



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, March 7, 2017

7:00 P.M.

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

Mayor: Jim Diaz

Vice Mayor: Keith Haydon

Council Members

Julie K. Pierce

David T. Shuey

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 ***

March 7, 2017

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

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

3. **CONSENT CALENDAR**

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

(a) Approve the minutes of the City Council’s regular meeting of February 21, 2017.

[\(View Here\)](#)

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

(c) Approve a new Exclusive Negotiation Agreement (ENA) with Pacific Union Land Investors, LLC, for the continued preparation of a Disposition and Development Agreement (DDA) leading to the sale/purchase, private development and management of certain City-owned vacant real property in the Clayton Town Center, generally located at 6005 Main Street (APN 118-560-010-1), with land use options for limited commercial retail and a senior care/memory care facility or multiple-family residential units. [\(View Here\)](#)

(d) Adopt a Resolution approving the Notice of Completion for Uretex USA, Inc.’s use of a polymer fill injection to stabilize portions of the arterial roadways in the 2016-17 Arterial Street Rehabilitation Project (CIP No. 10437) and a segment on El Portal Drive (CIP No. 10439) in the final amount of \$350,849.82, and authorize the City Clerk to record the Project’s Notice of Completion. [\(View Here\)](#)

4. **RECOGNITIONS AND PRESENTATIONS**

(a) Certificates of Recognition to public school students for exemplifying the “Do the Right Thing” character trait of “Self-Discipline” during the months of January and February 2017. [\(View Here\)](#)

(b) A Proclamation declaring March 2017 as “American Red Cross Month” in the City of Clayton. [\(View Here\)](#)

5. **REPORTS**

(a) Planning Commission – No meeting held.

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

(c) City Manager/Staff

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

(e) Other

6. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the City Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. When one's name is called or you are recognized by the Mayor as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

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

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS

- (a) Consider the adoption of a Resolution authorizing the City Manager to enter into multiple contracts for the purchase and installation of roadway cameras and automated license plate readers (ALPRs) at entrances/exits to the City of Clayton to enhance local law enforcement effectiveness and public safety. ([View Here](#)) (Chief of Police)

Staff recommendation: Following staff presentation and opportunity for public comments, that City Council adopt a Resolution approving the award of contracts to: 1. Lehr Auto Electric in the amount of \$62,816.07 for a Vigilant Solution ALPR System; 2. Hitachi Data Systems in the amount of \$32,770.46 for a Situational Awareness Camera System; 3. Continental Electric in the amount of \$19,715 for installation of the law enforcement camera systems; and 4. Sprint Wireless in the amount of \$2,759.76 for data cards and wireless services, in the total amount of \$118,061.29 from FY 2014-15 General Fund earmarked monies for an enhanced local law enforcement and public safety camera system.

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

10. CLOSED SESSION – None.

11. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be March 21, 2017.

#

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

Agenda Date: 3-7-2017

Agenda Item: 3a

TUESDAY, February 21, 2017

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Diaz in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Diaz, Vice Mayor Haydon and Councilmembers Catalano, Pierce and Shuey. Councilmembers absent: None. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Finance Manager Kevin Mizuno, City Engineer Rick Angrisani (arrived at 7:07 p.m.), and City Clerk/HR Manager Janet Brown.

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

3. **CONSENT CALENDAR**

It was moved by Vice Mayor Haydon, seconded by Councilmember Shuey, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).

 - (a) Approved the minutes of the regular meeting of February 7, 2017 and its special meeting of February 7, 2017.
 - (b) Approved Financial Demands and Obligations of the City.

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

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

Vice Mayor Haydon attended the Clayton Library Foundation Board's monthly meeting.

Councilmember Shuey met with the President of the Clayton Valley Charter High School Board who advised him of some changes at the school, such as Dr. Gaffney resigning to assist Mr. McChesney with the Contra Costa School of Performing Arts, and the teacher turnover rate is normal and is very optimistic the school is improving with the changes.

Councilmember Catalano attended the Clayton Business and Community Association's Art and Wine Committee meeting, and met with representatives from the Clayton Valley Village.

Councilmember Pierce attended three Metropolitan Transportation Commission meetings, a TRANSPAC meeting, a CCTA meeting, the Association of Bay Area Governments' Executive Board meeting, a Bay Area Regional Collaborative meeting, and she announced the latest Clayton Historical Society's "School Days" exhibit.

Mayor Diaz attended a presentation by Contra Costa County Health Services Department that was made to community groups regarding regulations on vendor food booths, the Fire Protection District's academy graduation, and a County Connection Board meeting.

- (e) Other – None.

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

[City Engineer Rick Angrisani arrived – 7:07 p.m.]

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS

- (a) Consideration of matters concerning the financial status of the City's Mid-Year Budget Report for Fiscal Year 2016-2017:

1. Review of the mid-year revenue and operating expenditure funds and accounts and the recommendation for mid-year budget adjustments in The Grove Park and the Successor Housing Agency Funds; and
2. Consideration of the recommended expenditure plan for use of FY 2015-16 General Fund surplus of \$204,902 on four (4) one-time unmet needs.

Finance Manager Kevin Mizuno provided the financial summary noting the current budget was adopted by the City Council on June 21, 2016; at that time FY 2016-17 General Fund Revenues were projected at \$4,300,620 with authorized total appropriations of \$4,261,720, which resulted in an anticipated annual surplus of \$38,900.

The City Council Budget Sub-Committee recently met with the City Manager and the Finance Manager on February 3rd to review the Mid-Year Budget results. Mr. Mizuno noted since adoption of the FY 2016-17 City Budget there have been four (4) amendments approved by the City Council: 1. A new contract for police vehicle maintenance with the City of Concord costing \$6,430 more to the General Fund; 2. A permanent full-time Maintenance Worker 1 in the Landscape Maintenance District at a cost of \$45,400 per year; 3. The adoption of Ordinance No. 468 revising the City Council stipend (\$2,800 more per year total); and 4. Augmented the Keller Ridge Tree Replacement Project contract by \$18,200 more.

General Fund Revenues at mid-year: Mr. Mizuno explained some of the variances in the Secured Property Taxes and Sales and Use Tax revenues prompted by the CA Department of Finance's unwinding of its "Triple Flip" act that commenced January 1, 2016. The Redevelopment Property Tax Trust Fund distribution also had an effect on the revenues and is based on the Successor Agency's request of its Recognized Obligation Payment Schedule (ROPS). Mr. Mizuno indicated General Fund Expenditures at mid-year are consistent with previous years with the exception of higher water consumption by the new water play feature at The Grove Park (\$21,500 needed), and the Successor Housing Agency higher demand for legal services in affordable housing compliance

monitoring (\$15,000 needed). He noted the General Fund's unassigned equity position is \$5,338,121, which amount is more than a full year of its operations budget.

Mr. Mizuno provided a project status of FY 2014-15 General Fund earmarked surplus projects approved by the City Council on February 2, 2016 with nine (9) completed, four (4) still in progress and one (1) not started. Mr. Mizuno turned the item to City Manager Napper concerning recommendations on use of the FY 2015-16 General Fund surplus of \$204,902.

City Manager Napper proposed four (4) Options for Consideration for use of these General Fund excess monies on one-time expenditures: 1. FY 2017-18 Successor Agency Administrative Fee Gap of \$110,000; 2. Preparation of bid specifications and drawings to replace the failed City Hall commercial AC units (5) and the failing heater for \$7,950; 3. Earmark \$61,500 for replacement of AC unit at City Hall as it is 19 years old with a service life of 15 years and 3 of the 5 units are not working; and 4. Earmark \$23,875 to replace the 19 year old heating boiler at City Hall that needs re-tubing to keep at a cost of \$10,900. Mr. Napper advised there is an additional item for information only to create a reserve buffer for unavoidable CalPERS pension rates in FY 2017-18 but that amount of \$39,000 would exceed the available General Fund excess monies. The total appropriation recommended is \$202,325.

Vice Mayor Haydon thanked Mr. Mizuno and Mr. Napper for taking the time during the Budget Sub-Committee meeting to explain the "Triple Flip" and all of the acronyms used in the staff report. He also appreciated the thoroughness of the financial report and indicated he concurs with the recommendations for the Mid-Year Budget adjustments and the allocations of FY 2015-16 General Fund excess monies.

Councilmember Catalano also appreciated appreciation for staff's time spent during the Budget Sub-Committee meeting in answering their questions, and she too is supportive of the budget adjustments and the allocation of General Fund excess monies for the necessary one-time expenditures.

Mayor Diaz opened the item for public comments; no comments were offered.

It was moved by Councilmember Pierce, seconded by Vice Mayor Haydon, to accept the Mid-Year Budget staff report of the City's General Fund and Special (Restricted-Use) Funds for Fiscal Year 2016-17. (Passed; 5-0 vote).

It was moved by Councilmember Pierce, seconded by Councilmember Catalano, to adopt Resolution No. 04-2017 amending as proposed the Annual Operating Budget of the City of Clayton for the 2016-2017 Fiscal Year commencing July 1, 2016. (Passed; 5-0 vote).

It was moved by Councilmember Pierce, seconded by Vice Mayor Haydon, to adopt the staff-recommended allocation of \$203,325 in FY 2015-16 General Fund surplus monies to address the specific unmet financial needs outlined in Attachment 4 of the report, as proposed by the City Manager. (Passed; 5-0 vote).

- (b) Consider a Resolution approving the addition of a new Capital Improvement Project entitled "El Portal Drive Restoration Project No. 10439" [sidewalk repairs and street rehab] with the identification and allocation of project funding sources.

City Engineer Rick Angrisani presented the staff report noting the pavement in El Portal Drive was last overlaid in 2004, and portions are still in good condition; however, the first

900 feet east from Regency Drive has failed and is in need of reconstruction. Further, the south side curbs and sidewalks have settled creating an uneven sidewalk surface and unprotected drop off adjacent to the Mount Diablo Creek bed. While Uretek USA, Inc. was onsite performing its polymer fill work on the City's arterials, staff requested the company investigate the uneven roadway and sidewalk surface issues on El Portal Drive. Uretek found significant voids beneath the street pavement and provided an estimate of approximately \$31,000 to stabilize the subgrade materials.

Uretek's work on the 2016 Arterial Rehabilitation Project went well and a change order was approved to perform similar work in this segment of El Portal Drive. However, the subgrade voids there were larger than expected and required an additional \$23,000 in materials to complete, bringing the total El Portal Drive remedial cost to approximately \$54,000.

There is approximately \$379,000 in available Measure J funds for transportation improvement projects. Staff is recommending a new capital improvement project, the El Portal Drive Restoration Project (CIP No. 10439), be approved to reconstruct the associated surface improvements, namely the pavement and sidewalk areas, at an estimated cost of \$250,000 plus the installation of a sidewalk safety rail for a total project cost of \$304,000. The proposed project will also require the reconstruction of the eight (8) handicap ramps at each nearby street intersection along the project length as required by recent state law to meet revised ADA standards. The ADA component of the new project can be funded by the annual set-aside monies in CIP No 10394A, ADA Sidewalk/Parking Improvements. City Engineer Angrisani provided an anticipated project schedule for advertisement of competitive bids starting March 15, the bid opening on April 7, award of contract on April 18, construction commencing May 15, and construction completed by June 30.

Councilmember Shuey asked what happened on El Portal Drive? Mr. Angrisani responded best that staff can tell is when the subdivision was originally built in the early 1970s a lot of large rock was piled up and was filled over; normally that process is done on deep fills. This action occurred toward the outside of the street along the creek; maybe they thought there were reinforcing the slope, however it is assumed over the years the underground soils filtered out and back towards the creek, leaving voids between the large rock left behind.

Councilmember Shuey asked how will we prevent the erosion from occurring again? Mr. Angrisani reaffirmed there is no erosion on that side of the road; what happened is the soils under the street migrated out leaving a lot of voids under the street pavement, the rock and pavement section then just started moving downward breaking the pavement up into 2" to 4" squares. City Engineer Angrisani indicated using Uretek's injection process it filled all the voids creating one big mass, and the work is guaranteed for five (5) years.

Vice Mayor Haydon inquired on the Uretek process. Mr. Angrisani advised Uretek drills down approximately five (5) feet through the existing pavement; the polymer then migrates under the pavement through the soils filling the voids and brings it all together as one big mass. He noted this work has already been performed on El Portal Drive through a change order on Uretek's work on the 2016 Arterial Rehabilitation Project.

Mayor Diaz opened the item for public comments; no comments were offered.

It was moved by Councilmember Pierce, seconded by Vice Mayor Haydon, to adopt Resolution No. 05-2017 adding the El Portal Drive Restoration Project to the City of Clayton Capital Improvement Project as Project No. 10439 in the total amount of \$304,000, and transferring \$284,000 in Measure J Per Capita Funds from the 2016 Arterial Rehabilitation project (CIP #10437) and \$20,000 from the ADA sidewalk/parking improvements (CIP #10394A). (Passed; 5-0 vote).

- (c) City Council discussion to determine topics and subject matters for its annual joint special meeting with the Mount Diablo Unified School District Board of Education to be held in a Special Joint Meeting on Monday, March 6, 2017.
(City Manager)

City Manager Napper opened the discussion by suggesting possible talking points between the City Council and the Mt. Diablo Unified School District Board of Trustees. He noted the Staff Report outlined topics that were discussed at its last joint meeting with the Mt. Diablo Unified School District Board of Trustees and he asked if any of these items required any further discussion or updates. Mr. Napper requested the City Council indicate its agenda items, and then by motion set the date, time and location of the proposed special joint meeting with the Mt. Diablo School Board of Trustees.

Councilmember Pierce commented on the continued unsafe traffic hazards situations routinely occurring by drivers at Mount Diablo Elementary School during drop off and pick up times. She advised the communications by the school on its message board regarding after-school hour's events has gotten better; however she is unsure if they are doing any more than that.

Vice Mayor Haydon remarked he has received inquiries on revitalizing the grassy area by Diablo View Middle School by adding a multi-use facility; with frequent rains it has disrupted after-school sports and activities. Vice Mayor Haydon also requested a status report on the sports fields located at Mount Diablo Elementary School and the current community funding drive to take care of the field's safety issues during and after school hours.

Councilmember Catalano added unsafe traffic hazards situations are also occurring by drivers at Diablo View Middle School during drop off and pick up times. She further suggested adding the high school district does not have a designated high school and would like the MDUSD Board to provide more feedback on its recent decision for future students.

Councilmember Pierce indicated she also wants to invite representatives from the Parent Faculty Clubs and a member of the Board at Clayton Valley Charter High School to attend the joint meeting.

Mayor Diaz opened the item to receive public comments; no public comments were offered.

It was moved by Councilmember Pierce, and seconded by Vice Mayor Haydon, to approve a City Council special joint meeting with the Mt. Diablo Unified School District Board of Trustees to be held on March 6, 2017 starting at 6:30 pm in Hoyer Hall located at 6125 Clayton Road, Clayton, CA to include the six City Agenda Items outlined as follows:

- 1. Continued discussion of opportunities for improved protocols for area neighborhood notification when outdoor school and/or Parent-Faculty Club events on school campuses occur during non-traditional school hours.**
- 2. Continued discussion of unsafe driving issues occurring with the Mt. Diablo Elementary School and Diablo View Middle School traffic during drop-off and pick-up hours.**
- 3. Report/Update from MDUSD regarding its after-school intermural sports programs at Diablo View Middle School.**
- 4. Information/Status report for renovation of sports fields at Mt. Diablo Elementary School.**

5. Information regarding incoming freshman students and their designated High School options.
6. Discuss potential for a joint project to construct an all-weather mini-track and/or enclosed recreational building on Field No. 4 (City property) adjacent to the Clayton Community Gym on Diablo View Middle School campus. (Passed; 5-0 vote).

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Diaz, the City Council adjourned its meeting at 8:04 p.m.

The next regularly scheduled meeting of the City Council will be March 7, 2017.

#

Respectfully submitted,

Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Jim Diaz, Mayor

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Agenda Date 3/7/2017

Agenda Item: 3b

STAFF REPORT

Approved: 
Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: Kevin Mizuno, FINANCE MANAGER
DATE: 03/07/2017
SUBJECT: INVOICE SUMMARY

RECOMMENDATION:

Approve the following invoices:

| | | |
|------------|-------------------------------------|---------------|
| 03/03/2017 | Cash Requirements | \$ 175,916.70 |
| 02/28/2017 | ADP Payroll week 09, PPE 02/26/2017 | \$ 102,022.94 |

Total \$ 277,939.64

Attachments:
Cash Requirements Report dated 3/3/2017 (4 pages)
ADP payroll report for week 09 (1 page)

City of ayton 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 | 3/7/2017 | 3/7/2017 | 488817781 | Qtr/Year End reports 12/31/2016 | \$353.85 | \$0.00 | | \$353.85 |
| ADP, LLC | 3/7/2017 | 3/7/2017 | 488858968 | Payroll fees PPE 2/12/17 | \$159.00 | \$0.00 | | \$159.00 |
| <i>Totals for ADP, LLC:</i> | | | | | <u>\$512.85</u> | <u>\$0.00</u> | | <u>\$512.85</u> |
| All City Management Services, Inc. | | | | | | | | |
| All City Management Services, Inc. | 3/1/2017 | 3/1/2017 | 47062 | School crossing guard services 1/15/17-1/28/17 | \$458.19 | \$0.00 | | \$458.19 |
| All City Management Services, Inc. | 3/7/2017 | 3/7/2017 | 47337 | School crossing guard services 1/29/17-2/11/17 | \$509.10 | \$0.00 | | \$509.10 |
| <i>Totals for All City Management Services, Inc.:</i> | | | | | <u>\$967.29</u> | <u>\$0.00</u> | | <u>\$967.29</u> |
| AT&T (CalNet3) | | | | | | | | |
| AT&T (CalNet3) | 3/7/2017 | 3/7/2017 | 9310525 | Phone service 1/22/17-2/21/17 | \$1,615.47 | \$0.00 | | \$1,615.47 |
| <i>Totals for AT&T (CalNet3):</i> | | | | | <u>\$1,615.47</u> | <u>\$0.00</u> | | <u>\$1,615.47</u> |
| CalPERS Retirement | | | | | | | | |
| CalPERS Retirement | 3/7/2017 | 3/7/2017 | 022617 | Retirement PPE 2/26/17 | \$14,101.39 | \$0.00 | | \$14,101.39 |
| CalPERS Retirement | 3/7/2017 | 3/7/2017 | CC012417 | City Council retirement ending 1/24/17 | \$146.40 | \$0.00 | | \$146.40 |
| <i>Totals for CalPERS Retirement:</i> | | | | | <u>\$14,247.79</u> | <u>\$0.00</u> | | <u>\$14,247.79</u> |
| City of Concord | | | | | | | | |
| City of Concord | 3/7/2017 | 3/7/2017 | 56990 | Vehicle maintenance- Cars 1733, 1729 | \$3,404.40 | \$0.00 | | \$3,404.40 |
| City of Concord | 3/7/2017 | 3/7/2017 | 56940 | Envelopes for PD (1,000) | \$117.86 | \$0.00 | | \$117.86 |
| City of Concord | 3/7/2017 | 3/7/2017 | 56904 | 200 PD Trading cards | \$208.63 | \$0.00 | | \$208.63 |
| City of Concord | 3/7/2017 | 3/7/2017 | 56862 | February Dispatch Services | \$20,089.50 | \$0.00 | | \$20,089.50 |
| City of Concord | 3/7/2017 | 3/7/2017 | 56889 | 100 PD Holiday cards | \$62.50 | \$0.00 | | \$62.50 |
| <i>Totals for City of Concord:</i> | | | | | <u>\$23,882.89</u> | <u>\$0.00</u> | | <u>\$23,882.89</u> |
| Contra Costa County Public Works Dept | | | | | | | | |
| Contra Costa County Public Works Dept | 3/7/2017 | 3/7/2017 | 700896 | January Traffic signal maintenance | \$1,513.89 | \$0.00 | | \$1,513.89 |
| <i>Totals for Contra Costa County Public Works Dept:</i> | | | | | <u>\$1,513.89</u> | <u>\$0.00</u> | | <u>\$1,513.89</u> |
| Contra Costa County Sheriff - Forensic Svc Div (Lab) | | | | | | | | |
| Contra Costa County Sheriff - Forensic S | 3/7/2017 | 3/7/2017 | CLPD-1701 | January Toxicology | \$400.00 | \$0.00 | | \$400.00 |
| <i>Totals for Contra Costa County Sheriff - Forensic Svc Div (Lab):</i> | | | | | <u>\$400.00</u> | <u>\$0.00</u> | | <u>\$400.00</u> |
| Contra Costa County Sheriff-Coroner (CLETS) | | | | | | | | |
| Contra Costa County Sheriff-Coroner (| 3/7/2017 | 3/7/2017 | CL 15/16 | CLETS 15/16 annual fee for maintenance | \$726.72 | \$0.00 | | \$726.72 |
| <i>Totals for Contra Costa County Sheriff-Coroner (CLETS):</i> | | | | | <u>\$726.72</u> | <u>\$0.00</u> | | <u>\$726.72</u> |
| De Lage Landen Financial Services, Inc. | | | | | | | | |
| De Lage Landen Financial Services, Inc. | 3/7/2017 | 3/7/2017 | 53539176 | Copier contract 2/15/17-3/14/17 | \$304.59 | \$0.00 | | \$304.59 |
| <i>Totals for De Lage Landen Financial Services, Inc.:</i> | | | | | <u>\$304.59</u> | <u>\$0.00</u> | | <u>\$304.59</u> |
| Dept of Motor Vehicles | | | | | | | | |
| Dept of Motor Vehicles | 3/7/2017 | 3/7/2017 | VCB | 3 Vehicle Code Books for 2017 | \$52.06 | \$0.00 | | \$52.06 |
| <i>Totals for Dept of Motor Vehicles:</i> | | | | | <u>\$52.06</u> | <u>\$0.00</u> | | <u>\$52.06</u> |

City of Clayton Cash Requirements Report

| Vendor Name | Due Date | Invoice Date | Invoice Number | Invoice Description | Invoice Balance | Potential Discount | Discount Expires On | Net Amount Due |
|---|----------|--------------|----------------|---|--------------------|--------------------|---------------------|--------------------|
| Diablo Glass Company, Inc | | | | | | | | |
| Diablo Glass Company, Inc | 3/7/2017 | 3/7/2017 | 10012645 | Service call, reset window at Library | \$165.00 | \$0.00 | | \$165.00 |
| | | | | <i>Totals for Diablo Glass Company, Inc:</i> | <u>\$165.00</u> | <u>\$0.00</u> | | <u>\$165.00</u> |
| Environtech Enterprises | | | | | | | | |
| Environtech Enterprises | 3/7/2017 | 3/7/2017 | A001B-1B-17 | Jan, Feb Mustard & yellow thistle abatement | \$7,260.00 | \$0.00 | | \$7,260.00 |
| Environtech Enterprises | 3/7/2017 | 3/7/2017 | A001-A1-17 | Jan, Feb Thistle abatement | \$6,300.00 | \$0.00 | | \$6,300.00 |
| | | | | <i>Totals for Environtech Enterprises:</i> | <u>\$13,560.00</u> | <u>\$0.00</u> | | <u>\$13,560.00</u> |
| Geoconsultants, Inc. | | | | | | | | |
| Geoconsultants, Inc. | 3/7/2017 | 3/7/2017 | 18856 | February Well Monitoring | \$1,546.50 | \$0.00 | | \$1,546.50 |
| | | | | <i>Totals for Geoconsultants, Inc.:</i> | <u>\$1,546.50</u> | <u>\$0.00</u> | | <u>\$1,546.50</u> |
| Globalstar LLC | | | | | | | | |
| Globalstar LLC | 3/7/2017 | 3/7/2017 | 8081840 | Sat phone 1/16/17-2/15/17 | \$69.31 | \$0.00 | | \$69.31 |
| | | | | <i>Totals for Globalstar LLC:</i> | <u>\$69.31</u> | <u>\$0.00</u> | | <u>\$69.31</u> |
| Hammons Supply Company | | | | | | | | |
| Hammons Supply Company | 3/7/2017 | 3/7/2017 | 97070 | EH Janitorial Supplies | \$51.59 | \$0.00 | | \$51.59 |
| | | | | <i>Totals for Hammons Supply Company:</i> | <u>\$51.59</u> | <u>\$0.00</u> | | <u>\$51.59</u> |
| Health Care Dental Trust | | | | | | | | |
| Health Care Dental Trust | 3/7/2017 | 3/7/2017 | 222916 | April Dental | \$2,392.02 | \$0.00 | | \$2,392.02 |
| | | | | <i>Totals for Health Care Dental Trust:</i> | <u>\$2,392.02</u> | <u>\$0.00</u> | | <u>\$2,392.02</u> |
| J&R Floor Services | | | | | | | | |
| J&R Floor Services | 3/7/2017 | 3/7/2017 | Two 2017 | February Janitorial Services | \$4,880.00 | \$0.00 | | \$4,880.00 |
| | | | | <i>Totals for J&R Floor Services:</i> | <u>\$4,880.00</u> | <u>\$0.00</u> | | <u>\$4,880.00</u> |
| Arlene Kikkawa-Nielsen | | | | | | | | |
| Arlene Kikkawa-Nielsen | 3/7/2017 | 3/7/2017 | March 2017 | March Library Volunteer Coordinator | \$900.00 | \$0.00 | | \$900.00 |
| | | | | <i>Totals for Arlene Kikkawa-Nielsen:</i> | <u>\$900.00</u> | <u>\$0.00</u> | | <u>\$900.00</u> |
| Landscape Pest Control Services, Inc | | | | | | | | |
| Landscape Pest Control Services, Inc | 3/7/2017 | 3/7/2017 | 95832 | February Gopher Maintenance at Parks | \$700.00 | \$0.00 | | \$700.00 |
| | | | | <i>Totals for Landscape Pest Control Services, Inc:</i> | <u>\$700.00</u> | <u>\$0.00</u> | | <u>\$700.00</u> |
| LarryLogic Productions | | | | | | | | |
| LarryLogic Productions | 3/7/2017 | 3/7/2017 | 1636 | City Council Meeting Production 2/21/17 | \$300.00 | \$0.00 | | \$300.00 |
| | | | | <i>Totals for LarryLogic Productions:</i> | <u>\$300.00</u> | <u>\$0.00</u> | | <u>\$300.00</u> |
| Marken Mechanical Services Inc | | | | | | | | |
| Marken Mechanical Services Inc | 3/7/2017 | 3/7/2017 | 3682 | January EH HVAC Maintenance | \$259.50 | \$0.00 | | \$259.50 |
| | | | | <i>Totals for Marken Mechanical Services Inc:</i> | <u>\$259.50</u> | <u>\$0.00</u> | | <u>\$259.50</u> |
| Matrix Association Management | | | | | | | | |
| Matrix Association Management | 3/7/2017 | 3/7/2017 | 4233 | March Management services for Diablo Esta | \$4,532.50 | \$0.00 | | \$4,532.50 |

City of Dayton 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 Matrix Association Management:</i> | | | | | \$4,532.50 | \$0.00 | | \$4,532.50 |
| NBS Govt. Finance Group | | | | | | | | |
| NBS Govt. Finance Group | 3/7/2017 | 3/7/2017 | 11700158 | Delinquency Management Services CFDs | \$336.90 | \$0.00 | | \$336.90 |
| <i>Totals for NBS Govt. Finance Group:</i> | | | | | \$336.90 | \$0.00 | | \$336.90 |
| Pacific Telemangement Svc | | | | | | | | |
| Pacific Telemangement Svc | 3/7/2017 | 3/7/2017 | 902580 | March Courtyard Payphone | \$73.00 | \$0.00 | | \$73.00 |
| <i>Totals for Pacific Telemangement Svc:</i> | | | | | \$73.00 | \$0.00 | | \$73.00 |
| PERMCO, Inc. | | | | | | | | |
| PERMCO, Inc. | 3/7/2017 | 3/7/2017 | 10711 | Engineering services 2/11/17-2/24/17 | \$3,454.00 | \$0.00 | | \$3,454.00 |
| PERMCO, Inc. | 3/7/2017 | 3/7/2017 | 10712 | CAP Inspections 2/11/17-2/24/17 | \$83.00 | \$0.00 | | \$83.00 |
| PERMCO, Inc. | 3/7/2017 | 3/7/2017 | 10713 | Revisions per plan check, order potholing -El Portal | \$1,867.25 | \$0.00 | | \$1,867.25 |
| PERMCO, Inc. | 3/7/2017 | 3/7/2017 | 10714 | Meet w/engineer re: proposed revisions forms | \$300.00 | \$0.00 | | \$300.00 |
| PERMCO, Inc. | 3/7/2017 | 3/7/2017 | 10715 | Review Plans, Issue CAP Veteran Power Work | \$675.00 | \$0.00 | | \$675.00 |
| PERMCO, Inc. | 3/7/2017 | 3/7/2017 | 10716 | Prepare Bid Plans -El Portal Dr Restoration | \$5,392.50 | \$0.00 | | \$5,392.50 |
| <i>Totals for PERMCO, Inc.:</i> | | | | | \$11,771.75 | \$0.00 | | \$11,771.75 |
| PG&E | | | | | | | | |
| PG&E | 3/7/2017 | 3/7/2017 | 022217 | Electricity 1/20/17-2/20/17 | \$3,345.20 | \$0.00 | | \$3,345.20 |
| <i>Totals for PG&E:</i> | | | | | \$3,345.20 | \$0.00 | | \$3,345.20 |
| Professional Police Supply, Inc | | | | | | | | |
| Professional Police Supply, Inc | 3/7/2017 | 3/7/2017 | INV237483 | MSA CS/CN Millenium Canister | \$1,557.73 | \$0.00 | | \$1,557.73 |
| <i>Totals for Professional Police Supply, Inc:</i> | | | | | \$1,557.73 | \$0.00 | | \$1,557.73 |
| R&S Erection of Concord | | | | | | | | |
| R&S Erection of Concord | 3/7/2017 | 3/7/2017 | 101146 COMR | Furnish & Install Liftmaster MGJ5011 door at | \$2,371.00 | \$0.00 | | \$2,371.00 |
| <i>Totals for R&S Erection of Concord:</i> | | | | | \$2,371.00 | \$0.00 | | \$2,371.00 |
| Riso Products of Sacramento | | | | | | | | |
| Riso Products of Sacramento | 3/7/2017 | 3/7/2017 | 166973 | Copier contract 2/18/17-3/17/17 | \$94.79 | \$0.00 | | \$94.79 |
| <i>Totals for Riso Products of Sacramento:</i> | | | | | \$94.79 | \$0.00 | | \$94.79 |
| Roto-Rooter Sewer/Drain Service | | | | | | | | |
| Roto-Rooter Sewer/Drain Service | 3/7/2017 | 3/7/2017 | B-1526-17 | Install new urinal in men's restroom - Library | \$1,109.13 | \$0.00 | | \$1,109.13 |
| <i>Totals for Roto-Rooter Sewer/Drain Service:</i> | | | | | \$1,109.13 | \$0.00 | | \$1,109.13 |
| Stericycle Inc | | | | | | | | |
| Stericycle Inc | 3/7/2017 | 3/7/2017 | 3003753905 | March Disposal services | \$101.44 | \$0.00 | | \$101.44 |
| <i>Totals for Stericycle Inc:</i> | | | | | \$101.44 | \$0.00 | | \$101.44 |
| Thomson Reuters-West | | | | | | | | |
| Thomson Reuters-West | 3/7/2017 | 3/7/2017 | 6113216041 | CA Penal Code 2017 Pamphlet | \$185.11 | \$0.00 | | \$185.11 |
| <i>Totals for Thomson Reuters-West:</i> | | | | | \$185.11 | \$0.00 | | \$185.11 |

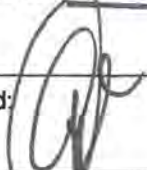
City of Clayton Cash Requirements Report

| <u>Vendor Name</u> | <u>Due Date</u> | <u>Invoice Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Invoice Balance</u> | <u>Potential Discount</u> | <u>Discount Expires On</u> | <u>Net Amount Due</u> |
|-----------------------------|-----------------|---------------------|-----------------------|---|------------------------|---------------------------|----------------------------|-----------------------|
| US Bank Ops Center | | | | | | | | |
| US Bank Ops Center | 3/7/2017 | 3/7/2017 | 1990-1 | Interest for 1990-1 Bonds | \$78,036.01 | \$0.00 | | \$78,036.01 |
| | | | | <i>Totals for US Bank Ops Center:</i> | <u>\$78,036.01</u> | <u>\$0.00</u> | | <u>\$78,036.01</u> |
| Western Exterminator | | | | | | | | |
| Western Exterminator | 3/7/2017 | 3/7/2017 | 4639359 | November Pest Control Services | \$385.50 | \$0.00 | | \$385.50 |
| | | | | <i>Totals for Western Exterminator:</i> | <u>\$385.50</u> | <u>\$0.00</u> | | <u>\$385.50</u> |
| Workers.com | | | | | | | | |
| Workers.com | 3/7/2017 | 3/7/2017 | 118078 | Seasonal Workers week end 2/5/17 | \$1,220.05 | \$0.00 | | \$1,220.05 |
| Workers.com | 3/7/2017 | 3/7/2017 | 118142 | Seasonal Workers Week end 2/12/17 | \$768.94 | \$0.00 | | \$768.94 |
| Workers.com | 3/7/2017 | 3/7/2017 | 118202 | Seasonal Workers Week end 2/19/17 | \$980.18 | \$0.00 | | \$980.18 |
| | | | | <i>Totals for Workers.com:</i> | <u>\$2,969.17</u> | <u>\$0.00</u> | | <u>\$2,969.17</u> |
| GRAND TOTALS: | | | | | \$175,916.70 | \$0.00 | | \$175,916.70 |



Agenda Date: 3-7-2017

Agenda Item: 3c

Approved: 

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CITY MANAGER
DATE: 07 MARCH 2017
**SUBJECT: APPROVE NEW EXCLUSIVE NEGOTIATION AGREEMENT (ENA)
FOR SALE/PURCHASE/DEVELOPMENT OF CITY-OWNED REAL PROPERTY**

RECOMMENDATION

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

BACKGROUND

At a public meeting held on 19 July 2016, the City Council approved an ENA with Pacific Union Land Investors, LLC, for its prospective purchase and private development of several retail commercial stores and a senior care facility on approximately one acre of undeveloped land owned by the City (6005 Main Street). To further its proposed development plans, PULI had also negotiated a separate sale/purchase agreement with the Clayton Community Church to incorporate their Main Street frontage property into its development plans. That ENA was set to expire on November 1st and PULI requested of the City to extend its deadline to 01 December 2016 to allow it additional time to file its Initial [Development] Application

On 04 October 2016 the City Council accepted PULI's time extension by approval of a First Amendment to the ENA. On December 1st the ENA expired due to the lack of PULI filing an Initial Application.

NEW EXCLUSIVE NEGOTIATION AGREEMENT

Following several discussions with City staff and a meeting on 24 January 2017 with officials from the City, the Leadership Council of the Clayton Community Church, and representatives of PULI, it has been ultimately determined the City and PULI will proceed with its due diligence on the development of a project sited only on the City's real property of 1.67 acres. It is City staff's understanding the church and PULI are no longer under contract

for sale/purchase of the church's real property on Main Street (APN 119-011-003; 25,000 sq. ft.). However, both the City and PULI remain interested in the sale and subsequent private development of the City-owned property and each desire to renew the exclusivity arrangement with several modified terms and conditions:

a. PULI has until 05 July 2017 (120 days) to perform its due diligence, prepare and then file an Initial [Development] Application on or before that deadline for a proposed project acceptable to the City for processing purposes.

b. The contemplated land uses, subject to City acceptance for application processing, could be either a senior/memory care facility with limited commercial retail establishments or a multi-family residential project and related uses.

c. The agreed-upon sale/purchase price of the City's real property is \$1.7 million (\$23.51 per sq. ft.), up from the previous price of \$1.625 million approved in July 2016 (\$22.47 per sq. ft.).

All other terms and conditions of the original July 2016 ENA remain the same.

It is the City's conviction PULI remains the preferred party for the development and management of a private project on this site in the Clayton Town Center to further the economic health and enhancement of the downtown area.

Attachment: A. New ENA [7 pp.]

EXCLUSIVE NEGOTIATION AGREEMENT

THIS EXCLUSIVE NEGOTIATION AGREEMENT (the "Agreement") is entered into this _____ day of _____, 2017, by and between the City of Clayton, a municipal corporation (the "City"), and Pacific Union Land Investors LLC, a California limited liability company ("Developer"), on the terms and provisions set forth below.

THE CITY AND DEVELOPER HEREBY AGREE AS FOLLOWS:

100. NEGOTIATIONS**101. Good Faith Negotiations**

The City and Developer, acknowledging that time is of the essence, agree for the Initial Negotiation Period and, to the extent applicable, the Extended Negotiation Period set forth below to negotiate diligently and in good faith to prepare a Disposition and Development Agreement (the "DDA") to be considered for execution between the City and Developer, in the manner set forth herein, with respect to the sale of certain real property located at 6005 Main Street, Clayton, California, also known as APN 118-560-010-1 (the "Property"). The Property is shown on the "Map of the Property," attached hereto as Exhibit A and incorporated herein by reference. The Property is composed of certain real property currently owned by the City and to be conveyed to Developer pursuant to the terms of the DDA. The City agrees, for the periods and on the conditions set forth below, not to negotiate with any other person or entity regarding the sale of the Property or any portion thereof.

The Property is currently undeveloped and the City is open to selling the Property to be developed either as a senior/memory care facility with limited commercial retail establishments or as a multi-family residential project and related uses. The City and Developer desire to engage in negotiations for the sale and development of the Property in accordance with the City and Developer's desired uses for the Property.

102. Duration of this Agreement

Developer shall have until July 5, 2017 to conduct its feasibility analysis of the land use transaction contemplated herein (the "Initial Negotiation Period").

If upon expiration of the Initial Negotiation Period, Developer has not submitted an Initial Application, as defined below, to the City to develop the Property with a contemplated land use initially acceptable to the City for entitlement processing, then this Agreement shall automatically terminate unless this Agreement has been mutually extended in writing by the City and Developer.

For the purposes herein, Developer's required submission of an Initial Application shall include at a minimum: Preliminary Site Plan, Preliminary Building Elevations, Project Narrative, and the following application forms must be submitted, along with payment of applicable fees: General Plan Amendment Application, Specific Plan Amendment Application,

and the Development Plan Permit Application, as deemed necessary by City (collectively, the "Initial Application").

If such Initial Application is so submitted by Developer to the City on or before expiration of the Initial Negotiation Period, then this Agreement and the Initial Negotiation Period herein shall be extended without further action for an additional three hundred and seventy (370) days from the date of such submittal (the "Extended Negotiation Period").

The parties acknowledge that supporting documents, reports and attachments beyond those required by the City to deem the application complete may be required to be submitted during the Extended Negotiation Period, in order to adequately process a complete Application. A good faith effort shall be made by Developer to provide these supporting documents, reports and attachments in a timely manner if determined to be necessary by the City during the processing of the Application.

Upon the Initial Application being deemed complete by the City ("Application"), the City shall take all steps legally necessary to: (1) negotiate and prepare the terms and conditions of the proposed DDA; (2) take the actions necessary to authorize the City to enter into the DDA, including but not limited to completion of compliance with the California Environmental Quality Act; and (3) publicly consider and approve the DDA for execution by the City and Developer. In the event the City has taken these required steps but has not denied or approved the Application by the end of the Extended Negotiation Period, and Developer has performed all of its obligations under this Agreement, the Extended Negotiation Period may be further extended by the City Council for an additional six (6) months. The City and Developer may consider other reasonable requests for additional extensions of the Extended Negotiation Period.

200. DEPOSIT AND SALE OF THE PROPERTY

The City acknowledges the Developer has deposited One Hundred Thousand Dollars and No Cents (\$100,000.00) with the City ("Deposit"). If Developer submits the Initial Application on or before the expiration of the Initial Negotiation Period, one-half of the Deposit shall then be deemed nonrefundable.

If Developer does not submit the Initial Application on or before the expiration of the Initial Negotiation Period, the Deposit shall be returned to Developer.

Should the City not approve the DDA for execution, one-half of the Deposit shall be returned to Developer. Should the City approve the DDA for execution, the Deposit shall be applied as a credit against the purchase price of the Property. Should the Developer either arbitrarily withdraw the Application and/or does not execute the DDA without a reasonable cause, City shall receive the full Deposit and it shall then be deemed nonrefundable. "Reasonable cause" as defined in this section shall be limited to a requirement imposed by the City that materially negatively impacts the economics of the project, as demonstrated quantitatively to the City by Developer submitted pro formas, which condition or requirement is imposed by the Planning Commission and/or City Council and was not included in City staff's recommendation and/or staff report to the Planning Commission and/or City Council.

The purchase price and/or other consideration to be paid by Developer for the Property under the DDA shall be One Million Seven Hundred Thousand Dollars and No Cents (\$1,700,000.00) and will be payable in cash at close of escrow. Such purchase price and/or other consideration is based upon such factors as the fair market value of the property, market conditions, and condition of the improvements, risks of the City and its carrying costs, and risks of Developer, and will be subject to approval by the City Council after a public hearing as required by law.

300. DEVELOPER

301. Office of Developer

The principal office of Developer is 675 Hartz Avenue, Suite 300 Danville, CA 94526.

302. Principal Representatives of Developer

The principal representatives of Developer for purposes of negotiating the DDA are as follows: Joshua Reed, Director of Real Estate, and Christopher Garwood, Vice President ("Representatives").

303. Full Disclosure

Prior to execution of the DDA, Developer shall have made all requested disclosures to the City of its principals, officers, major stockholders, major partners, joint venturers, key managerial employees and other associates. Any significant change in the principals, associates, Representatives, development manager, professional and directly-involved managerial employees of Developer shall be subject to the approval of the City. Notwithstanding the foregoing, Developer reserves the right at its discretion to join and associate with other entities in joint ventures, partnerships or otherwise for the purpose of developing the Property, provided that Developer retains common management and control of such entities and remains fully responsible to the City hereunder.

400. DEVELOPER'S FINANCIAL CAPACITY

401. Financial Ability

Prior to execution of the DDA, Developer shall submit to the City satisfactory evidence of its ability to finance and complete the acquisition and development of the Property and fulfill the operation of the anticipated improvements to the Property as set forth in the DDA.

402. Full Disclosure

Developer will be required to make and maintain full disclosure to the City of its methods of financing to be used in the acquisition of the Property.

500. CITY'S RESPONSIBILITIES

501. Environmental Documents

The City shall be responsible for conducting any review it deems necessary and appropriate under the California Environmental Quality Act. Any costs, fees and charges associated with the requirements of the California Environmental Quality Act shall be paid by Developer, unless otherwise agreed by the City.

502. City Council Public Hearing

A DDA resulting from the negotiations hereunder shall become effective only after and if the DDA has been considered and approved by the City Council at a public hearing called for such purpose.

600. LIMITATIONS OF THIS AGREEMENT

By its execution of this Agreement, the City is not committing itself to or agreeing to undertake: (1) approval of the Application; (2) disposition of land to Developer; or (3) any other acts or activities requiring the subsequent independent exercise of discretion by the City or any agency or department thereof.

This Agreement does not constitute a disposition of property or exercise of control over property by the City. Execution of this Agreement by the City is merely an agreement to enter into a period of exclusive negotiations according to the terms hereof, reserving final discretion and approval by the City as to any Disposition and Development Agreement and all proceedings and decisions in connection therewith.

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

_____, 2017

"CITY"

The City of Clayton, a municipal corporation

By _____
Jim Diaz, Mayor

February 23, 2017

"DEVELOPER"
Pacific Union Land Investors LLC,
a California limited liability company

By: _____
(Title) Jeffrey W. Abramson
President

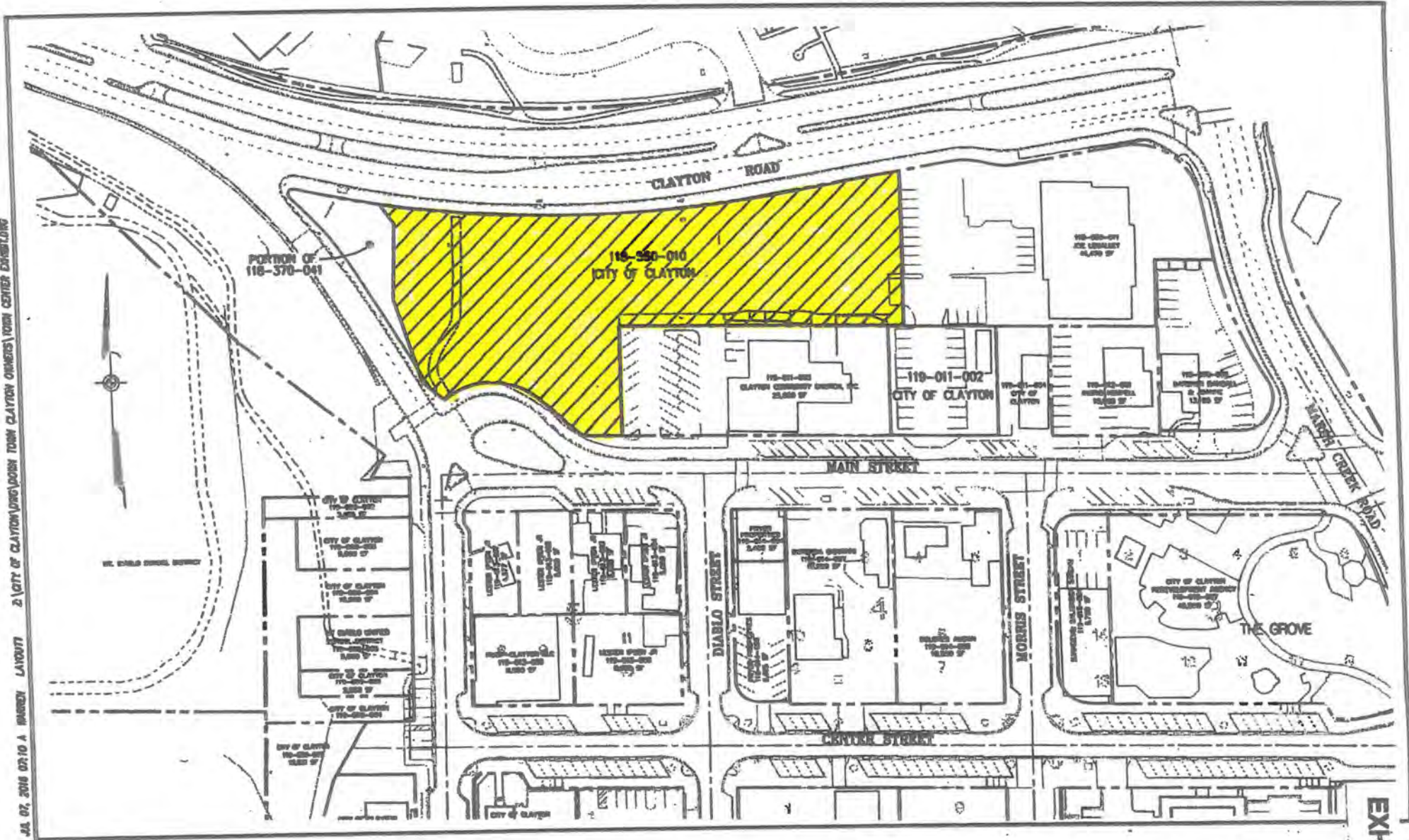
By: Lori K. Walzer
Lori K. Walzer, CFO
(Title)

EXHIBIT A

MAP OF THE PROPERTY

[To Be Inserted]

Exhibit A





Agenda Date: 3-7-2017

Agenda Item: 3d

STAFF REPORT

Approved:

Gary A. Napper
City Manager

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: MARCH 7, 2017

SUBJECT: A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE PAVEMENT STABILIZATION & LIFTING PORTIONS OF THE 2016 ARTERIAL REHABILITATION PROJECT (CIP #10437) AND OF THE EL PORTAL DRIVE RESTORATION PROJECT (CIP #10439) AS COMPLETE AND ORDERING THE FILING OF A NOTICE OF COMPLETION

RECOMMENDATION

Adopt the Resolution.

BACKGROUND

The contractor, Uretek, Inc., has completed construction of the Pavement Stabilization & Lifting Portion of the 2016 Arterial Rehabilitation Project (CIP #10437) and of The El Portal Drive Restoration Project (CIP #10439) and has requested acceptance of the work.

Overall, the work went very well. The available budgeted contingency allowed us to expand the areas of work on the arterials and to include a road segment on El Portal Drive from Regency Drive to El Portal Court. This portion of El Portal Drive has always suffered from severe pavement failures even after being overlaid with new pavement. The reason for the failures became clear during Uretek's investigation, as requested by City staff. Apparently, when originally built, large rocks were placed in the fill along the Mount Diablo Creek when the subdivision was constructed in the early 1970s. While this is a standard practice in deep fills, placing the rock in shallow fills is problematic. Over time, the soil between the rocks eventually migrated out leaving significant voids and undermining the overlying pavement section. Now that the underlying soils have been stabilized, staff presented a new project for the permanent restoration of the surface improvements which the City Council approved at its February 21st meeting (CIP Project No. 10439).

The Engineering Department has completed its inspection of the Uretek improvements and recommends acceptance of the work as complete.

Date: March 7, 2017

FISCAL IMPACT

The original contract amount as awarded by the Council was \$258,444.50. Three Change Orders were issued as follows:

| | |
|--|------------------|
| 1) Additional areas on Oakhurst Drive and Clayton Road | \$38,362.50 |
| 2) El Portal – initial estimate | 31,101.67 |
| 3) El Portal – final quantities..... | <u>22,942.15</u> |
| Final Contract Amount..... | \$350,849.82 |

The approved funding from City sources for the project is as follows:

| | |
|---------------------------|-------------------|
| Measure J per capita..... | \$791,000.00 |
| Gas Tax..... | <u>263,000.00</u> |
| Total..... | \$1,054,000.00 |

The Measure J grant funds, totaling \$1,224,000, are available for funding all costs on the arterial work after December 2, 2016. This allows the Change Order for additional work on Oakhurst Drive and Clayton Road to be paid using these funds (\$38,362.50).

Due to Measure J Grant requirements, however, the portions of the cost incurred prior to December 2nd and the added expense for the El Portal Drive segment must come from City funds (a total of \$312,487.32). Staff recommends using Measure J per capita local transportation funds to pay for this work.

CONCLUSION

The Uretex portion of these projects is complete and the work has satisfied the project's specifications. Therefore, staff recommends approval of this Resolution accepting the work as complete and ordering the filing of a Notice of Completion. It is noted authorization includes the payment of all retained funds 35 days after filing of the notice.

Attachments: Resolution
Notice of Completion

RESOLUTION NO. - 2017

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE PAVEMENT STABILIZATION & LIFTING PORTIONS OF THE 2016 ARTERIAL REHABILITATION PROJECT (CIP #10437) AND THE EL PORTAL PAVEMENT RESTORATION PROJECT (CIP #10439) AS COMPLETE AND ORDERING THE FILING OF A NOTICE OF COMPLETION

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

WHEREAS, on October 6, 2016 the City Council of Clayton, California did award a contract to Uretex USA, Inc. for the construction of the Pavement Stabilization & Lifting Portion of the 2016 Arterial Rehabilitation Project (CIP #10437); and

WHEREAS, the City added the stabilization and lifting of the pavement on El Portal Drive from Regency Drive to El Portal Court (a portion of the El Portal Pavement Restoration Project - CIP No. 10439) via a change order on the original contract; and

WHEREAS, Uretex USA, Inc. has now represented that its work is complete and is requesting acceptance by the City; and

WHEREAS, the City Council must accept the work as complete and order the filing of a Notice of Completion prior to release of the retained funds; and

WHEREAS, the City Engineer has inspected the work, declares the contract and related project specifications have been fulfilled, and the City Engineer now requests the City Council to accept the work and authorize the filing of a Notice of Completion.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Clayton, California does hereby accept as completed as of the date of adoption of this Resolution the construction of the Pavement Stabilization & Lifting Portion of the 2016 Arterial Rehabilitation Project (CIP #10437) and the Pavement Stabilization & Lifting Portion of the El Portal Pavement Restoration Project (CIP #10439) and hereby authorizes the City Engineer to file a Notice of Completion with the County Recorder, and further authorizes the release of the contract retention after the required 35 day waiting period; and

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 7th day of March, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

JIM DIAZ, 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 its regular public meeting held on March 7, 2017.

Janet Brown, City Clerk

Recorded at the request of:

City of Clayton
6000 Heritage Trail
Clayton, CA 94517

**NOTICE OF ACCEPTANCE
AND COMPLETION OF PUBLIC WORKS**

NOTICE IS HEREBY GIVEN that the City of Clayton did, on or about October 6, 2016, contract with Uretek USA, Inc., P.O. Box 1929, Tomball, Texas, 77377, for the construction of the Pavement Stabilization & Lifting Portion of the 2016 Arterial Rehabilitation Project (CIP #10437) and later added the Pavement Stabilization & Lifting Portion of the El Portal Pavement Restoration Project (CIP #10439) in accordance with the plans and specifications prepared by the City of Clayton and said contractor's surety was and is Western Surety Company, 333 So. Wabash Ave., Chicago, IL 60604.

NOTICE IS FURTHER GIVEN that the Clayton City Engineer has inspected said work of the Contractor and reported that the work complies with the approved plans and specifications and recommended its acceptance as complete; further, that the City Council of the City of Clayton, California, by adopting Resolution No. XX-2017 on March 7, 2017, accepted said public work as complete.

I hereby certify that the foregoing is true and correct and that the aforesaid action of the City Council of the City of Clayton, in accepting said public work as completed, was duly entered on the minutes of said Council's meeting of March 7, 2017. I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 8, 2017, at Clayton, California.

Janet Brown, City Clerk

**ATTACHMENT TO
NOTICE OF ACCEPTANCE
AND COMPLETION OF PUBLIC WORKS**

Project: Pavement Stabilization & Lifting Portion of the 2016 Arterial Rehabilitation Project and the Pavement Stabilization & Lifting Portion of the El Portal Pavement Restoration Project

Contractor: Uretex USA, Inc.

Streets:

Oakhurst Drive
Clayton Road
Marsh Creek Road
El Portal Drive

DOMINIC CELENTANO
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great "Self-Discipline"
January and February 2017

Agenda Date: 3-7-2017

Agenda Item: 4a

EVAN LYNCH
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great "Self-Discipline"
January and February 2017

JAMES BRINKLEY
for
"Doing the Right Thing"
at
Diablo View Middle School
by exemplifying great "Self-Discipline"
January and February 2017

MEGAN GHERLONE

for

"Doing the Right Thing"

at

Diablo View Middle School

by exemplifying great "Self-Discipline"

January and February 2017

declaring

March 2017

as

"American Red Cross Month"

WHEREAS, in the City of Clayton, we have a long history of helping our neighbors in need. American Red Cross Month is special time to recognize and thank our heroes - those Red Cross volunteers and donors who give of their time and resources to help community members; and

WHEREAS, these heroes help families find shelter after a home fire. They give blood to help trauma victims and cancer patients. They deliver comfort items to military members in the hospital. They use their lifesaving skills to save someone from a heart attack, drowning or choking. They enable children around the globe to be vaccinated against measles and rubella; and

WHEREAS, the American Red Cross depends on local heroes to deliver help and hope during a disaster. We applaud our heroes here in the City of Clayton who give of themselves to assist their neighbors when they need a helping hand; and

WHEREAS, across the country and around the world, the American Red Cross responds to disasters big and small. In fact, every eight minutes the organization responds to a community disaster, providing shelter, food, emotional support and other necessities to those affected. It collects nearly 40 percent of the nation's blood supply; provides 24-hour support to military members, veterans and their families; teaches millions lifesaving skills, such as lifeguarding and CPR; and through its Restoring Family Links program, connects family members separated by crisis, conflict or migration; and

WHEREAS, in 2016 in Contra Costa County, Red Cross volunteers responded to 93 house fires, assisted 182 affected households and taught 281 students fire safety through our Pillowcase Project. We taught First Aid, CPR & AED to 5,832 enrollees and Aquatic & Water Safety to 5,326. Through our Service to the Armed Forces, we held briefings for 235 families of service members; and responded to 97 Emergency Service Cases. And we provided 13,303 Blood Donations. Regionally, the Red Cross provided 27,219 Northern Californians with our lifesaving mobile apps, and accounted for 173,224 volunteer hours teaching safety, donating blood, and responding to wildfires, flooding and other emergencies from Monterey to the Oregon border; and

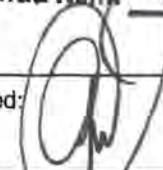
WHEREAS, we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission; and

NOW THEREFORE, I, Jim Diaz, Mayor, on behalf of the Clayton City Council, do hereby proclaim March 2017 as "Red Cross Month" in Clayton, California, and encourage all residents to be cognizant of the compassion, courage, character and civic duty that are inherent in the Red Cross mission to prevent and relieve human suffering.



Agenda Date: 3-07-2017

Agenda Item: 8a

Approved: 
Gary A. Napper
City Manager

Agenda Report

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: CHRIS WENZEL, CHIEF OF POLICE

DATE: March 7, 2017

SUBJECT: ADOPT A RESOLUTION APPROVING CERTAIN CONTRACTS RELATED TO THE PURCHASE AND INSTALLATION OF LAW ENFORCEMENT CAMERAS AT FOUR DESIGNATED AREAS IN THE CITY OF CLAYTON

RECOMMENDATION

It is recommended the City Council adopt the attached Resolution awarding the various following contracts for the purchase and install a camera system involving an Automated License Plate Reader (ALPRs) and Situational Awareness Cameras:

- | | |
|---|-------------|
| 1. The purchase of Vigilant ALPRs Cameras; | \$62,816.07 |
| 2. The purchase of Hitachi Cameras; | \$32,770.46 |
| 3. The Installation cost for both Camera systems; | \$19,715.00 |
| 4. Sprint Wireless | \$ 2,759.76 |

The total proposed expenditure is to be \$118,061.29 from the FY 2014-2015 General Fund surplus using the \$132,983 earmarked by the City Council at its February 2016 public meeting for this citywide law enforcement camera project.

BACKGROUND

On February 7th, Chief Wenzel presented to the City Council a proposal based on their interest to install a law enforcement camera system at the exit/entrance points to the city of Clayton that would enhance public health, safety and welfare and service delivery to its residents. Two vendors were identified and presented to the City Council with two separate camera systems that would collect photographs and video of vehicle license plates and vehicles. This collection of photographs is only viewed based on criminal behavior that has occurred or reported, and is not a source of constant surveillance by any member of staff. Both vendors have their camera products already in use in numerous cities throughout the East Bay. The (ALPRs) and Situational Awareness Cameras would be placed on existing

street light poles, three of which belong to the City of Clayton and one belonging to the City of Concord. PG&E as well as the City of Concord have already been contacted and are in the process of providing approval for this implementation. A cost analysis was previously provided to the City Council with additional research requested as to the recurring annual cost for this system. Contracts from the identified vendors as well as an installer and wireless data service needed to be determined as well as recurring costs. The placement of the cameras was selected to maximize the efficiency of capturing vehicles entering/exiting the city of Clayton at the four major entrance/exit points of the city. One of the locations for camera placement is in the City of Concord. The City of Concord is in the process of developing an agreement to allow the City of Clayton to utilize one of their light poles for the placement of the camera. (Encroachment Permit)

1. Tara Dr. @ Clayton Road
2. Yolanda Circle @ Oakhurst Drive
3. Marsh Creek Rd @ Diablo Parkway
4. Pine Hollow Rd @ Pine Shadow * City of Concord

DISCUSSION

Based on researched information and contact with other law enforcement entities, the most efficient and cost effective law enforcement camera system was identified and both vendors came to the City of Clayton to study and present their lengthy recommendations and projected quotes to the City Council. The quote provides for ten law enforcement cameras that will be placed at four entrance locations in the city. Each camera is designed to capture one lane and read and collect photographs of the license plates. This camera system will alert staff of wanted vehicles involved in criminal acts and collect data to assist in the apprehension of subjects during or after criminal activity has occurred in the city. The quoted capital hardware cost incorporates all licensing fees.

The Vigilant Solution ALPR camera system involves 6 cameras which only focus on automobile license plates.

The Hitachi camera system, which consists of 4 cameras, is designed to capture all of the lanes at four or the exit points of the city.

Continental Electric was selected to install both camera systems for the City as they have installed these types of cameras for other cities in the county.

To obtain the information from the cameras from a website, both sets of cameras will need SIM Cards that will enable the Clayton Police Department to retrieve the information. The contract is similar to a cellular phone contract which has a monthly fee.

As to recurring costs, the Vigilant Solution ALPR cameras annual expense will not begin until month 25 with a licensing fee of \$3,150 annually. The built-in cost in the original purchase covers the licensing fee and a warranty for 24 months.

Hitachi cameras will have an annual recurring expense of \$7,007.93. This cost covers the user license fee, data and video Ingest license fee, camera license and physical warranty and support services.

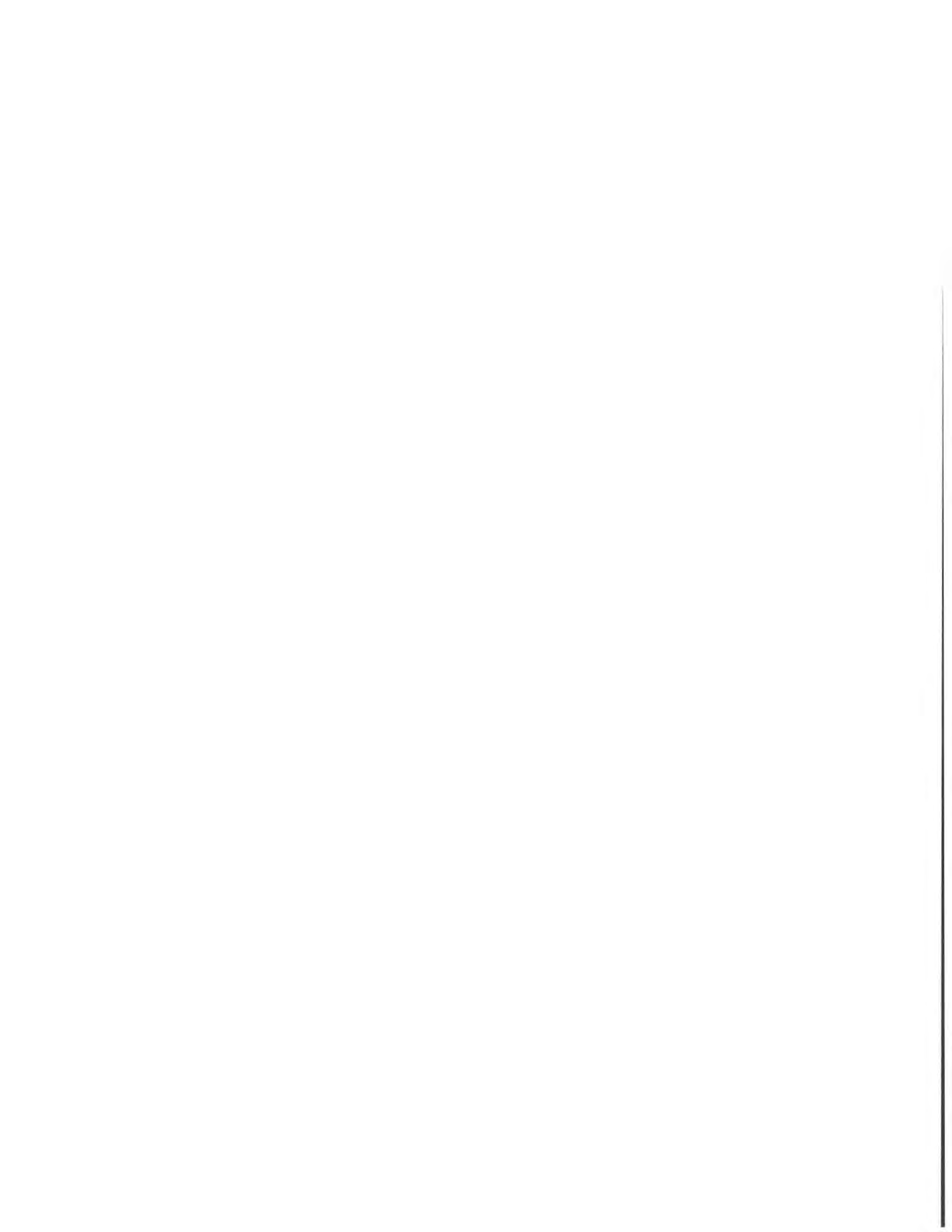
Sprint has an annual fee of \$ 2,759.76, which is a government rate that can be changed month-to-month based on performance.

FISCAL IMPACT

The initial capital and installation cost for both law enforcement systems is \$118,061.22, with a recurring annual expense of approximately \$9,767.69. At the beginning of year three, the additional cost of \$3,150 would bring the reoccurring cost to \$12,917.69.

At year three, the total cost of this project would be approximately \$130,978.91. This amount does not include the PG&E energy cost or potential City of Concord or PG&E permitting costs, which have yet to be determined. Monies from the earmarked FY 2014-15 General Fund excess will be used for these purposes until exhausted, at which time unexpended monies in the Supplemental Law Enforcement Services Fund (SLESF, aka former COPS Grant Fund) will be used. The City's SLESF account currently has an unallocated balance of \$32,000 which is restricted for use on supplemental law enforcement services, to which this law enforcement camera system qualifies.

Attachments: Resolution (2 pp.)
Contracts (4)



RESOLUTION - 2017

**A RESOLUTION APPROVING FOUR CONTRACTS FOR THE PURCHASE
AND INSTALLATION OF LAW ENFORCEMENT SITUATIONAL CAMERAS
AND AUTOMATED LICENSE PLATE READERS AT FOUR DESIGNATED
AREAS IN THE CITY OF CLAYTON**

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

WHEREAS, at a public meeting in February 2016, research findings and recommendations were presented to the City Council for the proposed purchase, installation and utilization of law enforcement situational cameras at the entrance/exit areas of the city of Clayton; and

WHEREAS, at that same meeting \$132,983 dollars was earmarked for that specific capital project using excess monies from the Fiscal Year 2014-2015 General Fund; and

WHEREAS, presentations by the Chief of Police and two vendors describing the operational features and law enforcement benefits of the proposed two systems: Automated License Plate Readers (ALPRs) and Situational Cameras (Hitachi) occurred at a public meeting held on February 7, 2017; and

WHEREAS, based on the City Council's receptivity to the use of the proposed camera systems to aid law enforcement within the city of Clayton, City staff was instructed to prepare contracts for subsequent approval to secure the purchase, installation and operation of the cameras; and

WHEREAS, monies were previously earmarked from the Fiscal Year 2014-2015 General Fund surplus in the amount of \$132,983 to be used to purchase, install, and operate a multi-faceted law enforcement camera system within the city of Clayton;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clayton, California does hereby formally approve as follows:

Section 1.

Approves and authorizes the contract purchase of a Vigilant Solution camera system from Lehr Auto Electric for ALPR cameras in the amount of \$62,816.07 to include sales tax and licensing fees.

Section 2.

Approves and authorizes the contract purchase of Hitachi Data System's situational awareness cameras in the amount of \$32,770.46 to include sales tax and licensing fees.

Section 3.

Approves and authorizes a contract with Continental Electric for installation of the cameras in the amount of \$19,715.00

Section 4.

Approves and authorizes a contract with Sprint Wireless for one year of service of SIMS data cards for the operational component for website access for sworn law enforcement personnel of the City of Clayton Police Department.

Section 5.

Approves and authorizes the necessary allocation of \$118,061.29 from the FY 2014-2015 General Fund surplus of earmark funds of \$132,983 to pay for the four awards of contract cited above, does hereby authorize its City Manager to execute the contracts on behalf of the City of Clayton, and further authorizes its City Manager to utilize the balance of said excess funds to pay for any recurring or incidental expenses associated with the installation or operation of this law enforcement camera system.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 7th day of March 2017 by the following note:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Jim Diaz, Mayor

ATTEST

Janet Brown, City Clerk



Lehr
 4707 Northgate Blvd
 Sacramento, California 95834
 (P) 925-303-9513 (F) 267-393-8248



| | | | |
|---------------|---|---------------|-------------|
| Attention: | Clayton Police Department UPDATE 2-7-2017 | Date | 3/3/2017 |
| Project Name: | 6 FIXED ILP 2 YR LABOR INCLUDED | Quote Number: | MFM-0215-09 |

PROJECT QUOTATION

We at Lehr Auto Electric are pleased to quote the following systems for the above referenced project:

| Qty | Item # | Description |
|---|--------------|---|
| (2) | VS-ILP-1F2RE | Intelligence Led Policing Package w/ (3) Fixed LPR Cameras (Reaper) - <u>Hardware Includes:</u> <ul style="list-style-type: none"> • Stationary Mount LPR Cameras - Quantity = 3 'Reaper' LPR Cameras <ul style="list-style-type: none"> o Power over Ethernet (POE) LPR cameras w/ Integrated processors o Lens configuration to be confirmed by customer at time of order <u>Software / Services Include:</u> <ul style="list-style-type: none"> • CarDetector Fixed LPR Software for LPR server • LEARN Software as a Service (SaaS) including: <ul style="list-style-type: none"> o LEARN Data Analytic Tools o Unlimited Commercial LPR data Access o Hosting, data and system management of LPR data o LEARN-Mobile Companion SmartPhone application (Android & iPhone) • First year Standard Service Package for hosted LPR server access • FaceSearch Hosted Facial Recognition <ul style="list-style-type: none"> o Image gallery of up to 5,000 images |
| Subtotal Price (Excluding sales tax) | | \$29,990.00 |

| Qty | Item # | Description |
|---|--------|--|
| (1) | TAS-UL | Target Alert Service - LPR Alert Delivery Software - Unlimited User <ul style="list-style-type: none"> • Real Time LPR notification and mapping software sends LPR alerts to any in-network PC • Send Alerts over any communication protocol including LAN, WAN, internet wireless, etc. • Server Client software compatible with all Vigilant CDFS applications |
| Subtotal Price (Excluding sales tax) | | \$0.00 |

| Qty | Item # | Description |
|---|------------|---|
| (1) | SSUPLN-COM | Vigilant Start Up & Configuration of Hosted/Managed LEARN Server Account <ul style="list-style-type: none"> • New client account setup via national LPR server • Required for all hosted/managed LEARN client accounts |
| Subtotal Price (Excluding sales tax) | | \$1,275.00 |

| Qty | Item # | Description |
|---|-------------|---|
| (6) | SSUPSYS-COM | Vigilant System Start Up & Commissioning of 'In Field' LPR system <ul style="list-style-type: none"> • Vigilant technician to visit customer site • Includes system start up, configuration and commissioning of LPR system • Applies to mobile (1 System) and fixed (1 Camera) LPR systems |
| Subtotal Price (Excluding sales tax) | | \$5,100.00 |

| Qty | Item # | Description |
|---|---------|--|
| (1) | VSPTRNG | Vigilant End User Training for LPR Systems <ul style="list-style-type: none"> • End user training for Vigilant products <ul style="list-style-type: none"> o Covers all client purchased applications o Includes classroom and field operation training • Vigilant certified technician to visit site and perform one training class |
| Subtotal Price (Excluding sales tax) | | \$1,250.00 |

| Qty | Item # | Description |
|---|-----------|---|
| (6) | CDFS-1HWW | Fixed Camera LPR System - Extended Hardware Warranty - 1 Additional Year <ul style="list-style-type: none"> • Fixed LPR System LPR hardware component replacement warranty • Valid for 1 year from warranty expiration |
| Subtotal Price (Excluding sales tax) | | \$3,150.00 |

| Qty | Item # | Description |
|---|----------------|--|
| (4) | Fixed Kit PODs | NEMA Enclosure (2) Cameras Per NEMA Box/Modem <ul style="list-style-type: none"> • NEMA Enclosure • Power Supply • GX450 Modem w WiFi • Antenna • POE Switch |
| Subtotal Price (Excluding sales tax) | | \$9,980.00 |

| Qty | Item # | Description |
|---|--------------|--|
| (1) | CLKs Pre Buy | Years 2 of Annual Camera Licensing Fee ILP <ul style="list-style-type: none"> • 6 Cameras • \$525.00 Each • 2nd Year |
| Subtotal Price (Excluding sales tax) | | \$3,150.00 |

| Qty | Item # | Description |
|---|----------------------|--|
| (2) | VS-FX-DUAL-BRKT-ASSY | Dual Fixed Camera Wall Mount Bracket <ul style="list-style-type: none"> • Wall Mount for (2) Fixed Cameras |
| Subtotal Price (Excluding sales tax) | | \$800.00 |

| Qty | Item # | Description |
|---|------------|--|
| (1) | VSPTRVL-01 | Vigilant Certified Partner Travel via Client Site Visit <ul style="list-style-type: none"> • Vigilant certified technician to visit client site • Includes all travel costs for onsite support services |
| Subtotal Price (Excluding sales tax) | | \$2,500.00 |

| Qty | Item # | Description |
|---|--------------------------------|---|
| (2) | VS-FX-UNI-POLE-WALL-BRKT REV B | Fixed LPR Camera Bracket <ul style="list-style-type: none"> • Pole or Wall Mount - UPR ARM ASSY POLE & WALL MOUNT BLK REV B |
| Subtotal Price (Excluding sales tax) | | \$700.00 |

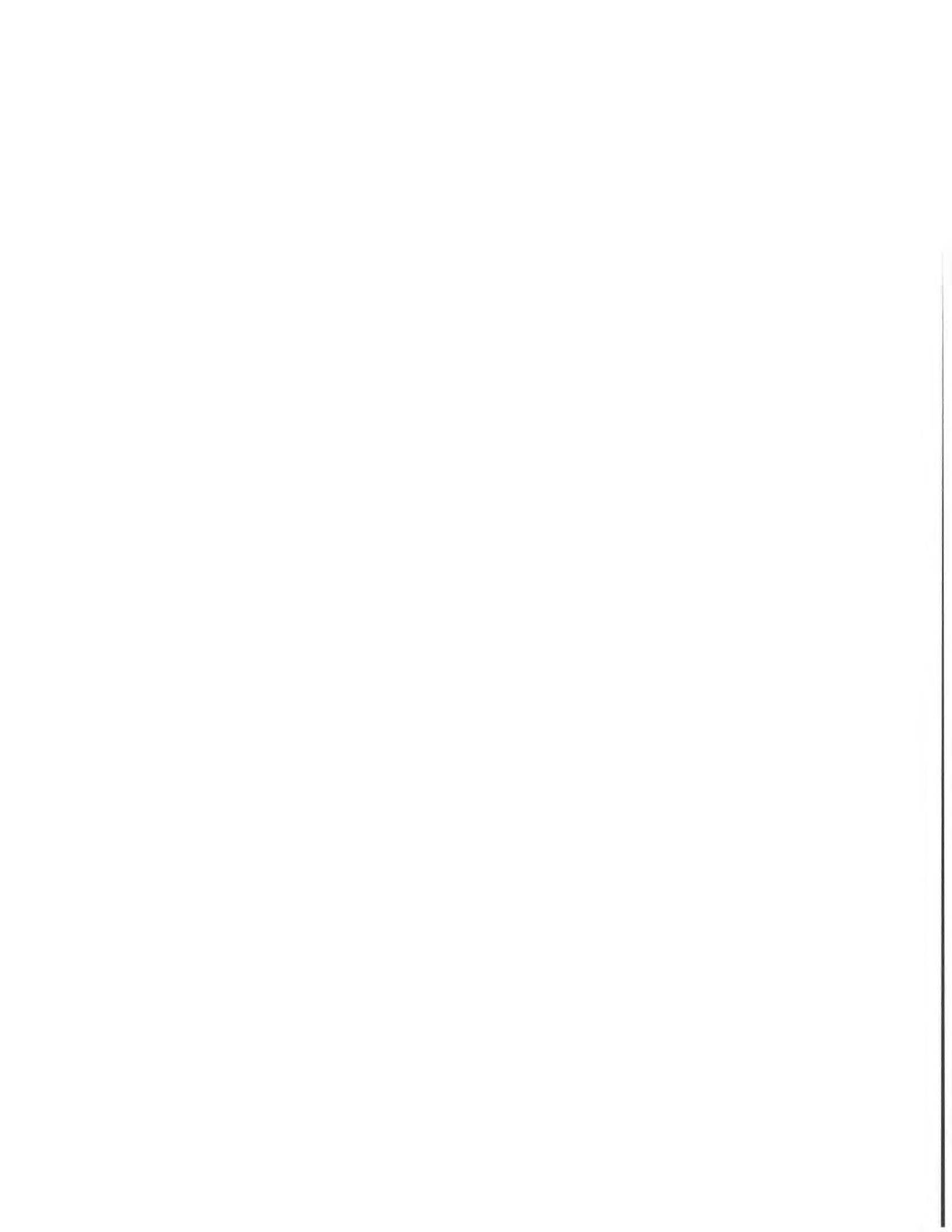
| Qty | Item # | Description |
|-----|--------|---------------------------|
| (1) | Tax | Local Sales Tax Rate 8.5% |
| | | \$4,921.07 |

Quote Notes:

1. All prices are quoted in USD and will remain firm and in effect for 60 days.
2. No permits, start-up, installation, and or service included in this proposal unless explicitly stated above.
3. All hardware components to have standard One (1) year hardware warranty.
4. All software to have standard one (1) year warranty for manufacturer defects.
5. Compliance to local codes neither guaranteed nor implied.
6. This Quote is provided per our conversation & details given by you - not in accordance to any written specification.
7. CLK Fees Included in ILP 1st Year
8. CLK Fees 2nd Year Quoted, must be included with 2 YR ILP
9. Re-Occurring CLK Fees of \$3150.00 will begin in 3rd Year of Operation (\$525.00/camera x6)
10. 2nd Year of Extended Warranty Quoted

Quoted by: Mike McGee - 925-303-9513 - mmcgee@lehrauto.com

| | | |
|--------------------|--------------------|------|
| Total Price | \$62,816.07 | |
| Accepted By: | Date: | P.O# |



HITACHI VISUALIZATION
BUDGETARY QUOTATION

HITACHI
Inspire the Next

Hitachi Data Systems
500 Park Blvd Ste 300
Itasca, IL 60143-3187
United States
Order email: HDSOrders@hds.com

TO: Clayton PD

QUOTE DESCRIPTION
Public Safety - Sit Cameras Phase 1

QUOTE DATE QUOTE NUMBER QUOTE EXPIRATION
3/1/2017 10161737-2 4/30/2017

QUOTE INFORMATION

This is a Budgetary Quote only. To order product and/or services listed on this Budgetary Quote, please request an official Quote from your HDS account representative. The official Quote number must be listed on all Purchase Orders submitted.

QUOTE TOTALS (All pricing in USD)

| Qty | Description | Model | Unit Price | Extended |
|-------------------------------|---|------------------|--------------|--------------------|
| <i>Services</i> | | | | |
| 1 | Professional Services for Installation and Configuration | | \$11,930.00 | \$11,930.00 |
| <i>Equipment</i> | | | | |
| 3 | HVP-200 SmartCamera 4mm (Smart Camera 200 2MP Camera, 4mm, 1TB Drive, 4GLTE Router, HVMS) | HVP0914-HB-00-P | \$2,529.90 | \$7,589.70 |
| 1 | HVP-200 SmartCamera 12mm (Smart Camera 200 2MP Camera, 12mm, 1TB Drive, 4GLTE Router, HVMS) | HVP0912-HB-00-P | \$2,529.90 | \$2,529.90 |
| 4 | HVP-200 Mounting Bracket (Smart Camera 200 Pole Mounting Bracket with Angle Correction) | APR4K011B-01-P | \$108.00 | \$432.00 |
| 1 | AXIS P5635-E Mk II | 0673401 | \$2,657.06 | \$2,657.06 |
| 1 | AXIS T91A67 Pole Bracket | 8017-671 | \$93.95 | \$93.95 |
| 1 | Axis T8123-E Outdoor Midspan POE Box | 5030-234 | \$236.30 | \$236.30 |
| 1 | Outdoor Cat5e Cable (1000' Box) | TC-PRO | \$162.50 | \$162.50 |
| | | | Sub Total | \$13,701.41 |
| <i>Software</i> | | | | |
| 1 | Orchid Fusion Camera Licenses | RF-ORF-1CAM | \$131.12 | \$131.12 |
| <i>Software (Annual Cost)</i> | | | | |
| 1 | HVS Visualization base license includes unlimited users for one year | HVS-VSE-1YR-BASE | \$2,000.00 | \$2,000.00 |
| 1 | Data and Video Ingest license per source system for one year (50 configure Orchid Fusion) | HVS-VSE-1YR-10V | \$1,925.00 | \$1,925.00 |
| 5 | HVS Visualization license for a single camera / device for one year | HVS-VSE-1YR-1C | \$68.53 | \$342.65 |
| | | | Sub Total | \$4,267.65 |
| <i>Support (Annual Cost)</i> | | | | |
| 1 | Hitachi Data Systems Maintenance & Support Services | | \$2,740.28 | \$2,740.28 |
| TOTAL | | | Total | \$32,770.46 |

BUDGETARY QUOTATION ONLY

BUDGETARY QUOTATION ONLY.
DO NOT ISSUE PO AGAINST THIS QUOTE.

Notes:

- (1) All product includes a one year limited parts and labor warranty. Extended warranties may be available.
- (2) Warranty term commences upon delivery, unless otherwise specified in the terms of the referenced Master Contract in force between Hitachi Data Systems and Customer.
- (4) All power, permitting, installation locations to be provided by customer
- (5) Cellular and related monthly third-party contracts are not included in above quote and are the responsibility of the customer
- (6) Traveling expenses are included but additional traveling fees may apply depending on the location.

EVEN IF A SALES OR PURCHASE AGREEMENT BETWEEN US WITH DIFFERENT TERMS EXISTS AND NOTWITHSTANDING ANYTHING TO THE CONTRARY IN YOUR PURCHASE ORDER, BY SIGNING THE QUOTATION OR ISSUING A PURCHASE ORDER RECEIVING THE QUOTATION, YOU ACKNOWLEDGE AND AGREE THAT IN NORTH AMERICA THE DELIVERY TERMS GOVERNING ANY

BUDGETARY QUOTATION



To: clayton pd

Hitachi Data Systems
500 Park Blvd Ste 300
Itasca, IL 60143-3167
United States

Thank you for this opportunity to supply you with an official quotation for Hitachi Data Systems storage solutions and services. If you have questions in respect of this quote, whether technical or price related, please do not hesitate to contact your Hitachi Data Systems Account Manager, James Thomas, on telephone +1 925 699 8136.

Quote Reference

Quote Number: 10161737-2 **Quote Date:** 03-01-2017
Quote Name: Public Safety - Sit Cameras Phase 1 **Quote Expiry Date:** 03-31-2017
Master Agreement: Order acceptance only possible upon signed Master Agreement

Quote Totals Overview *(All prices in this document are in USD)*

| Products | Price |
|---|------------------|
| Hardware and Software | 18,100.18 |
| 1 x Hitachi Visualization Platform | |
| Hardware Maintenance | 2,740.32 |
| Professional Services | 11,930.00 |
| Total Price (exclusive of taxes) | 32,770.50 |

Financing

HDS provides a range of flexible financial solutions that can be tailored to your needs. All facilities are subject to credit approval and contract. For further information and full terms and conditions, please contact your HDS Account Manager.

Order Information

This quotation is provided for **budgetary purposes only**. Hitachi Data Systems is unable to accept any purchase orders issued against a budgetary quotation. If you wish to place an order for any items on this quotation, please request an official quotation from your Account Manager.



Sprint Wireless Equipment & Services Quotation

| |
|------------------------|
| Control Number: |
| 17012DV |

| Customer Information | |
|---------------------------------|--|
| Customer Name: | Clayton Police Department |
| Financial Contact Name: | Chief Wenzel |
| Address: | 6000 HERITAGE TRL |
| City: | Clayton |
| State: | CA |
| Zip: | 94517 |
| Financial Contact Phone: | CHRIS WENZEL |
| Email Address: | chris.wenzel@claytonpd.com |
| Acct # (if applicable): | 703335311 |

| Sales Representative Information | |
|----------------------------------|--|
| Name & Title: | DAVID VESS GOVT ACCT MGR |
| Phone: | 530-953-6873 |
| Email Address: | david.d.vess@sprint.com |
| Sprint Solutions, Inc. | |
| Remit To Address: | PO BOX 4191, Carol Stream, IL 60197-4191 |
| Vendor PO Address: | 12502 Sunrise Valley Drive, Reston VA 20196 |
| Tax ID# | 43-0882463 |
| Contract Number: | WSCA1907 |

| | | | | |
|--------------------------------|-------------------------------------|-----------------------------------|-------------------------|-------------------|
| QUOTE DATE: 03/02/17 | Expiration Date: 04/11/17 | Contract Vehicle: NASPO | Discounts | |
| | | | Accessory 20% | MRC 25% |

| Accessories | | | | |
|---------------------------------|-------|------------------------|--------------|--------------------|
| Qty. | Model | Suggested Retail Price | 20% Discount | Equipment Subtotal |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| Subtotal for Accessories | | | | \$0.00 |

| Equipment Options: Note Handset credit and promotions only apply per device with the purchase of an associated service plan | | | | | | | |
|---|-------|------|------------------------|---------------------|---------------------|--------------------|--------------------|
| Qty. | Model | SKU# | Suggested Retail Price | 2yr Flat Rate Price | Additional Discount | Net Equipment Cost | Equipment Subtotal |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Subtotal for Equipment* | | | | | | | \$0.00 |

| Monthly Recurring Rate Plan Charges | | | | | | |
|---|---|---------|-----------|-----------|------------------------|--|
| Qty. | Rate Plan | MRC | 0.085 Tax | Net Price | Extended Monthly Price | |
| 4 | SPRINT UNLIMITED DATA PLAN - Sierra Wireless GX450 I SIMGLW106R | \$37.99 | \$3.23 | \$41.22 | \$164.88 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 4 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| **Subtotal for monthly recurring service | | | | | \$164.88 | |
| Enter number of months in contract | | | | | 12 | |
| Total Services Charge for Term | | | | | \$1,978.56 | |

| Total Equipment Protection Monthly Recurring Charges | | | |
|--|-------------|----------|------------------------|
| Qty. | Description | List MRC | Extended Monthly Price |
| 0 | | \$0.00 | \$0.00 |

| | |
|---|-------------------|
| Total One-Time Equipment & Accessory Charges | \$0.00 |
| **Subtotal for monthly recurring service | \$164.88 |
| Total Estimated Credits (from page 2) | \$0.00 |
| Local Tax Included Above | |
| Estimated first full month of service plus equipment and other charges | \$164.88 |
| Estimated total of contract (Monthly recurring charges only) | \$1,978.56 |

This Quote Estimation is intended to provide approximate information about Sprint products and services and does not constitute an offer. Your actual costs and savings may vary. Additional taxes, fees and other charges may apply. The Estimate provided is subject to change at any time and other conditions may apply. Some services may be provided and billed through third parties. Pricing and promotions may have expiration dates, limited availability and term requirements.

**Monthly charges exclude taxes and Sprint Surcharges, Administrative Charges, Regulatory Charges & state/local fees by area. Sprint Surcharges are not taxes or gov't-required charges and are subject to change. Details: sprint.com/taxesandfees.



Sprint Wireless Equipment & Services Quotation

| |
|--|
| Control Number: |
| 17012DV |
| Sales Representative Information |
| Name & Title: DAVID VESS GOV'T ACCT MGR |
| Phone: 530-953-6873 |
| Email Address: david.d.vess@sprint.com |
| Sprint Solutions, Inc. |
| Remit To Address: PO BOX 4191, Carol Stream, IL 60197-4191 |
| Vendor PO Address: 12502 Sunrise Valley Drive, Reston VA 20196 |
| Tax ID# 43-0882463 |
| Contract Number: WSCA1907 |

| Customer Information | |
|---------------------------------|--|
| Customer Name: | Clayton Police Department |
| Financial Contact Name: | Chief Wenzel |
| Address: | 6000 HERITAGE TRL |
| City: | Clayton |
| State: | CA |
| Zip: | 94517 |
| Financial Contact Phone: | CHRIS WENZEL |
| Email Address: | chris.wenzel@claytonpd.com |
| Acct # (if applicable): | 703335311 |

Name & Title:
Phone:
Email Address:
Remit To Address:
Vendor PO Address:
Tax ID#
Contract Number:

| | | | | |
|--------------------------------|-------------------------------------|-----------------------------------|-------------------------|-------------------|
| QUOTE DATE: 03/02/17 | Expiration Date: 04/11/17 | Contract Vehicle: NASPO | Discounts | |
| | | | Accessory 20% | MRC 25% |

| Accessories | | | | |
|---------------------------------|-------|------------------------|--------------|--------------------|
| Qty. | Model | Suggested Retail Price | 20% Discount | Equipment Subtotal |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 | \$0.00 |
| Subtotal for Accessories | | | | \$0.00 |

| Equipment Options: Note Handset credit and promotions only apply per device with the purchase of an associated service plan | | | | | | | |
|---|-------|------|------------------------|----------------------|---------------------|--------------------|--------------------|
| Qty. | Model | SKU# | Suggested Retail Price | 2yr Flate Rate Price | Additional Discount | Net Equipment Cost | Equipment Subtotal |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| 0 | | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | \$0.00 |
| Subtotal for Equipment* | | | | | | | \$0.00 |

| Monthly Recurring Rate Plan Charges | | | | | | |
|---|---|---------|-----------|-----------|------------------------|--|
| Qty. | Rate Plan | MRC | 0.085 Tax | Net Price | Extended Monthly Price | |
| 4 | SPRINT 1GB DATA PLAN - Sierra Wireless GX450 I SIMGLW106R | \$15.00 | \$1.28 | \$16.28 | \$65.10 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| 0 | | \$0.00 | \$0.00 | \$0.00 | \$0.00 | |
| **Subtotal for monthly recurring service | | | | | \$65.10 | |
| Enter number of months in contract | | | | | 12 | |
| Total Services Charge for Term | | | | | \$781.20 | |

| Total Equipment Protection Monthly Recurring Charges | | | |
|--|-------------|----------|------------------------|
| Qty. | Description | List MRC | Extended Monthly Price |
| 0 | | \$0.00 | \$0.00 |

| | |
|---|-----------------|
| Total One-Time Equipment & Accessory Charges | \$0.00 |
| **Subtotal for monthly recurring service | \$65.10 |
| Total Estimated Credits (from page 2) | \$0.00 |
| Local Tax Included Above | |
| Estimated first full month of service plus equipment and other charges | \$65.10 |
| Estimated total of contract (Monthly recurring charges only) | \$781.20 |

This Quote Estimation is intended to provide approximate information about Sprint products and services and does not constitute an offer. Your actual costs and savings may vary. Additional taxes, fees and other charges may apply. The Estimate provided is subject to change at any time and other conditions may apply. Some services may be provided and billed through third parties. Pricing and promotions may have expiration dates, limited availability and term requirements.

**Monthly charges exclude taxes and Sprint Surcharges, Administrative Charges, Regulatory Charges & state/local fees by area. Sprint Surcharges are not taxes or gov't-required charges and are subject to change. Details: sprint.com/taxesandfees.



Sprint Wireless Equipment & Services Quotation

Customer Name:
Financial Contact Name:
Address:
City:
State:
Zip:
Financial Contact Phone:
Email Address:

| Customer Information | |
|--------------------------|----------------------------|
| Customer Name: | Clayton Police Department |
| Financial Contact Name: | Chief Wenzel |
| Address: | 6000 HERITAGE TRL |
| City: | Clayton |
| State: | CA |
| Zip: | 94517 |
| Financial Contact Phone: | CHRIS WENZEL |
| Email Address: | chris.wenzel@claytonpd.com |

Name & Title:
Phone:
Email Address:
Remit To Address:
Vendor PO Address:
Tax ID#
Contract Number:

| Control Number: | |
|---|--|
| 17012DV | |
| Sales Representative Information | |
| DAVID VESS GOVT ACCT MGR | |
| 530-953-6873 | |
| david.d.vess@sprint.com | |
| Sprint Solutions, Inc. | |
| PO BOX 4191, Carol Stream, IL 60197-4191 | |
| 12502 Sunrise Valley Drive, Reston VA 20196 | |
| 43-0882463 | |
| WSCA1907 | |

Sprint Buyback and Recycling Program Credits

Sprint BuyBack and Recycling Program Credits. - This is an estimate only. Credits are calculated as an estimate based upon the rates that are current as of this quote date. This Buyback Estimation is intended to provide approximate information about Sprint Buyback service credits and does not constitute an offer. Your actual savings may vary. The Buyback rates are subject to change at any time and other conditions may apply. Buyback Credits actually applied to devices will reflect the rates at the time of device return, which may differ from the estimates provided herein.

For additional information on Sprint's Electronic Stewardship Policy, please review the following document:

<http://www.sprint.com/responsibility/environment/docs/ElectronicsStewardshipPolicy.pdf>

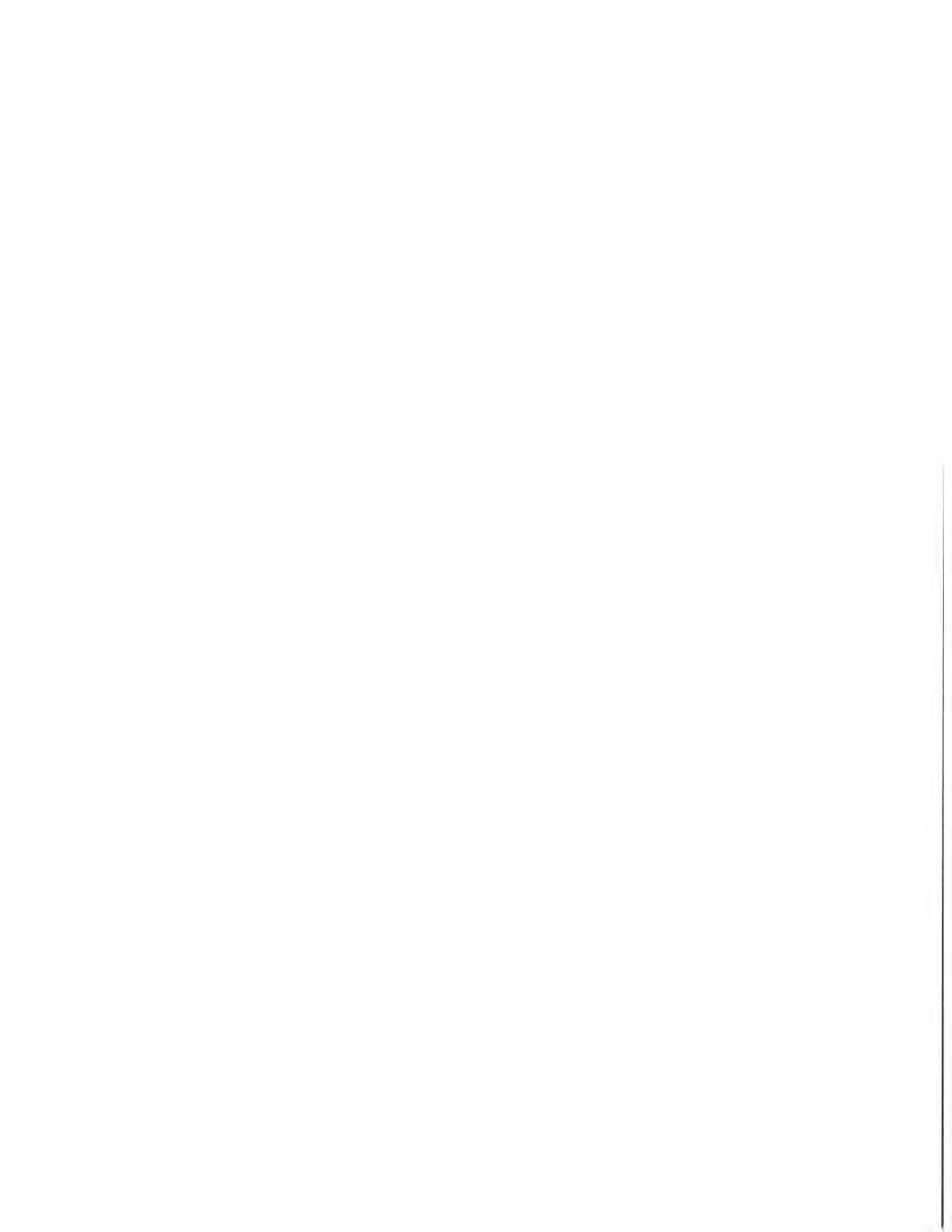
To review specific information for your account, please visit: www.sprintbuyback.com/crp and enter your business account number (nine digits).

| Qty. | Device Description | Buyback Credit per Device | Extended Estimated Buyback Credit |
|--------------------------------|--------------------|---------------------------|-----------------------------------|
| 1 | | \$0.00 | \$0.00 |
| | | \$0.00 | \$0.00 |
| | | \$0.00 | \$0.00 |
| | | \$0.00 | \$0.00 |
| | | \$0.00 | \$0.00 |
| Total Estimated Credits | | | \$0.00 |

Credits: Port-in credits applied following 61st day from port in activation date

| Qty. | Description | Value | Extended Credit |
|-----------------------------|-----------------------------------|--------|-----------------|
| 1 | Port-in Credit Feature Plans | \$0.00 | \$0.00 |
| 0 | Port-in Credit PDA/Smartphone/MBB | \$0.00 | \$0.00 |
| 0 | | \$0.00 | \$0.00 |
| Total Invoice Credit | | | \$0.00 |

Total Estimated Credits **\$0.00**



Charles Kopp Inc.
 dba **CONTINENTAL ELECTRIC**
 2558 Carmelita Way, Pinole, CA 94564
 Contractors Lic. #314431
 Phone (510) 275-9315 – Fax (510) 275-9316
 Email: conel@comcast.net
SMALL BUSINESS CERTIFICATION #1178962
DIR CERTIFICATION #1000008711

BID PROPOSAL

March 2, 2017

PROJECT: City of Clayton, Camera Installation

| Location | Description | Unit | Qty | Total |
|--------------|---------------------------------------|------|-----|--------------------|
| 1 | Clayton Rd/Tara Drive SL Pole #526 | LS | 1 | \$4840.00 |
| 2 | Oakhurst Dr/Yolanda SL Pole #1004 | LS | 1 | \$4840.00 |
| 3 | Marsh Cr Rd/Diablo Pkwy SL Pole #1451 | LS | 1 | \$5195.00 |
| 4 | Pine Hollow/Pine Shadow SL Pole #8510 | LS | 1 | \$4840.00 |
| TOTAL | | | | \$19,715.00 |

General / Standard Exclusions and Clarifications

1. Price good for 30 calendar days.
2. No City, County or Utility permits or fees included.
3. No work will be performed or materials ordered until contract is fully executed by both parties.
4. Submittals will be requested from supplier when contract is received.
5. No materials will be ordered until approved submittals received.
6. All spoils (including saw cut slurry) to be left on jobsite where generated and removed by others.
7. Concrete and saw cut slurry washout basins to be provided and disposed of by others.
8. Removal of old foundations by others.
9. Removal of old pull boxes by others.
10. Loops to be installed prior to final lift (if applicable). One week notice required per phase.
11. Excludes handling, removal or responsibility for hazardous waste.
12. Excludes TCP (Traffic Control Plan) – by others if required.
13. Excludes removal of USA markings.
14. Excludes changeable message sign (if applicable).
15. Discovery of adverse concealed conditions will result in an Extra Work RFCO calculated at standard Caltrans rate.
16. Excludes General Liability Aggregate *in excess* of \$2 million.
17. Excludes Umbrella/Excess Liability *in excess* of \$1 million. Add \$1,000.00 per additional million required.
18. Excludes concrete removal and replacement – to be done by others (if applicable).
19. Excludes concrete flatwork – to be done by others (if applicable).
20. Excludes travel fees for Caltrans source inspection (if applicable).
21. Union contractor, state certified electricians.
22. Continental not responsible for LD's associated with delivery of long lead time items i.e. lighting and traffic signal equipment
23. General Contractor to provide complete set of plans and specs required upon award.
24. This bid proposal shall become part of any contract or PO issued. Net 30 Terms.

Project Specific Scope

1. Price reflects installation ONLY of City furnished Hitachi Camera and Vigilante ALPR equipment.
2. Per data received from Chris Wenzel email dated 1/20/17 and site visit.
3. Continental Electric assumes no responsibility or liability if directed to tap into any unmetered circuits. If directed to do so, a formal release of liability from the City of Clayton would be required.
4. Price includes original installation and aiming only, any additional site visits/camera adjustments to be billed at Caltrans Standard Time & Material Rates and paid by the City.

Locations 1,2 & 4

1. Install 120v, 3#12 circuit from pullbox adjacent to pole, up existing pole to new junction box at 14'. Install and aim City furnished HVP 200 camera at specified height. Install City furnished Vigilante NEMA box, install and aim City furnished Vigilante ALPR camera at specified height. Install 20A inline fuse in pullbox.

Location 3

1. Install 120v, 3#12 circuit from pullbox adjacent to pole, up existing pole to new junction box at 14'. Install and aim City furnished HVP 200 camera, midspan POE injector and PTZ camera at specified height. Install City furnished Vigilante NEMA box, install and aim City furnished Vigilante ALPR camera at specified height. Install 20A inline fuse in pullbox.

I can be reached at (510) 772-3097 should you have any questions. Steve Kopp