filed of record on December 20, 1988, in Book 328 of Maps, at Page 21, in the Official Records of the Contra Costa County Recorder) included within the boundaries of the District.

The Special Tax shall be levied on Residences and Residential Land.

Residence means a residential dwelling, and the subdivided lot upon which it is constructed, for which a certificate of occupancy has been issued by the City.

Residential Land means those lots and parcels listed in Table 1 excepting (1) Residences and (2) any lands not zoned or designated by the City for the construction of a Residence.

Wherever it is stated that the City shall designate the number of Residences or the land on which Residences are to be constructed, such designation shall be made at the time a subdivision map is filed of record.

6.2. Residence Special Tax

The Special Tax will be levied against a Residence following the issuance of a certificate of occupancy. For each fiscal year (July 1 - June 30), the Special Tax on a Residence will be levied against each Residence for which a certificate of occupancy has been issued by July 15 of that year.

The Special Tax for a Residence on a parcel showing one residence under Estimated Number of Residences on Table 1 shall be the amount shown for that parcel under Maximum Special Tax on Table 1.

The Special Tax for Residences on parcels showing a number greater than one under Estimated Number of Residences on Table 1 of the Rate and Method of Apportionment shall be determined as follows: When a subdivision map for such parcel is filed of record, the Special Tax for Residences on such parcel shall be apportioned equally to each new lot and parcel created by the subdivision map based on the number of Residences to be constructed thereon as designated by the City; no Special Tax shall be apportioned to any lands not zoned or designated for the construction of a Residence. Upon any further re-subdivision of a parcel created by such subdivision map, a further apportionment shall be made in a manner consistent with the preceding apportionment rules.

6.3. Residential Land Special Tax

Beginning July 1, 1991, and ending when there is no Residential Land in the District, a Residential Land Special Tax may be annually levied on the Residential Land. The total Residential Land Special Tax so levied shall be one hundred percent (100%) of the annual debt service, on the bonds to be issued by the District,

for the following bond year (increased to one hundred five percent (105%) commencing July 1, 1997), less the total of the following amounts:

- The total Residence Special Taxes to be levied for that fiscal year.
- Interest earnings available from unspent bond proceeds during the pre-development and construction period of the school, to the extent such earnings may be legally used to pay interest on the bonds for the following bond year pursuant to the Mello-Roos Community Facilities District Act of 1982.
- Any other funds which the City determines are available to the District for payment of the debt service for the following bond year other than those funds which are designated for other purposes.

The total Residential Land Special Tax resulting from the above calculation, but not more than such total tax, shall be apportioned to the Residential Land as follows:

- a. The Maximum Residential Land Special Tax for each subdivided lot zoned or designated by the City for the construction of a Residence shall be equal to the Maximum Residence Special Tax which would be levied on the lot if it were a Residence.
- b. The balance of the total Residential Land Special Tax shall be levied against all other parcels of Residential Land based on the anticipated number of Residences to be constructed thereon as determined by the City.

The Special Taxes of the District will be collected in the same manner and at the same time as ad valorem property taxes.



7. BACKGROUND INFORMATION

7.1. Project Description

The District was formed for the following purposes:

- To pay a portion of the cost of construction of a middle school located within the jurisdiction of the Mt. Diablo School District.
- To acquire certain site preparation work on the ball and playing field property conveyed to the City.

As of June 30, 2009, construction improvements have been completed.

7.2. Resolution

The resolution approved by the City Council authorizing the levy of the special tax was not available at the time of writing this report.

7.3. Boundary Map

The following page shows the boundaries of the District.



**COMMUNITY FACILITIES DISTRICT NO. 1990-1R
2007 SPECIAL TAX REVENUE REFUNDING BONDS**



Legend
CFD 1990-1R Boundary

PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 1990-1
 OF THE CITY OF CLAYTON,
 CONTRA COSTA COUNTY
 STATE OF CALIFORNIA

MAY 1990
 TETRAD ENGINEERING
 PACHECO, CA.

FILED IN THE OFFICE OF THE CITY CLERK THIS 1ST DAY OF MAY, 1990.

WILLIAM E. SCOTT
 CITY CLERK - CITY OF CLAYTON

CITY CLERK STATEMENT

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 1990-1 OF THE CITY OF CLAYTON, CONTRA COSTA COUNTY, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CLAYTON AT A REGULAR MEETING THEREOF, HELD ON THE 1ST DAY OF MAY, 1990, BY ITS RESOLUTION NO. 19-89.

WILLIAM E. SCOTT
 CITY CLERK - CITY OF CLAYTON

COUNTY CLERK STATEMENT

FILED THIS _____ DAY OF _____, 19____, AT THE HOUR OF _____ O'CLOCK _____ M. IN BOOK _____ OF MAPS OF ASSIGNMENT AND COMMUNITY FACILITIES DISTRICT AT _____, IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA.

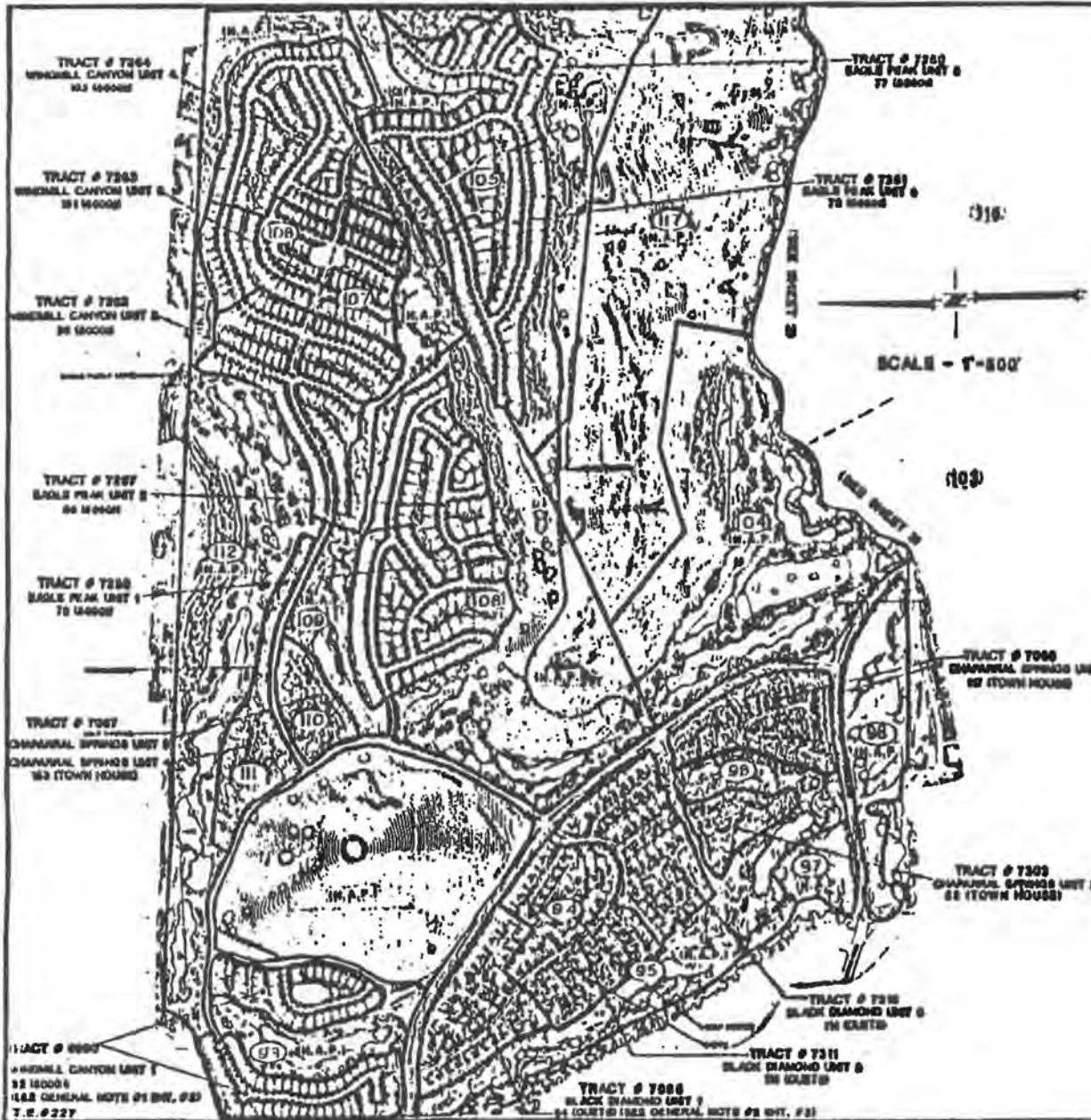
COUNTY RECORDER OF COUNTY OF CONTRA COSTA

LEGEND

Ⓜ LOT NUMBER AS DESIGNATED ON TRACT 6984

Ⓜ LOT NUMBER AS DESIGNATED ON TRACT 6988 BUT SUBSEQUENTLY RE-MAPPED

H.A.P. (NOT A PART (PARCEL TO BE EXCLUDED FROM HILLSIDE BOON DISTRICT))



PROPOSED BOUNDARIES OF
COMMUNITY FACILITIES DISTRICT NO. 1990-1
 OF THE CITY OF CLAYTON,
 CONTRA COSTA COUNTY
 STATE OF CALIFORNIA

MAY 1990
 TETRAD ENGINEERING,
 PACHECO, CA.

GENERAL NOTES

1. THE FOLLOWING LOTS WITHIN WINDMILL CANYON UNIT I - TRACT 6990 ARE TO BE EXCLUDED FROM THE HELLAS BOON DISTRICT:
 - LOTS 1 THROUGH 47 INCLUSIVE
 - 48 THROUGH 53 INCLUSIVE
 - 54 THROUGH 56 INCLUSIVE
 - 71 THROUGH 84 INCLUSIVE
2. THE FOLLOWING LOTS WITHIN BLACK DIAMOND UNIT NO. 1 - TRACT 1990 ARE TO BE EXCLUDED FROM THE HELLAS BOON DISTRICT:
 - LOTS 11 THROUGH 18 INCLUSIVE
 - 19 THROUGH 20 INCLUSIVE
 - 79 THROUGH 126 INCLUSIVE
3. THE PROPOSED SCHOOL SITE WILL MOST LIKELY COMPRISE PORTIONS OF LOTS 98 AND 100 (TRACT 1990). A LOT LINE ADJUSTMENT OR PARCEL MAP WILL BE REQUIRED TO BE FILED TO UNCLUSIVELY PARCEL OUT THE ULTIMATE SCHOOL SITE PARCELS.
4. ALL OPEN SPACE PARCELS ARE TO BE EXCLUDED FROM THE HELLAS BOON DISTRICT.
5. ALL GOLF COURSE PARCELS ARE TO BE EXCLUDED FROM THE HELLAS BOON DISTRICT.
6. ALL CLUB HOUSE FACILITIES ARE TO BE EXCLUDED FROM THE HELLAS BOON DISTRICT.
7. THE TOWN CENTER IS TO BE EXCLUDED FROM THE HELLAS BOON DISTRICT.
8. THE FOLLOWING IS A TABULATION OF THE NUMBER OF UNITS TO PARTICIPATE IN THE HELLAS BOON DISTRICT.

TRACT NAME	TRACT NO.	NO. OF UNITS	UNIT TYPE
WINDMILL CANYON UNIT I	6990	83	6990 # LOTS
WINDMILL CANYON UNIT II	7490	88	8200 # LOTS
WINDMILL CANYON UNIT III	7590	101	8000 # LOTS
WINDMILL CANYON UNIT IV	7690	103	8000 # LOTS
EAGLE PEAK UNIT I	7280	70	8090 # LOTS
EAGLE PEAK UNIT II	7380	60	8040 # LOTS
EAGLE PEAK UNIT III	7480	77	8000 # LOTS
EAGLE PEAK UNIT IV	7580	70	8050 # LOTS
BLACK DIAMOND UNIT I	1040	94	DUETS
BLACK DIAMOND UNIT II	1140	110	DUETS
BLACK DIAMOND UNIT III	1240	114	DUETS
CHAPARRAL SPRINGS UNIT I	1080	117	TOWN HOUSES
CHAPARRAL SPRINGS UNIT II	1280	93	TOWN HOUSES
CHAPARRAL SPRINGS UNIT III	1480	163	TOWN HOUSES
CHAPARRAL SPRINGS UNIT IV	1680		
PEACOCK CREEK UNIT I	7840	74	10,000 # LOTS
PEACOCK CREEK UNIT II	7880	72	10,000 # LOTS
TOTALS		1361 UNITS	



SCALE - 1"=500'

LEGEND

- (113) LOT NUMBER AS DESIGNATED ON TRACT 6990
- (116) LOT NUMBER AS DESIGNATED ON TRACT 6990 BUT SUBSEQUENTLY REASSIGNED

'H.A.P.' NOT A PART (PARCEL TO BE EXCLUDED FROM HELLAS BOON DISTRICT)

8. DELINQUENCY DETAIL

The following pages detail delinquencies for the 2017/18 and prior fiscal years.



City of Clayton Delinquency Detail Report

Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD1990-1R - Community Facilities District 1990-1R								
118-410-039	BRENNER MATTHEW & OBRIEN PATRICIA MORGAN 1191 SHELL LN CLAYTON, CA 94517	04/10/2018	94.85	9.49	0.00	104.34		
		Account Subtotal:	\$94.85	\$9.49	\$0.00	\$104.34		
118-410-076	MILLER LINDA 1292 SHELL CIR CLAYTON, CA 94517	04/10/2018	94.85	9.49	0.00	104.34		
		Account Subtotal:	\$94.85	\$9.49	\$0.00	\$104.34		
118-410-090	MOYLAN JAMES F JR 1336 SHELL LN CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	95.81 95.81 94.85 94.85	25.39 25.39 9.49 9.49	0.00 0.00 0.00 0.00	121.20 121.20 104.34 104.34	RL, DL RL, DL DL DL	
		Account Subtotal:	\$381.32	\$89.76	\$0.00	\$451.08		
118-410-104	BILLO WILLIAM F & YVONNE R TRE 1368 SHELL LN CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	95.81 95.81 94.85 94.85	25.39 25.39 9.49 9.49	0.00 0.00 0.00 0.00	121.20 121.20 104.34 104.34	RL, DL RL, DL DL DL	
		Account Subtotal:	\$381.32	\$69.76	\$0.00	\$451.08		
118-432-002	BISCHER CARMEN B SR TRE 333 AHWANEE LN CLAYTON, CA 94517	12/10/2017 04/10/2018	203.08 203.08	20.31 20.31	0.00 0.00	223.39 223.39	RL RE	
		Account Subtotal:	\$406.16	\$40.62	\$0.00	\$446.78		
118-432-020	ARING STEVEN T TRE 422 WAWONA LN CLAYTON, CA 94517	12/10/2017 04/10/2018	203.08 203.08	20.31 20.31	0.00 0.00	223.39 223.39	RL RL	
		Account Subtotal:	\$406.16	\$40.62	\$0.00	\$446.78		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; DL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LT=Litigation Guarantee; LGL=Legal Fees and Costs; O=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD1990-1R - Community Facilities District 1990-1R								
118-442-012	VALENCIA JANET 3013 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-451-004	RIVERA ROBERT A & ROBYN O TRE 307 WINDMILL CANYON PL CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-451-006	MISAGHI AKBAR & FOURUZANDEH SIMIN B 311 WINDMILL CANYON PL CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-452-013	SARDI MARILYN J 203 FALCON PL CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-452-021	SINGH PAMELA KAUR 214 FALCON PL CLAYTON, CA 94517	12/10/2017 04/10/2018	135.91 135.91	13.59 13.59	0.00 0.00	149.50 149.50	RL RL	
		Account Subtotal:	\$271.82	\$27.18	\$0.00	\$299.00		
118-460-005	KHAN FAROOQ H 608 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	116.82	11.68	0.00	128.50		
		Account Subtotal:	\$116.82	\$11.68	\$0.00	\$128.50		
118-460-025	BERNERT DANIEL 632 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	116.82	11.68	0.00	128.50		
		Account Subtotal:	\$116.82	\$11.68	\$0.00	\$128.50		

(1) Fees: Tak amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SX=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LG=Legal Fees and Costs; O=Other Fees; SR=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD1990-1R - Community Facilities District 1990-1R								
118-460-028	HOLBROOK GLORIA HSIADFANG TRE 638 JULPUN LOOP CLAYTON, CA 94517	04/10/2018	116.82	11.68	0.00	128.50		
		Account Subtotal:	\$116.82	\$11.68	\$0.00	\$128.50		
118-510-031	LALLY KENNETH & KIM 163 SILVERADO CT CLAYTON, CA 94517	12/10/2017 04/10/2018	236.34 236.34	23.63 23.63	0.00 0.00	259.97 259.97	RL,DL DL	
		Account Subtotal:	\$472.68	\$47.26	\$0.00	\$519.94		
118-510-042	FURGERSON DONN & KATHLEEN TRE PO BOX 30155 WALNUT CREEK, CA 94598	04/10/2018	236.34	23.63	0.00	259.97	RL	
		Account Subtotal:	\$236.34	\$23.63	\$0.00	\$259.97		
118-530-016	BECK SUSAN M 1431 INDIANHEAD WAY CLAYTON, CA 94517	12/10/2012 04/10/2013	108.92 108.92	107.29 107.29	0.00 0.00	216.21 216.21	RL,DL RL,DL	
		Account Subtotal:	\$217.84	\$214.58	\$0.00	\$432.42		
118-530-043	SHIPMAN TANA G TRE 1485 INDIANHEAD CIR CLAYTON, CA 94517	12/10/2016 04/10/2017 12/10/2017 04/10/2018	95.81 95.81 94.85 94.85	25.39 25.39 9.49 9.49	0.00 0.00 0.00 0.00	121.20 121.20 104.34 104.34	DL DL DL DL	
		Account Subtotal:	\$381.32	\$69.76	\$0.00	\$451.08		
118-550-003	BARTLEY THOMAS A & KAREN K 608 GOLDEN EAGLE PL CLAYTON, CA 94517	12/10/2017 04/10/2018	135.91 135.91	13.59 13.59	0.00 0.00	149.50 149.50	RL RL	
		Account Subtotal:	\$271.82	\$27.18	\$0.00	\$299.00		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LG=Litigation Guarantee; LGL=Legal Fees and Costs; D=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report
 Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD1990-1R - Community Facilities District 1990-1R								
118-550-008	DAREZZO GREG T BROOKE H 503 RAVEN PL CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-550-010	WEBSTER DAVID S & CURRY MICHELLE 507 RAVEN PL CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-580-003	AGONCILLO SARAH W 204 CONDOR WAY CLAYTON, CA 94517	04/10/2018	116.82	11.68	0.00	128.50		
		Account Subtotal:	\$116.82	\$11.68	\$0.00	\$128.50		
118-600-018	SMITH DAVID G & ALYSE M 601 CONDOR PL CLAYTON, CA 94517	04/10/2018	94.85	9.49	0.00	104.34		
		Account Subtotal:	\$94.85	\$9.49	\$0.00	\$104.34		
118-620-008	SKOV BARBARA A TRE 41780 BUTTERFIELD STAGE RD TEMECULA, CA 92592	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-620-026	COLT SAMUEL T & CATHERINE L 6024 GOLDEN EAGLE WAY CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-620-047	INGRAM VINCE B 7016 MOLLUK WAY CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; DL=Debt Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LG=Legal Fees and Costs; O=Other Fees; SD=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

City of Clayton
Delinquency Detail Report

Late Charges Calculated Through: 05/31/2018

Account ID	Owner	Due Date	Amount	Penalties	Fees (1)	Total	Delinquency Mgmt (2)	Misc (3)
CFD1990-1R - Community Facilities District 1990-1R								
118-630-017	KUTTERS DEBORAH LYNNE TRE 3056 WINDMILL CANYON DR CLAYTON, CA 94517	04/10/2018	135.91	13.59	0.00	149.50		
		Account Subtotal:	\$135.91	\$13.59	\$0.00	\$149.50		
118-650-001	HILDERBRAND BENJAMIN & LORI PO BOX 221 CLAYTON, CA 94517	04/10/2018	203.08	20.31	0.00	223.39		
		Account Subtotal:	\$203.08	\$20.31	\$0.00	\$223.39		
118-660-052	MUJADDIDI EBNE A & CHISHTY ELHAM S 4107 COYDTE CIR CLAYTON, CA 94517	04/10/2018	94.85	9.49	0.00	104.34		
		Account Subtotal:	\$94.85	\$9.49	\$0.00	\$104.34		
District Totals:	29 Accounts		\$5,835.64	\$871.24	\$0.00	\$6,706.88		
Report Totals:	29 Accounts		\$5,835.64	\$871.24	\$0.00	\$6,706.88		

(1) Fees: This amount excludes Delinquency Management fees that were or will be collected in a subsequent billing.

(2) Delinquency Management (DM): RL=Reminder Letter Sent; DL=Demand Letter Sent; SR=Tax Roll Removal Requested; SC=Tax Roll Removal Confirmed; FL=Foreclosure Letter Sent; OL=Other Letter Sent; FI=Judicial Foreclosure Initiated; CP=County Payment Plan; FH=Judicial Foreclosure on Hold/Special Case; FC=Foreclosure Complete; LG=Litigation Guarantee; LGL=Legal Fees and Costs; DI=Other Fees; SO=Tax Roll Removal County Fee; PP=Payment Plan.

(3) Miscellaneous Codes: DB=Direct Bill Sent; BK=Declared Bankruptcy; PM=Partial Payment made, remainder delinquent.

9. 2018/19 SPECIAL TAX ROLL

The following pages provide the 2018/19 Special Tax Roll for the District.



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-382-015	1828 EAGLE PEAK AVE	\$269.10
118-382-016	1824 EAGLE PEAK AVE	269.10
118-382-017	1820 EAGLE PEAK AVE	269.10
118-382-018	1816 EAGLE PEAK AVE	269.10
118-382-019	1812 EAGLE PEAK AVE	269.10
118-382-020	1808 EAGLE PEAK AVE	269.10
118-382-021	1804 EAGLE PEAK AVE	269.10
118-382-022	1800 EAGLE PEAK AVE	269.10
118-391-018	136 JOSCOLO VIEW	269.10
118-391-024	160 JOSCOLO VIEW	269.10
118-392-001	1816 OHLONE HEIGHTS	269.10
118-392-002	1820 OHLONE HEIGHTS	269.10
118-392-003	1824 OHLONE HEIGHTS	269.10
118-392-004	1828 OHLONE HTS	269.10
118-392-005	1832 OHLONE HEIGHTS	269.10
118-392-006	1836 OHLONE HEIGHTS	269.10
118-392-007	1840 OHLONE HEIGHTS	269.10
118-392-012	129 JOSCOLO VIEW	269.10
118-392-014	135 JOSCOLO VIEW	269.10
118-392-015	139 JOSCOLO VIEW	269.10
118-392-016	145 JOSCOLO VIEW	269.10
118-401-001	1790 INDIAN WELLS WAY	231.28
118-401-002	1788 INDIAN WELLS WAY	231.28
118-401-003	1786 INDIAN WELLS WAY	231.28
118-401-004	1784 INDIAN WELLS WAY	231.28
118-401-005	1782 INDIAN WELLS WAY	231.28
118-401-006	1780 INDIAN WELLS WAY	231.28
118-401-007	1778 INDIAN WELLS WAY	231.28
118-401-008	1776 INDIAN WELLS WAY	231.28
118-401-009	1774 INDIAN WELLS WAY	231.28
118-401-010	1772 INDIAN WELLS WAY	231.28
118-401-019	40 TULE CT	231.28
118-401-029	400 CHUPCAN PL	231.28
118-401-030	402 CHUPCAN PL	231.28
118-401-031	404 CHUPCAN PL	231.28
118-401-032	406 CHUPCAN PL	231.28
118-401-033	408 CHUPCAN PL	231.28
118-401-034	410 CHUPCAN PL	231.28
118-401-035	417 CHUPCAN PL	231.28
118-401-036	415 CHUPCAN PL	231.28



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-401-037	411 CHUPCAN PL	231.28
118-401-038	409 CHUPCAN PL	231.28
118-401-039	407 CHUPCAN PL	231.28
118-401-040	405 CHUPCAN PL	231.28
118-401-041	403 CHUPCAN PL	231.28
118-401-042	401 CHUPCAN PL	231.28
118-402-001	1735 INDIAN WELLS WAY	231.28
118-402-002	1737 INDIAN WELLS WAY	231.28
118-402-003	1739 INDIAN WELLS WAY	231.28
118-402-004	1741 INDIAN WELLS WAY	231.28
118-402-005	1743 INDIAN WELLS WAY	231.28
118-402-006	1745 INDIAN WELLS WAY	231.28
118-402-007	1747 INDIAN WELLS WAY	231.28
118-402-008	1749 INDIAN WELLS WAY	231.28
118-402-009	310 SACLAN TERRACE PL	231.28
118-402-010	320 SACLAN TERRACE PL	231.28
118-402-011	326 SACLAN TERRACE PL	231.28
118-402-012	328 SACLAN TERRACE PL	231.28
118-402-013	330 SACLAN TERRACE PL	231.28
118-402-014	332 SACLAN TERRACE PL	231.28
118-402-015	334 SACLAN TERRACE PL	231.28
118-402-016	336 SACLAN TERRACE PL	231.28
118-402-017	338 SACLAN TERRACE PL	231.28
118-402-018	340 SACLAN TERRACE PL	231.28
118-402-019	341 SACLAN TERRACE PL	231.28
118-402-020	339 SACLAN TERRACE PL	231.28
118-402-021	337 SACLAN TERRACE PL	231.28
118-402-022	335 SACLAN TERRACE PL	231.28
118-402-023	333 SACLAN TERRACE PL	231.28
118-402-024	331 SACLAN TERRACE PL	231.28
118-402-025	329 SACLAN TERRACE PL	231.28
118-402-026	327 SACLAN TERRACE PL	231.28
118-402-027	325 SACLAN TERRACE PL	231.28
118-402-028	323 SACLAN TERRACE PL	231.28
118-402-029	321 SACLAN TERRACE PL	231.28
118-410-001	1399 SHELL LN	187.80
118-410-002	1397 SHELL LN	187.80
118-410-003	1389 SHELL LN	187.80
118-410-004	1387 SHELL LN	187.80
118-410-005	1385 SHELL LN	187.80



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-410-006	1383 SHELL LN	187.80
118-410-007	1381 SHELL LN	187.80
118-410-008	1379 SHELL LN	187.80
118-410-009	1377 SHELL LN	187.80
118-410-010	1375 SHELL LN	187.80
118-410-011	1373 SHELL LN	187.80
118-410-012	1371 SHELL LN	187.80
118-410-013	1369 SHELL LN	187.80
118-410-014	1367 SHELL LN	187.80
118-410-015	1365 SHELL LN	187.80
118-410-016	1363 SHELL LN	187.80
118-410-017	1361 SHELL LN	187.80
118-410-018	1359 SHELL LN	187.80
118-410-019	1357 SHELL LN	187.80
118-410-020	1355 SHELL LN	187.80
118-410-021	1353 SHELL LN	187.80
118-410-022	1351 SHELL LN	187.80
118-410-023	1349 SHELL LN	187.80
118-410-024	1347 SHELL LN	187.80
118-410-025	1345 SHELL LN	187.80
118-410-026	1343 SHELL LN	187.80
118-410-027	1341 SHELL LN	187.80
118-410-028	1339 SHELL LN	187.80
118-410-029	1337 SHELL LN	187.80
118-410-030	1335 SHELL LN	187.80
118-410-031	1333 SHELL LN	187.80
118-410-032	1331 SHELL LN	187.80
118-410-033	1329 SHELL LN	187.80
118-410-034	1327 SHELL LN	187.80
118-410-035	1199 SHELL LN	187.80
118-410-037	1195 SHELL LN	187.80
118-410-038	1193 SHELL LN	187.80
118-410-039	1191 SHELL LN	187.80
118-410-040	1189 SHELL LN	187.80
118-410-041	1187 SHELL LN	187.80
118-410-042	1185 SHELL LN	187.80
118-410-043	1183 SHELL LN	187.80
118-410-044	1181 SHELL LN	187.80
118-410-045	1179 SHELL LN	187.80
118-410-046	1177 SHELL LN	187.80



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-410-047	1175 SHELL LN	187.80
118-410-048	1173 SHELL LN	187.80
118-410-049	1171 SHELL LN	187.80
118-410-050	1169 SHELL LN	187.80
118-410-051	1167 SHELL LN	187.80
118-410-052	1267 SHELL CIR	187.80
118-410-053	1265 SHELL CIR	187.80
118-410-054	1263 SHELL CIR	187.80
118-410-055	1261 SHELL CIR	187.80
118-410-056	1259 SHELL CIR	187.80
118-410-057	1254 SHELL CIR	187.80
118-410-058	1256 SHELL CIR	187.80
118-410-059	1258 SHELL CIR	187.80
118-410-060	1260 SHELL CIR	187.80
118-410-061	1262 SHELL CIR	187.80
118-410-062	1264 SHELL CIR	187.80
118-410-063	1266 SHELL CIR	187.80
118-410-064	1268 SHELL CIR	187.80
118-410-065	1270 SHELL CIR	187.80
118-410-066	1272 SHELL CIR	187.80
118-410-067	1274 SHELL CIR	187.80
118-410-068	1276 SHELL CIR	187.80
118-410-069	1278 SHELL CIR	187.80
118-410-070	1280 SHELL CIR	187.80
118-410-071	1282 SHELL CIR	187.80
118-410-072	1284 SHELL CIR	187.80
118-410-073	1286 SHELL CIR	187.80
118-410-074	1288 SHELL CIR	187.80
118-410-075	1290 SHELL CIR	187.80
118-410-076	1292 SHELL CIR	187.80
118-410-077	1294 SHELL CIR	187.80
118-410-078	1296 SHELL CIR	187.80
118-410-079	1298 SHELL CIR	187.80
118-410-080	1269 SHELL CIR	187.80
118-410-081	1271 SHELL CIR	187.80
118-410-082	1273 SHELL CIR	187.80
118-410-083	1275 SHELL CIR	187.80
118-410-084	1332 SHELL LN	187.80
118-410-085	1330 SHELL LN	187.80
118-410-086	1328 SHELL LN	187.80



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-410-087	1326 SHELL LN	187.80
118-410-088	1340 SHELL LN	187.80
118-410-089	1338 SHELL LN	187.80
118-410-090	1336 SHELL LN	187.80
118-410-091	1334 SHELL LN	187.80
118-410-092	1277 SHELL CIR	187.80
118-410-093	1279 SHELL CIR	187.80
118-410-094	1281 SHELL CIR	187.80
118-410-095	1283 SHELL CIR	187.80
118-410-096	1285 SHELL CIR	187.80
118-410-097	1287 SHELL CIR	187.80
118-410-098	1289 SHELL CIR	187.80
118-410-099	1291 SHELL CIR	187.80
118-410-100	1293 SHELL CIR	187.80
118-410-101	1295 SHELL CIR	187.80
118-410-102	1297 SHELL CIR	187.80
118-410-103	1299 SHELL CIR	187.80
118-410-104	1368 SHELL LN	187.80
118-410-105	1370 SHELL LN	187.80
118-410-106	1372 SHELL LN	187.80
118-410-107	1374 SHELL LN	187.80
118-410-108	1376 SHELL LN	187.80
118-410-109	1378 SHELL LN	187.80
118-410-110	1380 SHELL LN	187.80
118-410-111	1382 SHELL LN	187.80
118-410-112	1388 SHELL LN	187.80
118-410-113	1390 SHELL LN	187.80
118-410-114	1392 SHELL LN	187.80
118-410-115	1394 SHELL LN	187.80
118-410-116	1396 SHELL LN	187.80
118-410-117	1398 SHELL LN	187.80
118-410-120	1197 SHELL LN	187.80
118-421-001	304 AHWANEE LN	402.06
118-421-002	308 AHWANEE LN	402.06
118-421-003	312 AHWANEE LN	402.06
118-422-001	451 OBSIDIAN WAY	402.06
118-422-002	350 BLUE OAK LN	402.06
118-422-003	352 BLUE OAK LN	402.06
118-422-004	354 BLUE OAK LN	402.06
118-422-005	356 BLUE OAK LN	402.06



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-422-006	358 BLUE OAK LN	402.06
118-422-007	360 BLUE OAK LN	402.06
118-423-001	361 BLUE OAK LN	402.06
118-423-002	3057 MIWOK WAY	402.06
118-423-003	3055 MIWOK WAY	402.06
118-423-004	3053 MIWOK WAY	402.06
118-423-005	3051 MIWOK WAY	402.06
118-423-006	3049 MIWOK WAY	402.06
118-423-007	3047 MIWOK WAY	402.06
118-423-008	3045 MIWOK WAY	402.06
118-423-009	3043 MIWOK WAY	402.06
118-423-010	3041 MIWOK WAY	402.06
118-423-011	3039 MIWOK WAY	402.06
118-423-012	3037 MIWOK WAY	402.06
118-423-013	3035 MIWOK WAY	402.06
118-423-014	3033 MIWOK WAY	402.06
118-423-015	3031 MIWOK WAY	402.06
118-424-001	359 BLUE OAK LN	402.06
118-424-002	357 BLUE OAK LN	402.06
118-424-003	355 BLUE OAK LN	402.06
118-424-004	353 BLUE OAK LN	402.06
118-424-005	351 BLUE OAK LN	402.06
118-424-006	409 WAWONA LN	402.06
118-424-007	407 WAWONA LN	402.06
118-424-008	405 WAWONA LN	402.06
118-424-009	403 WAWONA LN	402.06
118-424-010	401 WAWONA LN	402.06
118-424-011	3034 MIWOK WAY	402.06
118-424-012	3038 MIWOK WAY	402.06
118-424-013	3040 MIWOK WAY	402.06
118-424-014	3042 MIWOK WAY	402.06
118-424-015	3046 MIWOK WAY	402.06
118-424-016	3048 MIWOK WAY	402.06
118-424-017	3050 MIWOK WAY	402.06
118-424-018	3052 MIWOK WAY	402.06
118-424-019	3054 MIWOK WAY	402.06
118-431-001	316 AHWANEE CT	402.06
118-431-002	320 AHWANEE CT	402.06
118-431-003	324 AHWANEE CT	402.06
118-431-004	328 AHWANEE CT	402.06



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-431-005	332 AHWANEE CT	402.06
118-432-002	333 AHWANEE LN	402.06
118-432-003	329 AHWANEE LN	402.06
118-432-004	325 AHWANEE LN	402.06
118-432-005	321 AHWANEE CT	402.06
118-432-006	317 AHWANEE CT	402.06
118-432-007	400 WAWONA LN	402.06
118-432-008	402 WAWONA LN	402.06
118-432-009	404 WAWONA LN	402.06
118-432-010	406 WAWONA LN	402.06
118-432-011	408 WAWONA LN	402.06
118-432-012	410 WAWONA LN	402.06
118-432-013	412 WAWONA LN	402.06
118-432-014	414 WAWONA LN	402.06
118-432-015	416 WAWONA CT	402.06
118-432-016	418 WAWONA LN	402.06
118-432-017	420 WAWONA CT	402.06
118-432-019	337 AHWANEE CT	402.06
118-432-020	422 WAWONA LN	402.06
118-433-002	419 WAWONA LN	402.06
118-433-003	417 WAWONA CT	402.06
118-433-004	421 WAWONA CT	402.06
118-441-001	5101 KELLER RIDGE DR	269.10
118-441-002	5103 KELLER RIDGE DR	269.10
118-441-003	5105 KELLER RIDGE DR	269.10
118-441-004	5107 KELLER RIDGE DR	269.10
118-441-005	5109 KELLER RIDGE DR	269.10
118-441-007	5113 KELLER RIDGE DR	269.10
118-441-008	5115 KELLER RIDGE DR	269.10
118-441-009	5117 KELLER RIDGE DR	269.10
118-441-010	5119 KELLER RIDGE DR	269.10
118-441-011	5121 KELLER RIDGE DR	269.10
118-441-012	5123 KELLER RIDGE DR	269.10
118-441-013	5125 KELLER RIDGE DR	269.10
118-441-014	5127 KELLER RIDGE DR	269.10
118-441-015	5129 KELLER RIDGE DR	269.10
118-441-016	5131 KELLER RIDGE DR	269.10
118-441-017	101 CROW PL	269.10
118-441-018	103 CROW PL	269.10
118-441-019	105 CROW PL	269.10



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-441-020	107 CROW PL	269.10
118-441-021	109 CROW PL	269.10
118-441-022	111 CROW PL	269.10
118-441-023	113 CROW PL	269.10
118-441-024	115 CROW PL	269.10
118-441-025	117 CROW PL	269.10
118-441-026	119 CROW PL	269.10
118-442-001	118 CROW PL	269.10
118-442-002	116 CROW PL	269.10
118-442-003	114 CROW PL	269.10
118-442-004	112 CROW PL	269.10
118-442-005	110 CROW PL	269.10
118-442-006	108 CROW PL	269.10
118-442-007	106 CROW PL	269.10
118-442-008	104 CROW PL	269.10
118-442-009	102 CROW PL	269.10
118-442-010	3009 WINDMILL CANYON DR	269.10
118-442-011	3011 WINDMILL CANYON DR	269.10
118-442-012	3013 WINDMILL CANYON DR	269.10
118-442-013	3015 WINDMILL CANYON DR	269.10
118-442-014	3017 WINDMILL CANYON DR	269.10
118-442-015	3019 WINDMILL CANYON DR	269.10
118-442-016	3021 WINDMILL CANYON DR	269.10
118-442-017	3023 WINDMILL CANYON DR	269.10
118-443-001	3022 WINDMILL CANYON DR	269.10
118-443-002	3020 WINDMILL CANYON DR	269.10
118-443-003	3018 WINDMILL CANYON DR	269.10
118-443-004	3016 WINDMILL CANYON DR	269.10
118-443-005	3014 WINDMILL CANYON DR	269.10
118-443-006	3012 WINDMILL CANYON DR	269.10
118-443-007	3010 WINDMILL CANYON DR	269.10
118-451-001	301 WINDMILL CANYON PL	269.10
118-451-002	303 WINDMILL CANYON PL	269.10
118-451-003	305 WINDMILL CANYON PL	269.10
118-451-004	307 WINDMILL CANYON PL	269.10
118-451-005	309 WINDMILL CANYON PL	269.10
118-451-006	311 WINDMILL CANYON PL	269.10
118-451-007	313 WINDMILL CANYON PL	269.10
118-451-008	315 WINDMILL CANYON PL	269.10
118-451-009	317 WINDMILL CANYON PL	269.10



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APN	Situs Address	Levy
118-451-010	319 WINDMILL CANYON PL	269.10
118-451-011	321 WINDMILL CANYON PL	269.10
118-452-001	322 WINDMILL CANYON PL	269.10
118-452-002	320 WINDMILL CANYON PL	269.10
118-452-003	318 WINDMILL CANYON PL	269.10
118-452-004	316 WINDMILL CANYON PL	269.10
118-452-005	314 WINDMILL CANYON PL	269.10
118-452-006	312 WINDMILL CANYON PL	269.10
118-452-007	310 WINDMILL CANYON PL	269.10
118-452-008	308 WINDMILL CANYON PL	269.10
118-452-009	306 WINDMILL CANYON PL	269.10
118-452-010	304 WINDMILL CANYON PL	269.10
118-452-011	302 WINDMILL CANYON PL	269.10
118-452-012	201 FALCON PL	269.10
118-452-013	203 FALCON PL	269.10
118-452-014	205 FALCON PL	269.10
118-452-015	207 FALCON PL	269.10
118-452-016	209 FALCON PL	269.10
118-452-017	211 FALCON PL	269.10
118-452-018	213 FALCON PL	269.10
118-452-019	215 FALCON PL	269.10
118-452-020	216 FALCON PL	269.10
118-452-021	214 FALCON PL	269.10
118-452-022	212 FALCON PL	269.10
118-452-023	210 FALCON PL	269.10
118-452-024	208 FALCON PL	269.10
118-452-025	206 FALCON PL	269.10
118-452-026	204 FALCON PL	269.10
118-452-027	202 FALCON PL	269.10
118-452-028	5126 KELLER RIDGE DR	269.10
118-452-029	5122 KELLER RIDGE DR	269.10
118-452-030	5120 KELLER RIDGE DR	269.10
118-452-031	5118 KELLER RIDGE DR	269.10
118-452-032	5116 KELLER RIDGE DR	269.10
118-452-033	5114 KELLER RIDGE DR	269.10
118-452-034	5112 KELLER RIDGE DR	269.10
118-452-035	5110 KELLER RIDGE DR	269.10
118-452-036	5108 KELLER RIDGE DR	269.10
118-452-037	5106 KELLER RIDGE DR	269.10
118-452-038	5102 KELLER RIDGE DR	269.10



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APN	Situs Address	Levy
118-460-001	600 JLPUN LOOP	231.28
118-460-002	602 JLPUN LOOP	231.28
118-460-003	604 JLPUN LOOP	231.28
118-460-004	606 JLPUN LOOP	231.28
118-460-005	608 JLPUN LOOP	231.28
118-460-006	610 JLPUN LOOP	231.28
118-460-007	612 JLPUN LOOP	231.28
118-460-008	614 JLPUN LOOP	231.28
118-460-009	616 JLPUN LOOP	231.28
118-460-010	618 JLPUN LOOP	231.28
118-460-011	620 JLPUN LOOP	231.28
118-460-012	622 JLPUN LOOP	231.28
118-460-013	615 JLPUN LOOP	231.28
118-460-014	609 JLPUN LOOP	231.28
118-460-015	605 JLPUN LOOP	231.28
118-460-016	601 JLPUN LOOP	231.28
118-460-017	637 JLPUN LOOP	231.28
118-460-018	633 JLPUN LOOP	231.28
118-460-019	629 JLPUN LOOP	231.28
118-460-020	625 JLPUN LOOP	231.28
118-460-021	624 JLPUN LOOP	231.28
118-460-022	626 JLPUN LOOP	231.28
118-460-023	628 JLPUN LOOP	231.28
118-460-024	630 JLPUN LOOP	231.28
118-460-025	632 JLPUN LOOP	231.28
118-460-026	634 JLPUN LOOP	231.28
118-460-027	636 JLPUN LOOP	231.28
118-460-028	638 JLPUN LOOP	231.28
118-460-029	800 CHERT PL	231.28
118-460-030	802 CHERT PL	231.28
118-460-031	804 CHERT PL	231.28
118-460-032	806 CHERT PL	231.28
118-460-033	808 CHERT PL	231.28
118-460-034	810 CHERT PL	231.28
118-460-035	812 CHERT PL	231.28
118-460-036	814 CHERT PL	231.28
118-460-037	819 CHERT PL	231.28
118-460-038	817 CHERT PL	231.28
118-460-039	815 CHERT PL	231.28
118-460-040	813 CHERT PL	231.28



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APN	Situs Address	Levy
118-460-041	811 CHERT PL	231.28
118-460-042	809 CHERT PL	231.28
118-460-043	807 CHERT PL	231.28
118-460-044	805 CHERT PL	231.28
118-460-045	803 CHERT PL	231.28
118-460-046	801 CHERT PL	231.28
118-460-047	51 KARKIN PL	231.28
118-460-048	53 KARKIN PL	231.28
118-460-049	55 KARKIN PL	231.28
118-460-050	57 KARKIN PL	231.28
118-460-051	56 KARKIN PL	231.28
118-460-052	54 KARKIN PL	231.28
118-460-053	52 KARKIN PL	231.28
118-460-054	1733 INDIAN WELLS WAY	231.28
118-460-055	501 SUISUN CT	231.28
118-460-056	503 SUISUN CT	231.28
118-460-057	505 SUISUN CT	231.28
118-460-058	507 SUISUN CT	231.28
118-460-059	509 SUISUN CT	231.28
118-460-060	511 SUISUN CT	231.28
118-460-061	510 SUISUN CT	231.28
118-460-062	508 SUISUN CT	231.28
118-460-063	506 SUISUN CT	231.28
118-460-064	504 SUISUN CT	231.28
118-460-065	502 SUISUN CT	231.28
118-460-066	1731 INDIAN WELLS WAY	231.28
118-460-067	1729 INDIAN WELLS WAY	231.28
118-460-068	1727 INDIAN WELLS WAY	231.28
118-460-069	1725 INDIAN WELLS WAY	231.28
118-460-070	1723 INDIAN WELLS WAY	231.28
118-460-071	1721 INDIAN WELLS WAY	231.28
118-460-072	1719 INDIAN WELLS WAY	231.28
118-460-073	722 ANIZUMNE CT	231.28
118-460-074	720 ANIZUMNE CT	231.28
118-460-075	718 ANIZUMNE CT	231.28
118-460-076	716 ANIZUMNE CT	231.28
118-460-077	714 ANIZUMNE CT	231.28
118-460-078	712 ANIZUMNE CT	231.28
118-460-079	710 ANIZUMNE CT	231.28
118-460-080	708 ANIZUMNE CT	231.28



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APN	Situs Address	Levy
118-460-081	706 ANIZUMNE CT	231.28
118-460-082	704 ANIZUMNE CT	231.28
118-460-083	702 ANIZUMNE CT	231.28
118-460-084	700 ANIZUMNE CT	231.28
118-460-085	1717 INDIAN WELLS WAY	231.28
118-460-086	1715 INDIAN WELLS WAY	231.28
118-460-087	1713 INDIAN WELLS WAY	231.28
118-460-088	1711 INDIAN WELLS WAY	231.28
118-460-089	901 ARROWHEAD TER	231.28
118-460-090	903 ARROWHEAD TER	231.28
118-460-091	905 ARROWHEAD TER	231.28
118-460-092	907 ARROWHEAD TER	231.28
118-460-093	909 ARROWHEAD TER	231.28
118-460-094	911 ARROWHEAD TER	231.28
118-460-095	913 ARROWHEAD TER	231.28
118-460-096	915 ARROWHEAD TER	231.28
118-460-097	917 ARROWHEAD TER	231.28
118-460-098	919 ARROWHEAD TER	231.28
118-460-099	921 ARROWHEAD TER	231.28
118-460-100	923 ARROWHEAD TER	231.28
118-460-101	925 ARROWHEAD TER	231.28
118-460-102	927 ARROWHEAD TER	231.28
118-460-103	929 ARROWHEAD TER	231.28
118-460-105	926 ARROWHEAD TER	231.28
118-460-106	924 ARROWHEAD TER	231.28
118-460-107	922 ARROWHEAD TER	231.28
118-460-108	920 ARROWHEAD TER	231.28
118-460-109	918 ARROWHEAD TER	231.28
118-460-110	916 ARROWHEAD TER	231.28
118-460-111	914 ARROWHEAD TER	231.28
118-460-112	912 ARROWHEAD CIR	231.28
118-460-113	910 ARROWHEAD TER	231.28
118-460-114	908 ARROWHEAD TER	231.28
118-460-115	906 ARROWHEAD TER	231.28
118-460-116	904 ARROWHEAD TER	231.28
118-460-117	902 ARROWHEAD TER	231.28
118-460-118	900 ARROWHEAD TER	231.28
118-460-121	931 ARROWHEAD TER	231.28
118-470-003	1207 BUCKEYE TER	231.28
118-470-004	1205 BUCKEYE TER	231.28



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APN	Situs Address	Levy
118-470-005	1203 BUCKEYE TER	231.28
118-470-006	1201 BUCKEYE TER	231.28
118-470-007	1211 BUCKEYE TER	231.28
118-470-008	1209 BUCKEYE TER	231.28
118-470-009	1213 BUCKEYE TER	231.28
118-470-010	1215 BUCKEYE TER	231.28
118-470-011	1217 BUCKEYE TER	231.28
118-470-012	1221 BUCKEYE TER	231.28
118-470-013	1223 BUCKEYE TER	231.28
118-470-014	1225 BUCKEYE TER	231.28
118-470-015	1227 BUCKEYE TER	231.28
118-470-016	1231 BUCKEYE TER	231.28
118-470-017	1233 BUCKEYE TER	231.28
118-470-018	1235 BUCKEYE TER	231.28
118-470-019	1237 BUCKEYE TER	231.28
118-470-020	1239 BUCKEYE TER	231.28
118-470-021	1241 BUCKEYE TER	231.28
118-470-022	1240 BUCKEYE TER	231.28
118-470-023	1238 BUCKEYE TER	231.28
118-470-024	1236 BUCKEYE TER	231.28
118-470-025	1234 BUCKEYE TER	231.28
118-470-026	1232 BUCKEYE TER	231.28
118-470-027	1230 BUCKEYE TER	231.28
118-470-028	1228 BUCKEYE TER	231.28
118-470-029	1226 BUCKEYE TER	231.28
118-470-030	1220 BUCKEYE TER	231.28
118-470-031	1218 BUCKEYE TER	231.28
118-470-032	1216 BUCKEYE TER	231.28
118-470-033	1214 BUCKEYE TER	231.28
118-470-034	1212 BUCKEYE TER	231.28
118-470-035	1200 BUCKEYE TER	231.28
118-470-036	1151 MOCCASIN CT	231.28
118-470-037	1153 MOCCASIN CT	231.28
118-470-038	1155 MOCCASIN CT	231.28
118-470-039	1159 MOCCASIN CT	231.28
118-470-040	1161 MOCCASIN CT	231.28
118-470-041	1163 MOCCASIN CT	231.28
118-470-042	1165 MOCCASIN CT	231.28
118-470-043	1169 MOCCASIN CT	231.28
118-470-044	1171 MOCCASIN CT	231.28



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APN	Situs Address	Levy
118-470-045	1173 MOCCASIN CT	231.28
118-470-046	1175 MOCCASIN CT	231.28
118-470-047	1174 MOCCASIN CT	231.28
118-470-048	1172 MOCCASIN CT	231.28
118-470-049	1170 MOCCASIN CT	231.28
118-470-050	1168 MOCCASIN CT	231.28
118-470-051	1166 MOCCASIN CT	231.28
118-470-052	1164 MOCCASIN CT	231.28
118-470-053	1160 MOCCASIN CT	231.28
118-470-054	1158 MOCCASIN CT	231.28
118-470-055	1156 MOCCASIN CT	231.28
118-470-056	1154 MOCCASIN CT	231.28
118-470-057	1152 MOCCASIN CT	231.28
118-470-063	1001 FEATHER CIR	231.28
118-470-064	1003 FEATHER CIR	231.28
118-470-065	1005 FEATHER CIR	231.28
118-470-066	1007 FEATHER CIR	231.28
118-470-067	1009 FEATHER CIR	231.28
118-470-068	1011 FEATHER CIR	231.28
118-470-069	1015 FEATHER CIR	231.28
118-470-070	1017 FEATHER CIR	231.28
118-470-071	1019 FEATHER CIR	231.28
118-470-072	1021 FEATHER CIR	231.28
118-470-076	1029 FEATHER CIR	231.28
118-470-079	1035 FEATHER CIR	231.28
118-470-080	1037 FEATHER CIR	231.28
118-470-081	1039 FEATHER CIR	231.28
118-470-082	1041 FEATHER CIR	231.28
118-470-083	1043 FEATHER CIR	231.28
118-470-084	1045 FEATHER CIR	231.28
118-470-085	1047 FEATHER CIR	231.28
118-470-086	1049 FEATHER CIR	231.28
118-470-087	1051 FEATHER CIR	231.28
118-470-088	1053 FEATHER CIR	231.28
118-470-089	1055 FEATHER CIR	231.28
118-470-090	1059 FEATHER CIR	231.28
118-470-091	1061 FEATHER CIR	231.28
118-470-092	1063 FEATHER CIR	231.28
118-470-093	1065 FEATHER CIR	231.28
118-470-094	1067 FEATHER CIR	231.28



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APN	Situs Address	Levy
118-470-095	1069 FEATHER CIR	231.28
118-470-096	1071 FEATHER CIR	231.28
118-470-097	1073 FEATHER CIR	231.28
118-470-098	1075 FEATHER CIR	231.28
118-470-099	1077 FEATHER CIR	231.28
118-470-100	1079 FEATHER CIR	231.28
118-470-101	1074 FEATHER CIR	231.28
118-470-102	1072 FEATHER CIR	231.28
118-470-103	1070 FEATHER CIR	231.28
118-470-104	1066 FEATHER CIR	231.28
118-470-105	1054 FEATHER CIR	231.28
118-470-106	1052 FEATHER CIR	231.28
118-470-107	1050 FEATHER CIR	231.28
118-470-108	1048 FEATHER CIR	231.28
118-470-109	1038 FEATHER CIR	231.28
118-470-110	1034 FEATHER CIR	231.28
118-470-111	1032 FEATHER CIR	231.28
118-470-112	1028 FEATHER CIR	231.28
118-470-113	1016 FEATHER CIR	231.28
118-470-114	1014 FEATHER CIR	231.28
118-470-115	1012 FEATHER CIR	231.28
118-470-118	1023 FEATHER CIR	231.28
118-470-119	1025 FEATHER CIR	231.28
118-470-120	1027 FEATHER CIR	231.28
118-470-121	1031 FEATHER CIR	231.28
118-470-122	1033 FEATHER CIR	231.28
118-480-001	100 FOREST HILL DR	467.92
118-480-002	102 FOREST HILL DR	467.92
118-480-003	104 FOREST HILL DR	467.92
118-480-004	106 FOREST HILL DR	467.92
118-480-005	108 FOREST HILL DR	467.92
118-480-006	110 FOREST HILL DR	467.92
118-480-007	112 FOREST HILL DR	467.92
118-480-008	114 FOREST HILL DR	467.92
118-480-009	116 FOREST HILL DR	467.92
118-480-010	118 FOREST HILL DR	467.92
118-480-011	120 FOREST HILL DR	467.92
118-480-012	121 FOREST HILL DR	467.92
118-480-013	119 FOREST HILL DR	467.92
118-480-014	117 FOREST HILL DR	467.92



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APN	Situs Address	Levy
118-480-015	115 FOREST HILL DR	467.92
118-480-016	113 FOREST HILL DR	467.92
118-480-017	111 FOREST HILL DR	467.92
118-480-018	109 FOREST HILL DR	467.92
118-480-019	105 FOREST HILL DR	467.92
118-480-020	103 FOREST HILL DR	467.92
118-480-023	1008 PEBBLE BEACH DR	467.92
118-480-024	1010 PEBBLE BEACH DR	467.92
118-480-025	1012 PEBBLE BEACH DR	467.92
118-480-026	1014 PEBBLE BEACH DR	467.92
118-480-027	1016 PEBBLE BEACH DR	467.92
118-480-028	1018 PEBBLE BEACH DR	467.92
118-480-029	1020 PEBBLE BEACH DR	467.92
118-480-030	1022 PEBBLE BEACH DR	467.92
118-480-031	1024 PEBBLE BEACH DR	467.92
118-480-034	1033 PEBBLE BEACH DR	467.92
118-480-035	1031 PEBBLE BEACH DR	467.92
118-480-036	1029 PEBBLE BEACH DR	467.92
118-480-037	1027 PEBBLE BEACH DR	467.92
118-480-038	1025 PEBBLE BEACH DR	467.92
118-480-039	1023 PEBBLE BEACH DR	467.92
118-480-040	1021 PEBBLE BEACH DR	467.92
118-480-041	1011 PEBBLE BEACH DR	467.92
118-480-042	1009 PEBBLE BEACH DR	467.92
118-480-043	1007 PEBBLE BEACH DR	467.92
118-480-044	1005 PEBBLE BEACH DR	467.92
118-480-045	1003 PEBBLE BEACH DR	467.92
118-480-046	101 FOREST HILL DR	467.92
118-480-047	1006 PEBBLE BEACH DR	467.92
118-480-048	1028 PEBBLE BEACH DR	935.84
118-490-001	132 INVERNESS WAY	467.92
118-490-003	138 INVERNESS WAY	467.92
118-490-005	140 INVERNESS WAY	467.92
118-490-006	142 INVERNESS WAY	467.92
118-490-007	1032 PEBBLE BEACH DR	467.92
118-490-008	1034 PEBBLE BEACH DR	467.92
118-490-009	1036 PEBBLE BEACH DR	467.92
118-490-010	1038 PEBBLE BEACH DR	467.92
118-490-011	1040 PEBBLE BEACH DR	467.92
118-490-012	1042 PEBBLE BEACH DR	467.92



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APN	Situs Address	Levy
118-490-013	1044 PEBBLE BEACH DR	467.92
118-490-014	1046 PEBBLE BEACH DR	467.92
118-490-015	1048 PEBBLE BEACH DR	467.92
118-490-016	1050 PEBBLE BEACH DR	467.92
118-490-017	1052 PEBBLE BEACH DR	467.92
118-490-018	1054 PEBBLE BEACH DR	467.92
118-490-019	1056 PEBBLE BEACH DR	467.92
118-490-020	1055 PEBBLE BEACH DR	467.92
118-490-021	1053 PEBBLE BEACH DR	467.92
118-490-022	1051 PEBBLE BEACH DR	467.92
118-490-023	1049 PEBBLE BEACH DR	467.92
118-490-024	1047 PEBBLE BEACH DR	467.92
118-490-025	1045 PEBBLE BEACH DR	467.92
118-490-027	134 INVERNESS WAY	467.92
118-490-028	136 INVERNESS WAY	467.92
118-500-001	1100 PEACOCK CREEK DR	467.92
118-500-002	1102 PEACOCK CREEK DR	467.92
118-500-005	1108 PEACOCK CREEK DR	467.92
118-500-006	1110 PEACOCK CREEK DR	467.92
118-500-007	1112 PEACOCK CREEK DR	467.92
118-500-008	1114 PEACOCK CREEK DR	467.92
118-500-009	1116 PEACOCK CREEK DR	467.92
118-500-010	1118 PEACOCK CREEK DR	467.92
118-500-011	1120 PEACOCK CREEK DR	467.92
118-500-012	1122 PEACOCK CREEK DR	467.92
118-500-013	1124 PEACOCK CREEK DR	467.92
118-500-014	1126 PEACOCK CREEK DR	467.92
118-500-015	1128 PEACOCK CREEK DR	467.92
118-500-016	1130 PEACOCK CREEK DR	467.92
118-500-017	1132 PEACOCK CREEK DR	467.92
118-500-018	1133 PEACOCK CREEK DR	467.92
118-500-019	1131 PEACOCK CREEK DR	467.92
118-500-020	1129 PEACOCK CREEK DR	467.92
118-500-021	1127 PEACOCK CREEK DR	467.92
118-500-022	1125 PEACOCK CREEK DR	467.92
118-500-023	1123 PEACOCK CREEK DR	467.92
118-500-024	1121 PEACOCK CREEK DR	467.92
118-500-025	1117 PEACOCK CREEK DR	467.92
118-500-026	1115 PEACOCK CREEK DR	467.92
118-500-027	1111 PEACOCK CREEK DR	467.92



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APN	Situs Address	Levy
118-500-028	1109 PEACOCK CREEK DR	467.92
118-500-029	1107 PEACOCK CREEK DR	467.92
118-500-030	1105 PEACOCK CREEK DR	467.92
118-500-031	1103 PEACOCK CREEK DR	467.92
118-500-032	1104 PEACOCK CREEK DR	467.92
118-500-033	1106 PEACOCK CREEK DR	467.92
118-510-001	1134 PEACOCK CREEK DR	467.92
118-510-002	1136 PEACOCK CREEK DR	467.92
118-510-003	1138 PEACOCK CREEK DR	467.92
118-510-004	1140 PEACOCK CREEK DR	467.92
118-510-005	1142 PEACOCK CREEK DR	467.92
118-510-006	1144 PEACOCK CREEK DR	467.92
118-510-007	1146 PEACOCK CREEK DR	467.92
118-510-008	1148 PEACOCK CREEK DR	467.92
118-510-009	1150 PEACOCK CREEK DR	467.92
118-510-010	1152 PEACOCK CREEK DR	467.92
118-510-011	170 BRANDYWINE PL	467.92
118-510-012	172 BRANDYWINE PL	467.92
118-510-013	174 BRANDYWINE PL	467.92
118-510-015	185 BRANDYWINE PL	467.92
118-510-016	183 BRANDYWINE PL	467.92
118-510-017	181 BRANDYWINE PL	467.92
118-510-018	179 BRANDYWINE PL	467.92
118-510-019	177 BRANDYWINE PL	467.92
118-510-020	175 BRANDYWINE PL	467.92
118-510-021	173 BRANDYWINE PL	467.92
118-510-022	1160 TORREY PINES PL	467.92
118-510-023	1162 TORREY PINES PL	467.92
118-510-024	1163 TORREY PINES PL	467.92
118-510-025	1161 TORREY PINES PL	467.92
118-510-026	1155 PEACOCK CREEK DR	467.92
118-510-027	1151 PEACOCK CREEK DR	467.92
118-510-028	164 SILVERADO CT	467.92
118-510-029	166 SILVERADO CT	467.92
118-510-030	165 SILVERADO CT	467.92
118-510-031	163 SILVERADO CT	467.92
118-510-032	1149 PEACOCK CREEK DR	467.92
118-510-033	1147 PEACOCK CREEK DR	467.92
118-510-034	1145 PEACOCK CREEK DR	467.92
118-510-035	154 LONE PINE CT	467.92



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APN	Situs Address	Levy
118-510-036	156 LONE PINE CT	467.92
118-510-037	155 LONE PINE CT	467.92
118-510-038	153 LONE PINE CT	467.92
118-510-039	151 LONE PINE CT	467.92
118-510-040	1139 PEACOCK CREEK DR	467.92
118-510-041	1137 PEACOCK CREEK DR	467.92
118-510-042	1135 PEACOCK CREEK DR	467.92
118-530-001	1401 INDIANHEAD WAY	187.80
118-530-002	1403 INDIANHEAD WAY	187.80
118-530-003	1405 INDIANHEAD WAY	187.80
118-530-004	1407 INDIANHEAD WAY	187.80
118-530-005	1409 INDIANHEAD WAY	187.80
118-530-006	1411 INDIANHEAD WAY	187.80
118-530-007	1413 INDIANHEAD WAY	187.80
118-530-008	1415 INDIANHEAD WAY	187.80
118-530-009	1417 INDIANHEAD WAY	187.80
118-530-010	1419 INDIANHEAD WAY	187.80
118-530-011	1421 INDIANHEAD WAY	187.80
118-530-012	1423 INDIANHEAD WAY	187.80
118-530-013	1425 INDIANHEAD WAY	187.80
118-530-014	1427 INDIANHEAD WAY	187.80
118-530-015	1429 INDIANHEAD WAY	187.80
118-530-016	1431 INDIANHEAD WAY	187.80
118-530-017	1433 INDIANHEAD CIR	187.80
118-530-018	1435 INDIANHEAD CIR	187.80
118-530-019	1437 INDIANHEAD CIR	187.80
118-530-020	1439 INDIANHEAD CIR	187.80
118-530-021	1441 INDIANHEAD CIR	187.80
118-530-022	1443 INDIANHEAD CIR	187.80
118-530-023	1445 INDIANHEAD CIR	187.80
118-530-024	1447 INDIANHEAD CIR	187.80
118-530-025	1449 INDIANHEAD CIR	187.80
118-530-026	1451 INDIANHEAD CIR	187.80
118-530-027	1453 INDIANHEAD CIR	187.80
118-530-028	1455 INDIANHEAD CIR	187.80
118-530-029	1457 INDIANHEAD CIR	187.80
118-530-030	1459 INDIANHEAD CIR	187.80
118-530-031	1461 INDIANHEAD CIR	187.80
118-530-033	1465 INDIANHEAD CIR	187.80
118-530-034	1467 INDIANHEAD CIR	187.80



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APN	Situs Address	Levy
118-530-035	1469 INDIANHEAD CIR	187.80
118-530-036	1471 INDIANHEAD CIR	187.80
118-530-037	1473 INDIANHEAD CIR	187.80
118-530-038	1475 INDIANHEAD CIR	187.80
118-530-039	1477 INDIANHEAD CIR	187.80
118-530-040	1479 INDIANHEAD CIR	187.80
118-530-041	1481 INDIANHEAD CIR	187.80
118-530-042	1483 INDIANHEAD CIR	187.80
118-530-043	1485 INDIANHEAD CIR	187.80
118-530-044	1487 INDIANHEAD CIR	187.80
118-530-045	1489 INDIANHEAD CIR	187.80
118-530-046	1491 INDIANHEAD CIR	187.80
118-530-047	1466 INDIANHEAD CIR	187.80
118-530-048	1464 INDIANHEAD CIR	187.80
118-530-049	1462 INDIANHEAD CIR	187.80
118-530-050	1460 INDIANHEAD CIR	187.80
118-530-051	1458 INDIANHEAD CIR	187.80
118-530-052	1456 INDIANHEAD CIR	187.80
118-530-056	1463 INDIANHEAD CIR	187.80
118-540-001	4001 HUMMINGBIRD WAY	269.10
118-540-002	4003 HUMMINGBIRD WAY	269.10
118-540-003	4005 HUMMINGBIRD WAY	269.10
118-540-004	4007 HUMMINGBIRD WAY	269.10
118-540-005	4009 HUMMINGBIRD WAY	269.10
118-540-006	4011 HUMMINGBIRD WAY	269.10
118-540-007	4013 HUMMINGBIRD WAY	269.10
118-540-008	4015 HUMMINGBIRD WAY	269.10
118-540-009	4017 HUMMINGBIRD WAY	269.10
118-540-010	4019 HUMMINGBIRD WAY	269.10
118-540-011	4021 HUMMINGBIRD WAY	269.10
118-540-012	4022 HUMMINGBIRD WAY	269.10
118-540-013	4018 HUMMINGBIRD WAY	269.10
118-540-014	4014 HUMMINGBIRD WAY	269.10
118-540-015	4010 HUMMINGBIRD WAY	269.10
118-540-016	4008 HUMMINGBIRD WAY	269.10
118-540-017	4006 HUMMINGBIRD WAY	269.10
118-540-018	4004 HUMMINGBIRD WAY	269.10
118-540-019	4002 HUMMINGBIRD WAY	269.10
118-540-020	5001 RAVEN WAY	269.10
118-540-021	5003 RAVEN WAY	269.10



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APN	Situs Address	Levy
118-540-022	5005 RAVEN WAY	269.10
118-540-023	5007 RAVEN WAY	269.10
118-540-024	5009 RAVEN WAY	269.10
118-540-025	5011 RAVEN WAY	269.10
118-540-026	4024 HUMMINGBIRD WAY	269.10
118-540-027	5013 RAVEN WAY	269.10
118-540-028	5015 RAVEN WAY	269.10
118-540-029	5017 RAVEN WAY	269.10
118-540-030	5019 RAVEN WAY	269.10
118-540-031	3038 WINDMILL CANYON DR	269.10
118-540-032	3036 WINDMILL CANYON DR	269.10
118-540-033	3034 WINDMILL CANYON DR	269.10
118-540-034	3032 WINDMILL CANYON DR	269.10
118-540-035	3030 WINDMILL CANYON DR	269.10
118-540-036	3028 WINDMILL CANYON DR	269.10
118-540-037	3026 WINDMILL CANYON DR	269.10
118-540-038	3024 WINDMILL CANYON DR	269.10
118-540-039	3025 WINDMILL CANYON DR	269.10
118-540-040	3027 WINDMILL CANYON DR	269.10
118-540-041	3029 WINDMILL CANYON DR	269.10
118-540-042	3031 WINDMILL CANYON DR	269.10
118-540-043	3033 WINDMILL CANYON DR	269.10
118-540-044	3035 WINDMILL CANYON DR	269.10
118-540-045	3037 WINDMILL CANYON DR	269.10
118-540-046	3039 WINDMILL CANYON DR	269.10
118-540-047	3041 WINDMILL CANYON DR	269.10
118-540-048	3043 WINDMILL CANYON DR	269.10
118-540-049	3045 WINDMILL CANYON DR	269.10
118-540-050	3047 WINDMILL CANYON DR	269.10
118-540-051	3049 WINDMILL CANYON DR	269.10
118-540-052	3051 WINDMILL CANYON DR	269.10
118-540-053	3053 WINDMILL CANYON DR	269.10
118-540-054	5022 RAVEN WAY	269.10
118-540-055	5020 RAVEN WAY	269.10
118-540-056	5018 RAVEN WAY	269.10
118-540-057	5016 RAVEN WAY	269.10
118-540-058	5014 RAVEN WAY	269.10
118-540-059	5012 RAVEN WAY	269.10
118-540-060	5010 RAVEN WAY	269.10
118-540-061	5008 RAVEN WAY	269.10



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APN	Situs Address	Levy
118-540-062	5006 RAVEN WAY	269.10
118-540-063	5004 RAVEN WAY	269.10
118-540-064	5002 RAVEN WAY	269.10
118-540-065	5000 RAVEN WAY	269.10
118-550-002	610 GOLDEN EAGLE PL	269.10
118-550-003	608 GOLDEN EAGLE PL	269.10
118-550-004	606 GOLDEN EAGLE PL	269.10
118-550-005	604 GOLDEN EAGLE PL	269.10
118-550-006	602 GOLDEN EAGLE PL	269.10
118-550-007	501 RAVEN PL	269.10
118-550-008	503 RAVEN PL	269.10
118-550-009	505 RAVEN PL	269.10
118-550-010	507 RAVEN PL	269.10
118-550-011	509 RAVEN PL	269.10
118-550-012	511 RAVEN PL	269.10
118-550-013	513 RAVEN PL	269.10
118-550-014	514 RAVEN PL	269.10
118-550-015	512 RAVEN PL	269.10
118-550-016	510 RAVEN PL	269.10
118-550-017	508 RAVEN PL	269.10
118-550-018	506 RAVEN PL	269.10
118-550-019	504 RAVEN PL	269.10
118-550-020	502 RAVEN PL	269.10
118-550-021	401 HUMMINGBIRD PL	269.10
118-550-022	403 HUMMINGBIRD PL	269.10
118-550-023	405 HUMMINGBIRD PL	269.10
118-550-024	407 HUMMINGBIRD PL	269.10
118-550-025	409 HUMMINGBIRD PL	269.10
118-550-026	411 HUMMINGBIRD PL	269.10
118-550-027	413 HUMMINGBIRD PL	269.10
118-550-028	418 HUMMINGBIRD PL	269.10
118-550-029	416 HUMMINGBIRD PL	269.10
118-550-030	414 HUMMINGBIRD PL	269.10
118-550-031	412 HUMMINGBIRD PL	269.10
118-550-032	410 HUMMINGBIRD PL	269.10
118-550-033	408 HUMMINGBIRD PL	269.10
118-550-034	406 HUMMINGBIRD PL	269.10
118-550-035	404 HUMMINGBIRD PL	269.10
118-550-036	402 HUMMINGBIRD PL	269.10
118-550-038	612 GOLDEN EAGLE PL	269.10



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APN	Situs Address	Levy
118-570-001	363 BLUE OAK LN	402.06
118-570-002	365 BLUE OAK LN	402.06
118-570-003	367 BLUE OAK LN	402.06
118-570-004	369 BLUE OAK LN	402.06
118-570-005	371 BLUE OAK LN	402.06
118-570-006	373 BLUE OAK LN	402.06
118-570-007	375 BLUE OAK LN	402.06
118-570-008	377 BLUE OAK LN	402.06
118-570-009	379 BLUE OAK LN	402.06
118-570-010	381 BLUE OAK LN	402.06
118-570-012	385 BLUE OAK LN	402.06
118-570-013	387 BLUE OAK LN	402.06
118-570-014	389 BLUE OAK LN	402.06
118-570-015	391 BLUE OAK LN	402.06
118-570-016	390 BLUE OAK LN	402.06
118-570-017	388 BLUE OAK LN	402.06
118-570-018	81 WILDCAT WAY	402.06
118-570-019	83 WILDCAT WAY	402.06
118-570-020	85 WILDCAT WAY	402.06
118-570-021	477 OBSIDIAN WAY	402.06
118-570-022	479 OBSIDIAN WAY	402.06
118-570-023	478 OBSIDIAN WAY	402.06
118-570-024	476 OBSIDIAN WAY	402.06
118-570-025	474 OBSIDIAN WAY	402.06
118-570-026	470 OBSIDIAN WAY	402.06
118-570-027	468 OBSIDIAN WAY	402.06
118-570-028	63 ANTELOPE CT	402.06
118-570-029	65 ANTELOPE CT	402.06
118-570-030	66 ANTELOPE CT	402.06
118-570-031	64 ANTELOPE CT	402.06
118-570-032	62 ANTELOPE CT	402.06
118-570-033	60 ANTELOPE CT	402.06
118-570-034	458 OBSIDIAN WAY	402.06
118-570-035	456 OBSIDIAN WAY	402.06
118-570-038	56 TUYSHAK CT	402.06
118-570-039	54 TUYSHAK CT	402.06
118-570-040	52 TUYSHAK CT	402.06
118-570-041	453 OBSIDIAN WAY	402.06
118-570-042	455 OBSIDIAN WAY	402.06
118-570-043	457 OBSIDIAN WAY	402.06



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APN	Situs Address	Levy
118-570-044	459 OBSIDIAN WAY	402.06
118-570-045	461 OBSIDIAN WAY	402.06
118-570-046	463 OBSIDIAN WAY	402.06
118-570-047	465 OBSIDIAN WAY	402.06
118-570-048	467 OBSIDIAN WAY	402.06
118-570-049	469 OBSIDIAN WAY	402.06
118-570-050	471 OBSIDIAN WAY	402.06
118-570-051	473 OBSIDIAN WAY	402.06
118-570-052	84 WILDCAT WAY	402.06
118-570-053	380 BLUE OAK LN	402.06
118-570-054	376 BLUE OAK LN	402.06
118-570-055	374 BLUE OAK LN	402.06
118-570-056	372 BLUE OAK LN	402.06
118-570-057	370 BLUE OAK LN	402.06
118-570-058	368 BLUE OAK LN	402.06
118-570-059	366 BLUE OAK LN	402.06
118-570-060	362 BLUE OAK LN	402.06
118-570-061	383 BLUE OAK LN	402.06
118-570-062	53 TUYSHTAK CT	402.06
118-570-063	55 TUYSHTAK CT	402.06
118-580-001	200 CONDOR WAY	231.28
118-580-002	202 CONDOR WAY	231.28
118-580-003	204 CONDOR WAY	231.28
118-580-004	206 CONDOR WAY	231.28
118-580-005	208 CONDOR WAY	231.28
118-580-006	210 CONDOR WAY	231.28
118-580-007	212 CONDOR WAY	231.28
118-580-008	214 CONDOR WAY	231.28
118-580-009	216 CONDOR WAY	231.28
118-580-010	218 CONDOR WAY	231.28
118-580-011	220 CONDOR WAY	231.28
118-580-012	222 CONDOR WAY	231.28
118-580-013	224 CONDOR WAY	231.28
118-580-014	226 CONDOR WAY	231.28
118-580-015	5000 KELLER RIDGE DR	231.28
118-580-016	5002 KELLER RIDGE DR	231.28
118-580-017	5004 KELLER RIDGE DR	231.28
118-580-018	5006 KELLER RIDGE DR	231.28
118-580-019	5008 KELLER RIDGE DR	231.28
118-580-020	5010 KELLER RIDGE DR	231.28



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APN	Situs Address	Levy
118-580-021	5012 KELLER RIDGE DR	231.28
118-580-022	5037 KELLER RIDGE DR	231.28
118-580-023	5035 KELLER RIDGE DR	231.28
118-580-024	5033 KELLER RIDGE DR	231.28
118-580-025	5031 KELLER RIDGE DR	231.28
118-580-026	5029 KELLER RIDGE DR	231.28
118-580-027	5027 KELLER RIDGE DR	231.28
118-580-028	5025 KELLER RIDGE DR	231.28
118-580-029	5023 KELLER RIDGE DR	231.28
118-580-030	5021 KELLER RIDGE DR	231.28
118-580-031	5019 KELLER RIDGE DR	231.28
118-580-032	5017 KELLER RIDGE DR	231.28
118-580-033	5015 KELLER RIDGE DR	231.28
118-580-034	5013 KELLER RIDGE DR	231.28
118-580-035	5011 KELLER RIDGE DR	231.28
118-590-004	4705 KELLER RIDGE DR	187.80
118-590-005	4707 KELLER RIDGE DR	187.80
118-590-006	4703 KELLER RIDGE DR	187.80
118-590-007	4701 KELLER RIDGE DR	187.80
118-590-009	4605 KELLER RIDGE DR	187.80
118-590-010	4607 KELLER RIDGE DR	187.80
118-590-011	4603 KELLER RIDGE DR	187.80
118-590-012	4601 KELLER RIDGE DR	187.80
118-590-015	4507 KELLER RIDGE DR	187.80
118-590-016	4505 KELLER RIDGE DR	187.80
118-590-017	4501 KELLER RIDGE DR	187.80
118-590-018	4503 KELLER RIDGE DR	187.80
118-590-022	4905 KELLER RIDGE DR	187.80
118-590-023	4907 KELLER RIDGE DR	187.80
118-590-024	4903 KELLER RIDGE DR	187.80
118-590-025	4901 KELLER RIDGE DR	187.80
118-590-027	4805 KELLER RIDGE DR	187.80
118-590-028	4807 KELLER RIDGE DR	187.80
118-590-029	4803 KELLER RIDGE DR	187.80
118-590-030	4801 KELLER RIDGE DR	187.80
118-600-001	905 CONDOR PL	187.80
118-600-002	907 CONDOR PL	187.80
118-600-003	903 CONDOR PL	187.80
118-600-004	901 CONDOR PL	187.80
118-600-006	807 CONDOR PL	187.80



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APN	Situs Address	Levy
118-600-007	805 CONDOR PL	187.80
118-600-008	801 CONDOR PL	187.80
118-600-009	803 CONDOR PL	187.80
118-600-011	705 CONDOR PL	187.80
118-600-012	707 CONDOR PL	187.80
118-600-013	703 CONDOR PL	187.80
118-600-014	701 CONDOR PL	187.80
118-600-016	607 CONDOR PL	187.80
118-600-017	605 CONDOR PL	187.80
118-600-018	601 CONDOR PL	187.80
118-600-019	603 CONDOR PL	187.80
118-600-021	505 CONDOR PL	187.80
118-600-022	507 CONDOR PL	187.80
118-600-023	503 CONDOR PL	187.80
118-600-024	501 CONDOR PL	187.80
118-600-026	405 CONDOR PL	187.80
118-600-027	407 CONDOR PL	187.80
118-600-028	403 CONDOR PL	187.80
118-600-029	401 CONDOR PL	187.80
118-600-031	307 CONDOR PL	187.80
118-600-032	305 CONDOR PL	187.80
118-600-033	301 CONDOR PL	187.80
118-600-034	303 CONDOR PL	187.80
118-600-036	207 CONDOR PL	187.80
118-600-037	205 CONDOR PL	187.80
118-600-038	201 CONDOR PL	187.80
118-600-039	203 CONDOR PL	187.80
118-610-001	1947 EAGLE PEAK AVE	187.80
118-610-002	1945 EAGLE PEAK AVE	187.80
118-610-003	1941 EAGLE PEAK AVE	187.80
118-610-004	1943 EAGLE PEAK AVE	187.80
118-610-006	1925 EAGLE PEAK AVE	187.80
118-610-007	1927 EAGLE PEAK AVE	187.80
118-610-008	1923 EAGLE PEAK AVE	187.80
118-610-009	1921 EAGLE PEAK AVE	187.80
118-610-012	3905 COYOTE CIR	187.80
118-610-013	3907 COYOTE CIR	187.80
118-610-014	3903 COYOTE CIR	187.80
118-610-015	3901 COYOTE CIR	187.80
118-610-020	3805 COYOTE CIR	187.80



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APN	Situs Address	Levy
118-610-021	3807 COYOTE CIR	187.80
118-610-022	3803 COYOTE CIR	187.80
118-610-023	3801 COYOTE CIR	187.80
118-610-024	3707 COYOTE CIR	187.80
118-610-025	3705 COYOTE CIR	187.80
118-610-026	3701 COYOTE CIR	187.80
118-610-027	3703 COYOTE CIR	187.80
118-610-028	3605 COYOTE CIR	187.80
118-610-029	3607 COYOTE CIR	187.80
118-610-030	3603 COYOTE CIR	187.80
118-610-031	3601 COYOTE CIR	187.80
118-620-001	6001 GOLDEN EAGLE WAY	269.10
118-620-002	6003 GOLDEN EAGLE WAY	269.10
118-620-003	6005 GOLDEN EAGLE WAY	269.10
118-620-004	6007 GOLDEN EAGLE WAY	269.10
118-620-005	6009 GOLDEN EAGLE WAY	269.10
118-620-006	6011 GOLDEN EAGLE WAY	269.10
118-620-007	6013 GOLDEN EAGLE WAY	269.10
118-620-008	3089 WINDMILL CANYON DR	269.10
118-620-009	3091 WINDMILL CANYON DR	269.10
118-620-010	3093 WINDMILL CANYON DR	269.10
118-620-011	3095 WINDMILL CANYON DR	269.10
118-620-012	3097 WINDMILL CANYON DR	269.10
118-620-013	3099 WINDMILL CANYON DR	269.10
118-620-014	3101 WINDMILL CANYON DR	269.10
118-620-015	3103 WINDMILL CANYON DR	269.10
118-620-016	3105 WINDMILL CANYON DR	269.10
118-620-017	3107 WINDMILL CANYON DR	269.10
118-620-018	3109 WINDMILL CANYON DR	269.10
118-620-019	3111 WINDMILL CANYON DR	269.10
118-620-020	6036 GOLDEN EAGLE WAY	269.10
118-620-021	6034 GOLDEN EAGLE WAY	269.10
118-620-022	6032 GOLDEN EAGLE WAY	269.10
118-620-023	6030 GOLDEN EAGLE WAY	269.10
118-620-024	6028 GOLDEN EAGLE WAY	269.10
118-620-025	6026 GOLDEN EAGLE WAY	269.10
118-620-026	6024 GOLDEN EAGLE WAY	269.10
118-620-027	6022 GOLDEN EAGLE WAY	269.10
118-620-028	6018 GOLDEN EAGLE WAY	269.10
118-620-029	7001 MOLLUK WAY	269.10



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APN	Situs Address	Levy
118-620-030	7003 MOLLUK WAY	269.10
118-620-031	7005 MOLLUK WAY	269.10
118-620-032	7007 MOLLUK WAY	269.10
118-620-033	7009 MOLLUK WAY	269.10
118-620-034	7011 MOLLUK WAY	269.10
118-620-035	7015 MOLLUK WAY	269.10
118-620-036	7019 MOLLUK WAY	269.10
118-620-037	7021 MOLLUK WAY	269.10
118-620-038	7023 MOLLUK WAY	269.10
118-620-039	7025 MOLLUK WAY	269.10
118-620-040	7027 MOLLUK WAY	269.10
118-620-041	7028 MOLLUK WAY	269.10
118-620-042	7026 MOLLUK WAY	269.10
118-620-043	7024 MOLLUK WAY	269.10
118-620-044	7022 MOLLUK WAY	269.10
118-620-045	7020 MOLLUK WAY	269.10
118-620-046	7018 MOLLUK WAY	269.10
118-620-047	7016 MOLLUK WAY	269.10
118-620-048	7014 MOLLUK WAY	269.10
118-620-049	7012 MOLLUK WAY	269.10
118-620-050	7010 MOLLUK WAY	269.10
118-620-051	7008 MOLLUK WAY	269.10
118-620-052	7006 MOLLUK WAY	269.10
118-620-053	7004 MOLLUK WAY	269.10
118-620-054	7002 MOLLUK WAY	269.10
118-620-055	7000 MOLLUK WAY	269.10
118-620-056	5151 KELLER RIDGE DR	269.10
118-620-057	5153 KELLER RIDGE DR	269.10
118-620-058	5155 KELLER RIDGE DR	269.10
118-620-059	5157 KELLER RIDGE DR	269.10
118-620-060	5159 KELLER RIDGE DR	269.10
118-620-061	5161 KELLER RIDGE DR	269.10
118-620-062	5163 KELLER RIDGE DR	269.10
118-630-001	6015 GOLDEN EAGLE WAY	269.10
118-630-002	6017 GOLDEN EAGLE WAY	269.10
118-630-003	6019 GOLDEN EAGLE WAY	269.10
118-630-004	6021 GOLDEN EAGLE WAY	269.10
118-630-005	6023 GOLDEN EAGLE WAY	269.10
118-630-006	6025 GOLDEN EAGLE WAY	269.10
118-630-007	6027 GOLDEN EAGLE WAY	269.10



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APN	Situs Address	Levy
118-630-008	6031 GOLDEN EAGLE WAY	269.10
118-630-009	3072 WINDMILL CANYON DR	269.10
118-630-010	3070 WINDMILL CANYON DR	269.10
118-630-011	3068 WINDMILL CANYON DR	269.10
118-630-012	3066 WINDMILL CANYON DR	269.10
118-630-013	3064 WINDMILL CANYON DR	269.10
118-630-014	3062 WINDMILL CANYON DR	269.10
118-630-015	3060 WINDMILL CANYON DR	269.10
118-630-016	3058 WINDMILL CANYON DR	269.10
118-630-017	3056 WINDMILL CANYON DR	269.10
118-630-018	3054 WINDMILL CANYON DR	269.10
118-630-019	3055 WINDMILL CANYON DR	269.10
118-630-020	3057 WINDMILL CANYON DR	269.10
118-630-021	3059 WINDMILL CANYON DR	269.10
118-630-022	3061 WINDMILL CANYON DR	269.10
118-630-023	3063 WINDMILL CANYON DR	269.10
118-630-024	3065 WINDMILL CANYON DR	269.10
118-630-025	3067 WINDMILL CANYON DR	269.10
118-630-026	3069 WINDMILL CANYON DR	269.10
118-630-027	3071 WINDMILL CANYON DR	269.10
118-630-028	3073 WINDMILL CANYON DR	269.10
118-630-029	3075 WINDMILL CANYON DR	269.10
118-630-030	3077 WINDMILL CANYON DR	269.10
118-630-031	3079 WINDMILL CANYON DR	269.10
118-630-032	3081 WINDMILL CANYON DR	269.10
118-630-033	3083 WINDMILL CANYON DR	269.10
118-630-034	3085 WINDMILL CANYON DR	269.10
118-630-035	3087 WINDMILL CANYON DR	269.10
118-630-036	3090 WINDMILL CANYON DR	269.10
118-630-037	3088 WINDMILL CANYON DR	269.10
118-630-038	3084 WINDMILL CANYON DR	269.10
118-630-039	3080 WINDMILL CANYON DR	269.10
118-630-040	3078 WINDMILL CANYON DR	269.10
118-640-001	5171 KELLER RIDGE DR	402.06
118-640-002	5173 KELLER RIDGE DR	402.06
118-640-003	5175 KELLER RIDGE DR	402.06
118-640-004	5177 KELLER RIDGE DR	402.06
118-640-005	5179 KELLER RIDGE DR	402.06
118-640-006	5181 KELLER RIDGE DR	402.06
118-640-007	5183 KELLER RIDGE DR	402.06



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-640-008	5185 KELLER RIDGE DR	402.06
118-640-009	5187 KELLER RIDGE DR	402.06
118-640-010	5189 KELLER RIDGE DR	402.06
118-640-011	705 ACORN DR	402.06
118-640-012	707 ACORN DR	402.06
118-640-014	711 ACORN DR	402.06
118-640-015	713 ACORN DR	402.06
118-640-016	715 ACORN DR	402.06
118-640-017	717 ACORN DR	402.06
118-640-018	719 ACORN DR	402.06
118-640-019	721 ACORN DR	402.06
118-640-020	716 ACORN DR	402.06
118-640-022	901 DEER PL	402.06
118-640-024	905 DEER PL	402.06
118-640-025	904 DEER PL	402.06
118-640-026	902 DEER PL	402.06
118-640-027	5188 KELLER RIDGE DR	402.06
118-640-028	5186 KELLER RIDGE DR	402.06
118-640-029	5184 KELLER RIDGE DR	402.06
118-640-030	8001 KELOK WAY	402.06
118-640-031	8003 KELOK WAY	402.06
118-640-032	8005 KELOK WAY	402.06
118-640-033	8007 KELOK WAY	402.06
118-640-034	81 BEAR PL	402.06
118-640-035	83 BEAR PL	402.06
118-640-036	80 BEAR PL	402.06
118-640-037	8011 KELOK WAY	402.06
118-640-038	8010 KELOK WAY	402.06
118-640-039	8008 KELOK WAY	402.06
118-640-040	8006 KELOK WAY	402.06
118-640-041	8004 KELOK WAY	402.06
118-640-042	8002 KELOK WAY	402.06
118-640-043	8000 KELOK WAY	402.06
118-640-044	5174 KELLER RIDGE DR	402.06
118-640-046	903 DEER PL	402.06
118-640-047	714 ACORN DR	402.06
118-640-048	709 ACORN DR	402.06
118-650-001	5191 KELLER RIDGE DR	402.06
118-650-002	9001 ELK DR	402.06
118-650-003	9003 ELK DR	402.06



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-650-004	9005 ELK DR	402.06
118-650-005	701 ACORN DR	402.06
118-650-006	703 ACORN DR	402.06
118-650-007	908 DEER PL	402.06
118-650-008	906 DEER PL	402.06
118-650-009	801 GREY FOX PL	402.06
118-650-010	803 GREY FOX PL	402.06
118-650-011	805 GRAY FOX PL	402.06
118-650-012	807 GREY FOX PL	402.06
118-650-013	809 GREY FOX PL	402.06
118-650-014	806 GREY FOX PL	402.06
118-650-015	804 GREY FOX PL	402.06
118-650-016	800 GRAY FOX PL	402.06
118-650-017	9007 ELK DR	402.06
118-650-018	9009 ELK DR	402.06
118-650-019	9011 ELK DR	402.06
118-650-020	9013 ELK DR	402.06
118-650-021	9008 ELK DR	402.06
118-650-022	9006 ELK DR	402.06
118-650-023	9004 ELK DR	402.06
118-650-024	9002 ELK DR	402.06
118-650-025	5193 KELLER RIDGE DR	402.06
118-650-026	5194 KELLER RIDGE DR	402.06
118-650-027	5192 KELLER RIDGE DR	402.06
118-650-028	5190 KELLER RIDGE DR	402.06
118-650-029	85 BEAR PL	402.06
118-650-030	84 BEAR PL	402.06
118-650-031	82 BEAR PL	402.06
118-660-001	4405 COYOTE CIR	187.80
118-660-002	4407 COYOTE CIR	187.80
118-660-003	4403 COYOTE CIR	187.80
118-660-004	4401 COYOTE CIR	187.80
118-660-006	4307 COYOTE CIR	187.80
118-660-007	4305 COYOTE CIR	187.80
118-660-008	4301 COYOTE CIR	187.80
118-660-009	4303 COYOTE CIR	187.80
118-660-013	4005 COYOTE CIR	187.80
118-660-014	4007 COYOTE CIR	187.80
118-660-015	4003 COYOTE CIR	187.80
118-660-016	4001 COYOTE CIR	187.80



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-660-019	3407 COYOTE CIR	187.80
118-660-020	3405 COYOTE CIR	187.80
118-660-021	3401 COYOTE CIR	187.80
118-660-022	3403 COYOTE CIR	187.80
118-660-024	3307 COYOTE CIR	187.80
118-660-025	3305 COYOTE CIR	187.80
118-660-026	3301 COYOTE CIR	187.80
118-660-027	3303 COYOTE CIR	187.80
118-660-029	3205 COYOTE CIR	187.80
118-660-030	3207 COYOTE CIR	187.80
118-660-031	3203 COYOTE CIR	187.80
118-660-032	3201 COYOTE CIR	187.80
118-660-036	2907 COYOTE CIR	187.80
118-660-037	2905 COYOTE CIR	187.80
118-660-038	2901 COYOTE CIR	187.80
118-660-039	2903 COYOTE CIR	187.80
118-660-047	4207 COYOTE CIR	187.80
118-660-048	4205 COYOTE CIR	187.80
118-660-049	4201 COYOTE CIR	187.80
118-660-050	4203 COYOTE CIR	187.80
118-660-052	4107 COYOTE CIR	187.80
118-660-053	4105 COYOTE CIR	187.80
118-660-054	4101 COYOTE CIR	187.80
118-660-055	4103 COYOTE CIR	187.80
118-660-057	3105 COYOTE CIR	187.80
118-660-058	3107 COYOTE CIR	187.80
118-660-059	3103 COYOTE CIR	187.80
118-660-060	3101 COYOTE CIR	187.80
118-660-062	3005 COYOTE CIR	187.80
118-660-063	3007 COYOTE CIR	187.80
118-660-064	3003 COYOTE CIR	187.80
118-660-065	3001 COYOTE CIR	187.80
118-660-067	3507 COYOTE CIR	187.80
118-660-068	3505 COYOTE CIR	187.80
118-660-069	3501 COYOTE CIR	187.80
118-660-070	3503 COYOTE CIR	187.80
118-660-071	3104 COYOTE CIR	187.80
118-660-072	3102 COYOTE CIR	187.80
118-660-073	3106 COYOTE CIR	187.80
118-660-074	3108 COYOTE CIR	187.80



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-660-075	3902 COYOTE CIR	187.80
118-660-076	3904 COYOTE CIR	187.80
118-660-077	3906 COYOTE CIR	187.80
118-660-078	3908 COYOTE CIR	187.80
118-660-079	4104 COYOTE CIR	187.80
118-660-080	4102 COYOTE CIR	187.80
118-660-081	4106 COYOTE CIR	187.80
118-660-082	4108 COYOTE CIR	187.80
118-670-001	8012 KELOK WAY	402.06
118-670-002	8014 KELOK WAY	402.06
118-670-003	8016 KELOK WAY	402.06
118-670-004	8018 KELOK WAY	402.06
118-670-005	8020 KELOK WAY	402.06
118-670-006	8022 KELOK WAY	402.06
118-670-007	8024 KELOK WAY	402.06
118-670-008	8026 KELOK WAY	402.06
118-670-009	8028 KELOK WAY	402.06
118-670-010	8030 KELOK WAY	402.06
118-670-011	8032 KELOK WAY	402.06
118-670-012	8034 KELOK WAY	402.06
118-670-013	8036 KELOK WAY	402.06
118-670-014	8038 KELOK WAY	402.06
118-670-015	8040 KELOK WAY	402.06
118-670-016	8042 KELOK WAY	402.06
118-670-017	8053 KELOK WAY	402.06
118-670-018	8051 KELOK WAY	402.06
118-670-019	8049 KELOK WAY	402.06
118-670-020	8047 KELOK WAY	402.06
118-670-021	8045 KELOK WAY	402.06
118-670-022	8043 KELOK WAY	402.06
118-670-023	8041 KELOK WAY	402.06
118-670-024	8039 KELOK WAY	402.06
118-670-025	8037 KELOK WAY	402.06
118-670-026	5229 KELLER RIDGE DR	402.06
118-670-027	5227 KELLER RIDGE DR	402.06
118-670-028	5225 KELLER RIDGE DR	402.06
118-670-029	5223 KELLER RIDGE DR	402.06
118-670-030	5222 KELLER RIDGE DR	402.06
118-670-031	5224 KELLER RIDGE DR	402.06
118-670-032	5226 KELLER RIDGE DR	402.06



City of Clayton
Community Facilities District 1990-1R
Clayton Middle School
Fiscal Year 20158/19 Special Tax Roll

APN	Situs Address	Levy
118-670-033	5230 KELLER RIDGE DR	402.06
118-670-034	8027 KELOK WAY	402.06
118-670-035	8025 KELOK WAY	402.06
118-670-036	8023 KELOK WAY	402.06
118-670-037	8021 KELOK WAY	402.06
118-670-038	8019 KELOK WAY	402.06
118-670-039	8017 KELOK WAY	402.06
118-670-040	90 KELOK CT	402.06
118-670-041	92 KELOK CT	402.06
118-670-042	94 KELOK WAY	402.06
118-670-043	8015 KELOK WAY	402.06
118-670-044	8013 KELOK WAY	402.06
118-680-001	5221 KELLER RIDGE DR	402.06
118-680-002	5219 KELLER RIDGE DR	402.06
118-680-003	5217 KELLER RIDGE DR	402.06
118-680-004	5215 KELLER RIDGE DR	402.06
118-680-005	5213 KELLER RIDGE DR	402.06
118-680-006	5211 KELLER RIDGE DR	402.06
118-680-007	5209 KELLER RIDGE DR	402.06
118-680-008	5207 KELLER RIDGE DR	402.06
118-680-009	5205 KELLER RIDGE DR	402.06
118-680-010	5203 KELLER RIDGE DR	402.06
118-680-011	5201 KELLER RIDGE DR	402.06
118-680-012	5199 KELLER RIDGE DR	402.06
118-680-013	5197 KELLER RIDGE DR	402.06
118-680-014	5195 KELLER RIDGE DR	402.06
118-680-015	5198 KELLER RIDGE DR	402.06
118-680-016	5200 KELLER RIDGE DR	402.06
118-680-017	5202 KELLER RIDGE DR	402.06
118-680-018	5204 KELLER RIDGE DR	402.06
118-680-019	5206 KELLER RIDGE DR	402.06
118-680-020	5208 KELLER RIDGE DR	402.06
118-680-021	5210 KELLER RIDGE DR	402.06
118-680-022	5212 KELLER RIDGE DR	402.06
118-680-023	5214 KELLER RIDGE DR	402.06
118-680-024	5216 KELLER RIDGE DR	402.06
118-680-025	5218 KELLER RIDGE DR	402.06
118-680-026	5220 KELLER RIDGE DR	402.06
Totals:	1358 Parcels	\$393,793.54



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ORDINANCE NO. 274

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLAYTON AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN COMMUNITY FACILITIES DISTRICT NO. 1990-1 (MIDDLE SCHOOL)

WHEREAS, on May 1, 1990, the City Council of the City of Clayton, State of California (the "Council"), adopted its Resolution No. 30-90 (the "Resolution of Intention to Establish the District") stating its intention to form Community Facilities District No. 1990-1 of the City of Clayton (the "District") pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5 (commencing with Section 53311) of the California Government Code, commonly known as the "Mello-Roos Community Facilities Act of 1982" (the "Act"); and

WHEREAS, on May 1, 1990, the Council also adopted Resolution No. 31-90 (the "Resolution of Intention to Incur Bonded Indebtedness") stating its intention to incur bonded indebtedness in an amount not to exceed \$6,500,000 within the District for the purpose of financing the costs of certain facilities specified in the Resolution of Intention to Establish the District (the "Facilities"); and

WHEREAS, notice was published as required by law relative to the intention of this Council to form the proposed District and to incur bonded indebtedness in an amount not to exceed \$6,500,000 within the District; and

WHEREAS, on May 31, 1990, this Council convened noticed public hearings as required by law, (1) to determine whether it

should proceed with the formation of the District and authorize the rate, method of apportionment, and manner of collection of a special tax to be levied within the District for the purpose of paying for the Facilities, including the payment of interest on and principal of and other periodic costs on the bonds proposed to be issued to finance the Facilities, and the repayment of funds advanced to the District, and the annual administration expenses of the City and the District in determining, apportioning, levying and collecting such special tax and all incidental expenses authorized under the Act, and (2) on the proposal to incur the bonded indebtedness; and

WHEREAS, at said hearings all persons desiring to be heard on all matters pertaining to the formation of the District, the levy of the special tax, the proposed issuance of the bonded indebtedness, and all other matters set forth in the Resolution of Intention to Establish the District and the Resolution of Intention to Incur Bonded Indebtedness, were heard and considered and full and fair hearings were held thereon; and

WHEREAS, this Council, subsequent to said hearings, adopted Resolution No. 50-90 (the "Resolution of Formation") which established the District, determined the validity of prior proceedings relative to the formation of the District and the incurring of bonded indebtedness, authorized the levy of a special tax within the District and called an election for June 12, 1990, on the propositions of levying a special tax and establishing an appropriations limit within the District; and

WHEREAS, this Council, subsequent to said hearings, adopted Resolution No. 51-90 (the "Resolution to Incur Bonded Indebtedness") which determined the necessity of incurring bonded indebtedness in an amount not to exceed \$6,500,000 and called an election within the District for June 12, 1990, on the proposition of incurring bonded indebtedness; and

WHEREAS, on June 12, 1990, in accordance with the Resolution of Formation and the Resolution to Incur Bonded Indebtedness, a consolidated election was held within the District in which the qualified electors approved by more than a two-thirds vote the propositions of incurring the bonded indebtedness, levying a special tax, and establishing an appropriations limit within the District;

NOW, THEREFORE, the City Council of the City of Clayton, DOES ORDAIN as follows:

Section 1. The above recitals are all true and correct and this Council so finds and determines.

Section 2. By the passage of this Ordinance, this Council authorizes the levy of a special tax pursuant to the rate and method of apportionment set forth in Exhibit "A" attached hereto and incorporated by reference herein, being the rate and method of apportionment specified in the Resolution of Formation.

Section 3. This Council is hereby further authorized each year by resolution adopted within the time period, if any,

provided in the Act, to determine the specific special tax rate and amount to be levied for the next fiscal year, except that the special tax rate to be levied shall not exceed that set forth in Exhibit "A" hereto, but the special tax may be levied at a lower rate.

Section 4. Properties or entities of the state, federal or other local governments shall, except as otherwise provided in Sections 53317.3 and 53317.5 of the Act, be exempt from the special tax. No other properties or entities are exempt from the special tax unless the properties or entities are expressly exempted in the Resolution of Formation (and Exhibit "A" hereto), or in a resolution of consideration to levy a new special tax or special taxes or to alter the rate or method of apportionment or an existing special tax as provided in Section 53334 of the Act.

Section 5. All of the collections of the special tax shall be used as provided for in the Act and the Resolution of Formation. The special tax shall be levied only so long as needed for its purpose as described in the Resolution of Formation and the Resolution to Incur Bonded Indebtedness.

Section 6. The special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes, as such procedure may be modified by law from time to time.

Section 7. This Ordinance shall become effective thirty (30) days from and after its passage.

Section 8. Within fifteen (15) days after the passage of this Ordinance the City Clerk is hereby ordered and directed to certify to the passage of this Ordinance and, because there is no newspaper of general circulation published and circulated in the City, to cause the same to be posted in the following three public places in the City:

City Hall, 1007 Oak Street

Endeavor Hall, Oak at Center Street

Ohms Board in front of U.S. Post Office

* * * * *

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on June 19, 1990.

Passed, adopted and ordered posted at a regular meeting of the City Council of the City of Clayton held on July 3, 1990, by the following vote:

AYES: Councilmembers: Hall, Manning, Musto, Mayor Hawes.

NOTES: None

ABSENT: Vice Mayor Kendall



Mayor

ATTEST:



City Clerk

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 June 19, 1990, and was duly adopted, passed and ordered posted at a regular meeting of the City Council held on July 3, 1990.



City Clerk

CITY OF CLAYTON
CLAYTON MIDDLE SCHOOL FINANCING PROGRAM
COMMUNITY FACILITIES DISTRICT NO. 1990-1
SPECIAL TAX FORMULA

A special tax shall be levied on and collected from each parcel in Community Facilities District No. 1990-1, of the City of Clayton, in each fiscal year commencing on July 1, 1990, in an amount determined by the City Council of the City of Clayton through the application of the appropriate special tax for Residences and Residential Land.

The special tax shall be levied upon those lots and parcels listed in Table 1 within Subdivision 6990 (filed of record on December 20, 1988, in Book 328 of Maps, at Page 21, in the Official Records of the Contra Costa County Recorder) included within the boundaries of the community facilities district.

The special tax shall be levied on Residences and Residential Land.

Residence means a residential dwelling, and the subdivided lot upon which it is constructed, for which a certificate of occupancy has been issued by the City of Clayton.

Residential Land means those lots and parcels listed in Table 1 excepting (1) Residences and (2) any lands not zoned or designated by the City of Clayton for the construction of a Residence.

Wherever it is stated that the City of Clayton shall designate the number of Residences or the land on which Residences are to be constructed, such designation shall be made at the time a subdivision map is filed of record.

Residence Special Tax

The special tax will be levied against a Residence following the issuance of a certificate of occupancy. For each fiscal year (July 1—June 30), the special tax on a Residence will be levied against each Residence for which a certificate of occupancy has been issued by July 15 of that year.

The Special Tax for a Residence on a parcel showing one residence under ESTIMATED NUMBER OF RESIDENCES on Table 1 shall be the amount shown for that parcel under MAXIMUM SPECIAL TAX on Table 1.

The Special Tax for Residences on parcels showing a number greater than one under ESTIMATED NUMBER OF RESIDENCES on Table 1 shall be determined as follows: When a subdivision map for such parcel is filed of record, the Special Tax for Residences on such parcel shall be apportioned equally to each new lot and parcel created by the subdivision map based on the number of Residences

to be constructed thereon as designated by the City of Clayton; no Special Tax shall be apportioned to any lands not zoned or designated for the construction of a Residence. Upon any further resubdivision of a parcel created by such subdivision map, a further apportionment shall be made in a manner consistent with the preceding apportionment rules.

Residential Land Special Tax

Beginning July 1, 1991, and ending when there is no Residential Land in the community facilities district, a Residential Land Special Tax may be annually levied on the Residential Land. The total Residential Land Special Tax so levied shall be one hundred percent (100%) of the annual debt service, on the bonds to be issued by the community facilities district, for the following bond year (increased to one hundred five percent (105%) commencing July 1, 1997), less the total of the following amounts:

- The total Residence Special Taxes to be levied for that fiscal year
- Interest earnings available from unspent bond proceeds during the pre-development and construction period of the school, to the extent such earnings may be legally used to pay interest on the bonds for the following bond year pursuant to the Mello-Roos Community Facilities District Act of 1982.
- Any other funds which the City of Clayton determines are available to the community facilities district for payment of the debt service for the following bond year other than those funds which are designated for other purposes.

The total Residential Land Special Tax resulting from the above calculation, but not more than such total tax, shall be apportioned to the Residential Land as follows:

- a. The Maximum Residential Land Special Tax for each subdivided lot zoned or designated by the City of Clayton for the construction of a Residence shall be equal to the Maximum Residence Special Tax which would be levied on the lot if it were a Residence.
- b. The balance of the total Residential Land Special Tax shall be levied against all other parcels of Residential Land based on the anticipated number of Residences to be constructed thereon as determined by the City of Clayton.

The special taxes of the community facilities district will be collected in the same manner and at the same time as ad valorem property taxes.

EXHIBIT A

COMMUNITY FACILITIES DISTRICT NO. 1990-1

Description of Facilities

1. The acquisition of 400 thousand dollars of the site preparation work on the school site referenced in 2 below, and on a ballfield and playground park site to be conveyed to the City adjacent to said school site.
2. The construction of a middle school facility on a site to be conveyed to the Mt. Diablo Unified School District, said site being located on the easterly side of Marsh Creek Road between Bigelow Street and Regency Drive.

However, in the event a contract has not been awarded for the construction of the school by August 1, 1992, (or the extension of said date if agreed to by the current owner of the site), then the payment of school facility impact fees to said School District, plus one or more of the following alternative facilities:

- (a) the acquisition or construction of a fire station on a site to be located on Oakhurst Drive southerly of Clayton Road;
- (b) the acquisition or construction of a portion of the improvements to the ballfield and playground park site, referenced in 1 above, including, but not limited to, turf, bleachers, restrooms and drainage facilities. It is estimated that the cost of such improvements will exceed 5.5 million dollars. After allowing for the funding of the first 400 thousand dollars thereof pursuant to 1, above, it is anticipated that the next 2.68 million dollars thereof will be funded from other sources (such as the Oakhurst Assessment District). The remaining 2.42 million dollar portion of said improvements is to be funded by Community Facilities District No. 1990-1.

It is recognized that, in the event the school is not constructed so that the City undertakes the acquisition and construction of the alternative facilities set forth in (a) and (b), above, there may not be sufficient monies from the proceeds of the sale of the bonds proposed to be issued to acquire and construct all of the alternative facilities. It is intended that the alternative facilities to be

acquired and constructed in the descending order of priority set forth above. To the extent any alternative facility has not been acquired or constructed at the time the City determines that all of the bond proceeds have been expended, then such facility not acquired or constructed shall, from the date of such determination, be deemed removed from this description of facilities.

3. The above-listed types of facilities are proposed to include incidental expenses as authorized by the Mello-Roos Community Facilities Act of 1982, including, but not limited to, the cost of planning and designing the facilities (including the cost of environmental evaluations thereof); costs associated with the creation of the District, issuance of the bonds thereof, determination of the amount of taxes, collection of taxes, payment of taxes, or costs otherwise incurred in order to carry out the authorized purposes of the District; and any other expenses incidental to the construction, completion, and inspection of the facilities.

"Middle School" Community Facilities District No. 1990-1 – Fund No. 420

As its name implies, this fund manages the annual collection of the real property Mello-Roos special parcel tax that helped finance the construction of the Diablo View Middle School, a 2007 and 2013 recognized CA Distinguished School. During FY 2007-08 the outstanding district debt was refunded to obtain a lower interest rate on the remaining principal (see Fund No. 422). This was a City-initiated transaction which resulted in lower annual payments for the assessed real property owners of this district (Oakhurst Development properties). The remainder of district budgeted expenses pays for required debt administration costs.

Professional bond trustee administration fees are incurred to manage the retirement of the district's debt. In FY 2018-19 debt service payments on the 1997 local obligations total approximately \$402,061 after the application of a debt service credit from the CFA of \$82,000 after applying savings arising from the bond refunding. Without the application of the debt service levy credit, total regular scheduled debt service on the 1997 local obligations would be \$484,061 in FY 2018-19.

Consistent with past years, in FY 2018-19 the projected special parcel tax revenue of approximately \$393,802 is less than expenditures as it incorporates a levy reduction credit of approximately \$125,559 (\$82,000 CFA debt service credit and \$46,029 district reserves use). This levy reduction has been implemented annually to gradually apply savings resulting from the bond refunding. When compared to the prior year district special tax levy, FY 2018-19 reflects a levy reduction of \$4,000 to be shared amongst the district tax payers. The district is projected to close FY 2018-19 with a positive reserve balance of **\$279,036.**

City of Clayton
 Middle School Community Facilities District 1990-1 - Fund 420
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7381	Property Tax Admin Cost	1,404	1,404	1,404	1,404
7419	Other Prof. Services	18,657	18,450	18,846	18,760
7420	Other Outside Services	16,452	16,452	16,452	16,950
7611	Principal	316,000	342,000	342,000	362,000
7612	Interest Expense	80,347	60,952	60,952	40,061
7613	Paying Agent Fees	715	2,000	1,980	2,000
7615	Property Taxes	603	603	603	650
Total Expenditures		434,178	441,861	442,237	441,825
4609	Middle School CFD 1990-1 Parcel Tax	401,799	397,802	397,796	393,796
5601	Interest Income	3,024	2,500	1,930	2,000
5606	Unrealized Investment Gain/Loss	(4,070)	-	-	-
Total Revenue		400,753	400,302	399,726	395,796
Increase (Decrease) in Fund Balance		400,753	(41,559)	(42,511)	(46,029)
Beginning Fund Balance		397,985	367,576	367,576	325,065
Ending Fund Balance		367,576	326,017	325,065	279,036

For financial reporting purposes, the Middle School CFD 1990-1 Fund (No. 420) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

CFA 2007 Refunding Bonds Agency Fund – Fund No. 422

In 1997 the Clayton Financing Authority (CFA) issued \$7.16 million in Special Tax Bonds to finance in part the construction of the Diablo View Middle School (see Fund No. 420). Approximately \$5.285 million remained outstanding on the debt carrying a final maturity date of 2022. In May 2007 the CFA's Board of Directors (City Council) determined it was financially advantageous to the Oakhurst Development real property owners for the CFA to refinance the outstanding debt to achieve savings in annual debt payments. Upon its issuance the refunding action captured a savings of \$600,000 to the Middle School Community Facilities District 1990-1 (CFD 1990-1) saving individual property taxpayers approximately \$20 - \$51 per year. Bond interest rates fell from the range of 5.25% - 5.90% down to 3.5% - 4.2%. As the CFA is the owner of the 1997 local obligations, the 2007 Refunding Bonds are ultimately secured by the annual special parcel tax levy from CFD 1990-1 and the corresponding annual payment on the 1997 local obligations.

Debt service on the 2007 refunding bonds total \$433,595 in FY 2018-19. Payments received pertaining to the 1997 local obligations from CFD 1990-1 will be sufficient to meet the required 2007 refunding bonds debt service. Consistent with the prior year, this fund is projected to utilize reserves in order to apply a debt service credit to the FY 2018-19 "Middle School" CFD 1990-1 special parcel tax levy (See Fund No. 420). A systematic and gradual utilization of reserves (bond refunding savings) is planned through the maturity of the 2007 refunding bonds in FY 2022-23. The fund is projected to close FY 2018-19 with a positive reserve balance of **\$462,811**, of which \$251,990 (54.4%) pertains to the 2007 bonds' reserve fund held with the bond trustee and restricted for future debt service per the bond indenture.

City of Clayton
 Clayton Financing Authority 2007 Middle School Refunding Bonds - Fund 422
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7419	Other Prof. Services	6,646	6,400	6,371	6,550
2804	Principal Payment (CFA 2007)	325,000	355,000	355,000	370,000
7612	Interest Expense	92,159	78,291	92,161	63,595
7613	Paying Agent Fees	2,310	2,310	2,310	2,310
Total Expenditures		426,115	442,001	455,842	442,455
5601	Interest Income	1,730	1,500	2,840	1,750
5606	Unrealized Investment Gain/ Loss	(1,241)	-	-	-
5701	Reimbursements/Refunds (CFD 1990-1)	8,956	9,000	8,681	8,860
5815	Interest on Loans/Bonds	73,471	53,539	53,539	32,211
1251	Principal Payment (CFD 1990-1)	316,000	342,000	342,000	362,000
Total Revenue		398,916	406,039	407,060	404,821
Increase (Decrease) in Fund Balance		(27,199)	(35,962)	(48,782)	(37,634)
Beginning Fund Balance		575,317	549,227	549,227	500,445
Ending Fund Balance		549,227	513,265	500,445	462,811

Restricted Portion of Fund Balance Includes:

CFD 1990-1 Special Tax Fund (Trustee)	153,045	115,226	133,300	113,300
2007 CFA TAB Reserve Fund (Trustee)	251,990	251,990	251,990	251,990
Total	405,035	367,216	385,290	365,290

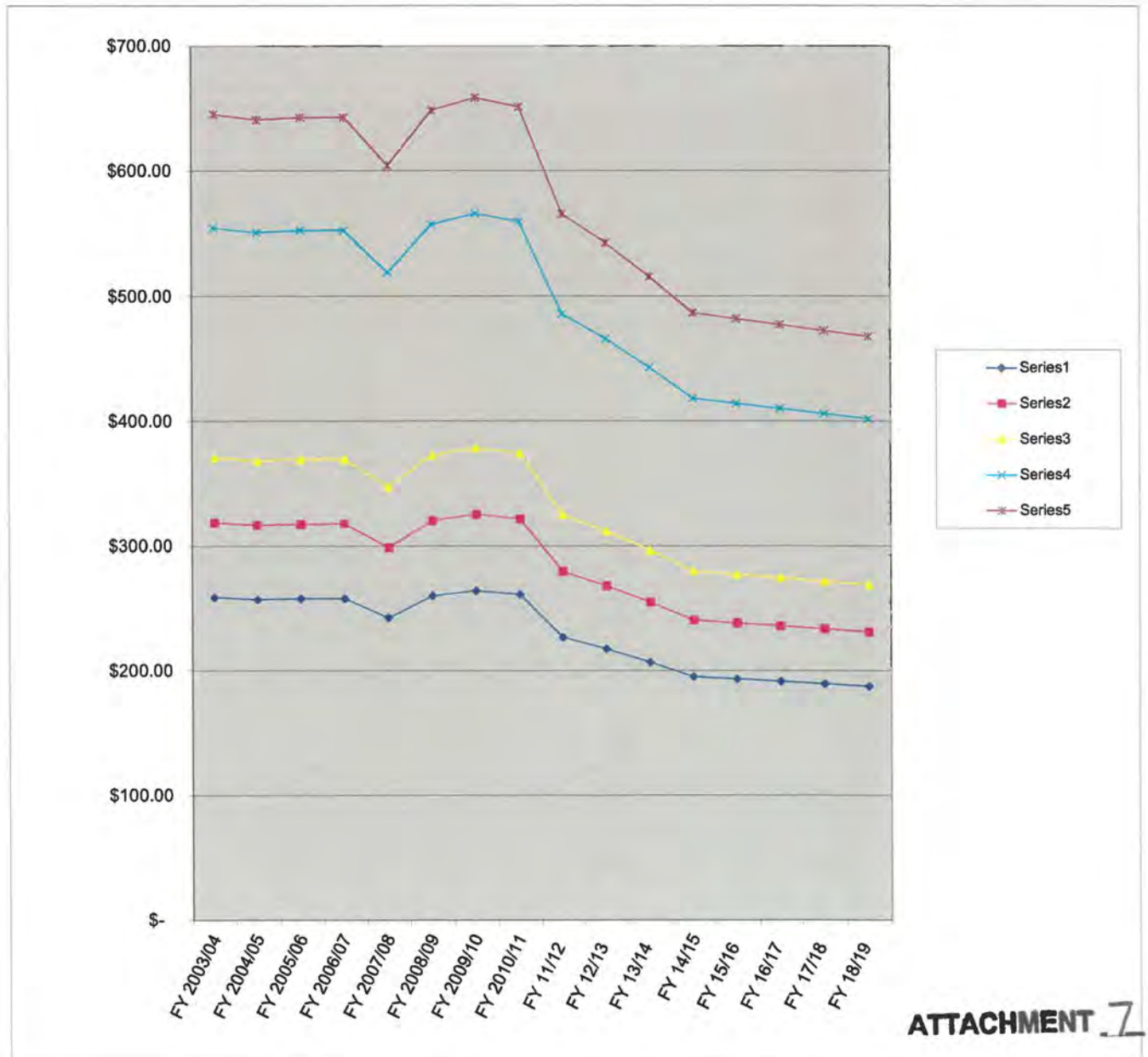
For financial reporting purposes, the Clayton Financing Authority 2007 Middle School Refunding Bonds Fund (No. 422) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

Middle School CFD Parcel Levy History Amounts by Category of Dollar Amount

	rate series 1	rate series 2	rate series 3	rate series 4	rate series 5	series 5 ex
FY 2003/04	\$ 259.00	\$ 318.98	\$ 371.12	\$ 554.52	\$ 645.34	
FY 2004/05	\$ 257.20	\$ 316.76	\$ 368.54	\$ 550.66	\$ 640.84	
FY 2005/06	\$ 257.94	\$ 317.66	\$ 369.60	\$ 552.24	\$ 642.70	
FY 2006/07	\$ 258.02	\$ 317.76	\$ 369.72	\$ 552.40	\$ 642.88	refi May 2007
FY 2007/08	\$ 242.60	\$ 298.78	\$ 347.62	\$ 519.40	\$ 604.48	\$ (38.40)
FY 2008/09	\$ 260.30	\$ 320.58	\$ 373.00	\$ 557.30	\$ 648.60	\$ 44.12
FY 2009/10	\$ 264.40	\$ 325.62	\$ 378.86	\$ 566.08	\$ 658.80	\$ 10.20
FY 2010/11	\$ 261.42	\$ 321.96	\$ 374.60	\$ 559.70	\$ 651.38	\$ (7.42)
FY 11/12	\$ 227.02	\$ 279.58	\$ 325.28	\$ 486.04	\$ 565.64	\$ (85.74)
FY 12/13	\$ 217.84	\$ 268.28	\$ 312.14	\$ 466.38	\$ 542.78	\$ (22.86)
FY 13/14	\$ 207.10	\$ 255.06	\$ 296.76	\$ 443.40	\$ 516.02	\$ (26.76)
FY 14/15	\$ 195.44	\$ 240.68	\$ 280.04	\$ 418.42	\$ 486.94	\$ (29.08)
FY 15/16	\$ 193.52	\$ 238.34	\$ 277.30	\$ 414.32	\$ 482.20	\$ (4.74)
FY 16/17	\$ 191.62	\$ 235.98	\$ 274.56	\$ 410.24	\$ 477.44	\$ (4.76)
FY 17/18	\$ 189.70	\$ 233.64	\$ 271.82	\$ 406.16	\$ 472.68	\$ (4.76)
FY 18/19	\$ 187.80	\$ 231.28	\$ 269.10	\$ 402.06	\$ 467.92	\$ (4.76)
				net change series 5 example		\$ (174.96)

this reduction made up for over levy in FY 08/09 & 09/10 plus reg reduction for 11/12

Number of Parcels 305 315 322 275 140





Agenda Date: 6-19-2018

Agenda Item: 5f

Approved:

Gary A. Nappi
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 19 JUNE 2018

SUBJECT: ADOPT A RESOLUTION REGARDING EMPLOYER PICK-UP OF EMPLOYEE CONTRIBUTIONS TOWARDS EMPLOYER CALPERS PENSION COSTS

RECOMMENDATION

It is recommended the City Council, by Consent Calendar minute motion, adopt the attached Resolution (pursuant to Government Code Section 20516(f)) establishing regulation of and pre-tax deduction status to certain City employee additional CalPERS contributions to the City's (Employer's) retirement pension costs.

BACKGROUND

As one component of the collective bargaining results just concluded during good-faith negotiations with the Clayton Police Officers Association (CPOA), the Tier 1 Classic Employees of this bargaining unit (4 remaining of 10 sworn employees) agreed to commence paying additional contributions towards the City's portion of expense for their CalPERS retirement benefit plan of 3% at age 55. In FY 2018-19 the City's Public Safety "Classic Tier 1" pension plan has an employer (City) cost of 17.614% of PERSable compensation, which rate is expected to rise to 18.4% in FY 2019-20 and to 19.9% in FY 2020-21. This plan's additional fixed cost payment for unfunded actuarial liability (UAL) is also calculated by CalPERS at \$125,476 in FY 2018-19 and rises in subsequent years.

California Government Code Section 20516(f) allows such employee payments to the City's share of pension expense to be made as a cost-share arrangement without a formal CalPERS contract amendment provided the agreement arises pursuant to a memorandum of understanding (MOU). Such is the case emanating from a new 3-Year MOU with the CPOA, which formal approval by the City Council is also set on this June 19th Agenda. The negotiated intent of this additional cost-sharing deduction is to ensure the employee contributions are credited to the employer's CalPERS pension payments, and not the applicable employees.

The purpose of this Resolution is to document the commencement of these employee cost-share contributions starting in FY 2018-19 for the CPOA. The Resolution is written generically without specific reference to the CPOA such that it can pertain to any future contributions negotiated with other employees and bargaining groups of the City.

This Resolution further establishes these cost-share pension contributions are to be made on a pre-tax basis relative to the Internal Revenue Service's (IRS) regulations (ref. sections 414(h)(2)) and any future IRS audits of the City's payroll system.

FISCAL IMPACT

Adoption of this Resolution is for the City's compliance of California Government Code Section 20516(f) and is consistent with implementation of the negotiated MOU between the City and the CPOA for commencement of a cost-sharing arrangement for Classic Tier 1 public safety employee contributions towards the employer's pension costs. Its fiscal impact is positive to the City as it will allow the City's rising employer pension expense to be partially offset by additional employee contributions.

Attachment: Resolution [3 pp.]

RESOLUTION NO. xx - 2018

**A RESOLUTION REGARDING NEGOTIATED EMPLOYER PICK-UP
OF EMPLOYEE CONTRIBUTIONS TOWARDS EMPLOYER PENSION
COSTS CONCERNING THE CITY'S CONTRACT WITH THE
CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM**

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

WHEREAS, the City of Clayton has the authority to implement Government Code section 20516(f), which authorizes, under certain specified conditions, the City and its employees to share the costs of the employer contribution towards retirement benefits under the CalPERS retirement benefit plan ("CalPERS Plan"); and

WHEREAS, pursuant to section 20516(f), certain City employees, as specified in applicable memoranda of understanding (MOUs) or other City resolutions, policies or agreements, contribute an agreed percentage of their base salary ("Contributions") towards the City's cost of the CalPERS retirement benefits provided for such employees; and

WHEREAS, section 20516(f) authorizes the City to implement cost-sharing arrangements without amending its existing pension contract with CalPERS; and

WHEREAS, pursuant to the terms of the CalPERS Plan, the Contributions shall continue to be designated as employer contributions; and

WHEREAS, section 3401(a)(12)(A) of the Internal Revenue Code ("Code") excludes employer contributions from an employee's wages until such time as such contributions are distributed to the employee; and

WHEREAS, as a result of the preceding, the Contributions will be taken on a pre-tax basis since the Contributions are considered by the CalPERS Plan to be employer contributions; and

WHEREAS, in the event the IRS takes a contrary position, concluding that the Contributions should be characterized as employee contributions rather than employer contributions, the City wishes to ensure the Contributions are not treated as currently taxable to employees; and

WHEREAS, notwithstanding its position that the Contributions are deemed to be employer contributions by the CalPERS Plan and, therefore, excludable from an employee's income until distributed, the City wishes to implement the provisions of section 414(h)(2) of the Code; and

WHEREAS, pursuant to section 414(h)(2), employee contributions to a public employer pension plan may be picked up on a pre-tax basis by the public employer and excluded from an employee's gross income if the employer specifies the contributions, although designated as employee contributions to the plan, are being paid by the employer in lieu of contributions by the employee, and the employee cannot choose to receive the amounts directly instead of having them paid by the employer; and

WHEREAS, the City has determined that, even though the implementation of the provisions of section 414(h)(2) is not required by law, the tax benefits of section 414(h)(2) in reducing taxable employee gross income should be provided to its employees who are members of CalPERS; and

WHEREAS, Internal Revenue Service Revenue Ruling 2006-43 requires the City take contemporaneous action evidencing an intent to establish a proper pick-up under section 414(h)(2).

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

SECTION 1. That certain "classic member" employees ("Employees") of the City will contribute a certain percentage of their PERSable compensation as specified in applicable memoranda of understanding (MOU). These Contributions shall be allocated toward the City's cost of the CalPERS retirement benefits provided to Employees under the CalPERS Plan. "Contributions" shall mean those contributions to CalPERS which are deducted from the salary of employees and are credited to the employer account pursuant to California Government Code section 20516(f).

SECTION 2. That the City will implement the provisions of Code section 414(h)(2) with respect to the Contributions.

SECTION 3. The Contributions, which may be designated as employee contributions by the Internal Revenue Service, will be picked up on a pre-tax basis by the City in lieu of employee contributions so that such Contributions are treated as employer contributions.

SECTION 4. An Employee may not elect to receive Contributions directly instead of having them paid by the City to the CalPERS Plan.

SECTION 5. Amounts picked up by the City shall be paid from the same sources of funds as used in paying salary.

SECTION 6. The effective date of the pick up by the City shall be no earlier than the effective date of this Resolution and the pick-up applies only to Contributions made after this effective date.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton, California at a public meeting thereof held the 19th day of June, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk



Agenda Date: 6-19-2018

Agenda Item: 5g

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CITY MANAGER

DATE: 19 JUNE 2018

SUBJECT: APPROVE A THREE (3) YEAR COLLECTIVE BARGAINING AGREEMENT WITH THE CLAYTON POLICE OFFICERS' ASSOCIATION (CPOA)

RECOMMENDATION

It is recommended the City Council adopt the attached Resolution authorizing and approving a negotiated three (3) year Memorandum of Understanding (MOU) with the Clayton Police Officers' Association (CPOA), effective 01 July 2018 through 30 June 2021, establishing terms and conditions of employment and employee compensation for sworn law enforcement officers with the City of Clayton.

BACKGROUND

On 07 July 2015 a three (3) year MOU by and between the City and the Clayton Police Officers' Association (CPOA) was approved to cover employer-employee terms and conditions of employment of this recognized collective bargaining unit. The CPOA represents the ten (10) sworn public safety members of the law enforcement unit employed by the City as its Clayton Police Department (excludes the Chief of Police). This action was in accord with California state laws that require a public employer and each of its organized and recognized or undesignated collective bargaining units to meet and confer over terms and conditions of employment and compensation prior to the expiration of an associated collective bargaining contract (ref. *Government Code Section 3500, et. seq.*), often known or referred to as a "Memorandum of Understanding" ("MOU").

That three (3) year MOU is set to expire on 30 June 2018.

MEET AND CONFER DISCUSSIONS

By City Council direction, the City Manager (as the Council's designated labor negotiator) and CPOA representatives met and conferred at several meetings to negotiate a new Agreement during the months of April and May 2018.

After exchanges of proposals and counter-proposals, the CPOA notified the City Manager on 17 May 2018 that its members had ratified the new and revised MOU deal points contained in the last exchange. The latest proposal is in harmony with the City Council instructions to its labor negotiator in its last noticed closed session on 15 May 2018; therefore, the MOU has been prepared for public review and City Council adoption at this meeting.

SUMMATION OF NEW AGREEMENT

The parties have agreed to the following new or amended employment terms and conditions to the base MOU:

1. The term of the MOU will be three (3) years effective 01 July 2018 through 30 June 2021;

2. Cost-of-living (COLA) adjustments will be made to the base salary for the job classifications of Police Officer and of Police Sergeant according to the schedule below (ref. Article 7 of MOU):
 - a. Four and one-half percent (4.5%) COLA effective the City pay period commencing 02 July 2018;
 - b. Four and one-half percent (4.5%) COLA effective the City pay period commencing 04 July 2019; and
 - c. Four and one-half percent (4.5%) COLA effective the City pay period commencing 29 June 2020.

3. Tier I and Tier II "Classic" participants in the City's Public Safety CalPERS pension system (note: 4 of the 10 CPOA members are Tier 1 "Classic" CalPERS members) will commence paying a portion of the City's CalPERS Employer rate according to the following schedule (ref. Article 9 of MOU):
 - a. Effective the City pay-period commencing 02 July 2018, Tiers I and II CalPERS members will start paying an additional one-half of one percent (0.5%) of one's PERSable compensation towards the City's Employer Contribution rate;

- b. Effective the City pay-period commencing 04 July 2019, Tiers I and II CalPERS members will start paying an additional three-quarters of one percent (0.75%) more of a member's PERSable compensation, for a total contribution of 1.25%, towards the City's CalPERS Employer Contribution rate; and
 - c. Effective the City pay-period commencing 29 June 2020, Tiers 1 and II CalPERS members will pay an additional one percent (1%) more of a member's PERSable compensation, for a total contribution of 2.25%, towards the City's CalPERS Employer Contribution rate.
4. Language changes or additions were agreed upon involving Article 11.2 – Shift Trades, Article 16 – Corrective Counseling Documents, and Article 17 – Disciplinary Process, largely to conform the MOU with current operating standards of the Department
 5. All other terms and conditions contained in the expiring three (3) year MOU remain in full force and effect without alteration or amendment.

FISCAL IMPACT

During the three years of the expiring MOU, employees of this unit received a cumulative base salary increase of 12.125% while the Consumer Price Index (CPI) in the Bay Area rose 9.38% (June 2015 – April 2018). Although the most recent one year CPI is presently 3.22% (April 2017 – April 2018), the City Council expressed interest in working with the CPOA to accelerate the base salary of its law enforcement officers to become and remain an attractive police work force for its existing and future personnel.

Overall this multi-year MOU presents a calculated (3) year net cost to the City of \$192,421 as follows:

<u>FY 2018-19</u>	<u>FY 2019-20</u>	<u>FY 2020-21</u>
\$46,609	\$64,272	\$81,540

Assumptions incorporated into this financial projection are all existing unit employees remain with the Clayton Police Department. In all likelihood, the more seasoned/veteran personnel may retire or attrition to larger/better paying police agencies to be replaced by younger and first-time officers at initially lower pay scales. That trend will reduce the financial impact calculated above.

The recommended City Budget for FY 2018-19 projects an annual excess in the General Fund of approximately \$101,970 without this impact. All expenses for this particular collective bargaining unit are borne by the City's General Fund; law enforcement operations of the City are paid by general tax revenues. Therefore, the financial impact by approval of this negotiated MOU will reduce the projected General Fund annual excess in FY 2018-19 to a still positive amount of \$55,361. Over the last several fiscal years the City has reported a closing General Fund excess exceeding \$100,000 each year.

- Attachments:
1. Resolution approving a three (3) year MOU with the CPOA [2 pp.]
 2. "Exhibit A", new MOU [23 pp.]
 3. Red-lined copy of expiring MOU [24 pp.]

RESOLUTION NO. xx - 2018

**A RESOLUTION APPROVING A NEGOTIATED THREE (3) YEAR
MEMORANDUM OF UNDERSTANDING WITH THE CLAYTON POLICE
OFFICERS' ASSOCIATION EFFECTIVE JULY 2018 THROUGH JUNE 2021**

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

WHEREAS, authorized labor representatives of the City of Clayton and the Clayton Police Officers' Association (CPOA) did meet and confer in good faith regarding certain matters including, but not limited to, wages, hours, and terms and conditions of employment with the City, pursuant to *California Government Code* Section 3500, et. seq.; and

WHEREAS, the parties to the aforementioned negotiations have set forth a three (3) year Memorandum of Understanding (MOU) that encompasses the full and complete agreements reached between the parties as a result of said good faith negotiations; and

WHEREAS, the proposed modifications and agreements to the MOU contained and described in its entirety as Exhibit "A", incorporated herein by reference to this Resolution, were presented to the members of the Clayton Police Officers' Association and it has subsequently represented to the City's designated labor negotiator of its ratification and approval, witnessed by the signatures of the authorized representatives of the CPOA on the signature page of said MOU; and

WHEREAS, the City Manager, as the City's designated labor negotiator, does herein recommend approval of the proposed and continuing terms and conditions contained in said MOU, as outlined in its entirety in Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby accept and approve the attached Memorandum of Understanding (Exhibit "A") by and between the City and the Clayton Police Officers' Association during the term thereof, effective 01 July 2018 through 30 June 2021, and does duly authorize and instruct its City Manager to implement the agreed-upon terms and conditions accordingly.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 19th day of June 2018 by the following vote:

Resolution No. - 2018
3-Year MOU with Clayton Police Officers' Association
19 June 2018

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CLAYTON AND THE CLAYTON POLICE OFFICERS' ASSOCIATION

ARTICLE 1: PREAMBLE

This Memorandum of Understanding, pursuant to the State of California Government Code Section 3500 et seq., entered into by the City of Clayton, hereinafter referred to as "City", and the Clayton Police Officers' Association, hereinafter referred to as "CPOA", the recognized employee organization for sworn police personnel, excepting the Chief of Police, is hereby effective 01 July 2018 through 30 June 2021.

It is the intent and purpose of the Memorandum of Understanding, hereinafter referred to as "MOU", to set forth the understanding of the parties reached as a result of meeting and conferring in good faith regarding, but not limited to, matters relating to wages, hours, and terms and conditions of employees represented by the CPOA.

ARTICLE 2: SAVINGS CLAUSE

If any section, subsection, subdivision, sentence, clause or phrase of this MOU is, for any reason, held to be illegal or unconstitutional, such holding shall not affect the validity of the remaining portions of this MOU.

ARTICLE 3: MANAGEMENT RIGHTS

Section 3.1

Except as otherwise specifically provided and subject to applicable laws, the City has and retains sole and exclusive rights and functions of management, including, but not limited to, the following:

- A. To determine the nature, standards, and extent of services to be performed, as well as the right to determine and implement its public function and responsibility.
- B. To manage all facilities and operations of the City, including the methods, means, and numbers and kinds of personnel by which the City operations are to be conducted.
- C. To direct the working forces, including the right to hire, assign, promote, demote, or transfer any employee.
- D. To assign work to and schedule employees in accordance with requirements as determined by the City, and to establish and change work schedules and assignments upon reasonable notice.

E. To discharge, suspend, demote, reprimand, withhold merit increases or otherwise discipline employees in accordance with applicable law.

F. To determine policies, procedures, and standards affecting the selection, training, and promotion of employees.

G. To establish, assess, and implement employee performance standards, including, but not limited to, quality and quantity standards, the assessment of employee performances, and the procedures for said assessment.

H. To determine the assignment of specific personnel and the duration of each assignment for the day watch "Administrative Sergeant" at the sole discretion of the Chief of Police, which assignment and its term are not subject to grievance, disciplinary appeal or any applicable loss in compensation, organizational status or rank; its operation herein is not subject to the *White* decision.

Section 3.2

CPOA recognizes the City has and will continue to retain the unilateral and exclusive right to operate, administer, and manage its municipal services and work force, performing those services in all respects subject to this MOU.

ARTICLE 4: ASSOCIATION AND EMPLOYEE RIGHTS

Section 4.1

The City recognizes the employees' rights to self-organization and to be represented by employee organizations of their own choosing as set forth in Chapter 10, Division 4 of the Government Code of the State of California.

Section 4.2

CPOA is entitled to use non-public area bulletin boards on City property for the purpose of posting notices of meetings and other official CPOA business with the understanding that material derogatory to or of the City will not be posted.

Section 4.3

CPOA representatives will be permitted access to work locations to confer with City employee members on matters of employer – employee relationship but not such internal employee organization business as soliciting membership, campaigning for office, and the organization meetings and elections. Such representatives shall not interfere with the efficiency, safety and security of City operations or in any way interfere with work in progress.

Section 4.4

City will provide to CPOA certain meeting space outside normal working hours, provided such space is available. Requests for use of facilities shall be made in advance and approved by the City.

Section 4.5 Personnel Files.

The City's secured personnel files, maintained in the City offices, are not subject to public inspection. Any employee has the right to inspect their own personnel file. An employee has the right, in accordance with law, to respond in writing to anything contained or placed in their own personnel file and any such response(s) shall become part of their personnel file.

ARTICLE 5: UNIT DESCRIPTION

Section 5.1

The following job classifications are represented by the CPOA and are members of this unit:

Job Classifications – Sworn Personnel

Police Sergeant

Police Officer

ARTICLE 6: DUES DEDUCTION

City shall provide payroll deductions of membership dues and legal assistance plan sponsored by CPOA/PORAC, upon the written authorization of employees described in Article 5 above and on forms provided by the City. The provision of such service to CPOA by the City shall be contingent upon and in accordance with the provisions of City ordinances, resolutions, memoranda of understanding, and applicable administrative procedures.

ARTICLE 7: COMPENSATION

Section 7.1 Wages.

A. Effective 02 July 2018, the monthly base salary ranges for the following classifications shall be:

<u>Classification</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Police Sergeant	6435	6757	7095	7449	7822
Police Officer	5476	5750	6038	6340	6657

B. Effective 01 July 2019, the monthly base salary ranges for the following classifications shall be:

<u>Classification</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Police Sergeant	6725	7061	7414	7785	8174
Police Officer	5723	6009	6310	6625	6957

C. Effective 29 June 2020, the monthly base salary ranges for the following classifications shall be:

<u>Classification</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Police Sergeant	7027	7379	7748	8135	8542
Police Officer	5981	6280	6594	6924	7270

Section 7.2 Salary Advancement

Assigned salary ranges normally contain five (5) steps, A through E. Employees move through these salary steps subject to satisfactory performance. Step "A" is an at-will eighteen (18) month probationary position.

Regular employees shall be eligible for step salary advancement consideration as follows:

1. To the "B" rate of the salary step schedule after successful completion of eighteen (18) months at the "A" rate. The date of this increase shall become the employee's salary review date for purposes of eligibility for future merit step increases.
2. To the "C" rate of the salary step schedule after successful completion of one (1) year at the "B" rate.
3. To the "D" rate of the salary step schedule after successful completion of one (1) year at the "C" rate.
4. To the "E" rate of the salary step schedule after successful completion of one (1) year at the "D" rate.

When an employee (except laterals) is hired at a salary rate other than Step "A" of the salary step schedule assigned to the classification, the employee shall be eligible for a step increase eighteen (18) months from the date of employment, and this date shall

become the employee's salary review date for purposes of eligibility for future merit increases. Thereafter, the above merit pay procedure shall be followed. Laterals will remain at a twelve (12) month probation period and be eligible to receive a salary step increase after twelve (12) months of full time services.

Salary advancements are granted for continued meritorious and efficient service, and after continued improvements in assigned tasks, in conjunction with performance appraisal procedures. Recommendations for salary advancement are initiated by immediate supervisors and are then forwarded to the Chief of Police for acceptance. These recommendations are then transmitted to the City Manager for approval.

Salary step advancements are not guaranteed. When an employee is denied a merit step increase, the employee shall be informed of such and the reasons therefore in writing. The employee shall be reconsidered for advancement within six (6) months, and if still denied at that time, may be reconsidered for advancement at any subsequent time recommended by the Chief of Police.

Employees who have received internal promotions, if assigned to a salary step in the new classification salary range offering a minimum five percent (5%) salary increase, shall be eligible for a step increase upon successful completion of twelve (12) months in the new position. If employees are placed on a higher salary step than this, based upon the recommendation of the Chief of Police and approval of the City Manager, they shall be eligible to advance to the next step of the new classification salary range one (1) year from the date of their promotion. This promotion date shall also become the employee's new salary review date for purposes of eligibility for future merit salary increases.

Section 7.3 Uniform Program

The Uniform Program is for sworn personnel only.

The purpose of this Uniform Program is to provide uniforms to those personnel who are required to perform duties that require identifying uniforms. All identifying patches, badges, etc., purchased by the City for an employee must be returned to the City when an employee terminates City employment. To make the program effective, all eligible employees shall be required, as a condition of their employment, to participate in accordance with this policy. All personnel required under the program to wear uniforms must comply with departmental rules and regulations.

A. Sworn Police Personnel

Sworn police personnel shall receive a uniform allowance of nine hundred dollars (\$900.00) per year payable in two equal increments of four hundred fifty dollars (\$450.00) each according to the following payment schedule:

\$450.00 in the first pay period of the fiscal year; and
\$450.00 in the final pay period of the calendar year.

New employees shall receive one uniform allowance increment initially upon appointment and unless the new employee commences employment on the start of a fiscal year, the uniform allowance for that initial increment shall be pro-rated.

Section 7.4 Deferred Compensation Plan

At least one (1) deferred compensation plan shall be offered by the City and made available to all employees in this unit, which provides for tax-deferred savings and/or a retirement supplement. Employee deposits into such plan(s) shall be made by payroll deduction and at monetary levels of the employee's choice, subject to the maximum(s) allowed according to Internal Revenue Service (IRS) regulations and laws.

Section 7.5 Sick Leave Incentive

Sworn members of the CPOA will be awarded an additional four (4) hours of vacation time for every three (3) consecutive months during which sick leave was not used by the member after one's accrual of two hundred forty (240) hours of sick leave time.

Any officer who believes he or she is eligible for the sick leave incentive under the terms of Section 7.5 shall submit a written request with one's payroll time card to Payroll staff in the Finance Department requesting the incentive hours to be awarded. The written request shall specify the beginning and ending dates of the quarter for which the incentive is being sought.

Payroll staff will then verify the officer's eligibility by checking the officer's most recent quarter's sick leave usage.

If, in fact, the requesting officer is eligible for the incentive, Payroll staff will then credit the requesting officer's earned vacation bank with the appropriate amount of incentive hours. If the requesting officer is ineligible for the incentive due to sick leave usage during the quarter indicated, Payroll staff will so notify the requesting officer accordingly noting the date of sick leave usage(s).

A "month" for purposes of sick leave incentive under Section 7.5 begins on the first calendar day of the month and ends on the last calendar day of the month.

Requests for incentive hours pursuant to Section 7.5 must be submitted on or before the end of the third month following the end of the quarter for which the incentive is sought. {For example, if the quarter for which the incentive is sought is for January 1 through March 31, the request for the incentive must be submitted to Payroll on or before June 30.} Any potential incentive hours not timely requested shall be deemed void and eligibility for them waived.

Section 7.6 Educational Incentive Program

The City shall pay an educational incentive for job-related P.O.S.T. certificates obtained by the employee which exceed the normal established job requirements for the classification held by the affected sworn police employee. Eligible employees shall be compensated as follows:

P.O.S.T. Intermediate Certificate	\$1,200/Year	or
P.O.S.T. Advanced Certificate	\$2,160/Year	

The monetary equivalent of this education incentive pay is disbursed to an eligible employee in the form of one's hourly wage basis through the City's bi-weekly pay cycle, pursuant to the federal Fair Labor Standards Act (FLSA)

If an employee qualifies for an incentive in one classification but is assigned to another classification that *requires* the P.O.S.T. certificate presently earned, the employee is no longer eligible to receive the associated incentive pay.

Payment of the incentive shall be subject to the approval of the City Manager. The following criteria will be used to determine an employee's eligibility for and/or continued eligibility in the incentive program:

- A. An employee must have successfully completed his/her probationary period of eighteen (18) months prior to becoming eligible for this educational incentive program.
- B. It will be the responsibility of the immediate supervisor or the Chief of Police to notify the City Manager of an employee's eligibility in this incentive program, using the applicable City Personnel Action Form, and secure the City Manager's approval. Once approved, it will be the responsibility of the immediate supervisor or the Chief of Police to notify the City payroll department, using the applicable City Personnel Action Form with the required approval signatures, at the beginning of the pay period in which the incentive pay will be paid as to the affected employee.

This educational incentive pay is separate and distinct from the base salary compensation for each classification for purpose of calculating salary advancements.

Section 7.7 Special Duty Assignments

A. Field Training Officer (FTO)

City agrees to pay a five percent (5%) premium to employees within the CPOA who are assigned by the Chief of Police to the training of new, full-time, regular employees and Reserves, based on a training plan and schedule approved by the Chief of Police. FTO premium will be paid only for those hours for which the assigned trainer has been actually provided the field training.

It is the intent of this provision that assignments involving training shall not be assigned for less than one (1) work shift.

Section 7.8 Working In A Higher Classification

An employee covered by this MOU who is assigned to work in a position of a higher classification shall be paid an additional five (5) percent of his or her current salary for the time the employee works in the higher classification. Such assignments to a higher classification shall be approved by the Chief of Police and City Manager. This provision does not apply to employees performing higher duties as a result of a written training program.

Salary adjustments under this section shall not be retroactive.

Section 7.9 Shift Differential

Sworn officers regularly assigned to Graveyard Shift shall receive an additional four (4) percent compensation above base pay for hours worked on the Graveyard Shift. Regularly assigned to a Graveyard Shift shall mean a sworn officer who is assigned to work between the hours of 2100 to 0700 for at least four (4) days per week.

Sworn officers regularly assigned to Swing Shift shall receive an additional two and one-half (2.5) percent compensation above base pay for hours worked on a Swing Shift. Regularly assigned to a Swing Shift shall mean a sworn officer who is assigned to work between the hours of 1400 to 2400, or 1700 to 0300 for at least four (4) days per week.

Hours not worked on the officer's regularly assigned shift are compensable at base pay. This provision includes off hours such as paid and unpaid leave.

Both parties acknowledge and agree the current language in the MOU does not adequately or properly address shift differential pay reflecting an assigned shift scheduled for an employee working a 10-hour or 12-hour work period. During the term of this agreement, the City and the CPOA agree to mutually consider and agree upon prospective terms and conditions of this Section for potential revision to address 8-hour, 10-hour and 12-hour work shifts.

ARTICLE 8: MEDICAL AND DENTAL INSURANCE PREMIUMS

Section 8.1 City Contribution To Premiums

The maximum monthly City premium contribution for combined medical and/or dental insurance coverage for sworn personnel shall be paid by the City during the term of this MOU in accord with the following employee subscription enrollment schedules.

A. The City's maximum monthly contribution will be as follows:

<u>No Enrollment/Unused Benefit</u> (enrollments after 30 June 2010):	\$ -0-
<u>No Enrollment/Unused Benefit</u> (existing eligible employees):	\$ 250.00/mo.
(Provided proof of similar medical and dental coverage is available to the employee is placed and maintained via another qualified third party insurance provider. Ref. Section 8.2).	
<u>Employee Only</u>	\$ 767.57 per month.
<u>Employee + 1 Enrolled Dependent</u>	\$1,355.57 per month.
<u>Employee + 2 or more Enrolled Dependents</u>	\$1,774.77 per month.

Section 8.2 Member Enrollment in Medical and/or Dental Insurance

The City will contract to provide medical and dental insurance coverage for all full-time regular employees and their enrolled dependents. Any premium in excess of the maximum amount contributed by the City as outlined in Section 8.1 above shall be the responsibility of the individual employee, to be paid through City bi-weekly payroll deductions.

Employees may elect to decline City-provided medical and/or dental coverage only in cases when the employee is covered under an alternate third party insurance plan. Proof of insurance is required. For employees authorized to decline City-provided medical and/or dental coverage, the City will contribute a monthly amount up to the maximum monthly premium cap outlined in Section 8.1 above under "No Enrollment". The employee may elect to place said "No Enrollment" monies into a City-approved deferred compensation plan, to the employee's Flexible Spending Account (FSA – medical), or may receive the monies as taxable income, each prorated amount disbursed bi-weekly at the employee's designated option and in accord with applicable IRS regulations.

Those employees whose monthly expense for their enrolled subscription in City-secured medical and/or dental insurance is less than the maximum amounts listed in Section 8.1 may also elect to place Unused Benefit residual monies into a City-approved deferred compensation plan, to the employee's Flexible Spending Account (FSA – medical), or may receive the monies as taxable income, each prorated amount disbursed bi-weekly at the employee's designated option and in accord with applicable IRS regulations.

In no case shall an employee's Unused Benefit residual payout exceed the maximum of \$250.00 per month.

Section 8.3 Short Term and Long Term Disability Insurance

The City shall provide and pay for short term (STD) and long term disability (LTD) insurance(s) in behalf of each employee of this unit for the purpose of providing contracted levels of continued compensation in the event of an off-duty illness or injury.

Section 8.4 Term Life/Accidental Death/Dismemberment Insurance

The City will contract and pay for the full premium to enroll each permanent full-time and part-time employee in a \$50,000 face amount of term life insurance policy and a \$50,000 Accidental Death and Dismemberment Insurance coverage.

ARTICLE 9: RETIREMENT SYSTEM

The City is a member of the California Public Employee's Retirement System, hereinafter referred to as "CalPERS". All regular full and part time employees of this Unit are compulsory members of this retirement system.

Section 9.1 Classic Tier I Employees

All regular full-time and regular part-time employees of this Unit hired before 01 July 2010 are considered "Classic Tier I" participating members of CalPERS. By contract, the City and eligible employees in this Unit are participating members of the "3% at age 55" Safety Retirement System. The applicable employee contribution paid in full by Classic Tier I employees, pursuant to pre-tax payroll deductions, is nine percent (9%).

A. Cost-Sharing of City CalPERS Contribution

Upon ratification of this Agreement, the City shall implement cost-sharing pursuant to the terms set forth below to offset a portion of the City's employer contribution to CalPERS for retirement benefits as authorized under Section 20516(f) of the Government Code.

The employee cost-sharing contribution will be accomplished pursuant to Section 20516(f) of the Government Code. Cost-sharing contributions made pursuant to Section 20516(f) remain characterized as employer contributions by CalPERS and therefore, will not be allocated to the employee's retirement account. Cost-sharing contributions will be deducted from wages on a pre-tax basis during the term of this Agreement.

The cost-sharing contribution amount is as follows:

1. Effective 02 July 2018, Classic Tier I employees shall contribute, through payroll deduction, an additional one-half of one percent (0.5%) of PERSable compensation, for a total contribution of 9.5%, towards CalPERS retirement.

2. Effective 01 July 2019, Classic Tier I employees shall contribute, through payroll deduction, an additional three-quarters of one percent (0.75%) of PERSable compensation, for a total contribution of 10.25%, towards CalPERS retirement.

3. Effective 29 June 2020, Classic Tier I employees shall contribute, through payroll deduction, an additional one percent (1%) of PERSable compensation, for a total contribution of 11.25%, towards CalPERS retirement.

Section 9.2 Classic Tier II Employees

All regular full-time and regular part-time employees of this Unit hired on or after 01 July 2010, plus any new employee of this Unit that was a participating member with an employer enrolled in a CalPERS "Classic" pension system and whom did not experience a break in employment service longer than six (6) months, are each considered City "Classic Tier II" employees and are compulsory participating members in CalPERS. The City shall contract with CalPERS and enroll said eligible employees in this hiring category in the CalPERS "2% at age 50" Local Public Safety retirement plan.

A. Cost-Sharing of City CalPERS Contribution

Upon ratification of this Agreement, the City shall implement cost-sharing pursuant to the terms set forth below to offset a portion of the City's employer contribution to CalPERS for retirement benefits as authorized under Section 20516(f) of the Government Code.

The employee cost-sharing contribution will be accomplished pursuant to Section 20516(f) of the Government Code. Cost-sharing contributions made pursuant to Section 20516(f) remain characterized as employer contributions by CalPERS and therefore, will not be allocated to the employee's retirement account. Cost-sharing contributions will be deducted from wages on a pre-tax basis during the term of this Agreement.

The cost-sharing contribution amount for Classic Tier II employees is as follows:

1. Effective 02 July 2018, Classic Tier II employees shall contribute, through payroll deduction, an additional one-half of one percent (0.5%) of PERSable compensation towards CalPERS retirement.

2. Effective 01 July 2019, Classic Tier II employees shall contribute, through payroll deduction, an additional three-quarters of one percent (0.75%) of PERSable compensation towards CalPERS retirement.

3. Effective 29 June 2020, Classic Tier II employees shall contribute, through payroll deduction, an additional one percent (1%) of PERSable compensation towards CalPERS retirement.

Section 9.3 PEPRA Tier III Employees

A Public Employee Pension Reform Act (“PEPRA”) or City “Tier III” employee for retirement purposes is any new member of this Unit who becomes a member of CalPERS for the first time on or after 01 January 2013, and who was not a member of another California public retirement system prior to that date, and who is not subject to reciprocity with another California public retirement system. Eligible employees of the City’s “Tier III” Retirement Plan are enrolled as members of the Local Public Safety retirement plan of “2.7% at age 57”.

Under PEPRA, Unit members of the Tier III Retirement Plan must contribute fifty percent (50%) of the total Normal Cost, as defined and calculated by CalPERS, as the Employee Share.

Section 9.4 Survivor Benefit Program

The City agrees to contract for the CalPERS 1959 Survivor Benefit Program – Fourth Level, and provide the annual employer cost for this contracted retirement benefit. Employees of this unit shall be solely responsible for the employee monthly cost for this added contractual benefit, payable through mandatory City payroll deductions.

ARTICLE 10: HOLIDAYS AND LEAVES

Section 10.1 City Designated Holidays

The City designates the following Holidays in each calendar year with the closure of City Hall and pedestrian traffic and normal telephone calls to the Clayton Police Station:

- | | |
|-------------------------------|-----------------------------|
| New Year’s Day | Martin Luther King, Jr. Day |
| President’s Day | Memorial Day |
| Independence Day | Labor Day |
| Veteran’s Day | Thanksgiving Day |
| Friday after Thanksgiving Day | Christmas Day |

Section 10.2 Holiday Pay

A member of this Unit whose work assignment requires one to work a City designated Holiday shall receive one’s regular pay, and provided that member works at least four (4) hours of that Holiday, that member will be paid eight (8) additional hours of pay for having to work that Holiday during that pay period. A member of this Unit not working any hours of that Holiday during that pay period shall receive zero (\$0) pay for that Holiday. A member of this Unit working less than four (4) hours on a Holiday shall receive one’s regular pay for the hours actually worked during that pay period.

Section 10.3 Personal or “Floating” Leave

In addition to the holidays listed under Section 10.1, all members of this unit shall receive twenty-four (24) hours of Personal Leave for each fiscal year. Said leave hours shall be taken at the employee’s discretion, with the consent of the supervisor. If

Personal Leave hours are not taken or exhausted by the end of the fiscal year (June 30th), the remaining hours are forfeited.

Section 10.4 Vacation Leave

Permanent, regular employees shall be entitled to annual vacation leave with pay as earned.

A. Vacation leave credit for an 80-hour biweekly work week employee shall be accrued on the following basis, subject to a not-to-exceed accrual cap of eighteen (18) times one's current monthly accrual rate ("the cap"):

1. 6.67 hours per month from the date of initial hire through month 24.
2. 8.00 hours per month from month 25 through month 48.
3. 10.00 hours per month from month 49 through month 96.
4. 13.33 hours per month from month 97 through month 180.
5. 16.67 hours per month from month 181 and beyond.

An employee having earned an accrued, unused vacation leave hour balance above eighteen (18) times one's current monthly accrual cap as of 24 July 2011 is hereafter ineligible to accrue further vacation leave hours until such time said employee's accrued, unused vacation leave hours balance drops below the eighteen (18) times cap, and thereafter may again accrue further vacation leave hours only to the extent such accrual balance never exceeds the employee's eighteen (18) times applicable cap.

B. Vacation leave credit for regular full-time employees working less than an eighty (80) hour biweekly work week shall be credited as in paragraph "A" above on a pro-rata basis based on the number of hours worked per week.

C. Vacation leave must be used in increments of one-quarter (0.25) hour or more.

D. Vacation leave may be taken as earned but must be requested in writing as far in advance as possible. Vacation leave scheduling is subject to the approval of the Chief of Police, based on labor deployment requirements.

E. In the event one or more observed holidays fall within the vacation leave of an employee, such holiday shall not be charged as vacation leave, and the vacation leave may be extended accordingly.

F. Upon leave of City employment, an employee will be paid for all accrued, unused vacation leave hours up to and including the maximum cap of eighteen (18) times one's current monthly accrual rate. An employee who earned and thereafter maintained an accrued, unused vacation leave hour balance in excess of eighteen (18) times one's current monthly accrual rate as of 24 July 2011 will be paid for all accrued, unused vacation leave hours upon leave of City employment.

Section 10.6 Sick Leave

Sick leave is earned at the rate of eight (8) hours for each month worked. Maximum accrual will be unlimited. Unused sick leave will not be paid upon separation from City employment.

Sick leave may generally be used for any illness, injury, medical or dental appointment/treatment, or disability (including pregnancy and childbirth) of the employee. Sick leave may also be used for illness or injury of the employee's immediate family; however, absences for family leave purposes in excess of one (1) week (or a cumulative two [2] weeks in any calendar year) must be approved by the City Manager. A physician's report may be required for extended periods of sick leave usage, or if in the determination of the City Manager, the employee exhibits greater than average, or unusual patterns or circumstances in the use of sick leave.

Up to three (3) days of sick leave may be used to attend funerals of close family members, with the approval of the City Manager.

Members of this unit are entitled to certain disability benefits as defined by state law, and may not therefore use sick leave for on-the-job injuries or illnesses. Further, any unused sick leave shall not extend the retirement date of an employee who has been granted a disability retirement, notwithstanding the provisions of CA Government Code Section 21025.2

Employees may use accrued sick leave for non work-related disabilities up to the effective or commencement date of short-term or long-term disability benefits.

Employees unable to return to work within six (6) months of the date of disability (non work-related) may be separated from City employment, unless an extension is approved by the City Manager, and except as otherwise restricted by state law.

Up to twenty-four (24) hours of accrued paid sick leave may be used as Bereavement Leave per occasion to attend the funeral of a close family member, with approval of the City Manager.

ARTICLE 11: HOURS OF WORK, WORK PERIODS AND PAY PERIODS

Section 11.1 Standard Work Assignment

The standard work assignment shall be eighty (80) hours in a two week pay period.

Section 11.2 Shifts

A. Regular shifts consist of 8, 10, or 12 hours of work per day, as assigned. Paid work time begins at the start of a shift (e.g. a 6am to 6pm shift begins at 6:00 a.m.). Each

employee assigned to a shift must have completed changing his or her clothes (uniform, boots, vest, and belt, etc.) and be able and ready to begin work by the beginning of the shift). Each time an assigned work shift schedule is established or altered for members of this unit, the Chief of Police is responsible to so inform the Payroll/Finance Department accordingly, pursuant to the federal Fair Labor Standards Act.

B. For purposes of this MOU, "shift trades" is an agreement between two employees to perform each other's duties on an infrequent basis. Each employee agrees to work one scheduled shift of the other on an agreed upon date. Shift trades are to be sought and used by an employee seeking to take one (1) work day off in lieu of using accrued personal paid leave time. Shift trades are the prerogative of the Chief of Police and are provided for employees as a means to meet the unexpected personal needs of an employee. These exchanges are to be considered a privilege and not a right.

Section 11.3 Pay Periods

The pay period for all employees shall be bi-weekly. The pay period is from 12:00 a.m. Monday through 12:00 midnight Sunday. There are twenty-six (26) pay periods in a fiscal year from July 1st through June 30th. Time sheets are due to Payroll at the start of the day work shift the Monday following the close of the pay period on Sunday. City pay checks are available and distributed on the Wednesday following the close of a pay period.

Note: From time to time, Payroll deadlines for submittal of time sheets and actual pay day may be altered due to designated City holidays. Payroll will notify all employees in advance when these circumstances arise. The time sheet deadline may be adjusted as needed to meet City payroll deadlines. Employees required to estimate hours worked due to an early time sheet deadline shall do so based on an employee's normally-assigned work schedule.

ARTICLE 12: OVERTIME

Section 12.1 Regular Overtime

The City will compensate eligible regular employees for each one-quarter hour (0.25) of overtime worked at a rate of one and one-half times (1.5) the employee's base hourly rate including applicable FLSA-required compensation. Overtime is defined as hours worked in excess of eighty (80) hours per pay period, or hours worked in excess of a regularly scheduled shift. Employees working partial or reduced shifts will not be eligible for overtime until the hours worked exceed the regular shift hours noted in Section 11.2. Authorization of the employee's supervisor must be obtained prior to the working of overtime hours, except in emergency situations. Compensation for overtime shall be in the form of cash payment, or if requested by the employee and approved by the Chief of Police, in the form of compensatory time off (CTO) that shall also accrue at the rate of one and one-half (1.5) times the actual overtime hours worked.

For purposes of overtime and compensatory time calculations, all paid leave shall be considered as hours worked.

Section 12.2 Compensatory Time Off

A maximum of one hundred fifty (150) hours of compensatory time off (CTO) may be accrued by each employee, except when approved by the City Manager for a recognized or specific operational need or situation. Whenever possible and in the discretion of the immediate supervisor or Chief of Police, overtime shall be compensated with compensatory time off. Compensatory time off may be used by written request of the employee filed three (3) days in advance with the appropriate supervisor or the Chief of Police. Management will make every effort to comply with time off requests of the employee and shall not arbitrarily assign employees to compensatory time off. Upon leaving City employment, the employee will be paid for all accrued, unused compensatory time.

Section 12.3 Call-Out Pay

In the event an employee is called out for emergency duty, the employee will receive compensation at a rate of one and one-half (1.5) times the employee's regularly hourly rate. When an employee is called to duty more than forty-five (45) minutes prior to one's normal work shift, or is called back to duty after leaving work following a normal work shift, the employee will be compensated a minimum of three (3) hours of overtime pay.

Call-out time shall be defined as time worked by the employee, in excess of forty (40) hours per week, which time is not an extension of the normal work day or for which the employee has not been notified at least twenty-four (24) hours in advance. Call-out shall occur only when there has been a break in work service, i.e., the employee has left work for the day and is required to return to duty. In addition, weekend work for which the employee has been notified at least twenty-four (24) hours in advance shall not be considered call-out time. Attendance at regularly-scheduled meetings held after normal working hours that are recognized as part of the job duties of an individual employee shall not be recognized a call-out time.

Section 12.4 Court Time and Appearances

- A. Sworn employees of this unit shall receive overtime pay for each hour they are required to, as a direct result of their City employment, and actually appear in court during their off-duty hours, yet said pay shall not be less than four (4) hours of overtime, except as provided below.
- B. Sworn employees shall receive regular compensation (straight time) for appearing in court during their regular work hours when such appearance is a direct result of their City employment.

- C. Sworn employees shall receive overtime pay only for each hour they actually appear in court, as a direct result of their City employment, while off-duty but within four (4) hours prior to the start of their work shift, yet shall not receive the guaranteed minimum of four (4) hours overtime as provided in "A" above.
- D. Sworn employees required to appear in court commencing at a time less than one-half (½) hour following the end of his/her shift regardless of the length of the work shift, and said appearance is due to the employee's City employment, shall be paid overtime only for the time he/she actually appears in court, and shall not be paid the guaranteed four (4) hours minimum of overtime as provided in "A" above.

Sworn employees required to present criminal cases in person to the local district attorney's office during regularly-scheduled time off shall receive overtime pay as provided for in Section 12.4 above. The administrative sergeant responsible for assigning the filing of such criminal cases shall first endeavor to require such assignments to be conducted by sworn employees during one's work shift, and shall only make such assignments to off-duty personnel when no other reasonable alternative exists.

ARTICLE 13: RESIDENCY REQUIREMENT

Each member of this unit shall maintain their principal residence at all times within a fifty (50)-mile radius of the City of Clayton Police Department headquarters.

Upon recommendation from the Chief of Police, the City Manager may grant exception to this residency requirement when special circumstances or hardships warrant, and may condition such exception as the City Manager deems appropriate and consistent with the purpose of this requirement to insure rapid public safety response time to emergency and disaster situations within the city.

ARTICLE 14: CLASSIFICATION AND COMPENSATION PLANS

Each position with the City shall be allocated to its appropriate classification on the basis of assigned job duties and responsibilities such that the same qualifications may be reasonably required for and the same schedule of pay may be equitably applied to all positions in the same classification. Positions may, from time to time, be reclassified on the basis of changes in or re-evaluation of the duties and responsibilities of the positions.

ARTICLE 15: LAYOFF PROCEDURE

Section 15.1 Purpose

The purpose of this section is to provide a fair and equitable basis for the reduction of personnel when this action becomes necessary in a department comprised of members of this unit or in the total work force of the City. In such circumstances, the City will make every effort to assist those employees who may be subject to layoff due to lack of work or a similarly compelling reason. Assistance will be made available through utilizing existing vacancies elsewhere in the department or work force, if any, to the fullest extent possible to relocate affected employees. In addition, contact will be made with other employees to refer those employees who are unable to be placed in other City vacancies.

Section 15.2 Causes

The Chief of Police may layoff an employee in the classified service because of shortage of work or budgeted funds. In addition, for the interest of economy or because the necessity for the position or employment involved no longer exists, the City Manager may request, and the City Council may concur, to abolish any position or employment in the classified service and discharge, transfer or demote the employee or officer holding such position or employment.

Section 15.3 Procedure

- A. When a reduction in personnel is anticipated, the Personnel Officer or his/her designee shall notify the CPOA in writing forty-five (45) calendar days before the effective date of the layoff with the reasons thereof.
- B. The Personnel Officer, or his/her designee, shall determine what openings exist in the same classification in other departments so the affected employee(s) may be considered for transfer or relocation. The employee(s) may be considered for transfer or relocation into a lower classification, where practicable, prior to affecting layoff.
- C. If transfer or demotion is not practicable, the affected employee, upon layoff, shall be placed on the appropriate re-employment list as provided for by this Section.
- D. Provisional employees of the affected classification(s) shall be laid off prior to the layoff of a probationary or permanent employee.
- E. Probationary employees in the affected classification(s) shall be laid off prior to the layoff of a permanent employee.
- F. Permanent employees shall be designated for layoff based on an evaluation of all employees in the same classification. Such evaluation will include work assignment, certification, education and seniority.

- G. The names of probationary and permanent employees who have been laid off shall be placed upon re-employment lists for classification(s) which, in the opinion of the Personnel Officer, require basically the same qualifications, duties and responsibilities of the classification(s) from which the layoff was made. Re-employment lists will be maintained and valid for a period of one (1) year following the effective date of that layoff.
- H. In filling vacancies, eligible individuals on the re-employment lists take precedence over eligible individuals on any other list for the same classification.

ARTICLE 16: CORRECTIVE COUNSELING DOCUMENTS

A Corrective Counseling document is not considered discipline and as such is not subject to the appeal process. It is used by a supervisor to assist an employee in modifying unacceptable behavior to comply with the Clayton Police Department standards, and represents the documentation of a held counseling session. The Corrective Counseling document will be purged from the employee's file upon their next annual performance evaluation.

ARTICLE 17: DISCIPLINARY PROCESS

A Letter of Reprimand is not a disciplinary matter subject to an appeal process by the affected employee provided the Chief of Police approves in writing the Reprimand without the affected employee's right to any hearing before the Chief. A Letter of Reprimand shall remain in the affected employee's personnel file for a period of five (5) years from the date of reprimand, and shall be removed at the conclusion of the five (5) year period provided there is no repeat incident of the behavior or violation. The initial Reprimand issue shall not be incorporated into the affected employee's performance evaluation provided there is non-repetitive behavior or incident within the subsequent twelve (12) month time period following the Reprimand.

For matters involving discipline of an employee, after the process has progressed from the investigation, recommendation for discipline, the Skelly hearing, and the City Manager's decision to impose the discipline, the next step to the appeal process is non-binding arbitration.

Any side can appeal the arbiter's ruling, but only as to the issues raised in the arbitration.

Final appeal will be to the City Council.

ARTICLE 18: GRIEVANCE PROCEDURE

Section 18.1 Definition

A grievance is any dispute between the City and employee or employees or recognized employee organization with respect to the meaning, interpretation, application or enforcement of the Personnel System Rules and Regulations or the Memorandum of Understanding (MOU).

Section 18.2

It is the intent of the City to anticipate and diminish causes of grievances and to settle any which arise informally at the lowest practicable level of supervision, and as fairly and promptly as possible. To accomplish this, there are time limits between the initiation of a grievance and its occurrence, between steps of the grievance procedure, and the time in which each answer must be given. Any grievance is subject to the time limits set herein. Failure to pursue or conduct a grievance within these time limits shall constitute said grievance to have been settled on the basis of the last timely demand or answer. The time limit set forth can only be extended by written agreement of both parties.

At each step of the grievance procedure, the City shall make available any record relied upon to sustain the action which gave rise to the grievance and any other information necessary and pertinent to the processing of the grievance.

Section 18.3

Any employee in the merit system shall have the right to use the grievance procedure free from restraint, discrimination, pressure or reprisal from any other employee, supervisor, department head, or representative of recognized employee organizations.

Employee shall have the right to present grievances individually or through his/her recognized employee organization. Employee shall have the right to withdraw the grievance at any step in the procedure. Employee shall have the right to designate a representative of a recognized employee organization at any step of this grievance procedure. If the employee is represented by a representative of a recognized employee organization, the employee filing the grievance shall also be present during the discussion at all steps of the grievance procedure.

Section 18.4

Grievances will be processed in the following manner and within the stated time limits:

A. Step No. 1

When an employee has a grievance, he/she shall, within ten (10) working days following the occurrence of the event or the discovery of the event on which the grievance is based, prepare in writing a complete description of the grievance and submit the

grievance to his/her immediate supervisor. The employee and supervisor shall discuss the matter in private. Should the substance of the grievance by the employee be connected with actions of the immediate supervisor and/or Chief of Police, said grievance shall be filed with the Personnel Officer.

The supervisor, Chief of Police, and/or Personnel Officer shall make a thorough investigation of the reported grievance and render his/her/their decision within three (3) working days. The decision shall be made in writing to the aggrieved employee.

Most grievances should be solved at the employee – supervisor level.

B. Step No. 2

If the employee is not satisfied with the decision of his/her supervisor, Chief of Police, and/or Personnel Officer in Step No. 1 above, he/she has the right to appeal the decision to the next higher level of supervision. The aggrieved employee, either individually or by instructing the chosen representative of the recognized employee organization, must prepare a written appeal or must file said appeal within ten (10) working days after the applicable decision is rendered to the next level of supervision.

At this Step of the grievance procedure, the supervisor or employee, individually or through his/her designated recognized employee organization representative, shall have the opportunity to provide evidence from witnesses. In this Step, the management person receiving the appeal shall make a thorough investigation of the reported grievance and shall render his/her decision in writing within five (5) working days of concluding the investigation, but not longer than fifteen (15) working days from the receipt of the appeal.

C. Step No. 3

If the aggrieved employee is not satisfied with the decision made on his/her appeal at the level of management specified in Step No. 2, he/she has the right of appeal to the City Manager. The aggrieved employee, either individually or by instructing his/her chosen representative from a recognized employee organization, shall submit in writing an appeal to the City Manager within ten (10) working days of the date of the decision rendered by the management person in Step No. 2.

The written appeal shall include a detailed statement of the grievance. The City Manager shall arrange a prompt hearing of the grievance. Following the close of the hearing before the City Manager, the City Manager shall make a thorough investigation of the reported grievance and render his decision in writing to the aggrieved employee within five (5) working days after the close of the hearing. The City Council is given a copy of the City Manager's decision, and the City may initiate its own grievances at this step of the grievance procedure.

D. Step No. 4

If the aggrieved employee, or City, is not satisfied with the decision of the City Manager in Step No. 3, and wish to appeal the decision, the aggrieved employee, either individually or by instructing his/her designated representative of a recognized employee organization, can appeal the decision in writing to the Personnel Board (City Council) within ten (10) days of the City Manager's decision.

Decisions of the Personnel Board (City Council) pursuant to this grievance procedure will be final and binding.

ARTICLE 19: JOINT LABOR/MANAGEMENT SAFETY COMMITTEE

Section 19.1

The City shall attempt to provide a safe and healthy work place for all City employees. The CPOA supports the creation of a safe working environment.

Section 19.2

The City will establish and maintain an Employee Safety Committee. Not less than two (2) members of the committee shall be appointed from the Clayton Police Department, one (1) of which shall be named by the CPOA.

Section 19.3

Employees required to attend mandatory safety meetings will be compensated according to the provisions of this MOU.

ARTICLE 20: SCOPE OF AGREEMENT

Except as otherwise specifically provided herein, this MOU fully and completely incorporates the understanding of the parties hereto and constitutes the sole and entire agreement between the parties on any and all matters subject to meeting and conferring laws. Neither party shall, during the term of this MOU, demand any change therein nor shall either party be required to negotiate with respect to any other matter, provided that nothing herein shall prohibit the parties from changing the terms and conditions of this MOU by mutual consent and agreement.

ARTICLE 21: TERM

Except as indicated herein, this MOU shall be effective commencing 01 July 2018 and continue through 30 June 2021.

IN WITNESS THEREOF, this MOU is entered into by the following authorized representatives this 15th day of June 2018 pursuant to the provisions of *CA Government Code Section 3500*, et. seq. for presentation to and adoption by the City Council of Clayton, California.

CLAYTON POLICE OFFICERS ASSOCIATION (CPOA)

By: _____
Rich Enea, II, CPOA President

By: _____
Daryl England, CPOA Member

By:  _____
Jim Bickert, CPOA Labor Representative

CITY OF CLAYTON, CA (CITY)

By:  _____
Gary Napper, City Manager

#####

**MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF CLAYTON AND THE CLAYTON
POLICE OFFICERS' ASSOCIATION**

ARTICLE 1: PREAMBLE

This Memorandum of Understanding, pursuant to the State of California Government Code Section 3500 et seq., entered into by the City of Clayton, hereinafter referred to as "City", and the Clayton Police Officers' Association, hereinafter referred to as "CPOA", the recognized employee organization for sworn police personnel, excepting the Chief of Police, is hereby effective 01 July 2018~~5~~ through 30 June 2021~~48~~.

It is the intent and purpose of the Memorandum of Understanding, hereinafter referred to as "MOU", to set forth the understanding of the parties reached as a result of meeting and conferring in good faith regarding, but not limited to, matters relating to wages, hours, and terms and conditions of employees represented by the CPOA.

ARTICLE 2: SAVINGS CLAUSE

If any section, subsection, subdivision, sentence, clause or phrase of this MOU is, for any reason, held to be illegal or unconstitutional, such holding shall not affect the validity of the remaining portions of this MOU.

ARTICLE 3: MANAGEMENT RIGHTS

Section 3.1

Except as otherwise specifically provided and subject to applicable laws, the City has and retains sole and exclusive rights and functions of management, including, but not limited to, the following:

- A. To determine the nature, standards, and extent of services to be performed, as well as the right to determine and implement its public function and responsibility.
- B. To manage all facilities and operations of the City, including the methods, means, and numbers and kinds of personnel by which the City operations are to be conducted.
- C. To direct the working forces, including the right to hire, assign, promote, demote, or transfer any employee.
- D. To assign work to and schedule employees in accordance with requirements as determined by the City, and to establish and change work schedules and assignments upon reasonable notice.

E. To discharge, suspend, demote, reprimand, withhold merit increases or otherwise discipline employees in accordance with applicable law.

F. To determine policies, procedures, and standards affecting the selection, training, and promotion of employees.

G. To establish, assess, and implement employee performance standards, including, but not limited to, quality and quantity standards, the assessment of employee performances, and the procedures for said assessment.

H. To determine the assignment of specific personnel and the duration of each assignment for the day watch "Administrative Sergeant" at the sole discretion of the Chief of Police, which assignment and its term are not subject to grievance, disciplinary appeal or any applicable loss in compensation, organizational status or rank; its operation herein is not subject to the *White* decision.

Section 3.2

CPOA recognizes the City has and will continue to retain the unilateral and exclusive right to operate, administer, and manage its municipal services and work force, performing those services in all respects subject to this MOU.

ARTICLE 4: ASSOCIATION AND EMPLOYEE RIGHTS

Section 4.1

The City recognizes the employees' rights to self-organization and to be represented by employee organizations of their own choosing as set forth in Chapter 10, Division 4 of the Government Code of the State of California.

Section 4.2

CPOA is entitled to use non-public area bulletin boards on City property for the purpose of posting notices of meetings and other official CPOA business with the understanding that material derogatory to or of the City will not be posted.

Section 4.3

CPOA representatives will be permitted access to work locations to confer with City employee members on matters of employer – employee relationship but not such internal employee organization business as soliciting membership, campaigning for office, and the organization meetings and elections. Such representatives shall not interfere with the efficiency, safety and security of City operations or in any way interfere with work in progress.

Section 4.4

City will provide to CPOA certain meeting space outside normal working hours, provided such space is available. Requests for use of facilities shall be made in advance and approved by the City.

Section 4.5 Personnel Files.

The City's secured personnel files, maintained in the City offices, are not subject to public inspection. Any employee has the right to inspect their own personnel file. An employee has the right, in accordance with law, to respond in writing to anything contained or placed in their own personnel file and any such response(s) shall become part of their personnel file.

ARTICLE 5: UNIT DESCRIPTION

Section 5.1

The following job classifications are represented by the CPOA and are members of this unit:

- Job Classifications – Sworn Personnel
- Police Sergeant
- Police Officer

ARTICLE 6: DUES DEDUCTION

City shall provide payroll deductions of membership dues and legal assistance plan sponsored by CPOA/PORAC, upon the written authorization of employees described in Article 5 above and on forms provided by the City. The provision of such service to CPOA by the City shall be contingent upon and in accordance with the provisions of City ordinances, resolutions, memoranda of understanding, and applicable administrative procedures.

ARTICLE 7: COMPENSATION

Section 7.1 Wages.

A. Effective ~~026~~ July 201~~85~~, the monthly base salary ranges for the following classifications shall be:

<u>Classification</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Police Sergeant	64355603	6757-6978	7095 6277	74498604	
	78226020				
Police Officer	54704845	5750-6098	6038 6342	6340	6600
	66575890				

B) Effective ~~014~~ July 201~~96~~, the monthly base salary ranges for the following classifications shall be:

<u>Classification</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Police Sergeant 81747497	67255924	7061 6247	7414 6528	7785 6854	
Police Officer 69576425	57236039	6009 5294	6310 5556	6625 5833	

C) Effective ~~2903 June~~ July 2020~~17~~, the monthly base salary ranges for the following classifications shall be:

<u>Classification</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Police Sergeant 85427485	70276458	7379 6466	7748 6789	8135 7429	
Police Officer 72706379	59815244	6280 5593	6594 5778	6924 6067	

Section 7.2 Salary Advancement

Assigned salary ranges normally contain five (5) steps, A through E. Employees move through these salary steps subject to satisfactory performance. Step "A" is an at-will eighteen (18) month probationary position.

Regular employees shall be eligible for step salary advancement consideration as follows:

1. To the "B" rate of the salary step schedule after successful completion of eighteen (18) months at the "A" rate. The date of this increase shall become the employee's salary review date for purposes of eligibility for future merit step increases.
2. To the "C" rate of the salary step schedule after successful completion of one (1) year at the "B" rate.
3. To the "D" rate of the salary step schedule after successful completion of one (1) year at the "C" rate.

4. To the "E" rate of the salary step schedule after successful completion of one (1) year at the "D" rate.

When an employee (except laterals) is hired at a salary rate other than Step "A" of the salary step schedule assigned to the classification, the employee shall be eligible for a step increase eighteen (18) months from the date of employment, and this date shall become the employee's salary review date for purposes of eligibility for future merit increases. Thereafter, the above merit pay procedure shall be followed. Laterals will remain at a twelve (12) month probation period and be eligible to receive a salary step increase after twelve (12) months of full time services.

Salary advancements are granted for continued meritorious and efficient service, and after continued improvements in assigned tasks, in conjunction with performance appraisal procedures. Recommendations for salary advancement are initiated by immediate supervisors and are then forwarded to the Chief of Police for acceptance. These recommendations are then transmitted to the City Manager for approval.

Salary step advancements are not guaranteed. When an employee is denied a merit step increase, the employee shall be informed of such and the reasons therefore in writing. The employee shall be reconsidered for advancement within six (6) months, and if still denied at that time, may be reconsidered for advancement at any subsequent time recommended by the Chief of Police.

Employees who have received internal promotions, if assigned to a salary step in the new classification salary range offering a minimum five percent (5%) salary increase, shall be eligible for a step increase upon successful completion of twelve (12) months in the new position. If employees are placed on a higher salary step than this, based upon the recommendation of the Chief of Police and approval of the City Manager, they shall be eligible to advance to the next step of the new classification salary range one (1) year from the date of their promotion. This promotion date shall also become the employee's new salary review date for purposes of eligibility for future merit salary increases.

Section 7.3 Uniform Program

The Uniform Program is for sworn personnel only.

The purpose of this Uniform Program is to provide uniforms to those personnel who are required to perform duties that require identifying uniforms. All identifying patches, badges, etc., purchased by the City for an employee must be returned to the City when an employee terminates City employment. To make the program effective, all eligible employees shall be required, as a condition of their employment, to participate in accordance with this policy. All personnel required under the program to wear uniforms must comply with departmental rules and regulations.

A. Sworn Police Personnel

Sworn police personnel shall receive a uniform allowance of nine hundred dollars (\$900.00) per year payable in two equal increments of four hundred fifty dollars (\$450.00) each according to the following payment schedule:

- \$450.00 in the first pay period of the fiscal year; and
- \$450.00 in the final pay period of the calendar year.

New employees shall receive one uniform allowance increment initially upon appointment and unless the new employee commences employment on the start of a fiscal year, the uniform allowance for that initial increment shall be pro-rated.

Section 7.4 Deferred Compensation Plan

At least one (1) deferred compensation plan shall be offered by the City and made available to all employees in this unit, which provides for tax-deferred savings and/or a retirement supplement. Employee deposits into such plan(s) shall be made by payroll deduction and at monetary levels of the employee's choice, subject to the maximum(s) allowed according to Internal Revenue Service (IRS) regulations and laws.

Section 7.5 Sick Leave Incentive

Sworn members of the CPOA will be awarded an additional four (4) hours of vacation time for every three (3) consecutive months during which sick leave was not used by the member after one's accrual of two hundred forty (240) hours of sick leave time.

Any officer who believes he or she is eligible for the sick leave incentive under the terms of Section 7.5 shall submit a written request with one's payroll time card to Payroll staff in the Finance Department requesting the incentive hours to be awarded. The written request shall specify the beginning and ending dates of the quarter for which the incentive is being sought.

Payroll staff will then verify the officer's eligibility by checking the officer's most recent quarter's sick leave usage.

If, in fact, the requesting officer is eligible for the incentive, Payroll staff will then credit the requesting officer's earned vacation bank with the appropriate amount of incentive hours. If the requesting officer is ineligible for the incentive due to sick leave usage during the quarter indicated, Payroll staff will so notify the requesting officer accordingly noting the date of sick leave usage(s).

A "month" for purposes of sick leave incentive under Section 7.5 begins on the first calendar day of the month and ends on the last calendar day of the month.

Requests for incentive hours pursuant to Section 7.5 must be submitted on or before the end of the third month following the end of the quarter for which the incentive is sought. {For example, if the quarter for which the incentive is sought is for January 1 through March 31, the request for the incentive must be submitted to Payroll on or before June 30.} Any potential incentive hours not timely requested shall be deemed void and eligibility for them waived.

Section 7.6 Educational Incentive Program

The City shall pay an educational incentive for job-related P.O.S.T. certificates obtained by the employee which exceed the normal established job requirements for the classification held by the affected sworn police employee. Eligible employees shall be compensated as follows:

P.O.S.T. Intermediate Certificate	\$1,200/Year	or
P.O.S.T. Advanced Certificate	\$2,160/Year	

The monetary equivalent of this education incentive pay is disbursed to an eligible employee in the form of one's hourly wage basis through the City's bi-weekly pay cycle, pursuant to the federal Fair Labor Standards Act (FLSA)

If an employee qualifies for an incentive in one classification but is assigned to another classification that *requires* the P.O.S.T. certificate presently earned, the employee is no longer eligible to receive the associated incentive pay.

Payment of the incentive shall be subject to the approval of the City Manager. The following criteria will be used to determine an employee's eligibility for and/or continued eligibility in the incentive program:

- A. An employee must have successfully completed his/her probationary period of eighteen (18) months prior to becoming eligible for this educational incentive program.
- B. It will be the responsibility of the immediate supervisor or the Chief of Police to notify the City Manager of an employee's eligibility in this incentive program, using the applicable City Personnel Action Form, and secure the City Manager's approval. Once approved, it will be the responsibility of the immediate supervisor or the Chief of Police to notify the City payroll department, using the applicable City Personnel Action Form with the required approval signatures, at the beginning of the pay period in which the incentive pay will be paid as to the affected employee.

This educational incentive pay is separate and distinct from the base salary compensation for each classification for purpose of calculating salary advancements.

Section 7.7 Special Duty Assignments

- A. Field Training Officer (FTO)

City agrees to pay a five percent (5%) premium to employees within the CPOA who are assigned by the Chief of Police to the training of new, full-time, regular employees and Reserves, based on a training plan and schedule approved by the Chief of Police. FTO premium will be paid only for those hours for which the assigned trainer has been actually provided the field training.

It is the intent of this provision that assignments involving training shall not be assigned for less than one (1) work shift.

Section 7.8 Working In A Higher Classification

An employee covered by this MOU who is assigned to work in a position of a higher classification shall be paid an additional five (5) percent of his or her current salary for the time the employee works in the higher classification. Such assignments to a higher classification shall be approved by the Chief of Police and City Manager. This provision does not apply to employees performing higher duties as a result of a written training program.

Salary adjustments under this section shall not be retroactive.

Section 7.9 Shift Differential

Sworn officers regularly assigned to Graveyard Shift shall receive an additional four (4) percent compensation above base pay for hours worked on the Graveyard Shift. Regularly assigned to a Graveyard Shift shall mean a sworn officer who is assigned to work between the hours of 2100 to 0700 for at least four (4) days per week.

Sworn officers regularly assigned to Swing Shift shall receive an additional two and one-half (2.5) percent compensation above base pay for hours worked on a Swing Shift. Regularly assigned to a Swing Shift shall mean a sworn officer who is assigned to work between the hours of 1400 to 2400, or 1700 to 0300 for at least four (4) days per week.

Hours not worked on the officer's regularly assigned shift are compensable at base pay. This provision includes off hours such as paid and unpaid leave.

Both parties acknowledge and agree the current language in the MOU does not adequately or properly address shift differential pay reflecting an assigned shift scheduled for an employee working a 10-hour or 12-hour work period. During the term of this agreement, the City and the CPOA agree to mutually consider and agree upon prospective terms and conditions of this Section for potential revision to address 8-hour, 10-hour and 12-hour work shifts.

ARTICLE 8: MEDICAL AND DENTAL INSURANCE PREMIUMS

Section 8.1 City Contribution To Premiums

The maximum monthly City premium contribution for combined medical and/or dental insurance coverage for sworn personnel shall be paid by the City during the term of this MOU in accord with the following employee subscription enrollment schedules.

A. The City's maximum monthly contribution will be as follows:

No Enrollment/Unused Benefit (enrollments after 30 June 2010): \$ -0-

No Enrollment/Unused Benefit (existing eligible employees): \$ 250.00/mo.
(Provided proof of similar medical and dental coverage is available to the employee is placed and maintained via another qualified third party insurance provider. Ref. Section 8.2).

Employee Only \$ 767.57 per month.

Employee + 1 Enrolled Dependent \$1,355.57 per month.

Employee + 2 or more Enrolled Dependents \$1,774.77 per month.

Section 8.2 Member Enrollment in Medical and/or Dental Insurance

The City will contract to provide medical and dental insurance coverage for all full-time regular employees and their enrolled dependents. Any premium in excess of the maximum amount contributed by the City as outlined in Section 8.1 above shall be the responsibility of the individual employee, to be paid through City bi-weekly payroll deductions.

Employees may elect to decline City-provided medical and/or dental coverage only in cases when the employee is covered under an alternate third party insurance plan. Proof of insurance is required. For employees authorized to decline City-provided medical and/or dental coverage, the City will contribute a monthly amount up to the maximum monthly premium cap outlined in Section 8.1 above under "No Enrollment". The employee may elect to place said "No Enrollment" monies into a City-approved deferred compensation plan, to the employee's Flexible Spending Account (FSA – medical), or may receive the monies as taxable income, each prorated amount disbursed bi-weekly at the employee's designated option and in accord with applicable IRS regulations.

Those employees whose monthly expense for their enrolled subscription in City-secured medical and/or dental insurance is less than the maximum amounts listed in Section 8.1 may also elect to place Unused Benefit residual monies into a City-approved deferred compensation plan, to the employee's Flexible Spending Account (FSA – medical), or may receive the monies as taxable income, each prorated amount disbursed bi-weekly at the employee's designated option and in accord with applicable IRS regulations.

In no case shall an employee's Unused Benefit residual payout exceed the maximum of \$250.00 per month.

Section 8.3 Short Term and Long Term Disability Insurance

The City shall provide and pay for short term (STD) and long term disability (LTD) insurance(s) in behalf of each employee of this unit for the purpose of providing contracted levels of continued compensation in the event of an off-duty illness or injury.

Section 8.4 Term Life/Accidental Death/Dismemberment Insurance

The City will contract and pay for the full premium to enroll each permanent full-time and part-time employee in a \$50,000 face amount of term life insurance policy and a \$50,000 Accidental Death and Dismemberment Insurance coverage.

ARTICLE 9: RETIREMENT SYSTEM

The City is a member of the California Public Employee's Retirement System, hereinafter referred to as "CalPERS". All regular full and part time employees of this Unit are ~~compulsory required to be~~ members of this retirement system.

Section 9.1 Classic Tier I Employees

All regular full-time and regular part-time employees of this Unit hired before 01 July 2010 are considered "Classic Tier I" participating members of CalPERS. By contract, the City and eligible employees in this Unit are participating members of the "3% at age 55" Safety Retirement System. The applicable employee contribution paid in full by Classic Tier I employees, pursuant to pre-tax payroll deductions, is nine percent (9%).

A. Cost-Sharing of City CalPERS Contribution

Upon ratification of this Agreement, the City shall implement cost-sharing pursuant to the terms set forth below to offset a portion of the City's employer contribution to CalPERS for retirement benefits as authorized under Section 20516(f) of the Government Code.

The employee cost-sharing contribution will be accomplished pursuant to Section 20516(f) of the Government Code. Cost-sharing contributions made pursuant to Section 20516(f) remain characterized as employer contributions by CalPERS and therefore, will not be allocated to the employee's retirement account. Cost-sharing contributions will be deducted from wages on a pre-tax basis during the term of this Agreement.

The cost-sharing contribution amount is as follows:

1. Effective 02 July 2018, Classic Tier I employees shall contribute, through payroll deduction, an additional one-half of one percent (0.5%) of PERSable compensation, for a total contribution of 9.5%, towards CalPERS retirement.

2. Effective 01 July 2019, Classic Tier I employees shall contribute, through payroll deduction, an additional three-quarters of one percent (0.75%) of PERSable compensation, for a total contribution of 10.25%, towards CalPERS retirement.

3. Effective 29 June 2020, Classic Tier I employees shall contribute, through payroll deduction, an additional one percent (1%) of PERSable compensation, for a total contribution of 11.25%, towards CalPERS retirement.

~~For Classic Tier I eligible employees, the City shall pay the entire required Employer CalPERS rate and share for this Safety Retirement System and any increases in rate thereof during the term of this MOU, as well as cover the cost of administration. The parties agree the present Employee's full CalPERS contribution rate under this Tier 1 Plan is a total of nine percent (9%).~~

~~Effective 06 July 2015, each Classic Tier 1 eligible member shall continue to commence paying three percent (3%) of the Employee Paid Member Contribution's CalPERS rate on a bi-weekly payroll basis. The City shall also pay six percent (6%) of the Employee's CalPERS rate.~~

~~Effective 04 July 2016, each Classic Tier 1 eligible member shall commence paying six percent (6%) of the Employee's CalPERS rate on a bi-weekly payroll basis. The City shall also pay three percent (3%) of the Employee's CalPERS rate.~~

~~Effective 03 July 2017, each Classic Tier 1 eligible member shall commence paying the full nine percent (9%) of the Employee's CalPERS rate on a bi-weekly payroll basis. The City shall not pay any portion of the Employee's CalPERS rate.~~

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Section 9.2 Classic Tier II Employees

All regular full-time and regular part-time employees of this Unit hired on or after 01 July 2010, plus any new employee of this Unit that was a participating member with an employer enrolled in a CalPERS "Classic" pension system and whom did not experience a break in employment service longer than six (6) months, are each considered City "Classic Tier II" employees and are ~~compulsory required to be~~ participating members in CalPERS. The City shall contract with CalPERS and enroll said eligible employees in this hiring category in the CalPERS "2% at age 50" Local Public Safety retirement plan.

A. Cost-Sharing of City CalPERS Contribution

Upon ratification of this Agreement, the City shall implement cost-sharing pursuant to the terms set forth below to offset a portion of the City's employer contribution to CalPERS for retirement benefits as authorized under Section 20516(f) of the Government Code.

The employee cost-sharing contribution will be accomplished pursuant to Section 20516(f) of the Government Code. Cost-sharing contributions made pursuant to Section 20516(f) remain characterized as employer contributions by CalPERS and therefore, will not be allocated to the employee's retirement account. Cost-sharing contributions will be deducted from wages on a pre-tax basis during the term of this Agreement.

The cost-sharing contribution amount for Classic Tier II employees is as follows:

1. Effective 02 July 2018, Classic Tier II employees shall contribute, through payroll deduction, an additional one-half of one percent (0.5%) of PERSable compensation towards CalPERS retirement.

2. Effective 01 July 2019, Classic Tier II employees shall contribute, through payroll deduction, an additional three-quarters of one percent (0.75%) of PERSable compensation towards CalPERS retirement.

3. Effective 29 June 2020, Classic Tier II employees shall contribute, through payroll deduction, an additional one percent (1%) of PERSable compensation towards CalPERS retirement.

~~The City shall pay the entire (100%) required Employer CalPERS rate for this Classic Tier II "2% at age 50" Retirement Plan and employee shall pay the entire (100%) required Employee share CalPERS rate. For the purpose of calculating eligible retirement pension, the "2% at age 50" Plan shall be the average of the highest three (3) years of eligible compensation paid to the Employee.~~

Section 9.3 PEPRA Tier III Employees

A Public Employee Pension Reform Act ("PEPRA") or City "Tier III" employee for retirement purposes is any new member of this Unit who becomes a member of CalPERS for the first time on or after 01 January 2013, and who was not a member of another California public retirement system prior to that date, and who is not subject to reciprocity with another California public retirement system. Eligible employees of the City's "Tier III" Retirement Plan are enrolled as members of the Local Public Safety retirement plan of "2.7% at age 57".

Under PEPRA, Unit members of the Tier III Retirement Plan must contribute fifty percent (50%) of the total Normal Cost, as defined and calculated by CalPERS, as the Employee Share.

Section 9.4 Survivor Benefit Program

The City agrees to contract for the CalPERS 1959 Survivor Benefit Program – Fourth Level, and provide the annual employer cost for this contracted retirement benefit. Employees of this unit shall be solely responsible for the employee monthly cost for this added contractual benefit, payable through mandatory City payroll deductions.

ARTICLE 10: HOLIDAYS AND LEAVES

Section 10.1 City Designated Holidays

The City designates the following Holidays in each calendar year with the closure of City Hall and pedestrian traffic and normal telephone calls to the Clayton Police Station:

New Year's Day	Martin Luther King, Jr. Day
President's Day	Memorial Day
Independence Day	Labor Day
Veteran's Day	Thanksgiving Day
Friday after Thanksgiving Day	Christmas Day

Section 10.2 Holiday Pay

A member of this Unit whose work assignment requires one to work a City designated Holiday shall receive one's regular pay, and provided that member works at least four (4) hours of that Holiday, that member will be paid eight (8) additional hours of pay for having to work that Holiday during that pay period. A member of this Unit not working any hours of that Holiday during that pay period shall receive zero (\$0) pay for that Holiday. A member of this Unit working less than four (4) hours on a Holiday shall receive one's regular pay for the hours actually worked during that pay period.

Section 10.3 Personal or "Floating" Leave

In addition to the holidays listed under Section 10.1, all members of this unit shall receive twenty-four (24) hours of Personal Leave for each fiscal year. Said leave hours shall be taken at the employee's discretion, with the consent of the supervisor. If Personal Leave hours are not taken or exhausted by the end of the fiscal year (June 30th), the remaining hours are forfeited.

Section 10.4 Vacation Leave

Permanent, regular employees shall be entitled to annual vacation leave with pay as earned.

A. Vacation leave credit for an 80-hour biweekly work week employee shall be accrued on the following basis, subject to a not-to-exceed accrual cap of eighteen (18) times one's current monthly accrual rate ("the cap"):

1. 6.67 hours per month from the date of initial hire through month 24.
2. 8.00 hours per month from month 25 through month 48.
3. 10.00 hours per month from month 49 through month 96.

4. 13.33 hours per month from month 97 through month 180.
5. 16.67 hours per month from month 181 and beyond.

An employee having earned an accrued, unused vacation leave hour balance above eighteen (18) times one's current monthly accrual cap as of 24 July 2011 is hereafter ineligible to accrue further vacation leave hours until such time said employee's accrued, unused vacation leave hours balance drops below the eighteen (18) times cap, and thereafter may again accrue further vacation leave hours only to the extent such accrual balance never exceeds the employee's eighteen (18) times applicable cap.

- B. Vacation leave credit for regular full-time employees working less than an eighty (80) hour biweekly work week shall be credited as in paragraph "A" above on a pro-rata basis based on the number of hours worked per week.
- C. Vacation leave must be used in increments of one-quarter (0.25) hour or more.
- D. Vacation leave may be taken as earned but must be requested in writing as far in advance as possible. Vacation leave scheduling is subject to the approval of the Chief of Police, based on labor deployment requirements.
- E. In the event one or more observed holidays fall within the vacation leave of an employee, such holiday shall not be charged as vacation leave, and the vacation leave may be extended accordingly.
- F. Upon leave of City employment, an employee will be paid for all accrued, unused vacation leave hours up to and including the maximum cap of eighteen (18) times one's current monthly accrual rate. An employee who earned and thereafter maintained an accrued, unused vacation leave hour balance in excess of eighteen (18) times one's current monthly accrual rate as of 24 July 2011 will be paid for all accrued, unused vacation leave hours upon leave of City employment.

Section 10.6 Sick Leave

Sick leave is earned at the rate of eight (8) hours for each month worked. Maximum accrual will be unlimited. Unused sick leave will not be paid upon separation from City employment.

Sick leave may generally be used for any illness, injury, medical or dental appointment/treatment, or disability (including pregnancy and childbirth) of the employee. Sick leave may also be used for illness or injury of the employee's immediate family; however, absences for family leave purposes in excess of one (1) week (or a cumulative two [2] weeks in any calendar year) must be approved by the City Manager. A physician's report may be required for extended periods of sick leave

usage, or if in the determination of the City Manager, the employee exhibits greater than average, or unusual patterns or circumstances in the use of sick leave.

Up to three (3) days of sick leave may be used to attend funerals of close family members, with the approval of the City Manager.

Members of this unit are entitled to certain disability benefits as defined by state law, and may not therefore use sick leave for on-the-job injuries or illnesses. Further, any unused sick leave shall not extend the retirement date of an employee who has been granted a disability retirement, notwithstanding the provisions of CA Government Code Section 21025.2

Employees may use accrued sick leave for non work-related disabilities up to the effective or commencement date of short-term or long-term disability benefits.

Employees unable to return to work within six (6) months of the date of disability (non work-related) may be separated from City employment, unless an extension is approved by the City Manager, and except as otherwise restricted by state law.

Up to twenty-four (24) hours of accrued paid sick leave may be used as Bereavement Leave per occasion to attend the funeral of a close family member, with approval of the City Manager.

ARTICLE 11: HOURS OF WORK, WORK PERIODS AND PAY PERIODS

Section 11.1 Standard Work Assignment

The standard work assignment shall be eighty (80) hours in a two week pay period.

Section 11.2 Shifts

A Regular shifts consist of 8, 10, or 12 hours of work per day, as assigned. Paid work time begins at the start of a shift (e.g. a 6am to 6pm shift begins at 6:00 a.m.). Each employee assigned to a shift must have completed changing his or her clothes (uniform, boots, vest, and belt, etc.) and be able and ready to begin work by the beginning of the shift). Each time an assigned work shift schedule is established or altered for members of this unit, the Chief of Police is responsible to so inform the Payroll/Finance Department accordingly, pursuant to the federal Fair Labor Standards Act.

B For purposes of this MOU, "shift trades" is an agreement between two employees to perform each other's duties on an infrequent basis. Each employee agrees to work one scheduled shift of the other on an agreed upon date. Shift trades are to be sought and used by an employee seeking to take one (1) work day off in lieu of using accrued personal paid leave time. Shift trades are the prerogative of the Chief of Police and are

provided for employees as a means to meet the unexpected personal needs of an employee. These exchanges are to be considered a privilege and not a right.

Section 11.3 Pay Periods

The pay period for all employees shall be bi-weekly. The pay period is from 12:00 a.m. Monday through 12:00 midnight Sunday. There are twenty-six (26) pay periods in a fiscal year from July 1st through June 30th. Time sheets are due to Payroll at the start of the day work shift the Monday following the close of the pay period on Sunday. City pay checks are available and distributed on the Wednesday following the close of a pay period.

Note: From time to time, Payroll deadlines for submittal of time sheets and actual pay day may be altered due to designated City holidays. Payroll will notify all employees in advance when these circumstances arise. The time sheet deadline may be adjusted as needed to meet City payroll deadlines. Employees required to estimate hours worked due to an early time sheet deadline shall do so based on an employee's normally-assigned work schedule.

ARTICLE 12: OVERTIME

Section 12.1 Regular Overtime

The City will compensate eligible regular employees for each one-quarter hour (0.25) of overtime worked at a rate of one and one-half times (1.5) the employee's base hourly rate including applicable FLSA-required compensation. Overtime is defined as hours worked in excess of eighty (80) hours per pay period, or hours worked in excess of a regularly scheduled shift. Employees working partial or reduced shifts will not be eligible for overtime until the hours worked exceed the regular shift hours noted in Section 11.2. Authorization of the employee's supervisor must be obtained prior to the working of overtime hours, except in emergency situations. Compensation for overtime shall be in the form of cash payment, or if requested by the employee and approved by the Chief of Police, in the form of compensatory time off (CTO) that shall also accrue at the rate of one and one-half (1.5) times the actual overtime hours worked.

For purposes of overtime and compensatory time calculations, all paid leave shall be considered as hours worked.

Section 12.2 Compensatory Time Off

A maximum of one hundred fifty (150) hours of compensatory time off (CTO) may be accrued by each employee, except when approved by the City Manager for a recognized or specific operational need or situation. Whenever possible and in the discretion of the immediate supervisor or Chief of Police, overtime shall be compensated with compensatory time off. Compensatory time off may be used by written request of the employee filed three (3) days in advance with the appropriate

supervisor or the Chief of Police. Management will make every effort to comply with time off requests of the employee and shall not arbitrarily assign employees to compensatory time off. Upon leaving City employment, the employee will be paid for all accrued, unused compensatory time.

Section 12.3 Call-Out Pay

In the event an employee is called out for emergency duty, the employee will receive compensation at a rate of one and one-half (1.5) times the employee's regularly hourly rate. When an employee is called to duty more than forty-five (45) minutes prior to one's normal work shift, or is called back to duty after leaving work following a normal work shift, the employee will be compensated a minimum of three (3) hours of overtime pay.

Call-out time shall be defined as time worked by the employee, in excess of forty (40) hours per week, which time is not an extension of the normal work day or for which the employee has not been notified at least twenty-four (24) hours in advance. Call-out shall occur only when there has been a break in work service, i.e., the employee has left work for the day and is required to return to duty. In addition, weekend work for which the employee has been notified at least twenty-four (24) hours in advance shall not be considered call-out time. Attendance at regularly-scheduled meetings held after normal working hours that are recognized as part of the job duties of an individual employee shall not be recognized a call-out time.

Section 12.4 Court Time and Appearances

- A. Sworn employees of this unit shall receive overtime pay for each hour they are required to, as a direct result of their City employment, and actually appear in court during their off-duty hours, yet said pay shall not be less than four (4) hours of overtime, except as provided below.
- B. Sworn employees shall receive regular compensation (straight time) for appearing in court during their regular work hours when such appearance is a direct result of their City employment.
- C. Sworn employees shall receive overtime pay only for each hour they actually appear in court, as a direct result of their City employment, while off-duty but within four (4) hours prior to the start of their work shift, yet shall not receive the guaranteed minimum of four (4) hours overtime as provided in "A" above.
- D. Sworn employees required to appear in court commencing at a time less than one-half ($\frac{1}{2}$) hour following the end of his/her shift regardless of the length of the work shift, and said appearance is due to the employee's City employment, shall be paid overtime only for the time he/she actually appears in court, and shall not be paid the guaranteed four (4) hours minimum of overtime as provided in "A" above.

Sworn employees required to present criminal cases in person to the local district attorney's office during regularly-scheduled time off shall receive overtime pay as provided for in Section 12.4 above. The administrative sergeant responsible for assigning the filing of such criminal cases shall first endeavor to require such assignments to be conducted by sworn employees during one's work shift, and shall only make such assignments to off-duty personnel when no other reasonable alternative exists.

ARTICLE 13: RESIDENCY REQUIREMENT

Each member of this unit shall maintain their principal residence at all times within a fifty (50)-mile radius of the City of Clayton Police Department headquarters.

Upon recommendation from the Chief of Police, the City Manager may grant exception to this residency requirement when special circumstances or hardships warrant, and may condition such exception as the City Manager deems appropriate and consistent with the purpose of this requirement to insure rapid public safety response time to emergency and disaster situations within the city.

ARTICLE 14: CLASSIFICATION AND COMPENSATION PLANS

Each position with the City shall be allocated to its appropriate classification on the basis of assigned job duties and responsibilities such that the same qualifications may be reasonably required for and the same schedule of pay may be equitably applied to all positions in the same classification. Positions may, from time to time, be reclassified on the basis of changes in or re-evaluation of the duties and responsibilities of the positions.

ARTICLE 15: LAYOFF PROCEDURE

Section 15.1 Purpose

The purpose of this section is to provide a fair and equitable basis for the reduction of personnel when this action becomes necessary in a department comprised of members of this unit or in the total work force of the City. In such circumstances, the City will make every effort to assist those employees who may be subject to layoff due to lack of work or a similarly compelling reason. Assistance will be made available through utilizing existing vacancies elsewhere in the department or work force, if any, to the fullest extent possible to relocate affected employees. In addition, contact will be made

with other employees to refer those employees who are unable to be placed in other City vacancies.

Section 15.2 Causes

The Chief of Police may layoff an employee in the classified service because of shortage of work or budgeted funds. In addition, for the interest of economy or because the necessity for the position or employment involved no longer exists, the City Manager may request, and the City Council may concur, to abolish any position or employment in the classified service and discharge, transfer or demote the employee or officer holding such position or employment.

Section 15.3 Procedure

- A. When a reduction in personnel is anticipated, the Personnel Officer or his/her designee shall notify the CPOA in writing forty-five (45) calendar days before the effective date of the layoff with the reasons thereof.
- B. The Personnel Officer, or his/her designee, shall determine what openings exist in the same classification in other departments so the affected employee(s) may be considered for transfer or relocation. The employee(s) may be considered for transfer or relocation into a lower classification, where practicable, prior to affecting layoff.
- C. If transfer or demotion is not practicable, the affected employee, upon layoff, shall be placed on the appropriate re-employment list as provided for by this Section.
- D. Provisional employees of the affected classification(s) shall be laid off prior to the layoff of a probationary or permanent employee.
- E. Probationary employees in the affected classification(s) shall be laid off prior to the layoff of a permanent employee.
- F. Permanent employees shall be designated for layoff based on an evaluation of all employees in the same classification. Such evaluation will include work assignment, certification, education and seniority.
- G. The names of probationary and permanent employees who have been laid off shall be placed upon re-employment lists for classification(s) which, in the opinion of the Personnel Officer, require basically the same qualifications, duties and responsibilities of the classification(s) from which the layoff was made. Re-employment lists will be maintained and valid for a period of one (1) year following the effective date of that layoff.
- H. In filling vacancies, eligible individuals on the re-employment lists take precedence over eligible individuals on any other list for the same classification.

ARTICLE 16: CORRECTIVE COUNSELING DOCUMENTS

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A Corrective Counseling document is not considered discipline and as such is not subject to the appeal process. It is used by a supervisor to assist an employee in modifying unacceptable behavior to comply with the Clayton Police Department standards, and represents the documentation of a held counseling session. The Corrective Counseling document will be purged from the employee's file upon their next annual performance evaluation.

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ARTICLE 17: DISCIPLINARY PROCESS

A Letter of Reprimand is not a disciplinary matter subject to an appeal process by the affected employee provided the Chief of Police approves in writing the Reprimand without the affected employee's right to any hearing before the Chief. A Letter of Reprimand shall ~~remain~~stay in the affected employee's personnel file for a period of five (5) years from the date of reprimand, and shall be removed at the conclusion of the five (5) year period provided there is no repeat incident of the behavior or violation. ~~to be purged following twelve (12) consecutive months of non-repetitive behavior or incident.~~ The initial Reprimand issue shall not be incorporated into the affected employee's performance evaluation provided there is non-repetitive behavior or incident within the subsequent twelve (12) month time period following the Reprimand.

For matters involving discipline of an employee, after the process has progressed from the investigation, recommendation for discipline, the Skelly hearing, and the City Manager's decision to impose the discipline, the next step to the appeal process is non-binding arbitration.

Any side can appeal the arbiter's ruling, but only as to the issues raised in the arbitration.

Final appeal will be to the City Council.

ARTICLE 18: GRIEVANCE PROCEDURE

Section 18.1 Definition

A grievance is any dispute between the City and employee or employees or recognized employee organization with respect to the meaning, interpretation, application or enforcement of the Personnel System Rules and Regulations or the Memorandum of Understanding (MOU).

Section 18.2

It is the intent of the City to anticipate and diminish causes of grievances and to settle any which arise informally at the lowest practicable level of supervision, and as fairly

and promptly as possible. To accomplish this, there are time limits between the initiation of a grievance and its occurrence, between steps of the grievance procedure, and the time in which each answer must be given. Any grievance, ~~whether initiated by the employee or the City,~~ is subject to the time limits set herein. Failure to pursue or conduct a grievance within these time limits shall constitute said grievance to have been settled on the basis of the last timely demand or answer. The time limit set forth can only be extended by written agreement of both parties.

At each step of the grievance procedure, the City shall make available any record relied upon to sustain the action which gave rise to the grievance and any other information necessary and pertinent to the processing of the grievance.

~~Exception: Any materials which in the City Manager's discretion must, in the public or City's interest, remain confidential or which is intimate and private to the grieving employee.~~

Section 187.3

Any employee in the merit system shall have the right to use the grievance procedure free from restraint, discrimination, pressure or reprisal from any other employee, supervisor, department head, or representative of recognized employee organizations.

Employee shall have the right to present grievances individually or through his/her recognized employee organization. Employee shall have the right to withdraw the grievance at any step in the procedure. Employee shall have the right to designate a representative of a recognized employee organization at ~~any the second step, or any succeeding step,~~ of this grievance procedure. If the employee is represented by a representative of a recognized employee organization, the employee filing the grievance shall also be present during the discussion at all steps of the grievance procedure.

Section 187.4

Grievances will be processed in the following manner and within the stated time limits:

A. Step No. 1

When an employee has a grievance, he/she shall, within ten (10) working days following the occurrence of the event or the discovery of the event on which the grievance is based, prepare in writing a complete description of the grievance and submit the grievance to his/her immediate supervisor. The employee and supervisor shall discuss the matter in private. Should the substance of the grievance by the employee be connected with actions of the immediate supervisor and/or Chief of Police, said grievance shall be filed with the Personnel Officer.

The supervisor, Chief of Police, and/or Personnel Officer shall make a thorough investigation of the reported grievance and render his/her/their decision within three (3) working days. The decision shall be made in writing to the aggrieved employee.

Most grievances should be solved at the employee – supervisor level.

B. Step No. 2

If the employee is not satisfied with the decision of his/her supervisor, Chief of Police, and/or Personnel Officer in Step No. 1 above, he/she has the right to appeal the decision to the next higher level of supervision. The aggrieved employee, either individually or by instructing the chosen representative of the recognized employee organization, must prepare a written appeal or must file said appeal within ten (10) working days after the applicable decision is rendered to the next level of supervision.

At this Step of the grievance procedure, the supervisor or employee, individually or through his/her designated recognized employee organization representative, shall have the opportunity to provide evidence from witnesses. In this Step, the management person receiving the appeal shall make a thorough investigation of the reported grievance and shall render his/her decision in writing within five (5) working days of concluding the investigation, but not longer than fifteen (15) working days from the receipt of the appeal.

C. Step No. 3

If the aggrieved employee is not satisfied with the decision made on his/her appeal at the level of management specified in Step No. 2, he/she has the right of appeal to the City Manager. The aggrieved employee, either individually or by instructing his/her chosen representative from a recognized employee organization, shall submit in writing an appeal to the City Manager within ten (10) working days of the date of the decision rendered by the management person in Step No. 2.

The written appeal shall include a detailed statement of the grievance. The City Manager shall arrange a prompt hearing of the grievance. Following the close of the hearing before the City Manager, the City Manager shall make a thorough investigation of the reported grievance and render his decision in writing to the aggrieved employee within five (5) working days after the close of the hearing. The City Council is given a copy of the City Manager's decision, and the City may initiate its own grievances at this step of the grievance procedure.

D. Step No. 4

If the aggrieved employee, or City, is not satisfied with the decision of the City Manager in Step No. 3, and wish to appeal the decision, the aggrieved employee, either individually or by instructing his/her designated representative of a recognized employee organization, can appeal the decision in writing to the Personnel Board (City Council) within ten (10) days of the City Manager's decision.

Decisions of the Personnel Board (City Council) pursuant to this grievance procedure will be final and binding.

ARTICLE 198: JOINT LABOR/MANAGEMENT SAFETY COMMITTEE

Section 198.1

The City shall attempt to provide a safe and healthy work place for all City employees. The CPOA supports the creation of a safe working environment.

Section 198.2

The City will establish and maintain an Employee Safety Committee. Not less than two (2) members of the committee shall be appointed from the Clayton Police Department, one (1) of which shall be named by the CPOA.

Section 198.3

Employees required to attend mandatory safety meetings will be compensated according to the provisions of this MOU.

ARTICLE 2019: SCOPE OF AGREEMENT

Except as otherwise specifically provided herein, this MOU fully and completely incorporates the understanding of the parties hereto and constitutes the sole and entire agreement between the parties on any and all matters subject to meeting and conferring laws. Neither party shall, during the term of this MOU, demand any change therein nor shall either party be required to negotiate with respect to any other matter, provided that nothing herein shall prohibit the parties from changing the terms and conditions of this MOU by mutual consent and agreement.

ARTICLE 219: TERM

Except as indicated herein, this MOU shall be effective commencing 01 July 20185 and continue through 30 June 202148.

IN WITNESS THEREOF, this MOU is entered into by the following authorized representatives this 26th day of June 20185 pursuant to the provisions of CA Government Code Section 3500, et. seq. for presentation to and adoption by the City Council of Clayton, California.

CLAYTON POLICE OFFICERS ASSOCIATION (CPOA)

By: _____
Rich Enea, II, CPOA President

By: _____
~~Daryl England, Tim Marchut, CPOA Member/Vice-President~~

By: _____
~~Jim Bicker/Brayton "Bud" Stone, CPOA Labor Representative/Consultant~~

CITY OF CLAYTON, CA (CITY)

By: _____
Gary Napper, City Manager


#



Agenda Date: 6-19-2018

Agenda Item: 5h

Approved:


Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Janet Brown, City Clerk

DATE: June 19, 2018

SUBJECT: November 6, 2018 General Municipal Election

RECOMMENDATION

By Consent Calendar, adopt the two Resolutions to initiate the process for conducting the City's General Municipal Election on November 6, 2018.

DISCUSSION

The City Council terms for the locally elected offices held by Mayor Haydon and Vice Mayor Shuey expire following the certified canvassed results of the General Municipal Election in November 2018. In order to conduct the local election, several actions are necessary by the City Council.

The first Resolution calls the election for two (2) City Council seats (4-year term of office expiring 2018), requests the Contra Costa County Board of Supervisors to permit consolidation with other elections, requests the Contra Costa County Registrar of Voters to conduct the election, and commits the City to reimburse the County for all local election services rendered. The Registrar of Voters' Office will conduct services related to our Municipal Election, such as preparing, printing and mailing sample ballots and voter information pamphlets, providing absentee voter ballots for use by qualified electors, appointing precinct boards and designating polling places, conducting and canvassing the returns of the election and certifying the votes cast.

The second Resolution adopts our past practice regarding municipal candidates' statements. By adopting this Resolution, the City Council takes the step of establishing the voluntary candidate's statement word limit at 250 words. The City Council may set the word limit at a cap of either 250 words or 500 words; in past elections a 200 word limit has been deemed sufficient. This year's cost, established by the County Elections Office is \$233.00 for a voluntary Candidate's Statement based on the historical 250 word limit. If the word count

exceeds 250 words, the cost will be an additional \$233.00. These county-stated costs include compulsory Mandarin and Spanish translation expenses.

By previous action in February 2013, the City Council adopted Ordinance No. 443 (copy attached) standardizing the deposit and filing fee for Municipal Election candidates, an action once a discretionary decision of the City Council which inherently created economic conflicts of interest for seated incumbents contemplating re-election. The Ordinance sets the candidate filing fee at \$25.00 and sets the candidate statement fee at the rate of the estimate provided by the County Elections Office.

BACKGROUND

In the past, the City of Clayton has consolidated election services with Contra Costa County for the successful conduct of our General and Special Municipal Elections. A resolution requesting these services is required in order for the County to continue with this election consolidation for voter ease and cost efficiencies.

The City Council has the authority to regulate how many words will be allowed in a municipal Candidate Statement. The word count in the past has been limited to 200 with the candidate paying the full printing cost. The law now allows either a 250 or a 500 word cap (Election Code 13307). From past policies of the City Council, this Resolution incorporates the new lower limit of 250 words.

In the 2018 General Election, the City will again require a candidate to submit full payment for the cost of a voluntary candidate statement. The County estimates the printing cost this year to be \$233.00 for a 250 word limit statement. Requiring municipal candidates to pay a Candidate Statement fee will allow funds to be available to pay the County when a bill is submitted and avoids the awkwardness of collecting from candidate(s) after the election results.

Once the election process has been initiated with the adoption of the above-mentioned Resolutions, the next steps are the public notice of the election and the opening of the Nomination Period. The Nomination Period for this Municipal General Election runs from Monday, July 16 through Friday, August 10, 2018. If either one of the incumbents does not file for election, the Nomination Period is automatically extended to Wednesday, August 15, 2018, for all candidates except incumbents.

During the Nomination Period, any currently registered voter in Clayton may take out and file papers with the City Clerk. Nomination papers become public documents once submitted; Candidate Statements become public documents after the Nomination Filing Period has closed.

FISCAL IMPACT

The County Registrar of Voters has determined the cost for our local election to be approximately \$1.75 per registered voter. Per the last registration report, the city of Clayton

has 7,773 registered voters. Therefore at least \$13,603 must be inserted in the proposed FY 2018-19 City Budget for the costs of conducting the municipal election; the proposed City Budget has \$15,000 allocated for this election expense.

CONCLUSION

Staff recommends the City Council adopt the two Resolutions.

Attachments: Resolution Calling the Election
 Resolution Adopting Policy for Candidates Statement
 Ordinance No. 443

RESOLUTION NO. xx -2018

**A RESOLUTION CALLING A GENERAL MUNICIPAL ELECTION
ON NOVEMBER 6, 2018; REQUESTING AND CONSENTING TO
CONSOLIDATION OF THE SAID GENERAL MUNICIPAL ELECTION
AND SETTING SPECIFICATIONS OF THE ELECTION ORDER**

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

WHEREAS, by state law the Clayton City Council must call for a General Municipal Election to be held this year on Tuesday, November 6, 2018 to fill certain municipal offices; and

WHEREAS, other elections may be held in whole or in part of the territory of the City and it is to the advantage of the City and its voters to consolidate such electoral matters pursuant to Elections Code Section 10002; and

WHEREAS, Elections Code Section 10002 requires the City to reimburse the county in full for the services performed upon presentation of a bill to the City by the County Elections Official; and

WHEREAS, Elections Code Section 13307 requires that before the nominating period opens the governing body must determine whether a printing charge shall be levied against each candidate submitting a candidate's statement to be sent to the voters; and may establish the cost; and determine whether the cost be paid in advance; and

WHEREAS, Elections Code Section 12101 requires the publication of a notice of the election once in a newspaper of general circulation in the City; and

WHEREAS, tie votes shall be determined by lot unless the city council adopts the provisions of Elections Code 15651 (b) prior to the conduct of the election resulting in the tie vote.

NOW, THEREFORE, IT IS HEREBY ORDERED by the City Council of Clayton, California, that a General Election shall be held in accordance with the following specifications:

1. A General Municipal Election is hereby called for and shall be held on Tuesday, the 6th day of November 2018 in the city of Clayton. The purpose of the election is to elect two (2) City Council seats, at-large, for full terms of four years each.
2. The City Council of Clayton hereby respectfully requests of the County of Contra Costa, and herein consents to, the consolidation of its municipal election with other elections, which may be held on said day in whole or in part of the territory of the City, as provided in Elections Code 10002.
3. The City will reimburse the County for the actual cost incurred in conducting the election upon receipt of a bill stating the amount due as determined by the elections official.
4. The Candidate Statements will be limited to 250 words. As a condition of having the Candidate's Statement published, the candidate shall pay the cost at the time of filing. Candidate Statements past 250 words will double in price.

5. The City Council herein directs the City Clerk to publish the Notice of Election in the *East Bay Times*, which is a newspaper of general circulation that is published daily in the city of Clayton.
6. In the event two or more candidates receive an equal number of votes, the resolution of a tie vote will be by lot, pursuant to Section 15651 (b) of the Elections Code of the State of California.
7. The City Council herein directs the City Clerk to send a certified copy of this Resolution to the Registrar of Voters and the Board of Supervisors of Contra Costa County.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 19th day of June 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

RESOLUTION NO. xx -2018

**A RESOLUTION ADOPTING A POLICY FOR VOLUNTARY MUNICIPAL
CANDIDATES' STATEMENTS PRINTED IN VOTER INFORMATION PAMPHLETS**

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

WHEREAS, the Clayton City Council has ordered a Municipal Election to be held on Tuesday, November 6, 2018 as set forth in Resolution No. xx-2018; and

WHEREAS, California Elections Code Section 13307 requires the governing body of any local agency to adopt regulations pertaining to materials prepared by any candidate for the municipal election, including costs of the voluntary candidates' statements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby establish the following policy regarding municipal candidates' statements:

1. Candidates' statements are voluntary and shall not exceed 250 words each.
2. Candidates' statements may include the name, age and occupation of the candidate and a brief description regarding the candidate's education and qualifications. Candidates' statements shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations.
3. Candidates' statements shall be prepared on the form provided by the City Clerk to meet the requirements of the Contra Costa County Elections Department.
4. Each candidate will be required to make a payment of \$233.00 when one files a candidates' statement with the City Clerk during the nomination period. This fee includes the cost of printing, handling, and mailing the candidates' statements in English, Spanish and Mandarin (mandatory translation, per Federal and State Regulations).
5. Candidates are subject to and must pay a \$25.00 local filing fee when nomination papers are filed with the City Clerk.
6. No additional candidates' items shall be included in the Voters' Information Pamphlet.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 19th day of June 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

ORDINANCE NO. 443

Ordinance Setting Filing Fees for Filing and Processing of Nomination Papers and Candidate's Statements

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

WHEREAS, Section 10228 of the California Elections Code authorizes the City to impose a fee by ordinance, not to exceed twenty-five dollars (\$25) for the filing and processing of nomination papers by each candidate for elective office in the City of Clayton ("candidate");

WHEREAS, Section 13307 of the California Elections Code authorizes each candidate to prepare a candidate's statement, in accordance with Section 13307, on an appropriate form provided by the City Clerk, to be included in the voter information pamphlet distributed to voters;

WHEREAS, Elections Code Section 13307 also authorizes the City to estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to Section 13307, and to require each candidate filing a statement to pay in advance to the City his or her estimated pro rata share as a condition of having his or her candidate statement included in the voter's pamphlet; and

WHEREAS, the City wishes to establish a fee for filing of nomination papers and candidate's statement pursuant to the above outlined authority in order to ensure that these costs are paid by the candidates and not by the City using public funds.

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

Section 1. Amendment.

Sections 2.02.20 and 2.02.30 are hereby added to Chapter 2.02 of the Clayton Municipal Code, entitled "General Municipal Election," to read as follows:

2.02.20 Nomination Papers Filing Fee.

A. Each candidate filing nomination papers for an elective office at a municipal elections held in the City, shall pay a filing fee of twenty-five dollars (\$25).

B. The filing fee imposed by Section 2.02.20A shall be paid by each candidate to the City Clerk at the time the candidate files his or her nomination papers with the City Clerk.

2.02.30 Candidate Statement; Filing and Fee.

A. Each candidate running for elective office at a municipal election held in the City and filing a candidate statement shall file his or her candidate statement at the time of filing his or her nomination papers, and shall simultaneously pay his or her estimated pro rata share of the cost of producing and distributing candidate information in the voter's pamphlet, including the cost of printing, handling, translating and mailing the candidates statements and complying with the Federal Voting Rights Act of 1965, as amended, as a condition of having his or her statement included in the voter's pamphlet ("Estimated Candidate Statement Fee"), to the City Clerk at the time the candidate files his or her candidate statement with the City Clerk.

B. The City Clerk shall provide each candidate who pays the Estimated Candidate Statement Fee with a receipt for the payment which shall include a written notice that the Estimated Candidate Statement Fee is just an approximation of the actual cost that varies from one election to another election and that the actual fee that the candidate must pay the City may be significantly more or less than the estimate, depending on the actual number of candidates filing candidate statements ("Actual Candidate Statement Cost").

C. If the Actual Candidate Statement Cost is more than the Estimated Candidate Statement Fee, the candidate shall pay the balance of the cost incurred to the City Clerk upon request for the same. If the Actual Candidate Statement Cost is less than the Estimated Candidate Statement Fee, the City shall prorate the excess amount among the candidates and refund the excess amount paid to each candidate, on a pro rata basis, no later than 30 days after the election.

D. Notwithstanding anything else contained in this section 2.02.30, if a candidate alleges to be indigent and unable to pay the Estimated Candidate Statement Fee, the candidate shall submit to the City a statement of financial worth on a form furnished by the City Clerk, which the City shall use in determining whether or not the candidate is eligible to submit a candidate statement without payment of the Estimated Candidate Statement Fee. The statement of financial worth required by this section shall be submitted by the candidate together with his or her candidate statement in accordance with the deadline specified in Elections Code Section 13307. The candidate shall certify the content of the statement as to its truth and correctness under penalty of perjury. The candidate shall also sign a release form of the candidate's most recent federal income tax report. Upon receipt of a statement of financial worth, the City Clerk shall make a determination of whether or not the candidate is indigent. The City Clerk shall notify the candidate of its findings. If the City Clerk determines that the candidate is not indigent, the candidate shall, within three days of the notification, excluding Saturdays, Sundays, and state holidays, withdraw the statement or pay the requisite Estimated Candidate Statement Fee. If the candidate fails to respond within the time prescribed, the City shall not be obligated to print and mail the candidate statement. If the City Clerk determines that the candidate is indigent, the City shall print and mail the candidate statement. The City Clerk may bill a previously adjudged indigent candidate his or her actual pro rata share of the candidate statement cost after the election."

Section 2. Action to Challenge This Ordinance.

Any action or proceeding to attack, review, set aside, void or annul this ordinance must be commenced and the service made on the City no later than ninety (90) days after the effective date of the ordinance.

Section 3. 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 4. Severability.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence,

clause or phrase thereof irrespective of the fact that any one or more section, subsection, sentence, clause or phrase thereof be declared unconstitutional, invalid or ineffective.

Section 5. CEQA.

The City Council finds that the adoption of this ordinance is not a "project," as defined in the California Environmental Quality Act because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and concerns general policy and procedure making.

Section 6. Notice of Exemption.

The City Council directs staff to prepare and file a Notice of Exemption no more than five (5) working days after adoption of this ordinance.

Section 7. Effective Date and Publication.

This ordinance shall become effective thirty (30) days after its adoption by the City Council. Within fifteen (15) days after the passage of the ordinance, the City Clerk shall cause a copy of the ordinance, including the names of the City Council members voting for and against it, to be posted in three (3) public places heretofore designated by resolution of the City Council for the posting of ordinances and public notices.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Clayton held on the 15th day of January 2013, and PASSED, ADOPTED AND ORDERED posted at a regular meeting of the City Council of the City of Clayton on the 5th the day of February 2013, by the following vote:

AYES: Mayor Pierce, Vice Mayor Stratford, Councilmembers Diaz, Geller, and Shuey.

NOES: None.

ABSENT: None.

ABSTAIN: None.

APPROVED:


Julie K. Pierce, Mayor

ATTEST:


Laci Jackson, City Clerk



Agenda Date: 6-19-2018

Agenda Item: 5:1

STAFF REPORT

Approved

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JIM WARBURTON, MAINTENANCE SUPERVISOR

DATE: JUNE 19, 2018

SUBJECT: AWARD CONTRACT FOR THE SOLE SOURCE PURCHASE AND INSTALLATION OF TWO IRRIGATION CONTROLLERS FOR THE LANDSCAPE MAINTENANCE DISTRICT

RECOMMENDATION

By minute motion, approve the attached contract (Attachment 1) and authorize the City Manager to enter into an agreement with Site One Landscape Supply (Site One), for the purchase and installation of two (2) Rain Master DX2 irrigation Controllers as replacements for existing controllers at the intersection of Keller Ridge Drive and Hummingbird Way and at Keller Ridge Drive and Eagle Peak Avenue; and increase the budget appropriation for FY 17-18 Landscape Maintenance District (Fund 210) by \$8,035.

BACKGROUND

Many of the City's existing Rain Master irrigation controllers have outlived their life spans and staff is continually working to reprogram them to keep plant material alive and flourishing. It is a priority to replace irrigation controllers regularly as antiquated ones will not communicate with the City's central wireless system. As such, the City's Landscape Maintenance District (Fund No. 210) budget included monies to replace two irrigation controls annually, with new wireless controllers, at an estimated cost of \$20,000. The two units combined costs and installation at \$28,035, which is \$8,035 more than the current FY 17-18 adopted appropriation. The Landscape Maintenance District has approximately 30 irrigation controllers; to date 19 have been replaced with newer wireless units.

DISCUSSION

An assessment by the Maintenance Department of the current condition of City irrigation controllers reveals the two (2) most pressing units requiring replacement are

Subject: Award Contract for the Sole Source Purchase and Installation of Two Wireless Irrigation
Controllers for the Landscape Maintenance District.
Date: June 19, 2018
Page: 2 of 2

located at the intersections of Keller Ridge Drive and Hummingbird Way and at Keller Ridge Drive and Eagle Peak Avenue. An attempt by staff to receive quotes for these replacement units concluded that Site One is the sole source provider/installer that offers units that are compatible with the City's existing irrigation system, and have a the a 5 year warranty on parts installation. As such, staff recommends the City Council approve a sole-source award of contract to Site One for the purchase and installation of two (2) units.

The total quote received from Site One is \$28,035 is broken out as follows:

1. One 36 station Rain Master DX2 wireless irrigation controller for Keller Ridge @ Hummingbird for the cost of \$13,250.00, plus installation \$1,320.00.
2. One 24 Station Rain Master DX2 wireless irrigation controller for Keller Ridge Drive and Eagle Peak Avenue for the cost of \$12,145.00, plus installation \$1,320.00.

FISCAL IMPACT

This purchase will be made out of the FY 2017-18 Landscape Maintenance District Fund budget (Fund No. 210). There are sufficient funds available in the FY 17-18 adopted Landscape Maintenance District budget fund balance (\$713,835) for this expenditure.

Attachment 1 – John Deer Green Tech - Site One Landscape Supply Contract

Quotation



Stranger Together

Pacheco CA #303
 130 S Buchanan Cir Ste A
 Pacheco, CA 94553-5125
 W: (925)680-7620

Bill To:

City Of Clayton (#230563)
 6000 Heritage Trl
 Clayton, CA 94517-1249
 W: (925)672-3622 x7311

Ship To:

City Of Clayton (#230563)
 6000 Heritage Trl
 Clayton, CA 94517-1249
 W: (925)672-3622 x7311

Created	Quote#	Due Date	Expected Award Date	Expiration Date
06/09/2018	3672843	07/09/2018	07/09/2018	07/09/2018

Printed	Job Name	Job Description	Job Start Date
06/14/2018 15:58:11	Keller Ridge		07/09/2018

Line #	Item #	Item Desc	Qty	Unit Price	Extended Price
1	n	Keller Ridge/Hummingbird			
2	SA6-RM4-36	GT Dx36 Sat Assy	1	7,661.000	7,661.00
3	RHG	Radio,Comm Board & Antenna	1	4,549.000	4,549.00
4	PMR-CAC	Promax Remote Cac-Receiver	1	1,040.000	1,040.00
5	GTINSTALL-JA	GT Install - Jacinto Arreola	12	110.000	1,320.00
6					
7					
8	Keller Ridge/ Eagle Peak				
9	SA6-RM4-24	GT Dx24 Sat Assy	1	6,556.000	6,556.00
10	RHG	Radio,Comm Board & Antenna	1	4,549.000	4,549.00
11	PMR-CAC	Promax Remote Cac-Receiver	1	1,040.000	1,040.00
12	GTINSTALL-JA	GT Install - Jacinto Arreola	12	110.000	1,320.00

Total Price: \$ 28,035.00

Quoted price is for material only. Applicable sales tax will be charged when invoiced. All product and pricing information is based on the latest information available and is subject to change without notice or obligation.




Agenda Date: 6-19-2018

Agenda Item: 9a

STAFF REPORT

Approved:



Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: KEVIN MIZUNO, FINANCE MANAGER, CPA

DATE: JUNE 19, 2018

SUBJECT: PUBLIC HEARING ON THE PROPOSED CITY OF CLAYTON BUDGET FOR FISCAL YEAR 2018-19 AND ITS 5-YEAR CAPITAL IMPROVEMENT BUDGET (CIP) FOR FISCAL YEARS 2018-19 THROUGH 2022-23

RECOMMENDATION

It is recommended the City Council: (1) Receive the staff report and presentation; (2) Open the public hearing and receive public comments; (3) Close the public hearing; (4) Provide any final budget modifications; and then (5) By motion adopt a Resolution approving a City Budget for the fiscal year ending June 30, 2019 (FY 2018-19) and 5 year CIP Budget for FYs 2018-19 through 2022-2023.

BACKGROUND

On an annual basis, the City Council is required by State law and its Municipal Code to adopt a budget with the goal of matching the various needs of the community with the limited financial resources necessary to provide those services. This City Council also adopts a multi-year CIP budget that appropriates funds for various capital projects based on priority. City staff has prepared the City of Clayton FY 2018-19 Proposed Budget, which includes the operational budgets for the City's General Fund, Special Funds, and Fiduciary Funds as well as the five year rolling CIP budget.

The Council-appointed budget sub-committee of Mayor Haydon and Council Member Catalano met with the City Manager and the Finance Manager on May 18, 2018 to review and critique the assembled budget information and available materials. The budget figures discussed have the support of the Sub-committee for submittal to the City Council, which have been incorporated into the attached Proposed Budget. At a regularly scheduled meeting of the Clayton City Council on June 5, 2018, introduction and review of the proposed operational and capital improvement budgets of the City were provided by the Finance Manager.

DISCUSSION

General Fund Budget

The Proposed Budget highlights FY 2017-18 is projected to close with a positive undesignated General Fund reserve balance of **\$5,450,828**. This beginning FY 2018-19 reserve balance equals approximately **1.19** times proposed General Fund expenditures for FY 2018-19. When subtracting \$250,000 of never to be touched "catastrophic reserves" from this reserve balance, net General Fund estimated reserves at July 1, 2018 total approximately **1.13** times the proposed FY 2018-19 General Fund expenditure budget. This is substantially greater than the practicing Policy Goal of the City Council to establish and retain an undesignated reserve of 50% relative to the annual General Fund Budget. The proposed General Fund budget for FY 2018-19 is balanced and projects an operational excess of **\$101,970** without carrying any operational contingencies.

Proposition 4 Appropriations Limit

Relative to its audit of the City's most recently issued comprehensive annual financial report (CAFR) for FY 2016-17, the City's independent auditors, Cropper Accountancy Corporation (Cropper), performed agreed-upon-procedures over the City Council adopted Appropriations Limit for FY 2017-18. The procedures were based on guidelines issued by the League of California Cities and were performed to assist the City in meeting the requirements of Section 1.5 of Article XIII-B of the California Constitution. Based on the procedures performed by Cropper and as solidified in its November 20, 2017 report, no exceptions were noted. The City has contracted with Cropper to perform the same required agreed-upon-procedures over the City's FY 2018-19 Appropriations Limit concurrently with its audit of the City's FY 2017-18 CAFR. The independently reviewed FY 2017-18 Appropriations Limit figure is used as a starting point figure for the calculation of the FY 2018-19 Appropriations Limit and is adjusted using an economic and population statistical methodology published annually by the California Department of Finance (Attachment 2).

In 1978, the California electorate voted to end the perceived runaway "tax and spend" practices of local governments by restricting the amount of annual growth in tax money expenditures allowed for each public entity. This tax limit, known as the "Gann Appropriations Limitation" (Proposition No. 4), remains in law today. As part of the annual budget cycle, it is incumbent upon each public entity to calculate and declare its associated compliance with this tax limitation.

After applying the specified adjustments, our new statutory tax limitation would allow the City to spend \$10,965,766 in tax revenues over the next twelve months ending June 30, 2019. The City-wide Proposed Budget submitted for adoption this year contains only \$4,778,841 in tax revenues subject to the limit, which is still a wide gap from the City's voter-imposed Appropriations Limit.

The reality of the above mathematical exercise is that the City of Clayton receives less than one-half (43.6%) of its containment-cap taxes permissible under this former proposition imposed on local governments by tax-weary voters in California. In other words (in tax

limitation theory), the City of Clayton could levy and appropriate an additional \$6,186,925 of annual tax revenues in our local services, *if such taxes were approved and available from within our community.*

Summation

Despite limited local resources and under the seemingly continuous threat of new unfunded State-mandates and creative ways to generate new State revenues by re-engineering, re-directing, and consequently complicating local revenue sources (i.e. RDA dissolution in 2012, sales tax “triple flip” in 2004, VLF-property tax “swap” in 2004, etc.), the City of Clayton continues to rebound and manage all necessary adjustments to propose responsible municipal services with balanced budgets. Once again, the City’s FY 2018-19 operating and capital budgets are no exception to this, proposing a General Fund operational excess without any reductions to public services, as well as planning for capital investment in public landscaping and parks, street repairs and essential replacements to the ever-maturing police and City-wide maintenance and patrol fleet.

The City of Clayton has a legacy of being a quality community supported by quality public services and civic volunteerism. On behalf of the City organization, we look forward to working with the City Council in the coming fiscal year to maintain our pursuit of excellence in local government.

FISCAL IMPACT

If adopted as proposed, the City’s General Fund operational budget for FY 2018-19 would be \$4,587,220. The total City-wide operating and capital budget for all City funds would be \$13,447,028. A detailed fiscal analysis narrative of the budget is included in the Budget Message section of the Proposed Budget (Attachment 3).

Attachment 1 – Resolution adopting City Budget [4 pages]

- o Exhibit A: Appropriations Limit Calculation [1 page]
- o Exhibit B: Employee Compensation Schedule FY 2018-19 [1 page]

Attachment 2 – May 2018 California Department of Finance Price Factor and Population Information Letter [3 pages]

Attachment 3 – Proposed FY 2018-2019 City Budget and 5-Year CIP Budget [180 pages]

RESOLUTION NO. __ - 2018

A RESOLUTION ADOPTING THE ANNUAL BUDGET FOR THE CITY OF CLAYTON FOR THE 2018-2019 FISCAL YEAR COMMENCING JULY 1, 2018 AND ENDING JUNE 30, 2019, AND ADOPTING THE 2018-2019 APPROPRIATIONS LIMIT AND EMPLOYEE COMPENSATION SCHEDULE

THE CITY COUNCIL
City of Clayton, California

WHEREAS, on June 5, 2018 the City Manager and the Finance Manager did prepare, submit and present to the Clayton City Council the proposed budgets for operation of the City of Clayton in Fiscal Year 2018-19 commencing July 1, 2018; and

WHEREAS, on June 19, 2018, a Public Hearing was set and duly held on the proposed budgets whereat opportunities were provided accordingly for members of the public to offer comments and provide input on the fiscal plans presented; and

WHEREAS, after due consideration and review, the Clayton City Council finds it is in the best interest of the general health, welfare and safety of this City, its citizens and businesspersons, to formally adopt a financial plan governing the receipt and expenditure of public monies in Fiscal Year 2018-2019; and

WHEREAS, Section 7910 of the California Government Code and Article XIII B of the California Constitution, established by Proposition 4, requires the adoption of an annual Appropriations Limit for each fiscal year; and

WHEREAS, this Appropriations Limit fixes the amount of general tax revenue that can be appropriated in a given fiscal year; and

WHEREAS, the Fiscal Year 2018-2019 Appropriations Limit is based upon the prior year's City Council adopted Appropriation Limit adjusted for the change in County population and the change in State per capita income; and

WHEREAS, City staff has calculated the fiscal year 2018-2019 Appropriations Limit to be \$10,965,766 while the City's annual tax proceeds total \$4,778,841, an amount less than one-half (43.6%) of the City's allowable tax expenditure cap.

NOW, THEREFORE, BE IT RESOLVED the City Council of Clayton, California does hereby adopt the budget revenue by fund for the City of Clayton for the Fiscal Year commencing July 1, 2018 and ending June 30, 2019 as follows:

FUND	2018-19 REVENUES
General Fund – Fund No. 101	\$ 4,689,190
HUTA Gas Taxes – Fund No. 201	293,004
RMRA Gas Taxes – Fund No. 202	189,383
Landscape Maintenance District – Fund No. 210	1,136,746
The Grove Park Maintenance District – Fund 211	140,490
Oakhurst Geological Hazard Abatement District – Fund No. 212	41,265
Presley GHAD Settlement – Fund 213	1,500
Street Light Assessment District – Fund No. 214	126,991
Storm Water Assessment – Fund No. 216	147,027
High Street Bridge Assessment District – Fund No. 217	1,834
Oak Street Bridge Assessment District – Fund No. 218	6,330
Measure “J” Fund – Fund No. 220	318,676
Lydia Lane Sewer Assessment District – Fund No. 222	17,550
Oak Street Sewer Assessment District – Fund No. 223	12,080
Restricted Grants – Fund No. 230	121,500
Diablo Estates at Clayton BAD – Fund No. 231	86,780
Development Impact Fees – Fund No. 304	8,000
Clayton Financing Authority – Fund 405	10,000
Middle School CFD – Fund No. 420	395,796
Middle School Refunding – Fund 422	404,821
Self Insurance Fund – Fund No. 501	600
Capital Equipment Replacement Fund – Fund No. 502	91,740
Pension Rate Stabilization Fund – Fund No. 503	3,500
Endeavor Hall – Fund No. 702	30,000
Successor Agency (Former RDA) – Fund No. 615	734,351
Successor Housing Agency – Fund No. 616	106,400
TOTAL REVENUE:	\$ 9,115,554 ; and

BE IT FURTHER RESOLVED the budget appropriations by fund for the City of Clayton for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019 are adopted as follows:

FUND	2018-19 APPROPRIATIONS
General Fund – Fund No. 101	\$ 4,587,220
HUTA Gas Taxes – Fund No. 201	613,905
RMRA Gas Taxes – Fund No. 202	254,238
Landscape Maintenance District – Fund No. 210	1,575,525
The Grove Park Maintenance District – Fund 211	132,164
Oakhurst Geological Hazard Abatement District – Fund No. 212	76,470
Street Light Assessment District – Fund No. 214	151,592
Storm Water Assessment – Fund No. 216	192,907

High Street Bridge Assessment District – Fund No. 217	1,454
Oak Street Bridge Assessment District – Fund No. 218	4,517
Measure “J” Fund – Fund No. 220	937,294
Lydia Lane Sewer Assessment District – Fund No. 222	16,750
Oak Street Sewer Assessment District – Fund No. 223	12,000
Restricted Grants – Fund No. 230	230,262
Diablo Estates at Clayton BAD – Fund No. 231	71,859
Development Impact Fees – Fund No. 304	64,995
Middle School CFD – Fund No. 420	441,825
Middle School Refunding – Fund 422	442,455
Self Insurance Fund – Fund No. 501	7,248
Capital Equipment Replacement Fund – Fund No. 502	100,000
Endeavor Hall – Fund No. 702	34,990
Successor Agency (Former RDA) – Fund No. 615	692,490
Successor Housing Agency – Fund No. 616	58,355

TOTAL APPROPRIATIONS: \$ 10,700,515 ; and

BE IT FURTHER RESOLVED the 5-Year Capital Improvement Program (CIP) Budget of the City of Clayton for the fiscal years commencing July 1, 2018 and ending June 30, 2023 is hereby adopted with the following CIP Projects scheduled for undertaking in FY 2018-19:

PROJECT	2018-19 APPROPRIATIONS
Pine Hollow Road Upgrades (CIP 10379)	\$ 50,000
El Molino Drive Sanitary Sewer Improvements (CIP 10422)	\$ 520,000
Keller Ridge Drive Collector Street Rehabilitation (CIP 10425)	930,206
2018 Neighborhood Street Rehabilitation (CIP 10436)	944,007
Clayton Community Park Lower Field Rehabilitation (CIP 10440)	100,000
North Valley Playground Rehabilitation (CIP 10442)	167,300
City Hall ADA Accessibility Project (CIP 10443)	35,000
	<u>\$ 2,746,513</u> ; and

BE IT FURTHER RESOLVED the appropriations listed above constitute the budget for the Fiscal Year 2018-2019 and the City Manager is herein authorized to transfer appropriations within the control accounts as deemed necessary, provided no change is made in the total amount designated for any one fund; and

BE IT FURTHER RESOLVED the City Council of Clayton does hereby find and determine it has complied with all of the provisions of Article XIII B of the California Constitution in determining the annual Appropriations Limit for Fiscal Year 2018-2019; and

BE IT FURTHER RESOLVED pursuant to Government Code Section 7910 and Article XIII B of the California Constitution the approved Appropriations Limit for fiscal year 2018-2019 is hereby established at \$10,965,766 as shown in “Exhibit A”; and

BE IT FURTHER RESOLVED the City Council hereby adopts the current employee salary schedule, labeled as "Exhibit B", and incorporated herein as if fully set forth in said Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California during a public hearing at a regular public meeting thereof held on the 19th day of June 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

City of Clayton Appropriations Limit FY 2018-19

FY 2017-18 Appropriations Limit:	\$ 10,485,299
A. Change in California Per Capita Cost of Living (Converted to a Ratio)	1.03670
B. Greater of the Change in Population (Converted to a Ratio) (Converted to a Ratio)	
City of Clayton (0.78%)	1.00780
County of Contra Costa (0.88%)	1.00880
	1.00880
Compound Adjustment Factor (A multiplied by B)	1.04582
FY 2018-19 Appropriations Limit:	10,965,766
Estimated Appropriations Subject to Limit:	4,778,841
	43.6%
Available Annual Tax Gap:	<u>\$ 6,186,925</u>

**City of Clayton - Employee Compensation Schedule
Fiscal Year 2018-19**

Full-Time Equivalent Monthly Compensation					
Elected / Appointed Officials	All				
Council Member	\$ 470				
Planning Commissioner	\$ 120				
Step Level					
Administration	A	B	C	D	E
City Manager	\$ 14,124	\$ 14,830	\$ 15,571	\$ 16,350	\$ 17,168
Assistant to the City Manager	\$ 6,492	\$ 6,817	\$ 7,158	\$ 7,516	\$ 7,892
City Clerk / HR Manager	\$ 5,751	\$ 6,038	\$ 6,340	\$ 6,657	\$ 6,990
Finance	A	B	C	D	E
Finance Manager	\$ 8,729	\$ 9,165	\$ 9,623	\$ 10,104	\$ 10,609
Accounting Technician	\$ 4,506	\$ 4,731	\$ 4,968	\$ 5,216	\$ 5,477
Office Assistant / Code Enforcement Officer	\$ 3,752	\$ 3,939	\$ 4,136	\$ 4,343	\$ 4,560
Public Works	A	B	C	D	E
Maintenance Supervisor	\$ 5,481	\$ 5,755	\$ 6,043	\$ 6,345	\$ 6,662
Maintenance Senior	\$ 4,521	\$ 4,748	\$ 4,985	\$ 5,234	\$ 5,496
Maintenance Worker I	\$ 3,744	\$ 3,931	\$ 4,127	\$ 4,334	\$ 4,550
Maintenance Worker II	\$ 4,127	\$ 4,333	\$ 4,550	\$ 4,778	\$ 5,017
Community Development	A	B	C	D	E
Community Development Director	\$ 8,729	\$ 9,165	\$ 9,623	\$ 10,104	\$ 10,609
Assistant Planner	\$ 5,751	\$ 6,038	\$ 6,340	\$ 6,657	\$ 6,990
Police	A	B	C	D	E
Chief of Police	\$ 9,388	\$ 9,857	\$ 10,350	\$ 10,867	\$ 11,410
Police Sergeant	\$ 6,435	\$ 6,757	\$ 7,095	\$ 7,449	\$ 7,822
Police Officer	\$ 5,476	\$ 5,750	\$ 6,038	\$ 6,340	\$ 6,657
Police Office Coordinator	\$ 4,239	\$ 4,451	\$ 4,674	\$ 4,907	\$ 5,153
Police Admin Clerk	\$ 3,752	\$ 3,939	\$ 4,136	\$ 4,343	\$ 4,560

- Schedule incorporates base salary ranges as per the terms of the three (3) year Miscellaneous Group labor negotiation agreement adopted by the City Council on July 5, 2016 and effective through June 30, 2019 and incorporates amendments to salary ranges of four (4) Miscellaneous Group management positions approved by the City Council on January 16, 2018.
- Schedule incorporates base salary ranges as per the terms of the tentative three (3) year Police Officers Association (POA) labor negotiation agreement effective through June 30, 2021 and scheduled to be presented to the City Council for approval at the regularly scheduled June 19, 2018 City Council meeting.
- Schedule incorporates base salary ranges as per the terms of the City Manager contract effective October 29, 2001 last amended by the City Council on December 5, 2017.
- Uniform allowance for all sworn public safety officers: \$450 bi-annually.
- Bi-lingual pay based on eligibility: \$75/month.
- Car Allowance: Chief of Police \$370/month; Community Development Director: \$345/month; Assistant to City Manager: \$345/month; City Manager \$500/month.



EDMUND G. BROWN JR. • GOVERNOR
STATE CAPITOL • ROOM 1145 • SACRAMENTO CA • 95814-4998 • WWW.DOF.CA.GOV

May 2018

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2018, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2018-19. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2018-19 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2018.**

Please Note: The prior year's city population estimates may be revised.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

MICHAEL COHEN
Director
By:

AMY M. COSTA
Chief Deputy Director

Attachment

May 2018

Attachment A

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2018-19 appropriation limit is:

Per Capita Personal Income	
Fiscal Year (FY)	Percentage change over prior year
2018-19	3.67

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2018-19 appropriation limit.

2018-19:

Per Capita Cost of Living Change = 3.67 percent
 Population Change = 0.78 percent

Per Capita Cost of Living converted to a ratio: $\frac{3.67 + 100}{100} = 1.0367$

Population converted to a ratio: $\frac{0.78 + 100}{100} = 1.0078$

Calculation of factor for FY 2018-19: $1.0367 \times 1.0078 = 1.0448$

Fiscal Year 2018-19

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2017 to January 1, 2018 and Total Population, January 1, 2018

County City	<u>Percent Change</u>	<u>--- Population Minus Exclusions ---</u>		<u>Total Population</u>
	2017-2018	1-1-17	1-1-18	1-1-2018
Contra Costa				
Antioch	0.70	112,280	113,061	113,061
Brentwood	2.70	61,383	63,042	63,042
Clayton	0.78	11,342	11,431	11,431
Concord	0.68	128,282	129,159	129,159
Danville	0.79	44,048	44,396	44,396
El Cerrito	1.07	24,674	24,939	24,939
Hercules	0.50	26,185	26,317	26,317
Lafayette	0.94	25,416	25,855	25,855
Marinez	0.70	37,831	38,097	38,097
Moraga	0.74	16,866	16,991	16,991
Oakley	1.52	41,116	41,742	41,742
Orinda	0.98	19,012	19,199	19,199
Pinole	0.71	19,101	19,236	19,236
Pittsburg	1.83	71,342	72,647	72,647
Pleasant Hill	0.35	34,944	35,068	35,068
Richmond	0.77	110,114	110,967	110,967
San Pablo	0.67	31,383	31,593	31,593
San Ramon	1.58	81,354	82,643	82,643
Walnut Creek	0.15	70,558	70,667	70,667
Unincorporated	0.25	171,998	172,429	172,513
County Total	0.88	1,139,229	1,149,279	1,149,383

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

PROPOSED BUDGET

2018 - 2019

THE CITY COUNCIL

KEITH HAYDON, MAYOR
DAVID T. SHUEY, VICE MAYOR
JULIE K. PIERCE, COUNCILMEMBER
JIM DIAZ, COUNCILMEMBER
TUIJA CATALANO, COUNCILMEMBER

* * *

RECOMMENDED BY:

GARY A. NAPPER, CITY MANAGER

PREPARED AND PRESENTED BY:

KEVIN MIZUNO, FINANCE MANAGER, CPA

CITY OF CLAYTON, CALIFORNIA
94517
www.ci.clayton.ca.us



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**BACKGROUND
INFORMATION
2018-19**

OUR MISSION

To be of exemplary service to the Clayton community with an emphasis on:

- Health and safety
- Responsive customer service
- Highly trained team of employees
- A cooperative work environment

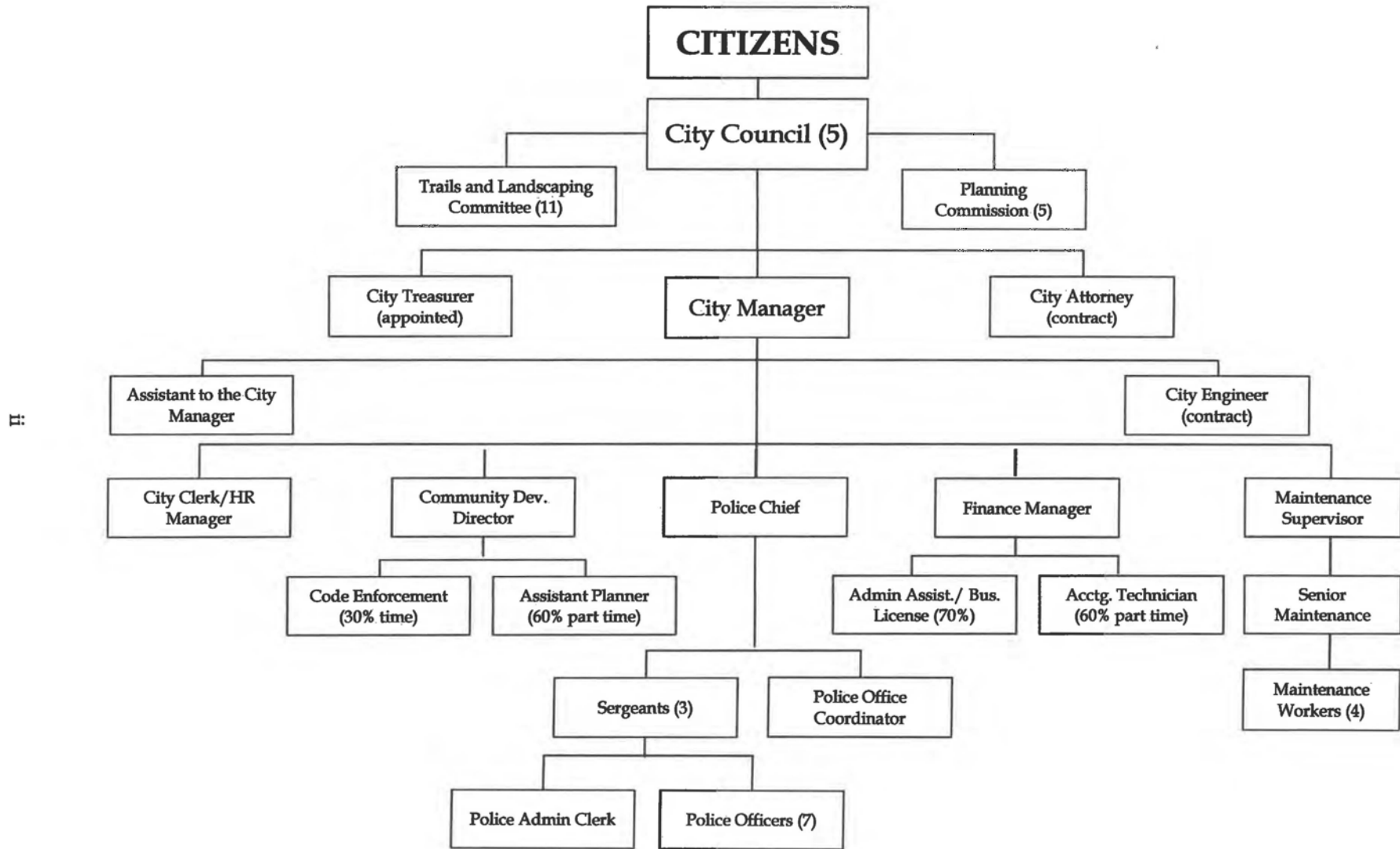
OUR VALUES

- Courtesy
- Creativity
- Diversity
- Employee participation
- Ethical behavior
- Fiscal responsibility
- Inclusiveness
- Informed risk taking
- Open communication
- Professionalism
- Trustworthiness

OUR VISION

The City of Clayton organization will be recognized as a premier small city. Customer service will be our hallmark; organizational processes will be a model of efficiency and effectiveness; innovation will be common place; and excellence of work product will be the norm. The employees will enjoy their work environment, and each will be a valued and respected member in his or her field of work. All residents and the City Council will be proud of their City government.

CITY OF CLAYTON ORGANIZATIONAL CHART



DIRECTORY OF OFFICIALS AND ADVISORY BODIES

CITY COUNCIL

Keith Haydon, Mayor
David T. Shuey, Vice Mayor
Tuija Catalano, Councilmember
Jim Diaz, Councilmember
Julie Pierce, Councilmember

COMMISSIONS

Planning Commission

COMMITTEES

Trails and Landscaping Committee

APPOINTED OFFICIALS AND DEPARTMENT HEADS

Gary A. Napper	City Manager
Malathy Subramanian	City Attorney (contract)
Laura Hoffmeister	Assistant to the City Manager
Elise Warren	Chief of Police
Janet Brown	City Clerk / HR Manager
Kevin Mizuno	Finance Manager
Mindy Gentry	Community Development Director
Scott Alman	City Engineer (contract)
Hank Stratford	City Treasurer
Jim Warburton	Maintenance Supervisor



Demographics and Economic Characteristics

Date of Incorporation	March 18, 1964
Form of Government (General Law)	Council-Manager
Number of authorized City positions	26
Population:	
Population	11,431
Median age	46.1
Median household income	\$150,436
Registered voters	7,773
Area in square miles	4.3
Miles of Streets:	
Lane miles	44.9
Pavement Condition Index (PCI)	85 ["Very Good" rating]
Fire Protection: (Contra Costa County Fire Protection District)	
Number of stations (Station No. 11)	1
Police Protection:	
Number of stations	1
Number of patrol vehicles	11
Number of sworn personnel	11
Public Education:	
Elementary School	1
Mt Diablo Elementary	
Middle School	1
Diablo View Middle School	
Library: (Contra Costa County Library System)	
Number of branch libraries	1
Parks & Community Facilities:	
Park sites	7
Park acreage	19.07
Open space acreage	515.51
Open space trail miles	20
Creekside trail miles	7
Endeavor Hall	1
Hoyer Hall (in the library)	1
City Hall Conference Room	1

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BUDGET MESSAGE

2018-19

BUDGET SUMMARY

Presented herein for public review and consideration is the City's proposed budgets for FY 2018-19. It is an annually balanced budget as required by law, and the General Fund displays a balanced budget of projected revenues exceeding expenditures resulting in a planned operating surplus of **\$101,970 (2.22%)**.

The chart below captures a five (5) year history of our City's overall expenditure budgets:

BUDGET AREA	FY 2018-19	FY 2017-18	FY 2016-17	FY 2015-16	FY 2014-15
GENERAL FUND	\$ 4,587,220	\$ 4,455,050	\$ 4,261,720	\$ 4,095,928	\$ 3,852,275
OTHER FUNDS*	5,420,805	4,817,118	5,689,924	4,377,355	4,077,244
CAPITAL IMPROVEMENT PROGRAM	2,746,513	2,471,256	2,919,565	1,696,863	772,525
SUCCESSOR AGENCY	692,490	711,957	1,125,996	676,521	725,805
TOTAL	\$ 13,447,028	\$ 12,455,381	\$ 13,997,205	\$ 10,846,667	\$ 9,427,849

*Includes the City's twelve (12) special revenue, three (3) internal service, one (1) enterprise, and eight (8) fiduciary funds (excluding the Successor Agency fiduciary fund reported separately in the table).

The combined financial program proposed for the General Fund, the City's Other Funds, the Capital Improvement Program (CIP), and the Successor Agency is \$13,447,028, an overall increase of \$991,647 (7.96%) over last year's adopted total budget. This increase results from a significant increase in appropriations in the Measure J and CIP fund budgets, as well as the creation of a new special revenue fund to account for SB1 Road Maintenance and Rehabilitation Account (RMRA) gas taxes in accordance with the state law. The noteworthy increase in proposed expenditures of the Measure J and CIP fund budgets is attributable to capital project expenditures in the CIP fund and corresponding reimbursing inter-fund transfers from the Measure J fund for 2018 Neighborhood Streets Repave Project (CIP 10436) as well as the Keller Ridge Drive Collector Street Rehabilitation Project (CIP 10425). The newly created RMRA Gas Tax Fund (No. 202) includes proposed FY 2018-19 appropriations of \$254,238 to transfer funds to the CIP necessary to finance the 2018 Neighborhood Street Project (CIP 10436) and the Pine Hollow Road Upgrade Project (CIP 10379).

Consistent with the prior year adopted General Fund budget, the proposed fiscal plan for next year (FY 2018-19) anticipates continued restoration and growth in the local share of real property tax revenues arising from a steadily strengthening economy. The City of Clayton's base economy of desirable family-friendly residential real estate continued to gain ground this past year (FY 2017-18) demonstrated by the overall increase of 4.05% in real property assessed valuations as published by the County Assessor's Office on June 29, 2017.

**City of Clayton
Budget Message
General Fund Revenues**

GENERAL FUND REVENUES

FY 2017-18 Revenue Projections

Although the current fiscal year has not closed at the time of budget preparation for the upcoming year, sufficient information is available to project what year-end FY 2017-18 revenues will look like. At this time, General Fund revenue is expected to total approximately **\$4,607,450** by the close of FY 2017-18. This projection reflects a favorable variance of **\$141,570** (3.17%) over revenues per the FY 2017-18 General Fund adopted budget. This positive news is ultimately attributable to better than projected results from two main sources: secured ad valorem property taxes and sales & use taxes.

Growth in secured property tax revenue is visible in three General Fund revenue line items: (1) local ad valorem secured property taxes; (2) the City's share of the Redevelopment Property Tax Trust Fund (RPTTF) residual balance; and (3) property tax in-lieu of vehicle license fees (VLF) from the State of California. This favorable result is explained by actual assessed property values growing by 4.05%, which exceeded the City's intentionally cautious projection of 2.0%. The FY 2017-18 assessment roll was not published by the Contra Costa County Assessor's Office until June 29, 2017, following the adoption of the City's FY 2017-18 budget.

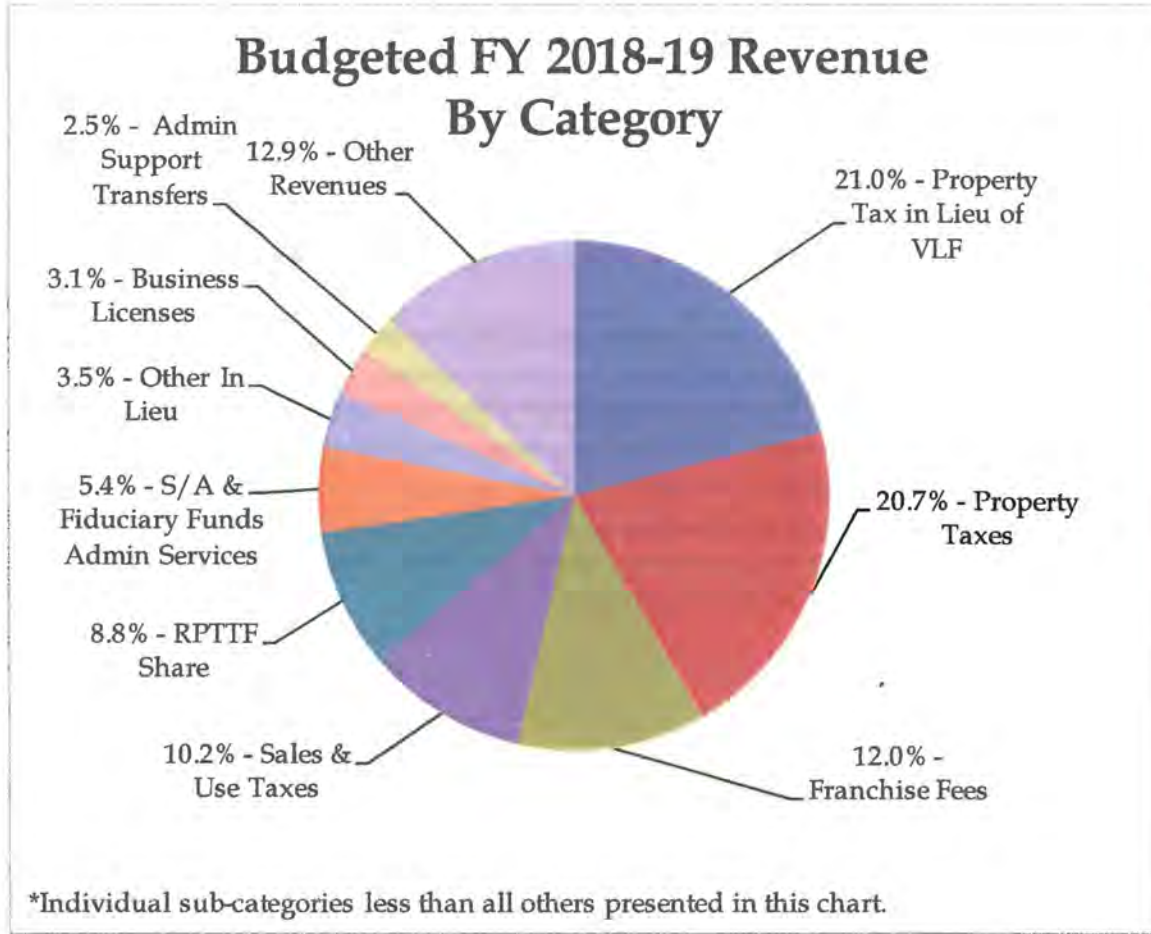
The positive budgetary variance in sales & use taxes is explained more by a conservative FY 2017-18 budgeted revenue projection for this line item rather than growth in taxable sales alone. During the preparation of the FY 2017-18 budget there was a high degree of uncertainty (and skepticism) with the timing of State allocations of locally generated sales & use tax. Since the statutory elimination of the Triple-Flip on January 1, 2016, quarterly true-ups of sales & use taxes from the State have become sporadic and difficult to predict. As such, the City adopted a cautious approach when projecting FY 2016-17 and consequently FY 2017-18, sales & use tax revenues. With the calendar year 2017 1st and 2nd quarter true-ups coming in much higher than estimated, FY 2016-17 sales & use taxes ultimately closed nearly 7% higher than projected during the preparation of the FY 2017-18 Proposed Budget. Sadly, the California Department of Tax and Fee Administration (CDTFA) has exuded little confidence quarterly true-ups will become more consistent prospectively. On May 16, 2018 the CDTFA made a public announcement of its transition to a new revenue collection and allocation system as well as a significant revision to the nature and timing of future quarterly true-up allocations to local agencies.

FY 2018-19 Revenue Projections

The FY 2018-19 proposed budget projects total General Fund revenues of **\$4,689,190**. This is an increase of **5.0%** over the prior year adopted budget. This growth projection is supported by actual FY 2017-18 operational revenue results to-date and is encouraging news for the local economy revealing that real property values and sales

**City of Clayton
Budget Message
General Fund Revenues**

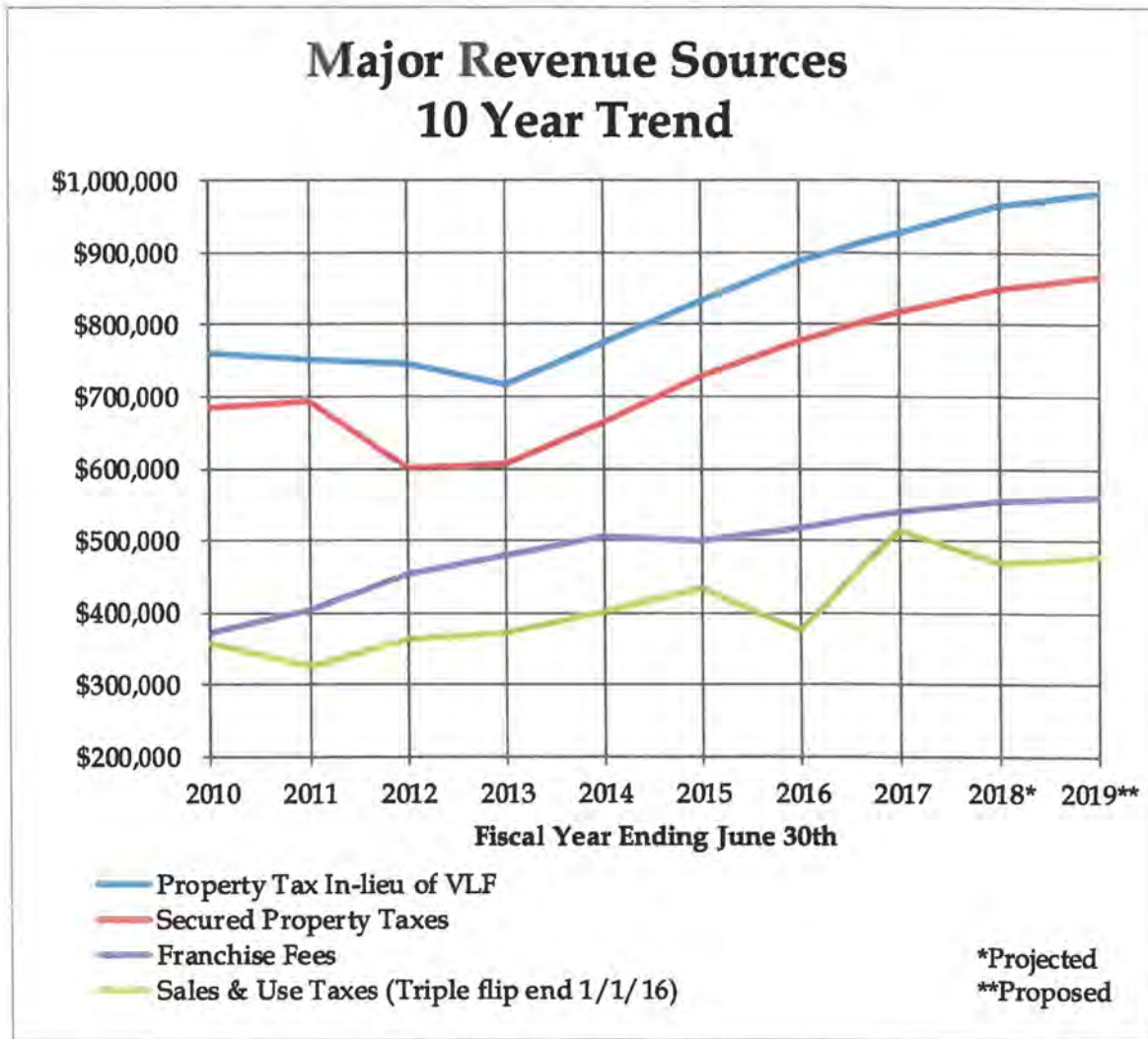
commerce continue to steadily rise. The chart below depicts the proportional share of each major revenue category of the General Fund for FY 2018-19:



As illustrated in the pie chart above, a noteworthy portion (approximately 63.9%, of General Fund revenues) are concentrated in four different sources. The “slice of the pie” of these four major revenue sources grew slightly by 1.6% over the prior year with their growth rates collectively exceeding that of other less significant revenues where growth rates are either statutorily capped by the annual consumer price index or have flat lined. In order of significance these four key revenue sources include: (1) property tax in-lieu of vehicle license fees (VLF), (2) local secured ad valorem property taxes, (3) sales & use taxes, and (4) franchise fees.

**City of Clayton
Budget Message
General Fund Revenues**

The following chart illustrates the ten year trend of these four major revenue sources for the City:



The previous trend analysis chart illustrates the gradual recovery of the local economy following the “Great Recession” in 2008. Revenue sources with delayed downturns arising from the recession (i.e. property tax in-lieu of VLF and general property taxes) have made a comeback and now exceed pre-recession levels.

**City of Clayton
Budget Message
General Fund Revenues**

The following section provides background and analysis of the City's most significant revenue sources.

Property Tax in Lieu of Vehicle License Fees

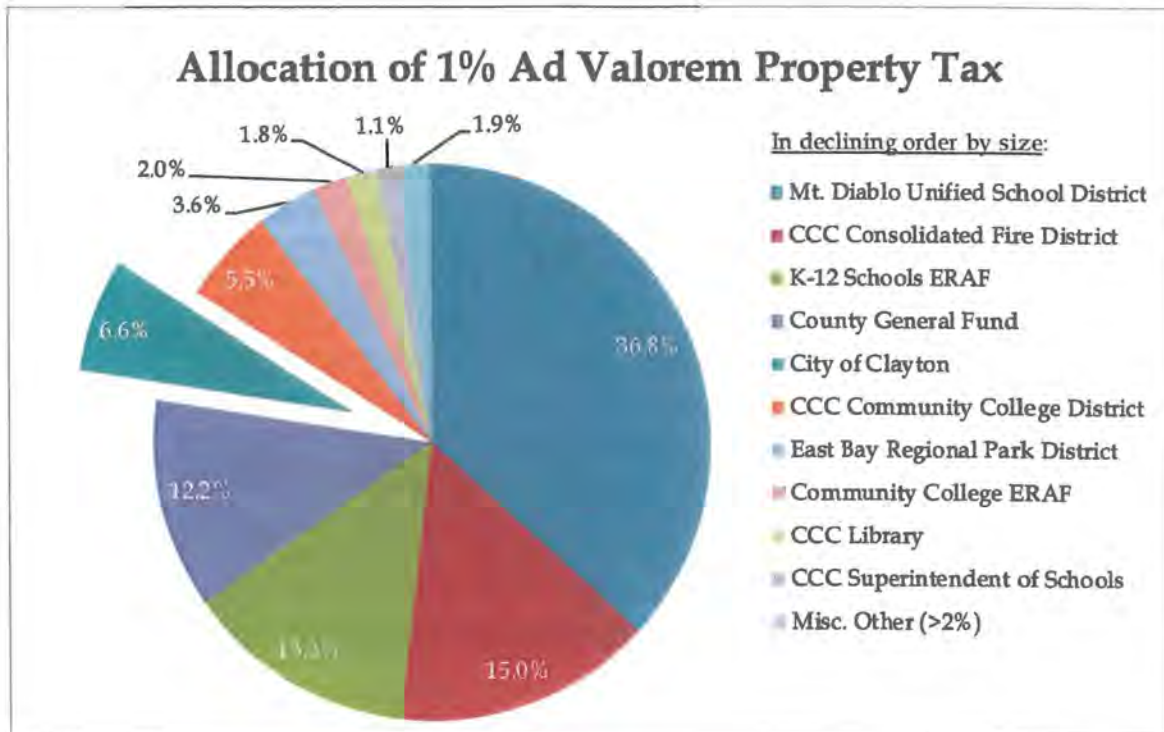
Now the largest revenue source making up 21.0% of General Fund budgeted revenues for FY 2018-19 is property tax in lieu of vehicle license fees (VLF). The VLF is an annual value tax on the ownership of registered vehicles. It is collected by the California Department of Motor Vehicles and then distributed to cities and counties. In 2004, the California State Legislature permanently reduced the tax rate from 2.0% to 0.65% of a vehicle's current market value. The reduction in VLF revenue to cities and counties was offset by an increased transfer of "Property tax in lieu of VLF." The City is projecting revenue of \$985,000 in FY 2018-19, which is an increase of approximately 2.0% over projected actuals for FY 2017-18. This modest growth rate reflects the cautious projection of a steadily growing economy and propensity to own newer vehicles.

Local Secured Ad Valorem Property Taxes

The second largest revenue source making up 20.7% of General Fund budgeted revenues for FY 2018-19 is the City's share of the local ad valorem property taxes. Secured property taxes are an ad valorem tax imposed on real property such as land and permanently attached improvements. Proposition 13 (1978) limits the real property tax rate to 1% of a property's assessed value for ad valorem tax purposes, and also controls annual growth. The amount of the tax is based on an annually determined assessed valuation calculated by the County Assessor's Office and is paid by property owners to the county tax collector. The County Auditor-Controller then allocates this to local taxing agencies pursuant to a statutory allocation formula applicable to the tax rate area (TRA) the underlying parcel is located within. The City of Clayton has ten (10) TRAs, with the largest TRA by current assessed value returning only 6.63% of the full one percent tax back to the General Fund. Comparatively, the City remains a "low property tax city" stemming from the original implementation of Proposition 13 in 1978. For FY 2018-19, the City's share of secured local property tax revenues is projected to be \$867,000, which is an increase of approximately 2.0% over projected actuals for FY 2017-18.

**City of Clayton
Budget Message
General Fund Revenues**

The following illustration summarizes the statutory allocation of the 1% general ad valorem secured property tax to each taxing entity:



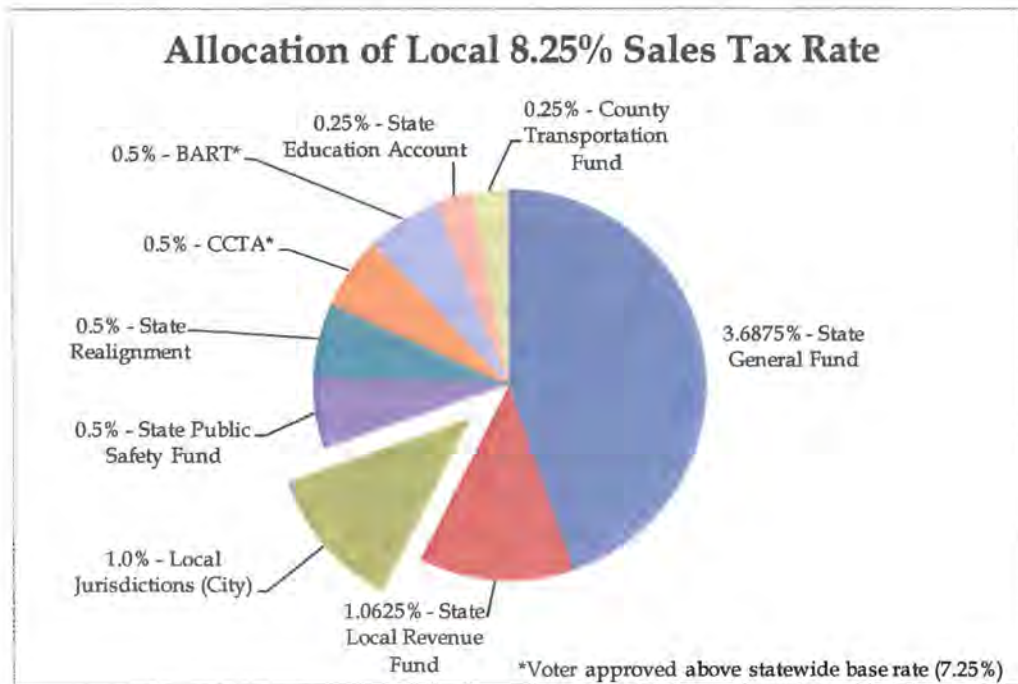
Franchise Fees

The third largest revenue source making up 12.0% of General Fund budgeted revenues for FY 2018-19 is franchise fees. Franchise fees are rent paid by utilities or other businesses for the privilege of using the City's right of way (i.e. streets, sidewalks, etc.) to locate utility lines, operate vehicles, and/or conduct private business for profit. The City collects a 1.0% franchise fee from Pacific Gas & Electric and a 5.0% franchise fee from cable operators (i.e. Comcast and AT&T/Pacific Bell). In addition, the City collects a 10.0% franchise fee from Republic Services for its collection, transportation, disposal and diversion of solid waste and recyclable materials. In the City's long-term forecasting, there is a risk that the emergence of wireless operations may eventually negatively affect this revenue source to local governments. In the more immediate future, however, it is expected that franchise fee revenues will remain relatively consistent growing by approximately 1.0% in FY 2018-19 to a total of \$560,900.

**City of Clayton
Budget Message
General Fund Revenues**

Sales & Use Taxes (Including "Triple Flip")

The fourth largest revenue source making up 10.2% of General Fund budgeted revenues for FY 2018-19 is sales & use taxes. This is a tax imposed on the total retail price of any tangible personal property unless specifically exempt by the California Department of Tax and Fee Administration (Formerly the California Board of Equalization) as well as the use or storage of such property when sales tax is not paid. Although the unadjusted general state-wide sales tax rate applied to transactions is 7.25%, the basic local rate (aka "Bradley-Burns" rate) returned to local agencies (i.e. City of Clayton) is only 1.0%. This local portion is unrestricted and must be received into the General Fund. In the City of Clayton, the applicable sales tax rate is currently 8.25% due to a combination of other additional local and regional voter-approved measures. The City is projecting sales & use tax revenue of \$477,000 in FY 2018-19, which is an increase of approximately 1.9% over projected actuals for FY 2017-18. This cautious growth rate weighs optimistic factors against some pervasive risks. Optimism for growth is evidenced by historical revenue trends, the positive regional economy outlook as well as growth in the annual April 2018 consumer price index of 3.22%. These optimistic factors are ultimately held at bay through consideration of an expanding online retail market reducing the number of taxable transactions and inherent geographic limitations of the City creating a ceiling of growth potential for this revenue category. Below is a chart depicting the current allocation of the 8.25% sales tax rate applied to all taxable transactions in the City of Clayton:



**City of Clayton
Budget Message
General Fund Revenues**

Redevelopment Property Tax Trust Fund Revenue

The fifth largest revenue source making up 8.8% of General Fund budgeted revenues for FY 2018-19 is the City's share of the Redevelopment Property Tax Trust Fund (RPTTF) residual balance. Pursuant to Assembly Bill 1 26x, with the Clayton Redevelopment Agency (RDA) dissolution as of February 2012 (FY 2011-12), the Clayton "Successor Agency" became the heir to the RDA. The Successor Agency receives funds through the RPTTF sufficient to pay/retire debt service and enforceable obligations of the former RDA as requested through the semi-annual "Recognized Obligation Payment Schedule" (ROPS) process, which is subject to approval by the California Department of Finance (DOF). Prior to the City of Clayton receiving its share of RPTTF taxes levied by the County, monies are first used to pay County administrative fees, required tax sharing payments (i.e. pass through payments), and approved enforceable obligations on the Successor Agency's ROPS. Thereafter, the residual balance of the County RPTTF is distributed by the County to the school entities, city, county, and special districts based on their proportionate share of property tax revenues. The City of Clayton's share of this residual balance is approximately 6.96%. The amount of RPTTF residual balance allocated to the City is negatively correlated with the amount of state-approved obligations included in each ROPS. For FY 2018-19, after incorporating the state-approved ROPS and pass-through payments, it is expected the City will receive approximately \$414,000 in RPTTF revenues, representing an 8.38% increase over projected actuals for FY 2017-18. This revenue stream ceases at such time the debt obligations of the Successor Agency are fully retired, at which time the revenue reverts to normal distribution of the 1.0% local property tax source to underlying taxing entities (including the City).

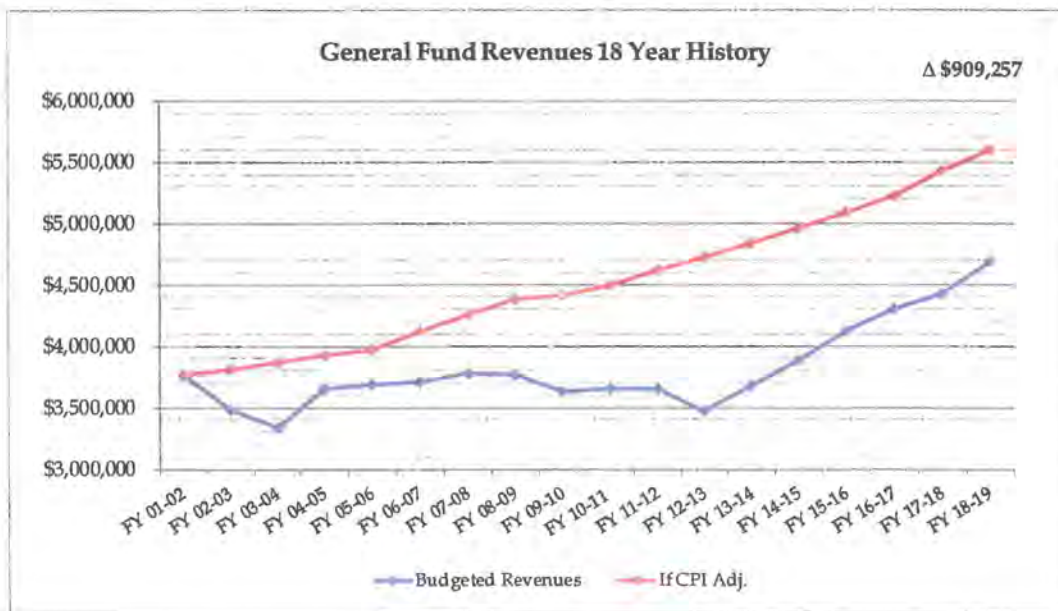
Fiduciary Funds Administrative Service Charges

The sixth largest revenue source making up 5.4% of General Fund budgeted revenues for FY 2018-19 is derived from administrative support charges from the Successor Agency and other fiduciary funds of the City. Since the creation of the Successor Agency in 2012, the City has received \$250,000 on an annual basis for administrative support services in accordance with *California Health & Safety Code* Section 34171(b). However, the Governor's May 2015 trailer bill (AB 113) placed additional restrictions on the administrative allowance an administering agency may receive, potentially resulting in a cap substantially less than the previous \$250,000 floor amount. The most detrimental impact this trailer bill was to apply an administrative allowance cap of 50% to RPTTF monies actually "received" in the prior year, rather than to the total amount of "approved" enforceable obligations. The City experienced its first loss from this new state decree in FY 2016-17 when the City received only \$231,915 for Successor Agency administrative support revenues. Pursuant to an April 12, 2018 Determination Letter issued by the DOF approving the Successor Agency's 2018-19 ROPS, the

**City of Clayton
Budget Message
General Fund Revenues**

City will be receiving an administrative allowance of \$234,720 for FY 2018-19. After FY 2018-19, these Successor Agency administrative revenues are projected to fluctuate annually between \$196,000 and \$250,000 until the dissolution of the Successor Agency in FY 2025-26 following the maturity of the 2014 refunding Tax Allocation Bonds. Including administrative cost recovery from the other fiduciary funds of the City, the total Fiduciary Funds Administrative Charges line item is expected to be \$254,827. This reflects a 5.5% decrease from projected actuals for FY 2018-19 resulting from the statutory cap imposed by the DOF as outlined previously. Despite the County Board of Supervisors taking over the role of Oversight Board effective July 1, 2018 pursuant to state legislation, it is still expected the City will continue to receive this annual administrative recovery revenue until dissolution of the Successor Agency. At this point no information has been made publicly available suggesting the elimination of this revenue, which would be catastrophic to the City's annual General Fund operating budget. However, given the City's exposure and the risk level, management will continue to monitor legislative action at the State and County and report significant developments to the City Council.

Overall, the principal sources of General Fund operating revenue are growing steadily, suggesting the local economy is healthy. However, when looking at a eighteen (18) year history of General Fund budgeted revenues, actual revenue growth has clearly not kept pace with inflation. The following line chart illustrates the growing difference between actual General Fund budgeted revenues versus FY 2001-02 base year revenues adjusted for annual changes in the consumer price index for the San Francisco-Oakland-Hayward region, with the difference in FY 2018-19 being \$909,257:



**City of Clayton
Budget Message
General Fund Expenditures**

GENERAL FUND EXPENDITURES

The proposed FY 2018-19 budget incorporates total appropriations of \$4,587,220, which reflects an overall increase of 2.97% in General Fund operations compared to the prior year adopted budget.

FY 2017-18 Expenditure Projections

The starting point for developing next year’s budget is forecasting current year results and analyzing how actual results compare to the budgetary projections. General Fund operational expenditures are expected to total approximately \$4,370,077 by the close of FY 2017-18. If realized, this projection will result in a favorable budgetary variance with operational expenditures coming in \$84,973 less than the adopted FY 2017-18 General Fund budget of \$4,455,050.

The bulk of this favorable budgetary variance on the expenditure side is attributable to savings in the Police Department, where expenditures are projected to fall short of authorized appropriations by 4.3%. This variance is primarily a result of some unexpected personnel attrition in the police department, where more seasoned personnel at maximum step levels were replaced with newer personnel hired at lower step levels. Currently the Police Department is at full staff and the FY 2018-19 Proposed Budget continues to plan for a full workforce of thirteen full-time benefited employees, including eleven sworn police officers and two office staff.

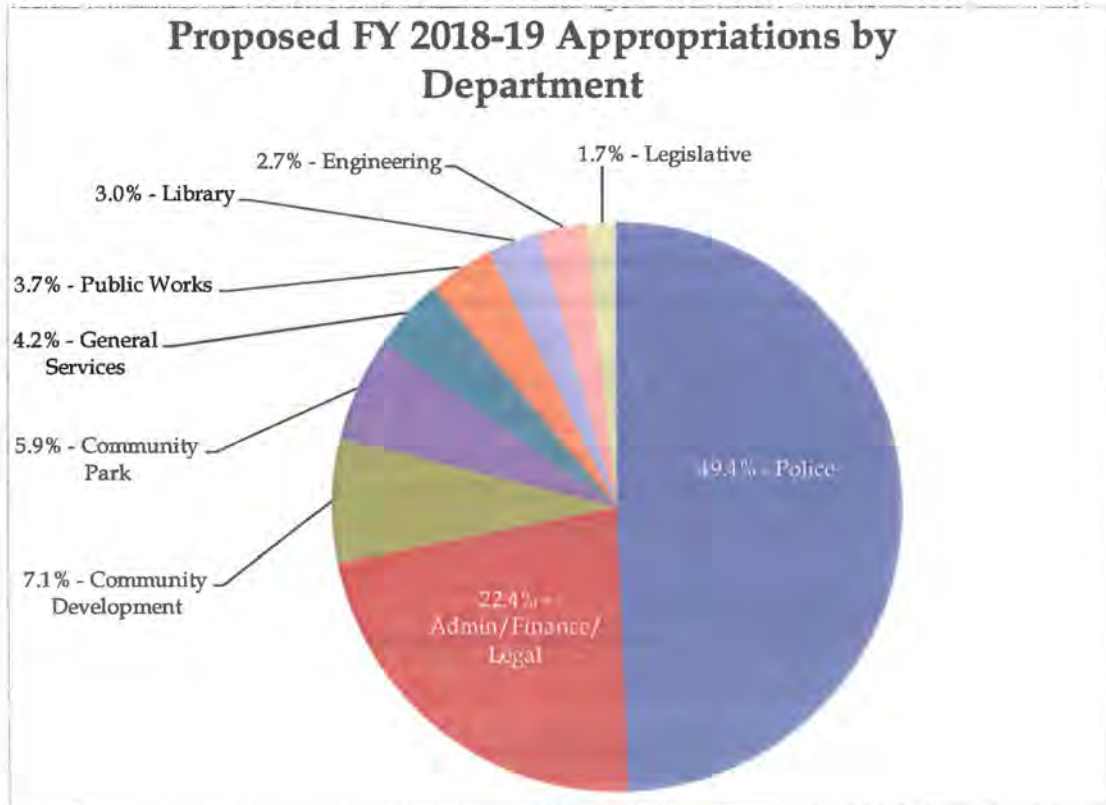
FY 2018-19 Proposed Appropriations

The following table provides a year-to-year comparison of proposed General Fund appropriations at the department level:

GENERAL FUND DEPARTMENTAL ADOPTED BUDGETS			
DEPARTMENT	FY 2018-19	FY 2017-18	% CHANGE
LEGISLATIVE	\$ 75,820	\$ 65,650	15.49%
ADMIN / FINANCE / LEGAL	1,027,820	956,090	7.50%
PUBLIC WORKS	168,510	147,180	14.49%
COMMUNITY DEVELOPMENT	325,840	308,040	5.78%
GENERAL SERVICES	193,360	157,800	22.53%
POLICE	2,266,590	2,373,460	-4.50%
LIBRARY	136,690	135,550	0.84%
ENGINEERING	122,320	94,600	29.30%
COMMUNITY PARK	270,270	216,680	24.73%
TOTAL	\$ 4,587,220	\$ 4,455,050	2.97%

**City of Clayton
Budget Message
General Fund Expenditures**

In the aggregate, total proposed appropriations for FY 2018-19 are 2.97% higher than those of the prior year adopted budget. This increase is nearly entirely attributable to unavoidable fixed cost increases while continuing to provide the same level of public services to the community. The following pie chart illustrates each department's proportionate share of total proposed General Fund appropriations for FY 2018-19:



The order of departmental appropriations by proportional share of the General Fund is consistent with the prior year's adopted budget. The Police Department's slice of the General Fund operational budget pie was notably lower than ordinary at 49.4%, representing a decrease of 3.9% from the prior year's adopted budget. The main cause of this atypical decrease results from a non-recurring decrease in the CalPERS unfunded liability fixed dollar contribution requirement for the Public Safety "Classic" Tier I retirement plan following the full amortization of the corresponding side fund unfunded liability. This resulted in an immediate and non-recurring decrease to the PERS Retirement - Unfunded Liability expense line item of \$138,900 (49.26%). Furthermore, the Police Department's FY 2018-19 Proposed Budget does not yet incorporate any compensation adjustments for the City's ten sworn officers of the Police Officers Association (POA) due to the expiration of the current collective bargaining

**City of Clayton
Budget Message
General Fund Expenditures**

memorandum of understanding on July 1, 2018. However, it should be noted the City Manager is currently in the final stages of reaching agreement with the POA, which is expected to be recommended to the City Council for approval at the June 19, 2018 City Council meeting. The current percentage depicted above is expected to “normalize” closer to a 50% or greater share of the General Fund pie following the approval of a new POA labor agreement. Generally, when looking at the departmental distribution of appropriations, every \$1.00 paid by taxpayers as general tax revenue to the City, slightly over one-half of the tax monies (>50¢ of every \$1) is used to provide local law enforcement services to the community.

As a service-provider organization, it is expected the expense for personnel services comprises the bulk of General Fund appropriations. The proportion of expenditures related to personnel services decreased slightly by 3.11% to a total of approximately 66.1% of the overall proposed General Fund budget, largely due to the current status quo assumption for the Police Officer’s Association labor agreement. Overall the proportion of General Fund appropriations attributable to labor-related costs has been controlled and remained relatively steady at approximately two-thirds of the General Fund budget over the past five-plus years.

Legislative Department (No. 01)

This is the smallest General Fund department making up 1.7% of proposed budgeted expenditures. Services funded by this department include but are not limited to: City Council members to set policy goals and objectives for the community, regular and special meetings of the City Council and recordings thereof, administering elections, and steering City promotional activities. Proposed appropriations of this department reflect an increase of 15.49% as it is anticipated there will be a general municipal election occurring in FY 2018-19, as was not the case in FY 2017-18.

Admin / Finance / Legal Department (No. 02)

This department makes up 22.4% of General Fund Proposed Budget expenditures. By its nature, the Admin/Finance/Legal Department provides essential administrative, oversight, and supportive services for all of the City’s direct-cost programs including but not limited to: police, community development, parks and landscape maintenance services, capital improvements, etc. Several specific functions funded by this department include but are not limited to: executive management and policy execution; legal counsel; human resources; financial, budgetary and compliance reporting; treasury and investment management; payroll and benefits administration; disbursements; revenue collection; records retention management and public records act facilitation; and facility rentals. Proposed appropriations reflect an increase of 7.5% over the prior year adopted budget. The primary explanation for this

**City of Clayton
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General Fund Expenditures**

increase is the Admin/Finance/Legal Department's proportional share of the increase in mandatory CalPERS unfunded liability fixed dollar contribution requirements as well as a cost of living adjustment included in the third and final year of the current miscellaneous employee group memorandum of agreement.

Public Works Department (No. 03)

This department makes up 3.7% of General Fund Proposed Budget expenditures. Services funded by the Public Works Department include but are not limited to the maintenance of city hall and other facilities, grounds, and buildings as well as maintenance of the City's five neighborhood parks (El Molino, Lydia Lane, North Valley, Stranahan, Westwood). Proposed appropriations of this department reflect a noteworthy increase of 14.49% over the prior year attributable to the restoration of Capital Equipment Replacement Fund (CERF) charges to more adequately fund the replacement of maintenance vehicles as well as a cost of living adjustment included in the third and final year of the current miscellaneous employee group memorandum of agreement.

Community Development Department (No. 04)

This department makes up 7.1% of General Fund Proposed Budget expenditures. Services funded by the Community Development Department include but are not limited to: long-range planning and special studies (i.e. transportation, housing, zoning, etc.); ensuring compliance of land development and private party design proposals with local, state and federal regulations; municipal code enforcement; and administration of the city's low to moderate income housing program. Proposed appropriations reflect an increase of 5.78% over the prior year adopted budget. This increase in this department is primarily attributable to approval by the City Council on January 16, 2018 to adjust the salary ranges of four management employment positions, which included the Community Development Director.

General Services Department (No. 05)

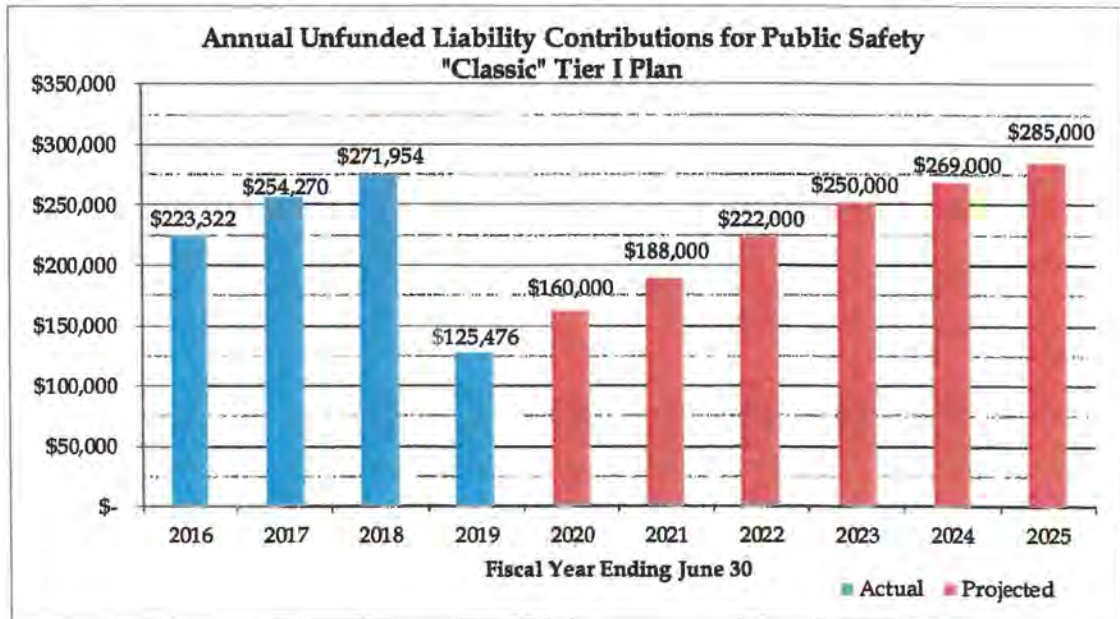
This department makes up 4.2% of General Fund Proposed Budget expenditures. By its nature, the General Services Department captures essential support costs shared amongst all of the City's departments and funds. Several specific functions funded by this department include but are not limited to: city-wide risk management and insurance premiums; computer, software, and network technology support; and office supplies and shared printer/copy/scanning costs (excluding those of the police department which is tracked separately). Proposed appropriations for this department are expected to spike by 12.67% over the prior year adopted budget. This increase is primarily attributable to increases in Municipal Pooling Authority (MPA) general liability and excess

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liability insurance premiums due to shared risk experience trends of other MPA member cities.

Police Department (No. 06)

This is the largest General Fund department making up 49.4% of proposed budgeted expenditures. Services funded by the Police Department include but are not limited to: traffic enforcement, vehicle collision and crime investigation, contract animal control and dispatch services, and police records management. Proposed appropriations currently reflect an unusual decrease of 4.50% from the prior year adopted budget. As noted previously, this decrease is primarily attributable to a non-recurring decrease in the CalPERS unfunded liability fixed dollar contribution requirement for the Public Safety "Classic" Tier I retirement plan following the full amortization of the corresponding side fund unfunded liability. The immediate impact of the full amortization of the Tier I side fund is evidenced by the decrease to the FY 2018-19 Police Department budget's PERS Retirement - Unfunded Liability expense line item by \$138,900 (49.26%) to a total line item expenditure of \$143,100. The savings realized in FY 2018-19 should be considered cautionary and non-recurring as the latest CalPERS actuarial reports made publicly available in August 2017 show a gradual "claw-back" of these savings as illustrated in the chart below:



Although CalPERS' claw back of unfunded liability contribution savings realized in FY 2018-19 is gradual and does not return to the pre-side fund payoff until FY 2024-25, there are some more long-term variables to consider. Chiefly, this chart

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excludes the impact of normal cost pension contributions based on a percentage of pensionable wages for which rates are already scheduled to increase gradually on an annual basis through FY 2020-21. Secondly, these CalPERS estimates assume an investment return of 7.375%, 7.25%, and 7.0% for FY 2016-17, FY 2017-18, and FY 2018-19 (and thereafter) respectively. Should the investment return for these three years differ, the actual contribution requirements for FY 2019-20 will differ from the projections shown in the previous chart.

Library Department (No. 07)

This department makes up 3.0% of General Fund Proposed Budget expenditures. Services funded by the Library Department include but are not limited to: City maintenance of the City-owned Clayton Community Library building, grounds and equipment, and funding Sunday and weekday County Library staffing hours beyond the County's base of 35 hours a week. Proposed appropriations are relatively steady and only reflect a modest increase of only 0.84%.

Engineering Department (No. 08)

This department makes up 2.7% of General Fund Proposed Budget expenditures. Services funded by the Engineering Department include but are not limited to: administration of the City's capital improvement program, plan check and review of construction/development plans, administration of the City's encroachment permit program, and management of various benefit assessment districts. On August 14, 2017 the City Council authorized a one year professional services contract with Harris & Associates for contract city engineering services. Proposed appropriations of this department spiked by 29.30% over the prior year adopted budget reflecting the higher retainer price of the new Harris & Associates contract, which is a reputable firm with greater state-wide municipal presence. Of key importance to note is the Proposed Budget currently assumes status quo contract terms through FY 2018-19 despite the expiration of the contract in August 2018.

Clayton Community Park Department (No. 09)

This department makes up 5.9% of General Fund Proposed Budget expenditures. Services funded by the Clayton Community Park Department include but are not limited to: landscaping of the Clayton Community Park grounds, maintenance of recreational sporting fields and related equipment/facilities, repairs and maintenance of water irrigation network, and trash removal. Proposed appropriations reflect an upsurge of 24.73% to reflect the normalization of irrigation costs following prior drought conditions as well as 6% increase in water rates approved by the Contra Costa Water District on January 3, 2018.

**City of Clayton
Budget Message
General Fund Reserves**

GENERAL FUND RESERVES

FY 2017-18 Projected Operational Surplus

The prior year adopted City Budget anticipated a surplus resulting from operations of \$10,830. Due to favorable revenue and expenditure budgetary variances, it is projected that FY 2017-18 will close with an operational surplus of **\$101,970**. This favorable revenue variance arises from better than estimated outcomes in ordinary operational revenue line items as described in the FY 2017-18 Revenue Projections section previously. The actual FY 2017-18 operational expenditures are expected to come in slightly under budget due to the attrition of several tenured and higher step level personnel in the City's police workforce over the past year.

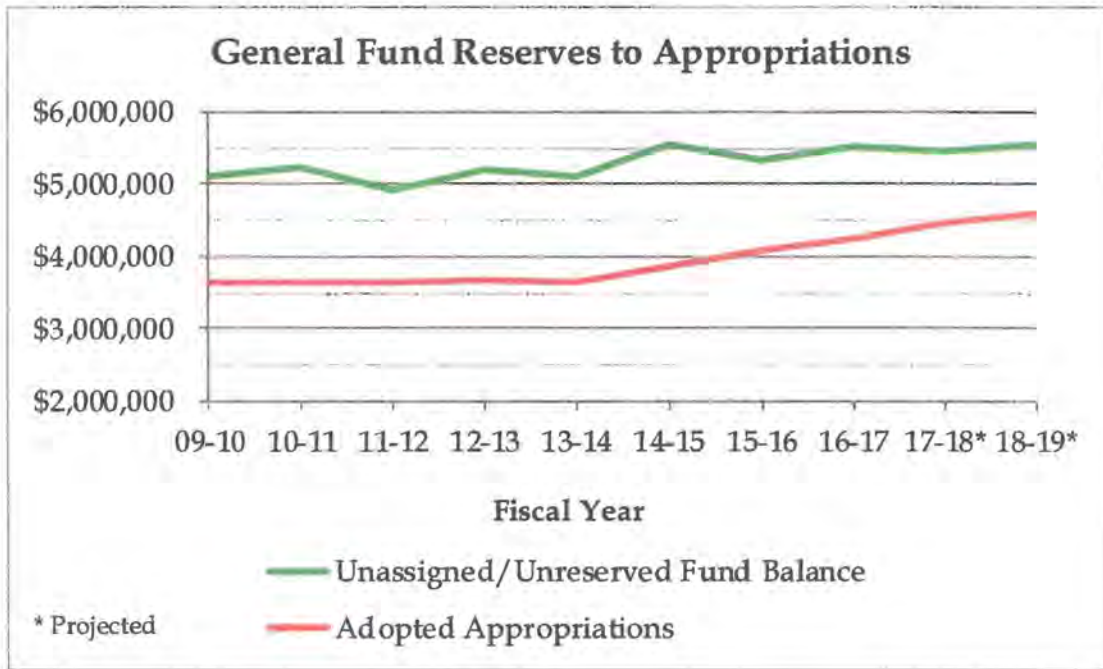
General Fund Reserve Earmarks Authorized by the City Council

Concurrent with the receipt of a "clean" opinion from the City's independent auditing firm of Cropper Accountancy Corporation presented to the City Council on October 17, 2017, the City learned FY 2016-17 operations closed with an overage in fund balance of \$299,222 in the General Fund, as evidenced on page 29 of the City's audited Comprehensive Annual Financial Report (CAFR). In this same CAFR, the City's General Fund reported a total positive fund balance of \$5,917,281, of which \$5,429,524 is reported as "unassigned" and available for appropriation. The General Fund unassigned reserve balance at June 30, 2017 exceeded appropriations of the adopted FY 2017-18 General Fund operating budget by **1.21 times**. In contrast, this same ratio of reserves to operating budget for Lafayette and Moraga is 0.69 and 0.27 respectively. This means unlike these fine neighboring cities, the City of Clayton could operate for one fiscal year entirely on reserves alone.

With the General Fund primarily shouldering the bulk of essential public services to our community and for the operations of the municipality (e.g. personnel services), it is often difficult to incorporate larger ticket items into the annual budget while maintaining the City Council's policy of producing an annually-balanced budget with operating surplus. Therefore, the General Fund reserve is multipurpose in its function as the City's "savings account", not only for emergency and disaster purposes, but also to underwrite one-time expenditure items that are merely too large and non-recurring in nature to tuck into a normal balanced operating budget.

**City of Clayton
Budget Message
General Fund Reserves**

The following illustrates a ten year comparison by fiscal year, of beginning General Fund reserves to adopted appropriations. In order to avoid over-inflation, General Fund reserves are defined as total General Fund balance per the underlying audited financial statements less any outstanding City Council-approved assignments or commitments of excess reserves.



Given the healthy position of the City of Clayton’s reserves and the need to address non-recurring operational unmet needs of the City, the City Council has three times previously directed staff to utilize recent General Fund annual excess for specific critical technological, infrastructural, and operational purposes. Since the specific needs approved by the City Council would not be sustainable in an ordinary balanced operating budget, the utilization of recent excesses is a responsible use of built-up reserves presuming there remains a sufficient balance to cover next year’s General Fund operational budget in an emergency situation. Categorized as being non-recurring and non-operational in nature, expenditures pertaining to the completion of these authorized projects are not reported as part of the operational budget but tracked separately.

The following is a summary of previous actions taken by the City Council to earmark the General Fund excesses for specific purposes:

Earmark of FY 2014-15 General Fund Excess

During FY 2015-16, on February 3, 2016, the City Council took action to utilize the General Fund excess (\$389,895) reported in the FY 2014-15 audited financial

**City of Clayton
Budget Message
General Fund Reserves**

statements to address pressing one-time needs of the City. As reported in the City's audited FY 2015-16 CAFR, \$278,853 of the General Fund reserve was reported as "assigned," which represented the unspent balance the reserve balance earmarked by the City Council on February 3, 2016. Accordingly, this unspent balance was carried forward into FY 2016-17 to address the remaining specifically identified one-time needs identified by the City Council. By the close of FY 2016-17, ten of the fourteen original projects approved by the City Council had been completed by City staff, leaving a residual balance of **\$220,168** rolling into FY 2017-18 for completion. The following table summarizes the historical and projected progress on each of the one-time projects authorized by the City Council on February 3, 2016:

Project Description	Original Amount Authorized	Amount Rolled to FY 2016-17 to Complete	Amount Rolled to FY 2017-18 to Complete	Amount Rolled to FY 2018-19 to Complete (Est.)
1. Exterior repaint of city hall	\$ 6,900	\$ -	\$ -	\$ -
2. Exterior/interior repaint of Endeavor Hall	12,240	-	-	-
3. Refinish oak wood floor at Endeavor Hall	5,473	-	-	-
4. Reseal Endeavor Hall concrete walkway	1,250	1,250	-	-
5. Ten (10) additional trash receptacles at CCP	18,322	-	-	-
6. Replace three (3) grills at CCP	1,724	-	-	-
7. Clean/reseal two (2) restroom floors at CCP	4,900	4,900	-	-
8. Purchase new public works mini-excavator	46,243	-	-	-
9. Keller outhouse demolition	20,000	18,668	18,668	-
10. Police cameras at city entry/exit points	132,983	132,817	132,817	-
11. Police labor overlap and training for attrition	38,237	20,881	-	-
12. Upgrade city website and IT services	47,000	47,000	15,346	-
13. Electronic records management (laserfiche)	48,337	48,337	48,337	48,337
14. Searchable online municipal code	5,000	5,000	5,000	5,000
	\$ 388,609	\$ 278,853	\$ 220,168	\$ 53,337

Earmark of FY 2015-16 General Fund Excess

During FY 2016-17, on February 21, 2017, the City Council took action to utilize the General Fund excess (\$203,325) reported in the FY 2015-16 audited CAFR to address an updated priority list of pressing one-time needs of the City. Both of the two projects approved by the City Council to be financed with these excess reserves were in progress by the close of FY 2016-17. Accordingly, the unspent balance of **\$195,072** was rolled into FY 2017-18 for completion. The following table summarizes the historical and projected status of each of the one-time projects authorized by the City Council on February 21, 2017:

Project Description	Original Amount Authorized	Amount Rolled to FY 2017-18 to Complete	Amount Rolled to FY 2018-19 to Complete (Est.)
1. Pension stabilization internal service fund	\$ 110,000	\$ 110,000	\$ -
2. Bid specifications and HVAC drawing	7,950	7,950	-
3. Replace AC unit at city hall	61,500	61,500	-
4. Replace heater unit at city hall	23,875	23,875	-
	\$ 203,325	\$ 203,325	\$ -

**City of Clayton
Budget Message
General Fund Reserves**

Earmark of FY 2016-17 General Fund Excess

During FY 2017-18, on January 16, 2018, the City Council took action to utilize the General Fund excess (\$299,000) reported in the FY 2016-17 audited CAFR to address an updated priority list of the remaining one-time needs of the City. Five of the six projects approved by the City Council to be financed with these excess reserves are expected to still be in progress by the close of the current year and roll into of FY 2018-19 for completion. The following table summarizes the historical and projected status of each of the one-time projects authorized by the City Council on January 16, 2018:

Project Description	Original Amount Authorized	Amount Rolled to FY 2018-19 to Complete (Est.)
1. Replace mobile data terminals - 9 Units	\$ 96,000	\$ 96,000
2. Install new AT&T line for DOJ data connect	25,000	23,220
3. Consultant to re-evaluate open space fee	25,000	25,000
4. Green infrastructure plan	50,000	50,000
5. Update local hazard mitigation plan	45,000	24,515
6. Augment pension rate stabilization fund	58,000	-
	<u>\$ 299,000</u>	<u>\$ 218,735</u>

FY 2018-19 General Fund Reserves Status

By set Council Policy, an absolute minimum reserve of \$250,000 as its never-to-be-expended "catastrophic reserve". In practice this is implemented and easily complied with, indicating perhaps this floor requirement should be elevated sometime in the future. However, the practicing Policy Goal of the City Council is to establish and retain an undesignated reserve of 50% relative to the annual General Fund Budget. When incorporating projections on how FY 2017-18 will close, the total opening General Fund reserves, net of outstanding City Council earmarks of reserves, is estimated to be **\$5,450,828** as of July 1, 2018, or **1.19 times** the proposed General Fund appropriations for FY 2018-19. Subtracting the "untouchable" \$250,000 reserve lowers our true reserve equity to a position of **1.13 times** (\$5,200,828). This measurement demonstrates the effectiveness of the City's fiscal policies.

**City of Clayton
Budget Message
Special Revenue Funds**

SPECIAL REVENUE FUNDS

An appendage to the General Fund operations of the City, the City Council and staff are charged with stewardship over the provision of public services employing restricted-use monies accounted for in *special revenue funds*. In accordance with the Government Accounting Standards Board (GASB), special revenue funds are “governmental funds used to account for the proceeds of specific revenue sources that are restricted or committed to expenditure for specified purposes.” In total, the City currently has twelve (12) such special revenue funds that account for such restricted use monies. Strict controls and regulations are placed on the City’s special revenue funds’ express purpose and expenditure. These funds are in essence self-contained operations yet form a critical portion of the overall City Budget as these funds underwrite much of the public service and improvement mission of the City. The following section provides a discussion of the fiscal status of each of these special revenue funds.

A. HUTA Gas Tax Fund – No. 201

Derived from layers of state transportation taxes on the sale of gasoline [*California Street and Highway Code*, Sections 2105, 2106, 2107 and 2107.5; voter-approved Proposition 42 “Traffic Congestion Relief Act” monies], this group of revenues is deposited into a fund referred to as the City’s “Highway Users Tax Account (HUTA) Gas Tax Fund”. Local HUTA funds in the past have been a reliable source of funding for cities since the 1970s and are universally used to fund local road maintenance and repairs. The use of HUTA gas taxes is restricted by Article XIX of the California State Constitution and by *California Streets and Highways Code* section 2101. All HUTA gas taxes must be expended for the following:

- The research, planning, construction, improvement, maintenance, and operation of public streets and highways (and their related public facilities for non-motorized traffic), including the mitigation of their environmental impacts, the payment for property taken or damaged for such purposes, and the administrative costs necessarily incurred in the foregoing purposes.
- The research and planning for exclusive public mass transit guideways (and their related fixed facilities), the payment for property taken or damaged for such purposes, and the administrative costs necessarily incurred in the foregoing purposes.
- The construction and improvement of exclusive public mass transit guideways (and their related fixed facilities), including the mitigation of their environmental effects, the payment for property taken or damaged for such purposes, the administrative costs necessarily incurred in the foregoing purposes, and the maintenance of the structures and the immediate right-of-way for the public mass transit guideways.

**City of Clayton
Budget Message
Special Revenue Funds**

- The payment of principal and interest on voter-approved bonds issued for the purposes specified above.

Historically, the City of Clayton has generally used HUTA monies to perform annual street re-striping and safety re-markings, traffic regulation and warning signs and replacements, resealing of street cracks, sidewalk and gutter repairs, replacement of street name signs, operation and repair of arterial street lights, and traffic signal maintenance.

Due to the City's pattern of heavy reinvestment of HUTA tax funds into maintenance and repair of local streets and roads, our City has been successful in its upkeep of this infrastructure. In total, the City has invested approximately \$580,000 of HUTA tax monies into street repaving and improvements capital projects over the last 10 years (since FY 2008-09). This accomplishment has enabled Clayton to consistently remain in the Top 5 best average pavement condition streets within Contra Costa County. Clayton is currently tied at No. 1 in Contra Costa County with an average system-wide PCI of 85. This Pavement Condition Index (PCI) ranks Clayton's street system in the "Very Good" category, with the average Bay Area PCI being 66. Clayton's latest rating was the result of a P-TAP grant from the Metropolitan Transportation Commission in 2016. The City is currently undertaking another street condition rating study with results expected around April 2019. Pavements are rated from 0 to 100 with 100 being the index assigned to a newly paved street.

Utilizing the latest projection published by the League of California Cities on May 30, 2018, FY 2018-19 HUTA tax revenues are estimated to total \$253,304, reflecting a slight decrease of approximately 0.9% from FY 2017-18 HUTA taxes. This minor decrease is likely due to fluctuations caused by lower gas prices over the past year as well as gradual consumer trend to fuel efficient and alternative energy vehicles. The City's HUTA Gas Tax Fund is projected to open FY 2018-19 with positive reserve balance of \$320,901. In the adopted FY 2017-18 budget, this balance was earmarked for the completion of the Keller Ridge Collector Street Rehabilitation (CIP 10425) and the 2018 Neighborhood Street Repave (CIP 10436) projects. However, these projects were still in the planning and design phase by the close of FY 2017-18 and are proposed roll into the FY 2018-19 budget for re-appropriation into the same projects.

After allocation of monies for basic transportation maintenance and operation expenses (e.g. electricity for arterial street lights and traffic signals at \$54,000; traffic signal maintenance performed by the County at \$20,000; City Maintenance personnel compensation of \$40,650 for street maintenance tasks and traffic sign replacements; general street maintenance supplies at \$12,000), it is proposed to appropriate HUTA gas

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Budget Message
Special Revenue Funds**

tax transfers of \$443,650 (72.3% of total appropriations) to the City's Capital Improvement Project Budget for the following street improvements and repairs:

ADA Sidewalk/Parking Improvements	\$ 6,000	CIP 10394A (annual)
Kell Ridge Collector Street Rehabilitation	277,988	CIP 10425
2018 Neighborhood Street Repave	159,662	CIP 10436
Total	\$ 443,650	

Consistent with the prior year plan in order to use existing HUTA Gas Tax fund reserves for eligible City streets projects, the proposed budget plans to draw down all available reserves and end FY 2018-19 with fund balance of zero.

B. RMRA Gas Tax Fund - No. 202

The Road Repair and Accountability Act of 2017, also referred to as Senate Bill 1 (SB1), is a significant new investment in California's transportation systems of approximately \$5.2 billion per year. SB1 increased the per gallon fuel excise taxes, diesel fuel sales taxes and vehicle registration taxes, sought to stabilize the problematic price-based fuel tax rates and provide for inflationary adjustments to rates in future years. In result, SB1 more than doubled local streets and road funds allocated through the existing HUTA (described previously), allocating monies from new taxes through the establishment of a new Road Maintenance and Rehabilitation Account (RMRA).

The RMRA receives monies from the following new taxes imposed under SB1:

- A 12¢ per gallon increase to the gasoline excise tax effective November 1, 2017.
- A 12¢ per gallon increase to the diesel fuel excise tax effective November 1, 2017, half of which is allocated to the Trade Corridors Enhancement Account with the remaining half to the RMRA.
- A new vehicle registration tax called the "transportation improvement fee," effective January 1, 2018, based on vehicle market value.
- An additional new \$100 vehicle registration tax on zero emission vehicles model year 2020 and later effective July 1, 2020.
- Annual rate increases to these taxes beginning July 1, 2020 (July 1, 2021 for the ZEV fee), and every July 1st thereafter for the change in the California consumer price index (CPI). The first adjustment made on July 1, 2020 will cover the CPI change for the two year timeframe November 1, 2017 through November 12, 2019.

The restricted-use of RMRA gas tax monies is similar, but not identical, to HUTA gas tax monies. Pursuant to *California Streets and Highways Code* section 2030, RMRA allocations must be deposited into a separate restricted-use fund and may only be used for projects that include but are not limited to: road maintenance and rehabilitation,

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Special Revenue Funds**

safety projects, railroad grade separations, traffic control devices, and complete street components.

On September 19, 2017 the City Council authorized the amendment of the Capital Improvement Program budget to earmark the entire balance of FY 2017-18 RMRA monies for the 2018 Neighborhood Streets Repave Project (CIP 10436). As this project was still in the planning and design phase and had not incurred any RMRA-reimbursable expenditures at the conclusion of FY 2017-18, the appropriations for this project are proposed to roll into FY 2018-19 for completion. Accordingly, the RMRA Gas Tax fund is projected to open FY 2018-19 with a positive fund balance of \$64,855 available for eligible projects. After the inclusion of projected FY 2018-19 fund revenues of \$189,383, the proposed budget includes plans for a transfer of RMRA gas tax monies of \$254,238 to the City’s Capital Improvement Project budget for the following street improvements and repairs:

Pine Hollow Road Upgrades	189,883	CIP 10379
2018 Neighborhood Street Repave	64,355	CIP 10436
Total	\$ 254,238	

Consistent with the City’s regular objective to use all available HUTA gas tax reserves for eligible City streets projects, the proposed RMRA Gas Tax fund budget also plans to draw down all available reserves and end FY 2018-19 with a zero fund balance.

C. Citywide Landscape Maintenance District - Fund No. 210

In June 2007, Clayton voters approved a replacement real property special tax to continue funding the operation and maintenance of its citywide public landscaped areas. This voter action created the City of Clayton Landscape Maintenance Community Facilities District 2007-1 (LMD). This annual parcel tax is restricted to landscape costs associated with: arterial and specified roadway medians and parkways, the trails system, the annual open space non-native (exotic) invasive weed abatement in city-owned open space of the area hills, the annual open space and trails weed abatement for fire and public safety, landscape and turf irrigation and the monthly maintenance and special occasion/holiday operation of the “Clayton Fountain”. Operations for the LMD are separately accounted for by the City in a restricted special revenue fund.

Measure B, the 2007 ballot measure, expired June 30, 2017. Given this was the only source of funds for the maintenance and operation of the LMD, in order continue this sole funding a special parcel tax, “Measure H” was placed before the voters on the June 7, 2016 ballot needing two-thirds (66.67%) voter approval. In June 2016, the voters overwhelmingly elected (77.1% positive vote) to extend the LMD special parcel tax for an additional ten (10) years.

**City of Clayton
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Special Revenue Funds**

Maintenance of City parks is not included as an authorized expenditure under the LMD Act; park maintenance obligations fall to the City's General Fund. *Citywide public landscaping services have always been funded by a special parcel tax levied on private properties throughout the City.* The LMD has now completed its first year of operation under Measure H. The LMD has a City Council-appointed trails and landscaping citizens' oversight committee (TLC) that meets periodically to ensure the promised maintenance standards and efficiencies are achieved and reviews the budget ensuring these special-purpose tax revenues are used for their intended purpose as established under the previous ballot measure for the LMD.

Pursuant to the terms of voter-approved Measure H, the special parcel tax rate may be modified annually by the change in the consumer price index (CPI) as published by the US Bureau of Labor and Statistics from April to April for this geographic region (San Francisco-Oakland-Hayward, CA). In no event shall the parcel tax rate be increased by more than 3.0% annually. Given the CPI change (from April 2017 to April 2018) posted at 3.22%, the special parcel tax growth factor must be capped at 3.0% for FY 2018-19. Accordingly, the LMD'S projected revenues are proposed to be increased by 3.0% to a total of \$1,121,746 for FY 2018-19. This results in a modest increase to LMD special parcel tax revenues of \$32,469 over the prior year adopted budget. The capped CPI growth adjustment will result in an increase of \$7.44 per residential parcel over the prior year rate (last year's single family rate was \$248.42; including the capped CPI adjustment factor the new single-family parcel rate will be \$255.86).

Since 2008, the LMD has used approximately \$1,295,208 of these special tax funds for public landscape and irrigation and trail system improvements. When including an additional \$567,000 of prior-approved projects rolled forward into FY 2018-19, the LMD will have invested over \$1.8 million into landscape related capital improvements in addition to maintaining current landscaping.

For FY 2018-19, the LMD has budgeted to fund the following prior-approved landscape improvement projects:

Downtown Planters Replacement Project	\$ 280,157
Removal of 18 Eucalyptus Trees in Open Space Hills	185,000
Replace Irrigation System Centra Control Field Panel	20,000
Subtotal	<u>485,157</u>
Subdivision/City Entry Sign Replacement Contingency	<u>2,000</u>
Grand Total	<u>\$ 487,157</u>

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The proposed LMD budget is a balanced operational budget, utilizing fund balance to undertake non-annual capital improvement projects. This practice is consistent with prior year budgets as the LMD is pay-as-you-go for such improvements, responsibly drawing on fund balance as needed. The budget expenses are primarily adjusted for increased costs from outside agencies as well as for fuel, fertilizer, water, etc.

Prior year's City Council adopted budget included the Downtown Planters (Main Street) replacement project at an estimated \$300,000. Of this amount \$30,000 for plans/specs, and \$270,000 estimated for construction). By the close of FY 2017-18, it is projected \$19,843 has been spent on plan preparation and specifications (\$19,069 in FY 2016-17, and \$774 in FY 2017-18). This leaves a remaining amount that rolls forward of \$280,157. The estimated construction costs are currently \$270,000 and were approved by the City Council in the FY 2017-18 LMD budget. The new City Engineer has been working on street repair and repaving projects and the timing of this project has been delayed, therefore the funding will roll forward to allow this project to move forward in FY 2018-19. The next steps in the process are administrative staff functions which include the City Engineer to review and finalize construction bid documents, and put the project out to bid. The lowest responsive and responsible bidder would then be recommended directly to the City Council for action.

In FY 2017-18 staff identified the need to remove 18 large Eucalyptus trees (\$185,000) in the open space near Regency Drive/El Molino and along a portion of the Cardinet Trail behind the homes on Rachel Ranch, and two remaining trees on Lydia Lane near the park entry. To-date only one of these trees has been removed. The remaining trees are planned for removal early next year with the appropriations being rolled forward to FY 2018-19 proposed budget.

Two years ago the adopted budget included a city-wide subdivision entry re-landscaping project at \$300,000. Although concept plans were approved, outside landscape architect services were needed to survey all utilities/irrigation and prepare construction level plans and specifications for public bidding. Staff has not been able to locate a qualified landscape architect that has the time or inclination to provide a proposal for this work. Therefore last year (FY 2017-18) the City Council put a hold on the project and directed the allocated funds to be returned to LMD reserves in FY 2017-18. There are no plans to move forward with this project at this time.

The proposed budget is a balanced budget, with the use of the LMD fund balance, which has been done in the past in order to undertake certain replacement or repair projects as the LMD is a pay as you go system drawing on the fund balance as needed. The budgeted expenditures are primarily adjusted for increased costs from outside agencies as well as for fuel, fertilizer etc. The District over the past year has generated a sufficient reserve balance to allow the consideration of new landscaping projects to be

**City of Clayton
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undertaken. Although an ending fund balance of \$793,019 is projected, staff is not proposing additional capital project beyond that described above in FY 2018-19, in order to allow sufficient time to complete prior City Council approved projects.

An enormous impact on LMD operations from FY 2012-13 through FY 2016-17 was the declared drought conditions and the severe water conservation reductions imposed by Contra Costa Water District (CCWD) as directed by the Governor's Executive Order Emergency declaration. While homeowners were placed under a 25% reduction plan, city and commercial irrigation water consumers were set at a massive 45% mandatory water reduction order. With irrigation cutbacks of that magnitude the LMD suspended irrigation water to turf and bushes, reserving restricted water supplies to irrigate public trees. The LMD also halted all operation of the Clayton Fountain (even though it is a recirculating fountain) and reduced outside watering to two days per week. This action plan impacted some of the water intensive landscape in order to sustain the more valuable plants and mature signature trees in the LMD. Capital improvement projects engaged during the drought were hardscape-only oriented.

Although the State of California and CCWD relaxed water restrictions, allowing more additional outdoor water irrigation uses than in the prior year, there are still reductions needed to balance against water cost increases. The proposed budget for LMD water irrigation supply service incorporates a large projected water cost increase of \$27,000 over the prior year adopted budget, bringing the total budgeted water supply expenditure to \$157,000. The irrigation cost hikes over the last two years incorporates a normalization of water irrigation costs back to pre-drought periods, as well as the 6% water rate increase recently approved by the CCWD Board of Directors.

Personnel services, including contracted seasonal labor, account for \$478,390 (30.36%) of the proposed FY 2018-19 LMD budget, which is reasonably consistent with the prior year (\$476,000). Whenever possible, tasks within the LMD are assigned to temporary seasonal personnel that are less expensive labor (e.g. trimming), allowing the City's full-time permanent maintenance employees to focus on tasks requiring journeyman-level experience (e.g. irrigation line and system repairs).

As approved by Measure H voters, the LMD's proposed budget includes a recurring line item (account 7316) for the purchase of replacement plants, budgeted at \$40,000 in FY 2018-19. The LMD further contributes an annual allocation to the City's Capital Equipment Replacement Fund (CERF) for its shared cost of utilizing City Maintenance Department vehicles for LMD operations budgeted at \$20,070 in FY 2018-19. An expenditure of \$37,258 (only 3.28% of total LMD revenues) is transferred to the City's General Fund to pay for the LMD's share of administrative support provided by the City (i.e. telephones, payroll processing, accounts payable, management, insurance, etc.).

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With all of these actions, the LMD's ending reserve is projected to be **\$793,019** by the close of FY 2018-19. The LMD's healthy reserve position is evidence the City does not siphon "surplus" monies into its General Fund but uses the special parcel tax revenues for its intended voter-approved purposes. Its monetary existence will be crucial in these post-drought conditions is over and the LMD re-examines priorities to replace landscape lost (including adding in more hardscape treatments) from the extreme water conservation measures.

The Trails and Landscape Committee (TLC) reviewed the proposed LMD budget at their public meeting on May 21, 2018, which conveyed the current year CPI rate of 3.22%. After its review, the TLC recommended [vote: 4-0 (3 absent)] that the special parcel tax levy for the LMD be increased by the CPI cap of 3.0% pursuant to the voter approved Measure H specifying a maximum annual increase of 3.0%). The TLC further recommended approval of the proposed LMD budget for FY 2018-19 as presented, including the carrying forward for FY 2018-19 projects totaling \$487,157 [vote: 4-0 (3 absent)].

D. The Grove Park Fund - No. 211

The Grove Park officially opened to the community on January 12, 2008 and on May 29, 2008, City Maintenance Department assumed full responsibility for the care and maintenance of The Grove Park. On Opening Day, the public park immediately became the signature statement of our community, and ever since it has been the popular gathering place for residents and visitors to the Clayton Town Center. Voters originally approved this restricted special parcel tax in November 2006 to maintain the park for 10 years (levy first collected in FY 2007-08) with FY 2017-18 constituting the 11th year of the special parcel tax's existence. In November 2014, the voters overwhelmingly elected to extend The Grove Park special parcel tax for an additional 20 years through the passage of Measure P (81.3% positive vote). Operations for The Grove Park are separately accounted for by the City in a restricted special revenue fund.

Pursuant to the terms of voter-approved Measure P, the special parcel tax rate may be modified annually by the change in the CPI from April to April. However, in no event shall the tax rate be increased by more than 3.0% each year. Given the CPI change (from April 2017 to April 2018) posted at 3.22%, the special parcel tax growth factor will be capped at 3.0% for FY 2018-19. Accordingly, The Grove Park's projected revenues have been increased by 3.0% to a total of \$134,180 for FY 2018-19. This results in a modest increase to The Grove Park revenues of \$3,905 over the prior year adopted budget. The capped CPI growth adjustment will result in an increase of \$0.62 per residential parcel over the prior year rate (last year's single family rate was \$20.68; including the capped CPI adjustment factor the new rate will be \$21.30). The Grove Park fund received its 10th and final installment of the generous \$10,000 annual donation from Endashiian, Inc. (developers and landowners of the CVS/Pharmacy

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store site - formerly Longs Drugs Store), in FY 2016-17. Despite the conclusion of this ten year pledge, Endeashiian, Inc. graciously donated an additional \$1,000 to The Grove Park fund in FY 2017-18, which was both unexpected and unsolicited.

Bolstered by these revenues and interest earnings, The Grove Park fund maintains a positive fund balance expected to be approximately \$308,450 by the close of FY 2017-18 with reserves slightly increasing to **\$316,776** at the close of FY 2018-19. Of this projected FY 2018-19 ending fund balance amount, \$111,765 sits in the asset replacement reserve approved in the adoption of Measure O, \$60,000 in the unallocated stabilization reserve (increasing by \$5,000 annually), and \$145,011 in unrestricted fund balance. As the park's apparatus and infrastructure ages following 11 years of high public use, these reserves will be key asset to maintain this public gem.

For FY 2017-18, it is projected total expenditures of The Grove Park will be approximately \$105,978 offset by revenues totaling \$137,480, resulting in an operating surplus of \$31,502. This projected surplus is higher than anticipated, due to the costs of water consumption for The Grove Park's newly modified water play feature coming in lower than expected. During FY 2017-18 budget preparation, a conservative figure was used for the water service line item as no historical information on the new water play feature's consumption was available for budget projection purposes. The Grove Park's new water play feature was activated for the first time during FY 2016-17, which led to substantially higher water consumption over prior years due to its immense popularity with the public. Now given two years of historical information, it appears The Grove Park fund will be able to sustain the increased water consumption costs associated with operation of the water play feature in a balanced budget. However it is currently uncertain whether The Grove Park can sustain annual set-asides of \$18,000 and \$5,000 for the asset replacement and unallocated stabilization reserves prospectively. Fortunately, The Grove Park fund has built up a healthy unrestricted reserve up to this point and any increases to the asset replacement and stabilization reserves not sustainable from fund surpluses can be taken from the unrestricted fund balance for the next six years in worst case scenario. Prospectively, staff will continue to monitor for any unsustainable trends in water demand in order determine what future water play feature use-restrictions, if any, are necessary to sustain the annual reserve set-aside goals established by the ballot measure.

As The Grove Park continues to mature and its public attraction increases, more City Maintenance Department personnel time may be necessary to keep it in a condition worthy of the City's signature piece. During the summer and on Saturday Concert Series weekends, a part-time seasonal maintenance worker is assigned to perform routine maintenance and oversight tasks at The Grove Park to ensure this highly-visible asset shines for our community. The nearby municipal well provides the landscape irrigation and other non-potable water needs of The Grove Park, which saves

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considerable taxpayers' monies compared to the metered water prices of Contra Costa Water District.

To continue to meet the operational objectives of The Grove Park, appropriations of \$132,164 are proposed for FY 2018-19. This results in a planned operating surplus of \$8,326. As this projected surplus is less than what is required for the annual replenishment of the asset replacement and unallocated stabilization reserves (\$23,000 total), it results in an unavoidable allocation of \$14,674 from the unrestricted reserve to meet the reserve set-aside requirements for FY 2018-19. Nevertheless, The Grove Park fund's total reserves remain sufficient beyond its normal yearly operations. The City Council may take action after the adoption of the budget to utilize these reserves for additional capital improvements at The Grove Park.

E. Oakhurst Geological Hazard Abatement District - Fund No. 212

Formed by the City Council during the construction of the Oakhurst Development Project, this benefit assessment district encompasses all of the lots and open spaces within the Oakhurst [residential] Development. The Oakhurst Geological Hazard Abatement District (GHAD) has the authority but not the obligation to perform repairs to public, or authorized private, properties caused by certain geologic hazards such as landslides within this area. In order to fund any such operations, the GHAD Board of Directors (City Council) is required by state law to receive an affirmative vote by the real property owners within the district for any increase in the assessment rate. Insufficient assessment revenues have always existed to perform much of the identified or speculated hillside repairs; property owners within this district have rejected any assessment increase three (3) times in the past. The GHAD Manager (the contract City Engineer) manages the district and provides a separate budget and annual report to the Board of Directors in June of each year.

Due to the restricted amount of voter-approved assessments, the GHAD levies an annual assessment that generally produces the same amount of revenue each year for general geologic hazard abatement purposes within the Oakhurst Development. For FY 2018-19, assessment revenue is projected to be approximately \$41,065, which incorporates an April 2017 to April 2018 consumer price index (CPI) inflationary increase of 3.22%. Currently, it is unlikely property owners within the district would approve a significant rate increase sufficient to arrest or mitigate hillside movements. Interest earnings are essentially non-existent for this Fund (\$200), which operates for most of the 12 months in a cash-flow deficit. The assessment revenues are not received by the GHAD [City as its fiduciary agent] until property owners pay their property tax bills in December and again in April each year.

Nominal management expenses proposed for the GHAD this year include \$8,000 for City Engineering services (District Manager) and \$1,000 allocated for specialized legal

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services. Although litigation has been settled, the GHAD is still internally assessed a share of the City's general liability insurance premium increases which were historically propelled by the Oakhurst hillside movement litigation, which served lawsuits against the GHAD as well as the City. This annual expenditure (\$7,000 in FY 2018-19) must remain for several years following settlement of the litigation as those defenses pertaining to the GHAD's share of General Fund insurance premium expenses still impact the annual calculation of the City's general liability insurance premium for that prospective time period. A base transfer of \$7,478 to the City's General Fund for general administrative and clerical support services is standard procedure necessary to sustain the bare existence of the District (18% of annual assessment). County administration fees to levy, collect and disburse the District's property tax bill assessment are estimated at \$1,200.

Project costs totaling \$50,642 are planned for FY 2018-19, which includes: the installation of additional inclinometer and piezometers to enhance ground movement detection and measurement; V-ditch repairs, and crack sealing to limit water penetration. Accordingly, and due to the limited financial resources available, the GHAD is projected to fully utilize its reserves to fund these key projects by the close FY 2018-19. Although these projects are designed improve prevention and detection measures, no significant geologic hazards can be abated in exchange for a total assessment of \$41,065 per year. The GHAD maintains its legal life with the foresight and wisdom that affected property owners might someday wish, or need, to proactively utilize this legal instrument to address hillside movement remediation.

F. Presley GHAD Settlement Fund - No. 213

In 2003 the City and GHAD settled its lawsuit against Presley regarding damages to City infrastructures in the Kelok Way area of the Oakhurst Development. After reimbursement to the City of advanced legal expenses, proceeds from the settlement were retained in a separate fund for use to clean V-ditches in the area, monitor hillside movement and explore mitigation options to protect public infrastructures in the Development. During FY 2010-11, funds were appropriated from this reserve (\$110,000) to perform road resurfacings in the Development in conjunction with an annual Neighborhood Street Project (CIP No. 10409). More recently, in FY 2017-18 this fund incurred \$19,870 for the removal and replacement of broken concrete V-ditches in three separate locations within the GHAD.

No expenditures are currently planned for the upcoming FY 2018-19 budget year. After the inclusion of projected interest earnings to this fund of approximately \$1,500 it is projected this fund will end FY 2018-19 with a positive reserve balance of **\$107,023**. These monies may yet be tapped for further area repairs to damaged public infrastructure and/or arrest hillside movement in the future, as well as deficit operations of the GHAD fund.

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G. Neighborhood Street Light Fund - No. 214

This fund accounts for the operations of the Clayton Neighborhood Streetlight Benefit Assessment District. This restricted-use assessment is collected through the real property tax bill on Clayton residential properties [current assessment ranges from \$8.34 - \$43.54 per residential unit per year]. Since FY 1996-97 (for 22 consecutive years), the City **has not requested or increased the rate charged to real property owners** for the public street lights in their neighborhoods. These assessments are restricted for public street light operations and maintenance within residential neighborhoods, excluding arterial streetlights, which are funded through HUTA gas taxes accounted for in a separate restricted-use fund. This fund's proposed budget incorporates the same amount in revenues as last year (\$125,991) since this assessment can only be increased by affirmative vote of the assessed property owners pursuant to the law (Proposition 218).

In order to continue providing current services within the existing assessment rate, consistent with the prior year and recent years, a draw on existing reserves is expected in FY 2018-19 by approximately **\$24,601**. Recurring causes for this deficit are electrical rate increases prompted by PG&E's field audit a decade ago as to correct tariff categories, in-house labor, electrical parts and supplies, and direct charges for preparation of the Engineer's Report (Engineering).

With a projected opening positive reserve balance of \$85,999 to start FY 2018-19, there is not sufficient justification to approach voters to increase this annual assessment. With the projected utilization of fund balance reserves in FY 2018-19, this fund is projected to close by June 30, 2019 with a reserve balance of **\$61,397**. Total proposed appropriations of the fund are \$151,592, or 4.7% higher than the prior year adopted budget necessary to cover increased PG&E electrical rates as well as inflationary growth for other operating, maintenance, and administrative support services. At the current rate of reserve use, this fund has **only two full fiscal years** of operational monies before the fund is expected to run out of reserves in FY 2021-22. Clearly, given annual hikes in PG&E electrical rates and the longtime cap on the assessment amount (since FY 1996-97) the fund has now entered into a structural deficit which will need to be addressed in the near future.

It has been 22 years since neighborhood street light benefit assessment rates were raised, and the law is clear voter approval is mandatory to do so. Absent an increase to the assessment to capture inflationary growth, should the fund deplete its reserves in FY 2021-22 as currently projected, a policy call would likely be need to either fund the annual operating deficit with a General Fund subsidy (further depleting limited revenues necessary for existing basic public services) or by turning off selected neighborhood streetlights. Conversely, should the annual assessment be lowered by City Council action (under a public policy theory that plentiful reserves should become

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a pseudo rebate to taxpayers), the lowered street light rate is then locked in and cannot return to its higher rate in the next or subsequent years without an affirmative two-thirds vote of the property owners. It is further noted the reserve position of this fund does not incorporate an amortization program for replacement of aging or deteriorated wooden street light poles

H. Stormwater Fund - No. 216

This account manages the special parcel tax (labeled "ERUs" for Equivalent Runoff Units) levied locally to assist the City in compliance with unfunded State-mandated regulations through our National Pollution Discharge Elimination System (NPDES) Permit. It has been confirmed by case law (previously challenged and lost by southern California cities) that Regional Water Quality Control Boards do indeed have authority to levy unfunded mandates against pollution discharges (cities and counties) by virtue of the federal Clean Water Act and the California Porter-Cologne Water Quality Control Act.

By previous Council action long ago, this real property tax levy was maximized at its allowable cap in year 2000 currently netting the City \$86,627 for local use in FY 2018-19. In reality, the assessment generates higher gross revenues (\$126,299). However, the following purposes snag portions of the City's local levy before ever touching our local coffers:

Contra Costa [Cities] Clean Water Program	\$	30,299	
Commercial Building Inspections by Sanitary Distri		8,000	
County Auditor-Controller Administrative Fee		3,800	
Reserve Fund for the Clean Water Program		3,000	
Flood Control District Management Expense		3,800	
Total Revenue Offsets:	\$	48,899	38.72%

In addition the City must pay an annual NPDES Regional Discharger Fee to the State projected to be approximately \$10,000, further dipping into the local assessment levied for the City.

The City's 5-year Stormwater Permit (MRP) is issued by the San Francisco Regional Water Quality Control Board. Public agencies, including Clayton, are now under requirements to elevate enforcement, monitoring measures, and treatment projects each year to ensure cleaner stormwaters. This permit, called MRP 2.0, was reissued last November. The permit contains additional and enhanced requirements for cities such as: managing litter that can get into its drainage and creeks from private commercial properties; PCB and Mercury pollutant testing/monitoring; maintenance and enforcement activities; "green infrastructure" which would set forth standards for cities to redirect existing storm drainage water from streets, sidewalks and parking lots and

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buildings into landscape areas; and enhanced IPM policies, practices and mandatory training and certifications. These additional permit terms will continue to impact the Stormwater fund's reserves. As other cities in the state are experiencing similar funding constraints, although recent State legislation (SB 231) would allow for consideration by the voters through a Prop 218 process to address some Stormwater improvements the legislation did not fully rectify the needs of local cities as it related to the permit mandates.

MRP 2.0 requires information to be disclosed by June 30, 2017 an ongoing, to elected officials and the public, of the Green Infrastructure (GI) requirements. MRP 2.0 defines GI as *"Infrastructure that uses vegetation, soils, and natural processes to manage water and create healthier urban environments..., green infrastructure refers to stormwater management systems that mimic nature by soaking up and storing water."* GI is designed to capture and reduce existing PCB including background levels, and Mercury. The second objective of GI is to recharge runoff into the ground creating more filtering and more natural infiltration into creeks and waterways. The permit mandates that retrofitting existing impervious surfaces with Green Infrastructure be evaluated, analyzed, planned for costed and reported upon.

The GI has two main elements to be implemented:

- Preparation of a Green Infrastructure Plan for the inclusion of bioswale/landscape planter (LID) drainage design into existing storm drain infrastructure, including streets, roads, storm drains, etc.
- Early implementation of Green Infrastructure Projects Green Infrastructure Plan

The Green Infrastructure Plan requirements and deadlines are:

- Prepare a framework or workplan to be approved by the Permittee's City Manager or governing body by June 30, 2017, and submit it to the SF Regional Water Board with its FY 16-17 Annual Report. This was completed in October 2018.
- Prepare and show estimated costs/budget for a Green Infrastructure Plan and submit it to the SF Regional Water Board with the 2019 Annual Report.

The permit requires that beginning with the 2016 Annual Report each Permittee review current infrastructure (capital improvement) projects, prepare a list of infrastructure projects planned for implementation that have potential for green infrastructure measures, annually review update and submit the list with each Annual Report, including: *"a summary of how each public infrastructure project with green infrastructure potential will include green infrastructure measures to the maximum extent practical during the permit term. For any public infrastructure project where implementation of green infrastructure*

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measures is not practicable, submit a brief description for the project and the reasons green infrastructure measures were impracticable to implement."

The Green Infrastructure Plans are intended to describe how each jurisdiction will, in the coming decades, shift their impervious surfaces and storm drain infrastructure from gray, or conventional, storm drain infrastructure where runoff flows directly in to the storm drain and then to creeks and the Bay, to a more resilient, sustainable system that slows runoff by dispersing it to vegetated areas, harvests and uses runoff, promotes infiltration and evapotranspiration, and uses bioretention to detain, retain, and treat stormwater.

City staff reviewed and compiled an initial list of its Council approved CIP budget projects and submitted it with its FY 2015-16 Annual Report. During 2019 City staff working group consisting of the Stormwater Manager/Assistant to the City Manager, City Engineer, and Community Development Director, along with outside consultants will prepare its draft Green Infrastructure Plan. This work effort has been funded by a City Council approved earmark of \$50,000 of FY 2016-17 General Fund annual excess monies.

Cities will also be tasked to review and update as necessary their standard engineering designs and planning policies/ordinances to incorporate Green Infrastructure. The Contra Costa Clean Water Program (CCCWP) is currently working on guidance to the cities for reviewing capital improvement programs and projects, identifying green infrastructure potential, advancing planning and design of potential green infrastructure features, and documenting decisions regarding implementation of green infrastructure.

As noted previously, the current permit contains mandated trash reduction requirements which are met through the implementation of the full trash capture devices. The City has installed and maintains twenty-five (25) devices in its four Trash Management Areas. Through this effort we have been able to achieve 100% reduction in trash load baseline, and permit compliance. The City of Clayton is one of only a few cities to have already achieved this goal. However, recent refinements by the SF Regional Water Board to this requirement may mandate the installation and maintenance of additional full trash capture devices to remain in compliance.

The new permit also requires the use of GIS for database mapping and public viewing availability. The Clean Water Program has begun the establishment of a cloud-based GIS mapping program as a group funded effort for all cities. Each city will have its own section for stormwater mapping with the ability to have additional data layers as it desires. Therefore no additional City funds are needed at this time for GIS program.

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Such permit conditions necessitate ever-increasing expenditures which will eventually consume current levy revenues. Initial staff analyses reveal an additional \$225,000 to \$515,000 in annual costs could someday impact the City's fiscal operations for this state-mandated purpose alone. Only a Proposition 218 voter approval process can increase the levied rates. The failure of the Clean Water Coalition's Proposition 218 ballot in FY 2012-13 to raise levy revenues turned aside a potential \$93,700 for use in meeting state unfunded mandates for cleaner stormwaters. Since the City reached its parcel levy cap 17 years ago there have been an astounding 512 additional permit requirements mandated by the SF Regional Water Board with no increase in revenue to offset the associated costs, thus resulting in an erosion of the City's Stormwater fund's reserves.

In the FY 2018-19 budget, the City's stormwater costs under the permit regulations exceed available revenues by approximately \$45,880, although the close of FY 2017-18 is expected to incur a lesser annual deficit of **\$34,531**. Fortunately at the moment there is projected to be a reserve balance of approximately **\$56,700** at the beginning of FY 2018-19 in this restricted-use special revenue fund, which is sufficient to cover the fund's projected FY 2018-19 operating deficit. The depletion of the Stormwater fund's reserve balance over past several years a direct result of added permit requirements imposed by the Regional Board in 1996 (referred to as "C-3 amendments"), MRP 1.0 (issued in 2010), and the current MRP 2.0 (issued in November 2015). All of these were statutory "unfunded mandates."

Total projected FY 2018-19 labor-related expenditures of \$58,850, including contracted seasonal labor, are necessary cover public works' labor for the City's municipal storm drain system, annual debris clearance of creeks and V-ditches, and proactive measures for the prevention of pollutants into these waters, which ultimately emerge into the San Francisco - Oakland Bay. Educational materials and supplies are also part of the Stormwater fund's budget, along with our membership in the Contra Costa County Clean Water Program. Recoverable expenses include that portion of staff time when working on clean water issues, programs, while Regional Water Quality Control Board directives target specific programs (e.g. "diaper" inserts in storm drain inlets) and local enforcement (e.g. fines). City administrative staff (Assistant to the City Manager) expends an inordinate portion of time (approximately one-third or more) engaged in the management, administration and implementation of this federal and state mandated program for cleaner runoff waters. As such, the proposed budgeted transfer of \$38,447 to the City's General Fund to partially offset this incurred staff time is reasonable and essential.

The monthly street sweeping contract totaling an estimated \$54,000 in FY 2018-19 is paid through this fund as a program component of cleaner stormwater from street gutters. To clarify a common misconception, public streets and gutters are swept monthly to mitigate roadway pollutants from entering the storm drain system, not for

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street aesthetics or as the substitute broom for an abutting property owner's sweeping/clearance of leaves and debris from the front and/or side yard curbs of one's property. Offsetting revenue is tendered by real property owners through their trash bills which is projected to be an equal and offsetting \$54,000. This offsetting revenue estimate could potentially be lower due to the revolving number of vacant homes in Clayton (closed accounts) as well as various delinquent and non-paying accounts slicing away at the revenue stream.

Required annual expenditures are absorbed into this fund for engineering services (\$2,000) and other professional services (\$1,750). Necessary engineering services will assist in providing the City's response to the state-mandate to perform additional drainage/green infrastructure analysis, evaluation and annual reporting of our mapped "trash management areas", and PCB analysis. The other professional services line item captures costs associated with state-mandated programs involving drainage inlet insert cleanings (\$5,000), box culvert cleaning (\$5,000), emergency tree removal creek/drainage areas (\$5,000), and bio-swale inspections and reports for City properties (\$1,500). New private construction activities and newer private developments with storm water treatment have been addressed by the City Council to provide methods that are self-supported or cost recovery through the City charges for fees and services, homeowners association and/or benefit assessment districts, and therefore do not impact the Stormwater fund or the City's General Fund.

As noted previously, the fund is projected to open FY 2018-19 with approximately \$56,700 in reserves, and projects a year-end fund balance of \$10,820 on June 30, 2019, an astounding (but not surprising) 81.9% loss in reserves. At this rate, the Stormwater fund will become depleted during or immediately following FY 2018-19 as long feared, with the only sources of discretionary funds to patch the mandated gap being General Fund operational monies or use of General Fund reserves. Absent a new or increased funding source, the first course of action would likely result in either a reduction of permit compliance potentially resulting in non-compliance and triggering SF Regional Board action of fines of up to \$10,000 per day, reduction in other non-mandated city services, or use of city general fund reserves.

I. Measure J Fund - No. 220

This special revenue fund originated by revenues from the ½ cent sales tax levy approved by County voters in 1988 (Measure C) to provide regional and local transportation and street improvements, a growth management process, and a regional planning process to address quality of life issues. One of the program components of the Measure is its "Return to Local Source" monies wherein cities fully complying with the Measure's Growth Management Program (GMP) Checklist are eligible to receive an annual allocation of monies for local streets and roads maintenance. Disbursement of these monies hinges on a city earning and maintaining a certified Housing Element

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(either by the California Department of Housing and Community Development [HCD] or via self-certification), and filing a biennial Compliance Checklist. The Contra Costa Transportation Authority (CCTA), cities, and the Contra Costa County were successful in 2004 in obtaining voter approval of Measure J, which extended the authorization of the current sales tax in the County for an additional 25 years beyond Measure C's expiration on March 31, 2009. Accordingly, Measure J is now in effect.

A letter to our City from HCD dated December 11, 2014 stated *"The Department is pleased to find the adopted housing element in full compliance with State housing element law"*. This letter effectively covers the City's compliance with housing element requirements for eight (8) years from the date of issuance. In addition, with CCTA's acceptance of the City's 2016 Compliance Checklist covering 2014 and 2015, the City is eligible to receive its full Measure J Local Streets Maintenance (LSM) or "Return to Local Source" funds for FY 2018-19. The next biennial CCTA Compliance Checklist is scheduled to be presented to the City Council for approval sometime before the end of calendar year 2018 covering 2016 and 2017. For FY 2018-19 the City projects to receive "Return to Local Source" funds in an amount totaling \$285,000. This revenue, which is typically disbursed after the close of the earned fiscal year in the fall, along with existing Measure J reserves has been earmarked in the proposed FY 2018-19 budget to finance the 2018 Neighborhood Streets Project (CIP 10436) as well as the Keller Ridge Drive Collector Street Rehabilitation (CIP 10425) in the City's Capital Improvement Program (CIP) Budget.

In addition to this funding, on October 7, 2014 the City signed a cooperative agreement with CCTA and its member cities to receive Program 28a grant funding for Sub-regional Transportation Needs. The grant agreement stipulated that funds will be allocated starting in January 2015, and then each November until 2034 using a 50/50 population and road miles split formula. In FY 2018-19 the City is set to receive an additional \$32,676 per the co-operative agreement, which has also been budgeted for the 2018 Neighborhood Streets Project (CIP 10436) in the City's CIP Budget.

It is projected that the Measure J fund will open FY 2018-19 with a positive reserve balance of **\$618,618**, composed of both Return to Local Source and Co-operative agreement funds. In addition to new FY 2018-19 Local Return to Source and Co-operative projected revenues totaling \$317,676, projected interest earnings of the Measure J fund are \$1,000, incorporating a depletion of invested reserves during FY 2018-19 for the completion of the CIP projects outlined previously. Beyond proposed transfers to the CIP fund for capital projects, a relatively small portion of the Local Return to Source funds will be necessary \$36,639 for ongoing operational and support costs in FY 2018-19. The CIP Fund Budget Narrative section expands in much greater detail on capital projects planned for FY 2018-19 as well a description of their various funding sources. Consistent with the prior year budgetary plan, in order to use existing

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Measure J fund reserves for eligible City streets projects, the proposed budget plans to draw down all available reserves and end FY 2018-19 with a zero fund balance.

J. Restricted Grants Fund - No. 230

This fund is the repository for State and other subvention grants restricted by law or the underlying grant agreement for specific purposes. This fund accounts for several restricted funding sources from external parties for specific program costs including. The following is a summary of the City's more significant grant-funded programs in the Grants Fund budget:

1. SLESF / COPS Grant Program

The "Supplemental Law Enforcement Services Funds" (SLESF) or "Citizen's Option for Public Safety" (COPS) grant is funded by a portion of the formerly-local Vehicle License Fees (VLF) and is passed through from the State to Contra Costa County, and then to the City of Clayton. This revenue is passed through from the County to the City on a monthly basis in varying increments that reflect sales tax allocation fluctuations from the state. SLESF/COPS funds are allocated among cities and counties and special districts that provide law enforcement services in proportion to population, except that a) county populations are the populations in unincorporated areas; and b) each agency is to be allocated a minimum of \$100,000. The City of Clayton receives the annually minimum in funding. Pursuant to state legislation the use of these funds is restricted to "front-line law enforcement purposes." Although previously required, pursuant to a letter from the California State Controller's Office dated August 17, 2012, annual reporting on the use of these funds is no longer necessary.

The proposed FY 2018-19 budget projects the City will receive the minimum SLESF/COPS funding of \$100,000. This revenue in addition to a projected opening SLESF/COPS grant reserve balance of \$118,258 will be utilized to continue underwriting costs associated with the City's 11th sworn police officer working patrol in the community as well as to cover costs associated with maintaining the state-mandated secure line for the Police Department and other related front-line public safety costs. In addition to helping to defray these ongoing costs, \$27,200 of the SLESF/COPS grant will be used for the purchase and installation of new patrol unit video cameras, \$5,000 for new Taser equipment, and \$7,000 for the annual cost of the secure phone line necessary for US Department of Justice compliance. After proposed grant appropriations of \$137,740, the SLESF/COPS grant is projected to close FY 2018-19 with a positive balance of **\$80,518.**

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2. Other Grant Funds

Augmenting the SLESF/COPS grant monies, the Grants Fund expects receipt of \$15,500 in annual revenue from the City's cable communications franchise company (Comcast) for restricted use in Public, Education & Government (PEG) broadcast services and equipment. The City also anticipates being eligible for \$2,000 in Avoid the 25 grant funds from the County to reimburse police labor costs associated with DUI checkpoint enforcement.

On the expenditure side of the ledger, \$15,000 is needed for the City's share of the PEG broadcast channel on which our City broadcasts taped meetings of the Clayton City Council and displays other public/community information (Comcast Channel 26). The Avoid the 25 grant operates on a reimbursement basis and revenues received in FY 2018-19 will reflect actual costs incurred. The FY 2018-19 proposed budget once again incorporates the full utilization of the Comcast Technology grant balance for much needed technology improvements including the boost of City Hall and Corp Yard internet speed and implementation of improved business process capabilities on the City's website including, but not limited to expanded online permit and facility rental application and payment processing.

In the aggregate, the Restricted Grants Fund is projected to close FY 2018-19 with a fund balance of **\$279,363**. After the utilization of grant reserves and new revenue during FY 2018-19 for their restricted purposes, year-end reserves are projected to be primarily composed of the Comcast PEG grant (\$191,710) and the SLESF/COPS grant (\$80,518).

K. Development Impact Fees Fund - No. 304

This restricted-use special revenue fund accounts for the impact fees the City has collected from new developments within the community. Revenues are private development driven and restricted for use based on the purpose of the impact fee. Although it is unknown exactly when any proposed development comes "on-line" thereby triggering the payment of these impact fees, staff does not wish to budget for new development to occur and not be realized.

By the close of FY 2017-18 is projected the City will have collected a total of \$140,794 in development impact fees. Development impact fees were collected for, childcare facilities, open space in-lieu, parkland dedication, offsite arterial improvement, tree mitigation, fire protection, community facilities, and habitat conservation restricted purposes on two projects. The two aforementioned projects include a two detached single family residence development adjacent St. John's Church and a six detached single family residence development on Verna Way. At this time, no additional development impact fees are projected to be received in FY 2018-19. The sole revenue

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source budgeted in FY 2018-19 is from interest earnings projected to total \$8,000, which is allocated on a quarterly basis to each respective impact fee account.

During FY 2017-18, in accordance with the adopted budget and City Council direction, this fund is projected to incur total expenditures of \$197,717 for eligible projects. Specifically the following were funded during FY 2017-18: a transfer of \$142,000 from the Open Space In-Lieu fee account to the CIP Fund for remediation needs at the North Valley neighborhood park (CIP project #10439), a transfer of \$19,000 from the Community Facilities fee account to the CIP Fund for ADA accessibility improvements at City Hall (CIP project #10443), a pass-through of \$14,418 in Habitat Conservation fees to the East Contra Costa County Habitat Conservancy, and \$22,299 to augment funding for unforeseen overtime in the Police Department.

New community development may result in the collection of additional fees, and trigger the necessity to plan new projects to mitigate the increased City costs associated with development expansion. That being said, it is reasonably possible amendments may be required during FY 2018-19 to appropriately reflect new projects to address the demands of more development. The FY 2018-19 budget projects a decrease in fund balance of **\$56,995** reflecting the utilization of developer fee reserves for eligible purposes, which still results in a positive ending reserve balance of **\$474,230**.

L. Successor Housing Agency - Fund No. 616

This restricted-use special revenue fund was created as a result of the dissolution of the City's former redevelopment agency (former RDA) pursuant to state law (AB1x 26). Through the adoption of Resolution 03-2012 the City Council elected to retain the affordable housing assets of the former RDA in accordance with Section 34176 of the California Health and Safety Code.

All monies in the former RDA's Low and Moderate Income (LMI) Housing Fund were transferred on the dissolution date (February 1, 2012) to the City's Successor Housing Agency Fund (No. 616). In accordance with the law, the Successor Housing Agency is separate and distinct from all other funds and accounts of the City, to hold, administer and spend the monies in originating from the former RDA's LMI Housing Fund to perform housing functions consistent with the Dissolution Act.

On April 24, 2015, the California Department of Finance (DOF) issued its Final Determination Letter approving the Low-Moderate Fund Due Diligence Review Report. This report, performed by an independent accountant in accordance with the law (AB 1484), was also approved via Resolution by the Oversight Board to the Successor Agency and authorized payment to be remitted to the County Auditor-Controller's Office totaling \$3,679,225, representing the "unencumbered balance" of Low-Moderate RDA funds. In accordance with the order letter from the DOF, this payment was

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remitted shortly thereafter on May 1, 2015. Furthermore, on December 30, 2015, the City received its Finding of Completion from the DOF, formally concluding the AB 1484 RDA dissolution and audit process.

With the pilfering of the City's LMI housing fund pursuant to AB1484, the City's housing functions have now been largely reduced to loan transactions initiated by residents of low to moderate income housing units within the City's current inventory. In FY 2018-19 this fund is projected to incur expenditures totaling \$58,355 for special legal services involved in the Stranahan subdivision affordable housing loan administration program as well as a nexus study for a affordable housing in-lieu fee to facilitate the new inclusionary housing ordinance adopted by the City Council pursuant to new State law. Total revenues for FY 2018-19 are projected to come in at \$106,400, pertaining primarily to a \$96,400 loan repayment on the Diamond Terrace note, maturing in FY 2030-31. At the close of FY 2018-19, it is projected the Successor Housing Agency will report a positive reserve balance of \$4,574,173, of which \$1,174,111 is in spendable form available for appropriation for program activities of the City's low to moderate housing program.

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PROPRIETARY FUNDS

A further expansion to the General Fund operations of the City, the City Council has established certain funds that meet the requirements of "proprietary funds." There are two types of proprietary funds: internal service and enterprise funds. Internal service funds are used to report activities providing goods or services to other funds or departments on a cost-reimbursement basis. The City maintains three (3) internal service funds to account for the City-wide shared costs associated with self-insurance and capital equipment replacement activities. Enterprise funds are used to report any activity for which a fee is charged to external users for goods or services. The City maintains one (1) enterprise fund to account for the Endeavor Hall facility rental activities. The following section provides a discussion of the fiscal status of each of these proprietary funds.

A. Self-Insurance (Internal Service) Fund - No. 501

This internal-service fund manages the fiscal obligations of the City's self-insured program for our retention deductible (\$5,000 per claim) on initial claims filed against the City for general liability and workers' compensation as well as deductibles for property, auto, and other insured losses incurred by the City. Pursuant to our membership in the Municipal Pooling Authority of northern California ("MPA"; a municipal self-insured/pooled risk excess coverage joint powers authority [JPA]), our City is responsible for payment of the first \$5,000 in expense and/or damage on each filed claim. This fund also handles other periodic legal expenses to defend the City's interest in related cases. A recurring expense incurred by this fund is the annual premium (approximately \$1,250) to cover an Employee Assistance Program (EAP), a shared public entity consortium for City employee good-health counseling and wellness services benefiting our permanent organization.

Since there is no recurring or systematic replenishing source of revenue for this fund, the City Council must periodically authorize one-time transfers of General Fund surplus funds to replenish the internal service fund's reserve balance. The most recent source of such funding was made in FY 2013-14, when the City Council authorized a transfer of \$54,154 from General Fund excess supported by the audited FY 2011-12 financial statements. This transfer assisted in replenishing losses arising from legal expenses on the Oakhurst Hillside litigation cases beginning in FY 2008-09. With total proposed FY 2018-19 expenditures of \$7,248, this fund is projected to utilize \$6,648 in reserves and close the fiscal year with a positive net position of **\$35,673**. The option to make "replenishment" transfers into the Self-Insurance Fund can be re-considered annually by the City Council once General Fund operational results become available after the close of the fiscal year; however, no request by staff is proposed at this time.

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B. Capital Equipment Replacement (Internal Service) Fund – No. 502

This fund serves to track the depreciation and finance the replacement of City-owned vehicles, computers and other capital equipment used in operations, generally in excess of \$5,000. The Capital Equipment Replacement Fund (CERF) is projected to open FY 2018-19 with a positive reserve balance of \$457,227. Of this projected opening balance, \$181,942 pertains to available cash reserves available to finance the purchase of replacement assets, with the remainder pertaining to equity resulting from the fund's non-liquid net investment in capital assets.

Using the current annual depreciation expense presented in the City's audited FY 2016-17 CAFR, the projected FY 2017-18 CERF depreciation expense is \$95,000. In a "utopia," the CERF would recover its annual depreciation in the form of internal service fund service charges to the various department and funds using CERF assets in their respective operations. In robust fiscal years, the various departments of the General Fund (e.g. Police; Public Works, Admin/Finance/Legal, etc.) would incur an annual "CERF Charge" to replenish CERF reserves totaling approximately \$95,000.

Despite the CERF's funding needs, for over a decade the General Fund had to cut back, and occasionally eliminate, its replenishment of the CERF sinking fund contribution due to budgetary constraints. During FY 2017-18, based on optimistic projected General Fund operating results, CERF charges of \$55,000 were budgeted for and contributed by the General Fund. Although this was higher than the average contribution of the General fund over the past decade years, the CERF still fell short of the annual depreciation match requirement of nearly \$90,075 in FY 2016-17. When looking at just the past ten completed fiscal years (FY 2007-08 through FY 2016-17), total depreciation expenses of the CERF has exceeded annual replenishments (i.e. CERF charges, interest, proceeds of sales of assets, etc.) by \$308,119. This figure is probably worsened when extending the analysis beyond the aforementioned ten year timeframe considering that as of June 30, 2017 (the most recent audit year where depreciation was calculated), **nearly 78%** of all operational assets still in use and being tracked in the CERF are fully depreciated.

Prior to the enactment of Measure B (LMD) by the voters in June 2007, the General Fund of the City was the sole contributor to this vehicle and equipment depreciation schedule. Since the Landscape Maintenance District (LMD) now consumes over half of full-time Public Works' personnel time, voter-approved Measure B and H included a CERF expense in the public ballot measure to proportionately assist in the replacement of capital equipment and trucks used in the LMD. The FY 2018-19 CERF budget incorporates CERF charges of \$20,070 from the LMD fund, \$1,800 from The Grove Park fund, \$2,310 from the HUTA gas tax fund, and \$2,360 from the Stormwater fund. In addition, the FY 2018-19 proposed CERF budget incorporates \$55,000 and \$7,000 CERF

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charges to the General Fund's Police Department and Public Works Department respectively.

On an annual basis the Police and Public Works Departments communicate their capital equipment replacement needs to the City Manager. Based on an analysis of funds available as well as the most up-to-date CERF depreciation schedule the feasibility of asset replacement is addressed. The proposed FY 2018-19 CERF budget includes plans to purchase a new Ford F-150 dual hauling and patrol response unit at an estimated cost of \$60,000 which will replace two fully depreciated patrol units currently in use. In addition to being patrol and pursuit capable, the F-150 truck will allow the police department to haul the new command center trailer, funds for which were donated by the Tesoro Foundation. As a rollover from the prior year adopted budget, the FY 2018-19 CERF budget again plans for the purchase of a used heavy duty Ford F-350 truck at an estimated cost of \$40,000 to replace the fully depreciated 2000 Ford F-350 currently in use by the Public Works Department. At the conclusion of FY 2018-19, after the purchase of asset replacements offset by CERF charges to the various funds and departments, it is projected the CERF will have a positive net position of \$448,967, of which **\$173,682** pertains to cash reserves available to finance the purchase of replacement assets.

C. Pension Rate Stabilization Fund- No. 503

In FY 2017-18, given the growing apprehension surrounding CalPERS unfunded pension liabilities and consideration of the ever-growing list of factors beyond the City's control that can significantly and adversely impact the annual pension contribution expense, the City Council established the Pension Rate Stabilization Fund. The Pension Rate Stabilization Fund is internal service fund, designed to help smoothing out major fluctuations in annual pension contribution costs driven by market factors and actuarial changes. In both 2015-16 and FY 2016-17, the City's operating budget had to overcome the burden of large hikes in employer pension contributions due to fluctuations in its unfunded liability caused by CalPERS investment returns falling short of the actuarially assumed 7.50% discount rate in effect at that time. As it appeared these hikes would continue into the foreseeable future, the Pension Rate Stabilization fund was implemented to act as a hedging tool to stabilize future General Fund operating budgets.

As reported in the General Fund Reserves section previously, In FY 2017-18, utilizing General Fund excess reported in the FY 2015-16 audited CAFR, the City Council directed a transfer of \$110,000 to the newly established Pension Rate Stabilization Fund. Thereafter, following the publication of the City's FY 2016-17 audited CAFR the City Council directed an additional \$58,000 in General Fund excess to this fund as seed monies. By the close of FY 2018-19, when incorporating interest earnings of \$3,500, it is projected this fund will close with a positive reserve balance of **\$173,692**.

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While staff will continue to work on absorbing the pension obligations within the annual operating budget, the enormities and unknowns associated with that policy objective may frankly escape the monetary impact. As illustrated in the Public Employees Retirement System section of the Budget Message, staff projects an upward, not downward, trend in employer pension contribution requirement over the next several years following CalPERS' reduction to the long-term actuarially-assumed discount rate and other funding policy. The establishment of the Pension Rate Stabilization Fund will greatly aid the City's mission to maintain and sustain current public services to the community.

In addition to two sources of seed monies described previously, as a stand-alone fund separate and distinct from the City's General Fund, the Pension Rate Stabilization Fund will generate interest earnings from its share in the City's Investment Pool. Beyond ongoing allocations of interest earnings, future revenue sources could come from one-time transfers of General Fund excess reserves authorized by the City Council or budgeted charges to the City's various governmental funds that utilize City staff.

Contributions to this fund do not result in a decrease to the City's unfunded pension liability, as that could only be achieved from direct contributions to a CalPERS-administered irrevocable trust, which is not being recommended at this time. However, much like the City's already established Capital Equipment Replacement and Self Insurance internal service funds, this new fund is a useful tool for to help mitigate the risk of fluctuations in future pension contribution requirements to the City's ongoing General Fund operating budget.

D. Endeavor Hall (Enterprise) Fund - No. 702

This separate fund was established in the FY 2002-03 adopted budget to track specific revenues and expenses of the million dollar historic Endeavor Hall renovation project. More residents and local organizations continue to discover Endeavor Hall's historical charm for events, meetings, and special occasions. Additionally, the Clayton Theatre Company used the Hall for its 6th year of theatrical productions. Facility-use rental fees for FY 2017-18 are projected to land at approximately \$29,600, beating the revenue projection in the adopted by \$4,900 (19.8%).

Unfortunately, this positive news is offset by the fact that operational expenditures (excluding depreciation of the facility and improvements) are projected to exceed operational revenues by approximately \$7,562 by the close of FY 2017-18. Based on historical rental performance it is expected Endeavor Hall will incur yet another operational shortfall (excluding depreciation expense) to be approximately **\$4,990** in FY 2018-19. With the average wedding rental of Endeavor Hall generating approximately \$1,300 in rental income in FY 2017-18, all that is necessary for Endeavor Hall to break even in operation (excluding the impacts of depreciation expense) next year is approximately four more wedding rentals, or equivalent full-day use events.

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For FY 2017-18, minimal City staff time (\$15,940) is projected for upkeep of the facility and staffing of evening and weekend events. Maintenance time is necessary for landscaping and gardening to ensure the facilities grounds have annual color plants sufficient to keep it desirable for the rental community. Naturally, when vandalism occurs on the building and grounds, extra expenses are incurred to make the necessary repairs. Furthermore, periodic Public Works labor is necessary for the maintenance and upkeep of on-site equipment and fixtures. Total proposed (non-labor) operational and maintenance expenses in FY 2018-19 are budgeted at \$19,050. Depreciation expense in this fund is projected to remain consistent at \$37,500 in FY 2018-19.

During FY 2015-16, action was taken by the City Council to earmark \$25,863 in General Fund FY 2014-15 excess reserves for much needed facility repairs and replacements at Endeavor Hall. Specific activities funded by this action included: repainting of the exterior and interior walls, refinishing the oak wood flooring, and resealing the concrete walkway. These urgent improvements to the facility are a prime example of the periodic financial support needed from the General Fund for capital improvements/replacements as Endeavor Hall operations are not self-sustaining. As past rental experiences generate positive word of mouth promotion and expand the customer base, staff is hopeful Endeavor Hall operations will eventually become self-sustaining.

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FIDUCIARY FUNDS

Tracked by the City and included herein for reference, fiduciary funds of the City are not typically considered part of the budget of the primary government since the City essentially serves as a fiscal conduit (fiscal agent) for legally separate entities. Legally separate entities reported under this category include, but are not limited to several benefit assessment districts and Mello-Roos community facility districts. No underlying debt obligation of the City is assumed in administering the fiscal transactions of these funds. With secured sources of income, these funds are not held hostage to the volatility of general governmental purpose revenues or state government shenanigans. Fiduciary funds often operate with negative cash flow balances and therefore can have interest charges applied for temporary reliance on the use of pooled reserves to underwrite their annual operations.

A. High Street Bridge Benefit Assessment District- Fund No. 217

In 1998 the City Council ordered the formation of the High Street Permanent Road Division for the purpose of reconstructing and maintaining the High Street Bridge over Mitchell Creek. This annual assessment is levied against specified private property parcel owners within the High Street Bridge Benefit Assessment District in order to repay construction-related financing and for future maintenance of the bridge. The High Street Bridge debt is repaid over thirty (30) years with its ultimate maturity in FY 2028-29. The fund will continue to assess annual levies against covered parcels within the district until the underlying long-term obligation due to the RDA Successor Agency is fulfilled. After incorporating any pre-payments by district members, the outstanding debt obligation (principal and interest) of the district will be approximately \$15,913 as of June 30, 2018. In FY 2018-19 the total assessment is projected to be \$1,754 to cover debt service and contribute to the annual bridge maintenance reserve. This fund is projected to close FY 2018-19 with a positive reserve balance of \$6,437, of which \$5,700 (88.6%) is restricted for future bridge maintenance of the district.

B. Oak Street Bridge Benefit Assessment District - Fund No. 218

In 1999 the City Council ordered the formation of the Oak Street Permanent Road Division for the purpose of reconstructing and maintaining the Oak Street Bridge over Mitchell Creek. This annual assessment is levied against specified private property parcel owners within the Oak Street Bridge Benefit Assessment District in order to repay construction-related financing and for future maintenance of the bridge. The Oak Street Bridge debt is repaid over twenty (20) years with its ultimate maturity next year (FY 2018-19). This fund incurs minimal annual expenses for its share of the County's property tax administration fees and includes property tax revenues levied on public property contained within the benefit assessment district. The fund will continue to assess annual levies against covered parcels within the district until the underlying long-term obligation due to the City is fulfilled. After incorporating any pre-payments by district members, the outstanding debt obligation (principal and interest) of the

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district will be approximately \$3,958 as of June 30, 2018. In FY 2016-17 this fund contributed \$12,000 to the City's Arterial Rehabilitation Project (CIP No. 10437A) to help address pavement improvements needed in the District. In FY 2018-19 the total assessment is projected to be \$6,150 to cover debt service, county property tax administrative costs, City administrative costs and to contribute to the annual bridge maintenance reserve. This fund is projected to close FY 2018-19 with a positive reserve balance of **\$18,720**, of which \$17,600 (94.0%) is restricted for future bridge maintenance of the district.

C. Lydia Lane Sewer Benefit Assessment District - Fund No. 222

In 2002 the City Council ordered the formation of the Lydia Lane Sewer Benefit Assessment District along south Lydia Lane for the purpose of funding the construction of municipal sewer main line lateral connections to specified homes within the district plus an associated street overlay. The project was funded by the private property parcel owners since they "opted out" of inclusion in the original Project Area of the since-dissolved Redevelopment Agency (RDA). As a result of opting out of inclusion, they were ineligible to receive RDA funds to address public health and safety blight through the installation of a municipal sewer line to eliminate their private septic tank systems. The project was completed in 2003 with bonds issued by the City for repayment by the district over a thirty (30) year life maturing in FY 2032-33. This annual assessment is levied against specified private property parcel owners within the Lydia Lane Sewer Benefit Assessment District in order to repay construction-related financing and to address ongoing operational and administrative costs. This fund will continue to assess annual levies against covered parcels within the district until the underlying long-term obligation due to private bondholders is fulfilled. Parcel assessments are projected to produce \$16,750 in FY 2018-19. Debt service payments for FY 2018-19 total \$14,350 or 85.7% of the district's annual expenses. The principal balance of the bonds will be \$158,325 as of June 30, 2018. This fund is projected to close FY 2018-19 with a positive reserve balance of **\$79,524** for future sewer maintenance in the district. Of this reserve balance, \$12,813 (16.1%) pertains to the bond reserve fund, held by the trustee and restricted for debt service per the bond indenture.

D. Oak Street Sewer Benefit Assessment District - Fund No. 223

In 2002 the City Council ordered the formation of the Oak Street Sewer Assessment Division for the purpose of funding the construction of municipal sewer main line lateral connections to specified homes within the district. This neighborhood sewer project was completed in 2004. Under its mission to eliminate public health and safety concerns, the former RDA paid for half (50%) of the project and the adjacent real property owners agreed to annual parcel assessments for the balance of the capital expense. This annual assessment is levied against specified private property parcel owners within the Oak Street Sewer Benefit Assessment District in order to repay construction-related financing. The Oak Street Bridge debt is repaid over twenty (25)

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years with its ultimate maturity in FY 2027-28. This fund will continue to assess annual levies against covered parcels within the district until the underlying long-term obligation due to the RDA Successor Agency is fulfilled. After incorporating any pre-payments by district members, the outstanding principal district's loan will be approximately \$77,273 as of June 30, 2018. Annual parcel assessments are projected to produce \$12,000 in district revenue in FY 2018-19. Debt service payments for FY 2018-19 total \$9,809 or 87.5% of the district's budgeted expenses. The fund is projected close FY 2018-19 with a modest reserve balance of \$2,887 for future sewer maintenance in the district.

E. Diablo Estates Benefit Assessment District - Fund No. 231

In 2012 at the request of the developer of the Diablo Estates sub-division, the City Council formed the Diablo Estates Benefit Assessment District. The purpose of the district is to generate funds for the maintenance of various improvements constructed as part of the development to solely benefit the real property owners within the district. The duties specified in the original Engineer's Report included the maintenance of landscaping and irrigation, weed abatement, storm drainage facilities, and private street lighting, which are funded by an annual assessment levied against the 25 lot residential subdivision. The fund functions essentially as a depository account from which the City contracts with and pays for a property management company to actually perform and execute the subdivision maintenance and infrastructure repairs.

In FY 2018-19 the assessment revenue is projected to be approximately \$85,861, which incorporates an April 2017 to April 2018 consumer price index (CPI) inflationary increase of 3.22%. The primary FY 2018-19 expense of the district pertains to costs associated with the property management firm contract (\$54,390). The fund is projected to close FY 2018-19 with a positive reserve balance of approximately \$127,340 primarily retained for future infrastructure replacements in the district.

F. Clayton Financing Authority - Fund No. 405

On December 4, 1990, the City Council of Clayton, California adopted Resolution No. 120-90, which created the Clayton Financing Authority (CFA) through a joint exercise of powers agreement. Consistent with most local financing authorities, the joint powers agreement established the City Council as the Board of Directors of the CFA. The CFA was initially established to allow redevelopment tax allocation bonds to be sold at a more favorable negotiation basis versus a public basis. The CFA is registered with the State of California Controller's Office and is subject to the laws pertaining to special districts. As a legal separate public entity, the CFA is required to file an Annual Report with the State of California in accordance with *California Government Code* Section 26909.

Arising from matters associated with the Oakhurst Development Project, the CFA held title to a 1-acre parcel located at the southwest corner of the Clayton Road-Oakhurst

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Drive-Center Street intersection. In October 2006, the CFA sold the real property for \$800,815 to a commercial developer (Endashian, Inc.), which ultimately led to the construction and opening of the former Longs Drug Store at this location (now CVS/Pharmacy). A small portion of these monies was used in the 2008 park renovations at Clayton Community Park (tot lot and picnic facility improvements). In addition, during FY 2012-13, the CFA Board of Directors authorized the use of a portion of these discretionary funds to help finance the City's 2013 Neighborhood Street Project (CIP No. 10417).

During this past year, the replacement of the city hall HVAC quickly became more urgent as three of the five condensing units had failed and were rendered inoperable during FY 2017-18, resulting in a total cooling capacity of 40% for the three story building. Furthermore, the city hall boiler had completely failed eliminating all heating capacity of the HVAC unit essential for a productive office workplace. Acknowledging the importance of a functioning HVAC during the hot summer months and cold winter months for a productive office work environment, on July 18, 2017 the City Council authorized the transfer of \$170,126 from the CFA to assist in financing the replacement of the aging city hall HVAC unit.

No appropriations are currently included in the FY 2018-19 CFA proposed budget. After incorporation of interest earnings of \$10,000, it's projected this fund will close FY 2018-19 with a positive reserve balance of **\$565,293**.

G. "Middle School" Community Facilities District No. 1990-1 - Fund No. 420

As its name implies, this fund manages the annual collection of the real property Mello-Roos special parcel tax that helped finance the construction of the Diablo View Middle School, a 2007 and 2013 recognized CA Distinguished School. During FY 2007-08 the outstanding district debt was refunded to obtain a lower interest rate on the remaining principal (see Fund No. 422). This was a City-initiated transaction which resulted in lower annual payments for the assessed real property owners of this district (Oakhurst Development properties). The remainder of district budgeted expenses pays for required debt administration costs.

Professional bond trustee administration fees are incurred to manage the retirement of the district's debt. In FY 2018-19 debt service payments on the 1997 local obligations total approximately \$402,061 after the application of a debt service credit from the CFA of \$82,000 after applying savings arising from the bond refunding. Without the application of the debt service levy credit, total regular scheduled debt service on the 1997 local obligations would be \$484,061 in FY 2018-19.

Consistent with past years, in FY 2018-19 the projected special parcel tax revenue of approximately \$393,802 is less than expenditures as it incorporates a levy reduction

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credit of approximately \$125,559 (\$82,000 CFA debt service credit and \$46,029 district reserves use). This levy reduction has been implemented annually to gradually apply savings resulting from the bond refunding. When compared to the prior year district special tax levy, FY 2018-19 reflects a levy reduction of \$4,000 to be shared amongst the district tax payers. The district is projected to close FY 2018-19 with a positive reserve balance of **\$279,036**.

H. CFA 2007 Refunding Bonds Agency Fund - Fund No. 422

In 1997 the Clayton Financing Authority (CFA) issued \$7.16 million in Special Tax Bonds to finance in part the construction of the Diablo View Middle School (see Fund No. 420). Approximately \$5.285 million remained outstanding on the debt carrying a final maturity date of 2022. In May 2007 the CFA's Board of Directors (City Council) determined it was financially advantageous to the Oakhurst Development real property owners for the CFA to refinance the outstanding debt to achieve savings in annual debt payments. Upon its issuance the refunding action captured a savings of \$600,000 to the Middle School Community Facilities District 1990-1 (CFD 1990-1) saving individual property taxpayers approximately \$20 - \$51 per year. Bond interest rates fell from the range of 5.25% - 5.90% down to 3.5% - 4.2%. As the CFA is the owner of the 1997 local obligations, the 2007 Refunding Bonds are ultimately secured by the annual special parcel tax levy from CFD 1990-1 and the corresponding annual payment on the 1997 local obligations.

Debt service on the 2007 refunding bonds total \$433,595 in FY 2018-19. Payments received pertaining to the 1997 local obligations from CFD 1990-1 will be sufficient to meet the required 2007 refunding bonds debt service. Consistent with the prior year, this fund is projected to utilize reserves in order to apply a debt service credit to the FY 2018-19 "Middle School" CFD 1990-1 special parcel tax levy (See Fund No. 420). A systematic and gradual utilization of reserves (bond refunding savings) is planned through the maturity of the 2007 refunding bonds in FY 2022-23. The fund is projected to close FY 2018-19 with a positive reserve balance of **\$462,811**, of which \$251,990 (54.4%) pertains to the 2007 bonds' reserve fund held with the bond trustee and restricted for future debt service per the bond indenture.

I. Successor Agency - Fund No. 615

On June 28, 2011 the California State Legislature adopted two pieces of legislation - AB 1X 26 and AB 1X 27 (the Bill) - which eliminated redevelopment agencies (RDAs) and provided cities with the opportunity to preserve one's RDA if they agreed to make certain payments to the County Auditor-Controller. On behalf of cities and redevelopment agencies throughout the State, the League of California Cities and California Redevelopment Association requested a stay on the implementation of both pieces of legislation and filed a lawsuit with the California Supreme Court challenging both pieces of legislation. The stay was rejected and on December 29, 2011, the

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Supreme Court validated AB 1X 26 and overturned AB 1X 27. Further, the Supreme Court indicated that all RDAs in the State of California were to be dissolved and cease operations as a legal entity as of February 1, 2012. On January 11, 2012, the City Council elected to become the Successor Agency to the former RDA in accordance with AB 1X 26 as part of City Resolution 03-2012. As a result of the restrictions placed on the assets and liabilities of the former RDA, the balances were transferred to a private purpose trust fund (Fund No. 615) on February 1, 2012.

Under the new law, Successor Agencies in the State of California cannot enter into new projects, obligations, or commitments. Subject to the control of a newly established Oversight Board, remaining assets can only be used to pay enforceable obligations in existence at the date of dissolution. Since FY 2011-12, Successor Agencies are only allocated revenue in the amount that is necessary to pay the estimated annual installment payments on enforceable obligations of the former redevelopment agency until all enforceable obligations of the prior RDA have been paid in full and all assets have been liquidated. On an annual basis, in accordance with dissolution law, the Successor Agency prepares a Recognized Obligation Payment Schedule (ROPS) outlining all of the funding requirements for upcoming fiscal year. The ROPS must be approved by the Oversight Board to the Successor Agency via resolution and be submitted to the California Department of Finance (DOF) for approval. After a scrutinizing review by the DOF and its subsequent approval, funding for the obligations on the ROPS is received from the County Auditor Controllers office each January and June.

For FY 2018-19, the Successor Agency anticipates total expenses of \$692,490, of which 65.7% pertains to annual debt service on the 2014 Refunding Tax Allocation Bonds (TABs). In the DOF's determination letter approving the 2018-19 ROPS dated April 12, 2018, the second installment of the Supplemental Educational Revenue Augmentation Fund (SERAF) loan was approved for repayment to the Clayton Successor Housing Agency, which is scheduled to be fully repaid in FY 2020-21. Through the ROPS process described above, it is projected that the Successor Agency will receive Redevelopment Property Tax Trust Fund (RPTTF) revenues totaling \$719,897 in FY 2018-19. Subsequent to the approval of the All Other Funds Due Diligence Review (AB 1484) in FY 2015-16, the DOF ordered the Successor Agency to first use any existing cash reserves before receiving additional ROPS funding for enforceable obligations. Pursuant to this action, the Successor Agency has and will continue to use remaining bond proceeds for the payment of interest on the 2014 TABs and trustee fees. At the close of FY 2018-19, it is expected the Successor Agency will close with a positive reserve balance of approximately **\$900,643**, which is entirely restricted to future ROPS obligations. This positive reserve balance results solely from the timing of payments, as the first of two annual ROPS payments is received in June of each year, immediately prior to the fiscal year for which funds are restricted.

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CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET

With the demise of former RDA monies for capital improvement projects, the City now has limited financial capacity to complete key capital improvement projects. In more recent years, CIP projects have been primarily funded by HUTA gas taxes, Measure J, as well as local, state and federal grant programs.

FY 2017-18 Capital Improvement Program Projections

The adopted FY 2017-18 CIP budget incorporated appropriations of \$2,471,256 split between seven (7) different funded CIP projects. Following the adoption of the budget, however, new projects can be incorporated into the CIP budget and circumstances can arise requiring the deferral of planned projects into future fiscal years. The following CIP projects were underway or completed during FY 2017-18 which are projected to have invested **\$483,060** in capital improvements (including design costs) by the close of the fiscal year.

1. **Pine Hollow Road Upgrades (CIP 10379)**

Included in the past several CIP budgets but listed as “unfunded”, the scope of this project is to widen the north side of Pine Hollow Road with the addition of new curb, gutter and sidewalk between Pine Hollow Estates and the westerly City limit. Project work will require the acquisition of right of way for new improvements with conform paving crossing the city limit line into the City of Concord. Furthermore, the project entails the installation of a pre-made City entryway sign on the southern City limit of Pine Hollow Road.

With the completion of the Measure J grant-funded portion of 2016 Arterial Street Rehabilitation Project (CIP 10437A) under budget, on September 19, 2017 the City Council authorized the redirection of \$375,000 in remaining Measure J grant funds to this project. During FY 2017-18, the new City Engineer worked with Contra Costa County Transportation Authority (CCTA) to revise the grant agreement documents incorporating the Pine Hollow Road Upgrade project as “Phase 2” of the grant-funded local transportation improvement project. On April 3, 2018 the City Council authorized a resolution earmarking the allocation of FY 2018-19 RMRA gas tax revenues to this project to provide additional funding for this project, which is expected to cost well over the amount of residual Measure J grant monies. With preliminary and conservative cost estimates for this project nearing \$1 million, based on the results of other street repave/rehabilitation project bids received in FY 2017-18, the construction phase (and completion) of this project is planned for two years from now (FY 2019-20). In FY 2019-20 an additional \$308,000 in federal Local Street and Road Shortfall Fund funds (or “OBAG II” monies as referred to by CCTA as the pass-through awarding entity) will become available, bringing the total funding for this project to \$872,883.

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During FY 2017-18 this project was in the initial engineering planning and design phase, with a completed set of bid specifications anticipated sometime during next fiscal year (FY 2018-19). As noted previously, it is not expected this project will enter into the construction phase until FY 2019-20, when additional federal funding is expected to become available from CCTA.

Projected Capital Related Expenditures in FY 2017-18: \$45,000

2. ADA Compliance Program (CIP 10394A)

Each fiscal year the City sets aside \$6,000 of its annual HUTA gas tax revenues to build up sufficient reserves to perform handicap ramp corner curb cuts on public sidewalks. In addition to installing these ADA ramps where none exist, federal standards on ramp specifications were modified in July 2008 requiring revamping of existing ramps when street or sidewalk projects are installed in the adjacent area. These monies may also be used to repaint and remark existing ADA public parking spaces to current standard. The City's HUTA Gas Tax Fund (No. 201) transferred \$6,000 to this CIP account during FY 2017-18. After interest earnings, the residual reserve balance of this project is estimated to be **\$9,150** by the close of FY 2018-19.

Projected Capital Related Expenditures in FY 2017-18: None

3. Utility Undergrounding Project (CIP 10397)

Each year, PG&E is required by the Public Utilities Commission to set aside funds for the undergrounding of overhead utility lines. The money set aside is distributed by PG&E to local agencies on a proportional basis. Since the cost of undergrounding is so high (minimum of \$1,000,000 for 300 feet or so), this project was created to accept and accumulate these funds until enough is available to undertake a project. Typically, PG&E will allocate \$21,000 to the City's Rule 20A project account annually. In addition to the annual allocation, the City is authorized to make a five (5) year advance borrowing currently estimated to be \$103,660. Including an annual allocation estimate of \$21,000, total estimated reserves available for a utility undergrounding project will be approximately **\$445,072** by the close of FY 2017-18. No project expenditures were either planned or incurred during FY 2017-18.

Projected Capital Related Expenditures in FY 2017-18: None

4. El Molino Drive Sanitary Sewer Improvements Project (CIP 10422)

This project was originally established as part of the FY 2011-12 CIP budget to construct modifications to existing deficient sanitary sewer mains to prevent potential sewer overflows in areas adjacent to Mt. Diablo Creek. The project

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would entail pipe enlargement and construction of a bypass line in El Molino Drive. Total estimated project costs of \$560,000 will be funded by a reimbursement agreement with the City of Concord executed on September 7, 2017. Funding for this project is derived from the City of Concord's joint sewer enterprise fund wherein property owner parcel assessments in Clayton are deposited. By the close of FY 2017-18, total project expenditures to-date for engineering, planning and design expenditures are projected to be approximately \$40,000. This total excludes initial costs incurred by the City for the Marsh Creek Road Sewer Survey Study of approximately \$63,566, which established the essential groundwork for the El Molino Drive Sanitary Sewer Improvements Project. During FY 2017-18 this project went out to for competitive bidding however no proposals were received. Following this result, on May 15, 2018, the City Council authorized staff to negotiate a contract. This project is expected to transition from the engineering, planning and design phase to construction next fiscal year (FY 2018-19).

Projected Capital Related Expenditures in FY 2017-18: **\$40,000**

5. Keller Ridge Drive Collector Street Rehab Project (CIP 10425)

The scope of this project includes pavement resurfacing and treatment on the Keller Ridge Drive collector street in Clayton. This project will be partially funded by federal Local Street and Road Shortfall Fund funds (or "OBAG I" monies as referred to by the Contra Costa Transportation Authority as the pass-through awarding entity) totaling \$385,000 expected to be received in FY 2018-19 once construction commences. This federal grant requires a minimum local match of 11.5%, which will be achieved through transfers of HUTA and RMRA gas taxes as well as Measure J local street maintenance "return to source" funds. The federal grant monies can only be used on a collector or arterial street (rather than on a residential neighborhood street). By the close of FY 2017-18, it is estimated total planning and design project costs from inception to-date will be approximately \$78,226. Construction is projected to be underway early next fiscal year (FY 2018-19).

Projected Capital Related Expenditures in FY 2017-18: **\$50,000**

6. 2018 Neighborhood Street Rehabilitation (CIP 10436)

The objective of the 2018 Neighborhood Street Project is elevate all of the neighborhood streets to a Pavement Condition Index (PCI) of 80 or greater, with a PCI score of 100 being equivalent to a brand new street. This project has been designed to accomplish said street maintenance and rehabilitation on streets where state or federal transportation funds is not currently available. This project will be funded by various sources with proposed funding being derived

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from HUTA and RMRA gas taxes, Measure J local streets maintenance “return to source” funds, Measure J Co-op funds, and a Cal Recycle grant for utilizing rubberized paving materials. On May 15, 2018 the City Council approved the award of a low-bid contract to Sierra Nevada Construction in the amount of \$784,007 for this project. The proposed budget assumes a total fully funded project cost of \$994,007 for engineering (planning, design, etc.), construction, inspections, and project acceptance reporting. Any locally derived residual funding at the conclusion of the project will be returned to its source special revenue fund, with the policy assumption that the most restrictive funds are considered to have been spent first. By the close of FY 2017-18, it is estimated total initial planning and design project costs from inception to-date will be approximately \$50,000. This project is expected to transition to the construction phase next fiscal year (FY 2018-19).

Projected Capital Related Expenditures in FY 2017-18: **\$50,000**

7. 2016 Arterial Street Rehab Project - Measure J Grant-Funded (CIP 10437A)

The scope of this project was to make the most of a Measure J grant program providing up to \$1.2 million in transportation network improvements to the City. Given the continuously growing volume of commuter traffic the City has experienced on its arterial streets, an investment in the community on street widening, bike lanes, shoulders and pedestrian paths would be immensely beneficial for the City. In addition, given the length of time it would take to accumulate \$1.2 million in reserves from other ordinary revenue sources (i.e. HUTA gas tax and per-capital Measure J) this grant funding allowed the City to commence work on much needed transportation infrastructure improvements earlier. On December 6, 2016 the City Council approved a resolution awarding a contract to Intermountain Slurry Seal, Inc. in the amount of \$556,204 for the construction of the surface treatment portion of the 2016 Arterial Street Rehabilitation Project. The scope of this project was expanded out to east Diablo Parkway during its execution. This resulted in twice the amount of pavement being included in the scope of the project for additional estimated project costs of \$193,796. In-total, this grant-funded portion of the project invested a total of \$861,327 in the community’s arterial street infrastructure system. This figure excludes the non-grant funded portion of the project funded by Measure J totaling \$363,129. This project was largely completed by the close of last fiscal year (FY 2016-17), with some final engineering inspection costs rolling into FY 2017-18. The City Council approved the notice of completion for this project on August 1, 2017.

Projected Capital Related Expenditures in FY 2017-18: **\$2,583**

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8. El Portal Drive Restoration Project (CIP 10439)

In the initial stages of the 2016 Arterial Rehabilitation Project, significant voids in a portion of the El Portal street pavement were identified requiring urgent stabilization. This additional work was added as a change order to the scope of the 2016 Arterial Rehabilitation Project with total remedial El Portal stabilization costs of approximately \$54,000. On February 21, 2017, following the adoption of the FY 2016-17 budget, the City Council added the El Portal Drive Restoration Project to the CIP. An analysis by the City Engineer concluded that while portions of the pavement on El Portal Drive were in good condition (PCI of 65), the first 900 feet east of Regency Drive had failed and needed to be reconstructed. In addition, the south side curbs and sidewalk had raised and settled creating an uneven sidewalk surface and an unprotected drop off to the adjacent creek bed.

Following stabilization of the El Portal Drive subgrade, additional work was identified as being necessary to reconstruct the surface improvements, particularly the pavement and sidewalk areas. The total estimated cost of this additional work, including the construction of a safety rail along the back of the sidewalk where the ground drops steeply into the adjoining creek was estimated to be \$250,000, funded by a combination of the Measure J grant monies described previously (CIP 10437A) as well as local Measure J Local Streets Maintenance "return to source" funds. Since the entire width of this segment of the street was to be repaved, the City was also required by state ADA requirements to reconstruct the handicap ramps at each of the eight (8) intersections along the project length. This additional ADA compliance work was funded by a \$20,000 transfer from the ADA Compliance account (CIP 10394A). This project is expected be completed by the close of FY 2017-18, with the locally-funded portion of this project accounted for in the CIP 10439 project account costing \$77,874.

Projected Capital Related Expenditures in FY 2017-18: **\$42,862**

9. Clayton Community Park Lower Field Rehabilitation (CIP 10440)

In response to feedback from soccer and baseball groups and an on-site assessment of the premises, a rehabilitation of the lower baseball/softball field (Field #1) of Clayton Community Park was incorporated into the CIP budget and planned for FY 2017-18. The Maintenance Department previously estimated costs of the rehabilitation project to be approximately \$50,000, which was approved to be funded by a partial allocation of the garbage franchise community enhancement fee. However, as a result of turnover with two key positions at the City during FY 2017-18 (City Engineer and Maintenance Supervisor), this project was temporarily halted with more pressing and larger-scale projects entering the planning and design phase (i.e. design and bidding for

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both the 2018 Neighborhood Street Rehabilitation Keller Ridge Collector Street Rehab, replacement of City Hall HVAC, etc.). A re-examination of the original project budget by the City Engineer resulted in a revised project estimate of \$100,000, with the additional costs currently being presented as “unfunded” in the CIP budget requiring additional City Council direction. Despite the temporary setback experienced in FY 2017-18, with a new City Engineer and Maintenance Supervisor at the respective “helms” of their departments, it is expected this project will commence and be completed next fiscal year (FY 2018-19). Staff will be working diligently to identify additional funding for this project to be included with the recommendation of contract award to the City Council sometime during FY 2018-19.

Projected Capital Related Expenditures in FY 2017-18: **None**

10. North Valley Playground Rehabilitation (CIP No. 10442)

In response to feedback from residents in the community and an on-site assessment of the premises, a rehabilitation of the North Valley neighborhood park tot lot and surrounding premises was originally planned for and incorporated into the adopted FY 2017-18 CIP budget. Replacement of the resilient play surface, originally completed in FY 2000-01, is estimated to cost \$50,000, with the cost of equipment, freight and installation of the new play apparatus estimated to be \$79,500. Projected to cost \$37,800, the installation of three (3) shade structures similar to those at the Clayton Community Park Picnic Area #5 will provide much needed shelter from the sun given the absence of mature shade-providing trees in the park. This brings the total cost of the park rehabilitation project to \$167,300. The City Council previously authorized funding for North Valley Playground Rehabilitation project from two sources. The portion of the Open Space In-Lieu development impact fee balance designated for “active areas” will provide \$142,000 in funding for the project, with the remaining \$23,800 in funding coming from unallocated CIP interest earnings. During FY 2017-18, in accordance with the adopted budget, both of these funding transfers were made to the project account. As noted previously, as a result of turnover with two key positions at the City during FY 2017-18, this project was temporarily halted with more pressing and larger-scale projects entering the planning and design phase (i.e. design and bidding for both the 2018 Neighborhood Street Rehabilitation Keller Ridge Collector Street Rehab, replacement of City Hall HVAC, etc.). Despite this temporary setback experienced in FY 2017-18, with a new City Engineer and Maintenance Supervisor it is expected this project will commence and be completed next fiscal year (FY 2018-19).

Projected Capital Related Expenditures in FY 2017-18: **None**

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11. City Hall ADA Accessibility Project (CIP 10443)

Following the adoption of the FY 2017-18 budget, CIP 10443 was added to the CIP budget by the City Council to address feedback from a growing constituency that the City Hall entry doors are extremely heavy and difficult for some to open, bringing into question their compliance with the Americans with Disabilities Act (ADA). Further related research by the City Attorney's office resulted in a finding that despite its historical status and listing on the California Register of Historic Buildings, the Clayton City building is not exempt from compliance with the rigorous ADA requirements. On September 19, 2017 the City Council awarded a low-bid contract to Greentech Industry in the amount of \$24,050 to bring the various entryway doors of City Hall into compliance. Pursuant to project specifications prepared by the City Engineer, the scope of this project included the installation of a push-button activated power door opening system for: (1) the main entry door to City Hall, (2) one of the two interior lobby entry doors within City Hall, and (3) for the City Hall Courtyard exterior public restrooms door. Including engineering design and planning costs, total project costs are estimated to be \$35,000. Due to set-backs encountered by the awarded contractor during the project planning phase, this project was temporarily halted and is expected to commence and enter into the construction phase next fiscal year (FY 2018-19).

Projected Capital Related Expenditures in FY 2017-18: **None**

12. City Hall HVAC Replacement Project (CIP 10444)

Over the course of the past two years, three of the five condensing units of the city hall HVAC system had failed and were rendered inoperable, resulting in a total cooling capacity of 40% for the three story building. Furthermore, during FY 2017-18 the city hall boiler had completely failed eliminating all heating capacity of the HVAC unit. As a reasonably controlled temperature is essential for a productive and safe work environment, particularly during the hot summer months and cold winter season, the replacement of the original city HVAC system quickly became an urgent and essential task. Acknowledging the importance of this need, on February 21, 2017 using a quote provided by the City's existing HVAC maintenance company, the City Council took action to earmark a portion (\$93,325) of the General Fund excess reported in the FY 2015-16 audited CAFR for this project. However, during the contracted project engineer's (Diseno Group) preparation of bid sets, some issues became apparent that the existing HVAC system did not meet current code requirements. Two of the largest code upgrades needed were a need to properly and adequately vent the boiler to the outside and to relocate the electrical disconnects for the boiler pumps that had been previously located behind the unit. Furthermoer, technical discoveries identified some other major equipment needed to be replaced concurrently with the replacement of the

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HVAC system, including the operating controller, and electrical phase converter for the new cooling equipment, a new damper for the hot water heater and various valves and gauges.

Ultimately, with this new information from the contracted project engineer outlining significantly expanded specs, the competitive bids came in much higher than previously estimated. On July 18, 2017 the City Council awarded contract to the lowest responsive and responsible bidder (Servi-Tech Controls) to perform the project in the amount of \$253,398. Noting the previous earmark of General Fund excess fell short of the project's revised estimated cost City Council authorized the transfer of \$170,126 from the Clayton Financing Authority to bridge the gap in funding for this urgent project. This project was completed during FY 2017-18 with the Notice of Completion expected to go to the City Council for approval on June 5, 2018.

Projected Capital Related Expenditures in FY 2017-18: **\$255,198**

FY 2018-19 Capital Improvement Program Proposed Budget

Due to several projects previously summarized only entering the initial planning stages during FY 2017-18, any planned expenditures for these projects not incurred by year end are being rolled forward and re-appropriated into the FY 2018-19 CIP budget. Including these rolled-forward appropriations, the following projects are expected to be underway resulting in total projected expenditures of **\$2,746,513** in FY 2018-19.

1. **Pine Hollow Road Upgrades (CIP 10379)**

Included in the past several CIP budgets but listed as "unfunded", the scope of this project is to widen the north side of Pine Hollow Road with the addition of new curb, gutter and sidewalk between Pine Hollow Estates and the westerly City limit. Project work will require the acquisition of right of way for new improvements with conform paving crossing the city limit line into the City of Concord. Furthermore, the project entails the installation of a pre-made City entryway sign on the southern City limit of Pine Hollow Road.

With the completion of the Measure J grant-funded portion of 2016 Arterial Street Rehabilitation Project (CIP 10437A) under budget, on September 19, 2017 the City Council authorized the redirection of \$375,000 in remaining Measure J grant funds to this project. During FY 2017-18, the new City Engineer worked with Contra Costa County Transportation Authority (CCTA) to revise the grant agreement documents incorporating the Pine Hollow Road Upgrade project as "Phase 2" of the grant-funded local transportation improvement project. On April 3, 2018 the City Council authorized a resolution earmarking the allocation of FY 2018-19 RMRA gas tax revenues to this project to provide additional

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funding for this project, which is expected to cost well over the amount of residual Measure J grant monies. With preliminary and conservative cost estimates for this project nearing \$1 million, based on the results of other street repave/rehabilitation project bids received in FY 2017-18, the construction phase (and completion) of this project is planned for two years from now (FY 2019-20). In FY 2019-20 an additional \$308,000 in federal Local Street and Road Shortfall Fund funds (or "OBAG II" monies as referred to by CCTA as the pass-through awarding entity) will become available, bringing the total funding for this project to \$872,883.

It is anticipated this project will complete the engineering planning and design phase with a complete set of bid specifications by the close of next fiscal year (FY 2018-19). As noted previously, it is not expected this project will enter into the construction phase until FY 2019-20, when additional federal funding is expected to become available from CCTA.

Projected Capital Related Expenditures in FY 2018-19: \$50,000

2. ADA Compliance Program (CIP 10394A)

Each fiscal year the City sets aside \$6,000 of its annual HUTA gas tax revenues to build up sufficient reserves to perform handicap ramp corner curb cuts on public sidewalks. In addition to installing these ADA ramps where none exist, federal standards on ramp specifications were modified in July 2008 requiring revamping of existing ramps when street or sidewalk projects are installed in the adjacent area. These monies may also be used to repaint and remark existing ADA public parking spaces to current standard. The proposed budget plans for an additional transfer of \$6,000 from the City's HUTA Gas Tax Fund (No. 201) 000 to this CIP account during FY 2018-19. This results in a planned reserve balance of \$15,150 in this account available for future ADA needs by the close of FY 2018-19.

Projected Capital Related Expenditures in FY 2018-19: None

3. Utility Undergrounding Project (CIP 10397)

Each year, PG&E is required by the Public Utilities Commission to set aside funds for the undergrounding of overhead utility lines. The money set aside is distributed by PG&E to local agencies on a proportional basis. Since the cost of undergrounding is so high (minimum of \$1,000,000 for 300 feet or so), this project was created to accept and accumulate these funds until enough is available to undertake a project. Typically, PG&E will allocate \$21,000 to the City's Rule 20A project account annually. In addition to the annual allocation, the City is authorized to make a five (5) year advance borrowing currently estimated to be

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\$103,660. Including a another annual allocation estimate of \$21,000, total estimated reserves available for a utility undergrounding project will be approximately **\$466,072** by the close of FY 2018-19. No project expenditures planned at this point for FY 2018-19.

Projected Capital Related Expenditures in FY 2018-19: **None**

4. **El Molino Drive Sanitary Sewer Improvements Project (CIP 10422)**

This project was originally established as part of the FY 2011-12 CIP budget to construct modifications to existing deficient sanitary sewer mains to prevent potential sewer overflows in areas adjacent to Mt. Diablo Creek. The project would entail pipe enlargement and construction of a bypass line in El Molino Drive. Total estimated project costs of \$560,000 will be funded by a reimbursement agreement with the City of Concord executed on September 7, 2017. Funding for this project is derived from the City of Concord's joint sewer enterprise fund wherein property owner parcel assessments in Clayton are deposited. This total project estimate excludes initial costs incurred by the City for the Marsh Creek Road Sewer Survey Study of approximately \$63,566, which established the essential groundwork for the El Molino Drive Sanitary Sewer Improvements Project. During FY 2017-18 this project went out to for competitive bidding however no proposals were received. Following this result, on May 15, 2018, the City Council authorized staff to negotiate a contract. It is expected this project will transition from the engineering, planning and design phase to construction and completion in FY 2018-19.

Projected Capital Related Expenditures in FY 2018-19: **\$520,000**

5. **Keller Ridge Drive Collector Street Rehab Project (CIP 10425)**

The scope of this project includes pavement resurfacing and treatment on the Keller Ridge Drive collector street in Clayton. This project will be partially funded by federal Local Street and Road Shortfall Fund funds (or "OBAG I" monies as referred to by CCTA as the pass-through awarding entity) totaling \$385,000 expected to be received in FY 2018-19 once construction commences. This federal grant requires a minimum local match of 11.5%, which will be achieved through transfers of HUTA and RMRA gas taxes as well as Measure J local street maintenance "return to source" funds. The federal grant monies can only be used on a collector or arterial street (rather than on a residential neighborhood street). This project is expected to be completed next fiscal year (FY 2018-19) at a final estimated total cost of \$1,008,432.

Projected Capital Related Expenditures in FY 2018-19: **\$930,206**

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6. 2018 Neighborhood Street Rehabilitation (CIP 10436)

The objective of the 2018 Neighborhood Street Project is elevate all of the neighborhood streets to a Pavement Condition Index (PCI) of 80 or greater, with a PCI score of 100 being equivalent to a brand new street. This project has been designed to accomplish said street maintenance and rehabilitation on streets where state or federal transportation funds is not currently available. This project will be funded by various sources with proposed funding being derived from HUTA and RMRA gas taxes, Measure J local streets maintenance "return to source" funds, Measure J Co-op funds, and a Cal Recycle grant for utilizing rubberized paving materials. On May 15, 2018 the City Council approved the award of a low-bid contract to Sierra Nevada Construction in the amount of \$784,007 for this project. The proposed budget assumes a total fully funded project cost of \$994,007 for engineering (planning, design, etc.), construction, inspections, and project acceptance reporting. Any locally derived residual funding at the conclusion of the project will be returned to its source special revenue fund, with the policy assumption that the most restrictive funds are considered to have been spent first. This project is expected to transition to the construction phase and be completed by the close of next fiscal year (FY 2018-19).

Projected Capital Related Expenditures in FY 2018-19: **\$944,007**

7. Clayton Community Park Lower Field Rehabilitation (CIP 10440)

In response to feedback from soccer and baseball groups and an on-site assessment of the premises, a rehabilitation of the lower baseball/softball field (Field #1) of Clayton Community Park was incorporated into the CIP budget and planned for FY 2017-18. The Maintenance Department previously estimated costs of the rehabilitation project to be approximately \$50,000, which was approved to be funded by a partial allocation of the garbage franchise community enhancement fee. A re-examination of the original project budget by the new City Engineer resulted in a revised project estimate of \$100,000, with the additional costs currently being presented as "unfunded" in the CIP budget requiring additional City Council direction. Staff will be working diligently to identify additional funding for this project to be included with the recommendation of contract award to the City Council sometime during FY 2018-19. It is expected this project will commence and be completed next fiscal year (FY 2018-19).

Projected Capital Related Expenditures in FY 2018-19: **\$100,000**

8. North Valley Playground Rehabilitation (CIP No. 10442)

In response to feedback from residents in the community and an on-site assessment of the premises, a rehabilitation of the North Valley neighborhood

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park tot lot and surrounding premises was originally planned for and incorporated into the adopted FY 2017-18 CIP budget. Replacement of the resilient play surface, originally completed in FY 2000-01, is estimated to cost \$50,000, with the cost of equipment, freight and installation of the new play apparatus estimated to be \$79,500. Projected to cost \$37,800, the installation of three (3) shade structures similar to those at the Clayton Community Park Picnic Area #5 will provide much needed shelter from the sun given the absence of mature shade-providing trees in the park. This brings the total estimated cost of the park rehabilitation project to \$167,300. The City Council previously authorized funding for North Valley Playground Rehabilitation project from two sources. The portion of the Open Space In-Lieu development impact fee balance designated for "active areas" will provide \$142,000 in funding for the project, with the remaining \$23,800 in funding coming from unallocated CIP interest earnings. During FY 2017-18, in accordance with the adopted budget, both of these funding transfers were made to the project account. This project is expected to commence and be completed next fiscal year (FY 2018-19).

Projected Capital Related Expenditures in FY 2018-19: \$167,300

9. City Hall ADA Accessibility Project (CIP 10443)

Following the adoption of the FY 2017-18 budget, CIP 10443 was added to the CIP budget by the City Council to address feedback from a growing constituency that the City Hall entry doors are extremely heavy and difficult for some to open, bringing into question their compliance with the Americans with Disabilities Act (ADA). Further related research by the City Attorney's office resulted in a finding that despite its historical status and listing on the California Register of Historic Buildings, the Clayton City building is not exempt from compliance with the rigorous ADA requirements. On September 19, 2017 the City Council awarded a low-bid contract to Greentech Industry in the amount of \$24,050 to bring the various entryway doors of City Hall into compliance. Pursuant to project specifications prepared by the City Engineer, the scope of this project included the installation of a push-button activated power door opening system for: (1) the main entry door to City Hall, (2) one of the two interior lobby entry doors within City Hall, and (3) for the City Hall Courtyard exterior public restrooms door. Including engineering design and planning costs, total project costs are estimated to be \$35,000. Due to set-backs encountered by the awarded contractor during the project planning phase in FY 2017-18, this project was temporarily halted and is being rolled forward into the FY 2018-19 proposed CIP budget for completion.

Projected Capital Related Expenditures in FY 2018-19: \$35,000

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Public Employees Retirement Pension System

PUBLIC EMPLOYEES RETIREMENT PENSION SYSTEM

A Brief History

Eleven years after its incorporation as a municipality in 1964, the City of Clayton joined the California Public Employees Retirement System (CalPERS) to establish a pension system for its public employees (June 1975). At that time it contracted for a retirement system plan of 2% at age 55 for its sworn law enforcement officers and 2% at age 60 for its general (miscellaneous) employees. Each enrolled plan was the least costly "defined benefit" plan offered by CalPERS. For the next 40 years and continuing today, permanent employees of the City are members of CalPERS for retirement pension purposes. The City organization does not belong to Social Security; therefore, its employees rely on this public pension system as the primary retirement program.

A plan change occurred in 1997 when the City moved its law enforcement employees from the CalPERS 2% at 55 Plan to a 2% at age 50 Plan; miscellaneous employees were kept on the 2% at age 60 Plan. Presumably at that time the City elevated the retirement benefits of its Police Department in order to attract and retain quality sworn personnel in the competitive public sector market. In early 2001 the retirement plans were again modified (through the collective bargaining process) to the existing "Classic" contracts of 3% at age 55 for Public Safety (sworn law enforcement) and 2% at age 55 for the Miscellaneous Unit (civilian). CalPERS also initiated unilateral action to eliminate small-employer public agency members from consideration as independent agencies and "pooled" them together to share some of the pension risk. These new pooled plans (in effect today) are referred to as *Multiple-Employer "Cost-Sharing" Defined Benefit Plans*. Although cost sharing plans are designed to bundle employer pension expenses of several employer plans that provide identical benefits, plans that had super- or under-funded statuses carried forward their positive or negative balances into the new plan in what is referred to as a "Side-Fund". Thus, this CalPERS action caused several of the small employers (including Clayton) to suddenly have a side-fund "unfunded liability" which the City of Clayton has now been reducing over time within its annual Employer contribution pension rates as analyzed in greater detail later.

In recent years, coinciding with the abrupt downturn in the national and local economies and the wave of retiring Baby Boomers (born 1946 - 1964), the press and the public have waged a vigorous debate and exposé concerning the amount and scope of unfunded liabilities of governments [taxpayers] for the CalPERS defined benefit retirement plan. Public pension policies have been attacked, modified, reformed and threatened over the course of this examination and it continues today in the form of state legislation reform bills, statewide initiatives and disparaging editorial opinions. The State of California enacted Public Employee Pension Reform Act (PEPRA) effective January 2013 creating a new defined benefit pension system for newly-enrolled CalPERS-covered employees.

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Acting in advance of PEPRA and most public agencies, the City of Clayton created a 2nd Tier Plan effective January 2011 for all new hires. To further mitigate its unfunded liability exposure, the Clayton City Council took action in March 2012 to prohibit all future local elected officials (e.g. city council members) from becoming members of the CalPERS pension plan. In FY 2018-19, three out of five Clayton City Council Members are not members of CalPERS and therefore participate solely in the Social Security federal program.

Various Pension Plan Groups and Composition

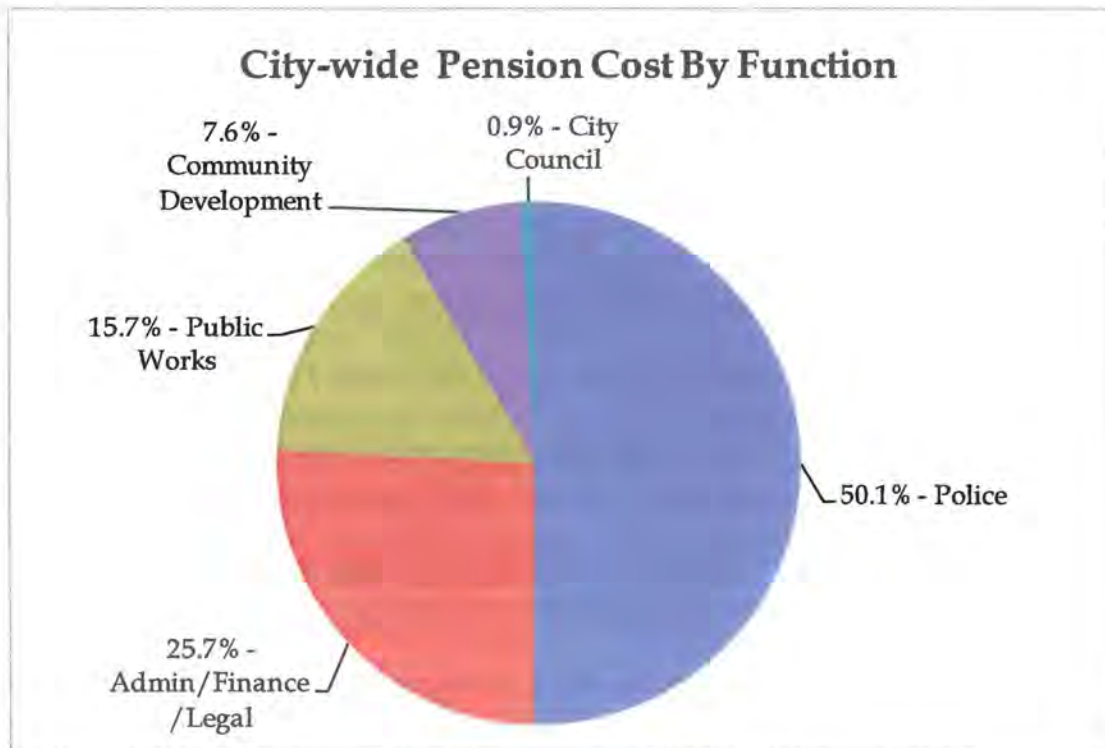
As a consequence of the actions taken as described above, the City of Clayton now has three (3) separate CalPERS pension plans for its employees:

1. **Tier 1 "Classic"** - This plan covers existing City employees prior to January 2011. No future employee of the City can ever become a Tier 1 Plan enrollee; this pool of existing employees will shrink in number as these employees move to other employment or retire from the City. The benefit formula for Public Safety Tier 1 members is 3% @ 55 and the benefit formula for Miscellaneous Tier 1 members is 2% @ 55. The City makes employee contributions on behalf of Tier 1 employees, which are classified as *Employer Paid Member Contributions* or "EPMC" by CalPERS. In accordance with labor agreements currently in place, for FY 2018-19 the City pays the entire 7% employee pension contribution requirement for Miscellaneous Plan Members. As part of three year Police Officers Association labor agreement approved on July 7, 2015, the previous 9% EPMC for Public Safety Tier 1 members was gradually phased out over the term of the agreement with its full elimination in FY 2017-18. This phase-out was offset by 4% annual cost of living adjustments for all sworn officers. In FY 2018-19, employer contribution rates (excluding EPMC) for Tier 1 employees will be 17.614% and 8.892% for Public Safety and Miscellaneous Plan Members, respectively.
2. **Tier 2 "Classic"** - This plan covers City employees hired during the timeframe January 2011 through December 2012, plus any new hire of the City that comes from an employer previously enrolled in a CalPERS pension system (without a break in service longer than six months). The benefit formula for Public Safety Tier 2 members is 2% @ 50 and the benefit formula for Miscellaneous Tier 2 members is 2% @ 60. There is no EPMC provision, making employees responsible for the entire employee pension contribution rate, which is 9% for Public Safety plan members and 7% for Miscellaneous Plan Members. In FY 2018-19 employer contribution rates for Tier 2 employees will be 15.719% and 7.634% for Public Safety and Miscellaneous Plan Members, respectively
3. **Tier 3 "PEPRA"** - This plan (aka the "Brown Plan" named after its originator, Governor Jerry Brown) automatically covers any new employee of the City not

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previously a member of CalPERS or with a break in service longer than six months. The benefit formula for Public Safety Tier 3 members is 2.7% @ 57 and the benefit formula for Miscellaneous Tier 3 members is 2% @ 62. Under PEPRA law, members are required to pay at least 50% of the normal cost of benefits, essentially splitting the pension contribution rate requirement with some exceptions. In FY 2018-19 employer contribution rates for Tier 3 employees will be 12.141% and 6.842% for Public Safety and Miscellaneous Plan Members, respectively

The following chart summarizes the organization-wide spread of the City's pension contributions projected for FY 2018-19:



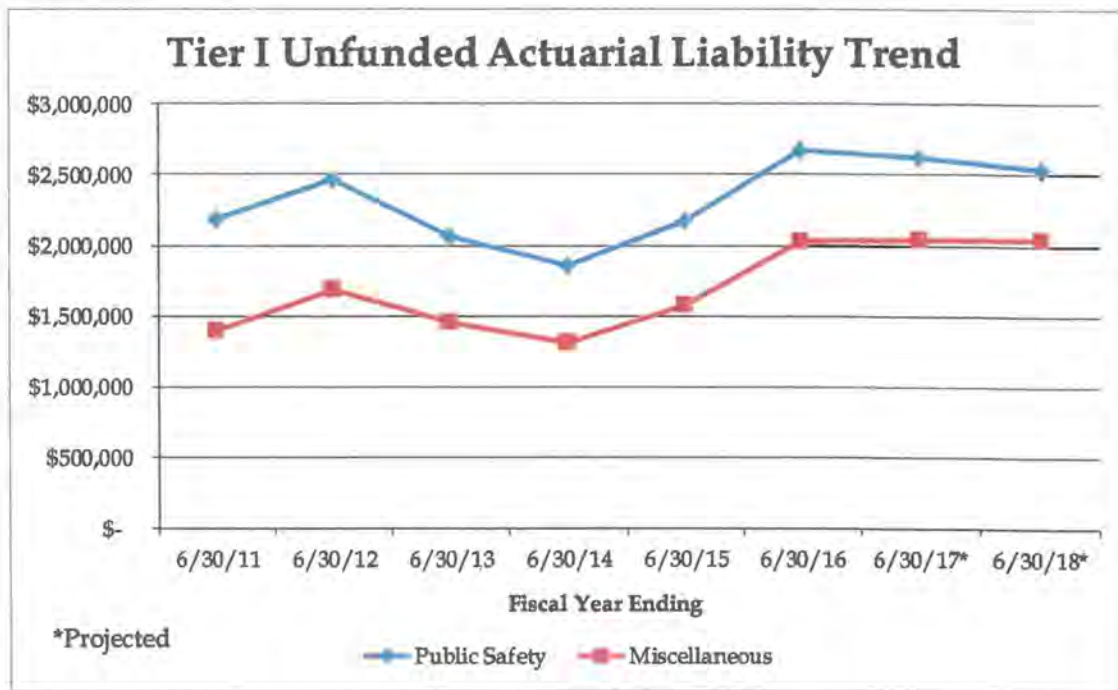
Status of the City's Unfunded Liability

"Unfunded liability" is the difference between the liability estimated to pay future benefits and the market value of assets accumulated to pay those benefits. If assets are greater, a plan is overfunded and if the liability is greater, a plan is underfunded, creating an unfunded liability. An unfunded liability is an estimate that changes with each valuation depending upon changes in market value of assets, investment earnings and actual results of the plan as compared to assumptions made by actuaries. Unfunded liabilities are not amounts that are actually due today but are estimates of what actuaries believe will be needed to pay future benefits. The funding policies

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established by CalPERS are intended to provide for full funding of the pension plan by the time employees retire.

The following is a line chart summarizing the City's unfunded actuarial liabilities (UALs) for both the Public Safety and Miscellaneous Tier 1 employee plans over the past 6 years (since CalPERS began publishing this information in the actuarial reports) and CalPERS' estimates for the upcoming actuarial reports for the years ending June 30, 2017 and June 30, 2018:



From the City's most recent CalPERS actuarial report issued in August 2017 for June 30, 2016, the unfunded liability of the Public Safety and Miscellaneous 1st Tier employee groups was \$2,672,718 (71.9% funded) and \$2,026,364 (72.8% funded), respectively. The hike in unfunded status (and corresponding increase in the UAL) from FY 2013-14 to FY 2015-16 was a result of the relatively poor performance of the capital markets with CalPERS not achieving the actuarially assumed 7.5% discount rate effective for those years. The 2016 Annual Review of Funding Levels and Risks published by CalPERS on September 20, 2016 reported that recent economic conditions have increased the risk associated with achieving a 7.5% rate of return over the medium term (10 years or so). With this in mind, action was taken by the CalPERS Board to re-address the viability of the actuarially assumed discount rate for future years with the goal of increasing funded status of pension plans.

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CalPERS Board Discount Rate Change

On December 21, 2016 the CalPERS Board voted to lower its discount rate from 7.5% to 7.0% over a three year timeframe with the hope the incremental lowering of the rate would give employers more time to prepare for the changes in contribution costs. The first year of pension contribution increases resulting from lowering the discount rate will be next fiscal year (FY 2018-19). The following is a summary of impacts to the City's Normal Cost (percentage of payroll) rate and fixed dollar UAL contributions resulting from CalPERS Board action on its discount rate:

Valuation Date	Fiscal Year Impact	Normal Cost		UAL Payments	
		Misc Plans.	Safety Plans	Misc. Plan	Safety Plans
6/30/2016	2018-19	0.25% - 0.75%	0.5% - 1.25%	2% - 3%	2% - 3%
6/30/2017	2019-20	0.5% - 1.5%	1.0% - 2.5%	4% - 6%	4% - 6%
6/30/2018	2020-21	1.0% - 3.0%	2.0% - 5.0%	10% - 15%	10% - 15%
6/30/2019	2021-22	1.0% - 3.0%	2.0% - 5.0%	15% - 20%	15% - 20%
6/30/2020	2022-23	1.0% - 3.0%	2.0% - 5.0%	20% - 25%	20% - 25%
6/30/2021	2023-24	1.0% - 3.0%	2.0% - 5.0%	25% - 30%	25% - 30%
6/30/2022	2024-25	1.0% - 3.0%	2.0% - 5.0%	30% - 40%	30% - 40%

These projected increases are not compounding, but represent percentage increases to existing contribution projections for the Normal Cost and fixed dollar UAL contributions previously published by CalPERS. The annual dollar impact of the increases caused by the change in actuarial assumption is illustrated in the Employer Pension Cost Trend Analysis table later in this section.

Status of the City's Side Funds

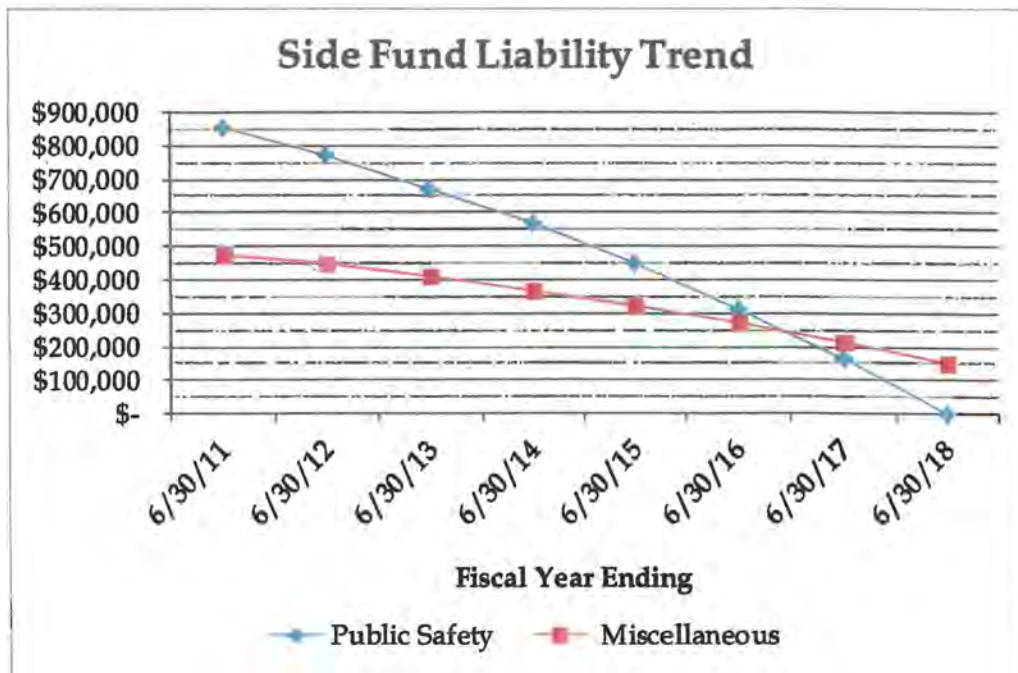
As discussed previously, the Side-Fund unfunded liability is the amount the City's CalPERS actuary annually determines is owed in addition to current payments. The City's Side-Funds have gradually reduced over the past several years. In the aggregate (Safety and Miscellaneous), the liability is being amortized (paid down at approximately \$230,000 per year as of FY 2017-18) following the new fixed dollar billing policy CalPERS implemented in FY 2015-16 discussed later.

Actuarial projections show the City's Tier I Public Safety Side Fund was eliminated this past year (FY 2017-18) and the Tier I Miscellaneous Side Fund will be fully eliminated in next two years (FY 2019-20). Next year, and for the first time, the pay-off of the Tier I Public Safety Side Fund will be accompanied by a temporary decrease in the fixed dollar UAL employer pension contributions. The one-time decrease in employer pension contributions anticipated in FY 2018-19 is clearly visible in the multi-year pension cost trend analysis on the following page. The significant but non-recurring savings are discussed in greater detail in the General Fund Police Department section of the Proposed Budget Narrative. It is important to note that while this is good news in

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the short term, changes in CalPERS Board adopted actuarial assumptions can still drastically impact future employer pension contribution requirements.

To provide a more in-depth analysis of a significant driver of the UAL, the following chart is offered summarizing the historical trend of the City's unfunded "side-fund" liability, which is included as part of the total UAL discussed previously. This trend analysis was prepared using the most current actuarial data supplied to the City by CalPERS in the annual funding actuarial reports:



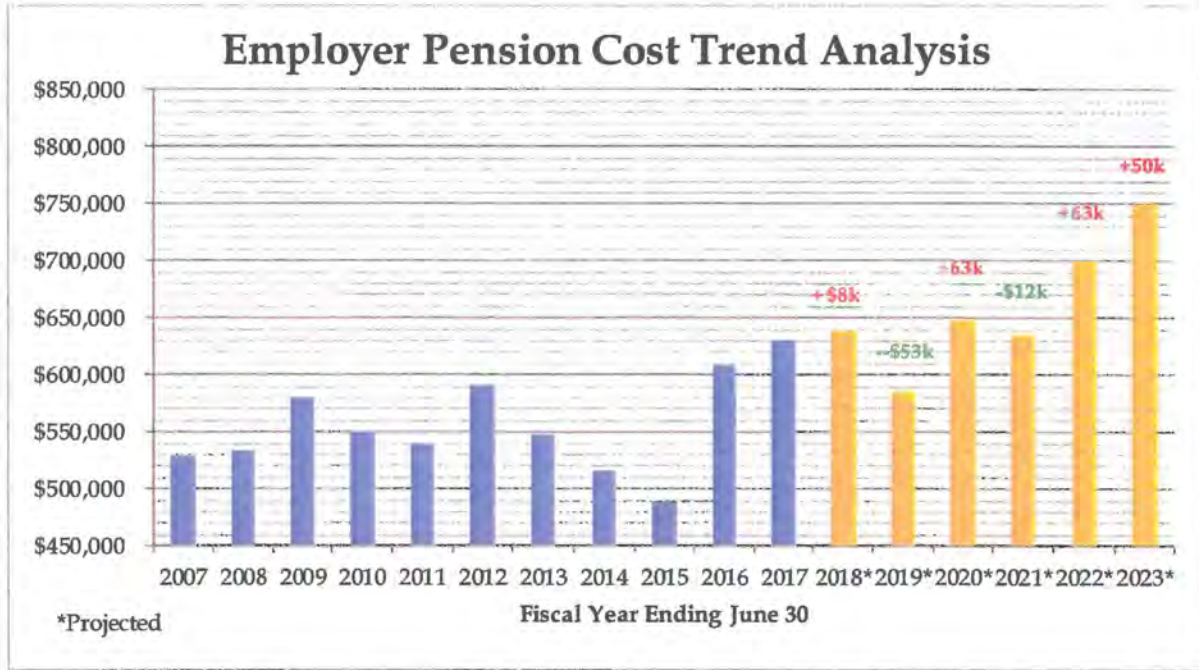
Impacts of Statutory Pension Reform - Short and Long-term

As described in the General Fund Expenditures section previously, since the adoption of PEPRA and due to measures taken by the City Council in 2011 to create second retirement tier prior to PEPRA, noteworthy savings were realized by the City in the three (3) year timeframe from FY 2012-13 through FY 2014-15. Ultimately, these savings were realized by the City through the gradual attrition of several Tier 1 "Classic" employees with less expensive Tier 2 and Tier 3 (PEPRA) enrolled employees.

However, commencing in FY 2015-16, in an attempt to "re-capture" these savings realized by the City and numerous other participating agencies, CalPERS began billing for the unfunded portion of the City's pension obligations as a fixed dollar amount as opposed to the "percentage of payroll" method use in all prior years up leading up to FY 2015-16, which prior methodology greatly benefited our City. The following chart

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summarizes the trends in employer pension cost for the past eleven fiscal years and projections for the current and next five fiscal years:



Note: This chart incorporates the existing Police Officer Association and Miscellaneous Employee Group labor agreements which expire on July 1, 2018 and July 1, 2019, respectively.

This chart illustrates actual pension costs from FY 2006-07 through FY 2016-17 and projections for FY 2017-18 (currently in progress) through FY 2022-23. As discussed previously, the noteworthy decrease projected for next fiscal year (FY 2018-19) is a direct result of the full payoff of the Public Safety Tier 1 Side Fund liability. The total amount of monies in the proposed budget projected to be required to pay CalPERS retirement contributions in FY 2018-19 is \$584,930 across all City funds, representing a decrease of approximately \$53,000 (8.4%). Of this amount, over **51.7%** pertains to CalPERS fixed dollar billings for the unfunded liability. This means for every one dollar spent on employer pension contributions, nearly 51.7¢ is used to address the buildup of the unfunded liability reported by CalPERS actuaries and not to address future retirement benefits of the current workforce.

The chart also incorporates the impact of the CalPERS Board decreasing the assumed discount rate in December 2016, which first causes increases to the employer pension contribution rate as a percentage of employee payroll as well as increases to the fixed dollar unfunded liability contributions beginning in FY 2018-19 (next year). Despite the negative impact of pension contribution increases caused by the discount rate reduction, in FY 2018-19 this bad news is offset by the savings realized from the

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maturity of the Public Safety Tier 1 side-fund. Immediately following these non-recurring savings in the Police Department next year, employer pension contributions are expected to rebound back in FY 2019-20. Thereafter in FY 2020-21, estimated employer pension contribution increases which would have otherwise occurred due to the lowering of the discount rate are momentarily held at bay due to the payoff of the Miscellaneous Tier 1 Side Fund. In years following FY 2020-21 estimated employer pension contributions are expected to grow in concert with a wages. Of key importance when analyzing these figures is that the CalPERS projections incorporated in the previous chart assumes a consistent and predictable long-term discount rate of 7.0%. Should investment returns be greater than this, the City would realize savings in projected pension contributions, and vice versa should the assumed discount rate not be achieved.

Summary of Pension Analysis

The purpose of this information published annually is not to diminish or dismiss the seriousness of the unfunded liability retirement debate, and certainly the City's current amount of side fund unfunded pension liability is not insignificant. Acknowledging the importance of curbing the growth of unfunded liabilities, action was taken by the City Council to mitigate the issue prospectively by reorganizing the retirement groups. As a result of this restructuring, the amortization of the Side Funds, elimination of EPMC for more expensive Public Safety Tier 1 members, and annual payments made by the City towards the unfunded liability, the City's unfunded status is expected to trend downward in future years. What is critical to include in the dialogue over this subject is the acknowledgement that not every city or local government is in the same precarious predicament, and not every city or local government has the "Cadillac" retirement plan that is offered through CalPERS. Caution is suggested so as not to cast all public pension plans, pensioners, cities and public employees into the same cauldron to burn while gnawing on the most egregious examples of compensation spiking and retirement pay.

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BUDGET SCHEDULES
2018-19

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**General Fund
Revenues
2018-19**

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**CITY OF CLAYTON PROPOSED GENERAL FUND REVENUE BUDGET
2017-18 BUDGETED VS 2018-19 PROPOSED BUDGETED REVENUE**

Description	Account Number	Actual Revenue 2016-17	Budgeted Revenue 2016-17	Projected Revenue 2017-18	Budgeted Revenue 2017-18	Proposed Revenue 2018-19	Change from 2017-18 Budget (%)
Secured Property Taxes:							
Property Taxes In-Lieu of VLF	4100	928,098	907,000	965,768	946,600	985,000	4.1%
Property Taxes - Secured	4101	818,851	793,000	850,000	833,300	867,000	4.0%
Sales Tax In-Lieu (Triple Flip)	4101	58,402	56,000	-	-	-	0.0%
RPTTF Distribution	4108	349,264	290,000	382,000	368,000	414,000	12.5%
Total Secured Property Taxes		2,154,615	2,046,000	2,197,768	2,147,900	2,266,000	5.5%
Property Taxes - Unsecured							
Property Taxes - Unsecured	4102	41,033	40,690	40,800	39,800	41,600	4.5%
Property Taxes - Unitary Tax	4103	13,989	13,920	14,800	14,100	15,000	6.4%
Property Taxes - Supplemental	4104	34,812	24,270	35,000	29,500	35,700	21.0%
Property Taxes - Other	4106	9,874	10,460	10,000	10,500	10,200	-2.9%
Sales and Use Tax	4301	455,387	464,400	468,000	434,500	477,000	9.8%
Real Property Transfer Tax	4502	84,897	78,000	74,900	83,000	76,300	-8.1%
Business Licenses	5101	135,866	136,000	151,000	137,000	146,000	6.6%
CCC Building Permit Remit Fees	5103	61,863	55,000	71,200	58,100	72,000	23.9%
Engineering Service Fees	5106	8,842	7,800	9,600	8,100	9,700	19.8%
Public Safety Allocation	5201	82,707	82,600	86,000	82,900	87,700	5.8%
Abandoned Veh Abate (AVA)	5202	5,661	4,800	4,990	5,300	5,080	-4.2%
Motor Vehicle In-Lieu	5203	5,021	4,600	5,940	5,100	6,050	18.6%
Other In-Lieu of Taxes	5205	157,949	157,950	161,108	161,110	164,330	2.0%
POST Reimbursements	5214	1,487	1,000	2,380	1,000	2,380	138.0%
State Mandated Cost Reimbursement	5217	5,062	-	5,273	-	5,000	0.0%
Planning Service Fees	5301	15,382	12,200	14,400	14,280	14,600	2.2%
Police Services	5302	16,038	15,300	11,880	15,700	12,110	-22.9%
City Hall Rental Fees	5303	565	200	130	200	200	0.0%
Planning Service Charges	5304	36,091	20,000	27,600	25,000	28,400	13.6%
Well Water Usage Charge	5306	27,268	27,940	30,000	27,940	30,600	9.5%
Misc. City Services	5319	544	500	1,000	500	750	50.0%
Fiduciary Funds Administration	5322	252,568	252,560	269,630	269,690	254,827	-5.5%
Franchises - Comcast Cable	5401	216,953	211,000	218,900	220,300	221,000	0.3%
Franchises - Garbage Fees	5402	189,138	178,900	192,500	187,700	194,400	3.6%
Franchises - PG&E	5403	120,690	113,000	128,658	121,800	129,900	6.7%
Franchises - Equilon Pipe	5404	14,168	14,010	14,891	14,550	15,370	5.6%
AT&T Mobility Franchise Fees	5405	189	100	230	200	230	15.0%
Fines and Forfeitures	5501	29,312	26,000	27,700	27,200	28,200	3.7%
Interest	5601	86,626	60,000	84,900	80,000	88,200	10.3%
Park Use Fee	5602	37,048	43,900	32,100	39,100	33,130	-15.3%
Meeting Room Fee	5603	4,264	4,300	4,290	4,500	4,370	-2.9%
Unrealized Inv. Gain/Loss	5606	(51,301)	-	-	-	-	0.0%
Cattle Grazing Lease Rent	5608	9,787	9,780	9,972	9,970	10,150	1.8%
Cell Tower Lease Rent	5609	33,714	34,040	34,460	34,330	35,560	3.6%
Fountain Use Fee	5610	1,131	-	-	-	-	0.0%
Clayton Community Gymnasium Rent	5613	30,000	30,000	31,800	31,800	33,600	5.7%
Reimbursements/Refunds	5701	8,596	5,500	5,250	5,500	5,500	0.0%
CCLF Contributions	5703	-	-	2,000	-	-	0.0%
Other Revenues	5790	6,670	4,900	7,440	4,990	5,500	10.2%
Overhead Cost Recovery	5791	2,919	1,600	7,500	1,260	7,500	495.2%
Admin Expense Recovery:							
Measure J Fund	6002	4,330	4,330	4,494	4,494	4,639	3.2%
HUTA Gas Tax Fund	6004	7,230	7,230	7,503	7,503	7,745	3.2%
Neighborhood Street Lights Fund	6005	11,120	11,120	11,540	11,540	11,912	3.2%
GHAD Fund	6006	6,980	6,980	7,244	7,244	7,478	3.2%
Landscape Maintenance CFD Fund	6007	34,780	34,780	36,095	36,095	37,258	3.2%
The Grove Park CFD Fund	6011	7,070	7,070	7,337	7,337	7,574	3.2%
Stormwater Assessment Fund	6016	35,890	35,890	37,247	37,247	38,447	3.2%
Total Revenues		4,454,825	4,300,620	4,607,450	4,465,880	4,689,190	5.0%

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**General Fund
Expenditures
2018-19**

**CITY OF CLAYTON GENERAL FUND EXPENDITURE AND FUND BALANCE SUMMARY
FISCAL YEAR 2018-19**

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected Actual	2018-19 Proposed Budget
7111	Salaries/Regular	1,681,299	1,847,400	1,778,180	1,880,900
7112	Temporary Help	35,227	16,800	49,400	11,700
7113	Overtime	81,095	92,000	89,100	101,000
7115	Council/Commission Comp	29,755	35,400	34,800	35,400
7116	Part-time Salaries	3,724	4,500	4,100	4,500
7218	LTD/STD Insurance	14,864	31,810	19,170	21,280
7219	Deferred Compensation Retirement	2,724	2,730	2,200	2,710
7220	PERS Retirement - Normal Cost	221,925	229,550	207,260	239,180
7221	PERS Retirement - Unfunded Liability	344,599	385,100	370,138	264,400
7231	Workers Comp Insurance	82,106	79,820	75,750	87,080
7232	Unemployment Insurance	11,927	12,170	11,800	11,770
7233	FICA Taxes	27,507	31,360	30,170	31,760
7241	Auto Allowance/Mileage	19,340	19,420	18,490	19,420
7242	Uniform Allowance	8,550	9,000	8,550	9,000
7246	Benefit Insurance	248,923	274,600	246,130	297,200
7247	OPEB Expense	9,036	11,500	11,100	14,750
7301	Recruitment/Pre-employment	3,311	6,500	7,920	6,900
7311	General Supplies	27,542	31,000	32,390	32,000
7312	Office supplies	11,829	12,500	16,810	15,000
7313	Small Tools and Equipment	71	-	-	-
7314	Postage	3,546	5,000	4,400	5,000
7321	Printing and Binding	1,894	1,000	1,700	1,550
7323	Books/Periodicals	361	450	420	450
7324	Dues and Subscriptions	19,461	25,550	26,310	27,500
7325	EBRCSA system user fee	8,900	9,000	8,900	10,080
7331	Rentals/Leases	11,394	12,600	11,850	12,680
7332	Telecommunications	23,559	27,700	30,870	30,920
7335	Gas & Electric Serv.	85,784	88,800	83,030	94,720
7338	Water Service	80,644	90,600	124,570	132,410
7341	Buildings & Grounds Mtn	28,079	31,700	29,400	32,000
7342	Machinery/ Equip Maint.	3,917	5,500	5,130	6,000
7343	Vehicle Maintenance	29,481	29,940	27,830	30,200
7344	Vehicle Gas, Oil, and Supplies	30,193	34,360	39,430	34,500
7345	Office Equip. Maint. & Repairs	1,402	2,200	3,980	3,000
7346	HVAC Mtn & Repairs	15,741	18,000	14,670	18,400
7351	Insurance Premiums	78,943	84,920	85,236	114,780
7362	City Promotional Activity	4,308	4,500	4,100	4,500
7363	Business Expense	403	700	350	450
7364	Employee Recognition	2,372	3,000	2,500	2,800
7365	Volunteer Appreciation	-	500	500	500
7371	Travel	193	200	200	200
7372	Conference	1,367	1,600	1,300	2,600
7373	Education and Training	13,387	15,550	11,750	18,000
7381	Property Tax Admin Cost	8,000	8,400	8,400	8,700
7382	Election Services	7,605	-	-	10,000
7384	Legal Notices	6,120	2,500	3,500	3,000
7408	Crossing Guard Services	8,960	10,000	10,310	10,710
7410	Professional Engineering Services	104,216	90,000	124,735	115,020

**CITY OF CLAYTON GENERAL FUND EXPENDITURE AND FUND BALANCE SUMMARY
FISCAL YEAR 2018-19**

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected Actual	2018-19 Proposed Budget
7411	Legal Services Retainer	96,435	102,000	100,600	104,450
7412	Engineering Inspection	106	500	500	500
7413	Special Legal Services	7,284	8,500	16,100	11,500
7414	Auditing Services	29,415	23,800	23,995	24,300
7415	Computer Services	10,627	17,500	14,593	18,200
7417	Janitorial Services	53,655	55,000	52,500	54,600
7419	Other Prof. Services	28,041	32,900	27,850	30,500
7420	Merchant Fees	1,905	3,180	3,840	4,300
7423	Extra & Sunday Operating Hours	8,946	13,900	11,600	13,000
7424	Dispatch Services	241,074	253,140	253,140	265,800
7425	Lab Fees	17,379	25,000	14,000	25,000
7426	Jail Booking Fee	9,588	5,500	5,000	5,500
7427	Cal ID Services	13,470	14,900	11,620	13,000
7429	Animal Control Services	79,992	83,300	78,310	84,750
7433	Integrated Justice System (ACCJIN-ARIES)	11,017	12,500	11,600	12,200
7435	Contract Seasonal Labor	-	-	-	30,000
7440	Tree Trimming Services	7,570	11,000	11,000	11,000
7486	CERF Charges/Depreciation	25,000	55,000	55,000	62,000
Total Operational Expenditures		4,087,088	4,455,050	4,370,077	4,587,220
Total Revenues		4,454,825	4,465,880	4,607,450	4,689,190
Operational Surplus		367,737	10,830	237,373	101,970
Non-Operational Expenditures Summary					
City Council Allocation of FY 2014-15 Excess		58,685	68,091	148,164	53,337
City Council Allocation of FY 2015-16 Excess		9,830	203,325	203,325	-
City Council Allocation of FY 2016-17 Excess		-	-	80,265	218,735
Net Increase/(Decrease) in Fund Balance		299,222	(260,586)	(194,381)	(170,102)
Beginning Fund Balance		5,618,059	5,764,845	5,917,281	5,722,900
Ending Fund Balance		5,917,281	5,504,259	5,722,900	5,552,798

City Council Department 01

Department Description

The five member City Council is the elected policy-making body for the City of Clayton. Members of the City Council are elected to four year overlapping terms at General Municipal elections held in November of even numbered years. The City Council receives a monthly stipend of \$470 for their services. The Mayor and Vice Mayor are selected annually by the Council from amongst its membership in December each year.

Services funded:

- Hold regular, twice monthly City Council meetings on Tuesday evenings, and special meetings on an as-needed basis; includes closed sessions as permitted by law.
- Set policy goals and objectives for all City service functions.
- Members serve on various ad-hoc subcommittees and inter-governmental boards to represent the community on critical local and regional issues.
- Appoint citizens to City boards and commissions, and advisory committees.
- Coordinate, attend and participate in community events such as the 4th of July Parade and the Concerts in The Grove park.
- Video City Council meetings for playback on the City Cable Channel 24 for public viewing.
- General Municipal Election costs and expenses every even-numbered year through contract with the County Elections Office.
- Hires the City Manager and the City Attorney, and appoints the City Treasurer

City of Clayton
 Legislative Department 01
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7115	City Council Comp	26,395	28,200	28,200	28,200
7220	PERS Retirement - Normal Cost	1,602	1,350	1,370	1,380
7221	PERS Retirement - Unfunded Liability	2,604	3,400	3,280	3,800
7231	Workers Comp Insurance	1,057	1,190	1,130	1,280
7232	Unemployment Insurance	781	1,750	1,750	1,750
7233	FICA Taxes	1,205	1,460	1,460	1,460
7321	Printing and Binding	276	500	500	300
7324	Dues and Subscriptions	12,408	13,300	12,880	13,300
7362	City Promotional Activity	4,308	4,500	4,100	4,500
7363	Business Meeting Expense	309	500	250	250
7372	Conferences/Meetings	832	500	500	1,600
7382	Election Services	7,605	-	-	10,000
7419	Other Prof. Services	6,874	9,000	9,000	8,000
Total Expenditures		66,256	65,650	64,420	75,820

**Administration/ Finance/ Legal
Department 02**

Department Description

City Manager

The City Manager functions as the chief executive officer of the municipal organization responsible for managing all departments of the City and carrying out City Council adopted policy. The department is comprised of three (3) full-time professional staff members (City Manager; Assistant to the City Manager; HR Manager/City Clerk).

Services funded:

- Provide leadership to professional staff and municipal employees.
- Advise and recommend policies to the City Council; receive and implement policy directions from the City Council.
- Act as lead negotiator for real property transactions and labor negotiations.
- Oversee the day to day operations of the City.
- Respond to general public inquiries.
- Research and analysis of municipal issues and special projects as assigned.
- Oversee and negotiate various franchise agreements.
- Prepare and distribute agenda packets and minutes.
- Administer contracts, coordinate staffing, and prepare administrative forms and permits for the City's large community and special events.
- Manage consultant contracts and lease agreements.
- Maintain and update the City's website.
- Coordinate all human resource functions responsible for recruitment, employee benefits, risk management, OSHA compliance, and workers' compensation administration.
- Oversee a citywide training plan for OSHA compliance and safety program.
- Research and respond to inquiries by citizens and press in compliance with the Public Records Act.
- Contract with Contra Costa County for municipal elections.
- Process general liability and workers' compensation claims filed against the City.
- Provide notary services.
- Coordinate the self-insured risk management tasks of the organization.

Finance

The City's Finance Department has one full time professional and utilizes two permanent part-time employees. The department is responsible for the City's budgetary, financial/accounting, treasury/investment, business licenses, and facilities rentals functions. The Department also includes the appointed City Treasurer (citizen), who provides auditing and investment oversight.

Services funded:

- Preparation and monitoring of annual budget
- Preparation of annually audited financial statements
- Manage general ledger and budgetary financial records
- Manage investments in accordance with City investment policy and California Government Code.
- Maintaining compliance with State of California, Contra Costa County and other regulatory agency financial reporting requirements.
- Management and preparation of Successor Agency Recognized Obligation Payment Schedule (ROPS) process.
- Administer and maintain records for the following operational cycles: payroll, employee benefits, cash receipts and disbursements.
- Administer business licenses.
- Manage rental of City-owned facilities and parks (Endeavor Hall, Library Meeting Room, Clayton Community Park, The Grove Park).

City Attorney

The City Attorney is selected and appointed by the City Council. Although this is the primary department the contracted City Attorney conducts work in, retainer time is also charged to other City departments where time is spent.

Services funded:

- Attend City Council meetings as the City's legal counsel.
- Draft and Review ordinances, resolutions, contracts, and other legal documents.
- Provide legal opinions and advise on matters of interest or concern to the City Council and City Staff
- Advice regarding land use issues.
- Oversee litigation involving the City.
- Assist the Council and staff in limiting litigation exposure and containing liability costs.
- Advise the City on changes to and impacts of state and federal laws, and case laws.

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City of Clayton
Admin/ Finance/ Legal Department 02
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	557,716	571,000	577,000	609,000
7218	LTD/STD Insurance	5,071	9,500	6,420	6,700
7220	PERS Retirement - Normal Cost	62,383	62,500	60,600	68,400
7221	PERS Retirement - Unfunded Liability	61,191	68,800	66,284	81,900
7231	Workers Comp Insurance	24,527	24,000	22,761	27,500
7232	Unemployment Insurance	3,091	2,700	2,700	2,700
7233	FICA Taxes	7,982	8,300	8,660	8,900
7241	Auto Allowance/Mileage	10,740	10,740	10,740	10,740
7246	Benefit Insurance	89,885	83,000	87,430	94,000
7324	Dues and Subscriptions	1,810	2,000	1,810	2,000
7332	Telecommunications	6,713	7,300	7,130	7,180
7371	Travel	23	100	100	100
7372	Conferences/Meetings	55	600	300	500
7373	Education and Training	442	1,550	1,250	1,500
7411	Legal Services Retainer	62,374	61,200	49,000	61,200
7413	Special Legal Services	1,328	3,500	5,000	5,000
7414	Auditing and Financial Reporting Services	29,415	23,800	23,995	24,300
7415	Computer/IT Services	10,505	9,500	9,593	10,200
7419	Other Prof. Services	9,510	6,000	4,200	6,000
Total Expenditures		944,761	956,090	944,972	1,027,820

Public Works
Department 03

Department Description

This department maintains City owned buildings and grounds; and provides maintenance for all non-special district facilities and land. The core employee unit of 5 permanent employees consists of two Maintenance Supervisors and three Maintenance Workers. Labor is augmented by temporary seasonal workers. Although the Public Works department serves as the "base" department for these maintenance employees, their direct labor costs are shared with various other departments and funds based on actual hours worked.

Services funded:

- Provide routine maintenance for City building and grounds.
- Provide landscaping maintenance for all neighborhood parks in the City (Lydia Lane, North Valley Park, Westwood, Stranahan and El Molino).
- Contract janitorial services for City facilities and buildings.
- Tree trimming services contract supervision.
- Ensure fire inspection compliance of City owned buildings and facilities.
- HVAC system repairs contract supervision.
- Ensure compliance with elevator safety and inspection services.
- Pest extermination services contract supervision.
- Janitorial services contract supervision.

City of Clayton
Public Works Department 03
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	18,775	17,400	19,400	26,300
7112	Temporary Help	1,418	2,400	1,300	2,500
7113	Overtime	531	-	-	-
7218	LTD/STD Insurance	117	310	570	300
7220	PERS Retirement - Normal Cost	3,655	2,000	3,900	3,200
7221	PERS Retirement - Unfunded Liability	1,821	2,100	2,600	3,600
7231	Workers Comp Insurance	737	830	790	1,300
7232	Unemployment Insurance	167	220	200	270
7233	FICA Taxes	237	500	300	600
7246	Benefit Insurance	1,845	3,900	2,500	5,500
7301	Recruitment/Pre-employment	293	500	750	500
7311	General Supplies	5,177	5,000	4,900	5,000
7332	Telecommunications	1,366	2,000	1,400	2,090
7335	Gas & Electric Serv.	39,176	43,100	31,000	40,000
7338	Water Service	6,824	10,000	11,300	12,000
7341	Buildings & Grounds Mtn	13,890	14,000	13,400	14,000
7342	Machinery/ Equip Maint.	2,072	3,000	3,130	3,500
7343	Vehicle Maintenance	3,422	1,250	2,030	2,000
7344	Vehicle Gas, Oil, and Supplies	948	920	1,320	1,500
7346	HVAC Mtn & Repairs	8,587	10,000	7,000	10,000
7372	Conferences/Meetings	30	-	-	-
7373	Education and Training	1,834	2,500	1,000	2,500
7411	Legal Services Retainer	174	2,550	1,000	2,550
7417	Janitorial Services	9,631	9,000	7,400	9,000
7419	Other Prof. Services	400	400	400	-
7429	Animal/Pest Control Services	7,082	7,300	6,330	7,300
7440	Tree Trimming Services	3,320	6,000	6,000	6,000
7486	CERF Charges/Depreciation	9,830	-	-	7,000
Total Expenditures		143,359	147,180	129,920	168,510

Community Development Department 04

Department Description

The Community Development Department is responsible for the general administration, development processing, zoning administration, architectural review, subdivision processing, Municipal Code and Zoning enforcement, General Plan administration, environmental review, housing, and special planning studies for the City, including associated staff support for the City Council and the Planning Commission. The Department provides guidance in the physical development of the City while protecting and maintaining the quality of its physical environment. The Department facilitates public participation and community involvement in planning issues. The Department consistently seeks to enhance the community's safety, welfare, economic opportunities and quality of life through land use controls. It consists of a Community Development Director, a part-time Assistant Planner and a part-time Code Enforcement Officer.

Services funded:

Long Range Planning and Special Studies Program

- Prepare and update *Town Center Specific Plan*, and the *Marsh Creek Road Specific Plan*, and state-mandated General Plan which includes the Housing Element.
- Prepare studies to update City policies in response to changes in State law, resource availability, and community goals.
- Facilitate public participation and community involvement in planning issues.
- Participate in development and review of regional studies prepared by ABAG, Contra Costa Transportation Authority, and TRANSPAC.
- Support City Council and City Manager in addressing regional governance and planning issues.

Development and Design Review Program

- Review, analyze, and provide recommendations on land development and design proposals by private property owners and governmental agencies.
- Provide support to City Council, Planning Commission, and City Manager.
- Reviews land development plans for compliance with City zoning requirements.
- Coordinate and oversee contract with County Building Inspection Department on building permits for construction projects.

- Administer environmental review process in compliance with the California Environmental Quality Act (CEQA).

Ordinance Information and Code Enforcement Program

- Provide zoning information and permit services at the City Hall public counter.
- Investigate and enforce zoning and land use complaints.
- Prepare amendments of zoning ordinance and zoning map.

Housing Program

- Administer the low-and moderate-income housing programs of the City.
- Ensure low-and moderate-income units remain available to qualified applicants upon sale of units.

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City of Clayton
 Community Dev Department 04
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	175,703	182,000	181,780	191,000
7115	Planning Commission Comp	3,360	7,200	6,600	7,200
7218	LTD/STD Insurance	1,466	3,200	1,900	2,200
7220	PERS Retirement - Normal Cost	15,333	17,200	14,590	18,600
7221	PERS Retirement - Unfunded Liability	19,529	21,900	21,120	25,700
7231	Workers Comp Insurance	7,800	7,700	7,340	8,700
7232	Unemployment Insurance	878	900	900	900
7233	FICA Taxes	2,025	2,700	2,230	2,800
7241	Auto Allowance/Mileage	4,140	4,240	4,140	4,240
7246	Benefit Insurance	27,218	34,400	25,900	36,400
7323	Books/Periodicals	-	200	200	200
7324	Dues and Subscriptions	85	700	700	700
7332	Telecommunications	632	700	700	700
7371	Travel	170	100	100	100
7372	Conferences/Meetings	450	500	500	500
7373	Education and Training	1,386	1,500	1,500	2,000
7384	Legal Notices	6,120	2,500	3,500	3,000
7411	Legal Services Retainer	22,549	20,400	34,600	20,400
7413	Special Legal Services	118	-	500	500
Total Expenditures		288,962	308,040	308,800	325,840

General Services

Department 05

Department Description

This department functions as the internal support service fund for expenses which aid the efficient and effective operation of the City organization. It has no assigned employees or revenue-generating capability.

Services funded:

- City-wide risk management (Clayton was one of the original members of the Municipal Pooling Authority of Northern California [MPA] Joint Powers Authority [JPA] for self-insured and risk pooled programs of general liability, workers compensation, and employee wellness).
- Copier and postage machine services for all departments.
- Office supplies for administration and general City functions.
- Information technology support for all departments as needed.
- Property tax administration fees levied by the (billed by County).
- Payroll and benefits administration software functions.
- Internet services for all departments.
- Provides funding for Other Post-Employment Benefits (OPEB) required of the City through contract with CalPERS medical insurance coverage.

City of Clayton
 General Services Department 05
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7231	Workers Comp Insurance	1,790	-	-	-
7247	OPEB Expense	9,036	11,500	11,100	14,750
7301	Recruitment/Pre-employment	25	1,000	1,600	1,000
7312	Office Supplies	6,285	7,500	8,160	8,000
7314	Postage	3,546	4,500	4,300	4,500
7321	Printing and Binding	1,618	500	1,200	1,250
7331	Rentals/Leases	11,394	12,100	11,350	12,180
7332	Telecommunications	4,330	4,700	4,790	5,100
7351	Insurance Premiums	78,943	84,920	85,236	114,780
7364	Employee Recognition	1,859	1,500	1,500	1,800
7381	Property Tax Admin Cost	8,000	8,400	8,400	8,700
7415	Computer/IT Services	97	8,000	5,000	8,000
7419	Other Prof. Services	6,939	10,000	8,600	9,000
7420	Merchant Fees	1,905	3,180	3,840	4,300
Total Expenditures		135,767	157,800	155,076	193,360

Police Department Department 06

Department Description

The Clayton Police Department has a present authorized strength of 11 full-time sworn members (includes the Chief), 2 civilians, and active Police Reserve, VIPS, CERT, and Cadet programs. The Department is a generalist law enforcement agency with duties that include all aspects of local law enforcement. Sworn positions currently work on a 4-10/3-12 plan and may be assigned to specialized assignments such as field training officer, traffic accident investigator, bicycle patrol, and motorcycle patrol. The Department's employees take pride in their jobs and the community they serve and strive to perform their duties in a professional but sensitive, friendly, and positive manner. It subscribes to a community-oriented policing philosophy.

Services funded:

- Provide traffic enforcement and collision investigation throughout the City and on the Trails system.
- Investigate crimes and submit to the District Attorney for prosecution.
- Represent the City in meetings with community groups, civic organizations, and inter-agencies concerned with law enforcement problems and policies.
- Event Planning for various City sponsored events such as the 4th of July Parade, Concerts in The Grove, and many community sponsored events such as the Clayton Art and Wine and Oktoberfest.
- Facilitate the VIPS and CERT programs to serve the community.
- Participation in the East Bay Regional Interoperability Communications system.
- Contract for animal control services through Contra Costa County.
- Contract for police dispatch services and police records management through the City of Concord.

City of Clayton
 Police Department 06
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	881,775	1,021,000	966,000	1,008,000
7112	Temporary Help	-	-	13,600	-
7113	Overtime	80,050	90,000	88,800	100,000
7116	Part-time Salaries	3,724	4,500	4,100	4,500
7218	LTD/STD Insurance	7,761	17,800	9,880	11,500
7219	Deferred Compensation Retirement	2,724	2,730	2,200	2,710
7220	PERS Retirement - Normal Cost	133,421	140,000	123,000	142,000
7221	PERS Retirement - Unfunded Liability	254,270	282,000	271,954	143,100
7231	Workers Comp Insurance	43,508	43,100	40,874	45,700
7232	Unemployment Insurance	6,371	5,600	5,600	5,500
7233	FICA Taxes	14,727	16,500	16,300	16,500
7241	Auto Allowance/Mileage	4,460	4,440	3,610	4,440
7242	Uniform Allowance	8,550	9,000	8,550	9,000
7246	Benefit Insurance	120,948	140,800	123,000	151,700
7301	Recruitment/Pre-employment	2,993	5,000	5,570	5,400
7311	General Supplies	14,579	12,000	13,990	13,000
7312	Office Supplies	5,544	5,000	8,650	7,000
7313	Small Tools & Equipment	71	-	-	-
7314	Postage	-	500	100	500
7323	Books and Periodicals	361	250	220	250
7324	Dues and Subscriptions	3,649	8,000	9,135	9,700
7325	EBRCSA system user fee	8,900	9,000	8,900	10,080
7332	Telecommunications	8,478	10,000	14,750	13,350
7342	Machinery/ Equip Maint.	1,845	2,500	2,000	2,500
7343	Vehicle Maintenance	23,341	24,000	22,000	24,000
7344	Vehicle Gas, Oil, and Supplies	26,353	30,000	35,700	30,000
7345	Office Equip. Maint. & Repairs	1,402	2,200	3,980	3,000
7363	Business Meeting Expense	94	200	100	200
7364	Employee Recognition	513	1,500	1,000	1,000
7365	Volunteer Appreciation	-	500	500	500
7373	Education and Training	9,725	10,000	8,000	12,000
7408	Crossing Guard Services	8,960	10,000	10,310	10,710
7411	Legal Services Retainer	7,842	15,300	11,000	15,300
7413	Special Legal Services	5,484	5,000	10,600	6,000
7415	Computer/IT Services	25	-	-	-
7417	Janitorial Services	2,708	3,000	2,700	3,000
7419	Other Prof. Services	4,318	7,500	5,650	7,500
7424	Dispatch Services	241,074	253,140	253,140	265,800
7425	Lab Fees	17,379	25,000	14,000	25,000
7426	Jail Booking Fee	9,589	5,500	5,000	5,500
7427	Cal ID Services	13,470	14,900	11,620	13,000
7429	Animal/Pest Control Services	66,293	68,500	68,090	70,450
7433	Integrated Justice System (ACCJIN + ARIES)	11,017	12,500	11,600	12,200
7486	CERF Charges/Depreciation	25,000	55,000	55,000	55,000
Total Expenditures		2,083,296	2,373,460	2,270,774	2,266,590

Library
Department 07

Department Description

The operation of the Clayton Community Library was the original model for other cities and is looked to as the example in County - City partnerships. While staffing of the Library is run by the County Library System, the City owns and maintains the building and grounds surrounding the Library at City expense.

Services funded:

- Payment of costs for Sunday and weekday operations (44 hours) at the Library beyond the County's base of 35 weekly hours.
- General maintenance of library facility and parking lot.
- Ensure fire inspection compliance of library facility.
- HVAC system repairs contract supervision.
- Pest extermination services contract supervision.
- Tree trimming services contract supervision.
- Janitorial services contract supervision.

City of Clayton
 Library Department 07
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	8,506	11,000	5,300	6,600
7112	Temporary Help	174	400	100	200
7218	LTD/STD Insurance	77	200	70	80
7220	PERS Retirement - Normal Cost	979	1,300	700	800
7221	PERS Retirement - Unfunded Liability	736	1,400	900	900
7231	Workers Comp Insurance	520	500	475	400
7232	Unemployment Insurance	106	100	100	100
7233	FICA Taxes	143	200	120	200
7246	Benefit Insurance	1,683	2,500	1,200	1,400
7332	Telecommunications	2,040	3,000	2,100	2,500
7335	Gas & Electric Serv.	44,988	44,000	50,400	53,000
7338	Water Service	1,098	1,800	2,270	2,410
7341	Buildings & Grounds Maintenance	9,777	12,700	12,500	13,000
7343	Vehicle Maintenance	225	950	600	700
7344	Vehicle Gas, Oil, and Supplies	202	700	410	500
7346	HVAC Mtn & Repairs	7,154	8,000	7,670	8,400
7413	Legal Services	354		-	-
7417	Janitorial Services	28,433	29,500	29,100	29,100
7423	Extra & Sunday Operating Hours	8,946	13,900	11,600	13,000
7429	Animal/Pest Control Services	1,606	1,400	1,290	1,400
7440	Tree Trimming Services	1,600	2,000	2,000	2,000
Total Expenditures		119,347	135,550	128,905	136,690

Engineering Department 08

Department Description

The Department's duties can be divided into three basic categories: administrative, capital improvements, and land development. The City contracts with PERMCO Engineering for the performance of these services as the City Engineer.

Services funded:

Administrative

- Administer the City's encroachment permit program as well as the Geological Hazard Abatement District and various special Assessment Districts.
- Coordinate with the Maintenance Department regarding maintenance, operations and the repair of public transportation facilities (e.g. streets; sidewalks).
- Enforcement and continuous update of the City's Standard Plans and Specifications for design and construction.
- Represent the City's interests in regional transportation and funding issues.
- Response to flood zone information requests.
- Serve as the City Engineer.

Capital Improvements

- Administer the City's Capital Improvements Program, including coordination with the City Manager; evaluation and prioritization of Capital Improvement Projects; procurement of funds; right-of-way and land acquisition; and administration of the public bidding process.
- Administer the City's Pavement Management System.
- Supervision of the design and construction of all street and infrastructure projects, including sanitary sewer and storm drainage systems, local roads and traffic lights.

Land Development

- Coordinate with the Planning Department in the review and approval process for all land development projects.
- Plan check and review of construction plans, collection of fees, and construction inspection for all private development and improvements thereto.

City of Clayton
 Engineering Department 08
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7324	Dues and Subscriptions	1,509	1,550	1,785	1,800
7410	Professional Engineering Services	104,216	90,000	124,735	115,020
7411	Legal Services Retainer	3,496	2,550	5,000	5,000
7412	Engineering Inspection	106	500	500	500
Total Expenditures		109,327	94,600	132,020	122,320

**Community Park
Department 09**

Department Description

In 2009 the Clayton Community Park was separated into its own department in order to capture the actual costs of maintaining this well used multi-sport and recreational public park.

Services funded:

- Mowing of the turf.
- Ball field turf and sports field grooming.
- Water irrigation supply to ball fields and surrounding vegetation
- Safety inspections of play equipment and apparatus.
- Trash removal and general park clean-up.
- Landscape pruning.
- Janitorial services contract supervision.
- Repairs to and maintenance of the irrigation system.
- Pest extermination services contract supervision.
- Tree trimming services contract supervision.
- All other general maintenance of park fields and facilities.

City of Clayton
Community Park Department 09
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	38,823	45,000	28,700	40,000
7112	Temporary Help	33,635	14,000	34,400	9,000
7113	Overtime	514	2,000	300	1,000
7218	LTD/STD Insurance	372	800	330	500
7220	PERS Retirement - Normal Cost	4,552	5,200	3,100	4,800
7221	PERS Retirement - Unfunded Liability	4,448	5,500	4,000	5,400
7231	Workers Comp Insurance	2,167	2,500	2,380	2,200
7232	Unemployment Insurance	533	900	550	550
7233	FICA Taxes	1,188	1,700	1,100	1,300
7246	Benefit Insurance	7,344	10,000	6,100	8,200
7311	General Supplies	7,786	14,000	13,500	14,000
7331	Rentals/Leases	-	500	500	500
7335	Gas & Electric Serv.	1,620	1,700	1,630	1,720
7338	Water Service	72,722	78,800	111,000	118,000
7341	Buildings/Grounds Maintenance	4,412	5,000	3,500	5,000
7343	Vehicle Maintenance	2,493	3,740	3,200	3,500
7344	Vehicle Gas, Oil, and Supplies	2,690	2,740	2,000	2,500
7417	Janitorial Services	12,883	13,500	13,300	13,500
7429	Animal/Pest Control Services	5,011	6,100	2,600	5,600
7435	Contract Seasonal Labor	-	-	-	30,000
7440	Tree Trimming Services	2,650	3,000	3,000	3,000
Total Expenditures		205,843	216,680	235,190	270,270

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**Special Revenue
Funds
2018-19**

City of Clayton
 HUTA Gas Tax Fund 201
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	9,363	10,000	20,700	24,200
7112	Temporary Help	2,784	3,000	1,000	1,100
7113	Overtime	2,036	3,000	1,000	2,000
7218	LTD/STD Insurance	89	200	250	300
7220	PERS Retirement - Normal Cost	1,082	1,100	2,500	2,900
7221	PERS Retirement - Unfunded Liability	556	1,200	3,000	3,300
7231	Workers Comp Insurance	1,300	500	480	1,200
7232	Unemployment Insurance	125	200	200	210
7233	FICA Taxes	157	300	420	440
7246	Benefit Insurance	1,779	3,000	4,500	5,000
7301	Recruitment/Pre-employment	38	-	-	-
7311	General Supplies	10,189	12,000	5,000	12,000
7324	Dues & Subscriptions	-	1,500	3,000	3,000
7327	Arterial Street Light Supplies	-	1,500	1,500	1,500
7335	Gas & Electric Serv.	49,387	52,100	51,000	54,000
7340	Traffic Safety Supplies	410	500	500	500
7343	Vehicle Maintenance	612	880	2,200	2,500
7344	Vehicle Gas, Oil, and Supplies	570	650	1,600	2,000
7349	Traffic Signal Maintenance	22,977	26,300	12,000	20,000
7350	Pavement Repair/Maintenance	5,299	20,000	20,000	20,000
7381	Property Tax Admin Cost	428	350	450	500
7419	Other Prof. Services	13,232	4,540	3,200	1,550
7450	Street Light Maintenance	126	-	3,000	2,000
7486	CERF Charges/Depreciation	1,900	2,230	2,230	2,310
8101	Fund Admin - Transfer to GF	7,230	7,503	7,503	7,745
8111	Transfer to CIP Fund	6,000	370,788	56,000	443,650
Total Expenditures		137,669	523,341	203,233	613,905
4607	Property Taxes - Lighting Maintenance District	35,135	34,500	36,000	36,700
5209	State Gasoline 2105	62,982	65,149	65,892	66,026
5210	State Gasoline 2106	45,322	44,148	46,216	46,302
5211	State Gasoline 2107	79,852	84,164	81,792	81,964
5212	State Gasoline 2107.5	3,000	3,000	3,000	3,000
5216	State of CA Sec 2103 (Prop 42)	29,917	44,878	45,917	43,184
5218	State Gasoline 2030 (RMRA)	-	64,639	-	-
5219	State Gasoline Loan Repayments	-	12,825	12,828	12,828
5601	Interest	2,543	2,000	3,800	3,000
5606	Unrealized Inv. Gain/Loss	(1,239)	-	-	-
Total Revenue		257,512	355,303	295,445	293,004
Increase (Decrease) in Fund Balance		119,843	(168,038)	92,212	(320,901)
Beginning Fund Balance (Deficit)		108,846	168,038	228,689	320,901
Ending Fund Balance		228,689	-	320,901	-

City of Clayton
 RMRA Gas Tax Fund 202 (New Fund)
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
8111	Transfer to CIP Fund	-	-	-	254,238
Total Expenditures		-	-	-	254,238
5218	State Gasoline 2030 (RMRA)	-	-	64,355	187,383
5601	Interest	-	-	500	2,000
5606	Unrealized Inv. Gain/Loss	-	-	-	-
Total Revenue		-	-	64,855	189,383
Increase (Decrease) in Fund Balance		-	-	64,855	(64,855)
Beginning Fund Balance		-	-	-	64,855
Ending Fund Balance		-	-	64,855	-

City of Clayton
 Landscape Maintenance District Fund 210 (CFD 2007-1)
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	164,465	202,000	177,000	211,000
7112	Temporary Help	126,766	149,000	109,000	46,000
7113	Overtime	474	1,000	1,000	1,000
7218	LTD/STD Insurance	1,588	3,500	2,100	2,400
7220	PERS Retirement - Normal Cost	20,683	23,300	19,300	25,200
7221	PERS Retirement - Unfunded Liability	21,777	24,300	18,378	28,290
7231	Workers Comp Insurance	11,934	12,700	12,175	11,600
7232	Unemployment Insurance	2,251	5,000	2,500	2,900
7233	FICA Taxes	4,337	10,500	5,000	6,600
7246	Benefit Insurance	33,875	44,700	37,900	43,400
7301	Recruitment/Pre-employment	-	1,000	500	1,000
7311	General Supplies	44,245	50,100	33,150	50,000
7316	Landscape Replacement Material	17,896	40,000	18,000	40,000
7335	Gas & Electric Serv.	29,072	30,000	28,100	29,600
7338	Water Service	139,832	130,000	148,000	157,000
7341	Buildings/Grounds Maintenance	10,304	20,000	9,800	20,000
7342	Machinery/Equipment Maint.	10,402	19,000	9,500	12,000
7343	Vehicle Maintenance	19,128	18,000	19,600	20,000
7344	Vehicle Gas, Oil, and Supplies	12,594	13,000	12,500	13,000
7381	Property Tax Admin Cost	3,735	4,000	3,900	4,000
7411	Professional Services Retainer (Legal)	1,996	2,000	2,000	2,000
7419	Other Prof. Services	5,829	6,560	5,480	7,000
7429	Animal/Pest Control Services	3,095	5,000	5,000	5,000
7435	Contract Seasonal Labor	-	-	-	100,000
7440	Tree Trimming Services	29,300	25,000	60,000	60,000
7445	Weed Abatement Services	106,560	122,000	122,000	128,100
7486	CERF Charges/Depreciation	14,500	14,500	14,500	20,070
7520	Project/Program costs	77,739	483,000	52,482	487,157
7615	Property Taxes	2,709	2,800	2,791	2,900
8101	Fund Admin - Transfer to GF	34,780	36,095	36,095	37,258
8111	Transfer to CIP Fund	-	-	-	-
8113	Transfer to Stormwater Fund	1,008	1,008	1,008	1,050
Total Expenditures		952,874	1,499,063	968,759	1,575,525
4604	Clayton LMD Special Parcel Tax	1,058,798	1,089,277	1,089,074	1,121,746
5601	Interest	14,454	12,000	15,400	15,000
5606	Unrealized Inv Gain/Loss	(11,061)	-	-	-
Total Revenue		1,062,191	1,101,277	1,104,474	1,136,746
Increase (Decrease) in Fund Balance		109,317	(397,786)	135,715	(438,779)
Beginning Fund Balance		986,766	1,111,621	1,096,083	1,231,798
Ending Fund Balance		1,096,083	713,835	1,231,798	793,019

City of Clayton
The Grove Park Fund 211 (CFD 2006-1)
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	20,225	20,000	10,400	19,000
7112	Temporary Help	22,204	10,000	12,300	11,200
7113	Overtime	-	500	270	500
7218	LTD/STD Insurance	192	350	120	220
7220	PERS Retirement - Normal Cost	2,426	2,300	1,200	2,300
7221	PERS Retirement - Unfunded Liability	3,226	2,400	1,500	2,600
7231	Workers Comp Insurance	1,647	1,300	1,233	1,400
7232	Unemployment Insurance	288	500	500	470
7233	FICA Taxes	739	1,000	610	1,200
7246	Benefit Insurance	3,701	4,500	2,200	3,900
7311	General Supplies	4,969	6,250	4,250	6,000
7331	Rentals/Leases	-	500	-	500
7335	Gas & Electric Serv.	1,518	1,800	1,650	1,800
7338	Water Service	27,700	36,700	27,600	30,000
7341	Buildings/Grounds Maintenance	11,397	5,860	4,300	6,000
7342	Machinery/Equipment Maint.	1,236	700	500	1,000
7343	Vehicle Maintenance	1,979	1,800	1,200	1,500
7344	Vehicle Gas, Oil, and Supplies	2,057	1,400	800	1,000
7381	Property Tax Admin Cost	3,738	3,800	3,800	3,800
7413	Special Legal Services	-	1,000	-	1,000
7417	Janitorial Services	14,170	14,000	13,000	14,000
7419	Other Prof. Services	4,491	4,530	4,545	4,730
7429	Animal/Pest Control Services	501	1,000	610	650
7435	Contract Seasonal Labor	-	-	-	5,000
7440	Tree Trimming Services	2,120	1,500	3,720	2,500
7485	Capital Outlay - Equipment & Machinery	11,563	-	-	-
7486	CERF Charges/Depreciation	2,100	2,100	2,100	1,800
7615	Property Taxes	482	500	500	520
8101	Fund Admin - Transfer to GF	7,070	7,337	7,070	7,574
Total Expenditures		151,739	133,627	105,978	132,164
4613	Downtown Park Special Parcel Tax - O&M	103,493	107,285	107,280	111,190
4613	Downtown Park Special Parcel Tax - Capital	18,000	18,000	18,000	18,000
4613	Downtown Park Special Parcel Tax - Restricted	5,000	5,000	5,000	5,000
5601	Interest	3,826	3,500	3,800	3,800
5602	Park Use Fee	2,781	1,600	2,400	2,500
5606	Unrealized Inv Gain/Loss	(3,070)	-	-	-
5701	Reimbursement/Refunds	-	-	-	-
5702	Donations & Contributions	10,000	-	1,000	-
Total Revenue		140,030	135,385	137,480	140,490
Increase (Decrease) in Fund Balance		(11,709)	1,758	31,502	8,326
Beginning Fund Balance		288,657	291,566	276,948	308,450
Ending Fund Balance		276,948	293,324	308,450	316,776
Ending Fund Balance Includes:					
Unrestricted Reserve		156,183	138,122	159,685	145,011
Asset Replacement Reserve		75,765	100,202	93,765	111,765
Unallocated Stabilization Reserve		45,000	55,000	55,000	60,000
Total Fund Balance		276,948	293,324	308,450	316,776

City of Clayton
 Geological Hazard and Abatement District (GHAD) Fund 212
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7314	Postage	300	750	750	750
7350	Pavement Repairs/Maintenance	6,755	-	-	-
7351	Insurance Premiums	16,364	7,000	7,000	7,000
7381	Property Tax Admin Cost	1,155	1,200	1,200	1,200
7384	Legal Notices	828	100	100	100
7389	Misc. Expenses	117	300	200	300
7411	Legal Services Retainer	325	-	-	-
7412	Engineering Services	7,155	5,000	8,000	8,000
7413	Special Legal Services	-	1,000	-	1,000
7520	Project Costs	8,581	5,000	4,300	50,642
8101	Fund Admin - Transfer to GF	6,980	7,244	7,244	7,478
Total Expenditures		48,560	27,594	28,794	76,470
4606	GHAD Assessment	38,399	39,841	39,784	41,065
5601	Interest	272	200	250	200
5606	Unrealized Inv. Gain/Loss	(384)	-	-	-
Total Revenue		38,287	40,041	40,034	41,265
Increase (Decrease) in Fund Balance		(10,273)	12,447	11,240	(35,205)
Beginning Fund Balance		34,238	23,886	23,965	35,205
Ending Fund Balance		23,965	36,333	35,205	-

City of Clayton
 Presley GHAD Settlement Fund 213
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7520	Project Costs	-	-	19,870	-
	Total Expenditures	-	-	19,870	-
5601	Interest Income	1,759	1,600	1,800	1,500
5606	Unrealized Investment Gain/Loss GASB31	(1,266)	-	-	-
	Total Revenue	493	1,600	1,800	1,500
	Increase in Fund Balance	493	1,600	(18,070)	1,500
	Beginning Fund Balance	123,100	123,983	123,593	105,523
	Ending Fund Balance	123,593	125,583	105,523	107,023

City of Clayton
 Neighborhood Street Light Assessment District Fund 214
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7113	Overtime	9,469	-	-	-
7311	General Supplies	540	1,000	200	500
7335	Gas & Electric Serv.	115,340	112,000	117,600	118,000
7381	Property Tax Admin Cost	3,566	3,700	3,600	3,600
7389	Misc. Expenses	-	330	100	330
7412	Engineering/ Inspection Service	-	1,000	1,000	1,000
7419	Other Prof. Services	200	200	200	250
7450	Street Light Maintenance	1,626	15,000	16,000	16,000
8101	Fund Admin - Transfer to GF	11,120	11,540	11,540	11,912
Total Expenditures		141,861	144,770	150,240	151,592
4607	Street Light Assessment	125,991	125,991	125,991	125,991
5601	Interest	1,635	1,400	1,400	1,000
5606	Unrealized Inv. Gain/Loss	(1,324)	-	-	-
Total Revenue		126,302	127,391	127,391	126,991
Increase (Decrease) in Fund Balance		(15,559)	(17,379)	(22,849)	(24,601)
Beginning Fund Balance		124,409	110,450	108,849	85,999
Ending Fund Balance		108,849	93,070	85,999	61,397

City of Clayton
Stormwater Fund 216
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Projected Budget
7111	Salaries/Regular	25,213	28,420	23,600	24,700
7112	Temporary Help	12,905	9,840	22,000	5,800
7218	LTD/STD Insurance	230	500	290	290
7220	PERS Retirement - Normal Cost	3,135	3,280	2,900	3,000
7221	PERS Retirement - Unfunded Liability	2,025	3,430	3,160	3,400
7231	Workers Comp Insurance	2,089	1,610	1,527	1,400
7232	Unemployment Insurance	320	660	660	350
7233	FICA Taxes	476	1,170	710	810
7246	Benefit Insurance	5,561	6,310	5,150	5,100
7311	General Supplies	1,862	9,000	4,140	4,000
7341	Building/Grounds Maintenance	-	10,500	8,260	15,500
7343	Vehicle Maintenance	1,078	3,000	2,430	2,500
7344	Vehicle Gas, Oil, and Supplies	929	2,300	1,840	2,000
7373	Education and Training	-	500	-	500
7389	Misc. Expenses	16	-	-	-
7409	Street Sweeping Services	41,125	46,400	54,000	54,000
7411	Professional Services Retainer (Legal)	-	-	-	-
7412	Engineering Services	1,163	2,000	1,200	2,000
7419	Other Prof. Services	8,493	24,810	1,500	1,750
7435	Contract Seasonal Labor	-	-	-	14,000
7481	State Regional Annual Discharge Fee	8,980	10,000	8,980	10,000
7486	CERF Charges/Depreciation	2,900	3,200	3,200	2,360
7520	Project/Program Costs - Outreach	800	2,000	500	1,000
8101	Fund Admin - Transfer to GF	35,890	37,247	37,247	38,447
Total Expenditures		155,190	206,177	183,294	192,907
Stormwater Assessment ERU Gross		126,328	127,145	126,299	126,299
NPDES Group Program costs		(26,872)	(26,872)	(26,872)	(30,299)
Commercial Insp by Central San		(4,937)	(8,000)	(8,000)	(8,000)
Flood Control Dist Fiscal Mgmt Cost		(810)	(3,000)	(3,000)	(3,000)
County Auditor/Controller Costs		(3,711)	(3,800)	(3,721)	(3,800)
Adjustment (Third Installment Timing)		(8,910)	(3,000)	5,933	5,427
4602	Net Assessment Revenue	81,088	82,473	90,639	86,627
4603	Stormwater O & M Annual Fee	4,060	4,060	4,220	4,360
5324	Street Sweeping Fees	38,660	46,400	51,956	54,000
5601	Interest	1,228	1,300	940	1,000
5606	Unrealized Inv. Gain/Loss	(1,226)	-	-	-
6007	Transfer from Landscape Maintenance Fund	1,008	1,008	1,008	1,040
Total Revenue		124,818	135,241	148,763	147,027
(Decrease) in Fund Balance		(30,372)	(70,936)	(34,531)	(45,880)
Beginning Fund Balance		121,603	71,939	91,231	56,700
Ending Fund Balance		91,231	1,003	56,700	10,820

City of Clayton
 Measure J Fund 220
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7324	Dues and Subscriptions	1,311	2,000	2,000	2,000
7385	Transpac Fees	22,849	23,000	25,628	30,000
8101	Fund Admin - Transfer to GF	4,330	4,494	4,494	4,639
8111	Transfer to CIP Fund	383,552	676,768	87,418	900,655
Total Expenditures		412,042	706,262	119,540	937,294
5223	Measure J Tax (Local Streets)	284,518	280,000	280,000	285,000
5225	Measure J Program 28a (Co-op)	29,417	31,500	29,994	32,676
5601	Interest Income	3,322	1,000	3,700	1,000
5606	Unrealized Inv. Gain/Loss	(2,438)	-	-	-
Total Revenue		314,819	312,500	313,694	318,676
Increase (Decrease) in Fund Balance		(97,223)	(393,762)	194,154	(618,618)
Beginning Fund Balance (Deficit)		521,687	393,762	424,464	618,618
Ending Fund Balance		424,464	-	618,618	-

Fund Balance Restricted for:

Local Streets Maintenance Program	400,980	-	564,875	-
Co-operative 28(a) Program	23,484	-	53,743	-
Total Fund Balance	424,464	-	618,618	-

City of Clayton
 Restricted Grants Fund 230
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	64,022	73,100	67,000	66,300
7113	Overtime	30,841	20,020	18,280	18,000
7218	LTD/STD Insurance	569	1,270	750	800
7220	PERS Retirement - Normal Cost	7,911	8,900	7,600	8,100
7231	Workers Comp Insurance	3,163	3,100	2,940	3,000
7232	Unemployment Insurance	405	440	440	440
7233	FICA Taxes	1,073	1,060	1,100	1,000
7242	Uniform Allowance	900	900	900	900
7246	Benefit Insurance	2,657	1,800	1,730	2,000
7311	General Supplies	21,045	6,139	2,321	5,000
7332	Telecommunications	-	-	6,190	7,000
7342	Machinery/Equipment Maintenance	5,912	-	-	-
7371	Travel	644	-	152	-
7373	Education & Training	1,856	-	-	-
7411	Professional Services Retainer	106	-	-	-
7420	Administrative Costs	72	-	136	-
7485	Capital Outlay - Equipment and Machinery	14,988	111,454	20,613	107,152
7520	Project/Program costs	7,911	5,400	-	10,570
Total Expenditures		164,075	233,583	130,152	230,262
5222	Avoid the 25 Grant	443	2,000	2,000	2,000
5240	Recycling Grant	5,000	-	-	-
5250	PEG Fees	15,233	15,500	15,500	15,500
5260	SLESF - PD	129,324	100,000	139,400	100,000
5261	DOJ Body Armor Grant	2,712	2,712	-	-
5265	State Alcohol Beverage Control Grant	24,914	-	-	-
5270	Insurance Risk	15,000	-	-	-
5285	FEMA Grant	-	-	3,353	-
5601	Interest Income	4,861	4,000	5,200	4,000
5606	Unrealized Inv. Gain/Loss	(3,312)	-	-	-
Total Revenue		194,175	124,212	165,453	121,500
Increase (Decrease) in Fund Balance		30,100	(109,371)	35,301	(108,762)
Beginning Fund Balance		322,724	316,978	352,824	388,125
Ending Fund Balance		352,824	207,607	388,125	279,363

City of Clayton
 Development Impact Fund 304
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7113	Overtime	36,657	30,000	22,299	-
7311	General Supplies	-	-	-	-
7313	Small Tools & Equipment	-	-	-	-
7485	Capital Outlay - Equipment & Machinery	-	45,000	-	48,000
7520	Projects	-	-	14,418	16,995
7612	Interest Expense	-	-	-	-
8111	Transfer to CIP Fund	-	142,000	161,000	-
Total Expenditures		36,657	217,000	197,717	64,995
5307	Childcare Facility Fees	-	-	1,640	-
5312	Open Space In-Lieu Fee	-	-	28,508	-
5313	Parkland Dedication Fee	-	-	20,552	-
5314	Offsite Arterial Improvement Fees	1,456	-	11,648	-
5315	Tree Mitigation Fee	-	-	59,828	-
5317	Fire Protection Fee	176	-	600	-
5323	Community Facilities Fees	450	-	3,600	-
5325	Police Impact Fee	-	-	-	-
5326	Habitat Conservation Fee	-	-	14,418	-
5601	Interest Income	8,799	8,500	9,000	8,000
5606	Unrealized Investment Gain/Loss GASB31	(6,290)	-	-	-
Total Revenue		4,591	8,500	149,794	8,000
Increase (Decrease) in Fund Balance		(32,066)	(208,500)	(47,923)	(56,995)
Beginning Fund Balance		611,214	591,996	579,148	531,225
Ending Fund Balance		579,148	383,496	531,225	474,230

City of Clayton
 Successor Housing Agency Fund 616
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Regular Salaries	665	-	-	-
7411	Professional Services Retainer (Legal)	335	500	500	500
7413	Special Legal Services	18,146	10,000	5,000	10,000
7419	Other Professional Services	940	-	-	47,855
Total Expenditures		20,086	10,500	5,500	58,355
4110	Program Revenues (Loan Repayments)	86,400	91,400	91,400	96,400
5601	Interest	10,287	5,000	13,000	10,000
5606	Unrealized Inv. Gain/Loss	55,454	-	-	-
Total Revenue		152,141	96,400	104,400	106,400
Increase (Decrease) in Fund Balance		132,055	85,900	98,900	48,045
Beginning Fund Balance		4,295,173	4,427,228	4,427,228	4,526,128
Ending Fund Balance		4,427,228	4,513,128	4,526,128	4,574,173
<i>Ending Fund Balance Includes:</i>					
Non-spendable Reserve		3,696,268	3,548,165	3,548,165	3,400,062
Reserve Available for Appropriation		730,960	964,963	977,963	1,174,111
Total Fund Balance		4,427,228	4,513,128	4,526,128	4,574,173

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Proprietary Funds

2018-19

City of Clayton
Self Insurance Fund 501
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7220	PERS Retirement	-	-	2,717	-
7351	Insurance Premiums (EAP Plan)	1,248	1,252	2,007	1,248
7352	Insurance Claim Deductibles	4,139	6,000	5,000	6,000
7413	Special Legal Services	-	-	-	-
Total Expenses		5,387	7,252	7,007	7,248
5601	Interest	703	700	690	600
5606	Unrealized Inv. Gain/Loss	(550)	-	-	-
5790	Other Revenues	-	-	-	-
6001	Transfers From General Fund	-	-	-	-
Total Revenue		153	700	690	600
Increase (Decrease) in Net Position		(5,234)	(6,552)	(6,317)	(6,648)
Beginning Net Position		53,872	49,435	48,638	42,321
Ending Net Position		48,638	42,883	42,321	35,673

City of Clayton
 CERF Fund 502
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7390	Depreciation Expense	90,075	110,000	95,000	100,000
7513	Computers/Software Upgrades	-	-	-	-
Total Expenses		90,075	110,000	95,000	100,000
5328	CERF Charges to Depts	47,215	77,030	77,673	88,540
5601	Interest	2,644	2,500	2,200	2,200
5606	Unrealized Inv. Gain/Loss	(1,806)	-	-	-
5801	Sale of Assets	1,624	-	1,089	1,000
Total Revenue		49,677	79,530	80,962	91,740
Increase (Decrease) in Net Position		(40,398)	(30,470)	(14,038)	(8,260)
Beginning Net Position		511,663	451,477	471,265	457,227
Ending Net Position		471,265	421,007	457,227	448,967

Fixed Asset Purchases:

1503	Machinery, Vehicles & Equipment	-	88,000	46,243	100,000
Total Other Outflows		-	88,000	46,243	100,000

Net Position Composed of:

Net Investment in Capital Assets	324,042	302,390	275,285	275,285
Unrestricted Net Position	147,223	118,617	181,942	173,682
Total Net Position	471,265	421,007	457,227	448,967

City of Clayton
Pension Rate Stabilization Fund 503 (New Fund)
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7220	PERS Retirement - Normal Cost	-	-	-	-
7221	PERS Retirement - Unfunded Liability	-	-	-	-
Total Expenses		-	-	-	-
5601	Interest	-	-	1,460	3,500
5606	Unrealized Inv. Gain/Loss	-	-	-	-
6001	Transfers From General Fund	-	-	168,732	-
Total Revenue		-	-	170,192	3,500
Increase (Decrease) in Net Position		-	-	170,192	3,500
Beginning Net Position		-	-	-	170,192
Ending Net Position		-	-	170,192	173,692

City of Clayton
 Endeavor Hall Fund 702
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7111	Salaries/Regular	5,813	6,600	7,700	8,900
7112	Temporary Help	1,490	1,200	500	-
7113	Overtime	133	200	-	200
7116	Part-time salaries	682	1,900	1,400	2,000
7218	LTD/STD Insurance	51	120	90	110
7220	PERS Retirement - Normal Cost	656	750	770	1,060
7221	PERS Retirement - Unfunded Liability	562	790	701	1,200
7231	Workers Comp Insurance	607	430	408	410
7232	Unemployment Insurance	95	240	100	100
7233	FICA Taxes	120	340	150	130
7246	Benefit Insurance	1,079	1,500	1,600	1,830
7311	General Supplies	656	800	500	800
7332	Telecommunications	902	950	930	950
7335	Gas & Electric Serv.	3,245	3,100	3,310	3,410
7338	Water Service	792	1,200	1,500	1,590
7341	Buildings & Grounds Mtn	8,042	5,050	11,600	6,000
7343	Vehicle Maintenance	191	550	790	800
7344	Vehicle Gas, Oil, and Supplies	186	410	500	500
7346	HVAC Mtn & Repairs	1,415	1,500	1,500	1,500
7361	Advertising	223	500	223	500
7411	Legal Services	586	-	-	-
7417	Janitorial Services	1,123	1,700	1,600	1,700
7429	Animal/Pest Control Services	1,487	1,290	1,290	1,300
Total Expenses Before Depreciation		30,136	31,120	37,162	34,990
5607	Rental Income	22,066	24,700	29,600	30,000
5611	Reserve for Endeavor Hall	185	-	-	-
Total Revenue		22,251	24,700	29,600	30,000
Increase (Decrease) in Net Position Before Depreciation		(7,885)	(6,420)	(7,562)	(4,990)
7390	Depreciation Expense	37,257	37,500	37,500	37,500
(Decrease) in Net Position After Depreciation		(45,142)	(43,920)	(45,062)	(42,490)
Beginning Net Position		1,165,694	1,119,705	1,120,552	1,075,490
Ending Net Position		1,120,552	1,075,785	1,075,490	1,033,000

Fixed Asset Purchases:

1504	Improvements other than Building	-	-	-	-
Total Other Outflows		-	-	-	-

Net Position Composed of:

Net investment in capital assets	1,184,742	1,142,807	1,141,108	1,103,608
Unrestricted net position resulting from:				
Due to the General Fund	(55,556)	(64,522)	(63,118)	(68,108)
Refundable Deposits Payable	(4,000)	(2,500)	(2,500)	(2,500)
General accounts payable	(4,634)	-	-	-
Total Net Position	1,120,552	1,075,785	1,075,490	1,033,000

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Fiduciary Funds

2018-19

City of Clayton
 High Street Bridge Benefit Assessment District - Fund 217
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7611	Principal (RDA Successor Agency)	684	725	725	769
7612	Interest Payment	770	729	729	685
Total Expenditures		1,454	1,454	1,454	1,454
4611	High Street Bridge Assessment	1,754	1,754	1,754	1,754
4650	Special Assessment Payoff	-	-	-	-
5601	Interest	80	80	80	80
5606	Unrealized Investment Gain/Loss	(55)	-	-	-
Total Revenue		1,779	1,834	1,834	1,834
Increase (Decrease) in Fund Balance		325	380	380	380
Beginning Fund Balance		5,297	5,677	5,677	6,057
Ending Fund Balance		5,677	6,057	6,057	6,437
Fund Balance Includes:					
Reserve for Bridge Maintenance		5,100	5,400	5,400	5,700

For financial reporting purposes, the High Street Bridge Assessment District Fund (No. 217) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

City of Clayton
Oak Street Bridge Benefit Assessment District - Fund 218
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7381	Property Tax Admin Cost	258	258	258	258
7420	Other Outside Services	301	301	301	301
7520	Projects	12,000	-	-	-
7611	Principal (General Fund)	3,260	3,488	3,488	3,699
7612	Interest Payment	731	503	503	259
Total Expenditures		16,550	4,550	4,550	4,517
4611	Oak Street Bridge Assessment	6,150	6,150	6,150	6,150
5601	Interest Income	286	300	180	180
5606	Unrealized Investment Gain/Loss	251	-	-	-
5790	Other Revenue	-	-	-	-
Total Revenue		6,687	6,450	6,330	6,330
Increase (Decrease) in Fund Balance		(9,863)	1,900	1,780	1,813
Beginning Fund Balance		24,990	14,890	15,127	16,907
Ending Fund Balance		15,127	16,790	16,907	18,720

Fund Balance Includes:

Reserve for Bridge Maintenance	14,400	16,000	16,000	17,600
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For financial reporting purposes, the Oak Street Bridge Assessment District Fund (No. 218) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

City of Clayton
 Lydia Lane Sewer Benefit Assessment District - Fund 222
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7381	Property Tax Admin Cost	264	264	264	264
7420	Other Outside Services	2,400	1,636	1,636	1,636
7520	Projects	-	-	-	-
7611	Principal	5,000	5,000	5,000	5,000
7612	Interest Payment	9,950	9,650	9,650	9,350
7613	Paying Agent Fees	500	500	500	500
Total Expenditures		18,114	17,050	17,050	16,750
4612	Lydia Lane Sewer Assessment	17,200	17,050	16,900	16,750
5601	Interest	871	840	870	800
5606	Unrealized Investment Gain/Loss	(680)	-	-	-
Total Revenue		17,391	17,890	17,770	17,550
Increase (Decrease) in Fund Balance		(723)	840	720	800
Beginning Fund Balance		78,246	78,724	78,724	78,724
Ending Fund Balance		77,523	79,564	79,444	79,524
Fund Balance Includes:					
Bond Reserve Fund		12,813	12,813	12,813	12,813

For financial reporting purposes, the Lydia Lane Sewer Assessment District Fund (No. 222) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

City of Clayton
Oak Street Sewer Benefit Assessment District - Fund 223
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7381	Property Tax Admin Cost	271	259	271	280
7420	Other Outside Services	1,500	1,241	1,241	1,220
7611	Principal	7,273	7,273	7,273	8,182
7612	Interest Payment	2,755	2,536	2,536	2,318
Total Expenditures		11,799	11,309	11,321	12,000
4612	Oak Street Sewer Assessment	10,353	11,309	11,309	12,000
4650	Special Assessment Payoff	-	-	-	-
5601	Interest	68	80	50	80
5606	Unrealized Investment Gain/Loss	(42)	-	-	-
Total Revenue		10,379	11,389	11,359	12,080
Increase (Decrease) in Fund Balance		(1,420)	80	38	80
Beginning Fund Balance		4,189	2,945	2,769	2,807
Ending Fund Balance		2,769	3,025	2,807	2,887

For financial reporting purposes, the Oak Street Sewer Assessment District Fund (No. 223) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

City of Clayton
 Diablo Estates Benefit Assessment District - Fund 231
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7335	Gas & Electric Serv.	137	400	140	300
7338	Water Service	8,713	9,400	9,000	9,600
7381	Property Tax Admin Cost	270	270	271	280
7384	Legal Notices	-	100	100	100
7411	Legal Services Retainer	-	-	-	-
7413	Special Legal Services	-	-	-	-
7419	Other Prof. Services	54,570	58,390	58,390	59,390
7420	Administrative Costs	2,044	2,044	2,121	2,189
Total Expenditures		65,734	70,604	70,022	71,859
4611	Fiduciary Fund Assessment	79,892	82,912	82,911	85,580
5601	Interest Income	1,208	600	1,350	1,200
5606	Unrealized Investment Gain/Loss	(871)	-	-	-
Total Revenue		80,229	83,512	84,261	86,780
Increase (Decrease) in Fund Balance		14,495	12,908	14,239	14,921
Beginning Fund Balance		83,685	82,351	98,180	112,419
Ending Fund Balance		98,180	95,259	112,419	127,340

For financial reporting purposes, the Diablo Estates Benefits Assessment District Fund (No. 231) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

City of Clayton
 Clayton Financing Authority - Fund 405
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7482	Capital Contributions	-	-	170,126	-
	Total Expenditures	-	-	170,126	-
5601	Interest Income	10,203	9,000	8,470	10,000
5606	Unrealized Investment Gain/Loss	(7,342)	-	-	-
	Total Revenue	2,861	9,000	8,470	10,000
	Increase (Decrease) in Fund Balance	2,861	9,000	(161,656)	10,000
	Beginning Fund Balance	714,088	724,188	716,949	555,293
	Ending Fund Balance	716,949	733,188	555,293	565,293

For financial reporting purposes, the Clayton Financing Authority Fund (No. 405) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

City of Clayton
Middle School Community Facilities District 1990-1 - Fund 420
Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7381	Property Tax Admin Cost	1,404	1,404	1,404	1,404
7419	Other Prof. Services	18,657	18,450	18,846	18,760
7420	Other Outside Services	16,452	16,452	16,452	16,950
7611	Principal	316,000	342,000	342,000	362,000
7612	Interest Expense	80,347	60,952	60,952	40,061
7613	Paying Agent Fees	715	2,000	1,980	2,000
7615	Property Taxes	603	603	603	650
Total Expenditures		434,178	441,861	442,237	441,825
4609	Middle School CFD 1990-1 Parcel Tax	401,799	397,802	397,796	393,796
5601	Interest Income	3,024	2,500	1,930	2,000
5606	Unrealized Investment Gain/Loss	(4,070)	-	-	-
Total Revenue		400,753	400,302	399,726	395,796
Increase (Decrease) in Fund Balance		400,753	(41,559)	(42,511)	(46,029)
Beginning Fund Balance		397,985	367,576	367,576	325,065
Ending Fund Balance		367,576	326,017	325,065	279,036

For financial reporting purposes, the Middle School CFD 1990-1 Fund (No. 420) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

City of Clayton

Clayton Financing Authority 2007 Middle School Refunding Bonds - Fund 422

Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7419	Other Prof. Services	6,646	6,400	6,371	6,550
2804	Principal Payment (CFA 2007)	325,000	355,000	355,000	370,000
7612	Interest Expense	92,159	78,291	92,161	63,595
7613	Paying Agent Fees	2,310	2,310	2,310	2,310
Total Expenditures		426,115	442,001	455,842	442,455
5601	Interest Income	1,730	1,500	2,840	1,750
5606	Unrealized Investment Gain/Loss	(1,241)	-	-	-
5701	Reimbursements/Refunds (CFD 1990-1)	8,956	9,000	8,681	8,860
5815	Interest on Loans/Bonds	73,471	53,539	53,539	32,211
1251	Principal Payment (CFD 1990-1)	316,000	342,000	342,000	362,000
Total Revenue		398,916	406,039	407,060	404,821
Increase (Decrease) in Fund Balance		(27,199)	(35,962)	(48,782)	(37,634)
Beginning Fund Balance		575,317	549,227	549,227	500,445
Ending Fund Balance		549,227	513,265	500,445	462,811
Restricted Portion of Fund Balance Includes:					
	CFD 1990-1 Special Tax Fund (Trustee)	153,045	115,226	133,300	113,300
	2007 CFA TAB Reserve Fund (Trustee)	251,990	251,990	251,990	251,990
	Total	405,035	367,216	385,290	365,290

For financial reporting purposes, the Clayton Financing Authority 2007 Middle School Refunding Bonds Fund (No. 422) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

City of Clayton
 RDA Successor Agency Private Purpose Trust - Fund 615
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 Projected	2018-19 Proposed Budget
7413	Special Legal Services	-	-	-	-
7419	Other Professional Services	1,200	1,200	1,200	1,200
7420	Administrative Costs	231,915	250,000	250,000	234,720
7612	Interest Expense	72,733	63,777	63,777	54,590
7613	Paying Agent Fee	1,980	1,980	1,980	1,980
8500	Extraordinary Loss / (Gain)	-	-	-	-
2601	Due to General Fund (Firestation and 2%)	475,000	-	-	-
2802	2014 Refunding Bonds Payable	330,000	395,000	395,000	400,000
Total Expenditures		1,112,828	711,957	711,957	692,490
4108	Redevelopment Property Tax Trust Fund Rev.	701,354	643,424	786,053	719,897
5601	Interest	2,911	3,000	3,060	2,500
5606	Unrealized Investment Gain/Loss	(10,036)	-	-	-
5790	Other Revenues	11,481	11,263	11,263	11,954
Total Revenue		705,710	657,687	800,376	734,351
Increase (Decrease) in Fund Balance		(407,118)	(54,270)	88,419	41,861
Beginning Fund Balance		1,177,481	893,532	770,363	858,782
Ending Fund Balance		770,363	839,262	858,782	900,643

Restricted Portion of Fund Balance Includes:

Restricted Bond Proceeds	188,696	41,285	41,810	-
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For financial reporting purposes, the RDA Successor Agency Fund (No. 615) is a Private Purpose Trust Fiduciary Fund, and is reported on a full accrual proprietary fund basis. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well debt service and loan transactions, which would otherwise be excluded from expenditures/revenues following proprietary fund GAAP accounting.

**CAPITAL IMPROVEMENT
PROGRAM BUDGET
2018-19**

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2018/19 – 2022/23



Capital Improvement Program

Presented to City Council on

June 5, 2018

City Council

Keith Haydon, Mayor

David T. Shuey, Vice Mayor

Tuija Catalano

Jim Diaz

Julie K. Pierce

Staff

Gary Napper

City Manager

Scott Alman

City Engineer

Mindy Gentry

Community Development Director

Janet Brown

City Clerk / HR Manager

Kevin Mizuno

Finance Manager

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2018/19 TO 2022/23

*Completed - no project sheet included

**Deleted by City Council

Master Index of Projects by Number

Project Number	Project Category	Project	Project Number	Project Category	Project
10330	Streets	Overlays*	10387	Streets	Pavement Rehab 2002/03*
10331	Streets	Slurry Seals (Deleted)*	10388	Streets	Pavement Rehab 2003/04*
10332	Streets	High Street Bridge*	10389	Streets	Pavement Rehab 2004*
10333	Streets	Marsh Creek Road - TEA-21*	10390	Streets	Pavement Rehab 2005*
10334	Parks	Community Dog Park*	10391	Streets	Pavement Rehab 2006*
10335	Parks	El Molino Park*	10392	Sewers	Oak - High Street*
10336	Parks	Lydia Lane Park Ph. H*	10393	Parks	Skateboard Park
10337	Facilities	Keller House Preservation*	10394	Streets	Handicap Ramps - RDA Area*
10337A	Facilities	Keller House Rehabilitation	10394A	Streets	ADA Compliance Program
10338	Facilities	Endeavor Hall	10395	Streets	Catch Basin Modifications
10339	Facilities	Youth Center/Gym*	10396	Streets	East Marsh Creek Road Signal
10340	Landscape	Marsh Creek Road LS*	10397	Streets	Utility Undergrounding
10341	Streets	Center Street Crossing*	10398	Streets	Clayton Rd. MCR Slurry Seal*
10342	GHAD	Windmill Debris Basin*	10399	Sewers	Pine Hollow Area*
10343	GHAD	Crow Debris Basin	10400	Other	Downtown Economic Development
10344	GHAD	Obsidian Landslide*	10400A	Other	Town Center Property Purchase*
10345	GHAD	Clayton Rd. Landslides*	10401	Streets	Pedestrian Xing Signals**
10346	GHAD	Black Diamond Landslide**	10402	Streets	Clayton Road Trail Connection*
10347	GHAD	V-ditch Repairs*	10403	Streets	Downtown Entry Signs*
10347A	GHAD	Eagle Peak Slope Repair	10404	Streets	March Creek Rd. Retaining Wall*
10348	GHAD	Keller Ridge Slope Repair	10405	Streets	2007 Pavement Patching Project**
10349	GHAD	Community Park Slide Repair	10406	Streets	2008 Pavement Rehab Project*
10350	Facilities	Downtown Elec. Conn.*	10407	Parks	Community Park Upgrades*
10351	Facilities	Fire Station*	10408	Streets	2009 Pavement Rehab Project**
10352	Landscape	Library Landscaping*	10409	Streets	2010 Pavement Rehab Project*
10353	Streets	Downtown Revitalization*	10410	Streets	2011 Neighborhood Street Project**
10354	Streets	Four Oaks Area*	10411	Streets	2012 Neighborhood Street Project*
10355	Streets	Oak Street Bridge*	10412	Streets	2009 Arterial Overlay Project*
10356	Landscape	Westwood Open Space*	10413	Parks	Community Park Parking Lot Expan.*
10357	Facilities	Old City Hall Renovation*	10414	Streets	East March Creek Rd. Upgrade**
10358	Facilities	Grove Property Acquisition*	10415	Parks	Well Renovation*
10359	Facilities	Endeavor Hall Parking I*	10416	Streets	Marsh Creek Rd. (old) Overlay*
10360	Facilities	Endeavor Hall Parking II*	10417	Streets	2013 Neighborhood Street Project*
10361	Facilities	Stanley Property**	10418	Streets	2014 Neighborhood Street Project*
10362	Facilities	Stanley Property Parking*	10419	Parks	Community Park Lighting, etc.
10363	Facilities	Corp. Yard Expansion*	10420	Parks	School Bridge Area Improvements
10364	Streets	Downtown Signage**	10421	Creeks	Cardinet Trail Restoration*
10365	Facilities	Library Parking Expansion*	10422	Sewers	El Molino Drive Sanitary Sewer Impr.
10366	Facilities	Police Parking Expansion*	10423	Facilities	Library Upgrades
10367	Parks	Downtown Park*	10424	Streets	2015 Neighborhood Street Project*
10368	Parks	City Hall Park*	10425	Streets	Keller Ridge Dr. Collector Street Rehab.
10369	Streets	March Creek Road Narrowing**	10426	Facilities	City Hall Parking Area Rehabilitation*
10370	Creeks	Creek Revitalization	10427	Facilities	Library Parking Lot Rehabilitation*
10371	Streets	Survey Monuments*	10428	Facilities	Lydia Lane Park Parking Rehabilitation*
10372	Streets	Traffic Signal Modifications*	10429	Facilities	2012 Trail Repaving Project*
10373	Streets	Peacock Creek Dr. Signal*	10430	Landscape	Clayton Road Median Landscaping*
10374	Parks	North Valley Park*	10431	Landscape	Daffodil Hill Landscaping*
10375	Parks	Samuel Ct. Park	10432	Streets	2016 Neighborhood Street Project*
10376	Facilities	Equestrian Staging Area*	10433	Streets	DVMS Safety Signing*
10377	Streets	DVMS - Right Turn Lane*	10434	Parks	CCCC Scoreboard Replacement*
10378	Streets	Keller Ridge Drive Planters*	10435	Facilities	Library HVAC Replacement*
10379	Streets	Pine Hollow Road - Upgrade	10436	Streets	2018 Neighborhood Street Project
10380	Parks	Community Park - Rt. Turn Lane**	10437	Streets	2016 Arterial Rehabilitation Project*
10381	Parks	Bocce Ball Courts**	10438	Streets	Arterial Streetlight LED Project*
10382	GHAD	Inclinometers*	10439	Streets	El Portal Drive Restoration Project
10383	GHAD	Keller Ridge Drive Subdrain*	10440	Parks	CCP - Field #1 Rehab
10384	Streets	Mitchell Vanyon Rd. Overlay*	10441	Streets	OBAG 2 - 2018 Pavement Rehab
10385	Parks	Community Park Tot Lot*	10442	Parks	North Valley Park Playground Rehab
10386	GHAD	Wells (cancelled)*	10443	Facilities	ADA Accessibility - City Hall
			10444	Facilities	City Hall HVAC Replacement

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2018/19 TO 2022/23

*Completed - no project sheet included
**Deleted by City Council

Master Index of Projects by Type

Project Number	Project Category	Project	Project Number	Project Category	Project
<u>CREEKS</u>			<u>PARKS (cont'd)</u>		
10370	Creeks	Creek Revitalization	10368	Parks	City Hall Park*
10421	Creeks	Cardinet Trail Restoration*	10374	Parks	North Valley Park*
<u>FACILITIES</u>			10375	Parks	Samuel Ct. Park
10337	Facilities	Keller House Preservation*	10380	Parks	Community Park - Rt. Turn Lane**
10337A	Facilities	Keller House Rehabilitation	10381	Parks	Bocce Ball Courts**
10338	Facilities	Endeavor Hall	10385	Parks	Community Park Tot Lot*
10339	Facilities	Youth Center/Gym*	10393	Parks	Skateboard Park
10350	Facilities	Downtown Elec. Conn.*	10407	Parks	Community Park Upgrades*
10351	Facilities	Fire Station*	10413	Parks	Community Park Parking Lot Expan.*
10357	Facilities	Old City Hall Renovation*	10415	Parks	Well Renovation*
10358	Facilities	Grove Property Acquisition*	10419	Parks	Community Park Lighting, etc.
10359	Facilities	Endeavor Hall Parking I*	10420	Parks	School Bridge Area Improvements
10360	Facilities	Endeavor Hall Parking II*	10434	Parks	COCP Scoreboard Replacement*
10361	Facilities	Stanley Property**	10440	Parks	Clayton Community Park - Field No.1 Rehab
10362	Facilities	Stanley Property Parking*	10442	Parks	North Valley Park Playground Rehab
10363	Facilities	Corp. Yard Expansion*	<u>STREETS</u>		
10365	Facilities	Library Parking Expansion*	10330	Streets	Overlays*
10366	Facilities	Police Parking Expansion*	10331	Streets	Slurry Seals (Deleted)*
10376	Facilities	Equestrian Staging Area*	10332	Streets	High Street Bridge*
10423	Facilities	Library Upgrades	10333	Streets	Marsh Creek Road - TEA-21*
10426	Facilities	City Hall Parking Area Rehabilitation*	10341	Streets	Center Street Crossing*
10427	Facilities	Library Parking Lot Rehabilitation*	10353	Streets	Downtown Revitalization*
10428	Facilities	Lydia Lane Park Parking Rehabilitation*	10354	Streets	Four Oaks Area*
10429	Facilities	2012 Trail Repaving Project*	10355	Streets	Oak Street Bridge*
10435	Facilities	Library HVAC Replacement*	10364	Streets	Downtown Signage**
10443	Facilities	ADA Accessibility - City Hall	10369	Streets	March Creek Road Narrowing**
10444	Facilities	City Hall HVAC Replacement	10371	Streets	Survey Monuments*
<u>GHAD</u>			10372	Streets	Traffic Signal Modifications*
10342	GHAD	Windmill Debris Basin*	10373	Streets	Peacock Creek Dr. Signal*
10343	GHAD	Crow Debris Basin	10377	Streets	DVMS - Right Turn Lane*
10344	GHAD	Obsidian Landslide*	10378	Streets	Keller Ridge Drive Planters*
10345	GHAD	Clayton Rd. Landslides*	10379	Streets	Pine Hollow Road - Upgrade
10346	GHAD	Black Diamond Landslide**	10384	Streets	Mitchell Vanyon Rd. Overlay*
10347	GHAD	V-ditch Repairs*	10387	Streets	Pavement Rehab 2002/03*
10347A	GHAD	Eagle Peak Slope Repair	10388	Streets	Pavement Rehab 2003/04*
10348	GHAD	Keller Ridge Slope Repair	10389	Streets	Pavement Rehab 2004*
10349	GHAD	Community Park Slide Repair	10390	Streets	Pavement Rehab 2005*
10382	GHAD	Inclinometers*	10391	Streets	Pavement Rehab 2006*
10383	GHAD	Keller Ridge Drive Subdrain*	10394	Streets	Handicap Ramps - RDA Area*
10386	GHAD	Wells (cancelled)*	10394A	Streets	ADA Compliance Program
<u>LANDSCAPE</u>			10395	Streets	Catch Basin Modifications
10340	Landscape	Marsh Creek Road LS*	10396	Streets	East Marsh Creek Road Signal
10352	Landscape	Library Landscaping*	10397	Streets	Utility Undergrounding
10356	Landscape	Westwood Open Space*	10398	Streets	Clayton Rd. MCR Slurry Seal*
10430	Landscape	Clayton Road Median Landscaping*	10401	Streets	Pedestrian Xing Signals**
10431	Landscape	Daffodil Hill Landscaping*	10402	Streets	Clayton Road Trail Connection*
<u>OTHER</u>			10403	Streets	Downtown Entry Signs*
10392	Sewers	Oak - High Street*	10404	Streets	March Creek Rd. Retaining Wall*
10399	Sewers	Pine Hollow Area*	10405	Streets	2007 Pavement Patching Project**
10400	Other	Downtown Economic Development	10406	Streets	2008 Pavement Rehab Project*
10400A	Other	Town Center Property Purchase*	10408	Streets	2009 Pavement Rehab Project**
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	10409	Streets	2010 Pavement Rehab Project*
<u>PARKS</u>			10410	Streets	2011 Neighborhood Street Project**
10334	Parks	Community Dog Park*	10411	Streets	2012 Neighborhood Street Project*
10335	Parks	El Molino Park*	10412	Streets	2009 Arterial Overlay Project*
10336	Parks	Lydia Lane Park Ph. H*	10414	Streets	East March Creek Rd. Upgrade**
10367	Parks	Downtown Park*	10416	Streets	Marsh Creek Rd. (old) Overlay*
			10417	Streets	2013 Neighborhood Street Project*
			10418	Streets	2014 Neighborhood Street Project*
			10424	Streets	2015 Neighborhood Street Project*
			10425	Streets	Collector Street Rehabilitation Project
			10432	Streets	2016 Neighborhood Street Project*
			10433	Streets	DVMS Safety Signing*
			10436	Streets	2018 Neighborhood Street Project
			10437	Streets	2016 Arterial Rehabilitation Project*
			10438	Streets	Arterial Streetlight LED Project*
			10439	Streets	El Portal Drive Restoration Project
			10441	Streets	OBAG 2 - 2018 Pavement Rehabilitation

CITY OF CLAYTON
 CAPITAL IMPROVEMENT PROGRAM FY 2017/18 to 2022/23

Budget by Funding Source - FY 2017/18

	Unspent Prior Year Funding	HUTA Fund	RMRA Fund	Federal Grants	Concord Sewer Fund	Measure J LSM	Measure J Co-op	Measure J Grant	Impact Fee Fund	Other	CIP Interest	17/18 Project Totals
Fund Balance as of 6/30/17		\$ 228,689	\$ -	\$ -	\$ 560,000	\$ 400,980	\$ 23,484	\$ -	\$ 579,148	\$ -	\$ 84,471	
Estimated Revenue thru FY 17/18		295,445	64,855	-	-	283,435	30,259	45,000	149,794	321,198	4,500	
Estimated non-CIP Expenses in FY 17/18		(147,233)	-	-	-	(32,122)	-	-	(36,717)	-	(2,464)	
Funds Available for CIP in FY 17/18		376,901	64,855	-	560,000	652,293	53,743	45,000	692,225	321,198	86,507	
#	Category	Project										
10337A	Facilities	Keller House Rehabilitation	-	-	-	-	-	-	-	-	-	-
10343	GHAD	Crow Debris Basin	-	-	-	-	-	-	-	-	-	-
10347A	GHAD	Eagle Peak Slope Repair	-	-	-	-	-	-	-	-	-	-
10348	GHAD	Keller Ridge Drive Area Slope Repair	-	-	-	-	-	-	-	-	-	-
10349	GHAD	Community Park Slide Repair	-	-	-	-	-	-	-	-	-	-
10370	Creeks	Creek Revitalization	-	-	-	-	-	-	-	-	-	-
10375	Parks	Samuel Ct. Park	-	-	-	-	-	-	-	-	-	-
10379	Streets	Pine Hollow Road Upgrades	-	-	-	-	-	45,000	-	-	-	45,000
10393	Parks	Skateboard Park	-	-	-	-	-	-	-	-	-	-
10394A	Streets	ADA Compliance Program	3,052	6,000	-	-	-	-	-	-	-	9,052
10395	Streets	Catch Basin Modifications	-	-	-	-	-	-	-	-	-	-
10396	Streets	East Marsh Creek Road Signal	-	-	-	-	-	-	-	-	-	-
10397	Streets	Utility Undergrounding	-	-	-	-	-	-	-	-	-	-
10400	Other	Downtown Economic Development	1,322,499	-	-	-	-	-	-	-	-	1,322,499
10419	Parks	Community park Lighting, etc.	-	-	-	-	-	-	-	-	-	-
10420	Other	School Bridge Area Improvements	202,258	-	-	-	-	-	-	-	2,500	204,758
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	-	-	-	40,000	-	-	-	-	-	40,000
10423	Facilities	Library Upgrades	-	-	-	-	-	-	-	-	-	-
10425	Streets	Keller Ridge Collector Street Rehab	-	50,000	-	-	-	-	-	-	-	50,000
10436	Streets	2018 Neighborhood Street Project	-	-	-	50,000	-	-	-	-	-	50,000
10439	Streets	El Portal Drive restoration Project	5,430	-	-	37,418	-	-	-	-	-	42,848
10440	Parks	Clayton Community Park - Field 1 Rehab	-	-	-	-	-	-	-	50,000	500	50,500
10442	Parks	North Valley Park Playground Rehab.	-	-	-	-	-	-	142,000	-	25,300	167,300
10443	Facilities	City Hall ADA Accessibility	-	-	-	-	-	-	19,000	16,000	-	35,000
10444	Facilities	City HVAC Replacement	-	-	-	-	-	-	-	255,198	-	255,198
	Total CIP Funding in FY 17/18		56,000	-	40,000	87,418	-	-	161,000	321,198	28,300	2,272,155
	Fund Balance as of June 30, 2018		\$ 320,901	\$ 64,855	\$ -	\$ 520,000	\$ 564,875	\$ 53,743	\$ 45,000	\$ 531,225	\$ -	\$ 58,207

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2017/18 to 2022/23

Budget by Funding Source - FY 2018/19

Fund Name	Unspent Prior Year Funding	HUTA Fund	RMRA Fund	Federal Grants	State Grants	Concord Sewer Fund	Measure J LSM	Measure J Co-op	Measure J Grant	Impact Fee Fund	CIP Interest	18/19 Project Totals
Fund Balance as of 6/30/18		\$ 320,901	\$ 64,855	\$ -	\$ -	\$ 520,000	\$ 564,875	\$ 53,743	-	\$ 531,225	\$ 58,207	
Estimated Revenue thru FY 18/19		293,004	189,383	385,000	86,553	-	286,000	32,676	330,000	-	-	
Estimated non-CIP Expenses in FY 18/19		(170,255)	-	-	-	-	(36,639)	-	-	-	-	
Funds Available for CIP in FY 18/19		443,650	254,238	385,000	86,553	520,000	814,236	86,419	330,000	531,225	58,207	
# Category Project												
10337A Facilities Keller House Rehabilitation	-	-	-	-	-	-	-	-	-	-	-	-
10343 GHAD Crow Debris Basin	-	-	-	-	-	-	-	-	-	-	-	-
10347A GHAD Eagle Peak Slope Repair	-	-	-	-	-	-	-	-	-	-	-	-
10348 GHAD Keller Ridge Drive Area Slope Repair	-	-	-	-	-	-	-	-	-	-	-	-
10349 GHAD Community Park Slide Repair	-	-	-	-	-	-	-	-	-	-	-	-
10370 Creeks Creek Revitalization	-	-	-	-	-	-	-	-	-	-	-	-
10375 Parks Samuel Ct. Park	-	-	-	-	-	-	-	-	-	-	-	-
10379 Streets Pine Hollow Road Upgrades	-	-	189,883	-	-	-	-	-	330,000	-	-	519,883
10393 Parks Skateboard Park	-	-	-	-	-	-	-	-	-	-	-	-
10394A Streets ADA Compliance Program	9,052	6,000	-	-	-	-	-	-	-	-	-	15,052
10395 Streets Catch Basin Modifications	-	-	-	-	-	-	-	-	-	-	-	-
10396 Streets East Marsh Creek Road Signal	-	-	-	-	-	-	-	-	-	-	-	-
10397 Streets Utility Undergrounding	-	-	-	-	-	-	-	-	-	-	-	-
10400 Other Downtown Economic Development	1,322,499	-	-	-	-	-	-	-	-	-	-	1,322,499
10419 Parks Community park Lighting, etc.	-	-	-	-	-	-	-	-	-	-	-	-
10420 Other School Bridge Area Improvements	204,758	-	-	-	-	-	-	-	-	-	-	204,758
10422 Sewers El Molino Drive Sanitary Sewer Impr.	-	-	-	-	-	520,000	-	-	-	-	-	520,000
10423 Facilities Library Upgrades	-	-	-	-	-	-	-	-	-	-	-	-
10425 Streets Keller Ridge Dr. Collector Street Rehab	-	277,988	-	385,000	25,775	-	241,443	-	-	-	-	930,206
10436 Streets 2018 Neighborhood Street Project	-	159,662	64,355	-	60,778	-	572,793	86,419	-	-	-	944,007
10439 Streets El Portal Drive restoration Project	-	-	-	-	-	-	-	-	-	-	-	-
10440 Parks Clayton Community Park - Field 1 Rehab	50,500	-	-	-	-	-	-	-	-	-	-	50,500
10442 Parks North Valley Park Playground Rehab.	167,300	-	-	-	-	-	-	-	-	-	-	167,300
10443 Facilities City Hall ADA Accessibility	35,000	-	-	-	-	-	-	-	-	-	-	35,000
Total CIP Funding in FY 18/19		443,650	254,238	385,000	86,553	520,000	814,236	86,419	330,000	-	-	2,920,096
Fund Balance as of June 30, 2019	\$ 1,789,109	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 531,225	\$ 58,207	

CITY OF CLAYTON
 CAPITAL IMPROVEMENT PROGRAM FY 2017/18 to 2022/23

Budget by Funding Source - FY 2019/20

Fund Name	Unspent Prior Year Funding	HUTA Fund	RMRA Fund	Federal Grants	State Grants	Concord Sewer Fund	Measure J LSM	Measure J Co-op	Measure J Grant	Impact Fee Fund	CIP Interest	19/20 Project Totals
Fund Balance as of 6/30/19		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 531,225	\$ 58,207	
Estimated Revenue thru FY 19/20		250,000	190,000	308,000	-	-	290,000	30,000	-	-	-	
Estimated non-CIP Expenses in FY 19/20		(150,000)	-	-	-	-	(40,000)	-	-	-	-	
Funds Available for CIP in FY 19/20		100,000	190,000	308,000	-	-	250,000	30,000	-	531,225	58,207	
#	Category	Project										
10337A	Facilities	Keller House Rehabilitation	-	-	-	-	-	-	-	-	-	-
10343	GHAD	Crow Debris Basin	-	-	-	-	-	-	-	-	-	-
10347A	GHAD	Eagle Peak Slope Repair	-	-	-	-	-	-	-	-	-	-
10348	GHAD	Keller Ridge Drive Area Slope Repair	-	-	-	-	-	-	-	-	-	-
10349	GHAD	Community Park Slide Repair	-	-	-	-	-	-	-	-	-	-
10370	Creeks	Creek Revitalization	-	-	-	-	-	-	-	-	-	-
10375	Parks	Samuel Ct. Park	-	-	-	-	-	-	-	-	-	-
10379	Streets	Pine Hollow Road Upgrades	-	-	308,000	-	-	-	-	-	-	308,000
10393	Parks	Skateboard Park	-	-	-	-	-	-	-	-	-	-
10394A	Streets	ADA Compliance Program	15,052	6,000	-	-	-	-	-	-	-	21,052
10395	Streets	Catch Basin Modifications	-	-	-	-	-	-	-	-	-	-
10396	Streets	East Marsh Creek Road Signal	-	-	-	-	-	-	-	-	-	-
10397	Streets	Utility Undergrounding	-	-	-	-	-	-	-	-	-	-
10400	Other	Downtown Economic Development	1,322,499	-	-	-	-	-	-	-	-	1,322,499
10419	Parks	Community park Lighting, etc.	-	-	-	-	-	-	-	-	-	-
10420	Other	School Bridge Area Improvements	204,758	-	-	-	-	-	-	-	-	204,758
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	-	-	-	-	-	-	-	-	-	-
10423	Facilities	Library Upgrades	-	-	-	-	-	-	-	-	-	-
10425	Streets	Keller Ridge Dr. Collector Street Rehab	-	-	-	-	-	-	-	-	-	-
10436	Streets	2018 Neighborhood Street Project	-	-	-	-	-	-	-	-	-	-
10439	Streets	El Portal Drive restoration Project	-	-	-	-	-	-	-	-	-	-
10440	Parks	Clayton Community Park - Field 1 Rehab	-	-	-	-	-	-	-	-	-	-
10442	Parks	North Valley Park Playground Rehab.	-	-	-	-	-	-	-	-	-	-
10443	Facilities	City Hall ADA Accessibility	-	-	-	-	-	-	-	-	-	-
		Total CIP Funding in FY 19/20	6,000	-	308,000	-	-	-	-	-	-	314,000
Fund Balance as of June 30, 2020	\$ 1,542,309	\$ 94,000	\$ 190,000	\$ -	\$ -	\$ -	\$ 250,000	\$ 30,000	\$ -	\$ 531,225	\$ 58,207	

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2017/18 to 2022/23

Budget by Funding Source - FY 2020/21

Fund Name	Unspent Prior Year Funding	HUTA Fund	RMRA Fund	Federal Grants	State Grants	Concord Sewer Fund	Measure J LSM	Measure J Co-op	Measure J Grant	Impact Fee Fund	CIP Interest	20/21 Project Totals
Fund Balance as of 6/30/20		\$ 94,000	\$ 190,000	\$ -	\$ -	\$ -	\$ 250,000	\$ 30,000	\$ -	\$ 531,225	\$ 58,207	
Estimated Revenue thru FY 20/21		255,000	195,000	-	-	-	295,000	30,000	-	-	-	
Estimated non-CIP Expenses in FY 20/21		(155,000)	-	-	-	-	(45,000)	-	-	-	-	
Funds Available for CIP in FY 20/21		194,000	385,000	-	-	-	500,000	60,000	-	531,225	58,207	
#	Category	Project										
10337A	Facilities	Keller House Rehabilitation	-	-	-	-	-	-	-	-	-	-
10343	GHAD	Crow Debris Basin	-	-	-	-	-	-	-	-	-	-
10347A	GHAD	Eagle Peak Slope Repair	-	-	-	-	-	-	-	-	-	-
10348	GHAD	Keller Ridge Drive Area Slope Repair	-	-	-	-	-	-	-	-	-	-
10349	GHAD	Community Park Slide Repair	-	-	-	-	-	-	-	-	-	-
10370	Creeks	Creek Revitalization	-	-	-	-	-	-	-	-	-	-
10375	Parks	Samuel Ct. Park	-	-	-	-	-	-	-	-	-	-
10379	Streets	Pine Hollow Road Upgrades	-	-	-	-	-	-	-	-	-	-
10393	Parks	Skateboard Park	-	-	-	-	-	-	-	-	-	-
10394A	Streets	ADA Compliance Program	21,052	6,000	-	-	-	-	-	-	-	27,052
10395	Streets	Catch Basin Modifications	-	-	-	-	-	-	-	-	-	-
10396	Streets	East Marsh Creek Road Signal	-	-	-	-	-	-	-	-	-	-
10397	Streets	Utility Undergrounding	-	-	-	-	-	-	-	-	-	-
10400	Other	Downtown Economic Development	1,322,499	-	-	-	-	-	-	-	-	1,322,499
10419	Parks	Community park Lighting, etc.	-	-	-	-	-	-	-	-	-	-
10420	Other	School Bridge Area Improvements	204,758	-	-	-	-	-	-	-	-	204,758
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	-	-	-	-	-	-	-	-	-	-
10423	Facilities	Library Upgrades	-	-	-	-	-	-	-	-	-	-
10425	Streets	Keller Ridge Dr. Collector Street Rehab	-	-	-	-	-	-	-	-	-	-
10436	Streets	2018 Neighborhood Street Project	-	-	-	-	-	-	-	-	-	-
10439	Streets	El Portal Drive restoration Project	-	-	-	-	-	-	-	-	-	-
10440	Parks	Clayton Community Park - Field 1 Rehab	-	-	-	-	-	-	-	-	-	-
10442	Parks	North Valley Park Playground Rehab.	-	-	-	-	-	-	-	-	-	-
10443	Facilities	City Hall ADA Accessibility	-	-	-	-	-	-	-	-	-	-
		Total CIP Funding in FY 20/21	6,000	-	-	-	-	-	-	-	-	6,000
Fund Balance as of June 30, 2021	\$	1,548,309	\$ 188,000	\$ 385,000	\$ -	\$ -	\$ 500,000	\$ 60,000	\$ -	\$ 531,225	\$ 58,207	

CITY OF CLAYTON
 CAPITAL IMPROVEMENT PROGRAM FY 2017/18 to 2022/23

Budget by Funding Source - FY 2021/22

Fund Name	Unspent Prior Year Funding	HUTA Fund	RMRA Fund	Federal Grants	State Grants	Concord Sewer Fund	Measure J LSM	Measure J Co-op	Measure J Grant	Impact Fee Fund	CIP Interest	21/22 Project Totals
Fund Balance as of 6/30/21		\$ 188,000	\$ 385,000	\$ -	\$ -	\$ -	\$ 500,000	\$ 60,000	\$ -	\$ 531,225	\$ 58,207	
Estimated Revenue thru FY 21/22		255,000	200,000	-	-	-	300,000	30,000	-	-	-	
Estimated non-CIP Expenses in FY 21/22		(155,000)	-	-	-	-	(50,000)	-	-	-	-	
Funds Available for CIP in FY 21/22		288,000	585,000	-	-	-	750,000	90,000	-	531,225	58,207	
#	Category	Project										
10337A	Facilities	Keller House Rehabilitation	-	-	-	-	-	-	-	-	-	-
10343	GHAD	Crow Debris Basin	-	-	-	-	-	-	-	-	-	-
10347A	GHAD	Eagle Peak Slope Repair	-	-	-	-	-	-	-	-	-	-
10348	GHAD	Keller Ridge Drive Area Slope Repair	-	-	-	-	-	-	-	-	-	-
10349	GHAD	Community Park Slide Repair	-	-	-	-	-	-	-	-	-	-
10370	Creeks	Creek Revitalization	-	-	-	-	-	-	-	-	-	-
10375	Parks	Samuel Ct Park	-	-	-	-	-	-	-	-	-	-
10379	Streets	Pine Hollow Road Upgrades	-	-	-	-	-	-	-	-	-	-
10393	Parks	Skateboard Park	-	-	-	-	-	-	-	-	-	-
10394A	Streets	ADA Compliance Program	27,052	6,000	-	-	-	-	-	-	-	33,052
10395	Streets	Catch Basin Modifications	-	-	-	-	-	-	-	-	-	-
10396	Streets	East Marsh Creek Road Signal	-	-	-	-	-	-	-	-	-	-
10397	Streets	Utility Undergrounding	-	-	-	-	-	-	-	-	-	-
10400	Other	Downtown Economic Development	1,322,499	-	-	-	-	-	-	-	-	1,322,499
10419	Parks	Community park Lighting, etc.	-	-	-	-	-	-	-	-	-	-
10420	Other	School Bridge Area Improvements	204,758	-	-	-	-	-	-	-	-	204,758
10422	Sewers	El Molino Drive Sanitary Sewer Impr.	-	-	-	-	-	-	-	-	-	-
10423	Facilities	Library Upgrades	-	-	-	-	-	-	-	-	-	-
10425	Streets	Keller Ridge Dr. Collector Street Rehab	-	-	-	-	-	-	-	-	-	-
10436	Streets	2018 Neighborhood Street Project	-	-	-	-	-	-	-	-	-	-
10439	Streets	El Portal Drive restoration Project	-	-	-	-	-	-	-	-	-	-
10440	Parks	Clayton Community Park - Field 1 Rehab	-	-	-	-	-	-	-	-	-	-
10442	Parks	North Valley Park Playground Rehab	-	-	-	-	-	-	-	-	-	-
10443	Facilities	City Hall ADA Accessibility	-	-	-	-	-	-	-	-	-	-
Total CIP Funding in FY 21/22			6,000									6,000
Fund Balance as of June 30, 2022	\$ 1,554,309	\$ 282,000	\$ 585,000	\$ -	\$ -	\$ -	\$ 750,000	\$ 90,000	\$ -	\$ 531,225	\$ 58,207	

CITY OF CLAYTON
CAPITAL IMPROVEMENT PROGRAM FY 2017/18 to 2022/23

Budget by Funding Source - FY 2022/23

Fund Name	Unspent Prior Year Funding	HUTA Fund	RMRA Fund	Federal Grants	State Grants	Concord Sewer Fund	Measure J LSM	Measure J Co-op	Measure J Grant	Impact Fee Fund	CIP Interest	22/23 Project Totals
Fund Balance as of 6/30/22		\$ 282,000	\$ 585,000	\$ -	\$ -	\$ -	\$ 750,000	\$ 90,000	\$ -	\$ 531,225	\$ 58,207	
Estimated Revenue thru FY 22/23		255,000	200,000	-	-	-	300,000	30,000	-	-	-	
Estimated non-CIP Expenses in FY 22/23		(160,000)	-	-	-	-	(55,000)	-	-	-	-	
Funds Available for CIP in FY 22/23		377,000	785,000	-	-	-	995,000	120,000	-	531,225	58,207	
# Category Project												
10337A Facilities Keller House Rehabilitation		-	-	-	-	-	-	-	-	-	-	-
10343 GHAD Crow Debris Basin		-	-	-	-	-	-	-	-	-	-	-
10347A GHAD Eagle Peak Slope Repair		-	-	-	-	-	-	-	-	-	-	-
10348 GHAD Keller Ridge Drive Area Slope Repair		-	-	-	-	-	-	-	-	-	-	-
10349 GHAD Community Park Slide Repair		-	-	-	-	-	-	-	-	-	-	-
10370 Creeks Creek Revitalization		-	-	-	-	-	-	-	-	-	-	-
10375 Parks Samuel Ct. Park		-	-	-	-	-	-	-	-	-	-	-
10379 Streets Pine Hollow Road Upgrades		-	-	-	-	-	-	-	-	-	-	-
10393 Parks Skateboard Park		-	-	-	-	-	-	-	-	-	-	-
10394A Streets ADA Compliance Program	27,052	6,000	-	-	-	-	-	-	-	-	-	33,052
10395 Streets Catch Basin Modifications		-	-	-	-	-	-	-	-	-	-	-
10396 Streets East Marsh Creek Road Signal		-	-	-	-	-	-	-	-	-	-	-
10397 Streets Utility Undergrounding		-	-	-	-	-	-	-	-	-	-	-
10400 Other Downtown Economic Development	1,322,499	-	-	-	-	-	-	-	-	-	-	1,322,499
10419 Parks Community park Lighting, etc.		-	-	-	-	-	-	-	-	-	-	-
10420 Other School Bridge Area Improvements	204,758	-	-	-	-	-	-	-	-	-	-	204,758
10422 Sewers El Molino Drive Sanitary Sewer Impr.		-	-	-	-	-	-	-	-	-	-	-
10423 Facilities Library Upgrades		-	-	-	-	-	-	-	-	-	-	-
10425 Streets Keller Ridge Dr. Collector Street Rehab		-	-	-	-	-	-	-	-	-	-	-
10436 Streets 2018 Neighborhood Street Project		-	-	-	-	-	-	-	-	-	-	-
10439 Streets El Portal Drive restoration Project		-	-	-	-	-	-	-	-	-	-	-
10440 Parks Clayton Community Park - Field 1 Rehab		-	-	-	-	-	-	-	-	-	-	-
10442 Parks North Valley Park Playground Rehab.		-	-	-	-	-	-	-	-	-	-	-
10443 Facilities City Hall ADA Accessibility		-	-	-	-	-	-	-	-	-	-	-
Total CIP Funding in FY 22/23		6,000										6,000
Fund Balance as of June 30, 2023	\$ 1,554,309	\$ 371,000	\$ 785,000	\$ -	\$ -	\$ -	\$ 995,000	\$ 120,000	\$ -	\$ 531,225	\$ 58,207	

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Facilities	10337A	Keller House Rehabilitation

DESCRIPTION - LOCATION

Rehabilitation of historical ranch home
And grounds located across Mt. Diablo
Creek from the library.



COMMENTS

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/ Execution							\$1,780,477	\$1,780,477
Monitoring/ Inspections								
Close-out/ Punch List								
Other								
TOTAL							\$1,780,477	\$1,780,477

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$1,780,477	\$1,780,477
TOTAL							\$1,780,477	\$1,780,477

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
GHAD	10343	Crow Place - Debris Basin

DESCRIPTION - LOCATION

Clean out debris basin located in GHAD easement behind golf course and single-family lots.



COMMENTS

Subject to approval of increased assessments.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design							\$10,000	\$10,000
Construction/Execution							\$95,000	\$95,000
Monitoring/Inspections							\$5,000	\$5,000
Close-out/Punch List								
Other								
TOTAL							\$110,000	\$110,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$110,000	\$110,000
TOTAL							\$110,000	\$110,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
GHAD	10347A	Eagle Peak Slope Repair

DESCRIPTION - LOCATION

Stabilize and/or repair large slope moving adjacent to single family houses and streets in Eagle Peak Subdivision.



COMMENTS

Cost estimate per Soils Engineer. Dependent on GHAD assessment increase.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design							\$70,000	\$70,000
Construction/Execution							\$1,140,000	\$1,140,000
Monitoring/Inspections							\$30,000	\$30,000
Close-out/Punch List							\$10,000	\$10,000
Other								
TOTAL							\$1,250,000	\$1,250,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$1,250,000	\$1,250,000
TOTAL							\$1,250,000	\$1,250,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
GHAD	10348	Keller Ridge Drive Area - Slope Repair

DESCRIPTION - LOCATION

Stabilize and/or repair small slope pop-out adjacent to single-family homes.



COMMENTS

Subject to approval of increased assessments.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design							\$5,000	\$5,000
Construction/Execution							\$50,000	\$50,000
Monitoring/Inspections							\$5,000	\$50,000
Close-out/Punch List								
Other								
TOTAL							\$60,000	\$60,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$60,000	\$60,000
TOTAL							\$60,000	\$60,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
GHAD	10349	Community Park - Landslide

DESCRIPTION - LOCATION

Repair landslides that occurred above field #3 (uppermost field).



COMMENTS

Subject to approval of increased assessments.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design							\$7,000	\$7,000
Construction/Execution							\$95,000	\$95,000
Monitoring/Inspections							\$8,000	\$8,000
Close-out/Punch List								
Other								
TOTAL							\$110,000	\$110,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$110,000	\$110,000
TOTAL							\$110,000	\$110,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Creeks	10370	Creek Revitalization

DESCRIPTION - LOCATION

Clean out creeks, improve access to creek banks, reinforce creek banks and repair adjacent trails where needed, replace riparian vegetation.



COMMENTS

Catch-all project for when City hits the lottery.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/Execution							\$3,000,000	\$3,000,000
Monitoring/Inspections								
Close-out/Punch List								
Other								
TOTAL							\$3,000,000	\$3,000,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$3,000,000	\$3,000,000
TOTAL							\$3,000,000	\$3,000,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10375	Samuel Ct. Park

DESCRIPTION - LOCATION

Install landscaping and irrigation improvements.



COMMENTS

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design							\$5,000	\$5,000
Construction/ Execution							\$75,000	\$75,000
Monitoring/ Inspections							\$5,000	\$5,000
Close-out/ Punch List								
Other								
TOTAL							\$85,000	\$85,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$85,000	\$85,000
TOTAL							\$85,000	\$85,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10379	Pine Hollow Rd. - Upgrade

DESCRIPTION - LOCATION

Improve City entry on Pine Hollow Rd. with new painting, monument sign, etc.



COMMENTS

ROW controlled by Concord and/or County. Joint Project possible, though not probable.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/ Design	\$45,000	\$50,000						\$95,000
Construction/ Execution			\$732,883					\$732,883
Monitoring/ Inspections			\$35,000					\$35,000
Close-out/ Punch List			\$10,000					\$10,000
Other								
TOTAL	\$45,000	\$50,000	\$777,883					\$872,883

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Measure J Grant	\$45,000	\$50,000	\$280,000					\$375,000
Gas Tax (RMRA)			\$189,883					\$189,883
OBAG II (Federal)			\$308,000					\$308,000
TOTAL	\$45,000	\$50,000	\$777,883					\$872,883

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Parks	10393	Skateboard Park

DESCRIPTION - LOCATION

Construct Skateboard Park at an as yet Undetermined location.

COMMENTS

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design							\$45,000	\$45,000
Construction/Execution							\$660,000	\$660,000
Monitoring/Inspections								
Close-out/Punch List								
TOTAL							\$750,000	\$750,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$750,000	\$750,000
TOTAL							\$750,000	\$750,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10394A	ADA Compliance Program

DESCRIPTION - LOCATION

ADA Compliance City-wide.

COMMENTS

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/Execution							\$500,000	\$500,000
Monitoring/Inspections								
Close-out/Punch List								
Other								
TOTAL							\$500,000	\$500,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Gas Tax (HUTA)	\$9,052	\$6,000						\$15,052
Unfunded							\$484,948	\$484,948
TOTAL	\$9,052	\$6,000					\$484,948	\$500,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10395	Catch Basin Modifications

DESCRIPTION - LOCATION

Add cross-bar to openings

COMMENTS

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/ Execution							\$100,000	\$100,000
Monitoring/ Inspections								
Close-out/ Punch List								
Other								
TOTAL							\$100,000	\$100,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded								\$100,000
TOTAL								\$100,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10396	East Marsh Creek Road Traffic Signal

DESCRIPTION - LOCATION

Install traffic signal on Marsh Creek Road
To the east of Diablo Parkway.

COMMENTS

Project postponed by Council action.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design							\$45,000	\$45,000
Construction/ Execution							\$350,000	\$350,000
Monitoring/ Inspections							\$35,000	\$35,000
Close-out/ Punch List								
Utility Relocation							\$80,000	\$80,000
Other								
TOTAL							\$510,000	\$510,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$510,000	\$510,000
TOTAL							\$510,000	\$510,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10397	Utility Undergrounding

DESCRIPTION - LOCATION

Underground overhead utility lines at as
Yet undetermined locations.

COMMENTS

Funds are allocated to the City's Rule 20Aa
account annually but held by PG&E until
project is approved by the City Council and
commences.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/ Execution							\$3,000,000	\$3,000,000
Monitoring/ Inspections								
Close-out/ Punch List								
Other								
TOTAL							\$3,000,000	\$3,000,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
PG&E Rule 20A	\$445,072	\$21,000	\$21,000	\$21,000	\$21,000	\$21,000		\$550,072
Unfunded							\$2,449,928	\$2,449,928
TOTAL	\$445,072	\$21,000	\$21,000	\$21,000	\$21,000	\$21,000	\$2,449,928	\$3,000,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Other	10400	Downtown Economic Development

DESCRIPTION - LOCATION

Provide funding for improving the economic viability of the downtown area.



COMMENTS

Transferred \$1,040,843. To CIP 10400A in FY 12/13 to purchase a 1.67 AC parcel in Town Center. Parcel purchased from Clayton Community Church.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/Execution								
Monitoring/Inspections								
Close-out/Punch List								
Other							\$1,382,000	\$1,382,000
TOTAL							\$1,382,000	\$1,382,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
CIP Const. Fund	\$1,382,000							\$1,382,000
TOTAL	\$1,382,000							\$1,382,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Parks	10419	Community Park Lighting & Resurfacing

DESCRIPTION - LOCATION

Install sports field lighting, remove and replace turf with synthetic surfacing at Clayton Community Park.



COMMENTS

Cost estimates per Cost-Benefit Analysis Prepared by PMC and dated August 31, 2009.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/Execution								
Monitoring/Inspections							\$4,084,000	\$4,084,000
Close-out/Punch List								
Other								
TOTAL							\$4,084,000	\$4,084,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$4,084,000	\$4,084,000
TOTAL							\$4,084,000	\$4,084,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10420	School Bridge Area Improvements

DESCRIPTION - LOCATION

Improve area at Mt. Diablo Elementary School Bridge and Mitchell Creek to enhance Town Center area.

COMMENTS

Includes decorative wall, landscaping and Riparian vegetation restoration; funding transferred from CIP No. 10400, Downtown Economic Development.

No design or construction currently scheduled.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design							\$20,000	\$20,000
Construction/Execution							\$165,000	\$165,000
Monitoring/Inspections							\$10,000	\$10,000
Close-out/Punch List							\$7,258	\$7,258
TOTAL							\$202,258	\$202,258

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
CIP Const Fund	\$202,258							\$202,258
TOTAL	\$202,258							\$202,258

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10422	El Molino Drive Sanitary Sewer Improvements

DESCRIPTION - LOCATION

Construct modifications to existing sanitary sewer mains to prevent potential sewer overflows in areas adjacent to Mt. Diablo Creek.



COMMENTS

Includes pipe enlargement and construction of a bypass line in El Molino Drive; funding from CIP 10400, Downtown Economic Development, returned as Concord has agreed to fund the bypass work (including preliminary design work) from annual sewer fees.

Preliminary design costs totaling approximately \$64,000 to date (FY 2004-2009) were tracked in the Development Impact Fees fund (304), temporarily covered by a General Fund loan authorized by City Council in FY 2004-05.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design	\$40,000							\$40,000
Construction/Execution		\$500,000						\$500,000
Monitoring/Inspections		\$20,000						\$20,000
Close-out/Punch List								
TOTAL	\$40,000	\$520,000						\$560,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Concord Sewer Fund	\$40,000	\$520,000						\$560,000
TOTAL	\$40,000	\$520,000						\$560,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Facilities	10423	Library Upgrades

DESCRIPTION - LOCATION

Construct improvements to update Library including automatic checkout facilities, coffee/snack bar, etc.



COMMENTS

Includes 3,500 sf building addition plus new equipment and furniture.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/Execution							\$850,000	\$850,000
Monitoring/Inspections								
Close-out/Punch List								
Other							\$150,000	\$150,000
TOTAL							\$1,000,000	\$1,000,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded							\$1,000,000	\$1,000,000
TOTAL							\$1,000,000	\$1,000,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10425	Collector Street Rehabilitation Project - Keller Ridge

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various collector streets throughout the City.



COMMENTS

Local Streets & Roads Shortfall (LS&RS) funding is federal requiring extensive processing for construction approval. Gas Tax amount covers City share as required by federal funding.

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/ Design	\$78,226							\$78,226
Construction/ Execution		\$885,206						\$885,206
Monitoring/ Inspections		\$35,000						\$35,000
Close-out/ Punch List		\$10,000						\$10,000
Other								
TOTAL	\$78,226	\$930,206						\$1,008,432

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Gas Tax (HUTA)	\$78,226	\$315,180						\$393,406
OBAG I (Federal)		\$385,000						\$385,000
Measure J (LSM)		\$241,443						\$241,443
Cal Recycle (Grant)		\$25,775						\$25,775
TOTAL	\$78,226	\$930,206						\$1,008,432

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Streets	10436	2018 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various neighborhood streets throughout the City.



COMMENTS

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design	\$50,000							\$50,000
Construction/Execution		\$899,007						\$899,007
Monitoring/Inspections		\$35,000						\$35,000
Close-out/Punch List		\$10,000						\$10,000
Other								
TOTAL	\$50,000	\$944,007						\$994,007

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Measure J LSM	\$50,000	\$572,793						\$622,793
Measure J Co-Op		\$86,419						\$86,419
Gas Tax (HUTA)		\$159,662						\$159,662
Gas Tax (RMRA)		\$64,355						\$64,355
Cal Recycle (Grant)		\$60,778						\$60,778
TOTAL	\$50,000	\$944,007						\$994,007

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Parks	10440	Clayton Community Park Field No. 1 Restoration

DESCRIPTION - LOCATION

Rehabilitation of lower baseball/softball field (field No. 1).



COMMENTS

Subgrade stabilization completed in FY 16-17
 Remaining work completed in FY 18-19

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/Execution		\$100,000						\$100,000
Monitoring/Inspections								
Close-out/Punch List								
Other								
TOTAL		\$100,000						\$100,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Unfunded		\$50,000						\$50,000
Garbage Franchise Community Enhancement Fee	\$50,000							\$50,000
TOTAL	\$50,000	\$50,000						\$100,000

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Parks	10442	North Valley Park Playground Rehabilitation

DESCRIPTION - LOCATION

Install new playground equipment, shade structures and play surface.



COMMENTS

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/Execution		\$167,300						\$167,300
Monitoring/Inspections								
Close-out/Punch List								
Other								
TOTAL		\$167,300						\$167,300

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Open Space DIF	\$142,000							\$142,000
CIP Interest earnings	\$23,800							\$23,800
Project Interest	\$1,500							\$1,500
TOTAL	\$167,300							\$167,300

2018/19-2022/23 Capital Improvement Program

Category	Project Number	Project
Facilities	10443	ADA Accessibility - City Hall

DESCRIPTION - LOCATION

Install ADA accessibility improvements to the entry doorways of City Hall.



COMMENTS

Estimated Cost	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Planning/Design								
Construction/Execution		\$35,000						\$35,000
Monitoring/Inspections								
Close-out/Punch List								
Other								
TOTAL		\$35,000						\$35,000

Funding (Sources)	Prior Yrs.	2018-19	2019-20	2020-21	2021-22	2022-23	Future	TOTAL
Community Facilities DIF	\$19,000							\$19,000
General Fund Annual Excess	\$16,000							\$16,000
TOTAL	\$35,000							\$35,000



Agenda Date: 6-19-2018

Agenda Item: 9b

STAFF REPORT



TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: SCOTT ALMAN, CITY ENGINEER

DATE: JUNE 19, 2018

SUBJECT: PUBLIC HEARING ON PROPOSED ASSESSMENTS FOR THE DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT (BAD); ORDERING IMPROVEMENTS AND CONFIRMING ASSESSMENTS FOR FY 2018-19

RECOMMENDATION

Open the Public Hearing, receive public comments, close the Public Hearing, and approve the attached Resolution.

BACKGROUND

The City Council, at its May 15th meeting, adopted Resolution 14-2018 approving the Engineer's Report dated May 1st including the proposed assessment amounts which included an allowable 3.22% increase over FY 2017-18 assessments. These assessments are collected annually to pay for the maintenance and rehabilitation of various improvements benefiting the twenty four (24) real property owners within the Diablo Estates at Clayton development. These tasks are included in the property management contract awarded previously to Pinnacle Construction Services (Matrix Management Services). Pinnacle's (Matrix) contract provides for an annual increase each December equal to the increase in the San Francisco – Bay Area CPI.

As required by law, a notice regarding this public hearing was mailed to all 24 of the property owners on May 25, 2018. The approved Engineer's Report was attached to the public hearing notice. For the benefit of the residents, the Engineer's Report was expanded to include the expenditures of the District to date, the proposed FY 2018-19 budget, an accounting of the reserve funds and the Scope of Services for Matrix Management's on-going contract.

Tonight, the City Council will open the required public hearing to hear any comments from the assessed property owners. Upon completion of public testimony, the City Council should close the public hearing. The City Council may then consider any public comments received and proceed to act on this Resolution levying the annual assessments on the real properties within the District for FY 2018-19.

FISCAL IMPACT

If the annual assessment is approved as recommended, the City will continue to oversee the maintenance duties specified in the Engineer's Report on behalf of the benefited real property owners through the contracted property management company (Pinnacle/Matrix).

Should the 3.22% increase not be levied as recommended on the assessments, the automatic CPI increase in the property management contract (Pinnacle) must then be funded by drawing on District reserves. Further, bypassing the allowable CPI increase can never be recouped by the District in the future as each annual increase allowed is strictly limited to that year's adjustment in annual CPI increase.

The BAD fund balance will cover the District's costs until receipt of the first tax payment from the County in December. Therefore, this action will not impact the City's General Fund.

CONCLUSION

Staff recommends the City Council approve this Resolution confirming the levy of assessments within the Diablo Estates at Clayton Benefit Assessment District FY 2018-19.

Attachments: Resolution confirming Assessments [2 pp.]
Notice to Property Owners [1 pg.]
BAD FY 2018-19 Engineer's Report [41 pg.]

RESOLUTION NO. - 2018

A RESOLUTION CONFIRMING ASSESSMENTS FOR THE OPERATION AND MAINTENANCE OF IMPROVEMENTS WITHIN THE DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2018-19.

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

WHEREAS, by adoption of Resolution No. 14-2018 on May 15, 2018, the Clayton City Council approved the Engineer's Report on the proposed assessment levy for maintaining various improvements within the Diablo Estates at Clayton Benefit Assessment District during fiscal year 2018-19, and set a public hearing thereon for June 19, 2018, to be held at the regular meeting place of the Clayton City Council; and

WHEREAS, notice of said hearing and the adoption of Resolution No. 14-2018 was duly given as required by Section 54954.6 of the Government Code; and

WHEREAS, on June 19, 2018, the City Council held the noticed public hearing on the proposed assessment for the fiscal year 2018-19 and heard and considered all oral statements and written communications made and filed thereon by interested persons;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Clayton as follows:

1. The City Council hereby orders the levy of an assessment in the amount of \$3,565.94 on each lot within the Diablo Estates at Clayton Benefit Assessment District and this Resolution shall constitute the levy and confirmation of such assessment for fiscal year 2018-19.
2. The City Clerk shall immediately file a certified copy of this resolution, together with any required diagrams and a list of lots so assessed, with both the Tax Collector and the Auditor of Contra Costa County, with the Assessment to thereafter be collected in the same manner as the property taxes are collected.

PASSED, APPROVED and ADOPTED by the City Council of the City of Clayton at a regular public meeting thereof held on June 19, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular public meeting held on June 19, 2018.

Janet Brown, City Clerk

Diablo Estates at Clayton Benefit Assessment District

NOTICE TO PROPERTY OWNERS FOR LEVY OF ASSESSMENT

Reason for Assessment

At the request of the original project developer, Toll Bros., Inc., the City of Clayton City Council ("Council") approved Resolution No. 04-2012 on February 7, 2012, forming the Diablo Estates at Clayton Benefit Assessment District ("District") to fund and to pay for the oversight and maintenance of certain facilities solely benefiting land owners in the District, such as the stormwater treatment facilities, storm drain collection system, common area landscape and irrigation, private street lighting and weed abatement of natural slope areas, all as described in the original Engineer's Report approved by the Council on March 20, 2012.

NOTICE

This notice informs you, as a real property owner within the Diablo Estates at Clayton Benefit Assessment District that on May 15, 2018, the Clayton City Council adopted Resolution No. 14-2018 approving the Engineer's Report for FY 2018-19, declaring its intent to levy assessments for fiscal year 2018-19 and setting a public hearing on the issue of the proposed assessments:

**PUBLIC HEARING:
Hoyer Hall (Library Meeting Room)**

**7:00 p.m. June 19, 2018
6125 Clayton Road**

Assessment Information

1. Total District Assessment for the fiscal year beginning on July 1, 2018 and ending June 30, 2019: \$85,582.54
2. Proposed assessment per parcel: The assessment for each parcel is proposed to be \$3,565.94 which includes a 3.22% increase in the existing assessment of \$3,454.70 per year in accordance with the annual increase in the applicable Consumer Price Index (Apr. 2017 – Apr. 2018; San Francisco-Oakland- Hayward, CA MSA – All Urban Consumers), as allowed by property owner balloting in 2012.
3. Duration of assessment: The assessment will be levied annually at the above proposed rate and collected via one's real property tax bill in fiscal year 2018-19. The assessment may only be increased (other than the authorized allowable annual CPI-U increase described above) in the future by approval of a majority of the property owners.
4. Protests: Only one protest per property is allowed. The levying of the underlying assessment may not be protested; however, the proposed annual CPI increase may be protested. If written protests are received at City Hall prior to or at the public hearing from a majority of the properties (13 of 24), the proposed increase in the assessments will not be assessed.
5. Engineer's Report: Attached is a copy of the approved Engineer's Report for fiscal year 2018-19.

Questions

If any questions arise regarding the proposed real property assessments for fiscal year 2018-19, please contact Clayton City Engineer Scott Alman. He may be contacted on (925) 969-8181 and at cityengineer@ci.clayton.ca.us.

ENGINEER'S REPORT

DATE: MAY 1, 2018
TO: CITY COUNCIL
FROM: CITY ENGINEER
RE: DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT FISCAL YEAR 2018-19

This Engineer's Report has been prepared in accordance with the requirements of the Landscaping & Lighting Act of 1972 (Section 22500 et seq. of the Government Code).

HISTORICAL REVIEW

In 2012, at the request of Toll Brothers, the developer of the Diablo Estates at Clayton project (Subd. 8719), the City Council formed the Diablo Estates at Clayton Benefit Assessment District ("District" per Resolution No. 04-2012). The purpose of the District is to generate funds for the maintenance of various improvements constructed as part of the development which solely benefit the real property owner(s). The duties specified in the original Engineer's Report (prepared by SCI Consulting Group, dated March 2012) included maintenance of landscaping and irrigation, weed abatement, storm drainage facilities, and private street lighting. In addition to maintenance, the District is responsible for the repair or replacement of any facilities due vandalism, accidents, or age.

The District was formed under the auspices of the Landscaping and Lighting Act of 1972 (Section 22500 et seq. of the Government Code) and the Benefit Assessment Act of 1982 (Section 54703 et seq. of the Government Code). The initial per lot annual assessment, approved by the property owner (Toll Bros.), was \$3,027.62. The approval also allowed for an annual increase in the assessment amount equal to the annual increase in the Consumer Price Index ("CPI"; San Francisco-Oakland-San Jose CA MSA, All Urban Consumers), not to exceed 4% in any one year. The annual CPI multiplier for Apr. 2017 – Apr. 2018 is 3.22%

While the Benefit Assessment Act of 1982 does not require further action prior to the levy of annual assessments, the Landscaping and Lighting Act of 1972 requires the preparation of an Engineer's Report and notice to property owners of a public hearing each year. Since no increase, other than the already authorized and approved CPI increase, is proposed, the provisions of Proposition 218 do not apply.

DETERMINATION OF SPECIAL BENEFIT, METHOD OF ASSESSMENT AND DESCRIPTION OF DISTRICT IMPROVEMENTS

See original Engineer's Report attached hereto and made a part hereof.

ESTIMATED COSTS

The original budget included maintenance and District administrative costs, as well as reserve funds for future replacement of the maintained items. See Attachment 2 for the District's expenditures for FY 2017-18.

The relevant CPI increase for this past year (Apr. 2017 – Apr. 2018) is 3.22%. Following is a breakdown of the District's FY 2017-18 and FY 2018-19 budgeted costs incorporating the allowable CPI increase:

Item	FY 2017-18 Budget	CPI Increase (3.22%)	FY 2018-19 Budget
District Maintenance:			
Common Area Landscape	\$21,716.48	\$699.27	\$22,415.75
Weed Abatement	\$13,590.01	\$437.60	\$14,027.61
Storm Drain System	\$6,275.82	\$202.08	\$6,477.91
Private Street Lighting	\$1,665.95	\$53.64	\$1,719.59
District Administration*	\$19,283.90	\$620.94	\$19,904.84
District Reserves	\$20,380.60	\$656.26	\$21,036.85
Total Annual Budget	\$82,912.76	\$2,669.79	\$85,582.55

* Includes Matrix Management fees (monthly site inspections, maintenance oversight and contract services management), City Engineer services, legal notices and mailing costs, County fees for levying and collection of the assessment.

RESERVE FUNDS

The reserve fund balance at the end of FY 2017/18 will be approximately \$113,947. This balance will increase to approximately \$134,938 at the end of FY 2018/19. The purpose of the Reserve is for both scheduled and unexpected replacement of the capital investments, per the original Engineer's Report.

See Attachment 1 for a more detailed discussion of the reserve funds and balances.

PER UNIT ALLOCATION

Based upon the proposed budget, the per-unit assessment will be \$3,565.94 (\$85,582.54 / 24 units).

ASSESSMENT HISTORY

Proposed FY 18-19	\$3,565.94
FY 17-18	\$3,454.64
FY 16-17	\$3,328.82
FY 15-16	\$3,241.00
FY 14-15	\$3,162.00
FY 13-14	\$3,100.26
FY 12-13	\$3,027.62

ATTACHMENT 1
RESERVE FUND ACCOUNTS

**DIABLO ESTATES AT CLAYTON
BENEFIT ASSESSMENT DISTRICT ("District")
RESERVE FUNDS**

The purpose of the various reserve accounts is to ensure the District will have funds available to repair or reconstruct the facilities that are the responsibility of the District.

The fund amounts were established using the initial cost of construction and amortizing them over the anticipated life of the facilities. In addition, there is a general reserve fund set aside to act as a contingency reserve for any of the District's responsibilities.

The funds as initially established are as follows:

ITEM	QUANTITY	UNIT	UNIT COST	TOTAL COST	SERVICE LIFE (YRS)	INITIAL ANNUAL DEPOSIT
Tree Replacement	33	EA	\$285	\$9,405	40	\$235
Entry Monument Replacement	1	EA	\$4,000	\$4,000	25	\$160
V-ditch Repair/Replacement	2038	LF	\$50	\$101,900	25	\$4,076
Vortsentry Replacement	1	EA	\$100,000	\$100,000	100	\$1,000
Stormwater Basin Replacement*	48	EA	\$2,000	\$96,000	10	\$9,600
CB/MH/SD Pipe Replacement	1	LS	\$79,000	\$79,000	100	\$790
General						\$2,000
				Total**		\$17,861

* Removal and replacement of plants and filter material only

** First year assessment (increased each following year by the CPI increase)

Following are reserve analysis sheets showing each year's contribution to the various funds and the current balance of each fund.

**DIABLO ESTATES AT CLAYTON
BENEFIT ASSESSMENT DISTRICT
RESERVE FUNDS ANALYSIS**

FY 2012/2013 (INITIAL YEAR)

RESERVE FUNDS - FACILITIES		QUANTITY	UNIT	UNIT COST	TOTAL COST	SERVICE LIFE (yrs)	ANNUAL DEPOSIT
ITEM							
Tree Replacement		33	EA	\$285.00	\$9,405.00	40	\$235.13
Entry Monument Replacement		1	EA	\$4,000.00	\$4,000.00	25	\$160.00
V-Ditch Repairs		2038	LF	\$50.00	\$101,900.00	25	\$4,076.00
Vortsentry Replacement		1	EA	\$100,000.00	\$100,000.00	100	\$1,000.00
Stormwater Basin Replacement/Repair		48	EA	\$2,000.00	\$96,000.00	10	\$9,600.00
CB/MH/SD Pipe replacement		1	LS	\$79,000.00	<u>\$79,000.00</u>	100	<u>\$790.00</u>
					\$390,305.00		\$15,861.13
RESERVE FUNDS - GENERAL							
Annual General Reserve							<u>\$2,000.00</u>

BAD RESERVE FUNDS - TOTAL AS OF 06/30/2013: \$17,861.13

FY 2013/14 (CPI = 2.4% INCREASE)

RESERVE FUNDS - FACILITIES		FY 2012/13 ASSESS.	INCR.	FY 2013/14 ASSESS.	AMT.PRIOR TO FY 2013/14	AMT. @ END FY 2013/14
ITEM						
Tree Replacement		\$235.13	2.40%	\$240.77	\$235.13	\$475.89
Entry Monument Replacement		\$160.00	2.40%	\$163.84	\$160.00	\$323.84
V-Ditch Repairs		\$4,076.00	2.40%	\$4,173.82	\$4,076.00	\$8,249.82
Vortsentry Replacement		\$1,000.00	2.40%	\$1,024.00	\$1,000.00	\$2,024.00
Stromwater Basin Replacement/Repair		\$9,600.00	2.40%	\$9,830.40	\$9,600.00	\$19,430.40
CB/MH/SD Pipe replacement		\$790.00	2.40%	<u>\$808.96</u>	\$790.00	<u>\$1,598.96</u>
				\$16,241.79		\$32,102.92
RESERVE FUNDS - GENERAL						
Annual General Reserve		\$2,000.00	2.40%	<u>\$2,048.00</u>	\$2,000.00	<u>\$4,048.00</u>
				FY 2013-14 Assess.:		\$18,289.79

BAD RESERVE FUNDS - TOTAL AS OF 06/30/2014: \$36,150.92

Check #: \$18,289.79

Check #: \$36,150.92

FY 2014/15 (CPI = 2.0% INCREASE)

RESERVE FUNDS - FACILITIES						
ITEM	FY 2013/14 ASSESS.	INCR.	FY 2014/15 ASSESS.	AMT.PRIOR TO FY 2014/15	AMT. @ END FY 2014/15	
Tree Replacement	\$240.77	2.00%	\$245.58	\$475.89	\$721.48	
Entry Monument Replacement	\$163.84	2.00%	\$167.12	\$323.84	\$490.96	
V-Ditch Repairs	\$4,173.82	2.00%	\$4,257.30	\$8,249.82	\$12,507.12	
Vortsentry Replacement	\$1,024.00	2.00%	\$1,044.48	\$2,024.00	\$3,068.48	
Stromwater Basin Replacement/Repair	\$9,830.40	2.00%	\$10,027.01	\$19,430.40	\$29,457.41	
CB/MH/SD Pipe replacement	\$808.96	2.00%	<u>\$825.14</u>	\$1,598.96	<u>\$2,424.10</u>	
			\$16,566.63		\$48,669.54	
RESERVE FUNDS - GENERAL						
Annual General Reserve	\$2,048.00	2.00%	<u>\$2,088.96</u>	\$4,048.00	<u>\$6,136.96</u>	
			FY 2014-15 Assess.: \$18,655.59			

BAD RESERVE FUNDS - TOTAL AS OF 06/30/2015: \$54,806.50

Check #: \$18,655.59

Check #: \$54,806.50

FY 2015/16 (CPI = 2.5% INCREASE)

RESERVE FUNDS - FACILITIES						
ITEM	FY 2014/15 ASSESS.	INCR.	FY 2015/16 ASSESS.	AMT.PRIOR TO FY 2015/16	AMT. @ END FY 2015/16	
Tree Replacement	\$245.58	2.50%	\$251.72	\$721.48	\$973.20	
Entry Monument Replacement	\$167.12	2.50%	\$171.29	\$490.96	\$662.25	
V-Ditch Repairs	\$4,257.30	2.50%	\$4,363.73	\$12,507.12	\$16,870.86	
Vortsentry Replacement	\$1,044.48	2.50%	\$1,070.59	\$3,068.48	\$4,139.07	
Stromwater Basin Replacement/Repair	\$10,027.01	2.50%	\$10,277.68	\$29,457.41	\$39,735.09	
CB/MH/SD Pipe replacement	\$825.14	2.50%	<u>\$845.77</u>	\$2,424.10	<u>\$3,269.87</u>	
			\$16,980.79		\$65,650.34	
RESERVE FUNDS - GENERAL						
Annual General Reserve	\$2,088.96	2.50%	<u>\$2,141.18</u>	\$6,136.96	<u>\$8,278.14</u>	
			FY 2015-16 Assess.: \$19,121.98			

BAD RESERVE FUNDS - TOTAL AS OF 06/30/2016: \$73,928.48

Check #: \$19,121.98

Check #: \$73,928.48

FY 2016/17 (CPI = 2.7% INCREASE)**RESERVE FUNDS - FACILITIES**

ITEM	FY 2015/16 ASSESS.	INCR.	FY 2016/17 ASSESS.	AMT.PRIOR TO FY 2016/17	AMT. @ END FY 2016/17
Tree Replacement	\$251.72	2.70%	\$258.52	\$973.20	\$1,231.72
Entry Monument Replacement	\$171.29	2.70%	\$175.92	\$662.25	\$838.17
V-Ditch Repairs	\$4,363.73	2.70%	\$4,481.55	\$16,870.86	\$21,352.41
Vortsentry Replacement	\$1,070.59	2.70%	\$1,099.50	\$4,139.07	\$5,238.57
Stromwater Basin Replacement/Repair	\$10,277.68	2.70%	\$10,555.18	\$39,735.09	\$50,290.27
CB/MH/SD Pipe replacement	\$845.77	2.70%	<u>\$868.60</u>	\$3,269.87	<u>\$4,138.47</u>
			\$17,439.27		\$83,089.61

RESERVE FUNDS - GENERAL

Annual General Reserve	\$2,141.18	2.70%	<u>\$2,199.00</u>	\$8,278.14	<u>\$10,477.14</u>
			FY 2016-17 Assess.: <u>\$19,638.27</u>		

BAD RESERVE FUNDS - TOTAL AS OF 06/30/2017: \$93,566.75**Check #: \$19,638.27****Check #: \$93,566.75**

FY 2017/18 (CPI = 3.78% INCREASE)**RESERVE FUNDS - FACILITIES**

ITEM	FY 2016/17 ASSESS.	INCR.	FY 2017/18 ASSESS.	AMT.PRIOR TO FY 2017/18	AMT. @ END FY 2017/18
Tree Replacement	\$258.52	3.78%	\$268.29	\$1,231.72	\$1,500.01
Entry Monument Replacement	\$175.92	3.78%	\$182.57	\$838.17	\$1,020.74
V-Ditch Repairs	\$4,481.55	3.78%	\$4,650.96	\$21,352.41	\$26,003.37
Vortsentry Replacement	\$1,099.50	3.78%	\$1,141.06	\$5,238.57	\$6,379.63
Stromwater Basin Replacement/Repair	\$10,555.18	3.78%	\$10,954.17	\$50,290.27	\$61,244.44
CB/MH/SD Pipe replacement	\$868.60	3.78%	<u>\$901.44</u>	\$4,138.47	<u>\$5,039.91</u>
			\$18,098.48		\$101,188.09

RESERVE FUNDS - GENERAL

Annual	\$2,199.00	3.78%	<u>\$2,282.12</u>	\$10,477.14	<u>\$12,759.26</u>
			FY 2017-18 Assess.: <u>\$20,380.60</u>		

BAD RESERVE FUNDS - TOTAL AS OF 06/30/2018: \$113,947.35**Check #: \$20,380.60****Check #: \$113,947.35**

FY 2018/19 (CPI = 3.22% INCREASE)

RESERVE FUNDS - FACILITIES

ITEM	FY 2017/18 ASSESS.	INCR.	FY 2018/19 ASSESS.	AMT.PRIOR TO FY 2018/19	AMT. @ END FY 2018/19
Tree Replacement	\$268.29	3.22%	\$276.93	\$1,500.01	\$1,776.94
Entry Monument Replacement	\$182.57	3.22%	\$188.45	\$1,020.74	\$1,209.19
V-Ditch Repairs	\$4,650.96	3.22%	\$4,800.72	\$26,003.37	\$30,804.09
Vortsentry Replacement	\$1,141.06	3.22%	\$1,177.80	\$6,379.63	\$7,557.43
Stromwater Basin Replacement/Repair	\$10,954.17	3.22%	\$11,306.89	\$61,244.44	\$72,551.33
CB/MH/SD Pipe replacement	\$901.44	3.22%	<u>\$930.46</u>	\$5,039.91	<u>\$5,970.37</u>
			\$18,681.25		\$119,869.34

RESERVE FUNDS - GENERAL

Annual	\$2,282.12	3.22%	<u>\$2,355.60</u>	\$12,759.26	<u>\$15,114.86</u>
			FY 2018-19 Assess.: \$21,036.85		

BAD RESERVE FUNDS - TOTAL AS OF 06/30/2019: \$134,984.20

Check #: \$21,036.85

Check #: \$134,984.20

ATTACHMENT 2

BAD EXPENDITURES IN FY 2017-18

City of Clayton
General Ledger Report (7/1/2017 - 5/2/2018)
Diablo Estates Benefit Assessment District (Fund 231)

Date	Trans.	Journal	Reference	Debit Amount	Credit Amount	Balance
231-4611-00						
Account: 231-4611-00 (Fiduciary Food Assessment)						
7/1/2017				<i>Account Beginning Balance</i>		\$0.00
12/18/2017	3790-227	Cash Receipts	State of California-1952-12319		\$45,601.25	
1/30/2018	3802-472	Cash Receipts	Contra Costa County-1998-12478		\$6,632.91	
				<i>Account Subtotals</i>	\$0.00	\$52,234.16
6/30/2018				<i>Account Net Change</i>		(\$52,234.16)
6/30/2018				<i>Account Ending Balance</i>		(\$52,234.16)
231-5601-00						
Account: 231-5601-00 (Interest)						
7/1/2017				<i>Account Beginning Balance</i>		\$0.00
9/30/2017	3771-48	Journal Entry	FY 2018 Q1 interest allocation		\$306.15	
12/31/2017	3797-48	Journal Entry	FY 2018 Q2 interest allocation		\$372.17	
3/31/2018	3825-50	Journal Entry	FY 2018 Q3 interest allocation		\$456.86	
				<i>Account Subtotals</i>	\$0.00	\$1,135.18
6/30/2018				<i>Account Net Change</i>		(\$1,135.18)
6/30/2018				<i>Account Ending Balance</i>		(\$1,135.18)
231-7335-00						
Account: 231-7335-00 (Gas & Electricity)						
7/1/2017				<i>Account Beginning Balance</i>		\$0.00
8/1/2017	3748-217	Accounts Payable	PG&E-Energy for 6/21/17-7/20/17	\$11.25		
9/19/2017	3763-840	Accounts Payable	PG&E-Electricity 7/22/17-8/22/17	\$12.11		
10/5/2017	3770-64	Accounts Payable	PG&E-Electricity 8/22/17-9/22/17	\$11.10		
11/7/2017	3780-464	Accounts Payable	PG&E-Electricity/Gas 9/23/17-10/21/17	\$10.77		
12/5/2017	3785-148	Accounts Payable	PG&E-Energy 10/22/17-11/22/17	\$10.84		
12/31/2017	3799-441	Accounts Payable	PG&E-Energy 11/19/17-12/20/17	\$12.05		
2/6/2018	3806-145	Accounts Payable	PG&E-Energy 12/20/17-1/18/18	\$11.25		
3/6/2018	3812-151	Accounts Payable	PG&E-Energy 1/19/18-2/20/18	\$11.98		
4/3/2018	3821-111	Accounts Payable	PG&E-Energy 2/21/18-3/20/18	\$10.99		
				<i>Account Subtotals</i>	\$102.34	\$0.00
6/30/2018				<i>Account Net Change</i>		\$102.34
6/30/2018				<i>Account Ending Balance</i>		\$102.34

City of Clayton
General Ledger Report (7/1/2017 - 5/2/2018)
Diablo Estates Benefit Assessment District (Fund 231)

Date	Trans.	Journal	Reference	Debit Amount	Credit Amount	Balance
231-7338-00						
Account: 231-7338-00 (Water Services)						
7/1/2017						Account Beginning Balance
						\$0.00
7/1/2017	3756-101	Journal Entry	<Reversal>CCWD 5/6/17-7/10/17 (64.8% FY 17)		\$2,385.00	
9/19/2017	3763-544	Accounts Payable	CCWD-Water 5/6/17-7/10/17	\$2,812.42		
9/19/2017	3763-562	Accounts Payable	CCWD-Water 7/11/17-9/10/17	\$1,931.59		
11/21/2017	3781-345	Accounts Payable	CCWD-Water/Irrigation 9/14/17-11/9/17	\$948.53		
2/6/2018	3806-55	Accounts Payable	CCWD-Water 11/8/17-1/10/18	\$317.34		
3/20/2018	3815-527	Accounts Payable	CCWD-Water 1/14/18-3/1/18	\$134.82		
			Account Subtotals	\$6,144.70	\$2,385.00	
6/30/2018			Account Net Change			\$3,759.70
6/30/2018			Account Ending Balance			\$3,759.70
231-7381-00						
Account: 231-7381-00 (Property Tax Admin. Costs)						
7/1/2017						Account Beginning Balance
						\$0.00
12/18/2017	3790-74	Cash Receipts	Deposit 1952 - Summarized Cash Receipts Receipt	\$148.72		
			Account Subtotals	\$148.72	\$0.00	
6/30/2018			Account Net Change			\$148.72
6/30/2018			Account Ending Balance			\$148.72
231-7419-00						
Account: 231-7419-00 (Other Professional Services)						
7/1/2017						Account Beginning Balance
						\$0.00
7/18/2017	3743-210	Accounts Payable	Matrix Associat-Diablo Estates management for July	\$4,532.50		
8/1/2017	3748-181	Accounts Payable	PERMCO, Inc.-Staff report for assessment levy, Diablo Estates	\$525.00		
9/19/2017	3763-41	Accounts Payable	Matrix Associat-Diablo Estates Mgmt for August	\$4,532.50		
9/19/2017	3763-992	Accounts Payable	Matrix Associat-Diablo Estates Mgmt Svcs for September	\$4,532.50		
11/7/2017	3780-573	Accounts Payable	Matrix Associat-Diablo Estates Management for November	\$4,532.50		
12/31/2017	3799-118	Accounts Payable	Matrix Associat-Diablo Estates management for October	\$4,532.50		
12/31/2017	3799-244	Accounts Payable	Matrix Associat-Diablo Estates management for December	\$4,532.50		
1/16/2018	3799-463	Accounts Payable	Matrix Associat-Diablo Estates management for January	\$4,532.50		
3/6/2018	3812-193	Accounts Payable	Matrix Associat-Diablo Estates management for January	\$4,532.50		
3/20/2018	3815-539	Accounts Payable	Harris & Associ-Engineering services for February	\$190.00		
4/17/2018	3822-43	Accounts Payable	Matrix Associat-Diablo Estates management for April	\$4,532.50		

City of Clayton
General Ledger Report (7/1/2017 - 5/2/2018)
 Diablo Estates Benefit Assessment District (Fund 231)

Account: 231-7419-00 (Other Professional Services)

6/30/2018
 6/30/2018
 7/1/2017
 6/30/2018
 6/30/2018

<i>Account Subtotals</i>	\$41,507.50	\$0.00
<i>Account Net Change</i>		\$41,507.50
<i>Account Ending Balance</i>		\$41,507.50
	<i>Grand Total Beginning Balance</i>	\$0.00
	<i>Grand Total Net Change</i>	(\$7,851.08)
	<i>Grand Total Ending Balance</i>	(\$7,851.08)

ATTACHMENT 3

BAD PROJECTED BUDGET FOR 2018/2019

City of Clayton
 Diablo Estates Benefit Assessment District - Fund 231
 Proposed Budget 18-19

Account Number	Account Name	2016-17 Actual	2017-18 Adopted Budget	2017-18 YTD 4/11/2018	2017-18 Projected	2018-19 Proposed Budget
7335	Gas & Electric Serv.	137	400	102	140	300
7338	Water Service	8,713	9,400	3,760	9,000	9,600
7381	Property Tax Admin Cost	270	270	149	271	280
7384	Legal Notices	-	100	-	100	100
7411	Legal Services Retainer	-	-	-	-	-
7413	Special Legal Services	-	-	-	-	-
7419	Other Prof. Services	54,570	58,390	41,508	58,390	59,390
7420	Administrative Costs	2,044	2,044	-	2,121	2,196
Total Expenditures		65,734	70,604	45,519	70,022	71,866
4611	Fiduciary Fund Assessment	79,892	82,912	52,234	82,911	85,862
5601	Interest Income	1,208	600	678	1,350	1,200
5606	Unrealized Investment Gain/Loss	(871)	-	-	-	-
Total Revenue		80,229	83,512	52,912	84,261	87,062
Increase (Decrease) in Fund Balance		14,495	12,908	7,393	14,239	15,196
Beginning Fund Balance		83,685	82,351	98,180	98,180	112,419
Ending Fund Balance		98,180	95,259	105,573	112,419	127,615

For financial reporting purposes, the Diablo Estates Benefits Assessment District Fund (No. 231) meets the definition of and is reported as an *Agency Fund*. In accordance with GASB Statement No. 34, no fund balance is reported for Agency Funds. For budgeting purposes, however, this fund is reported on a modified accrual basis to better reflect the cash position of the fund as well as debt service transactions which would otherwise be excluded from expenditures following GASB 34.

7419	Other Professional Services					
	Matrix Association Management	53,445	54,390	40,793	54,390	54,390
	District Engineer Mgt. Fees	1,125	4,000	715	4,000	5,000
		54,570	58,390	41,508	58,390	59,390

ATTACHMENT 4

INITIAL ENGINEER'S REPORT (19 pp)



CITY OF CLAYTON

**DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT
DISTRICT
FOR LANDSCAPE AND LIGHTING AND BENEFIT ASSESSMENT**

**ENGINEER'S REPORT
FISCAL YEAR 2012-13**

MARCH 2012

PURSUANT TO
THE LANDSCAPING AND LIGHTING ACT OF 1972,
THE BENEFIT ASSESSMENT ACT OF 1982, AND
ARTICLE XIID OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:
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CITY OF CLAYTON

MAYOR

Howard Geller

CITY COUNCIL

Joseph A. Medrano

Julie K. Pierce

David T. Shuey

Hank Stratford

CITY MANAGER

Gary Napper

CITY ENGINEER

Rick Angrisani

CITY ATTORNEY

Malathy Subramanian

CITY CLERK

Laci Jackson

ENGINEER OF WORK

SCI Consulting Group

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INTRODUCTION

BACKGROUND

Formation of the "Diablo Estates at Clayton Benefit Assessment District" (the "Assessment District") within the City of Clayton (the "City") is proposed to provide funding for the maintenance, operation and improvement of the landscaping, street lighting, drainage and stormwater treatment facilities to benefit the properties in the Diablo Estates at Clayton subdivision that forms the Assessment District. The Diablo Estates at Clayton subdivision consists of 24 parcels east of Regency Drive and north of Rialto Drive with an approximate area of 19 acres.

This Engineer's Report (the "Report") was prepared to establish the budget for the services and improvements that would be funded by the proposed 2012-13 assessments and to determine the benefits received from the maintenance and improvements by property within the Assessment District and the method of assessment apportionment to lots and parcels. This Report and the proposed assessments have been made pursuant to the Landscaping and Lighting Act of 1972 and the Benefit Assessment Act of 1982 (the "Acts") and Article XIID of the California Constitution (the "Article").

Following submittal of this Report to the City of Clayton City Council (the "City Council") for preliminary approval, the City Council may call for an assessment ballot proceeding and Public Hearing on the proposed establishment of assessments for the improvements.

If it is determined at the public hearing that the assessment ballots submitted in opposition to the proposed assessments do not exceed the assessment ballots submitted in favor of the assessments (weighted by the proportional financial obligation of the property for which ballots are submitted), the City Council may take action to form the Assessment District and approve the levy of the assessments for fiscal year 2012-13. If the assessments are so confirmed and approved, the levies would be submitted to the County Auditor/Controller in August 2012 for inclusion on the property tax roll for Fiscal Year 2012-13.

LEGISLATIVE ANALYSIS**PROPOSITION 218**

The Right to Vote on Taxes Act was approved by the voters of California on November 6, 1996, and is now Article XIII C and XIII D of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property. This Assessment District will be balloted and approved by property owners in accordance with Proposition 218.

SILICON VALLEY TAXPAYERS ASSOC., INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. vs. Santa Clara County Open Space Authority (SVTA). This ruling is the most significant court case in further legally clarifying the substantive assessment requirements of Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special benefits to property, not general benefits.
- The services and/or improvements funded by assessments must be clearly defined.
- Assessment districts must be drawn to contain all parcels that receive a special benefit from a proposed public improvement.
- Assessments paid in the assessment district must be proportional to the special benefit received by each such parcel from the improvements and services funded by the assessment.

This Engineer's Report and the process used to establish these proposed assessments for fiscal year 2012/2013 are consistent with the SVTA decision and with the requirements of Article XIII C and XIII D of the California Constitution based on the following factors:

1. The Assessment District is narrowly drawn to include only the properties that receive special benefit from the specific improvements and Services. Thus, zones of benefit are not required and the assessment revenue derived from real property in each Assessment District is extended only on the Services in the Assessment District.
2. The Improvements which are constructed and/or maintained with assessment proceeds in the Assessment District are located in close proximity to the real property subject to the assessment. The Improvements and Services provide illumination to streets and sidewalks

enabling improved access to the owners, residents, and guests of such assessed property. The proximity of the Improvements to the assessed parcels and the improved access and increased safety provided to of the residents of the assessed parcels by the Improvements provides a special benefit to the parcels being assessed pursuant to the factors outlined by the Supreme Court in that decision.

3. Due to their proximity to the assessed parcels, the Improvements and Services financed with assessment revenues in the Assessment District benefit the properties in the Assessment District in a manner different in kind from the benefit that other parcels of real property in the City derive from such Improvements and Services, and the benefits conferred on such property in the Assessment District are more extensive than a general increase in property values.
4. The assessments paid in the Assessment District are proportional to the special benefit that each parcel within that Assessment District receives from the Services because:
 - a. The specific lighting Improvements and maintenance Services and utility costs thereof in the Assessment District and the costs thereof are specified in this Report; and
 - b. The cost of the Services in the Assessment District is allocated among different types of property located within the Assessment District, and equally among those properties which have similar characteristics, such as single-family residential parcels, multi-family residential parcels, commercial parcels, or industrial parcels.

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of

the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based in part on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeal issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIII C and XIII D of the California Constitution and with the *SVTA* decision because the improvements to be funded are clearly defined; the improvements are directly available to and will directly benefit property in the Assessment District; and the improvements and services provide a direct advantage to property in the Assessment District that would not be received in absence of the assessments.

This Engineer's Report is consistent with *Beutz* and *Dahms* because the improvements and services will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the assessments. The Engineer's Report is consistent with *Bonander* because the assessments have been apportioned based on the overall cost of the improvements and services and proportional special benefit to each property.

PLANS & SPECIFICATIONS

The work and improvements proposed to be undertaken by the City of Clayton and the Diablo Estates at Clayton Benefit Assessment District (the "Assessment District"), and the costs thereof paid from the levy of the annual assessments, provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. Consistent with the Landscaping and Lighting Act of 1972 and the Benefit Assessment Act of 1982 (the "Acts"), the work, services and improvements are generally described as follows:

Maintenance and servicing of public improvements, including but not limited to, storm drain system, landscaping and lighting and all necessary appurtenances, and labor, materials, supplies, utilities and equipment, and incidental costs as applicable, for property within the Assessment District that is owned or maintained by the City of Clayton (the "Improvements"). Any plans and specifications for these improvements will be filed with the City Engineer of the City of Clayton and are incorporated herein by reference. More specifically the improvements and associated plans are the storm drain system in the Improvement Plans, Diablo Pointe by David Evans and Associates Inc., the lighting in the Joint Trench Composite Plan, Diablo Pointe by Lighthouse Design Inc., and the shared landscaping, fencing, irrigation and entry monument in the Diablo Estates at Clayton Landscape Improvements plan by Thomas Bank and Associates LLP.

As applied herein, "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste; the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti; the cleaning and replacement of storm drain pipes, drop inlets, catch basins and manholes.

"Servicing" means the cost of maintaining any facility used to provide any service, the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, or the maintenance of any other improvements.

The figure shown below displays the improvements, maintenance, replacement costs and services to be provided with the Diablo Estates at Clayton Benefit Assessment District.

FIGURE 1 – SUMMARY OF ESTIMATED ANNUAL COSTS FOR DIABLO ESTATES AT CLAYTON

**CITY OF CLAYTON
 Diablo Estates at Clayton Benefit Assessment District
 Summary of Estimated Annual Cost
 Fiscal Year 2012-13**

Installation, Maintenance & Servicing Costs		
Common Landscaping	\$19,426.99	
Weed Abatement (On-lot)	\$11,910.00	
Storm Drain System	\$27,966.00	
Street Lighting	\$1,460.00	
Subtotal - Installation, Maintenance and Servicing		\$60,762.99
Incidental Expenses and Administration Costs		\$11,900.00
Totals for Installation, Maintenance, Servicing and Incidentals		\$72,662.99
Net Cost of Maintenance, Servicing and Incidentals		\$72,662.99
(Net Amount to be Assessed)		
Budget Allocation to Property		
Total Assessment Budget		\$72,662.99
Single Family Equivalent Benefit Units		24
Assessment per Single Family Equivalent Unit		\$3,027.62

ESTIMATE OF COST AND BUDGET – FISCAL YEAR 2012-13

FIGURE 2 – COST ESTIMATE BREAKDOWN FOR DIABLO ESTATES AT CLAYTON

CITY OF CLAYTON Diablo Estates at Clayton Benefit Assessment District Estimate of Maintenance, Replacement, and Administrative Costs					
Item	Units	Unit Cost	Service Life (years)	Annual Cost	Annual Cost per Lot
Common Landscaping					
Landscape Maintenance	24,800 SF	\$0.30		\$7,380.00	
Landscape Replacement	24,800 SF	\$0.05		\$1,230.00	
Tree Maintenance	33 EA	\$95.00		\$3,135.00	
Tree Replacement - Materials	33 EA	\$285.00	40	\$235.13	
Water Usage	1,476 100CF	\$2.88		\$4,221.36	
Meter Charges	12 Mo	\$51.00		\$612.00	
Irrigation Maintenance & Repair	24,800 SF	\$0.03		\$738.00	
Fence Maintenance & Repair	1,870 LF	\$0.65		\$1,215.50	
Entry Monument Maintenance	1 EA	\$500.00		\$500.00	
Entry Monument Repair	1 LF	\$4,000.00	25	\$160.00	
				\$19,426.99	\$809.46
Weed Abatement (On-lot)					
Weed Abatement	397,000 SF	\$0.03		\$11,910.00	
				\$11,910.00	\$496.25
Storm Drain System					
Ditch - debris removal & maint	1 LS	\$1,000.00		\$1,000.00	
Ditch Repair	2,038 LF	\$50.00	25	\$4,076.00	
Valves/entry Maintenance	1 LS	\$1,500.00		\$1,500.00	
Valves/entry Replacement	1 LS	\$100,000.00	100	\$1,000.00	
Bio-Retention Basin Maintenance*	48 EA	\$0.00		\$0.00	
Bio-Retention Basin Replacement	48 EA	\$2,000.00	10	\$9,600.00	
Stormwater Reporting Fee	1 LS	\$5,000.00		\$5,000.00	
Annual City Report Fee	1 LS	\$2,000.00		\$2,000.00	
Catch Basin/Manhole Cleaning	15 EA	\$200.00		\$3,000.00	
CB/MH/pipe repair	1 LS	\$78,000.00	100	\$780.00	
				\$27,966.00	\$1,165.25
Street Lighting					
Maintenance and Repair	1 LS	\$500.00		\$500.00	
Electricity	4 EA	\$240.00		\$960.00	
				\$1,460.00	\$60.83
Annual Administration					
Property Manager	12 Mo	\$600.00		\$7,200.00	
Annual City Engineer Services	1 LS	\$2,500.00		\$2,500.00	
Legal Notice/Mailing	1 LS	\$100.00		\$100.00	
County Collection	1 LS	\$100.00		\$100.00	
General Reserve	1 LS	\$2,000.00		\$2,000.00	
				\$11,900.00	\$485.83
Total				\$72,662.99	\$3,027.62
	Number of Lots:			24	
	Cost per Lot			\$3,027.62	
<small>*homeowner responsibility **assumes covenant with Tol Brothers, Inc. for 5 year maintenance period Unit costs per direction of City of Clayton City Engineer</small>					

METHOD OF APPORTIONMENT

METHOD OF APPORTIONMENT

This section of the Engineer's Report includes an explanation of the benefits to be derived from the installation, maintenance and servicing of improvements and the methodology used to apportion the total assessment to properties within the Assessment District.

The Diablo Estates at Clayton Benefit Assessment District consists of all Assessor Parcels within the boundaries as defined by the Assessment Diagram included within this Report and the Assessor Parcel Numbers listed within the included Assessment Roll. The method used for apportioning the assessments is based upon the proportional special benefits to be derived by the properties in the Diablo Estates at Clayton Benefit Assessment District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two step process: the first step is to identify the types of special benefit arising from the Improvements, and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

DISCUSSION OF BENEFIT

In summary, the assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the District's storm drain system, streets and sidewalks, corridor landscaping, lighting, or a property owner's specific demographic status. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the Improvements."

The Benefit Assessment Act of 1982 states in Government Code Section 54711:

"The amount of the assessment imposed on any parcel of property shall be related to the benefit to the parcel which will be derived from the provision of service"

Proposition 218, as codified in Article XIII D of the California Constitution, has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of the Improvements to be provided with the assessment proceeds. These categories of special benefit are derived in part from the statutes passed by the California Legislature and other studies which describe the types of special benefit received by property from the installation, maintenance and servicing of improvements such as those proposed by the City of Clayton and the Diablo Estates at Clayton Benefit Assessment District. These types of special benefit are summarized as follows:

- Creation of individual lots for residential use that, in absence of the services and improvements to be funded by the assessments, would not be created.
- Improved utility and usability of property
- Improved safety and security lighting for property
- Enhanced visual experience, and desirability of the area.
- Protection of views, scenery and other resources values and environmental benefits enjoyed by residents and guests and preservation of public assets maintained by the City
- Moderation of temperatures, dust control, and other environmental benefits.

These benefit factors, when applied to property in the Assessment District, specifically increase the utility of the property within the Assessment District. For example, the assessments will provide funding to maintain lighting that improves safety and access to the property after dark and landscaping that provides visual and environmental benefits to the properties within the Assessment District. Such improved and well-maintained public facilities enhance the overall usability, quality, desirability and safety of the properties. Moreover, funding for the maintenance and servicing of such public facilities is a condition of development of Diablo Estates at Clayton that is needed to mitigate the negative impacts of this development on the City. Without the Assessment District, this condition of development would not be satisfied, which could affect the approval of new homes on the property. This is another special benefit to the properties in the Assessment District.

GENERAL VERSUS SPECIAL BENEFIT

The proceeds from the Diablo Estates at Clayton Benefit Assessment District would be used to fund improvements and increased levels of maintenance to the public facilities that serve and benefit the properties in the Assessment District. In absence of the Diablo Estates at Clayton Benefit Assessment District, such Improvements would not be properly maintained. Therefore, the Assessment District is specifically proposed to ensure that the necessary and beneficial public facilities for property in the Assessment District are properly maintained and repaired over time. The assessments will ensure that landscaping and street lighting within and adjacent to the Assessment District are functional, well maintained, clean and safe. These public resources directly benefit the property in the Assessment District and will confer distinct and special benefits to the properties within the Assessment District.

In absence of the assessments, a condition of development would not be met and future home construction in the Assessment District could be denied. The creation of residential lots and the approval for the construction of homes in Diablo Estates at Clayton is the overriding clear and distinct special benefit conferred on exclusively on property in the Assessment District and not enjoyed by other properties outside the Assessment District. Moreover, benefits to the public at large, if any, will be offset by benefits residents within the Assessment District receive from the use of other similar public facilities not funded by the Assessment District. Therefore, the assessments solely provide special benefit to property in the Assessment District (100% special benefit) over and above the general benefits conferred to the public at large or properties outside the Assessment District.

METHOD OF ASSESSMENT

This process of apportioning assessments for each property involves determining the relative benefit received by each property in relation to a single family home, or, in other words, on the basis of Single Family Equivalent dwelling units (SFE). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. For the purposes of this Engineer's Report, all properties are designated an SFE value, which is each property's relative benefit in relation to a single family home on one parcel. In this case, the "benchmark" property is the single family detached dwelling which is one Single Family Equivalent unit or one SFE.

ASSESSMENT APPORTIONMENT

The proposed assessments for the Diablo Estates at Clayton Benefit Assessment District would provide direct and special benefit to properties in the Assessment District. Diablo Estates at Clayton is a residential single family development project consisting of a total of 24 single family homes, each on a separate parcel. As such, each residential property receives similar benefit from the proposed Improvements. Therefore, the Engineer has determined that the appropriate method of apportionment of the benefits derived by all parcels is on a dwelling unit or single family residence basis. All improved properties or properties proposed for development are assigned an SFE factor equal to the number of dwelling units developed or planned for the property. In other words, developed parcels and vacant parcels with proposed development will be assessed 1 SFE. The assessments are listed on the Assessment Roll in Appendix A.

APPEALS AND INTERPRETATION

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the City of Clayton City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City of Clayton City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City of Clayton City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City of Clayton City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City of Clayton City Engineer or her or his designee may refer their appeal to the City Council of the City of Clayton and the decision of the City Council of the City of Clayton shall be final.

CERTIFICATES

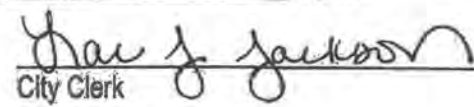
DIABLO ESTATES AT CLAYTON BENEFIT ASSESSMENT DISTRICT

1. The undersigned respectfully submits the enclosed Engineer's Report and does hereby certify that this Engineer's Report, and the Assessment and Assessment Diagram herein, have been prepared by me in accordance with the order of the City Council of the City of Clayton.



Engineer of Work, License No. C052091

2. I, the City Clerk, City of Clayton, County of Contra Costa, California, hereby certify that the enclosed Engineer's Report, together with the Assessment and Assessment Diagram thereto attached, was filed and recorded with me on March 14, 2012.



City Clerk

3. I, the City Clerk, City of Clayton, County of Contra Costa, California, hereby certify that the Assessment in this Engineer's Report was approved and confirmed by the City Council on _____, 2012, by Resolution No. _____.

City Clerk

4. I, the City Clerk of the City of Clayton, County of Contra Costa, California, hereby certify that a copy of the Assessment and Assessment Diagram was filed in the office of the County Auditor of the County of Contra Costa, California, on _____, 2012.

City Clerk

5. I, the County Auditor of the County of Contra Costa, California, hereby certify that a copy of the Assessment Roll and Assessment Diagram for fiscal year 2012-13 was filed with me on _____, 2012.

County Auditor, County of Contra Costa

And I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Diablo Estates at Clayton Benefit Assessment District in accordance with the special benefits to be received by each parcel or lot from the Improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessments are made upon the parcels or lots of land within the Diablo Estates at Clayton Benefit Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said Improvements.

The assessments are subject to an annual adjustment tied to the Consumer Price Index for Urban Consumers (CPI-U) for the San Francisco Bay Area as of April of each succeeding year, with the maximum annual adjustment not to exceed 4%. In the event that the annual change in the CPI exceeds 4%, any percentage change in excess of 4% can be cumulatively reserved and can be added to the annual change in the CPI for years in which the CPI change is less than 4%.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Contra Costa for the fiscal year 2012-13. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Rolls, the amount of the assessment for the fiscal year 2012-13 for each parcel or lot of land within the said Diablo Estates at Clayton Benefit Assessment District.

Dated: March 6, 2012



Engineer-of Work
By [Signature]
John W. Bliss, License No. C052091

ASSESSMENT

WHEREAS, the undersigned Engineer of Work has prepared and filed a report presenting an estimate of costs, a diagram for the assessment districts and an assessment of the estimated costs of the Improvements upon all assessable parcels within the assessment district;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Acts and the order of the City Council of the City of Clayton, hereby make the following assessment to cover the portion of the estimated cost of said Improvements, and the costs and expenses incidental thereto to be paid by the assessment district.

The amounts to be paid for said Improvements and the expense incidental thereto, to be paid by the Diablo Estates at Clayton Benefit Assessment District for the fiscal year 2012-13, are generally as follows:

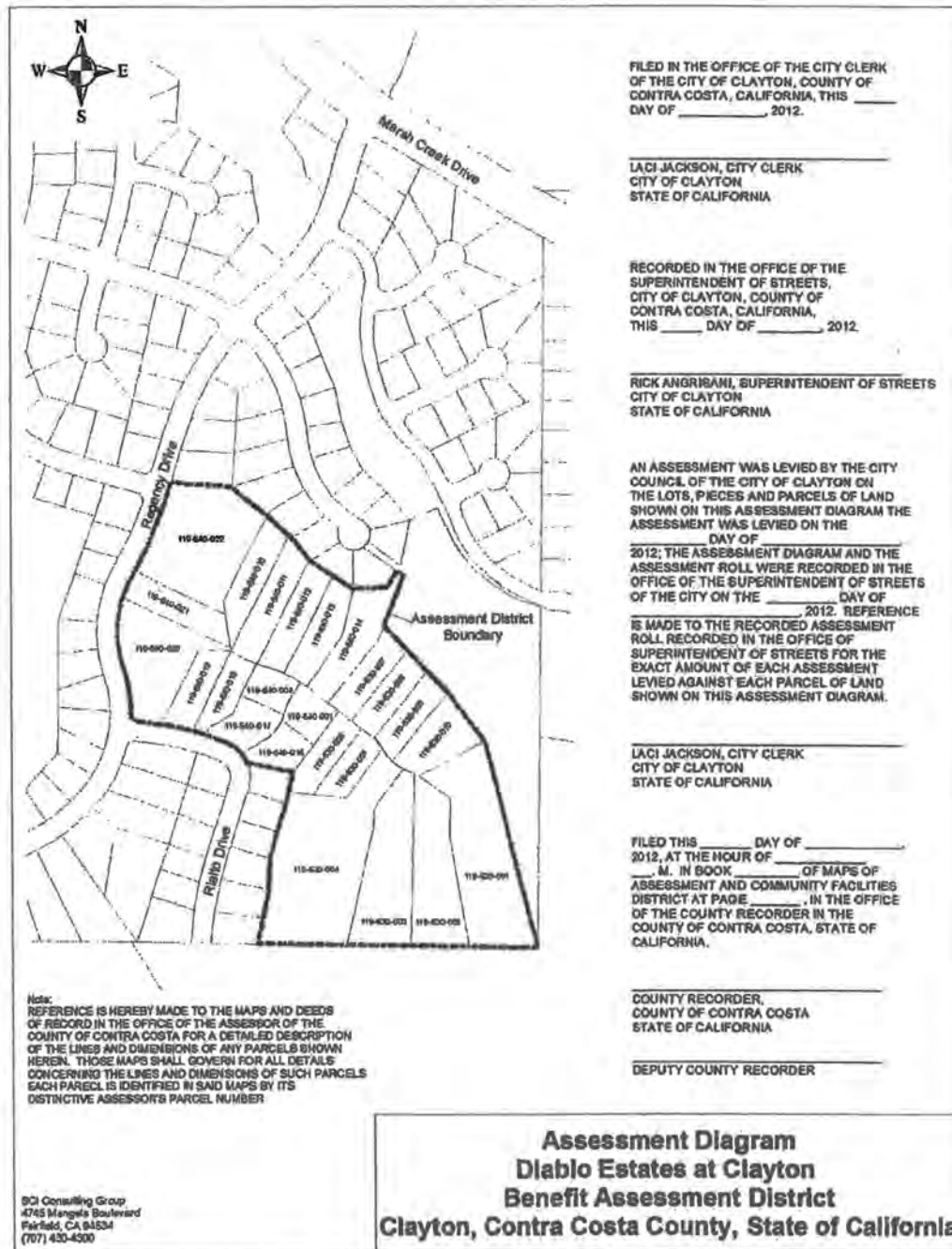
FIGURE 3 – SUMMARY COST ESTIMATES – FISCAL YEAR 2012-13

CITY OF CLAYTON	
Diablo Estates at Clayton Benefit Assessment District	
Summary Cost Estimate FY 2012-13	
Installation, Maintenance & Servicing Costs	\$60,763
Incidental Costs	\$11,900
Total Budget	\$72,663
Budget to Assessment	
Total Budget	\$72,663
Total SFE Units	24
Rate per SFE Unit	\$3,027.62

As required by the Acts, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Diablo Estates at Clayton Benefit Assessment District. The distinctive number of each parcel or lot of land in said Diablo Estates at Clayton Benefit Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

ASSESSMENT DIAGRAM

The boundaries of the Diablo Estates at Clayton Benefit Assessment District are displayed on the following Assessment Diagram.



APPENDICES

APPENDIX A – ASSESSMENT ROLL, FISCAL YEAR 2012-13

An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the City Clerk and is, by reference, made part of this Report and is available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference made part of this Report. These records shall govern for all details concerning the description of the lots or parcels.

FIGURE 4 – ASSESSMENT ROLL

CITY OF CLAYTON				
Diablo Estates at Clayton Assessment District				
Assessment Roll				
PARCEL NUMBER	OWNER	SITUS	SFE Units	ASSESSMENT
119-630-001	TOLL CA XIX L P	27 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-002	TOLL CA XIX L P	26 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-003	TOLL CA XIX L P	22 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-004	TOLL CA XIX L P	18 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-005	TOLL CA XIX L P	14 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-006	TOLL CA XIX L P	10 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-007	TOLL CA XIX L P	9 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-008	TOLL CA XIX L P	15 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-009	TOLL CA XIX L P	19 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-630-010	TOLL CA XIX L P	23 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-001	TOLL CA XIX L P	6 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-004	TOLL CA XIX L P	7 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-010	TOLL CA XIX L P	16 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-011	TOLL CA XIX L P	12 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-012	TOLL CA XIX L P	8 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-013	TOLL CA XIX L P	4 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-014	TOLL CA XIX L P	5 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-016	TOLL CA XIX L P	2 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-017	TOLL CA XIX L P	3 SEMINARY RIDGE PL CLAYTON CA 94517	1	\$3,027.62
119-640-018	TOLL CA XIX L P	11 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-019	TOLL CA XIX L P	17 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-020	TOLL CA XIX L P	21 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-021	TOLL CA XIX L P	24 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
119-640-022	TOLL CA XIX L P	20 PROMONTORY PL CLAYTON CA 94517	1	\$3,027.62
			24	\$72,662.68

ATTACHMENT 5

MAINTENANCE MANAGEMENT SCOPE OF SERVICES

EXHIBIT "A"
SCOPE OF SERVICES

PROPERTY MANAGEMENT SERVICES

The property management duties to be included in this contract shall generally include, but not necessarily limited to, the following:

- a) Contracting with, overseeing and being responsible for, various State-licensed contractors as needed to complete the maintenance services specified below. Consultant shall provide copies of all executed contracts (including detailed scopes of work, and work, manpower and payment schedules) and contractor insurance certificates;
- b) Periodic inspections of the property and improvements to verify current conditions and to ensure satisfactory performance of the various contractors hired by the Proposer to complete the maintenance duties specified in the maintenance document;
- c) Periodic inspections of the property and improvements to ensure satisfactory performance of the homeowners in providing the maintenance services specified below as being the homeowners' responsibility.;
- d) Preparation and submittal of a monthly report to the City Engineer describing the findings of the periodic inspections, the maintenance work completed that month and anticipated for the following month;
- e) Satisfaction of Regional Water Quality Control Board requirements relating to the operation and maintenance of stormwater treatment facilities, including the preparation and submittal of annual reports.

COMMON LANDSCAPING (ALONG REGENCY AND RIALTO DRIVES)

DESCRIPTION AND DETAILED SCOPE OF WORK

Description

As part of the projects approval conditions, the Developer was required to install landscaping and irrigation over a strip of land adjacent to the sidewalks along the project's frontage on Regency and Rialto Drives. The strip of land is variable in width (but generally 25 feet wide, more or less, from the back of sidewalk) and is delineated by an open wire fence except along the frontage of Lot 9 where it is delineated by a wooden "Good Neighbor" fence.

Along with the perimeter fencing, the improvements include trees, shrubs, groundcover and a complete automatic irrigation system. In addition, a subdivision entry monument has been constructed on Lot 8. All of the land covered by the improvements has been encumbered by a recorded landscape maintenance easement in favor of the City of Clayton.

Detailed Scope of Work – City's Responsibility

Maintenance of the Common Landscaping shall occur twice a month by a maintenance crew comprised of at least 3 men for a period of at least 4 hours on each visit.

Trees

The scope of normal tree care shall include, but not be limited to, the following:

- Pruning will be performed under the direction of a qualified maintenance supervisor using appropriate tools and equipment in general accordance with industry standards.

- Pruning shall promote structural strength and accentuate the plants natural forms and features within the limitation of space.
- Trees stakes and guides will be checked regularly and removed or replaced as necessary.
- Minor pesticide application.
- Tree pruning over the 12 foot height.
- Insect and disease control including pest control spraying.
- Deep root feeding on an annual basis.
- Replacement of dead trees.

Shrubs and Groundcover

The scope of shrub and groundcover care shall include, but not be limited to, the following:

- On a continual basis, shrubs shall be checked for appropriate pruning and thinning, shearing or hedging. Hard pruning or cutting back will be done in winter to allow new growth or flushing out during the oncoming spring season.
- On a continual basis, ground covers shall be checked for proper coverage within the planting areas, and general health and condition. Required mowing or shearing of ground covers will be done in the winter to allow new growth during the spring season.
- Shrub pruning, thinning and trimming shall be accomplished on a regular basis to maintain a neat appearance.
- Shrubs shall be pruned to promote strength and accentuate the shrubs natural forms and features, minimize balling, shearing, etc.
- Ground covers shall be mowed on an annual basis as necessary.
- Plant material shall be fertilized on a regular basis before showing any sign of nutritional deficiencies.
- Minor pesticide application.
- Replacement of dead shrubs and groundcover plantings.

Irrigation

The scope of the irrigation check shall include, but not be limited to, the following:

- The system shall be routinely checked twice each month.
- Adjust programming to apply water in accordance with plant requirements based upon weather and soil conditions, and to minimize water runoff.
- Clean and adjust the sprinkler heads and nozzles as needed. Adjust spray patterns to insure coverage and prevent overspray on to the paved areas and buildings.
- Remote control valves shall be checked for proper operation. Valve boxes shall be cleared on top and clean on the inside.
- Minor irrigation repairs (e.g., pipe cracks, joint leaks, damaged spray heads or nozzles, etc.) shall be repaired immediately. The need for more significant repairs shall be brought to the attention of the City for authorization prior to the work being undertaken.

WEED ABATEMENT

DESCRIPTION AND DETAILED SCOPE OF WORK

Description

The City has placed significant restrictions on the use of the large sloped areas within each of the lots. These areas are intended to remain unimproved and covered with "native" vegetation installed by the Developer. Such vegetation tends to become a fire hazard during the summer months if left unchecked.

The Contra Costa Fire District requires that all vegetation be maintained at a height of no more than 3 inches. Weeds and grasses must be mowed with the material raked, bagged, and removed from the

property. This work must be accomplished by the end of June, at the very latest. Re-growth could necessitate additional abatement during the fire season.

Detailed Scope of Work – City's Responsibility

The scope of weed abatement work shall include, but not be limited to, the following:

- Each spring, prior to the date established by the Contra Costa Fire District, all sloped areas between the open wire fences at the rear of each building pad and the lot property line, shall be mowed by hand to a height of less than 3 inches. The excess materials generated by the mowing shall be raked, placed in bags, and legally disposed of offsite.
- When needed due to re-growth of the vegetation, the process as specified shall be repeated.

STORM DRAINAGE FACILITIES

DESCRIPTION AND DETAILED SCOPE OF WORK

Description

As part of the subdivision construction, a storm drainage system has been constructed within the streets of the project. The system includes concrete collection ditches (known as "J" and "V" ditches), storm drain pipes interconnecting and running between manholes and catch basins. The system also includes five large storage pipes (36" and 48" in diameter with a total length of 728 feet). The storage pipes also include observation structures for inspection and cleaning, if required. These storage pipes have been designed to collect the storm runoff from the streets and delay the discharge of the runoff into the remainder of the storm drain system by metering the discharge flows. The intent of this delay is to keep the peak flow rate of the storm water discharge leaving the project at the same or lower rate that existed prior to construction of the project.

In order to continue to work as designed, the system must be kept clear of sediment, trash and debris.

Detailed Scope of Work – City's Responsibility

The scope of storm drain facility maintenance work shall include, but not be limited to, the following:

- Each year, by October 15th, each storm drain structure and facility (concrete ditches, manholes, catch basins, and storage pipes) shall be inspected for build-up of sediment and debris.
- Each structure shall be cleaned as necessary using a truck-mounted vacuum system.
- The concrete ditches shall be cleaned of all weeds and trash by hand. The materials generated shall be placed in bags, and legally disposed of offsite.
- Cracks in the concrete ditches and structures shall be repaired.
- If necessary, the structures shall be treated for vector (mosquitoes) infestation as necessary with Larvicide dunks.
- Upon completion of the inspection and work, the contractor shall file a written report, including photos of the findings and maintenance work, with the City indicating the results of the inspection and work, including a description of amount and type of debris removed, depth of sediment observed in the structures, and a description of repairs that the Contractor believes necessary to maintain the integrity of the storm drainage facilities.
- Any major repairs deemed necessary by the City shall be performed under separate written authorization.

STORMWATER TREATMENT FACILITIES

DESCRIPTION AND DETAILED SCOPE OF WORK

Description

As part of the subdivision construction, stormwater treatment facilities have been constructed both in the street and on each lot. The in-street facility consists of a single Vortech 3000 Hydrodynamic Separator unit located near Rialto Drive. The on-lot treatment facilities consist of one or two bioretention filtration planters ("planters") on each lot as well as small collection pipes which convey the runoff to the planters. In addition, the collection systems on some lots may include trench drains adjacent to the end of the driveways to collect runoff from the driveways.

The planters have been sized to accept and treat all of the on-lot runoff from impervious surfaces. The planters include 18" of filter soils placed on top of a thick layer of permeable rock. The runoff that enters the planter is cleaned as it percolates through the filter soils and into the permeable rock. The permeable rock layer includes a 24" storage pipe and smaller perforated drains to collect the runoff. The outflow from the storage pipes is metered by a small orifice opening to limit the rate of discharge as required by the latest stormwater regulation.

In addition to the filter soils, treatment of the runoff is accomplished by the vegetation planted in the filter soils. It is the responsibility of the individual property owners to maintain the vegetation and surface condition of the planters as well as the on-lot collection pipe system. It should be understood that the types of plantings installed by the Developer were selected from a pre-approved list of plant materials published by the Contra Costa Clean Water Program. Any vegetation that must be replaced, at any time, can only be replaced with the same or another pre-approved plant.

The stormwater treatment regulations require routine and annual inspections of all facilities, the results of which are required to be reported to the Regional Water Quality Control Board. If these inspections note that the property owner has not properly maintained the on-lot collection system, planters or vegetation, or replaced any plantings with non-approved types, a notice of deficiency will be issued to the property owner. If the property owner fails to satisfy the notice of deficiency within the time period specified on the notice, such failure shall be reported to the Regional Water Quality Control Board and may subject the property owner to fines as high as \$10,000 per day.

Detailed Scope of Work – Homeowners' Responsibility

The scope of the property owners' responsibility shall include, but not be limited to, the following routine work:

- Inspect the driveway trench drain, its entrances (grates) and exits. Look for obstructions, vegetation, debris, litter, sediment, etc., blocking the entrances and exits of the trench drain. If necessary, clear trench drain, exits and entrances by hand and with hand tools. Ensure that water flows freely into and out of the trench drain.
- Inspect for large vegetation growing within 4" of the trench drain entrance or exit. Remove any invasive plants, weeds, shrubs, or any plant with a woody stem within 4" of trench drain entrance or exit.
- Inspect the outlets of the collection system in each of the planters for plugging caused by debris. Look for evidence of erosion in the planter surface. Inspect side soils and/or rocks placed around the edges of the planters. Repair and/or replace any erosion or missing rocks. Clear outlets as necessary.
- Examine vegetation to ensure it is healthy and dense enough to provide filtering and to protect soils from erosion, Replenish mulch as necessary, remove fallen leaves and debris, prune large

shrubs or trees. Replace dead plants and remove invasive vegetation. Confirm that the irrigation is adequate and not excessive.

Detailed Scope of Work – City's Responsibility

The scope of the City's responsibility shall include, but not be limited to, the following:

- Each year, prior to the rainy season, the City, or its contractor, shall undertake a complete inspection and testing of the in-street and on-lot stormwater treatment systems in accordance with the project's Stormwater Control Operation & Maintenance Manual.
- Maintain Vortech 3000 Hydrodynamic Separator unit in accordance with the manufacturer's operation and maintenance requirements. This work shall include removal and disposal of accumulated sediment. Monitor and treat for vector (mosquitoes) infestation as necessary with Larvicide dunks.
- Upon completion of the inspection and work, the contractor shall file a written report, including photos of the findings and the maintenance work, with the City indicating the results of the inspection and work, including a description of amount and type of debris removed, depth of sediment observed in the structures, and a description of repairs that the Contractor believes necessary to maintain the integrity of the stormwater treatment facilities.
- Standard City fees will be paid to the City directly by the BAD and are not a part of this contract.
- Any major repairs deemed necessary by the City shall be performed under separate written authorization.

STREET LIGHTING FACILITIES

DESCRIPTION AND DETAILED SCOPE OF WORK

Description

As part of the subdivision construction, a street lighting system, consisting of four street lights and associated wiring and boxes, was installed.

Detailed Scope of Work – City's Responsibility

The scope of streetlighting system work shall include, but not be limited to, the following:

- Routinely inspect and replace parts as needed
- Payment for the supply of electricity from PG&E. (Note: the electrical billing for the street lights will be paid by the City directly to PG&E and is not a part of the contract)



Agenda Date: 6-19-2018

Agenda Item: 10a

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY ATTORNEY

DATE: June 19, 2018

SUBJECT: ORDINANCE AMENDING CLAYTON MUNICIPAL CODE, CHAPTER 6.04 TO ADOPT BY REFERENCE THE CONTRA COSTA COUNTY ANIMAL CONTROL CODE

RECOMMENDATION

Introduce Ordinance (Attachment 1) by title and number only; waive further reading; approve the first reading of the Ordinance, then set a public hearing for adoption of the Ordinance for July 17, 2018.

BACKGROUND

Contra Costa County provides animal control services within the City of Clayton pursuant to a City-County Animal Services Agreement, dated July 1, 2006. The Agreement authorizes the County to enforce the County's Animal Control Code (Division 416 of the Contra Costa County Code) and certain provisions of state law relating to animal control. In order for the County to perform these animal control functions, the City agreed to adopt Division 416. The County Director of Animal Services has requested that cities within Contra Costa County update their municipal codes for consistency with the County's Code.

The City has not adopted any County amendments to Division 416 since 2005. In preparing this code update, our office realized that while Clayton's current code (CMC Section 6.04.010) references the County's pre-2005 ordinances, it only expressly adopted County Ordinance No. 2005-24 by reference. Because County Ordinance 2005-24 only contains limited regulations related to dangerous animals, rather than a recodification of Division 416, we believe this was a drafting error. We recommend that the City re-adopt the pre-2005 County animal control ordinances (County Ord. Nos. 80-97, 83-10, 85-23, 87-74 and 97-33) to clarify that Division 416 (Chapters 416-2 to 416-12), with one exception, is in effect as the City's Animal Control Ordinance.

DISCUSSION

This Ordinance would (re)adopt by reference the County's animal control ordinances constituting Chapters 416-2 to 416-12 of Division 416 of the Contra Costa County Code as follows:

- **County Ord. No. 80-97 ("Revised Animal Control Ordinance")** – provides definitions, general provisions, dog and cat licenses, impoundment, rabies control and miscellaneous animal control provisions.
- **County Ord. No. 83-10 ("Animal Control Ordinance Amendments")** – amends the dangerous animal provisions to allow destruction of unpermitted dangerous animals and review of the decision to deny dangerous animal permit.
- **County Ord. No. 85-23 ("Animal Services Contracting")** – ensures that the Contra Costa County Animal Services Ordinance will apply only in cities that have agreed by contract providing for such application.
- **County Ord. No. 87-74 ("Regulation Of Dangerous Animals And Potentially Dangerous Animals")** – provides for designation and regulation of potentially dangerous animals, restricts future ownership of dangerous animals, gives the director of animal services discretion to destroy a dangerous animal that cannot be safely maintained, and requires a declaration of insurance as a permit condition.
- **County Ord. No. 97-33 ("Penalty For Abandonment Of Animal")** – provides that violation of section 416-4.404 "Abandonment" is a misdemeanor.
- **County Ord. No. 2005-24 ("Dangerous Animals")** – repeals and replaces prior regulations regarding the ownership or possession of dangerous animals and potentially dangerous animals.
- **County Ord. No. 2006-05 ("Amendment To Dangerous Animal Ordinance")** – amends sections prohibiting convicted felons from dog ownership to exempt assistance dogs.
- **County Ord. No. 2011-08 ("Spaying And Neutering Dogs Impounded Dogs Prior To Release")** – requires that all unlicensed, unaltered dogs be spayed or neutered prior to their release from impoundment and that all licensed, unaltered dogs be spayed or neutered prior to their release from impoundment the second time they are impounded within a three-year period.
- **County Ord. No. 2011-09 ("Microchipping Impounded Dogs And Cats Before Release")** – requires that all dogs and cats impounded or placed in the animal services shelter be implanted with microchip identification at time of their release.
- **County Ord. No. 2016-02 ("Exemptions For Animal License Fees")** – revises exemptions for animal license fees for nonresidents, individuals with disabilities and government.

- **County Ord. No. 2017-12 (“Amendments To Division 416 (Animals) Of The County Ordinance Code”)** - authorizes administrative penalties for any violation of Division 416, including barking dogs and noisy animals.

It is proposed that the City not adopt County Ordinance No. 2018-13, which provides maintenance standards for roosters. Clayton does not allow chickens, with a limited exception for minors to participate in a 4-H Club or similar club. (CMC §6.05.010 and §17.36.070.) Under this limited exception, the minor would require a discretionary use permit to keep no more than two agricultural animals for a period of up to 18 months. Given the City's existing regulations, a decision to adopt County Ordinance 2018-13 could create confusion over whether roosters are generally allowed within the City of Clayton.

An exception to the general rule allowing adoption by reference is for penalty clauses. California Government Code Section 50022.4 does not allow penalty clauses to be adopted by reference; instead any penalty clause must be set forth in full in the adopting ordinance. Accordingly, the Ordinance sets forth the full text of the administrative penalty provisions contained in County Ordinance 2017-12.

When a local agency adopts a code by reference, the California Government Code requires the legislative body to schedule a noticed public hearing to occur after first reading of the adopting ordinance. (Cal. Gov. Code § 50022.3.) Following City Council introduction of this Ordinance and setting of the public hearing date, staff will provide noticing in accordance with California Government Code Section 6066. To allow sufficient time for publication, it is recommended that the public hearing and second reading be scheduled no sooner than July 17, 2018.

CEQA

Pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(3) and 15061(b)(3) because it can be seen with certainty there is no possibility the proposed amendments to the *Clayton Municipal Code* may have a significant effect on the environment, and therefore it is not subject to CEQA. In the event this ordinance is determined to be a project, then it is exempt from environmental review pursuant to CEQA Guidelines Section 15307 because it consists of actions taken by regulatory agencies authorized by state law and local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for the protection of the environment. This ordinance adopts the County's animal services code by reference to ensure the licensing of domestic animals, provide for the impoundment of at large animals, provide for rabies control, registration of wild or exotic animals, regulation of dangerous and potentially dangerous animals among other miscellaneous provisions to assure the humane protection of wild and domestic animals within Contra Costa County.

FISCAL IMPACT

Some staff time as well as printing cost have and will be associated with the preparation of this Ordinance.

Attachments:

1. Ordinance No. __ – Ordinance Amending Clayton Municipal Code, Chapter 6.04 to Adopt by Reference Contra Costa County's Animal Control Code with Exhibit A (Clean)
2. Ordinance No. __ – Ordinance Amending Clayton Municipal Code, Chapter 6.04 to Adopt by Reference Contra Costa County's Animal Control Code with Exhibit A (Redline)
3. County Ord. No. 80-97 ("Revised Animal Control Ordinance")
4. County Ord. No. 83-10 ("Animal Control Ordinance Amendments")
5. County Ord. No. 85-23 ("Animal Services Contracting")
6. County Ord. No. 87-74 ("Regulation Of Dangerous Animals And Potentially Dangerous Animals")
7. County Ord. No. 97-33 ("Penalty For Abandonment Of Animal")
8. County Ord. No. 2005-24 ("Dangerous Animals")
9. County Ord. No. 2006-05 ("Amendment To Dangerous Animal Ordinance")
10. County Ord. No. 2011-08 ("Spaying And Neutering Dogs Impounded Dogs Prior To Release")
11. County Ord. No. 2011-09 ("Microchipping Impounded Dogs And Cats Before Release")
12. County Ord. No. 2016-02 ("Exemptions For Animal License Fees")
13. County Ord. No. 2017-12 ("Amendments To Division 416 (Animals) Of The County Ordinance Code")

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 6.04 OF THE CLAYTON MUNICIPAL CODE TO ADOPT BY REFERENCE THE CONTRA COSTA COUNTY ANIMAL CONTROL CODE, INCLUDING COUNTY ORDINANCE NOS. 80-97 (“REVISED ANIMAL CONTROL ORDINANCE”), 83-10 (“ANIMAL CONTROL ORDINANCE AMENDMENTS”), 85-23 (“ANIMAL SERVICES CONTRACTING”), 87-74 (“REGULATION OF DANGEROUS ANIMALS AND POTENTIALLY DANGEROUS ANIMALS”), 97-33 (“PENALTY FOR ABANDONMENT OF ANIMAL”), 2005-24 (“DANGEROUS ANIMALS”), 2006-05 (“AMENDMENT TO DANGEROUS ANIMAL ORDINANCE”), 2011-08 (“SPAYING AND NEUTERING DOGS IMPOUNDED DOGS PRIOR TO RELEASE”), 2011-09 (“MICROCHIPPING IMPOUNDED DOGS AND CATS BEFORE RELEASE”), 2016-02 (“EXEMPTIONS FOR ANIMAL LICENSE FEES”) AND 2017-12 (“AMENDMENTS TO DIVISION 416 (ANIMALS) OF THE COUNTY ORDINANCE CODE”), AND ADOPTING PENALTIES THEREFOR AS PROVIDED IN COUNTY ORDINANCE NOS. 97-33 AND 2017-12

**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 51301 authorizes cities to contract with the county to perform city functions, and California Government Code section 50022.9 permits cities to adopt county ordinances by reference; and

WHEREAS, the County’s animal control code is set forth in Contra Costa County Code, Division 416; and

WHEREAS, the City of Clayton entered into a City-County Animal Services Agreement with Contra Costa County, effective July 1, 2006, pursuant to which the County agreed to enforce Division 416 and certain provisions of state law relating to animal control, and the City agreed to adopt Division 416 within its jurisdiction; and

WHEREAS, the City wishes to clarify a drafting oversight that the City has adopted the County’s animal services ordinances passed prior to 2005; and

WHEREAS, the City desires to update the Clayton Municipal Code, Chapter 6.04, for consistency with the County’s animal control code, which has not been amended since 2006.

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

Section 1. The above recitals are true and correct and are hereby incorporated into this Ordinance.

Section 2. Chapter 6.04 of the Clayton Municipal Code is hereby amended and restated as set forth in its entirety as Exhibit A, attached hereto.

Section 3. **CEQA.** The City Council hereby determines that this ordinance is not subject to California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) because this activity is not a project as defined by Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, and pursuant to CEQA Guidelines Section 15061(b)(3) it can be seen with certainty that this activity will not have a significant effect or physical change to the environment. In the event this ordinance is determined to be a project, then it is exempt from environmental review pursuant to CEQA Guidelines Section 15307 because it consists of actions taken by regulatory agencies authorized by state law and local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for the protection of the environment. This ordinance adopts the County's animal services code by reference to ensure the licensing of domestic animals, provide for the impoundment of at large animals, provide for rabies control, registration of wild or exotic animals, regulation of dangerous and potentially dangerous animals among other miscellaneous provisions to assure the humane protection of wild and domestic animals within Contra Costa County.

Section 4. **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 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 Exhibit A 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 _____, 2018.

Passed, adopted, and ordered posted by the City Council of the City of Clayton at a regular public meeting thereof held on _____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, 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 public meeting of the City Council of the City of Clayton, California held on _____, 2018 and was duly adopted, passed, and ordered posted at a regular public meeting of said City Council held on _____, 2018.

EXHIBIT "A"

Chapter 6.04 - ANIMAL CONTROL

6.04.010 - Adoption by Reference of County's Revised and Amended Animal Control Ordinance.

The Board of Supervisors of the County of Contra Costa, an agency of the State of California within the meaning of Government Code § 50022.1, has adopted County Ordinances No. 80-97, 83-10, 85-23,87-74,97-33,2005-24, 2006-05, 2011-08, 2011-09, 2016-02 and 2017-12 being a codification of provisions for animal control services (and constituting Chapters 416-2 to 416-12 of Division 416 of the County Ordinance Code). It is a code within the meaning of Government Code § 50022.2 and certified copies of it are and have been on file with the City Clerk where they are open to public inspections, all as required by Government Code § 50022.3. The Contra Costa County Animal Control Ordinances Nos. 80-97, 83-10, 85-23,87-74, 97-33, 2005-24, 2006-05, 2011-08, 2011-09, 2016-02 and 2017-12, with the exceptions of those portions of said county ordinances referring to penalties, are hereby adopted by this reference and shall be in effect within the City of Clayton, as authorized by Government Code § 50022.2.

6.04.015 - Penalties.

A. General Penalties. The penalties set forth in Contra Costa County Code section 416-4.604, are hereby adopted as follows:

1. Notwithstanding Contra Costa County Code Section 14-8.004, and pursuant to Food and Agriculture Code Section 31401, violations of Division 416 of the Contra Costa County Code, excepting Chapter 416-10 and Article 416-12.2, are punishable by a fine of not more than fifty dollars for the first offense, and not more than one hundred dollars for the second or subsequent offense.
2. Notwithstanding subsection (1) above, violation of section 416-4.404 Abandonment, excluding abandonments under Section 416-8.014, is a misdemeanor and punishable as such in accordance with state law. (See Government Code Section 36901; Penal Code Section 19.)

B. Rabies Control Violations – Contra Costa County Code section 416-10.012. Violation of chapter 416-10, except for the provisions of Section 416-10.010(b), is a misdemeanor. Violation of Section 416-10.010(b) is subject to subsection (A)(1) above.

C. Violation of Article 416-12.2, Nuisance, is an infraction. Except as otherwise provided by statute, every infraction violation is punishable, upon conviction thereof, by:

1. A fine not exceeding one hundred dollars for a first violation;
2. A fine not exceeding two hundred dollars for a second violation of the same ordinance within one year;

3. A fine not exceeding five hundred dollars for each additional violation of the same ordinance within one year. (See Government Code Sections 36900 and 25132(b); Contra Costa County Code Section 14-8.002.)
- D. Animal Noise Violations - Contra Costa County Code section 416-12.202. The department may issue an administrative penalty under Article 416-4.8 to any responsible person for a violation of Section 416-12.202 based on either or both of the following:
1. An observation of the violation by a department employee.
 2. A complaint, signed under penalty of perjury, lodged by a person who has been disturbed by the barking dog or noisy animal.
- E. Penalties for Violation of Dangerous Animal Permit - Contra Costa County Code section 416-12.434. It shall be a misdemeanor for any owner or keeper of an animal previously designated as dangerous to violate any of the conditions of the dangerous animal permit under Section 416-12.422 of Article 416-12.4, punishable as provided by law. If an owner or keeper is convicted of violating this section, the court may, upon good cause, order the dangerous animal seized, declared a nuisance and destroyed. Any person convicted in violation of this section shall be prohibited from owning, harboring or keeping any animal within Contra Costa County for a minimum of five years.
- F. Prohibited dog ownership by convicted felons - Contra Costa County Code section 416-12.436.
1. Any person who has been convicted of a felony under the laws of the United States, of the state of California, or any other state, government, or country, who owns, purchases, receives, or has in his or her possession or under his or her custody or control a dog that poses a danger to the public's health, safety or welfare if misused by a convicted felon is guilty of a misdemeanor, unless the person possesses a current, valid prohibited dog permit for that dog as provided in Section 416-12.438. A convicted felon under Article 416-12.4 shall not include felons whose convictions were set aside pursuant to Penal Code Section 1203.4. "Misuse" by a convicted felon means use of a dog in a threatening or aggressive manner, or in the commission of a crime.
 2. Any dog whose owner or keeper is in violation of this section shall be impounded, or impounded subject to destruction, at the owner's expense.
 3. A dog that poses a danger to the public's health, safety or welfare if misused by a convicted felon under this section means any of the following:
 - a. A dog weighing more than twenty pounds;
 - b. A dog who has been designated a potentially dangerous or dangerous animal under Sections 416-12.402 and 416-12.404 of this article;

- c. A dog designated by the animal services director as posing a danger to the public's health, safety or welfare if misused by a convicted felon based upon the following factors:
 - i. The nature of any complaints regarding the dog,
 - ii. The strength of the dog, including jaw strength,
 - iii. The dog's tolerance for pain,
 - iv. The dog's tendency to refuse to terminate an attack,
 - v. The dog's potential propensity to bite humans or other domestic animals,
 - vi. The dog's potential for unpredictable behavior,
 - vii. The dog's aggressiveness,
 - viii. The likelihood that a bite by the dog will result in serious injury.

This section shall not apply to any assistance dog, including guide dogs, signal dogs and service dogs, trained or in training to assist a qualified individual with a disability.

6.04.020 – Administrative Penalties.

This Section sets forth Article 416-4.8 of the Contra Costa County Code, as adopted by Contra Costa County Ord. No. 2017-12, and provides for administrative fines that the animal services department may impose, enforce, and collect to address any violation of Division 416 as adopted by the City of Clayton.

416-4.802 - Applicability and Authorization.

(a) This article provides for administrative fines that the animal services department may impose, enforce, and collect to address any violation of this division.

(b) Remedies under this article are in addition to any other remedy allowed by this code or applicable law.

(c) This article is authorized by California Government Code Section 53069.4.

416-4.804 - Definitions.

For purposes of this article, the following words and phrases have the following meanings:

(a) "Complainant" means a person who reports a violation of any section of Division 416 to the department.

(b) "Department" means the animal services department.

(c) "Effective date" means the date by which a violation must be corrected, as specified in a notice of violation.

(d) "Hearing examiner" means the animal services director, or the animal services director's designee.

(e) "Responsible Person" means any of the following:

(1) A person who possesses, has title to, has an interest in, or has control, custody or possession of an animal or the property on which an animal is kept.

(2) A person who allows, or whose agent, employee, or contractor allows, a barking dog or other noisy animal violation to exist, whether through action, failure to act, or failure to exercise control over a barking dog or other noisy animal.

(3) For purposes of this article, there may be more than one responsible person for a barking dog or other noisy animal violation.

(f) "Service date" means the date a notice or decision is served in accordance with Section 416-4.816.

416-4.806 - Administrative Fines.

(a) Notice of violation. If a violation is a continuing violation, such as the failure to obtain a dog or cat license, the department will first serve a notice of violation on the responsible person as specified in Section 416-4.816. The notice of violation will include all of the following information:

(1) The date of the violation.

(2) The name of the responsible person.

(3) The address or location where the violation occurred.

(4) The code section(s) violated and a description of the violation.

(5) Whether the violation(s) were established by inspection or by complaint, if applicable.

(6) A description of how the violation can be corrected.

(7) A specified time period of at least ten calendar days, beginning on the service date, within which the violation must be corrected.

(8) An advisement that the owner may be subject to an administrative fine under this article if the violation is not corrected by the effective date, and the amount of that fine.

(b) The department may impose an administrative fine on a responsible person if any of the following occur:

(1) The violation is not a continuing violation, such as a violation of the animal noise ordinance.

(2) The continuing violation has not been corrected in the time period specified in the notice of violation.

(3) The continuing violation was corrected as specified in the notice of violation, but a violation of the same section continues, exists, or occurs within one year after the effective date.

(c) Notice of fine. An administrative fine will be assessed by means of a notice of fine. The responsible party will be served with the notice of fine as specified in Section 416-4.816. The notice of fine will include all of the following information:

(1) The date of the violation.

(2) The code section(s) violated and a description of the violation.

(3) The amount of the fine.

(4) An advisement of the right to request a hearing before the hearing examiner, contesting the imposition of the fine.

(d) For a continuing violation, the amount of the fine is one hundred dollars for the first notice of fine. If the owner fails to correct the violation after the first notice of fine, and a second notice of fine is issued in the same year, the amount of the fine in the second notice is two hundred dollars. If the owner still fails to correct the violation after the second notice of fine, the amount of the fine is five hundred dollars for each additional notice of fine that is sent within one year.

(e) If the violation is not a continuing violation, the amount of the fine is one hundred dollars for a first violation, two hundred dollars for a second violation of the same section within one year, and five hundred dollars for each additional violation of the same ordinance within one year.

416-4.808 - Hearings.

(a) Any person upon whom an administrative fine is imposed by the department may request a hearing pursuant to the procedures set forth in this section. The appellant must file

a written appeal with the department within fifteen calendar days after the service date of the notice of fine. The written appeal must contain:

(1) A brief statement explaining who the appealing party is and what interest the appealing party has in challenging the imposition of the fine; and

(2) A brief statement of the material facts that the appellant claims supports his or her contention that no administrative fine should be imposed or that an administrative fine of a different amount is warranted.

(b) Notice of the hearing will be served on the appellant and the complainant, if any, as specified in Section 416-4.816. The department will set the hearing no sooner than twenty days and no later than forty-five days following the service date of the notice of hearing.

(c) The hearing of an administrative fine imposed for violations of this division will be heard by the hearing examiner.

(d) At the hearing, the appellant and complainant, if any, will be given the opportunity to testify, and present written and oral evidence.

(e) An appellant's failure to appear at the hearing shall constitute an abandonment of any defense the appellant may have to the administrative fine.

(f) Where applicable, a complainant's failure to appear at the hearing shall constitute an abandonment of the complaint and shall be grounds for a dismissal of the administrative fine.

(g) After considering the testimony and evidence submitted at the hearing, or after the appellant or complainant has failed to appear at the hearing, the hearing examiner will issue a written decision to uphold, modify, or cancel the administrative fine and will list in the decision the reason or reasons for that decision. The decision will be served as specified in Section 416-4.816.

416-4.810 - Final Administrative Order.

The imposition of the administrative fine becomes a final administrative order at one of the following times:

(a) On the date the notice of fine is served, if the responsible party fails to file a written appeal to the department within the time specified.

(b) On the date the written decision by the hearing examiner is served, if the responsible party files a written appeal to the department within the time specified.

416-4.812 - Payment of the Fine.

The fine must be paid to the county within thirty days after the imposition of the administrative fine becomes a final administrative order. Payment of a fine under this article does not excuse or discharge any continuation or repeated occurrence of the violation that is the subject of the notice of fine. The payment of a fine does not bar the county from taking any other enforcement action regarding a violation that is not corrected.

416-4.814 - Collection.

If the fine is not paid within thirty days after the imposition of the fine becomes a final administrative order, the county may collect the fine, the county's collection costs, and interest. An administrative fine accrues interest at the same annual rate as any civil judgment, beginning on the twentieth day after the fine becomes a final administrative order. The county may collect by using any available legal means, including but not limited to the following:

(a) The county may file a civil action. If a civil action is commenced, the county is entitled to recover all costs associated with the collection of the fine, including those costs set forth in Code of Civil Procedure Section 1033.5.

(b) The county may take such other actions as are allowed for enforcement of a civil judgment as provided for pursuant to the Enforcement of Judgments Law, California Code of Civil Procedure Section 680.010 et seq.

416-4.816 - Service.

All notices or decisions required to be served by this article will be served by any of the methods specified below:

(a) First class mail. First class mail will be addressed to the responsible person at the address shown on the last equalized assessment roll, at the address where the violation occurred, or as otherwise known. Service is deemed completed upon the deposit of the notice or decision, postage pre-paid, in the United States mail.

(b) Personal service. Personal service is deemed complete on the date the notice or decision is personally served on the responsible person.

416-4.818 - Judicial Review.

A final administrative order may be appealed to the superior court of the county in accordance with the provisions set forth in Government Code Section 53069.4.

6.04.030 - Request Enforcement in City.

The County ordinances referred to and hereby adopted contains the provisions of those sections of the California Food and Agricultural Code referred to in Section 30501, and therefore this City Ordinance constitutes the City's request that the provisions of this County

ordinance be applicable within this city, and they shall hereafter so apply, pursuant to Food and Agricultural Code § 30501.

6.04.040 - Notice and Contract.

The city clerk shall promptly send the clerk of the board of supervisors a certified copy of the ordinance codified in this chapter, and the mayor and city clerk are hereby authorized to execute such documents are necessary to contract with the county for animal control services by county personnel inside the city, being the enforcement of the provisions of the animal control services ordinance referred to in Section 6.04.010, including such things as licensing, impounding, fees, and the like.

ORDINANCE NO. ____

AN ORDINANCE AMENDING CHAPTER 6.04 OF THE CLAYTON MUNICIPAL CODE TO ADOPT BY REFERENCE THE CONTRA COSTA COUNTY ANIMAL CONTROL CODE, INCLUDING COUNTY ORDINANCE NOS. 80-97 (“REVISED ANIMAL CONTROL ORDINANCE”), 83-10 (“ANIMAL CONTROL ORDINANCE AMENDMENTS”), 85-23 (“ANIMAL SERVICES CONTRACTING”), 87-74 (“REGULATION OF DANGEROUS ANIMALS AND POTENTIALLY DANGEROUS ANIMALS”), 97-33 (“PENALTY FOR ABANDONMENT OF ANIMAL”), 2005-24 (“DANGEROUS ANIMALS”), 2006-05 (“AMENDMENT TO DANGEROUS ANIMAL ORDINANCE”), 2011-08 (“SPAYING AND NEUTERING DOGS IMPOUNDED DOGS PRIOR TO RELEASE”), 2011-09 (“MICROCHIPPING IMPOUNDED DOGS AND CATS BEFORE RELEASE”), 2016-02 (“EXEMPTIONS FOR ANIMAL LICENSE FEES”) AND 2017-12 (“AMENDMENTS TO DIVISION 416 (ANIMALS) OF THE COUNTY ORDINANCE CODE”), AND ADOPTING PENALTIES THEREFOR AS PROVIDED IN COUNTY ORDINANCE NOS. 97-33 AND 2017-12

**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 51301 authorizes cities to contract with the county to perform city functions, and California Government Code section 50022.9 permits cities to adopt county ordinances by reference; and

WHEREAS, the County’s animal control code is set forth in Contra Costa County Code, Division 416; and

WHEREAS, the City of Clayton entered into a City-County Animal Services Agreement with Contra Costa County, effective July 1, 2006, pursuant to which the County agreed to enforce Division 416 and certain provisions of state law relating to animal control, and the City agreed to adopt Division 416 within its jurisdiction; and

WHEREAS, the City wishes to clarify a drafting oversight that the City has adopted the County’s animal services ordinances passed prior to 2005; and

WHEREAS, the City desires to update the Clayton Municipal Code, Chapter 6.04, for consistency with the County’s animal control code, which has not been amended since 2006.

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

Section 1. The above recitals are true and correct and are hereby incorporated into this Ordinance.

Section 2. Chapter 6.04 of the Clayton Municipal Code is hereby amended and restated as set forth in its entirety as Exhibit A, attached hereto.

Section 3. **CEQA.** The City Council hereby determines that this ordinance is not subject to California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(3) because this activity is not a project as defined by Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, and pursuant to CEQA Guidelines Section 15061(b)(3) it can be seen with certainty that this activity will not have a significant effect or physical change to the environment. In the event this ordinance is determined to be a project, then it is exempt from environmental review pursuant to CEQA Guidelines Section 15307 because it consists of actions taken by regulatory agencies authorized by state law and local ordinance to assure the maintenance, restoration, or enhancement of a natural resource where the regulatory process involves procedures for the protection of the environment. This ordinance adopts the County's animal services code by reference to ensure the licensing of domestic animals, provide for the impoundment of at large animals, provide for rabies control, registration of wild or exotic animals, regulation of dangerous and potentially dangerous animals among other miscellaneous provisions to assure the humane protection of wild and domestic animals within Contra Costa County.

Section 4. **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 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 Exhibit A 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 _____, 2018.

Passed, adopted, and ordered posted by the City Council of the City of Clayton at a regular public meeting thereof held on _____, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, 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 public meeting of the City Council of the City of Clayton, California held on _____, 2018 and was duly adopted, passed, and ordered posted at a regular public meeting of said City Council held on _____, 2018.

EXHIBIT "A"

Chapter 6.04 - ANIMAL CONTROL

6.04.010 - Adoption by Reference of County's Revised and Amended Animal Control Ordinance.

The Board of Supervisors of the County of Contra Costa, an agency of the State of California within the meaning of Government Code § 50022.1, has adopted County Ordinances No. 80-97, 83-10, 85-23, 87-74, ~~97-33, and~~ 2005-24, 2006-05, 2011-08, 2011-09, 2016-02 and 2017-12 being a codification of provisions for animal control services (and constituting Chapters 416-2 to 416-12 of Division 416 of the County Ordinance Code). It is a code within the meaning of Government Code § 50022.2 and certified copies of it are and have been on file with the City Clerk where they are open to public inspections, all as required by Government Code § 50022.3. The Contra Costa County ~~revised and amended~~ Animal Control Ordinances Nos. 80-97, 83-10, 85-23, 87-74, 97-33, 2005-24, 2006-05, 2011-08, 2011-09, 2016-02 and 2017-12, with the exceptions of those portions of said county ordinances referring to penalties, are hereby adopted by this reference No. 2005-24 is attached hereto and adopted by this reference as part of this and shall be in effect within the City of Clayton ~~Ordinance~~, as authorized by Government Code § 50022.2.

6.04.015 - ~~Penalties~~ Abandonments.

A. General Penalties. The penalties set forth in Contra Costa County Code section 416-4.604, are hereby adopted as follows:

1. Notwithstanding Contra Costa County Code Section 14-8.004, and pursuant to Food and Agriculture Code Section 31401, violations of Division 416 of the Contra Costa County Code, excepting Chapter 416-10 and Article 416-12.2, are punishable by a fine of not more than fifty dollars for the first offense, and not more than one hundred dollars for the second or subsequent offense.
2. Notwithstanding subsection (1) above, violation of section 416-4.404 Abandonment, excluding abandonments under Section 416-8.014, is a misdemeanor and punishable as such in accordance with state law. (See Government Code Section 36901; Penal Code Section 19.)

B. Rabies Control Violations – Contra Costa County Code section 416-10.012. Violation of chapter 416-10, except for the provisions of Section 416-10.010(b), is a misdemeanor. Violation of Section 416-10.010(b) is subject to subsection (A)(1) above.

C. Violation of Article 416-12.2, Nuisance, is an infraction. Except as otherwise provided by statute, every infraction violation is punishable, upon conviction thereof, by:

1. A fine not exceeding one hundred dollars for a first violation;

2. A fine not exceeding two hundred dollars for a second violation of the same ordinance within one year;
3. A fine not exceeding five hundred dollars for each additional violation of the same ordinance within one year. (See Government Code Sections 36900 and 25132(b); Contra Costa County Code Section 14-8.002.)

D. Animal Noise Violations - Contra Costa County Code section 416-12.202. The department may issue an administrative penalty under Article 416-4.8 to any responsible person for a violation of Section 416-12.202 based on either or both of the following:

1. An observation of the violation by a department employee.
2. A complaint, signed under penalty of perjury, lodged by a person who has been disturbed by the barking dog or noisy animal.

E. Penalties for Violation of Dangerous Animal Permit - Contra Costa County Code section 416-12.434. It shall be a misdemeanor for any owner or keeper of an animal previously designated as dangerous to violate any of the conditions of the dangerous animal permit under Section 416-12.422 of Article 416-12.4, punishable as provided by law. If an owner or keeper is convicted of violating this section, the court may, upon good cause, order the dangerous animal seized, declared a nuisance and destroyed. Any person convicted in violation of this section shall be prohibited from owning, harboring or keeping any animal within Contra Costa County for a minimum of five years.

F. Prohibited dog ownership by convicted felons - Contra Costa County Code section 416-12.436.

1. Any person who has been convicted of a felony under the laws of the United States, of the state of California, or any other state, government, or country, who owns, purchases, receives, or has in his or her possession or under his or her custody or control a dog that poses a danger to the public's health, safety or welfare if misused by a convicted felon is guilty of a misdemeanor, unless the person possesses a current, valid prohibited dog permit for that dog as provided in Section 416-12.438. A convicted felon under Article 416-12.4 shall not include felons whose convictions were set aside pursuant to Penal Code Section 1203.4. "Misuse" by a convicted felon means use of a dog in a threatening or aggressive manner, or in the commission of a crime.
2. Any dog whose owner or keeper is in violation of this section shall be impounded, or impounded subject to destruction, at the owner's expense.
3. A dog that poses a danger to the public's health, safety or welfare if misused by a convicted felon under this section means any of the following:
 - a. A dog weighing more than twenty pounds;

- b. A dog who has been designated a potentially dangerous or dangerous animal under Sections 416-12.402 and 416-12.404 of this article;
- c. A dog designated by the animal services director as posing a danger to the public's health, safety or welfare if misused by a convicted felon based upon the following factors:
 - i. The nature of any complaints regarding the dog,
 - ii. The strength of the dog, including jaw strength,
 - iii. The dog's tolerance for pain,
 - iv. The dog's tendency to refuse to terminate an attack,
 - v. The dog's potential propensity to bite humans or other domestic animals,
 - vi. The dog's potential for unpredictable behavior,
 - vii. The dog's aggressiveness,
 - viii. The likelihood that a bite by the dog will result in serious injury.

This section shall not apply to any assistance dog, including guide dogs, signal dogs and service dogs, trained or in training to assist a qualified individual with a disability.

~~Notwithstanding Section 416-4.604(a) of the Contra Costa County Ordinance (Animal Control Code), violation of Section 416-4.404 "Abandonment" of said code excluding abandonments under Section 416-8.014 of the county code, is a misdemeanor and punishable as such.~~

6.04.020 – Administrative Penalties.

This Section sets forth Article 416-4.8 of the Contra Costa County Code, as adopted by Contra Costa County Ord. No. 2017-12, and provides for administrative fines that the animal services department may impose, enforce, and collect to address any violation of Division 416 as adopted by the City of Clayton.

416-4.802 - Applicability and Authorization.

(a) This article provides for administrative fines that the animal services department may impose, enforce, and collect to address any violation of this division.

(b) Remedies under this article are in addition to any other remedy allowed by this code or applicable law.

(c) This article is authorized by California Government Code Section 53069.4.

416-4.804 - Definitions.

For purposes of this article, the following words and phrases have the following meanings:

(a) "Complainant" means a person who reports a violation of any section of Division 416 to the department.

(b) "Department" means the animal services department.

(c) "Effective date" means the date by which a violation must be corrected, as specified in a notice of violation.

(d) "Hearing examiner" means the animal services director, or the animal services director's designee.

(e) "Responsible Person" means any of the following:

(1) A person who possesses, has title to, has an interest in, or has control, custody or possession of an animal or the property on which an animal is kept.

(2) A person who allows, or whose agent, employee, or contractor allows, a barking dog or other noisy animal violation to exist, whether through action, failure to act, or failure to exercise control over a barking dog or other noisy animal.

(3) For purposes of this article, there may be more than one responsible person for a barking dog or other noisy animal violation.

(f) "Service date" means the date a notice or decision is served in accordance with Section 416-4.816.

416-4.806 - Administrative Fines.

(a) Notice of violation. If a violation is a continuing violation, such as the failure to obtain a dog or cat license, the department will first serve a notice of violation on the responsible person as specified in Section 416-4.816. The notice of violation will include all of the following information:

(1) The date of the violation.

(2) The name of the responsible person.

(3) The address or location where the violation occurred.

(4) The code section(s) violated and a description of the violation.

(5) Whether the violation(s) were established by inspection or by complaint, if applicable.

(6) A description of how the violation can be corrected.

(7) A specified time period of at least ten calendar days, beginning on the service date, within which the violation must be corrected.

(8) An advisement that the owner may be subject to an administrative fine under this article if the violation is not corrected by the effective date, and the amount of that fine.

(b) The department may impose an administrative fine on a responsible person if any of the following occur:

(1) The violation is not a continuing violation, such as a violation of the animal noise ordinance.

(2) The continuing violation has not been corrected in the time period specified in the notice of violation.

(3) The continuing violation was corrected as specified in the notice of violation, but a violation of the same section continues, exists, or occurs within one year after the effective date.

(c) Notice of fine. An administrative fine will be assessed by means of a notice of fine. The responsible party will be served with the notice of fine as specified in Section 416-4.816. The notice of fine will include all of the following information:

(1) The date of the violation.

(2) The code section(s) violated and a description of the violation.

(3) The amount of the fine.

(4) An advisement of the right to request a hearing before the hearing examiner, contesting the imposition of the fine.

(d) For a continuing violation, the amount of the fine is one hundred dollars for the first notice of fine. If the owner fails to correct the violation after the first notice of fine, and a second notice of fine is issued in the same year, the amount of the fine in the second notice is two hundred dollars. If the owner still fails to correct the violation after the second notice of fine, the amount of the fine is five hundred dollars for each additional notice of fine that is sent within one year.

(e) If the violation is not a continuing violation, the amount of the fine is one hundred dollars for a first violation, two hundred dollars for a second violation of the same section within one year, and five hundred dollars for each additional violation of the same ordinance within one year.

416-4.808 - Hearings.

(a) Any person upon whom an administrative fine is imposed by the department may request a hearing pursuant to the procedures set forth in this section. The appellant must file a written appeal with the department within fifteen calendar days after the service date of the notice of fine. The written appeal must contain:

(1) A brief statement explaining who the appealing party is and what interest the appealing party has in challenging the imposition of the fine; and

(2) A brief statement of the material facts that the appellant claims supports his or her contention that no administrative fine should be imposed or that an administrative fine of a different amount is warranted.

(b) Notice of the hearing will be served on the appellant and the complainant, if any, as specified in Section 416-4.816. The department will set the hearing no sooner than twenty days and no later than forty-five days following the service date of the notice of hearing.

(c) The hearing of an administrative fine imposed for violations of this division will be heard by the hearing examiner.

(d) At the hearing, the appellant and complainant, if any, will be given the opportunity to testify, and present written and oral evidence.

(e) An appellant's failure to appear at the hearing shall constitute an abandonment of any defense the appellant may have to the administrative fine.

(f) Where applicable, a complainant's failure to appear at the hearing shall constitute an abandonment of the complaint and shall be grounds for a dismissal of the administrative fine.

(g) After considering the testimony and evidence submitted at the hearing, or after the appellant or complainant has failed to appear at the hearing, the hearing examiner will issue a written decision to uphold, modify, or cancel the administrative fine and will list in the decision the reason or reasons for that decision. The decision will be served as specified in Section 416-4.816.

416-4.810 - Final Administrative Order.

-The imposition of the administrative fine becomes a final administrative order at one of the following times:

(a) On the date the notice of fine is served, if the responsible party fails to file a written appeal to the department within the time specified.

(b) On the date the written decision by the hearing examiner is served, if the responsible party files a written appeal to the department within the time specified.

416-4.812 - Payment of the Fine.

-The fine must be paid to the county within thirty days after the imposition of the administrative fine becomes a final administrative order. Payment of a fine under this article does not excuse or discharge any continuation or repeated occurrence of the violation that is the subject of the notice of fine. The payment of a fine does not bar the county from taking any other enforcement action regarding a violation that is not corrected.

416-4.814 - Collection.

-If the fine is not paid within thirty days after the imposition of the fine becomes a final administrative order, the county may collect the fine, the county's collection costs, and interest. An administrative fine accrues interest at the same annual rate as any civil judgment, beginning on the twentieth day after the fine becomes a final administrative order. The county may collect by using any available legal means, including but not limited to the following:

(a) The county may file a civil action. If a civil action is commenced, the county is entitled to recover all costs associated with the collection of the fine, including those costs set forth in Code of Civil Procedure Section 1033.5.

(b) The county may take such other actions as are allowed for enforcement of a civil judgment as provided for pursuant to the Enforcement of Judgments Law, California Code of Civil Procedure Section 680.010 et seq.

416-4.816 - Service.

All notices or decisions required to be served by this article will be served by any of the methods specified below:

(a) First class mail. First class mail will be addressed to the responsible person at the address shown on the last equalized assessment roll, at the address where the violation occurred, or as otherwise known. Service is deemed completed upon the deposit of the notice or decision, postage pre-paid, in the United States mail.

(b) Personal service. Personal service is deemed complete on the date the notice or decision is personally served on the responsible person.

416-4.818 - Judicial Review.

A final administrative order may be appealed to the superior court of the county in accordance with the provisions set forth in Government Code Section 53069.4.

6.04.~~020-030~~ - Request Enforcement in City.

The County ordinances referred to and hereby adopted contains the provisions of those sections of the California Food and Agricultural Code referred to in Section 30501, and therefore this City Ordinance constitutes the City's request that the provisions of this County ordinance be applicable within this city, and they shall hereafter so apply, pursuant to Food and Agricultural Code § 30501.

6.04.~~030-040~~ - Notice and Contract.

The city clerk shall promptly send the clerk of the board of supervisors a certified copy of the ordinance codified in this chapter, and the mayor and city clerk are hereby authorized to execute such documents are necessary to contract with the county for animal control services by county personnel inside the city, being the enforcement of the provisions of the animal control services ordinance referred to in Section 6.04.010, including such things as licensing, impounding, fees, and the like.

ORDINANCE NO. 80-97

(Revised Animal Control Ordinance)

The Contra Costa County Board of Supervisors ordains as follows to repeal and re-enact the County's Animal Control Ordinance (excepting Chapters 416-14 and 416-16) as revised:

SECTION I. Chapters 416-2, Definitions; 416-4, General Provisions; 416-6, Dog Licenses; 416-8, Impoundment; 416-10, Rabies Control; and 416-12, Disposal of Carcasses, of Division 16, Animals of Title 4, Health and Safety of the Ordinance Code, are repealed.

SECTION II. Chapters 416-2, Definitions; 416-4, General Provisions; 416-6, Individual Licenses; 416-8, Impoundment; 416-10, Rabies Control; and 416-12, Miscellaneous of Division 16, Animals of Title 4, Health and Safety of the Ordinance Code are enacted, to read:

CHAPTER 416-2 DEFINITIONS

§416-2.002 Generally. As used in Division 416, the following terms have the meanings set forth in this chapter, unless the context clearly requires otherwise.

§416-2.004 Animal Services Director. "Animal Services Director" means the head of the Animal Services Department and his or her designated subordinates.

§416-2.006 City. "City" means any city in this County which has adopted an ordinance under Agricultural Code §30501, requesting the application of this Division within the city.

§416-2.008 Licensing Authority. "Licensing Authority" means the authority designated by the Board of Supervisors by resolution.

§416-2.010 Owner. "Owner" includes the legal owner, equitable owner, and any person, association, partnership, or corporation harboring or having custody or control of an animal.

§416-2.012 License Tag. "License Tag" means a numbered tag, stamped with the name of the County, and issued by the licensing authority for the purpose of identifying the owner and the dog or cat described in the license application and worn by that dog or cat.

§416-2.014 Veterinarian. "Veterinarian" means a person authorized to practice veterinary medicine in California.

§416-2.016 Wild or Exotic Animal. "Wild Animal" or "Exotic Animal" means any of the following:

(1) Any animal described in California Fish and Game Code Sections 2116 and 2118.

(2) Any animal described in any addition to Fish and Game Code Section 2118 by regulation of the Fish and Game Commission as provided in Section 2118(j).

(3) Class Aves: (birds)

(a) Order Falconiformes (including, but not limited to, hawks, eagles, and vultures).

(b) Subdivision Ratitae (including, but not limited to, ostriches, rheas, cassowaries, and emus).

(4) Class Reptilia: (snakes, lizards, turtles, alligators)

(a) Order Ophidia (including, but not limited to, racers, boas, water snakes, and pythons) over six feet long.

(b) Order Loricata (including, but not limited to, alligators, caymans, and crocodiles) over 12 inches long.

(5) Any class, order, family, genera, or species of wild animals which may be designated by the Animal Services Director as a

menace to public peace, health or safety, or to native wildlife or agricultural interests, by a written designation filed with the Clerk of the Board of Supervisors.

(6) Any non-domestic species when kept, maintained or harbored in such numbers or in such a manner as to create or constitute a nuisance or, in any event, a likelihood of danger to such animals, other animals, the environment or the persons or property of human beings.

(7) Any species of animal which is venomous to human beings, whether by bite, sting, touch or otherwise, except honey-producing bees.

CHAPTER 416-4 GENERAL PROVISIONS

ARTICLE 416-4.2 CONTROL.

§416-4.202 Animal Services Director. (a) The County's animal control activities are functions of the Animal Services Department under the Animal Services Director. The Animal Services Director shall supervise, control and report concerning such activities as provided in this Ordinance Code and in Chapters 1 and 2 of Division 2 of the Food and Agricultural Code (Sections 2001 ff); and he or she is the appointing authority for the other positions in the department.

(b) The Animal Services Director is authorized to adopt regulations to interpret and carry out the provisions of Division 416 of this code.

(c) The Animal Services Director may adopt regulations exempting:

- (1) handicapped people and animals being raised, trained or used to aid handicapped people,
 - (2) police dogs on duty,
 - (3) persons participating in animal rescue programs,
- from specific requirements of Division 416 of this code.

§416-4.204 Officers' Status, Weapons and Arrests. The Animal Services Director and the subordinate animal control officers, when acting in the course and scope of their employment, are as a class designated as entitled to carry weapons within the meaning of Penal Code Section 12031, and as public officers for the purposes of enforcing all laws on animal control, and they are authorized to arrest persons for violation of these laws pursuant to Section 14-2.203.

§416-4.206 Statutory Provisions Incorporated by Reference. The provisions of Agricultural Code Sections 30801, 30802, 30803, 30804, 30805, 30952, 31107, 31108, 31251, 31252 and 31254 are incorporated herein by reference, and by express adoption of the substance of some of them herein, pursuant to Agricultural Code Section 30501 (and this adoption includes subsequent amendments and successors thereto); but if it is held invalid to thus directly include the substance of these statutory provisions in Division 416, they are incorporated herein by reference.

§416-4.208 Application to Cities. Division 416 applies to any city in this county which has requested or requests such application by adopting an ordinance under Agricultural Code Section 30501 and contracting for animal control services.

ARTICLE 416-4.4 RESTRAINT.

§416-4.402 Animals at large. (a) No person owning, possessing, harboring, or controlling any animal shall allow such animal to be at large.

(b) As used in this section, "at large" means an animal which either:

- (1) In the case of dogs, is not under effective restraint by a leash; or
- (2) In the case of animals other than dogs or cats, is not in the immediate presence and under the effective control of such person; or

(3) Is tethered or leashed on any street, or other public place, not set aside for such tethering or leashing for a period of longer than fifteen minutes, or in such a way as to block a public walkway or thoroughfare; or

(4) Is pastured, tethered, tied, or otherwise present on private property or in any public building without the consent of the owner or occupant; or

(5) Is in any place or position with the capacity to injure persons or property; or

(6) Fights, bites, or causes harm to any other animal or person unless such animal or person has entered the private property owned by, or in the possession of the person owning or controlling the offending animal without permission when such property is properly fenced and posted as to the presence of the offending animal; or

(7) Is not on the private property owned by, or in the possession of, the person owning or controlling the animal and is not wearing a required license tag; or

(8) Is left at any place without provision for its care.

Provided, nevertheless, that a dog is not required to be under restraint by a leash when the dog has not strayed from and is upon private property owned by, or in the possession of, the person owning or controlling the dog.

(c) Exemptions. A working dog, performing acts such as herding under the control and supervision of owner/handler shall not be considered at large while performing his duties. A hunting, obedience, tracking or show dog shall not be considered at large while performing in the above capacities. Dogs being exercised under the control of their owners in public areas designated for animal exercise shall not be considered at large.

(d) Females in heat. In the case of female dogs or cats in heat and for the purposes of Food and Agricultural Code Section 30954, "at large" means outside a house, vehicle, or other secure enclosure adequate to prevent unplanned male access.

(e) Animals in vehicles.

(1) A dog or any other animal in or upon a vehicle is deemed to be upon the property of the operator of such vehicle. No dog or any other animal shall be transported on any public thoroughfare in any vehicle unless such dog or animal is totally enclosed within such vehicle, within a secured container carried upon such vehicle, or securely cross-tethered to such vehicle in such a way as to prevent a falling out of or off such vehicle, and to prevent injury to the animal.

(2) No dog or any other animal shall be left completely enclosed in a parked vehicle without adequate ventilation, or in such a way as to subject the animal to temperatures sufficiently above ambient to affect the animal's health and welfare.

§416-4.404 Abandonment. No owner of an animal shall abandon it.

§416-4.406 Prohibition. No Animal Services Officer shall act in violation of Government Code §53072.

ARTICLE 416-4.6 ENFORCEMENT.

§416-4.604 Penalties. Notwithstanding Section 14-8.004, and pursuant to Food and Agricultural Code §31401, violations of Division 416 of this code, excepting Chapter 416-10 and Article 416-12.2, are punishable by a fine of not more than fifty dollars for the first offense, and not more than one hundred dollars for the second or subsequent offense.

CHAPTER 416-6 INDIVIDUAL LICENSES

ARTICLE 416-6.0 LICENSES.

§416-6.002 Dog and Cat Licenses. (a) Every person owning, possessing, harboring, or having custody of any dog over four months old shall annually obtain a license and pay a license fee.
(b) Every such person shall obtain a license within thirty days after a dog reaches the age of four months.
(c) Every such person shall obtain a license within thirty days after acquiring a dog over four months old.
(d) An added late fee shall be charged for late licensing.
(e) Any person may voluntarily license any domestic cat subject to proper application and payment of the required license fee.
(f) Any person who transfers any licensed dog or cat to another person and any person who acquires a licensed dog or cat must give written notice of the name and address of the person to whom possession is transferred and of the person acquiring such animal, and the license tag number, to the Animal Services Department within thirty days.
(g) No person shall own, possess, harbor, or keep any dog over four months old without a license for which all fees have been paid; but this does not apply during the thirty-day grace period under subsections (b) and (c) of this section.

§416-6.004 Exemptions. (a) Non-residents. The provisions of this article shall not apply to dogs or cats whose owners are non-residents temporarily within the County for thirty days or less, nor to dogs or cats brought into the County to participate in any dog or cat show or field trial.
(b) Handicapped. Dogs being raised, trained and used to aid handicapped persons shall be licensed without fee.
(c) Government. Dogs owned or used by the County, municipal corporations, or other public agencies shall be licensed without fee.
(d) Senior Citizens. One dog kept in a household where the owner of the dog is over the age of sixty-five shall be licensed without fee.

§416-6.006 Tags. The licensing authority shall issue dog or cat license tags, stamped or imprinted with the name of County of Contra Costa and an identification number.

§416-6.008 Applications. (a) Application for dog or cat licenses shall be made in writing to the licensing agency on forms approved by the licensing agency, shall include for each animal: name and address of owner; age, sex, color, breed, and description of the animal; current rabies certificate issued by an authorized veterinarian. In addition, the applicant shall certify to receipt of a copy of Article 416-4.4 of this Ordinance.

(b) Tag Numbers. The licensing authority shall enter on the application the number of the license tag issued. All applications shall be kept on file in an office of the licensing authority, open to public inspection during the term of the licenses applied for.

§416-6.010 Lost Tags. Whenever a license tag has been lost or destroyed, a duplicate shall be issued by the licensing authority upon payment of the established fee.

§416-6.012 Periods. Licenses shall be valid for such periods, and license fees shall become due and payable at such times as shall be determined by the Board of Supervisors. Late fees shall accrue if a license fee is unpaid within sixty days after it is due and payable.

§416-6.014 Fees. License fees, late fees and replacement fees shall be established by resolution of the Board of Supervisors.

§416-6.016 Prohibition. No person may use any license for any animal other than the animal for which it was issued.

ARTICLE 416-6.2 MULTIPLE PET LICENSES.

§416-6.200 License Required. (a) No more than three dogs and no more than five cats over six months of age, may be kept, harbored, possessed or maintained for more than thirty days in a single dwelling or business unit without a multiple pet license in an area zoned for uses other than agriculture.

(b) No more than twenty dogs and no more than twenty cats over six months of age, and no dogs or cats for commercial purposes may be kept, harbored, possessed or maintained in any single dwelling or business unit without a kennel license. Commercial purposes shall include but not be limited to: boarding, training, or wholesaling of animals; but, shall not be construed to mean the sale of individual animals to private owners.

§416-6.202 Applications. (a) Application for a multiple pet license shall include an application fee and shall be made in writing to the Animal Services Director, who shall issue the license when the application is approved.

(b) Application for a Kennel License shall include an application fee and shall be made in writing to the Director of Planning, who shall issue the license jointly with the Animal Services Director if the application is approved.

(c) The Director of Planning and the Animal Services Director may jointly or severally promulgate regulations governing the application for, and issuance of, kennel licenses.

(d) Applications for multiple pet licenses or kennel licenses shall show that the following conditions have been met:

(1) facilities exist at the location to adequately secure, feed, house and maintain the animals;

(2) possession and maintenance of the animals at the location has not resulted in, and is not likely to result in the animals being subjected to neglect, suffering, cruelty or abuse;

(3) neither the applicant, the owner, nor the possessor of the animals has had a county license revoked, or been convicted for a violation of this ordinance or any law regulating animals within one year;

(4) all dogs maintained under a multiple pet license shall be confined on the premises and shall be enclosed in a secure shelter during the hours of darkness, except when they are shown, exercised, tried, worked, hunted, or trained under the owner's control.

The required showing may be made by declaration under penalty of perjury.

(e) Each application for a multiple pet license or kennel license must list every dog to be included. An updated list shall be submitted to the Animal Services Director upon application for a renewal of a multiple pet license. Each application must also include a current rabies immunization certificate issued by an authorized veterinarian for every dog listed.

§416-6.204 License Approval. (a) At the receipt of a complete application for a multiple pet license, the Animal Services Director may investigate the application including investigation of the premises at which the animals will be kept prior to the approval of the application.

(b) In the case of kennels, after receipt of a complete application the Animal Services Director or the Director of Planning may investigate the application including the premises on which the kennel will be operating, and shall ascertain that the kennel is authorized by a land use permit prior to approval of the application.

(c) The Animal Services Director or the Director of Planning may require such information pertinent to the keeping of the animals from an applicant as they deem necessary with respect to their action on a multiple pet or kennel license application or renewal application.

(d) The Animal Services Director or the Director of Planning may impose conditions on the approval or renewal of any multiple pet or kennel license. Such conditions must be in writing and must serve to effectuate the intent of this ordinance, the well being of the animals, or the public health, welfare, convenience or necessity.

(e) Prior to the denial of any multiple pet license or renewal thereof, or any approval to which conditions are attached, the Animal Services Director shall notify the applicant in writing of the intended action. Any conditions to be attached to an approval or renewal shall be specified in the notice. The applicant, in writing, may request a hearing before the Animal Services Director within five days after receipt of such notice if he/she wishes to contest a decision of denial or approval with conditions. If the applicant requests a hearing, the Animal Service Director shall give the applicant no less than five days notice, in writing, of the time and place of such hearing, by mail. After hearing, the Animal Services Director shall determine whether the license should be issued, issued subject to conditions, or denied.

(f) A multiple pet license shall be renewed without review upon the filing of a complete application and payment of the necessary fees unless renewal has been protested or the Animal Services Department has received or lodged two or more complaints concerning the licensed location within the last year.

§416-6.206 Periods. Multiple pet licenses and kennel licenses shall be valid for such periods not less than one year, and the license fees shall become due and payable at such times, as shall be determined by resolution of the Board of Supervisors.

§416-6.203 Fees. Multiple pet license fees, kennel license fees, application fees, and late license fees shall be established by resolution of the Board of Supervisors. Separate fee schedules may be established for dog enthusiasts or cat fanciers.

§416-6.210 Exemptions. Multiple pet license fees and kennel license fees shall not be charged to veterinary hospitals, except when such hospitals offer boarding or breeding services separately from veterinary medical services.

§416-6.212 Late Fees. Late fees shall be payable upon failure to obtain a multiple pet license or a kennel license within sixty days of keeping, harboring, possessing or maintaining animals in excess of those specified herein, or upon failure to pay a renewal license fee within sixty days after it is due and payable.

§416-6.214 Dog tags. Any dog for which a license is required and which is covered under a multiple pet or kennel license, which is removed for more than one day from the licensed premises shall wear its current, valid license tag unless performing in the capacity of hunting, working, obedience, tracking or showing.

§416-6.216 Breeding Limitation. (a) No person, except as provided below, shall allow the parturition and rearing of more than one litter of dogs and one litter of cats in any one calendar year.

(b) Persons holding multiple pet or kennel licenses may allow the parturition and rearing of no more than one litter per bitch registered by a nationally-recognized dog registering body and one litter per queen registered by a nationally-recognized cat registering body, in any one calendar year.

§416-6.218 Existing Licensees. Persons holding Dog Fancier Licenses or Commerical Kennel Licenses on the effective date of this Article are entitled to a multiple pet license, and persons holding a Commerical Kennel License on the effective date of this Article are entitled to a Kennel License, without prior approval, upon filing complete application documents and tendering the required fees.

ARTICLE 416-6.4 LICENSE REVOCATION.

§416-6.400 License Revocation. (a) A license may be revoked by the Animal Services Director on one or more of the following grounds:

- (1) falsification of facts in the license application;
- (2) violation of any provisions of this ordinance or any California State law, statute rule, order or regulation governing the activity for which the license was issued;
- (3) conviction of cruelty to animals in this or any other state;
- (4) failure to meet and maintain the conditions of the license;
- (5) inhumane and/or cruel treatment of animals;
- (6) violations of health and sanitation codes.

(b) Prior to revocation of a license, the Animal Services Director shall hold a public hearing to determine whether the grounds described in §416-6.400(a) exist.

(c) At least ten days prior to hearing the Animal Services Director shall mail or otherwise deliver to the possessor of the animals a notice containing a statement of the charges supporting license revocation and/or impoundment and notice of the time and place of hearing before the Animal Services Director as to the truth of the charges.

(d) If the Animal Services Director determines, after hearing, that charges supporting such action are true, he/she may revoke the license and may impound any animals covered under such license.

(e) On revocation of license, if the cause is not inhumane treatment of animals or violation of health and sanitation codes, the owner of the license so revoked shall have a sixty day grace period prior to the effective date or revocation to attempt to find new adoptive owners for the animals involved.

(f) If a license has been denied or revoked for cause, the Animal Services Director shall not accept a new application by the same person less than twelve months after such denial or revocation unless the applicant affirmatively shows, and has verified by the Animal Services Director, that the grounds upon which the first license or application was denied or revoked no longer exist.

(g) On revocation of license, no part of the license fee shall be refunded.

§416-6.402 Inspection. For the sole purposes of determining inhumane treatment of animals and/or violations of state and local health and sanitation laws, the Animal Services Director, upon reasonable notice and having in his/her possession a search warrant, shall be permitted to inspect all animals, and the premises so specified in said search warrant at which any such animal(s) are kept, harbored, possessed or maintained.

§416-6.404 Documents. (a) The Animal Services Director may require any person owning, possessing, harboring, or controlling any animal for which a license or permit is required under Division 416 to produce any required license, permit, or certificate of rabies vaccination for inspection.

(b) Any person subject to the provisions of §416-6.404(a) who fails to produce a required license, permit, or certificate of rabies vaccination for inspection by the Animal Services Director after a demand for inspection, is in violation of this Ordinance Code.

CHAPTER 416-8 IMPOUNDMENT

§416-8.002 Impoundment Required. (a) All dogs found at large in violation of the provisions of Division 14 of the Agricultural Code, or any provisions of Division 416 of this Ordinance Code, shall be taken up and impounded, and are subject to destruction by humane injection.

(b) All animals, including dogs and cats, that are abandoned, found at large, taken into custody by the Animal Services Director, or otherwise found to be in violation of Division 416 of the Ordinance Code, shall be taken up and impounded, and are subject to destruction by humane injection.

(c) Any person taking up and/or holding a stray animal the owner of which is unknown or cannot be immediately contacted, shall notify the Animal Services Department within twenty-four hours and, upon request, shall immediately surrender it for impounding. Any person participating in a rescue program authorized for such purposes by the Animal Services Director is exempt from the surrender requirement.

§416-8.004 Exceptions. The Animal Services Director shall not impound any animal (including fowl) not otherwise in violation of Division 416, staked or tied for grazing on private property or any fowl at large on private property except on the complaint of the owner or occupant of the property, or of any other property if he claims injury.

§416-8.006 Holding Period, Notice. (a) Except for rabies control purposes, impounded animals shall be kept at a facility of or authorized by the Animal Services Department for seventy-two hours, except:

(1) Stray dogs or cats with valid licenses shall be held 10 days after written notice is mailed or otherwise given to the owner, if the owner is identified; and

(2) Stray bovine animals, horses, mules or burros shall be held for five days and if unclaimed after that period, shall be disposed of in such manner as the Board of Supervisors shall specify by resolution.

(b) If the owner of an impounded animal, other than a dog or cat with a valid license, is identified, the Animal Services Department shall notify the owner by telephone or mail within two days after such identification and hold the animal for at least five working days after notice is mailed or otherwise given.

(c) The Animal Services Director may dispose of animals unclaimed after expiration of the holding period by humanely destroying them by injection or by placing the animal in an adoptive home. No live animal shall be released for teaching or experimental purposes.

§416-8.008 Summary Destruction. The Animal Services Director may, without waiting for the holding periods to elapse, cause any impounded animal to be destroyed when such an animal is severely injured, or infected with a dangerous or communicable disease, and only after reasonable efforts under the circumstances have been made to apprise the owner of such animal, if such owner can be reasonably identified, of the condition of the animal.

§416-8.010 Owner Claims. (a) The owner of any impounded animal is liable for all accrued impoundment fees. The owner of any impounded animal may claim it from the Animal Services Department before its destruction, sale, or other disposition, after obtaining all required licenses and permits and paying all accrued impoundment fees.

(b) If the owner claims that an animal was unlawfully impounded, the owner may request a hearing which shall be provided by the Animal Services Director within three working days of such request. The Animal Services Director shall hear the evidence and argument of the owner and make such further investigation as is deemed appropriate. The animal shall be released to the owner without payment of fees or penalties, except applicable license or permit fees, if the Animal Services Director concludes there is reasonable doubt as to the lawfulness of the impoundment. No fees shall be charged on account of continued impoundment after a hearing has been requested.

§416-8.012 Impoundment Fees. Impoundment fees shall be established by resolution of the Board of Supervisors. The Board of Supervisors shall establish additional fees payable in the case of animals reclaimed for a second time within a twelve-month period and further additional fees payable in the case of animals reclaimed three or more times within a twenty-four month period. As to the additional fees, an owner is entitled upon request to a hearing as provided in Section 416-8.010 (b).

§416-8.014 Abandonment. The refusal or failure of the owner of any animal to apply for all required licenses or permits, and to pay all applicable license, permit, and impoundment fees, within ten days after notice of impoundment is mailed to such owner's last known address or otherwise given to such owner constitutes abandonment and relinquishment of the owner's rights to the County.

§416-8.016 Adoption. (a) Animals subject to disposition by the County may be sold if the Animal Services Director finds that the sale of any such animal is not contrary to law, to policy of the Department, or to the public interest. Dogs or cats may not be sold for purposes other than keeping as pets, and may not be sold without first having been licensed, neutered or spayed, and vaccinated against rabies, or a fee therefore having been deposited.

(b) Fees for the purchase of animals from the Animal Services Department shall be established by resolution of the Board of Supervisors.

CHAPTER 416-10 RABIES CONTROL

§416-10.002 Rabies Impoundment. All dogs in violation of the Rabies Control Act (Division 3, Chapter 3, Article 1 [§§1900-1922] of the Health and Safety Code) and all animals subject to the provisions of this chapter shall be quarantined or impounded, and are subject to destruction in some humane manner or to other disposition as provided in this chapter.

§416-10.004 Responsibility of Health Officer. The county health officer shall supervise rabies control. If he/she finds that rabies exists in this county, he/she shall take the control measures that he/she finds necessary and proper to abate the condition; and he/she may quarantine any animal to protect the public health. All county officers and employees, including the Animal Services Director, shall cooperate with and assist the health officer in carrying out any measures necessary for rabies control.

§416-10.006 Suspected Rabies. (a) Knowledge and Report. If the owner and/or keeper of any animal observes or learns (from any source whatsoever) that the animal shows symptoms of rabies, that person shall immediately confine the animal in a veterinary hospital, an Animal Services Department facility, or other adequate facility; including the owner's premises if approved by the Animal Services Director; notify the Animal Services Director, and make the animal available to the Animal Services Director for examination and/or confinement.

(b) Examination. The Animal Services Director shall cause the animal to be examined by a veterinarian.

(c) Confinement. If the Animal Services Director, on the advice of a veterinarian, deems it advisable for the protection of the public health, he/she shall have the animal confined in a veterinary hospital, an Animal Services Department facility, or other adequate facility, and shall keep the health officer advised of the animal's condition.

(d) Release. No person shall release any animal so confined until release is authorized by the Animal Services Director.

(e) Charge. The animal's owner shall be charged for all costs incurred or fees applicable with respect to examination or confinement of the animal.

§416-10.008 Bites. (a) Knowledge and Report. If the owner and/or keeper of any animal knows or learns from any source whatsoever, that the animal has bitten any person, any other animal, or has been bitten by another animal having rabies or reasonably suspected of having rabies, such owner or keeper shall immediately confine the animal in a veterinary hospital, an Animal Services Department facility, or other adequate facility; notify the Animal Services Director, and shall make the animal available to the Animal Services Director for examination and/or confinement. The victim of such biting shall report the incident to the Animal Services Director where the owner or keeper of the animal is unknown, or where the owner or keeper is unable or refuses to make the required report.

(b) Examination. The Animal Services Director may cause the animal to be examined by a veterinarian.

(c) Confinement. The Animal Services Director shall confine or have the animal confined in a veterinary hospital, an Animal Services Department facility, or other adequate facility for the period prescribed by state law, and shall keep the health officer advised of the animal's condition.

(d) Release. No person shall release any animal so confined until release is authorized by the Animal Services Director.

(e) Charges. The animal's owner shall be charged for all costs incurred or fees applicable with respect to examination or confinement of the animal.

§416-10.010 Rabies Reports. (a) Rabies is declared to be a reportable disease. Every veterinarian practicing in this county and every person providing professional medical treatment for animal bite by an animal of a species subject to rabies shall immediately notify the health department whenever rabies is suspected.

(b) Every veterinarian practicing in this county shall provide the Animal Services Director with a copy of every rabies immunization certificate which he/she issues.

§416-10.012 Violation. Violation of this chapter except for the provisions of §416-10.010(b) is a misdemeanor. Violation of §416-10.010(b) is subject to Article 416-4.6 of this ordinance.

CHAPTER 416-11 WILD OR EXOTIC ANIMALS

§416-11.002 Registration Required. All persons owning, maintaining, or possessing any wild or exotic animal must register such animal with the Animal Services Director.

§416-11.004 Registration Form. All persons registering wild or exotic animal with the Animal Services Director shall submit the following information on a form provided by the Animal Services Department:

- (1) The true name and address of the owner or possessor of such animals, and the names and addresses of two persons who may be contacted in case of emergency.
- (2) The number and true scientific name(s) of the type(s) of wild or exotic animal(s) for which registration is requested.
- (3) The address or place where the animal(s) will be located.
- (4) The purpose for which the animal(s) will be possessed.
- (5) If the animal(s) are described in Fish and Game Code §2118, a copy of a current, valid permit from the State of California for possession of such animal(s).
- (6) Any other information as the Animal Services Director may require.
- (7) There shall be no fee for registration of wild or exotic animals.

§416-11.006 Impoundment. Any wild or exotic animal in this County which is at large, or for which the Animal Services Director does not have a current registration, is subject to impoundment under the provisions of Chapter 416-8, at the discretion of the Animal Services Director, or to summary destruction if the Animal Services Director concludes that the animal poses a threat to public health and safety and cannot be immediately and safely impounded.

§416-11.008 Sale of Wild Animals. Any person who transfers or sells any wild or exotic animal to another person in this county must give written notice of the name and address of the person to whom possession is transferred and of the person acquiring such animal to the Animal Services Director within thirty days.

§416-11.010 Exemptions. Any museum, educational institution or scientific research organization with a valid permit from the state or federal government for ownership, harboring or maintenance of wild or exotic animals is exempt from the provisions of this chapter.

CHAPTER 416-12 MISCELLANEOUS

ARTICLE 416-12.0 DISPOSAL.

§416-12.002 By Owner. Any person possessing a dead animal or fowl shall dispose of it in a safe and sanitary manner. Upon receipt of information that the body of any animal or fowl has not been properly disposed of in accordance with this section, the Animal Services Director shall dispose of the body.

§416-12.004 Requested Disposal. On request by any person, the Animal Services Director may remove and dispose of any small animal such as dog, cat, fowl or rabbit lawfully in the possession of the person.

§416-12.006 Fees. Animal disposal services by the Animal Services Director shall be subject to such fees as shall be established by resolution of the Board of Supervisors.

ARTICLE 416-12.2 NUISANCES.

§416-12.202 Animal Noise. (a) No person shall own, possess, harbor, control, or keep on any premises, any dog, fowl, or other animal, that barks, bays, cries, howls, or makes any other noise so continuously or incessantly as to unreasonably disturb the peace or quiet of any two persons living in different households within three hundred feet of the location of the disturbance.

(b) Any person who shall keep or permit to remain on any premises any animal as defined in part (a) above is guilty of a violation of this ordinance, provided that during the time that the animal is making such a noise, no person or other animal is trespassing or threatening to trespass or no person is teasing or provoking the animal. This section shall not be construed to prohibit the keeping of any watchdog, provided that the keeper thereof takes immediate steps to quiet such dog whenever it barks, and provided that such keeper never leaves such dog unattended on the premises in a place where its barking, if prolonged or repeated an undue number of times, disturbs the peace or quiet of any two persons living in different households within three hundred feet of the locations of the disturbance.

§416-12.204 Animal Wastes. Any person having the ownership, custody, or control of any animal which defecates on public walks, in public recreation areas, in public buildings, or without the owner's consent on private property, shall immediately remove the excrement from any such place to a site not prohibited by law. This restriction shall not apply in areas identified as horse trails or areas specifically set aside for exercise of animals.

ARTICLE 416-12.4 DANGEROUS ANIMALS.

§416-12.402 Dangerous Animals. Any animal, except a dog assisting a peace officer engaged in law enforcement duties, which demonstrates any of the following behavior, is rebuttably presumed dangerous:

(a) An attack which requires a defensive action by any person to prevent bodily injury and/or property damage in a place where such person is conducting himself peacefully and lawfully.

(b) An attack on another animal or livestock which occurs off the property of the owner of the attacking animal.

(c) An attack that results in an injury to a person in a place where such person is conducting himself peacefully and lawfully.

(d) Any behavior that constitutes a physical threat of bodily harm to a person in a place where such person is conducting himself peacefully and lawfully.

For the purposes of this section, a person is peaceably and lawfully upon the private property of an owner or possessor of the animal when he is on such property in the performance of any duty imposed upon him by the laws of this state or any city or county, or by the laws or postal regulations of the United States, or when he is on such property upon invitation, express or implied.

§416-12.404 Finding of Danger. After notice and hearing upon charges following the procedure expressed in §416-6.400, the Animal Services Director may declare that an animal is dangerous and thereafter such animal is a dangerous animal.

§416-12.406 Dangerous Animal Permit Required. No person shall own, maintain, or possess any dangerous animal without having obtained a permit from the Animal Services Director, including payment of any and all fees required, and compliance with all conditions of such permit, within thirty days after a declaration that the animal is dangerous.

§416-12.408 Dangerous Animal Permit Application. An application for a dangerous animal permit shall include:

(a) The true name and address of the applicant and of the owner or possessor of the animal, and the names and addresses of two persons who may be contacted in the case of emergency;

(b) An accurate description of the dangerous animal for which the permit is requested;

(c) The address or place where the animal will be located;

(d) The purpose for which the animal will be possessed or kept;

(e) Such other information as the Animal Services Director may require; and

(f) An application fee for each animal.

§416-12.410 Investigation. (a) At the receipt of a complete permit application, the Animal Services Director may investigate the application and may grant a county permit if in his/her discretion, he/she finds the following conditions satisfied:

(1) Facilities exist at the location to adequately secure, feed, house and maintain the animal;

- (2) Possession and maintenance of the animal at the location is not likely to endanger the peace, quiet, health, safety or comfort of persons in the vicinity of the location;
 - (3) Possession and maintenance of the animal at the location is not likely to be detrimental to agriculture, native wildlife, or the public peace, health or safety in the county;
 - (4) Possession and maintenance of the animal at the location has not resulted in, and is not likely to result in, the animal being subjected to neglect, suffering, cruelty, or abuse;
 - (5) Neither the applicant, owner, nor the possessor of the animal has had a County Dangerous Animal Permit or any other license required under this ordinance revoked, or been convicted of a violation of this ordinance or any law regulating animals within three years;
 - (6) Possession of the animal at the location specified will not violate any law, ordinance, or regulation.
- (b) Persons residing in the vicinity of the location shall be notified of the application and be given an opportunity for comment.

§416-12.412 Dangerous Animal Permit. A County Dangerous Animal Permit shall be issued to the possessor of the animal, and shall be valid for not more than one calendar year, but may be renewed for subsequent years upon the filing of a renewal application conforming to the requirements of §416-12.408 not later than December 31 of each year, and meeting all the requirements of this chapter as upon the issuance of the original permit. No person holding a dangerous animal has any right to a renewal of that permit. Failure to file application for renewal by February 1 shall result in a delinquent fee for each animal. County permits shall include the name and address of the applicant, the owner and possessor of the animal, the number and accurate description of the animal(s), and the address or place where the animal will be located.

§416-12.414 Permit Conditions. All County Dangerous Animal Permits are subject to compliance with all relevant state laws and ordinances, and are subject to the following conditions:

- (a) The permit is non-transferrable;
- (b) The animal may not be possessed nor maintained at any other location than that expressed on the permit;
- (c) The animal must be securely maintained;
- (d) The animal may not be permitted to be loose, or to create any detriment or danger to the peace, health, or safety of the people in the vicinity of the location, nor to agriculture, native wildlife, or public peace, health, or safety in the County;
- (e) The animal may not be subject to neglect, suffering, cruelty, nor abuse;
- (f) The location where the animal is possessed or maintained is kept clean and sanitary; and the animal is provided with proper and adequate food, water, ventilation, shelter and care at all times;
- (g) The Animal Services Director shall be allowed at any reasonable time to inspect the animal and the place where the animal is located;
- (h) Payment of a permit fee if imposed by resolution of the Board of Supervisors.

§416-12.416 Permit Revocation. Dangerous Animal Permits are subject to revocation as provided in §416-6.4.

§416-12.418 Fees. Dangerous Animal Permit application fees, permit fees, and delinquent fees shall be established by resolution of the Board of Supervisors.

§416-12.420 Dangerous Animal at Large. (a) Any dangerous animal found at large shall be impounded.

(b) Any dangerous animal found at large two times within twelve months after having been declared a dangerous animal, or in any event a third time after such declaration may be humanely destroyed after notice and hearing upon charges, following the procedure expressed in §416-6.400.

§416-12.422 Impoundment Pending Hearings. Any animal subject to dangerous animal proceedings may be impounded at the discretion of the Animal Services Director pending notice, hearings and determinations hereunder and until any required permit is obtained. The animal's owner shall be charged for all costs incurred or fees applicable with respect to such impoundment unless a finding is made that the animal is not dangerous or not subject to destruction.

§416-12.424 Exception. Nothing in this chapter shall limit the right of any person or officer to take any proceedings against a dangerous animal or the owner thereof otherwise permitted or provided by law.

ARTICLE 416-12.6 PERFORMING ANIMALS.

§416-12.602 Restrictions. No performing animal exhibition or circus shall induce or encourage animals to perform through the use of chemical, mechanical, electrical, or manual devices in a manner which will cause, or is likely to cause, physical injury or suffering to the animal.

§416-12.604 Equipment. All equipment used on a performing animal shall fit properly and be in good working condition.

ARTICLE 416-12.8 SALES OR GIFTS OF ANIMALS.

§416-12.802 Public Display Prohibited. No person under the age of eighteen shall place any dog, cat, puppy or kitten on public display for the purpose of sale, offer for sale, barter or giveaway upon any street, sidewalk, parking lot, shopping center walkway or other public place, and no transfer of any such animal shall be made to any person under the age of eighteen.

§416-12.804 Sale of Dogs or Cats. (a) The seller of a dog or cat shall provide to the buyer at the time of sale a signed statement attesting to the seller's knowledge of the animal's health. Such statement shall also include the animal's immunization history, and the record of any known disease, sickness or internal parasites that the animal is afflicted with at the time of transfer of ownership, including treatment and medication.

(b) Any person purchasing a dog or cat from a person or an establishment required to be licensed or registered pursuant to Chapter 416-6 of this code may, within five days of such purchase cause such animal to be examined by a veterinarian licensed by the State of California. If such examination reveals clinical signs of contagious or infectious disease, or serious congenital defects, not otherwise disclosed to the purchaser as required by this article, the purchaser may, within one business day of the examination, return such animal to the seller. When returned, such animal must be accompanied with a certificate signed by the examining veterinarian stating examination findings. Upon return of such animal for the reasons stated in this section, seller shall reimburse the purchaser for the cost of the animal. If the seller refuses to reimburse the purchaser for the cost of the animal upon purchaser's offer to return it, the purchaser may file a civil complaint.

SECTION III. EFFECTIVE DATE. This ordinance becomes effective April 1, 1981, and within 15 days of passage shall be published once with the names of supervisors voting for and against it in the MARTINEZ NEWS-GAZETTE, a newspaper published in this County.

PASSED ON December 23, 1980 by the following vote:

AYES: Supervisors - T. Powers, R. I. Schroder, S. W. McPeak and E. H. Hasseltine.

NOES: Supervisors - N. C. Fahden.

ABSENT: Supervisors - None.

ATTEST: J. R. OLSSON, County Clerk
and ex officio Clerk of the Board

By Diana M. Herman
Diana M. Herman Deputy

Nancy C. Fahden
Chairman of the Board

[SEAL]

AWW//j

ORDINANCE NO. 83- 10
(Animal Control Ordinance Amendments)

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I: Section 416-4.210 "Animal services director decision final" is added to the County Ordinance Code to read:

§416-4.210 Animal services director decision final. Whenever in this division the animal services director is authorized to make a determination or take administrative action, such determination or action shall be final and conclusive and shall not be subject to appeal under Chapter 14-4.

SECTION II: Section 416-4.406 "Prohibition" is amended to read:

§416-4.406 Prohibition. No animal services officer shall act in violation of Government Code section 53074.

SECTION III: Section 416-4.218 "Existing licensees" is corrected to read:

§416-6.218 Existing Licensees. Persons holding Dog Fancier Licenses or Commercial Kennel Licenses on the effective date of Ordinance 80-97 are entitled to a multiple pet license, and persons holding a Commercial Kennel License on the effective date of Ordinance 80-97 are entitled to a Kennel License, without prior approval, upon filing complete application documents and tendering the required fees.

SECTION IV: Section 416-6.400 "License revocation" is amended by adding subsection (h) as follows:

§416-6.400 License revocation.

(h) Evidence must be relevant, non-cumulative, and of such nature as responsible persons are accustomed to rely on in the conduct of serious affairs. Written statements by a county officer or employee, an officer or employee of the State of California, or an officer or employee of any law enforcement or fire protection agency acting in the course and scope of their official duties or employment, written records of the animal services department, and statements under penalty of perjury may be accepted as evidence that the fact(s) or condition(s) expressed therein do or do not exist.

SECTION V. Section 416-12.411 "Permit denial" is added to read:

§416-12.411 Permit denial. Within seven (7) days after mailing of a notice that a dangerous animal permit has been denied, the owner or applicant may once only file with the Animal Services Director a written request for review of the denial decision. Such request shall state all grounds for review and present in writing the evidence relied upon to support granting the permit. The Animal Services Director may further investigate the application and shall reconsider the application. The permit denial is rescinded pending reconsideration. Upon reconsideration, changes in ownership of the animal or in the proposed location of the animal shall not be taken into account. The applicant for a dangerous animal permit at all times bears the burden of proof to justify a permit.

SECTION VI: Section 416-12.416 "Permit revocation" is amended to read:

§416-12.416 Permit revocation. Dangerous animal permits are subject to revocation as provided in Article 416-6.4 except that the provisions of §416-6.400(e) shall not be applicable.

SECTION VII: Section 416-12.417 "Unpermitted dangerous animals" is added to read:

§416-12.417 Unpermitted dangerous animals. In the event that within ten (10) days after mailing notice that an animal is declared to be a dangerous animal, an application for a dangerous animal permit is not received, and ten (10) days after mailing notice that a dangerous animal permit has been denied or revoked, the animal services director may dispose of any dangerous animal by humanely destroying it by injection.

SECTION VIII: Section 416-12.420 "Dangerous animal at large" is repealed, amended, and reenacted to read:

§416-12.420 Dangerous animal at large. Any dangerous animal found at large shall be destroyed, impounded, or impounded subject to destruction, at the discretion of the animal services director.

SECTION IX: Urgency: This ordinance is an urgency ordinance for the immediate preservation of the public peace, health, and safety, within the meaning of Government Code Section 25123 and Elections Code Section 3751, and the following is a declaration of the facts constituting the urgency and necessity requiring the immediate effectiveness of this ordinance:

Contra Costa County Ordinance 80-97, which became effective April 1, 1981, was intended, inter alia, to protect the public from dangerous animals. It has become evident that the provisions of the ordinance respecting dangerous animals are insufficient to protect the public in that no provision exists for the destruction of unpermitted dangerous animals and no provision exists for review of a decision to deny a dangerous animal permit. The animal services department now has custody of two dangerous animals who cannot be disposed of or released under existing ordinance provisions.

SECTION X. SEVERABILITY. This Board declares that, if the urgency nature of this ordinance is invalidated, it intends SECTIONS I through VIII, inclusive, to remain valid and effective and that it would have passed SECTIONS I through VIII, inclusive even without the urgency provisions. Therefore, the Board directs that this ordinance be treated and published, effective and operative, as both an urgency and a non-urgency ordinance as provided in SECTION XI.

SECTION XI. EFFECTIVE and OPERATIVE DATES. As an urgency ordinance, this ordinance becomes effective and operative immediately on introduction and passage. As a non-urgency ordinance, it becomes effective 30 days after passage (on second reading), and within 15 days of passage shall be published once with the names of supervisors voting for and against it in the CONTRA COSTA INDEPENDENT a newspaper published in this County.

PASSED on April 19, 1983 by the following voter

AYES: Supervisors - Powers, Fahden, McPeak, Torlakson, Schroder.

NOES: Supervisors - None.

ABSENT: Supervisors - None.

ATTEST: J. R. Olsson, County Clerk
& ex officio Clerk of the Board

BY Diana M. Herman, Dep.

Diana M. Herman


Board Chair

[SEAL]

ORDINANCE NO. 85-23
(Animal Services Contracting)

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Ordinance Code Section 416-4.208 to insure that the Contra Costa County Animal Services Ordinance will apply in cities in Contra Costa County only when the city and the County have agreed to a contract providing for such application.

SECTION II. Section 416-4.208 of the County Ordinance Code is amended to read:

416-4.208 Application to cities.
Division 416 applies to any city in this county which
(1) contracts with Contra Costa County for animal services and (2) adopts an ordinance implementing Food and Agricultural Code Section 30501 and the provisions of Division 416 in the city. (Ord. 85-23 §2, Ord. 80-97 §2)

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED on April 9, 1985, by the following vote:

AYES: Supervisors Powers, Schroder, McPeak, Torlakson, Fahden

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: PHIL BATCHELOR, Clerk of
the Board and County Administrator

By: Ann Cervelli
Deputy Ann Cervelli

Nancy Johnson
Board Chair

[SEAL]

ORDINANCE NO. 87- 74

(Regulation of Dangerous Animals
and Potentially Dangerous Animals)

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Article 416-12.4, Dangerous Animals, to provide for designation and regulation of potentially dangerous animals; to restrict future ownership of dangerous animals; to give the director of animal services discretion to destroy a dangerous animal that cannot be safely maintained; and to require a declaration of insurance as a permit condition.

SECTION II. Section 416-12.401 Potentially Dangerous Animals is added to the County Ordinance Code to read:

416-12.401. Potentially Dangerous Animal.

(a) Any animal, except a dog assisting a peace officer engaged in law enforcement duties, which has any of the following characteristics is a potentially dangerous animal:

(1) has a known propensity, disposition or tendency for unprovoked attack, which may cause injury or threaten the safety of humans or domestic animals;

(2) has been specially trained to guard persons and/or property;

(3) is unlicensed;

(4) has engaged in any behavior that constitutes a physical threat of bodily harm to a person or domestic animal.

(b) The Director may issue a notice designating an animal exhibiting the aforementioned characteristics as potentially dangerous and may recommend that the animal's owner take certain actions to prevent future injury by the animal. (Ord. 87- 74, § 2.)

SECTION III. Section 416-12.402 Dangerous Animals is amended to read:

416-12.402. Dangerous Animals. Any animal, except a dog assisting a peace officer engaged in law enforcement duties, which demonstrates any of the following behavior, is rebuttably presumed dangerous:

(a) An attack which requires a defensive action by any person to prevent bodily injury and/or property damage in a place where such person is conducting himself peacefully and lawfully;

(b) An attack on another animal or livestock which occurs off the property of the owner of the attacking animal;

(c) An attack that results in an injury to a person in a place where such person is conducting himself peacefully and lawfully;

(d) Any behavior that constitutes a physical threat of bodily harm to a person in a place where such person is conducting himself peacefully and lawfully.

(e) Repetition of behavior that resulted in the animal's prior designation as a potentially dangerous animal pursuant to section 416-12.401.

For the purposes of this section, a person is peaceably and lawfully upon the private property of an owner or possessor of the animal when he is on such property in the performance of any duty imposed upon him by the laws of this state or any city or county, or by the laws or postal regulations of the United States, or when he is on such property upon invitation, express or implied. (Ord. 87-74, § 3.)

SECTION IV. Section 416-12.426 Restriction on Future Ownership is hereby added to the County Ordinance Code to read:

416-12.426. Restriction on Future Ownership.

(a) Any person who owns, possesses, keeps or harbors an animal determined to be dangerous pursuant to section 416-12.404 of this Article, without a dangerous animal permit may after opportunity for hearing and a finding of good cause by the Animal Services Director, be subject to restrictions on his ownership of other animals of the species for a period of five (5) years after the original determination of danger. (Ord. 87-74, § 4.)

(b) At least fifteen (15) days prior to imposition of restrictions, the director shall mail or otherwise deliver to the person on whom restrictions are proposed a notice containing a statement of the reasons supporting the imposition of restrictions and specifying the proposed restrictions and notice of the person's right to request, in writing within five days of receipt of the notice, a hearing before the director as to the existence of good cause for imposition of restrictions. If a hearing is requested, the director shall mail or otherwise deliver to the requesting party notice of the time and place of the hearing. If, after hearing, the director determines that good cause for imposition of restrictions exists, he/she shall impose the specified restrictions within ten (10) days after mailing notice of his/her decision. If no hearing is requested, the director shall impose restrictions within fifteen days of the original notice.

SECTION V. Section 416-12.405 is added to the County Ordinance Code to read:

416-12.405. Destruction of Dangerous Animal. After the notice and hearing provided for in section 416-12.404, the animal services director may further find, in writing with supporting reasons, that an animal is so dangerous, or that other special circumstances exist, such that maintaining the animal poses a substantial threat to public health and safety. Ten days after mailing notice of a finding under this section, the animal services director may dispose of any such dangerous animal by humanely destroying it by injection. (Ord. 87-74, § 5.)

SECTION VI. Subsection (i) is added to section 416-12.414 of the County Ordinance Code to read:

416-12.414(i). Provision to the Animal Services Director of a declaration under penalty of perjury stating that the permittee:

(1) Possesses public liability insurance from an insurer licensed to practice in the State of California, in a single incident amount of not less than fifty thousand dollars (\$50,000.00) for each animal, for injury to or death of any person or persons, or loss or damage to any property caused by or resulting from any act or such animal;

(2) Will maintain such insurance policy for so long as he owns, keeps or harbors the animal.
(Ord. 87- 74, § 6.)

SECTION VII. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for and against it in the CONTRA COSTA TIMES, a newspaper published in this County. (§§ 25123 & 25124)

PASSED ON September 1, 1987, by the following vote:

AYES: Supervisors Powers, Fahden, Torlakson and McPeak

NOES: None

ABSENT: Supervisor Schroder

ABSTAIN: None

ATTEST: PHIL BATCHELOR, Clerk of
the Board and County Administrator

By: Ann Cavalli
Deputy

Samuel Wright McPeak
Board Chair

[SEAL]

ORDINANCE NO. 97- 33

(Penalty for Abandonment of Animal)

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code).

SECTION I. SUMMARY. This ordinance amends section 416-4.604 "Penalties" to provide that violation of section 416-4.404 "Abandonment" is a misdemeanor and punishable as such.

SECTION II. Section 416-4.604 is amended to read:

416-4.604 Penalties.

(a) Notwithstanding Section 14-8.004, and pursuant to Food and Agriculture Code § 31401, violations of Division 416 of this code, excepting Chapter 416-10 and Article 416-12.2, are punishable by a fine of not more than fifty dollars for the first offense, and not more than one hundred dollars for the second or subsequent offense.

(b) Notwithstanding subsection (a) above, violation of section 416-4.404 Abandonment, excluding abandonments under section 416-8.014, is a misdemeanor and punishable as such. (Ords. 97-332; 80-97).

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED ON September 9, 1997, by the following vote:

AYES: Supervisors Rogers, Uilkema, Gerber, Canciamilla, DeSaulnier

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST: PHIL BATCHELOR, clerk of the Board and County Administrator

By: Shirley Casillas
Deputy

MURKIN DSE
Board Chair

ORDINANCE NO. 2005-24
Dangerous Animals

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

Section I. Summary. This ordinance repeals Article 416-12.4 of the County Ordinance Code in its entirety and replaces it with a new Article 416-12.4, to regulate the ownership or possession of potentially dangerous and dangerous animals.

Section II. Article 416-12.4 of the County Ordinance Code is repealed in its entirety and replaced by a new Article 416-12.4, added by this Section II, to read:

Article 416-12.4. Dangerous Animals

416-12.402 Potentially dangerous animal.

Any animal, except a dog assisting a peace officer engaged in law enforcement duties, that demonstrates any of the following behavior is a "potentially dangerous animal."

(a) Any animal that, on two separate occasions within a 36-month period, engages in any unprovoked behavior that requires a defensive action by any person to prevent bodily injury when the person and the animal are off the property of the owner or keeper of the animal.

(b) Any animal that, when unprovoked, bites a person causing a minor injury not resulting in muscle tears or disfiguring lacerations or requiring multiple sutures, or corrective or cosmetic surgery.

(c) Any animal that, when unprovoked, kills, seriously bites, inflicts injury, or otherwise causes injury to a domestic animal off the property of the owner or keeper of the attacking animal.

(d) Any animal that, when unprovoked, has engaged in any behavior that constitutes a physical threat of bodily harm to a person or domestic animal or poses an immediate threat to public safety. (Ords. 2005-24 §2, 87-74 §2).

416-12.404 Dangerous animal.

(a) Any animal, except a dog assisting a peace officer engaged in law enforcement duties, that demonstrates any of the following behavior, is a "dangerous animal:"

(1) Any animal that, when unprovoked, inflicts severe injury on or kills a human being who is conducting himself or herself peacefully and lawfully. A "severe injury" within this chapter means any physical injury to a human being that results in muscle tears or disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

(2) Any animal designated as a potentially dangerous animal that, after its owner or keeper has been notified of this designation, exhibits any of the behaviors described in Section 416-12.402.

(3) Any animal that is associated with conduct that results in the animal's owner or keeper being convicted under Penal Code Section 597.5 (a) or any animal used during or in the commission of a crime that constitutes a misdemeanor or a felony.

(4) Any animal that attacks livestock off the property of the owner of the attacking animal.

(b) For the purposes of this section, a person is peaceably and lawfully upon the private property of an owner or possessor of the animal when he or she is on the property in the performance of any duty imposed upon him or her by the laws of this state or any city or county, or by the laws or postal regulations of the United States, or when he or she is on the property upon express or implied invitation. (Ords. 2005-24 §2, 87-74 §3).

416-12.406 Hearing Procedures.

(a) If an animal services officer determines there is probable cause to believe that an animal is potentially dangerous or dangerous, or that the owner or keeper of an animal previously determined to be potentially dangerous or dangerous has violated any animal permit conditions, the animal services director shall hold a public hearing to determine whether grounds exist to designate the animal potentially dangerous or dangerous, or to determine whether permit conditions have been violated, and if so, what orders and penalties should apply. If the owner or keeper of the animal does not dispute the charges alleged, he or she may waive the right to a hearing and, if eligible, immediately apply for an animal permit under this article.

(b) At least five business days prior to the hearing, the animal services director shall serve the owner or keeper of the animal with a notice containing a statement of the charges, and the date, time and place of hearing. Service shall be by first-class mail or personal service.

(c) Evidence received at the hearing must be relevant and of such nature as responsible persons are accustomed to rely on in the conduct of serious affairs. Written statements by a county officer or employee, an officer or employee of the state, or an officer or employee of any law enforcement or fire protection agency acting in the course and scope of their official duties or employment, written records of the animal services department, and statements under penalty of perjury may be accepted as evidence that the fact(s) or condition(s) expressed therein do or do not exist.

(d) The animal services director will consider the following factors in determining whether an animal is potentially dangerous or dangerous:

(1) Whether any injury or damage to a person by the animal was caused or contributed to by the actions of that person, including acts of physical abuse, tormenting, teasing, or assaulting the animal.

(2) Whether a person injured or damaged by the animal was committing a trespass or other tort upon premises occupied by the owner or keeper of the animal, or was committing or attempting to commit a crime.

(3) Whether any injury or damage to a domestic animal was caused or contributed to by the actions of the domestic animal, including acts of teasing, tormenting, abusing, or attacking the animal.

(4) Whether a person injured or damaged by the animal had gained uninvited and unauthorized entry onto fenced or indoor property of the animal's owner or keeper. As used in this section, "unauthorized entry" does not include entry into a fenced residential front yard unless the yard is locked or posted to prohibit entry.

(5) Whether any injury or damage to a person by the animal was caused while the animal was protecting or defending a person within the immediate vicinity of the animal from an unjustified attack or assault. (Ords. 2005-24 §2, 83-10 §4, 80-97 §2).

Section 416-12.408 Findings After Hearing

(a) After notice and hearing upon charges following the procedure described in Section 416-12.406, the owner or keeper of the animal will be provided with written notice, served by first-class mail, of the determination and order issued by the animal services director. If a determination is made after hearing that an animal is potentially dangerous or dangerous, the animal will be designated potentially dangerous or dangerous and may only be owned, kept or maintained by the current or any subsequent owner or keeper upon issuance of a potentially dangerous or dangerous animal permit as provided in Section 416-12.412. The animal services director retains discretion as to which animals are eligible for a potentially dangerous or dangerous animal permit. If an animal is eligible for the permit, notice of its eligibility will be provided with the notice of determination after hearing. If a determination is made after hearing that the owner or keeper of the animal has violated the conditions of a previously issued potentially dangerous dog or dangerous dog permit, the permit is immediately revoked and the animal is subject to humane destruction by injection at the discretion of the animal services director ten calendar days after mailing written notice of the determination.

(b) If there are no additional instances of the behavior described in Section 416-12.402 within a 36-month period from the date of designation as a potentially dangerous animal, the animal's potentially dangerous designation shall be removed by the animal services director. (Ords. 2005-24 §2, 80-97 § 2).

Section 416-12.410 Destruction of dangerous animal.

Upon a determination that an animal is dangerous after the notice and hearing provided for in Section 416-12.406, the animal services director may further find, in writing with supporting reasons, that an animal is so dangerous, or that other special circumstances exist, such that maintaining the animal poses a substantial threat to public health and safety. Ten calendar days after mailing notice of a finding under this section, the animal services director may dispose of any such dangerous animal by humanely destroying it by injection. (Ords. 2005-24 §2, 87-74 § 5).

Section 416-12.412 Potentially dangerous or dangerous animal permit required.

If a determination is made after hearing that an animal is potentially dangerous or dangerous and is eligible to be owned, kept or maintained under a

potentially dangerous or dangerous animal permit, the owner or keeper of the animal must submit a completed application, including payment of all required fees, that certifies compliance with all applicable permit conditions within 15 calendar days after written notice of the determination is mailed, unless an extension of time is granted by the animal services director. An animal whose owner or keeper fails to comply with the permit conditions within this time frame may be impounded and humanely destroyed by injection at the discretion of the animal services director. (Ords. 2005-24 §2, 80-97 § 2).

Section 416-12.414 Contents of animal permit application.

An application for a potentially dangerous or dangerous animal permit shall include:

- (a) The true name and address of the applicant and of the owner or keeper of the animal, and the names and addresses of two persons who may be contacted in the case of emergency.
- (b) An accurate description of the animal for which the permit is requested.
- (c) The address or place where the animal will be located.
- (d) The purpose for which the animal will be possessed or kept.
- (e) An application fee for the animal.
- (f) Such other information as the animal services director may require.

(Ords. 2005-24 §2, 80-97 § 2).

Section 416-12.416 Investigation.

(a) Upon receipt of a completed permit application, the animal services director may investigate the application and may grant a potentially dangerous or dangerous animal permit if the director finds the following conditions satisfied:

- (1) Facilities exist at the location to adequately secure, feed, house and maintain the animal.
 - (2) Possession and maintenance of the animal at the location is not likely to endanger the peace, quiet, health, safety or comfort of persons in the vicinity of the location.
 - (3) Possession and maintenance of the animal at the location is not likely to be detrimental to agriculture, native wildlife, or the public peace, health or safety.
 - (4) Possession and maintenance of the animal at the location has not resulted in, and is not likely to result in, the animal being subjected to neglect, suffering, cruelty, or abuse.
 - (5) Neither the applicant, owner, nor the keeper of the animal has had a potentially dangerous or dangerous animal permit or any other license required under this division revoked, or been convicted of a violation of this division or any law regulating animals within three years.
 - (6) Possession of the animal at the location specified will not violate any law, ordinance, or regulation.
- (b) An inspection fee for evaluating the facilities where an animal is maintained will be charged to the applicant, owner or keeper of the animal for each

inspection deemed necessary following the initial investigation. (Ords. 2005-24 §2, 80-97 § 2).

Section 416-12.418 Review of permit denial.

Within seven calendar days after the mailing of written notice that a potentially dangerous or dangerous animal permit has been denied, the owner or applicant may file with the animal services director a written request for review of the denial decision. Only one request for review may be made. The request shall state all grounds for review and present in writing the evidence relied upon to support granting the permit. The animal services director may further investigate the application and shall reconsider the application. The permit denial is stayed pending reconsideration. The applicant for a potentially dangerous or dangerous animal permit bears the burden of proof to justify issuance of a permit. If no appeal of the denial of the permit application is filed, or if the animal services director upholds a permit denial after reconsideration of a permit denial, the animal services director may impound the animal and humanely destroy it by injection 10 calendar days after mailing written notice of the denial. (Ords. 2005-24 §2, 83-10 §§ 5, 7).

Section 416-12.420 Permit renewal and expiration.

A potentially dangerous or dangerous animal permit issued to the owner or keeper of the animal is valid for not more than one year from the date of its issuance. A permit may be renewed for subsequent years following the same procedures as are applicable to an original permit. No person holding a potentially dangerous or dangerous animal permit has the right to an automatic renewal of that permit. Failure to renew a permit prior to its expiration will result in a late fee and the animal may be impounded and humanely destroyed by injection. (Ords. 2005-24 §2, 80-97 § 2).

Section 416-12.422 Permit conditions.

All potentially dangerous and dangerous animal permits are subject to the following conditions:

- (a) Permittees must comply with all relevant state laws and ordinances.
- (b) The potentially dangerous animal must be properly licensed and vaccinated.
- (c) The permit is nontransferable.
- (d) The owner or keeper of the animal may not be a minor.
- (e) The animal shall not be possessed or maintained at any location other than that specified in the permit.
- (f) Permittees shall display on the property where the animal is kept a sign containing a warning that there is a potentially dangerous or dangerous dog on the premises. The dimensions, colors, lettering, and graphics of the sign must comply with standards established by the animal services director. The sign must be located where it will be visible to the general public.
- (g) The animal must be securely maintained at all times. Permittees shall immediately notify the animal services department if the animal is at large as defined in

section 416-4.402, or if the animal has attacked another animal, bitten a human being, or has died. If the animal is not securely confined indoors, it must be confined as provided below unless the animal services director modifies the conditions of confinement where warranted:

(1) Confined in an enclosure consisting of a fence or structure suitable to prevent the entry of young children, and suitable to confine a potentially dangerous or dangerous animal as determined by the animal services department. The enclosure shall be securely locked, have secure sides and bottom sufficient to prevent the animal from escaping, and shall be of sufficient size to provide the animal with adequate exercise area; or

(2) Muzzled and leashed with a substantial leash not to exceed six feet in length and under the control of a responsible adult who is familiar with and in control of the animal when off the property of its owner or keeper; or

(3) Humanely confined in a vehicle so that it can neither escape nor inflict injury on passers by.

(h) The animal shall not be loose or allowed to endanger the peace, health, or safety of people, domestic animals or native wildlife.

(i) The animal shall not be subject to neglect, suffering, cruelty, or abuse.

(j) The location where the animal is possessed or maintained must be kept clean and sanitary; and the animal must be provided with proper and adequate food, water, ventilation, shelter and care at all times.

(k) The animal services director must be allowed at any reasonable time to inspect the animal and the place where the animal is located.

(l) Payment of all required fees in accordance with a fee schedule adopted by resolution of the board of supervisors, under section 416-12.426.

(m) The animal's owner or keeper must allow and pay for the animal to be sterilized and have a microchip implanted by the animal services department for identification purposes.

(n) For potentially dangerous animals only, the following additional conditions apply:

(1) The potentially dangerous animal must complete an obedience course approved by the animal services director, at the owner's expense, within 60 days after release of the animal to its owner or keeper, or within a reasonable time as agreed upon by the animal services director.

(2) Permittees shall notify the animal services department within 48 hours of the potentially dangerous animal being sold, transferred or permanently removed from the location designated on the permit, and provide the name, address, and phone number of the new owner or keeper of the animal and the new location of the animal.

(o) For dangerous animals only, the following additional conditions apply:

(1) A dangerous animal securely confined in an enclosure shall not be tethered.

(2) Unless a dangerous animal is securely confined indoors or in an outdoor enclosure on the property where the animal is maintained as described in Section 416-12.422(f)(1) above, the animal may only be removed for the purposes of obtaining

veterinary care, being sold or given away, or to comply with any provision of law or with a directive of the animal services director.

(3) Within 30 days after the animal is designated dangerous, the owner or keeper of the animal must give written notice, with a copy to the animal services director, of the animal's dangerous designation to the local police and fire departments, and the local branch of the U.S. Post Office and all utility companies that provide services to the premises where the animal is kept.

(4) The owner or keeper of the dangerous animal must present to the animal services director proof that the owner or keeper has procured liability insurance from an insurer licensed to practice in the State of California, in a single incident amount of not less than \$100,000 for each animal, for injury to or death of any person or persons, or loss or damage to any property caused by or resulting from any act of such animal. Liability insurance shall not be canceled unless the owner or keeper ceases to own or keep the animal prior to expiration of that insurance. Coverage shall be evidenced by a certificate issued by the insurer. The owner shall also provide documentation from the insurer warranting that the insurer will provide the county at least 30 days advance notice of cancellation of insurance.

(5) Permittees shall give the animal services department at least 48 hours advance notice of the sale, transfer or permanent removal of the animal to a location not designated in the permit, and provide the name, address and phone number of the new owner or keeper of the animal and the new location of the animal. (Ords. 2005-24 §2, 87-74 §6, 80-97 §2).

Section 416-12.424 Animals from other jurisdictions.

No animal that has previously been determined to be potentially dangerous, dangerous or vicious after an administrative hearing by another jurisdiction shall be kept, owned or harbored in Contra Costa County unless the animal's owner or keeper complies with the county potentially dangerous or dangerous animal permit requirements under this article. Potentially dangerous or dangerous animal permits must be obtained prior to bringing the animal into the county. Animals in violation of this section are subject to impoundment and humane destruction by injection after notice and a hearing under section 416-12.406, except that the only issues for hearing are whether the animal ever received a potentially dangerous, dangerous or vicious animal designation in another jurisdiction, and whether the animal's owner or keeper complied with the permit requirements under this article. (Ord. 2005-24 §2).

Section 416-12.426 Fees.

Animal permit application fees, permit fees, late fees, impound fees, inspection fees, microchip fees and sterilization fees shall be established by resolution of the board of supervisors. (Ords. 2005-24 §2, 80-97 §2).

Section 416-12.428 Impoundment.

(a) Any animal subject to potentially dangerous or dangerous animal

proceedings may be impounded at the discretion of the animal services director pending hearings and determinations made under this article and until any required permit is obtained. The animal's owner shall be charged for all impoundment costs and fees unless a determination is made that the animal is not potentially dangerous or dangerous.

(b) No impounded animal designated as potentially dangerous or dangerous shall be released to the custody of its owner or keeper unless all fees assessed pursuant to this division have been paid and all permit conditions under Section 416-12.422 have been satisfied.

(c) At the discretion of the animal services director, any animal impounded pursuant to this section may be returned to the custody of its owner or keeper pending hearing and decision if the director determines the return poses no threat to public health and safety. The owner, if authorized by the animal services director, may gain custody of the animal by posting a cash bond or other security in an amount to be determined by the animal services director as necessary to assure the return of the animal to the animal services department. The bond or security will be forfeited if the animal is not delivered into the custody of the animal services department upon a finding that the animal is potentially dangerous or dangerous. (Ords. 2005-24 § 2, 80-97 § 2).

Section 416-12.430 Exception.

Nothing in this chapter shall limit the right of any person or officer to take any proceedings against a potentially dangerous or dangerous animal or its owner or keeper that are otherwise permitted or provided by law. (Ords. 2005-24 § 2, 80-97 § 2).

416-12.432 Restriction on future ownership.

(a) Any person who owns, possesses, keeps or harbors an animal determined to be potentially dangerous or dangerous pursuant to Section 416-12.408 without a dangerous animal permit may, after opportunity for hearing and a finding of good cause, be subject to restrictions on his ownership of other animals of the same species for a period of five years after the original determination of danger.

(b) At least 15 calendar days prior to imposition of restrictions, the animal services director shall mail or otherwise deliver to the person on whom restrictions are proposed a notice containing a statement of the reasons supporting the imposition of restrictions and specifying the proposed restrictions and notice of the person's right to request, in writing within five calendar days of receipt of the notice, a hearing before the director as to the existence of good cause for imposition of restrictions. If a hearing is requested, the director shall mail to the requesting party notice of the date, time and place of the hearing. If, after hearing, the director determines that good cause for imposition of restrictions exists, the director shall impose the specified restrictions 10 calendar days after mailing notice of the decision. If no hearing is requested, the director shall impose restrictions 15 calendar days after mailing of the original notice. (Ords. 2005-24 § 2, 87-74 § 4).

Section 416-12.434 Penalties for violation of dangerous animal permit.

It shall be a misdemeanor for any owner or keeper of an animal previously

designated as dangerous to violate any of the conditions of the dangerous animal permit under Section 416-12.422, punishable as provided by law. If an owner or keeper is convicted of violating this section, the court may, upon good cause, order the dangerous animal seized, declared a nuisance and destroyed. Any person convicted in violation of this section shall be prohibited from owning, harboring or keeping any animal within Contra Costa County for a minimum of five years. (Ord. 2005-24 § 2).

Section 416-12.436 Prohibited dog ownership by convicted felons.

(a) Any person who has been convicted of a felony under the laws of the United States, of the State of California, or any other state, government, or country, who owns, purchases, receives, or has in his or her possession or under his or her custody or control a dog that poses a danger to the public's health, safety or welfare if misused by a convicted felon is guilty of a misdemeanor, unless the person possesses a current, valid prohibited dog permit for that dog as provided in section 416-12.438. A convicted felon under this article shall not include felons whose convictions were set aside pursuant to Penal Code section 1203.4. "Misuse" by a convicted felon means use of a dog in a threatening or aggressive manner, or in the commission of a crime.

(b) Any dog whose owner or keeper is in violation of this section shall be impounded, or impounded subject to destruction, at the owner's expense.

(c) A dog that poses a danger to the public's health, safety or welfare if misused by a convicted felon under this section means any of the following:

(1) A dog weighing more than 20 pounds.

(2) A dog who has been designated a potentially dangerous or dangerous animal under Sections 416-12.402 and 416-12.404 of this code.

(3) A dog designated by the animal services director as posing a danger to the public's health, safety or welfare if misused by a convicted felon based upon the following factors:

(i) The nature of any complaints regarding the dog.

(ii) The strength of the dog, including jaw strength.

(iii) The dog's tolerance for pain.

(iv) The dog's tendency to refuse to terminate an attack.

(v) The dog's potential propensity to bite humans or other domestic animals.

(vi) The dog's potential for unpredictable behavior.

(vii) The dog's aggressiveness.

(viii) The likelihood that a bite by the dog will result in serious injury. (Ord. 2005-24).

Section 416-12.438 Prohibited dog permit.

Any convicted felon who wishes to own, purchase, receive or have in his or her possession or under his or her custody or control a dog weighing more than 20 pounds under section 416-12.436(c)(1), or a dog that the animal services director designates as posing a danger to the public's health, safety or welfare if misused by a convicted felon under section 416-12.436(c)(3), may apply for a prohibited dog permit to own, keep or maintain that dog. If there is probable cause to believe that a dog poses a

danger to the public's health, safety or welfare if misused by a convicted felon, the dog may be impounded pending a determination made under this article and until any required permit is obtained. If the animal services director designates a dog as posing a danger to the public's health, safety or welfare if misused by a convicted felon, written notice of this designation shall be mailed to the owner or keeper of the dog. The owner or keeper must pay an application fee and apply for the prohibited dog permit within fifteen calendar days after the mailing of the written notice of designation. The animal services director may deny a prohibited dog permit if he or she determines that the dog poses a danger to the public's health, safety or welfare, or may condition the issuance of the permit upon the permittee's written agreement to comply with conditions of ownership to be determined by the animal services director. These conditions of ownership may include, but are not limited to, those found under section 416-12.422. A prohibited dog permit may subsequently be revoked by the animal services director if there is probable cause to believe that the convicted felon's continued ownership of the dog poses a danger to the public's health, safety or welfare. (Ord. 2005-24).

Section III. Effective Date. This ordinance becomes effective 30 days after passage, and within fifteen days after passage shall be published once with the names of the Supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED and ADOPTED on November 15, 2005 by the following vote:

AYES: Gioia, Piepho, DeSaulnier, Glover and Uilkema
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST: JOHN SWEETEN
Clerk of the Board of Supervisors
and County Administrator

By: Lena O'Neal
Deputy

Wayne A. Uilkema
Chair, Board of Supervisors

[SEAL]

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**ORDINANCE NO. 2006-05
Amendment to Dangerous Animal Ordinance**

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

Section I. Summary. This ordinance amends Section 416-12.430 ("Exception") of the County Ordinance Code to specifically state that nothing in the animal ordinance shall be construed to limit the access of any person in violation of state or federal laws. This ordinance also amends Sections 416-12.436 and 416-12.438 ("Prohibited dog ownership by convicted felons" and "Prohibited dog permit") to exempt assistance dogs from application of those provisions.

Section II. Section 416-12.430 of the County Ordinance Code is amended to read:

416-12.430 Exception.

Nothing in this chapter shall limit the right of any person or officer to take any proceedings against a potentially dangerous or dangerous animal or its owner or keeper that are otherwise permitted or provided by law, and nothing in this chapter shall be construed to limit the access of any person in violation of state or federal laws. (Ords. 2006-05 § 2, 2005-24 § 2, 80-97 § 2).

Section III. Section 416-12.436 of the County Ordinance Code is amended to read:

Section 416-12.436 Prohibited dog ownership by convicted felons.

(a) Any person who has been convicted of a felony under the laws of the United States, of the State of California, or any other state, government, or country, who owns, purchases, receives, or has in his or her possession or under his or her custody or control a dog that poses a danger to the public's health, safety or welfare if misused by a convicted felon is guilty of a misdemeanor, unless the person possesses a current, valid prohibited dog permit for that dog as provided in section 416-12.438. A convicted felon under this article shall not include felons whose convictions were set aside pursuant to Penal Code section 1203.4. "Misuse" by a convicted felon means use of a dog in a threatening or aggressive manner, or in the commission of a crime.

(b) Any dog whose owner or keeper is in violation of this section shall be impounded, or impounded subject to destruction, at the owner's expense.

(c) A dog that poses a danger to the public's health, safety or welfare if misused by a convicted felon under this section means any of the following:

- (1) A dog weighing more than 20 pounds.
- (2) A dog who has been designated a potentially dangerous or dangerous

animal under Sections 416-12.402 and 416-12.404 of this code.

(3) A dog designated by the animal services director as posing a danger to the public's health, safety or welfare if misused by a convicted felon based upon the following factors:

- (i) The nature of any complaints regarding the dog.
- (ii) The strength of the dog, including jaw strength.
- (iii) The dog's tolerance for pain.
- (iv) The dog's tendency to refuse to terminate an attack.
- (v) The dog's potential propensity to bite humans or other domestic animals.
- (vi) The dog's potential for unpredictable behavior.
- (vii) The dog's aggressiveness.
- (viii) The likelihood that a bite by the dog will result in serious injury.

This section shall not apply to any assistance dog, including guide dogs, signal dogs and service dogs, trained or in training to assist a qualified individual with a disability. (Ords. 2006-05 § 3, 2005-24 §2).

Section IV. Section 416-12.438 of the County Ordinance Code is amended to read:

Section 416-12.438 Prohibited dog permit.

Any convicted felon who wishes to own, purchase, receive or have in his or her possession or under his or her custody or control a dog weighing more than 20 pounds under section 416-12.436(c)(1), or a dog that the animal services director designates as posing a danger to the public's health, safety or welfare if misused by a convicted felon under section 416-12.436(c)(3), may apply for a prohibited dog permit to own, keep or maintain that dog. If there is probable cause to believe that a dog poses a danger to the public's health, safety or welfare if misused by a convicted felon, the dog may be impounded pending a determination made under this article and until any required permit is obtained. If the animal services director designates a dog as posing a danger to the public's health, safety or welfare if misused by a convicted felon, written notice of this designation shall be mailed to the owner or keeper of the dog. The owner or keeper must pay an application fee and apply for the prohibited dog permit within fifteen calendar days after the mailing of the written notice of designation. The animal services director may deny a prohibited dog permit if he or she determines that the dog poses a danger to the public's health, safety or welfare, or may condition the issuance of the permit upon the permittee's written agreement to comply with conditions of ownership to be determined by the animal services director. These conditions of ownership may include, but are not limited to, those found under section 416-12.422. A prohibited dog permit may subsequently be revoked by the animal services director if there is probable cause to believe that the convicted felon's continued ownership of the dog poses a danger to the public's health, safety or welfare.

This section shall not apply to any assistance dog, including guide dogs, signal dogs and service dogs, trained or in training to assist a qualified individual with a disability. (Ords. 2006-05 § 4, 2005-24 § 2).

Section V. Effective Date. This ordinance becomes effective 30 days after passage, and within fifteen days after passage shall be published once with the names of the Supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED and ADOPTED on February 28, 2006 by the following vote:

AYES: SUPERVISORS PIEPHO,
DeSAULNIER, GLOVER, GIOIA
NONE: NONE
ABSENT: SUPERVISOR UILKEMA
ABSTAIN: NONE

ATTEST: JOHN SWEETEN
Clerk of the Board of Supervisors
and County Administrator

By: 

Deputy


Chair, Board of Supervisors

[SEAL]

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H:\Animal Services\amend dog ordinance re assistance dogs final.wpd

ORDINANCE NO. 2011-08

(SPAYING AND NEUTERING DOGS IMPOUNDED DOGS PRIOR TO RELEASE)

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Chapter 416-8 of the County Ordinance Code to require that all unlicensed, unaltered dogs be spayed or neutered prior to their release from impoundment and that all licensed, unaltered dogs be spayed or neutered prior to their release from impoundment the second time they are impounded within a three-year period. This ordinance also establishes a medical exemption from the spaying and neutering requirements.

SECTION II. Section 416-8.018 is added to the County Ordinance Code, to read:

416-8.018 Spaying and neutering impounded dogs prior to release.

- (a) **Unlicensed Dogs.** Any unlicensed, unaltered dog impounded under Section 416-8.002 must be spayed or neutered prior to its release from the animal services department unless the dog is exempted from the license requirements under subsection (a) of Section 416-6.004 or has a medical exemption under subsection (d) of this section.
- (b) **Licensed Dogs— First impoundment within a three-year period.** Any licensed, unaltered dog impounded under Section 416-8.002 will be released intact from the animal services department on the first occasion the dog is impounded within a three-year period.
- (c) **Licensed Dogs— Second impoundment within a three-year period.** Any licensed, unaltered dog impounded under Section 416-8.002 a second time within a three-year period must be spayed or neutered prior to the dog's release from the animal services department unless the dog has a medical exemption under subsection (d) of this section.
- (d) **Medical Exemption.** The animal services department will release intact any unaltered dog impounded under Section 416-8.002 that cannot be spayed or neutered due to a medical condition that is confirmed by a veterinarian licensed to practice veterinary medicine in the State of California. Before releasing the dog, the animal services department will issue the dog's owner a written notice requiring the owner to spay or neuter the dog and provide proof of correction within two months of the date of the notice. The animal services department may extend the two month correction period if, based on the opinion of a veterinarian licensed to practice veterinary medicine in the State of California, the medical condition continues to prevent the dog from being spayed or neutered. The dog's owner shall be responsible for paying the costs of any medical examinations rendered pursuant to this section.

(Ord. 2011-08 §416-8.018.)

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.

PASSED on May 17, 2011, by the following vote:

- AYES: Gioia, Uilkema, Piepho, Mitchoff, Glover
- NOES: None
- ABSENT: None
- ABSTAIN: None

ATTEST: DAVID J. TWA,
Clerk of the Board of Supervisors
and County Administrator

Maife B. Uilkema
Board Chair

By: *David J. Twa*
Deputy

ALD:



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ORDINANCE NO. 2011-09

(MICROCHIPPING IMPOUNDED DOGS AND CATS BEFORE RELEASE)

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Chapter 416-8 of the County Ordinance Code to require that all dogs and cats impounded under Section 416-8.002 and placed in the animal services shelter be implanted with microchip identification at the time of their release from impoundment. .

SECTION II. Section 416-8.020 is added to the County Ordinance Code, to read:

416-8.020 Impounded dogs and cats must be implanted with microchip identification at time of release.

- (a) Microchip identification required at time of release. All dogs and cats impounded under Section 416-8.002 must be implanted with microchip identification before being released from impoundment to their owners.
- (b) The animal services department will perform the microchip implantation procedure, at the owner's expense, on any dog or cat that does not already have microchip identification before the dog or cat is released from impoundment to its owner.
- (c) Microchip implantation fee. The fee for a microchip implantation procedure performed under subsection (b) will be the microchip fee amount listed in the animal services department's fee schedule.

(Ord. 2011-09 § 416-8.020 .)

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the Contra Costa Times, a newspaper published in this County.

PASSED on May 17, 2011, by the following vote:

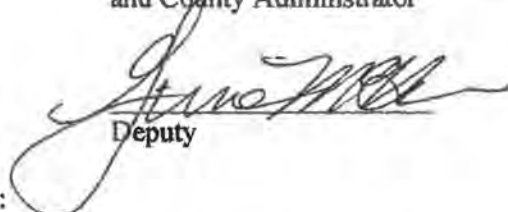
- / AYES: Gioia, Uilkema, Piepho, Mitchoff, Glover
- 1 NOES: None
- / ABSENT: None
- / ABSTAIN: None

ATTEST: DAVID J. TWA,

Clerk of the Board of Supervisors
and County Administrator


Board Chair

By:


Deputy

ALD:

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ORDINANCE NO. 2016-02

EXEMPTIONS FOR ANIMAL LICENSE FEES

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends section 416-6.004 of the County Ordinance Code to revise the exemptions to the dog or cat license fee.

SECTION II. Section 416-6.004 of the County Ordinance Code is amended to read:

416-6.004 - Exemptions.

- (a) **Nonresidents.** The provisions of this article shall not apply to dogs or cats whose owners are nonresidents temporarily within the county for thirty days or less, nor to dogs or cats brought into the county to participate in any dog or cat show or field trial.
 - (b) **Individuals with Disabilities.** Dogs being raised, trained and used to aid individuals with disabilities shall be licensed without fee.
 - (c) **Government.** Dogs owned or used by the county, municipal corporations, or other public agencies shall be licensed without fee.
- (Ords. 2016-02 § 2, 80-97 § 2.)

SECTION III. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED on January 12, 2016, by the following vote:
AYES: Gioia, Andersert, Piepho, Mitchoff, Glover
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

ATTEST: DAVID TWA,
Clerk of the Board of Supervisors
and County Administrator


Board Chair

By: Stacy M. Boyd
Deputy

[SEAL]

CJR:
H:\Ordinances\ASD Fee Exemption Ordinance\Fee Exemption Ordinance FINAL.doc

ORDINANCE NO. 2017-12

AMENDMENTS TO DIVISION 416 (ANIMALS) OF THE COUNTY ORDINANCE CODE

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION I. SUMMARY. This ordinance amends Division 416 of the County Ordinance Code to authorize administrative penalties for any violation of Division 416, including barking dogs and noisy animals.

SECTION II. Article 416-6.6 is repealed in its entirety.

SECTION III. Article 416-4.8 is added to the County Ordinance Code, to read:

Article 416-4.8 Administrative Penalties

416-4.802 Applicability and Authorization.

- (a) This article provides for administrative fines that the animal services department may impose, enforce, and collect to address any violation of this division.
- (b) Remedies under this article are in addition to any other remedy allowed by this code or applicable law.
- (c) This article is authorized by California Government Code Section 53069.4. (Ords. 2017-12 § 3, 2014-14 § 2.)

416-4.804 Definitions. For purposes of this article, the following words and phrases have the following meanings:

- (a) "Complainant" means a person who reports a violation of any section of Division 416 to the department.
- (b) "Department" means the animal services department.
- (c) "Effective date" means the date by which a violation must be corrected, as specified in a notice of violation.
- (d) "Hearing examiner" means the animal services director, or the animal services director's designee.

- (e) "Responsible Person" means any of the following:
- (1) A person who possesses, has title to, has an interest in, or has control, custody or possession of an animal or the property on which an animal is kept.
 - (2) A person who allows, or whose agent, employee, or contractor allows, a barking dog or other noisy animal violation to exist, whether through action, failure to act, or failure to exercise control over a barking dog or other noisy animal.
 - (3) For purposes of this article, there may be more than one responsible person for a barking dog or other noisy animal violation.
- (f) "Service date" means the date a notice or decision is served in accordance with Section 416-4.816. (Ords. 2017-12 § 3, 2014-14 § 2.)

416-4.806 Administrative Fines.

- (a) **Notice of violation.** If a violation is a continuing violation, such as the failure to obtain a dog or cat license, the department will first serve a notice of violation on the responsible person as specified in Section 416-4.816. The notice of violation will include all of the following information:
- (1) The date of the violation.
 - (2) The name of the responsible person.
 - (3) The address or location where the violation occurred.
 - (4) The code section(s) violated and a description of the violation.
 - (5) Whether the violation(s) were established by inspection or by complaint, if applicable.
 - (4) A description of how the violation can be corrected.
 - (7) A specified time period of at least ten calendar days, beginning on the service date, within which the violation must be corrected.
 - (8) An advisement that the owner may be subject to an administrative fine under this article if the violation is not corrected by the effective date, and the amount of that fine.
- (b) The department may impose an administrative fine on a responsible person if any of the following occur:

- (1) The violation is not a continuing violation, such as a violation of the animal noise ordinance.
 - (2) The continuing violation has not been corrected in the time period specified in the notice of violation.
 - (3) The continuing violation was corrected as specified in the notice of violation, but a violation of the same section continues, exists, or occurs within one year after the effective date.
- (c) **Notice of fine.** An administrative fine will be assessed by means of a notice of fine. The responsible party will be served with the notice of fine as specified in Section 416-4.816. The notice of fine will include all of the following information:
- (1) The date of the violation.
 - (2) The code section(s) violated and a description of the violation.
 - (3) The amount of the fine.
 - (4) An advisement of the right to request a hearing before the hearing examiner, contesting the imposition of the fine.
- (d) For a continuing violation, the amount of the fine is one hundred dollars for the first notice of fine. If the owner fails to correct the violation after the first notice of fine, and a second notice of fine is issued in the same year, the amount of the fine in the second notice is two hundred dollars. If the owner still fails to correct the violation after the second notice of fine, the amount of the fine is five hundred dollars for each additional notice of fine that is sent within one year.
- (e) If the violation is not a continuing violation, the amount of the fine is one hundred dollars for a first violation, two hundred dollars for a second violation of the same section within one year, and five hundred dollars for each additional violation of the same ordinance within one year. (Ords. 2017-12 § 3, 2014-14 § 2.)

416-4.808 Hearings.

- (a) Any person upon whom an administrative fine is imposed by the department may request a hearing pursuant to the procedures set forth in this section. The appellant must file a written appeal with the department within fifteen calendar days after the service date of the notice of fine. The written appeal must contain:
 - (1) A brief statement explaining who the appealing party is and what interest the appealing party has in challenging the imposition of the fine; and

- (2) A brief statement of the material facts that the appellant claims supports his or her contention that no administrative fine should be imposed or that an administrative fine of a different amount is warranted.
- (b) Notice of the hearing will be served on the appellant and the complainant, if any, as specified in Section 416-4.816. The department will set the hearing no sooner than twenty days and no later than forty-five days following the service date of the notice of hearing.
- (c) The hearing of an administrative fine imposed for violations of this division will be heard by the hearing examiner.
- (d) At the hearing, the appellant and complainant, if any, will be given the opportunity to testify, and present written and oral evidence.
- (e) An appellant's failure to appear at the hearing shall constitute an abandonment of any defense the appellant may have to the administrative fine.
- (f) Where applicable, a complainant's failure to appear at the hearing shall constitute an abandonment of the complaint and shall be grounds for a dismissal of the administrative fine.
- (g) After considering the testimony and evidence submitted at the hearing, or after the appellant or complainant has failed to appear at the hearing, the hearing examiner will issue a written decision to uphold, modify, or cancel the administrative fine and will list in the decision the reason or reasons for that decision. The decision will be served as specified in Section 416-4.816. (Ords. 2017-12 § 3, 2014-14 § 2.)

416-4.810 Final Administrative Order. The imposition of the administrative fine becomes a final administrative order at one of the following times:

- (a) On the date the notice of fine is served, if the responsible party fails to file a written appeal to the department within the time specified.
- (b) On the date the written decision by the hearing examiner is served, if the responsible party files a written appeal to the department within the time specified. (Ords. 2017-12 § 3, 2014-14 § 2.)

416-4.812 Payment of the Fine. The fine must be paid to the county within thirty days after the imposition of the administrative fine becomes a final administrative order. Payment of a fine under this article does not excuse or discharge any continuation or repeated occurrence of the violation that is the subject of the notice of fine. The payment of a fine does not bar the county from taking any other enforcement action regarding a violation that is not corrected. (Ords. 2017-12 § 3, 2014-14 § 2.)

416-4.814 Collection. If the fine is not paid within thirty days after the imposition of the fine becomes a final administrative order, the county may collect the fine, the county's collection costs, and interest. An administrative fine accrues interest at the same annual rate as any civil judgment, beginning on the twentieth day after the fine becomes a final administrative order. The county may collect by using any available legal means, including but not limited to the following:

- (a) The county may file a civil action. If a civil action is commenced, the county is entitled to recover all costs associated with the collection of the fine, including those costs set forth in Code of Civil Procedure Section 1033.5.
- (b) The county may take such other actions as are allowed for enforcement of a civil judgment as provided for pursuant to the Enforcement of Judgments Law, California Code of Civil Procedure Section 680.010 et seq. (Ords. 2017-12 § 3, 2014-14 § 2.)

416-4.816 Service. All notices or decisions required to be served by this article will be served by any of the methods specified below:

- (a) First class mail. First class mail will be addressed to the responsible person at the address shown on the last equalized assessment roll, at the address where the violation occurred, or as otherwise known. Service is deemed completed upon the deposit of the notice or decision, postage pre-paid, in the United States mail.
- (b) Personal service. Personal service is deemed complete on the date the notice or decision is personally served on the responsible person. (Ords. 2017-12 § 3, 2014-14 § 2.)

416-4.818 Judicial Review. A final administrative order may be appealed to the superior court of the county in accordance with the provisions set forth in Government Code Section 53069.4, (Ords. 2017-12 § 3, 2014-14 § 2.)

SECTION IV. Section 416-12.202 is repealed in its entirety and replaced with a new Section 416-12.202 to read:

416-12.202 Animal Noise

- (a) No person may own, possess, harbor, control, or keep on any premises, a barking dog or other noisy animal.
- (b) "Barking dog" means a dog that barks, bays, cries, howls or makes any noise for an extended period of time to the disturbance of any person at any time of day or night, regardless of whether the dog is physically situated in or upon private property. An "extended period of time" means incessant barking for thirty minutes or more in any twenty-four hour period, or intermittent barking for sixty minutes or more in any twenty-

four hour period. A dog shall not be deemed a "barking dog" for purposes of this section if, at any time the dog is barking, a person is trespassing or threatening to trespass upon private property where the dog is situated, or when the dog is being teased or provoked.

- (c) "Noisy animal" means an animal that makes any noise for an extended period of time to the disturbance of any person at any time of day or night, regardless of whether the animal is physically situated in or upon private property. An "extended period of time" means incessant noise for thirty minutes or more in any twenty-four hour period, or intermittent noise for sixty minutes or more in any twenty-four hour period.
- (d) Enforcement. The department may issue an administrative penalty under Article 416-4.8 to any responsible person for a violation of this section based on either or both of the following:
- (1) An observation of the violation by a department employee.
 - (2) A complaint, signed under penalty of perjury, lodged by a person who has been disturbed by the barking dog or noisy animal. (Ords. 2017-12 § 4, 80-97 § 2.)

SECTION V. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for and against it in the Contra Costa Times, a newspaper published in this County.

PASSED on June 6, by the following vote:

AYES: Andersen, Burgis, Mitchoff, Glover

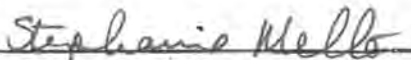
NOES: None

ABSENT: Gioia

ABSTAIN: None

ATTEST: DAVID TWA,
Clerk of the Board of Supervisors
and County Administrator


Board Chair
Federal D. Glover

By: 
Deputy Clerk, Stephanie Mello



CJR:
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Agenda Date: 6-19-2018

Agenda Item: 10b

STAFF REPORT

Approved:

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Janet Brown, City Clerk

DATE: June 19, 2018

SUBJECT: Consider three appointments to the Planning Commission for terms of office commencing July 1, 2018 through June 30, 2020.

BACKGROUND

The terms of office for incumbent Planning Commissioners Bassam Altwal, William Gall and Carl Wolfe expire on June 30, 2018. City Planning Commissioners are appointed for two year terms. Commissioner Altwal, Commissioner Gall and Commissioner Wolfe are eligible for reappointment, per the *Clayton Municipal Code* regarding commission term limits.

Staff advertised for Planning Commission applications in the Clayton Pioneer, on the City's website, and at the City's three (3) posting areas. Applications were due on June 14, 2018. Four citizens applied, including incumbents Bassam Altwal, William Gall and Carl Wolfe.

Official appointments to the Planning Commission require City Council vote. Earlier in the evening on June 19th, the City Council interviewed each of four candidates prior to the start of its regular 7:00 p.m. meeting.

RECOMMENDATION

Adopt the attached Resolution indicating which three (3) individuals are to be appointed to the Planning Commission, for two year terms.

FISCAL IMPACT

None.

Attachments: Resolution - 2 pages
Applications (4) - 8 pages

RESOLUTION NO. -2018

**A RESOLUTION APPOINTING THREE CITIZENS
TO THE CLAYTON PLANNING COMMISSION**

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

WHEREAS, in 1964 the City Council of Clayton adopted Ordinance No. 20 establishing the City of Clayton Planning Commission with five (5) members; and

WHEREAS, the terms of office for existing Commissioners Bassam Altwal, William Gall and Carl Wolfe expire on June 30, 2018; and

WHEREAS, staff advertised the upcoming vacancy of three appointive positions on the Planning Commission and set a deadline of June 14, 2018 for candidates to submit an application to serve; and

WHEREAS, four interested citizens submitted timely applications expressing willingness to serve in this appointed capacity; and

WHEREAS, on June 19, 2018 the Clayton City Council interviewed each of the four candidates.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California, does hereby appoint the following three individuals to the Planning Commission of the City of Clayton for full two-year terms of office:

_____ : July 1, 2018 through June 30, 2020

_____ : July 1, 2018 through June 30, 2020

_____ : July 1, 2018 through June 30, 2020

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held the 19th day of June 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Keith Haydon, Mayor

ATTEST:

Janet Brown, City Clerk

RECEIVED

APR 27 2018

City of Clayton



*** CITY PLANNING COMMISSION *
APPLICATION**

All information contained on this application is a public record subject to public disclosure. This includes home address and all phone numbers. This public office is required by state law to complete and file an annual Financial Statement of Economic Interest

Name: BASSAM ALTIWAL

Date: 4/26/2018

Home address: 33 EL MOLINO DR. Contact phone: 415 210 3010

Length of residence in Clayton: SINCE 2012 / MAY

Email address: BASSAM@CALACCESSIBILITY.COM

Present employer: CAL ACCESSIBILITY - SELF OWNED

Occupation: ARCHITECTURAL DESIGN + ACCESSIBILITY CONSULTANT

A. Education and special training:
MASTERS DEGREE IN ARCHITECTURE
- CERTIFIED ACCESS SPECIALIST

B. Please list experiences and activities which particularly qualify you for an appointment to the Clayton Planning Commission:

- SERVED AS A PLANNING COMMISSIONER WITH CITY
- ARCHITECTURAL DESIGN SINCE 1997
- CITY PLANNING THESIS OF 250 PAGES

C. What do you consider to be the role of a City Planning Commissioner?

- APPLY CITY CODES TO APPLICATIONS
- USING COMMON SENSE AND SENSITIVITY REGARDING APPLICATIONS
- REVIEW SUBMITTALS AND RECOMMENDATIONS BY CITY STAFF
- REPORT TO CITY COUNCIL

D. Other relevant information and interests:

- LOCAL SOCCER VOLUNTEER
- BEE KEEPING
- MOTORCYCLES

E. Please list three references with phone numbers:

1. DENNIS TOBIN - 925 3245645
2. MY MAHROZ DENNIS - 925 286 2405
3. JASON GONG - 925 216-2984



Signature

The City of Clayton appreciates your interest and willingness to seek involvement in your community through civic service on our City Planning Commission. Thank you for your application.



RECEIVED

JUN 14 2018

City of Clayton

*** CITY PLANNING COMMISSION *
APPLICATION**

All information contained on this application is a public record subject to public disclosure. This includes home address and all phone numbers. This public office is required by state law to complete and file an annual Financial Statement of Economic Interest

Name: Kevin Dern

Date: June 14, 2018

Home address: 5760 Verna Way Clayton CA, 94517 Contact phone: (415) 760-1198

Length of residence in Clayton: 15 years

Email address: DernBros@gmail.com

Present employer: DeSilva Gates Construction

Occupation: Estimator/Project Manager

A. Education and special training: _____

Attended Nevada Union High School in Nevada City CA where I received my High School GED Diploma. Attended Junior College for 2 years at Sierra College in Rocklin CA. Received a degree from Operating Engineers Trade School in Oakland CA. Graduated and received a degree from the School of Hard Knocks working for my family owned construction company which has provided me the necessary skills to become a leader in my industry.

B. Please list experiences and activities which particularly qualify you for an appointment to the Clayton Planning Commission:

I have been in the civil construction industry for 23 years and work for one the largest general engineering contractors in the Bay Area called DeSilva Gates Construction as an Estimator/Project Manager. As an Estimator/Project Manager my duties include compliance with codes, zoning, permits and approved construction plans. My desire is to leverage my experience and visionary goals to work with others in the planning commission who share my same passion for making well thought out choices for the City of Clayton.

C. What do you consider to be the role of a City Planning Commissioner?


The Planning Commissioner provides an invaluable service to the City. I view this role as advising the Mayor and Council on long-range goals, policies and programs such as land use and transportation, as well as current planning and permitting within the City. The Planning Commission ensures compliance with City, County and State Codes for projects within the City and recommends changes to City codes to reflect changes within community.

D. Other relevant information and interests:

I have lived in Clayton for 15 years, have been married for 20 years and have three children (ages 17, 14 & 13). I have been an active coach for my kids for over 12 years. In addition, when not serving as an active board member for Clayton Valley Little League Association (On Board of Directors 9 years, 3 years as President), Clayton Valley Junior Eagles Football Association (On Board of Directors 4 years (Vice-President 4 years), or the Treasurer for Clayton Valley Charter High School Boosters Club (2 years), I enjoy staying true to my roots as an active outdoorsman.

E. Please list three references with phone numbers:

1. Dave Shuey - (510) 390-0478
2. Kevin Christiansen - (925) 200-1725
3. Dave Scolini - (925) 487-5339



Signature

The City of Clayton appreciates your interest and willingness to seek involvement in your community through civic service on our City Planning Commission. Thank you for your application.

RECEIVED

MAY 23 2018

City of Clayton



*** CITY PLANNING COMMISSION *
APPLICATION**

All information contained on this application is a public record subject to public disclosure. This includes home address and all phone numbers. This public office is required by state law to complete and file an annual Financial Statement of Economic Interest

Name: WILLIAM GALL

Date: 5/22/18

Home address: 707 ACORN DRIVE Contact phone: 925-788-1247

Length of residence in Clayton: 19 YEARS

Email address: DEAN@BIA.GALL@COMCAST.NET

Present employer: RETIRED

Occupation: RETIRED

A. Education and special training: B.S. BUSINESS ADMINISTRATION 1970
KING'S COLLEGE, WILKES-BARRE, PA

B. Please list experiences and activities which particularly qualify you for an appointment to the Clayton Planning Commission:

PLANNING COMMISSIONER June 2016 - PRESENT

C. What do you consider to be the role of a City Planning Commissioner?

- ATTEND REGULAR MONTHLY MEETINGS
- REVIEW THE MEETING AGENDA, THE STAFF REPORT AND ALL INFORMATION PROVIDED.
- LISTEN TO THE PUBLIC TESTIMONY
- MAKE RECOMMENDATIONS TO THE CITY COUNCIL.

D. Other relevant information and interests:

E. Please list three references with phone numbers:

1. HOWARD GELLER - 925-672-4499
2. TIM DAZZ - 925-672-0535
3. BOB STEWART - 925-672-5854



Signature

The City of Clayton appreciates your interest and willingness to seek involvement in your community through civic service on our City Planning Commission. Thank you for your application.

ENTERED
4-24-18



RECEIVED

APR 24 2018

City of Clayton

*** CITY PLANNING COMMISSION *
APPLICATION**

All information contained on this application is a public record subject to public disclosure. This includes home address and all phone numbers. This public office is required by state law to complete and file an annual Financial Statement of Economic Interest

Name: Carl "CW" Wolfe

Date: 4-23-18

Home address: 1132 Peacock Creek Dr Contact phone: 925-672-6772

Length of residence in Clayton: 29 years

Email address: cwwolfe@gmail.com

Present employer: McDonald's Corporation

Occupation: Director

A. Education and special training: GED high school Diploma (skipped Grade 2)
Voiceover Instructor for The Voice Factory San Francisco
Current Clayton Planning Commission Chairperson
Director - McDonald's Corporation
2 years advanced acting - Jean Shelton Academy

B. Please list experiences and activities which particularly qualify you for an appointment to the Clayton Planning Commission:

current Planning Commission Chairperson

C. What do you consider to be the role of a City Planning Commissioner?

Uphold standards, laws, + policies of the City
Listen to residents on vision for city
Become involved + informed on city/resident building plans
Keep Clayton city plan

D. Other relevant information and interests:

City of Clayton 4th of July Parade announcer
CBCA member
BBQ Cookoff committee/volunteer
Supporter - Clayton Theatre Company
Voice Actor - Commercials - Animation - Live Action - Film SAG/AFTRA

E. Please list three references with phone numbers:

1. RP Calwart 925-672-7967
2. Ted McDavitt 925-323-5137
3. Rory Richmond 925-864-8687


Signature 

The City of Clayton appreciates your interest and willingness to seek involvement in your community through civic service on our City Planning Commission. Thank you for your application.

*** OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT ***
June 19, 2018

1. **CALL TO ORDER AND ROLL CALL** – Chairperson Catalano.

2. **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) Approve the Board of Directors' minutes for its regular meeting December 5, 2017. ([View Here](#))

3. **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.

4. **PUBLIC HEARINGS** - None.

5. **ACTION ITEMS**

(a) Presentation and consideration of a Resolution to approve the proposed Oakhurst Geological Hazard Abatement District (GHAD) Budget for Fiscal Year 2018-19 and set a Public Hearing to be held on July 17, 2018 to consider the levy of the corresponding real property tax assessments in FY 2018-19. ([View Here](#))
(District Manager)

Staff recommendation: **1)** Receive the District Manager's report; **2)** Receive public comments; and **3)** Adopt the Resolution approving the District's Budget for FY 2018-19, which action includes setting July 17, 2018 as the Public Hearing date on the proposed GHAD real property tax assessments for FY 2018-19.

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

7. **ADJOURNMENT** – the next meeting of the GHAD Board of Directors will be July 17, 2018.

#

MINUTES
REGULAR MEETING
OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)

December 5, 2017

1. **CALL TO ORDER AND ROLL CALL** – the meeting was called to order at 7:55 p.m. by Chairman Shuey. Board Members present: Chairman Shuey, Vice Chair Catalano, Board Members Diaz, Haydon, and Pierce. Board Members absent: None. Staff present: City Manager Gary Napper, District Manager Scott Alman, General Legal Counsel Mala Subramanian, and Secretary Janet Brown.

2. **PUBLIC COMMENTS** – None.

3. **CONSENT CALENDAR** – It was moved by Board Member Catalano, seconded by Board Member Pierce, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).

(a) Approved the Board of Directors' minutes for its regular meeting on November 21, 2017.

4. **ANNUAL REORGANIZATION OF THE BOARD OF DIRECTORS**

(a) Nominations and election of Chair

Chairman Shuey opened the floor to nominations for Chair in 2018.

Chairman Shuey nominated Board Member Catalano for the office of Chairperson; Board Member Pierce seconded the nomination. No other nominations were received.

Chairman Shuey called for the vote to elect Tuija Catalano as GHAD Chairperson. Motion passed (5-0 vote).

(b) Nominations and election of Vice Chair

Chairperson Catalano opened the floor to nominations for Vice Chair in 2018.

Board Member Haydon nominated Jim Diaz for the office of Vice Chair; Board Member Shuey seconded the nomination. No other nominations were received.

Chairperson Catalano called for the vote to elect Jim Diaz as GHAD Vice Chair. Motion passed (5-0 vote).

5. **PUBLIC HEARINGS** – None.

6. **ACTION ITEMS** – None.

7. **BOARD ITEMS** – None.

8. **ADJOURNMENT** - on call by Chairperson Catalano the Board meeting adjourned at 7:57 p.m.

#

Respectfully submitted,

Janet Brown, Secretary

Approved by the Board of Directors
Oakhurst Geological Hazard Abatement District

Tuija Catalano, Chairperson



Agenda Date: 6-19-2018
Agenda Item: 5a GHAD

GHAD STAFF REPORT

TO: HONORABLE CHAIRPERSON AND BOARD MEMBERS

FROM: SCOTT ALMAN, DISTRICT MANAGER

DATE: JUNE 19, 2018

SUBJECT: PRESENTATION AND CONSIDERATION OF A RESOLUTION TO APPROVE THE PROPOSED OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD) BUDGET FOR FISCAL YEAR 2018-19 AND SET A PUBLIC HEARING TO BE HELD ON JULY 17, 2018 TO CONSIDER THE LEVY OF THE CORRESPONDING REAL PROPERTY TAX ASSESSMENTS IN FY 2018-19

RECOMMENDATION

Staff recommends the Board take the following set of actions regarding the Oakhurst Geological Hazard Abatement District (GHAD) budget for FY 2018-19:

- 1) Receive the District Manager's report;
- 2) Receive public comment;
- 3) Adopt the Resolution approving the District's budget for FY 2018-19, which action includes setting July 17, 2018 as the Public Hearing date on the proposed GHAD real property tax assessments for FY 2018-19.

BACKGROUND

In April of 2000, the Oakhurst Geological Hazard Abatement District (GHAD) was established by vote of the property owners within the geographic boundaries of the established District. Those property owners approved, by ballot, annual assessments to fund routine hazard abatement and maintenance within the GHAD as well as the operational needs of the District. The ballot measure specifically addressed and approved an annual assessment adjustment not to exceed the increase or decrease in the Bay Area Consumer Price Index (CPI) as reported in April of each subsequent year. These annual assessments are the only source of revenue for the District. Without further real property owners' approval via ballot, the District cannot create nor mandate additional revenues to fund additional hazard abatement or prevention services.

Annually each June, the General Manager prepares and submits a budget report for Board consideration and approval. The attached Budget Report has been prepared for FY 2018-19.

If the proposed budget and assessments are acceptable to the Board, it is recommended the Board approve the attached Resolution approving the proposed District budget, announcing the Board of Directors' intention to levy assessments, setting July 17, 2018 as the Public Hearing date, and directing the mailing of notices to affected property owners.

FISCAL IMPACT

Real property owners within the GHAD previously voted against any assessment increase. Based on the "no" vote of the GHAD property owners, the GHAD continues to only be able to afford minor maintenance work and minimal administrative costs in the GHAD-owned open space areas. In order for the District to generate any additional future public works improvements or abatement repairs, the property owners would have to vote to increase their annual assessments beyond the currently approved CPI adjustment.

This budget and the corresponding proposed assessments are calculated and prepared using the approved CPI adjustment, this year of +3.22% between April 2017 and April 2018.

For the second year, the GHAD Budget experiences a reduced general liability insurance premium contribution of \$7,000 (down from \$16,000 in 2016-17) due to the time lapse since prior hillside movement claims.

CONCLUSION

Staff recommends approval of the attached Budget and the Resolution of Intention.

Attachments: 2018-19 Budget Report
Resolution of Intention
Notice of Public Hearing

GHAD BUDGET REPORT

DATE: JUNE 01, 2018
TO: BOARD OF DIRECTORS
FROM: SCOTT D. ALMAN, P.E., DISTRICT GENERAL MANAGER
RE: FISCAL YEAR 2018-19

Background

In April 2000, the property owners within the Oakhurst Geological Hazard Abatement District (GHAD) approved, by ballot, assessments to cover the routine maintenance and operational needs of the District. The ballot measure also approved a method and formula for its annual property assessments to keep pace (increase or decrease) with the economy based on the annual adjustment in the Bay Area Consumer Price Index (CPI). The current CPI for the period April 2017 to April 2018 (the evaluation period established in the original ballot measure) reveals an economic index increase of 3.22%.

These annual assessments remain the only source of revenues to the District as it is solely funded by the private property owners within the District. Without the real property owners' further voter approval, the District cannot create or mandate additional revenues to fund hazard abatement or prevention services.

Kelok Way Area

In November of 2017, Stevens, Farrone & Bailey (SFB – original geotechnical engineer) informed the General Manager it would no longer provide monitoring services for the Kelok Way location of inclinometers and piezometers. The General Manager immediately contacted Berlogar Stevens & Associates (BS&A) and requested a proposal and cost estimate from them to assume the Kelok Way assignment. That proposal was received in mid-November but in consultation with the City Manager and City Attorney, it was determined that legislated revisions to state contracting law taking effect in January 2018 warranted delaying any new consultant contract until after January of 2018 in order to incorporate those legislated revisions. Berlogar Stevens & Associates was then brought into contract in early 2018 and has begun taking over monitoring and reporting on the Kelok Way area. This change in consultant will increase the annual budget with a one-time cost to perform a thorough review of the monitoring history (SFB previous work) of the area as well as on-going semi-annual monitoring and reporting.

In its proposal to take over the Kelok Way area monitoring work, BS&A strongly recommended the replacement of the slope inclinometer that is located at the "top of slope north of the cul-de-sac at Kelok Way," as it has "... *experienced excessive casing deformation due to ground movement at a depth of 52-feet below the ground surface.*

This precludes measurement of any on-going movement at this apparent slide-plane location or below. The estimated \$35,000.00 cost to replace this inclinometer has been included into the proposed 2018-19 annual budget.

Pebble Beach Area

In August of 2017 BS&A took readings on the two inclinometers installed along Pebble Beach Drive and inspected the V-ditches in the slope below Pebble Beach Drive. The inclinometer in the street (SI-1) indicates no significant movement since the last readings taken in 2016. The inclinometer in the slope below the street (SI-2) has pinched at a depth of 72 feet thereby prohibiting measurement below that depth. The readings in the upper 72 feet indicate the upper area has not internally moved significantly since the last readings in 2016. BS&A strongly recommends the replacement of inclinometer SI-2 but its replacement has not been proposed for this budget cycle due to insufficient District funds being available.

V-Ditch Maintenance

During the past fiscal year \$20,000 of V-ditch replacement and maintenance was performed on V-ditches within the District.

Staff is proposing to set aside \$5,000 in this year's budget for completion of the work.

Fund Balance (Reserves)

The GHAD's fund balance is shown to be \$35,205.00 as June 30, 2018. Staff anticipates utilizing all available funding during FY 2018-19 for District services, resulting in a projected June 30, 2019 ending fund balance of \$0.00.

Presley Lawsuit Settlement Fund Balance

This fund balance is projected to stand at approximately \$105,523 in remaining funds from the original Presley lawsuit settlement (2003) on June 30, 2018. We are anticipating an increase of \$1,500 in the fund balance due to interest earnings resulting in an ending balance of \$107,023 on June 30, 2019.

It was originally intended the remaining original Presley lawsuit settlement funds be used to rehabilitate street pavement in the Keller Ridge area once the ongoing movement ceased. While some pavement work has been accomplished, having no other reserves and no interest by the property owners in raising the annual assessments, the District ultimately has little option but to eventually use these funds to cover any of the District's funding shortfalls that may occur for as long as possible.

FY 2018-19 PROPOSED BUDGET

This Budget proposes to continue funding just the routine operations, along with the ongoing monitoring and legal defense costs, of the District through the allowable annual assessments. The year-to-year increase allowable per the most current CPI is 3.22%

(April 2017 to April 2018, San Francisco-Oakland-San Jose, All Items, All Urban Consumers Index published by the U.S. Bureau of Labor Statistic).

Following is the recommended budget for the GHAD for FY 2018-19:

BEGINNING FUND BALANCE	
Balance 7-1-2018	\$35,205.00
 EXPENSES	
Postage	\$750.00
Liability Insurance Premium (transfer to General Fund)	7,000.00
County Collections Charge for Assessments	1,200.00
Legal Notices	100.00
Miscellaneous	300.00
Engineering Services	8,000.00
Special Legal Services	1,000.00
Project Costs	50,642.00
District Administration (transfer to General Fund)	<u>7,478.00</u>
TOTAL EXPENSES	\$76,470.00
 INCOME	
Property Assessments	\$41,131.11
Interest on Funds	<u>200.00</u>
TOTAL INCOME	\$41,331.11

FY 2018-19 PROPOSED PROPERTY ASSESSMENTS

FY 2018-19 property assessments include an increase of 3.22% which is consistent with the adjustment in the Bay Area Consumer Price Index (CPI) from April 2017 to April 2018.

As stated above, the annual assessment will be the same as last year except for an increase consistent with the increase in the CPI. Exhibit A explains the methodology of the assessments and provides a summary of the proposed assessment for this year.

EXHIBIT A

OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT

METHOD OF ASSESSMENT

A geological hazard abatement district is in essence the same as a benefit assessment district, and therefore the costs budgeted for the district (assessments) must be apportioned to individual parcels according to the benefit received.

The voter approved ballot measure that established the district divided the total development into three separate assessment areas. After reviewing the needs of each area and the benefits of the District to each area, the following percentages of the total budget/cost (including reserves) has been assigned to each area:

- Area 1 which includes the lower 6000's, lower 5000's, Duets, and Townhouses was assigned 25% of the total budget.
- Area 2 which includes the Upper 6000's, upper 5000's, 8,000's, condominiums was assigned 50% of the total budget, and
- Area 3 which includes the 10000's was assigned 25% of the total budget

The number of housing units in each area is not considered a benefit factor and the amount of the assessment per unit will vary greatly from area to area.

The type of housing unit is considered when assigning benefit and the different types of housing mixed into Areas 1 and 2 have been assigned different assessment factors to account for the differing type of housing as follows:

Single Family home (regardless of size)	1.00
Duets	0.75
Multi-family	0.50

The process of calculating assessments for each parcel includes the following steps:

1. Calculate amount of total budget that each area is responsible for (Assumed budget of \$41,131.11);
 - a. Area 1 = 25% of \$41,131.11, or \$10,282.78
 - b. Area 2 = 50% of \$41,131.11, or \$20,565.55
 - c. Area 3 = 25% of \$41,131.11, or \$10,282.78
2. Calculate the number of equivalent assessed units that the budget percentage will be spread over for each area;
 - a. Single family dwellings (regardless of size) = equivalency factor of 1.0
 - b. Duets = equivalency factor of 0.75
 - c. Multi-family = equivalency factor of 0.5

Area 1:

AREA 1	\$10,282.78			
Sub-Area:	Dwelling Units	Dwelling Unit Type	Factor	Equivalent Assessed Units
Tr. 6990	92	sfd	1	92.00
Tr. 7065	108	duet	0.75	81.00
Tr. 7066	117	multifamily	0.5	58.50
Tr. 7033	52	multifamily	0.5	26.00
Tr. 7311	118	duet	0.75	88.50
Tr. 7768	55	sfd	1	55.00
Tr. 7769	53	sfd	1	53.00
Sub-total	595			454.00

3. Spread the total budget amount assigned to the area to each tract (sub-area) based on the numbers of equivalent assessed units;

AREA 1	\$10,282.78		
Sub-Area:	Equivalent Assessed Units	Percentage	Assessment Assigned by tract
Tr. 6990	92.00	20.27%	\$2,083.73
Tr. 7065	81.00	17.84%	\$1,834.59
Tr. 7066	58.50	12.89%	\$1,324.98
Tr. 7033	26.00	5.72%	\$588.88
Tr. 7311	88.50	19.50%	\$2,004.46
Tr. 7768	55.00	12.11%	\$1,245.71
Tr. 7769	53.00	11.67%	\$1,200.41
Sub-total	454.00	100.00%	\$10,282.78

4. Calculate the rate per dwelling unit;

AREA 1	\$10,282.78		
Sub-Area:	Assessment Assigned by Tract	Dwelling Units	Assessment per Dwelling Unit
Tr. 6990	\$2,083.73	92	\$22.65
Tr. 7065	\$1,834.59	108	\$16.99
Tr. 7066	\$1,324.98	117	\$11.32
Tr. 7033	\$588.88	52	\$11.32
Tr. 7311	\$2,004.46	118	\$16.99
Tr. 7768	\$1,245.71	55	\$22.65
Tr. 7769	\$1,200.41	53	\$22.65
Sub-total	\$10,282.78	595	

District Boundaries

As of FY 1999-00, the District was complete and consisted of 200 single family homes, 226 duets, and 169 townhouses in Area 1; 612 single family homes and 136 condos in Area 2; and 141 single family homes in Area 3.

SUMMARY OF ASSESSMENTS

AREA I 2018-19 ASSESSMENT				Total =	\$10,282.787	
Subarea	# Units	Type	Factor	Ass. Units	18/19 Asses	Total
Tr. 6990	92	sfd	1.00	92.00	\$22.65	\$2,083.73
Tr. 7065	108	duets	0.75	81.00	\$16.99	\$1,834.59
Tr. 7066	117	multifamily	0.50	58.50	\$11.32	\$1,324.98
Tr. 7303	52	multifamily	0.50	26.00	\$11.32	\$588.88
Tr. 7311	118	duets	0.75	88.50	\$16.99	\$2,004.46
Tr. 7768	55	sfd	1.00	55.00	\$22.65	\$1,245.71
Tr. 7769	53	sfd	1.00	53.00	\$22.65	\$1,200.41
Subtotals	595			454.00		\$10,282.78
AREA II 2018-19 ASSESSMENT				Total =	\$20,565.55	
Subarea	# Units	Type	Factor	Ass. Units	18/19 Asses	Total
Tr. 7256	70	sfd	1.00	70.00	\$30.24	\$2,117.04
Tr. 7257	60	sfd	1.00	60.00	\$30.24	\$1,814.61
Tr. 7260	75	sfd	1.00	75.00	\$30.24	\$2,268.26
Tr. 7261	70	sfd	1.00	70.00	\$30.24	\$2,117.04
Tr. 7262	99	sfd	1.00	99.00	\$30.24	\$2,994.10
Tr. 7263	101	sfd	1.00	101.00	\$30.24	\$3,054.59
Tr. 7264	102	sfd	1.00	102.00	\$30.24	\$3,054.59
Tr. 7766	35	sfd	1.00	35.00	\$30.24	\$1,058.52
Tr. 7766	60	multifamily	0.50	30.00	\$15.12	\$907.30
Tr. 7767	76	multifamily	0.50	38.00	\$15.12	\$1,149.25
Subtotals	748			680.00		\$20,565.55
AREA III 2018-19 ASSESSMENT				Total =	\$10,282.78	
Subarea	# Units	Type	Factor	Ass. Units	18/19 Asses	Total
Tr. 7249	69	sfd	1.00	69.00	\$72.93	\$5,032.00
Tr. 7255	72	sfd	1.00	72.00	\$72.93	\$5,250.78
Subtotals	141			141.00		\$10,282.78
Grand Totals	1,484			1,275.00		\$41,131.11

GHAD RESOLUTION NO. XX- 2018

**A RESOLUTION APPROVING A BUDGET AND DECLARING THE INTENT
TO LEVY AND COLLECT ASSESSMENTS FOR THE OAKHURST
GEOLOGICAL HAZARD ABATEMENT DISTRICT FOR FISCAL YEAR 2018-19,
AND GIVING NOTICE OF THE TIME AND PLACE FOR HEARING
ON THE LEVY OF THE PROPOSED ASSESSMENT**

**THE BOARD OF DIRECTORS
OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT
Clayton, California**

WHEREAS, by Resolution No. 5-89, the Clayton City Council formed the Oakhurst Geological Hazard Abatement District (herein "GHAD"), pursuant to Division 17, Geological Hazard Abatement Districts, of the Public Resources Code, Section 26500 et seq.; and

WHEREAS, the General Manager has prepared and filed a Budget Report with the Board of Directors setting forth, among other things, the proposed real property assessments upon assessable lots and parcels of land within the GHAD for fiscal year 2018-19, which report is dated June 01, 2018; and

WHEREAS, the proposed real property assessments do not represent an increase in excess of the latest annual adjustment of the Bay Area CPI (CPI-U), such annual increase formula having been approved by the voters of GHAD on April 18, 2000; and

WHEREAS, the Board of Directors reviewed the Budget Report at its regular meeting on June 19, 2018, and found the same to be satisfactory and in compliance with Section 26651 of the Public Resources Code; and

WHEREAS, it is now necessary for the Board of Directors to establish the date for the public hearing on levying of the proposed real property assessments for fiscal year 2018-19 and to direct its Secretary to give the required notice of such hearing;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Directors of the GHAD as follows:

1. The Budget Report, dated June 19, 2018, prepared by the District Manager and each part thereof, is sufficient in each particular, has fairly and properly apportioned the cost of the maintenance and improvement to each parcel of land in the GHAD in proportion to the estimated benefits to be received by each parcel respectively from such maintenance and improvements, is hereby approved as filed and is, by reference, included herein.

2. The Board of Directors hereby declares its intent to levy and collect the real property assessments within the GHAD for fiscal year 2018-19, as follows:

<u>GHAD AREA</u>	<u>SUBD</u>	<u># UNITS</u>	<u>TYPE</u>	<u>\$ ASSESS PER LOT</u>	<u>TOTAL \$ PER SUBD</u>
I	6990	92	Sfd	\$22.65	\$2,083.73
I	7065	108	Duets	\$16.99	\$1,834.59
I	7066	117	multi-family	\$11.32	\$1,324.98
I	7303	52	multi-family	\$11.32	\$588.88
I	7311	118	Duets	\$16.99	\$2,004.46
I	7768	55	Sfd	\$22.65	\$1,245.71
I	7769	53	Sfd	\$22.65	\$1,200.41
II	7256	70	Sfd	\$30.24	\$2,117.04
II	7257	60	Sfd	\$30.24	\$1,814.61
II	7260	75	Sfd	\$30.24	\$2,268.26
II	7261	70	Sfd	\$30.24	\$2,117.04
II	7262	99	Sfd	\$30.24	\$2,994.10
II	7263	101	Sfd	\$30.24	\$3,054.59
II	7264	102	Sfd	\$30.24	\$3,084.83
II	7766	35	Sfd	\$30.24	\$1,058.52
II	7766	60	multi-family	\$15.12	\$907.30
II	7767	76	multi-family	\$15.12	\$1,149.25
III	7249	69	Sfd	\$72.93	\$5,032.00
III	7255	72	Sfd	\$72.93	\$5,250.78
	Total	1484 lots		TOTAL	\$41,131.11

3. The GHAD consists of a portion of the City of Clayton as shown on the GHAD Diagram on file with the Secretary.

4. The Budget Report of the General Manager on file with the Secretary contains a fully detailed description of the proposed maintenance and improvements, consisting of open space inspection and the maintenance thereof, with the estimated cost of the maintenance and improvements, a diagram of the District, and a proposed assessment of the estimated cost of such maintenance and improvements.

5. **On Tuesday, July 17, 2018, at or near the hour of 7:00 p.m., at a regular Board of Directors meeting at Hoyer Hall in the Clayton Community Library situated at 6125 Clayton Road, Clayton, California,** the regular meeting place of the GHAD Board of Directors, any and all persons having any interest in the lands within the GHAD, liable to be assessed for the expenses of the GHAD for fiscal year 2018-19, may be heard, and any such persons may also present any objections that they may have by written protest, filed with Secretary at or before the time set for hearing.

6. The Secretary shall give notice of the passage of this Resolution and of the time and place of hearing of protests as herein designated by causing a notice of the passage of this Resolution and of the time and place of hearing of protests to be mailed to all owners of property within the GHAD as required by Section 26652 of the Public Resources Code.

Passed, Approved and Adopted by the Board of Directors of the GHAD at a regular public meeting thereof held on June 19, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE BOARD OF DIRECTORS OF GHAD

Tujia Catalano, Chairperson

ATTEST:

Janet Brown, Secretary

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed by the Board of Directors of the GHAD at a regular public meeting thereof held on June 19, 2018.

Janet Brown, Secretary

**NOTICE OF PUBLIC HEARING REGARDING THE LEVY OF ASSESSMENTS ON
REAL PROPERTY IN THE OAKHURST GEOLOGICAL HAZARD ABATEMENT
DISTRICT PURSUANT TO PUBLIC RESOURCES CODE SECTION 26652.**

KNOW ALL INTERESTED PARTIES BY THIS NOTICE THAT:

1. The District General Manager did present on June 19, 2018, to the Board of Directors, his report dated June 01, 2018, indicating a total budget for FY 2018-19 of \$41,131.11 and recommending the real property assessments shown on the attached table to pay for the obligations of the Oakhurst Geological Hazard Abatement District ("District") during FY 2018-19.

2. The Board of Directors accepted and approved the report on June 19, 2018, by adopting GHAD Resolution No. XX-2018, which set forth, among other things:

- a. The Board's intent to levy and collect a per unit assessment in accordance with the recommendations of the District Manager as specified to pay for the obligations of said District during FY 2018-19.
- b. The date of Tuesday, July 17, 2018, at 7:00 p.m., at Hoyer Hall in the Clayton Community Library, situated at 6125 Clayton Road, Clayton, California, as the date, time and place for hearing protests against the levy of said assessments to operate the District in fiscal year 2018-19.

3. The per unit assessments for the previous fiscal year 2017-18 were as shown on the attached table. The proposed per unit assessments represent an increase equal to the latest annual increase in the San Francisco, All Items, All Urban Consumers Index (3.22%; April 2017 – April 2018). The proposed assessments are in compliance with the annual increase formula previously approved by the GHAD voters on April 18, 2000 and therefore do not constitute an assessment increase under law.

4. A general description of the items to be maintained and operated in the District and paid for by the assessment is as follows: open space areas and geological hazard mitigation devices and improvements, and District administrative expenses.

5. All interested parties may obtain further particulars concerning the proposed per unit assessments in the District and a description and map of the boundaries of the District by referring to GHAD Resolution XX-2018, and the report of June 01, 2018, which are on file with the GHAD Secretary in Clayton City Hall. In addition, interested parties may contact the District General Manager directly by phone at (925) 969-8181 or in person, by appointment only, at 6000 Heritage Trail, Clayton, California, or view the reports at www.ci.clayton.ca.us.

NOW, THEREFORE, any and all persons having any interest in lands within the District liable to be assessed for the expenses of the District for Fiscal Year 2018-19, may appear at the public hearing, the time and place thereof being set forth above, and offer protest to said proposed assessment increase, and any of said persons may also present any objections they may have by written protest filed with the Secretary, Oakhurst Geological Hazard Abatement District, City of Clayton, 6000 Heritage Trail, Clayton, California, 94517, at or before the time set for public hearing.

JANET BROWN
Secretary
Oakhurst Geological Hazard Abatement District

DATED: June 19, 2018

**OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT
PROPOSED ANNUAL ASSESSMENTS
FISCAL YEAR 2018/19**

GHAD AREA	SUBD. NAME	SUBD. #	# UNITS	TYPE	PROPOSED ASSESS.	2017-2018 ASSESS.	ANNUAL \$ INCREASE
I	Windmill Canyon I	6990	92	6,000 sf	\$22.65	\$22.02	0.63
I	Black Diamond I	7065	108	Duets	\$16.99	\$16.50	0.49
I	Chaparral Springs I	7066	117	Multi-family	\$11.32	\$11.06	0.26
I	Chaparral Springs II	7303	52	Multi-family	\$11.32	\$11.06	0.26
I	Black Diamond II	7311	118	Duets	\$16.99	\$16.50	0.49
I	Oak Hollow IIA	7768	55	5,000 sf	\$22.65	\$22.02	0.63
I	Oak Hollow IIB	7769	53	5,000 sf	\$22.65	\$22.02	0.63
II	Eagle Peak I	7256	70	8,000 sf	\$30.24	\$29.24	1.00
II	Eagle Peak II	7257	60	8,000 sf	\$30.24	\$29.24	1.00
II	Falcon Ridge I	7260	75	8,000 sf	\$30.24	\$29.24	1.00
II	Falcon Ridge II	7261	70	8,000 sf	\$30.24	\$29.24	1.00
II	Windmill Canyon II	7262	99	6,000 sf	\$30.24	\$29.24	1.00
II	Windmill Canyon III	7263	101	6,000 sf	\$30.24	\$29.24	1.00
II	Windmill Canyon IV/Ironwood	7264	102	6,000 sf	\$30.24	\$29.24	1.00
II	Oak Hollow I	7766	35	5,000 sf	\$30.24	\$29.24	1.00
II	Diablo Ridge I	7766	60	Multi-family	\$15.12	\$14.70	0.42
II	Diablo Ridge II	7767	76	Multi-family	\$15.12	\$14.70	0.42
III	Peacock Creek I	7249	69	10,000 sf	\$72.93	\$70.58	2.35
III	Peacock Creek II	7255	72	10,000 sf	\$72.93	\$70.58	2.35