



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, October 6, 2015

7:00 P.M.

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

Mayor: David T. Shuey
Vice Mayor: Howard Geller

Council Members

Jim Diaz
Keith Haydon
Julie K. Pierce

- 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 ***

October 6, 2015

1. **CALL TO ORDER THE CITY COUNCIL** – Mayor Shuey.

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

3. **CONSENT CALENDAR**

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

(a) Approve the minutes of the regular meeting of September 15, 2015. ([View Here](#))

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

(c) Adopt a Resolution accepting as complete the 2015-16 Neighborhood Street Pavement Rehabilitation Project performed by MCK Services, Inc. (CIP No. 10424) in the final amount of \$847,777.09, ordering the filing of a Notice of Completion, and authorizing the additional allocation of \$41,802.06 from the Gas Tax Fund to this Capital Improvement Project to pay for additional field work and related services. ([View Here](#))

4. **RECOGNITIONS AND PRESENTATIONS**

(a) Proclamation declaring October 2015 as “Domestic Violence Awareness Month”. ([View Here](#))

(b) Certificates of Recognition to public school students selected for exemplifying the “Do The Right Thing” character trait of “Responsibility”. ([View Here](#))

5. **REPORTS**

(a) Planning Commission – Commissioner Gregg Manning.

(b) Trails and Landscaping Committee

(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 staff's recommendation for consultant services to research and prepare disposition options concerning the condition and future of the three (3) deteriorating historic outbuildings on City-owned Keller Ranch House property, north of the Clayton Community Library. ([View Here](#))
(Community Development Director)

Staff recommendations: Following staff presentation and opportunity for public comments, and subject to further verbal staff recommendation at the meeting as to which consultant is preferred based on the conclusions drawn from Council consensus, that Council authorize the City Manager to enter into a consultant services contract to ascertain if the three outbuildings remain historically significant, to outline options for the future of the outbuildings, and to determine the process associated with each possible option; and authorize the allocation of the necessary contract funds from Fund 601.

- (b) Consider and discuss the private-party operation of short-term residential vacation rentals/occupancies occurring within Clayton (e.g., Airbnb; VRBO), and City Council policy determination whether City regulation, restriction or prohibition is warranted by local ordinance. ([View Here](#))
(City Attorney)

Staff recommendation: Following staff presentation and opportunity for public comments, the City Council provide policy direction to staff regarding this matter.

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

10. **CLOSED SESSIONS**

- (a) *Government Code Section 54956.8*, Conference with Real Property Negotiators.
Real Property: 6005 Main Street (APNs 119-011-002-1; 118-560-010-1; 118-370-041-6).
Instructions to City Negotiators (Mayor David Shuey and Council Member Julie Pierce;
and Ed Del Becarro, Managing Director, Transwestern) concerning price and
terms of payment.
Negotiating Parties: 1. Pacific Union Land Company (Joshua Reed).
2. Avesta Development Group, LLC (Mohammad Javanbakht)
- (b) *Government Code Section 54956.9 (d)(4)*, Conference with Legal Counsel
To Consider Initiation of Litigation: 1 case.

Report out from Closed Session: Mayor Shuey.

11. **ADJOURNMENT**– the next regularly scheduled City Council meeting is October 20, 2015.

#

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

Agenda Date: 10-6-2015

Agenda Item: 3a

TUESDAY, September 15, 2015

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:03 p.m. by Vice Mayor Geller in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Vice Mayor Geller and Councilmembers Diaz, Haydon and Pierce. Councilmembers absent: Mayor Shuey. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Finance Manager Kevin Mizuno, Maintenance Supervisor Mark Janney, and City Clerk/HR Manager Janet Brown.

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

3. **CONSENT CALENDAR**

It was moved by Councilmember Pierce, seconded by Councilmember Haydon, to approve the Consent Calendar as submitted. (Passed; 4-0 vote).

- (a) Approved the minutes of the adjourned regular meeting of August 4, 2015 and of the special meeting on July 30, 2015.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the Mayoral re-appointment of Ronald Tervelt to the Contra Costa County Advisory Council on Aging as the City of Clayton's representative.
- (d) Adopted Resolution No. 38-2015 establishing and approving a City Identity Theft and Data Security Breach Prevention Policy.
- (e) Affirmed the Mayoral appointment of City Community Development Director Mindy Gentry to the Clayton Successor Agency and Housing Agency Oversight Board as the statutory City member representing employees of the former Clayton Redevelopment Agency.

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) A Proclamation declaring September 21 – 27, 2015 as "Falls Prevention Awareness Week" in the City of Clayton.

Vice Mayor Geller read the Proclamation and presented it to Terri Hall. She provided information regarding Falls Prevention advising that various programs are available to support our vulnerable senior citizens, who are most susceptible

to health complications arising from falls, such as Meals on Wheels and Senior Outreach. However, education is the best prevention.

- (b) A Proclamation declaring September 20 – 26, 2015 as “Childhood Cancer Awareness Week” in the City of Clayton.

Vice Mayor Geller summarized the Proclamation and requested staff send it to the requestor as no one was present to receive the Proclamation in person.

5. REPORTS

- (a) Planning Commission – Commissioner Dan Richardson reported the Planning Commission held a meeting on September 8th. He noted there was a Site Plan Review for a two story addition of approximately 1,500 square feet located at 973 Oak Street and a Use Permit for T-Mobile located on the North Side of Marsh Creek Road installing a 40’ Antenna “Monopine” near the existing water tank. Both items were approved by the Planning Commission, 5-0 vote.

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

- (c) City Manager/Staff

City Manager Napper advised last week’s interviews for Clayton’s next Police Chief were conducted with two candidates. The Oral Board consisted of: 3 Chiefs of Police; Irene Keenan, Principal of Mt. Diablo Elementary School; and Tuija Catalano, a current Clayton Planning Commissioner. The panel provided valuable feedback on both candidates. Mr. Napper indicated he will be doing reference checks on the number one finalist before an offer of conditional employment will be given.

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

Councilmember Diaz attended a meeting of the Morgan Territory Safe Fire Committee, the swearing-in ceremony of California State Senator Steve Glazer, a Clayton Business and Community Association general membership meeting and several Concerts in The Grove.

Councilmember Haydon attended meetings of the East Contra Costa County Habitat Conservancy Governing Board, a Clayton Business and Community Association general membership, and an East Bay Regional Park District Clayton Ranch Regional Preserve Public Input meeting. Councilmember Haydon also attended Clayton Community Church’s 12th Annual Labor Day Derby and Classic Car Show in downtown.

Councilmember Pierce attended meetings of the Bay Area Economic Institute, Labor and Local Leaders to Keep California Moving with Assembly Speaker Toni Atkins, Associated Bay Area Governments, Metropolitan Transportation Commission, and Contra Costa Transportation Authority. Councilmember Pierce

attended the Clayton Historical Society dedication of a new historical marker commemorating the former grove of eucalyptus trees and history of the site now known as "The Grove Park".

Vice Mayor Geller attended the general meeting of the Clayton Business and Community Association, and the last Saturday Concerts in The Grove featuring the band, East Bay Mudd. Vice Mayor Geller thanked Councilmembers Diaz and Pierce for helping out at the Saturday concert series, and the Clayton community for attending. He noted donations received this year will help bring the Saturday Concerts in The Grove back in 2016. He also attended Save Mount Diablo's Moonlight on the Mountain Anniversary Celebration under the light of the moon.

- (e) Other – None.

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

Dominic Aliano introduced himself to the City Council as a new staff member with County Supervisor Karen Mitchoff's office.

Denise Pursche provided the City Council with general statements regarding the validity of the new Common Core standard testing, which is a \$350 million federal expense. She also provided the City Council with California Common Core test results from Mt. Diablo Unified School District versus California statewide.

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Public Meeting to consider a Resolution setting, adjusting and approving the City Master Fee Schedule for FY 2015-16 regarding certain user-benefit municipal services and City facility rentals.
(Finance Manager)

Finance Manager Kevin Mizuno presented the staff report and noted this annual review of user fees is to ensure that user-benefit fees are set appropriately and updated based on various cost and revenue considerations. Staff recommends all existing fees be increased by the San Francisco-Oakland-San Jose April 2014 to April 2015 Consumer Price Index (CPI) growth rate of 2.4%, as published by the United State Bureau of Labor and Statistics.

It has been the practice of the City to only adopt fees in whole dollar increments. In circumstances where the prior year CPI increase did not result in fee increase a multi-year CPI rate is applied in the current year to ascertain whether a fee increase should be recommended. There were four fee categories affected by this increase: 1. Police Services Administrative fee for failure to display disabled placards (per violation); 2. Community Park Youth Field rental (per hour); 3. and 4. Administrative Fees for processing a new City Business License Registration,

and for a Business License Renewal. The Community Development Department Home Occupation Permit deposit increased after a staff analysis determined the existing deposit is insufficient to cover costs associated with this work. The Engineering Department fee section was revised to include a Deed Restriction/Covenant Agreement documentation preparation fee and incorporate a Document Recording fee.

Vice Mayor Geller opened the Public Meeting to receive public comments; no public comments were offered. He then closed the Public Meeting portion.

Councilmember Diaz inquired on False Alarm Fee is a flat fee or a reoccurring fee? Mr. Napper advised that City policy is very generous in this regard and allows up to three occurrences per 12 month period before the resident would incur a False Alarm fee.

Councilmember Haydon advised he met with the Finance Manager prior to this evening's meeting and had his questions answered regarding the proposed Master Fee Schedule changes. He finds the changes very reasonable.

It was moved by Councilmember Pierce, seconded by Councilmember Haydon, to Adopt Resolution No. 39-2015 amending the City Master Fee Schedule for certain user-benefit City services and rental of public facilities and parks. (Passed; 4-0 vote).

- (b) Consider award of low-bid contract to Graniterock Company (Watsonville, CA) for replacement of wood planking on seven (7) pedestrian bridges on the Cardinet and Easley Trails (\$79,030; Citywide Landscape and Trails Maintenance District), and the replacement of the wood steps on the side exterior City employee entrance stairway to City Hall (\$22,750).

Maintenance Supervisor Mark Janney presented the staff report and noted the Maintenance Department requested bids for the removal and replacement of the wood decking on seven pedestrian bridges along the Clayton Trail System, and then added a quote for the replacement of the City Hall employee entrance exterior wood stairs since a similar trade is involved. Expenditures on the pedestrian trail bridges would be paid from the Landscape Maintenance District equity fund balance reserve (Fund 210); the City Hall exterior staircase is proposed for funding from unassigned interest earnings (Fund 601).

Mr. Janney provided some history of the installation of the trail bridges, which occurred in the mid-late 1980s and early 1990s, indicating over the past few years the pressure-treated wood planking has started to deteriorate causing holes to open up, creating some safety hazard. Temporary repairs have occurred using sheet metal plating, which in winter months becomes very slippery from ice forming or wetness from the rain. Economically, it is best practice to replace all of the planks at one time, as the bridge requires disassembly of the complete bridge decking. Staff requested bidders to include the option of composite wood material, which meets the specifications; however, with heavy public use and the

sun exposure, that particular material weakens over time and becomes less stable.

Three bids were received with Graniterock Company being the lowest bidder on the trail bridges and the City Hall exterior entrance staircase. The bids included removal, replacement, disposal and recycling of appropriate materials. Each bridge must be closed for approximately two days with detours available to the trail users. It is best to perform this work before the rainy season and the creeks begin to fill with water again, hopefully.

Councilmember Haydon had a few inquiries regarding the closure of the bridges during the replacement? Further, does the deterioration of the bridges have anything to do with the drought, and is the life expectancy of the new wood comparable to what was originally installed? Mr. Janney advised one to two bridges may be closed at a time with detours available and signed; it is possible the extended drought contributed to the deterioration of the bridges, and the proposed wood is to the specifications of the original bridge manufacturer.

Vice Mayor Geller inquired about the rust on the structure of the trail bridges. Mr. Janney advised the rust actually protects the metal by sealing it. It was built that way.

Vice Mayor Geller inquired if staff were going to inspect the materials prior to installation? Mr. Janney advised the material will be received in approximately six weeks after it is ordered and staff will inspect the materials prior to installation. The replacement should start in mid-October with each trail bridge taking up to 5 days to replace.

Councilmember Pierce advised she is happy that wood is being chosen over composite material as that can indeed become very slippery creating public safety hazards.

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

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to award a low-bid contract to Graniterock Construction for replacement of wood planking on seven (7) pedestrian bridges on the Cardinet and Easley Trails using Fund 210 Citywide Landscape and Trails Maintenance District in the amount of \$79,030, and the replacement of the wood steps on the side exterior City employee entrance stairway to City Hall using Fund 601 Unassigned Interest Earnings in the amount of \$22,750. (Passed; 4-0 vote).

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

Councilmember Pierce inquired if the Mt. Diablo Unified School District is required to have a City-issued permit to provide amplified sound on the playground during an afterschool Parent Faculty Club event?

Mr. Napper responded a Parent Faculty Club afterschool event is school related and is not required to notify the City or its surrounding residents of such events.

Vice Mayor Geller inquired on usage of The Grove Park for organized sports practice, such as youth football? Mr. Napper advised according to The Grove Park use regulations enacted by the City Council, no organized sports play is allowed to take place at The Grove Park.

10. **ADJOURNMENT**– on call by Mayor Shuey, the City Council adjourned its meeting at 8:08 p.m.

The next regularly scheduled meeting of the City Council will be October 6, 2015.

#

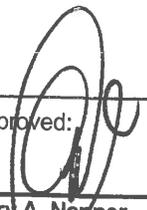
Respectfully submitted,

Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

David T. Shuey, Mayor

#

Approved: Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Kevin Mizuno, FINANCE MANAGER

DATE: 10/6/2015

SUBJECT: FINANCIAL OBLIGATIONS

RECOMMENDATION:

Approve the following Invoices for payment:

10/2/2015	Cash Requirements	\$ 365,086.16
	<u>Obligations sent prior to City Council Approval</u>	<u>\$693,410.78</u>
9/1/2015	1) Clayton Community Library Foundation, withdrawal from savings with the City of Clayton	\$12,000.00
	2) MCK Services, Inc - 2015 Neighborhood Street Project	\$662,346.40
	3) Permco - Services 7/25/15 to 8/21/15	\$19,064.38
9/18/2015	ADP, Week 38, PPE 9/13/15	\$ 82,865.53
9/29/2015	ADP, Week 40, PPE 9/27/15	\$ 79,991.51
	Total	\$1,221,353.98

Attachments:

Cash Requirements Report dated 10/2/2015 (5 pages)

Invoices and Check Copies for 3 Invoices (16 pages)

ADP Report Week 38, PPE 9/13/15 (1 page)

ADP Report Week 40, PPE 9/27/15 (1 page)

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>
Ace Sierra Tow								
Ace Sierra Tow	10/6/2015	9/23/2015	51844	tow for flat	\$25.00	\$0.00		\$25.00
				<i>Totals for Ace Sierra Tow:</i>	<u>\$25.00</u>	<u>\$0.00</u>		<u>\$25.00</u>
Wendy Aghily								
Wendy Aghily	10/6/2015	9/23/2015	64316	Deposit refund for Endeavor Hall 8/18/15	\$500.00	\$0.00		\$500.00
				<i>Totals for Wendy Aghily:</i>	<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
All City Management Services, Inc.								
All City Management Services, Inc.	10/6/2015	9/23/2015	40169	School crossing guard services 8/16/15-8/29/1	\$203.64	\$0.00		\$203.64
				<i>Totals for All City Management Services, Inc.:</i>	<u>\$203.64</u>	<u>\$0.00</u>		<u>\$203.64</u>
ALTEC Industries, Inc.								
ALTEC Industries, Inc.	10/6/2015	10/2/2015	5183051	Request # 2250980	\$9,249.19	\$0.00		\$9,249.19
				<i>Totals for ALTEC Industries, Inc.:</i>	<u>\$9,249.19</u>	<u>\$0.00</u>		<u>\$9,249.19</u>
American Fidelity Assurance Company								
American Fidelity Assurance Company	10/6/2015	9/23/2015	B363361	supplemental insurance for October 2015	\$435.38	\$0.00		\$435.38
				<i>Totals for American Fidelity Assurance Company:</i>	<u>\$435.38</u>	<u>\$0.00</u>		<u>\$435.38</u>
AT&T/ CalNet 2								
AT&T/ CalNet 2	10/6/2015	9/28/2015	000007084787	service 8/22/15-9/21/15	\$1,665.30	\$0.00		\$1,665.30
				<i>Totals for AT&T/ CalNet 2:</i>	<u>\$1,665.30</u>	<u>\$0.00</u>		<u>\$1,665.30</u>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	10/6/2015	10/2/2015	0321792-IN	Paint	\$1,681.75	\$0.00		\$1,681.75
Bay Area Barricade Serv.	10/6/2015	10/2/2015	0322544-IN	no parking signs	\$198.93	\$0.00		\$198.93
				<i>Totals for Bay Area Barricade Serv.:</i>	<u>\$1,880.68</u>	<u>\$0.00</u>		<u>\$1,880.68</u>
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	10/6/2015	9/28/2015	756019	General Retainer August 2015	\$8,000.00	\$0.00		\$8,000.00
Best Best & Kreiger LLP	10/6/2015	9/28/2015	756020	Oak Creek Canyon, August 2015	\$3,000.51	\$0.00		\$3,000.51
Best Best & Kreiger LLP	10/6/2015	9/28/2015	756021	Diablo Estates BAD, August 2015	\$415.00	\$0.00		\$415.00
Best Best & Kreiger LLP	10/6/2015	9/28/2015	756022	Labor/Employment, Admin & PD, August 20	\$715.00	\$0.00		\$715.00
				<i>Totals for Best Best & Kreiger LLP:</i>	<u>\$12,130.51</u>	<u>\$0.00</u>		<u>\$12,130.51</u>
CA Police Chiefs Association								
CA Police Chiefs Association	10/6/2015	9/23/2015	1319	renewal for Police Chiefs Association	\$315.00	\$0.00		\$315.00
				<i>Totals for CA Police Chiefs Association:</i>	<u>\$315.00</u>	<u>\$0.00</u>		<u>\$315.00</u>
CalPERS Health								
CalPERS Health	10/6/2015	9/23/2015	1844	Medical Benefits for October 2015	\$33,500.58	\$0.00		\$33,500.58
				<i>Totals for CalPERS Health:</i>	<u>\$33,500.58</u>	<u>\$0.00</u>		<u>\$33,500.58</u>
CalPERS Retirement								
CalPERS Retirement	10/6/2015	9/23/2015	9/24/15	City Council Retirement ending 9/24/15	\$178.32	\$0.00		\$178.32
CalPERS Retirement	10/6/2015	9/23/2015	PPE 9/13/15	Retirement PPE 9/13/15	\$11,834.83	\$0.00		\$11,834.83

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
CalPERS Retirement	10/6/2015	9/30/2015	PPE 9/27/15	Retirement PPE 9/27/15	\$11,885.96	\$0.00		\$11,885.96
<i>Totals for CalPERS Retirement:</i>					<u>\$23,899.11</u>	<u>\$0.00</u>		<u>\$23,899.11</u>
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	10/6/2015	9/28/2015	1857389	contract 8/17/15-9/16/15	\$301.62	\$0.00		\$301.62
<i>Totals for Caltronics Business Systems, Inc:</i>					<u>\$301.62</u>	<u>\$0.00</u>		<u>\$301.62</u>
CCWD								
CCWD	10/6/2015	9/23/2015	C Series	Water services 7/9/15-9/4/15	\$24,397.65	\$0.00		\$24,397.65
<i>Totals for CCWD:</i>					<u>\$24,397.65</u>	<u>\$0.00</u>		<u>\$24,397.65</u>
City of Concord								
City of Concord	10/6/2015	9/23/2015	47150	Dispatch Services for September 2015	\$20,089.50	\$0.00		\$20,089.50
<i>Totals for City of Concord:</i>					<u>\$20,089.50</u>	<u>\$0.00</u>		<u>\$20,089.50</u>
Clayton Community Church								
Clayton Community Church	10/6/2015	9/23/2015	2015 SBD	Deposit refund for Soap Box Derby 2015	\$93.38	\$0.00		\$93.38
<i>Totals for Clayton Community Church:</i>					<u>\$93.38</u>	<u>\$0.00</u>		<u>\$93.38</u>
Comcast								
Comcast	10/6/2015	9/23/2015	HSI September 2015	High Speed Internet 9/10/15-10/9/15	\$403.95	\$0.00		\$403.95
<i>Totals for Comcast:</i>					<u>\$403.95</u>	<u>\$0.00</u>		<u>\$403.95</u>
Concord Garden Equipment								
Concord Garden Equipment	10/6/2015	9/28/2015	512298	Supplies	\$99.50	\$0.00		\$99.50
<i>Totals for Concord Garden Equipment:</i>					<u>\$99.50</u>	<u>\$0.00</u>		<u>\$99.50</u>
Contra Costa County Sheriff - Forensic Svc Div (Lab)								
Contra Costa County Sheriff - Forensic S	10/6/2015	9/23/2015	CLPD-1507	toxicology for July 2015	\$900.00	\$0.00		\$900.00
<i>Totals for Contra Costa County Sheriff - Forensic Svc Div (Lab):</i>					<u>\$900.00</u>	<u>\$0.00</u>		<u>\$900.00</u>
CSAC Excess Insurance Authority								
CSAC Excess Insurance Authority	10/6/2015	9/28/2015	16400970	EAP October-December 2015	\$312.00	\$0.00		\$312.00
<i>Totals for CSAC Excess Insurance Authority:</i>					<u>\$312.00</u>	<u>\$0.00</u>		<u>\$312.00</u>
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	10/6/2015	9/23/2015	47202471	contract for October 2015	\$342.17	\$0.00		\$342.17
De Lage Landen Financial Services, Inc.	10/6/2015	9/23/2015	47204613	Property Tax and Admin Fee	\$67.89	\$0.00		\$67.89
<i>Totals for De Lage Landen Financial Services, Inc.:</i>					<u>\$410.06</u>	<u>\$0.00</u>		<u>\$410.06</u>
G.N. Henley, Inc								
G.N. Henley, Inc	10/6/2015	9/28/2015	15-107	Drainage Improvements per Bid 15-128 Rev B	\$19,800.00	\$0.00		\$19,800.00
G.N. Henley, Inc	10/6/2015	9/28/2015	15-108	Patch paving/Drainage repair at CCP	\$9,250.00	\$0.00		\$9,250.00
G.N. Henley, Inc	10/6/2015	9/30/2015	15-109	Pathway repairs and overlay Easley Trail	\$28,000.00	\$0.00		\$28,000.00
<i>Totals for G.N. Henley, Inc:</i>					<u>\$57,050.00</u>	<u>\$0.00</u>		<u>\$57,050.00</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
Geoconsultants, Inc.	10/6/2015	10/2/2015	18765	Well Monitoring for September 2015	\$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	10/6/2015	9/23/2015	1000000006699928	service 7/16/15-8/15/15	\$55.57	\$0.00		\$55.57
<i>Totals for Globalstar LLC:</i>					<u>\$55.57</u>	<u>\$0.00</u>		<u>\$55.57</u>
Health Care Dental Trust								
Health Care Dental Trust	10/6/2015	9/30/2015	198791	November Dental	\$2,954.20	\$0.00		\$2,954.20
<i>Totals for Health Care Dental Trust:</i>					<u>\$2,954.20</u>	<u>\$0.00</u>		<u>\$2,954.20</u>
J&R Floor Services								
J&R Floor Services	10/6/2015	9/28/2015	Nine	October 2015 Billing	\$5,015.88	\$0.00		\$5,015.88
<i>Totals for J&R Floor Services:</i>					<u>\$5,015.88</u>	<u>\$0.00</u>		<u>\$5,015.88</u>
Arlene Kikkawa-Nielsen								
Arlene Kikkawa-Nielsen	10/6/2015	9/30/2015	October 2015	Library Volunteer Coordinator - October 2015	\$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>
LarryLogic Productions								
LarryLogic Productions	6/1/1941	9/23/2015	1528	City Council Meeting 9/15/15	\$300.00	\$0.00		\$300.00
<i>Totals for LarryLogic Productions:</i>					<u>\$300.00</u>	<u>\$0.00</u>		<u>\$300.00</u>
Legal Defense Fund								
Legal Defense Fund	10/6/2015	9/23/2015	143805	Dues 10/1/15	\$13.50	\$0.00		\$13.50
<i>Totals for Legal Defense Fund:</i>					<u>\$13.50</u>	<u>\$0.00</u>		<u>\$13.50</u>
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	10/6/2015	10/2/2015	415-1151-9	controls maintenance for City Hall September	\$150.00	\$0.00		\$150.00
<i>Totals for Marken Mechanical Services Inc:</i>					<u>\$150.00</u>	<u>\$0.00</u>		<u>\$150.00</u>
MCK Services Inc								
MCK Services Inc	10/6/2015	9/23/2015	18269	Job # 15-024	\$61,978.00	\$0.00		\$61,978.00
MCK Services Inc	10/6/2015	10/2/2015	18269	Final Progress Bill, Job 15-024	\$30,211.42	\$0.00		\$30,211.42
<i>Totals for MCK Services Inc:</i>					<u>\$92,189.42</u>	<u>\$0.00</u>		<u>\$92,189.42</u>
Kevin Mizuno								
Kevin Mizuno	10/6/2015	9/28/2015	352C	Deposit refund for Hoyer Hall 9/19/15	\$200.00	\$0.00		\$200.00
<i>Totals for Kevin Mizuno:</i>					<u>\$200.00</u>	<u>\$0.00</u>		<u>\$200.00</u>
MPA								
MPA	10/6/2015	9/30/2015	October 2015	LTD, Life - October 2015	\$1,350.46	\$0.00		\$1,350.46
<i>Totals for MPA:</i>					<u>\$1,350.46</u>	<u>\$0.00</u>		<u>\$1,350.46</u>
NBS Govt. Finance Group								
NBS Govt. Finance Group	10/6/2015	9/28/2015	81500006	Interim arbitrage rebate analysis 6/7/07-9/2/15	\$1,200.00	\$0.00		\$1,200.00
NBS Govt. Finance Group	10/6/2015	10/2/2015	91500272	Qrtly Admin Fees 10/1/15-12/31/15	\$4,211.94	\$0.00		\$4,211.94

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for NBS Govt. Finance Group:</i>					<u>\$5,411.94</u>	<u>\$0.00</u>		<u>\$5,411.94</u>
Neopost (add postage)								
Neopost (add postage)	10/6/2015	9/23/2015	9/22/15	add postage	\$300.00	\$0.00		\$300.00
<i>Totals for Neopost (add postage):</i>					<u>\$300.00</u>	<u>\$0.00</u>		<u>\$300.00</u>
Neopost Northwest								
Neopost Northwest	10/6/2015	9/23/2015	N5510299	contract for 10/7/15-11/6/15	\$158.20	\$0.00		\$158.20
<i>Totals for Neopost Northwest:</i>					<u>\$158.20</u>	<u>\$0.00</u>		<u>\$158.20</u>
Pacific Telemanagement Svc								
Pacific Telemanagement Svc	10/6/2015	9/28/2015	783476	courtyard phone October 2015	\$73.00	\$0.00		\$73.00
<i>Totals for Pacific Telemanagement Svc:</i>					<u>\$73.00</u>	<u>\$0.00</u>		<u>\$73.00</u>
Paramount Elevator Corp.								
Paramount Elevator Corp.	10/6/2015	9/28/2015	7242	Fire service test 8/13/15	\$260.00	\$0.00		\$260.00
<i>Totals for Paramount Elevator Corp.:</i>					<u>\$260.00</u>	<u>\$0.00</u>		<u>\$260.00</u>
Peace Officers Research Assoc of CA								
Peace Officers Research Assoc of CA	10/6/2015	9/23/2015	128209	Dues 10/1/15	\$10.00	\$0.00		\$10.00
<i>Totals for Peace Officers Research Assoc of CA:</i>					<u>\$10.00</u>	<u>\$0.00</u>		<u>\$10.00</u>
PERMCO, Inc.								
PERMCO, Inc.	10/6/2015	9/30/2015	10451	General Services 9/5/15-9/25/15	\$5,209.50	\$0.00		\$5,209.50
PERMCO, Inc.	10/6/2015	9/30/2015	10452	PG&E Encroachment Permits	\$124.50	\$0.00		\$124.50
PERMCO, Inc.	10/6/2015	9/30/2015	10453	Prepare SWPPP inspection list for corp yard	\$610.00	\$0.00		\$610.00
PERMCO, Inc.	10/6/2015	9/30/2015	10454	Discussions with City of Concord and Financ	\$305.00	\$0.00		\$305.00
PERMCO, Inc.	10/6/2015	9/30/2015	10455	Caltrans Processing	\$152.50	\$0.00		\$152.50
PERMCO, Inc.	10/6/2015	9/30/2015	10456	Construction Inspection	\$4,353.88	\$0.00		\$4,353.88
PERMCO, Inc.	10/6/2015	9/30/2015	10457	Prepare CO and Inspect Work	\$2,303.00	\$0.00		\$2,303.00
PERMCO, Inc.	10/6/2015	9/30/2015	10458	review preliminary submittal	\$375.00	\$0.00		\$375.00
PERMCO, Inc.	10/6/2015	9/30/2015	10459	Questions Re: 8053 Kelok Way & Red Tag	\$700.50	\$0.00		\$700.50
<i>Totals for PERMCO, Inc.:</i>					<u>\$14,133.88</u>	<u>\$0.00</u>		<u>\$14,133.88</u>
PG&E								
PG&E	10/6/2015	9/28/2015	9/22/15	service 8/21/15-9/21/15	\$11.78	\$0.00		\$11.78
PG&E	10/6/2015	9/28/2015	9/16/15	service 8/17/15-9/15/15	\$18,845.30	\$0.00		\$18,845.30
PG&E	10/6/2015	9/30/2015	9/23/15	service 8/22/15-9/22/15	\$4,431.24	\$0.00		\$4,431.24
<i>Totals for PG&E:</i>					<u>\$23,288.32</u>	<u>\$0.00</u>		<u>\$23,288.32</u>
Redwood Canyon Construction, Inc								
Redwood Canyon Construction, Inc	10/6/2015	9/28/2015	1332	Infiltration inspection and report CCP	\$700.00	\$0.00		\$700.00
Redwood Canyon Construction, Inc	10/6/2015	9/28/2015	1333	Infiltration inspection and report Oakhurst Wa	\$600.00	\$0.00		\$600.00
<i>Totals for Redwood Canyon Construction, Inc:</i>					<u>\$1,300.00</u>	<u>\$0.00</u>		<u>\$1,300.00</u>
Rex Lock & Safe, Inc.								
Rex Lock & Inc.	10/6/2015	9/23/2015	110085	Re-key, k ies	\$541.18	\$0.00		\$541.18

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
<i>Totals for Rex Lock & Safe, Inc.:</i>					<u>\$541.18</u>	<u>\$0.00</u>		<u>\$541.18</u>
Riso Products of Sacramento								
Riso Products of Sacramento	10/6/2015	9/23/2015	145403	contract 8/18/15-9/17/15	\$94.86	\$0.00		\$94.86
<i>Totals for Riso Products of Sacramento:</i>					<u>\$94.86</u>	<u>\$0.00</u>		<u>\$94.86</u>
Rock & Waterfall Co								
Rock & Waterfall Co	10/6/2015	10/2/2015	124-42	waterfall cleaning	\$1,950.00	\$0.00		\$1,950.00
<i>Totals for Rock & Waterfall Co:</i>					<u>\$1,950.00</u>	<u>\$0.00</u>		<u>\$1,950.00</u>
SonBright Window Cleaning Svc								
SonBright Window Cleaning Svc	10/6/2015	9/28/2015	5764	Window Cleaning EH	\$180.00	\$0.00		\$180.00
SonBright Window Cleaning Svc	10/6/2015	9/28/2015	5765	Window Cleaning City Hall	\$700.00	\$0.00		\$700.00
SonBright Window Cleaning Svc	10/6/2015	9/28/2015	5766	Window Cleaning Library	\$1,500.00	\$0.00		\$1,500.00
<i>Totals for SonBright Window Cleaning Svc:</i>					<u>\$2,380.00</u>	<u>\$0.00</u>		<u>\$2,380.00</u>
Sprint Comm (PD)								
Sprint Comm (PD)	10/6/2015	9/23/2015	703335311-165	service 7/26-8/25/15	\$268.79	\$0.00		\$268.79
<i>Totals for Sprint Comm (PD):</i>					<u>\$268.79</u>	<u>\$0.00</u>		<u>\$268.79</u>
Scott Swinton								
Scott Swinton	10/6/2015	9/23/2015	BP94-15	Deposit refund for C&D for 26 Mt Wilson Wa	\$2,000.00	\$0.00		\$2,000.00
<i>Totals for Scott Swinton:</i>					<u>\$2,000.00</u>	<u>\$0.00</u>		<u>\$2,000.00</u>
The Radar Shop								
The Radar Shop	10/6/2015	9/23/2015	7683	recertifications, tuning	\$287.00	\$0.00		\$287.00
<i>Totals for The Radar Shop:</i>					<u>\$287.00</u>	<u>\$0.00</u>		<u>\$287.00</u>
US Bank - Corp Pmt System CalCard								
US Bank - Corp Pmt System CalCard	10/6/2015	9/30/2015	Stmt 8/24/15	Stmt Ending 8/24/15	\$14,921.41	\$0.00		\$14,921.41
<i>Totals for US Bank - Corp Pmt System CalCard:</i>					<u>\$14,921.41</u>	<u>\$0.00</u>		<u>\$14,921.41</u>
Waraner Brothers Tree Service								
Waraner Brothers Tree Service	10/6/2015	9/28/2015	12361	Remove fallen oak tree from Lydia Lane Bri	\$900.00	\$0.00		\$900.00
Waraner Brothers Tree Service	10/6/2015	9/28/2015	12359	Scheduled tree work along creek, Concord Av	\$3,900.00	\$0.00		\$3,900.00
<i>Totals for Waraner Brothers Tree Service:</i>					<u>\$4,800.00</u>	<u>\$0.00</u>		<u>\$4,800.00</u>
Western Exterminator								
Western Exterminator	10/6/2015	9/28/2015	3510584	August Service	\$370.00	\$0.00		\$370.00
<i>Totals for Western Exterminator:</i>					<u>\$370.00</u>	<u>\$0.00</u>		<u>\$370.00</u>
GRAND TOTALS:					\$365,086.16	\$0.00		\$365,086.16

To: Clayton Comm. Library Foundation
P.O. Box 182
Clayton, CA 94517

CCLF 8/21/15	8/26/2015	Cash Disbursement			
			Totals:	\$12,000.00	\$0.00
				\$12,000.00	\$0.00
					\$12,000.00

9/1/2015 31479

Twelve thousand and 00/100 Dollars

\$** 12,000.00

Clayton Comm. Library Foundation
P.O. Box 182
Clayton, CA 94517

Kevin Mizuno

From: David Atkinson <deatkinson@sbcglobal.net>
Sent: Friday, August 21, 2015 2:07 PM
To: kmizuno@ci.clayton.ca.us
Subject: Help!

Importance: High

Hi Kevin,

Please (at your earliest convenience!) cut a check to the Clayton Community Library Foundation in the amount of \$12,000. This should hold our checking account until the next book sale in October.

Please advise when ready for pickup!

(Cell 925-408-9111)

Thanks!

Dave Atkinson

ENTERED

DM 8/24/15
AUTHORIZED BY DATE
701 601-2739-00
VENDOR # ACCOUNT #
\$12,000- ~~_____~~ 09-01-15
AMOUNT CITY MANAGER APPROVAL

To: MCK Services Inc
PO Box 5697
Concord, CA 94524

18251	8/26/2015	2015 Neighborhood Street Project				
			Totals:	\$662,346.40	\$0.00	\$662,346.40
				\$662,346.40	\$0.00	\$662,346.40

9/1/2015 31480

****Six hundred sixty two thousand three hundred forty six and 40/100 Dollars****

\$ 662,346.40**

MCK Services Inc
PO Box 5697
Concord, CA 94524

(Clean copy from MCK attached)

MCK Services, Inc.

Asphalt Paving/Resurfacing/Rehabilitation

CITY OF CLAYTON

Attn: Accounting
6000 Heritage Trail
Clayton, CA 94517

Invoice No: 18251
Progress Bill No: 1
Through Period Ending: 7/31/2015
Invoice Date: 7/28/2015

MCK Services Job No. #: 15-024

2015 NEIGHBORHOOD STREET PAVEMENT REHABILITATION PROJECT
CLAYTON, CA

Original Contract Amount	\$	867,373.21
Thru CO #3		(79,904.98)
Thru Change Order # 1 (Alternate)	\$	12,200.00
Revised Contract Amount	\$	788,088.21
88.46% Completed To Date	\$	697,206.73
Less: Previously Billed	\$	705,846.73
Gross Amount Due This Invoice	\$	617,206.73
Less: Retention @ 5%	\$	30,860.33
	\$	(35,292.34)
Net Amount Due This Invoice	\$	670,554.39

ENTERED

* To be funded as follows:

① \$327,941.91 from Gas tax fund (100% of RA)
 ② \$328,825.89 from measure J budgeted (87% budgeted)
 ③ \$5,578.60 (Balance in CIP project)

Your Prompt Attention and Approval of This Invoice for Payment is Appreciated.
 Terms are Net 10 from the Invoice Date.
 Thank You for the Opportunity to Work With You.

OK 662,346.40
 8/15/15
 CIP 104

CIP 10424

AUTHORIZED BY: 3001
 VENDOR #: 303-7520-00
 ACCOUNT #:
 * \$662,346.40
 AMOUNT CITY MANAGER APPROVAL

09-11-15

To: PERMCO, Inc.
 1470 Civic Court, Suite 320
 Concord, CA 94520

10431	8/26/2015	General services 7/25/15-8/21/15	\$7,172.00	\$0.00	\$7,172.00
10432	8/26/2015	CAP Inspections 7/25/15-8/21/15	\$332.00	\$0.00	\$332.00
10433	8/26/2015	Meeting with homeowners	\$450.00	\$0.00	\$450.00
10434	8/26/2015	Caltrans Processing	\$38.13	\$0.00	\$38.13
10435	8/26/2015	review latest submittal	\$375.00	\$0.00	\$375.00
10436	8/26/2015	CIP10424 construction inspection	\$7,533.50	\$0.00	\$7,533.50
10437	8/26/2015	Inspection of Work	\$124.50	\$0.00	\$124.50
10438	8/26/2015	complete bid package and re-advertise	\$1,125.00	\$0.00	\$1,125.00
10439	8/26/2015	Prepare CO and Inspect Work	\$1,114.00	\$0.00	\$1,114.00
10440	8/26/2015	preapplication and beginning of plan review	\$450.00	\$0.00	\$450.00
10441	8/26/2015	review Kelok Way latest monitoring report	\$350.25	\$0.00	\$350.25
Totals:			\$19,064.38	\$0.00	\$19,064.38

9/1/2015 31481

Nineteen thousand sixty four and 38/100 Dollars

\$** 19,064.38

PERMCO, Inc.
 1470 Civic Court, Suite 320
 Concord, CA 94520



8/28/15

ENTERED

AUTHORIZED BY _____ DATE _____

116 101-9411-08
 VENDOR # ACCOUNT #

7,172.00
 AMOUNT CITY MANAGER APPROVAL

INVOICE NUMBER: 10431
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/2015
 PROJECT NUMBER: C0010021
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

PROJECT: General City Engineering Services

Retainer for General City Engineering services through the fourth week of August 2015.

Time Charges:

	<u>Category</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
0501	PRINCIPAL	60.00	98.00	\$ 5,880.00
0502	PROJECT MANAGER	0.00	79.50	0.00
0502	PROJECT ENGINEER	0.00	79.50	0.00
0503	PROJECT SURVEYOR	0.00	79.50	0.00
0504	DESIGN ENGINEER	0.00	61.00	0.00
0510	CONSTRUCTION INSPECTOR	0.00	61.00	0.00
0513	ENGINEERING TECH.	0.00	50.00	0.00
0520	CADD OPERATOR	0.00	52.00	0.00
0517	CLERICAL	76.00	17.00	1,292.00
0511	2 MAN CREW	0.00	175.00	<u>0.00</u>

Subtotal Time Charges: \$ 7,172.00

Reimbursable Costs:

Misc. Printing	0.00
Delivery/Postage	<u>0.00</u>
Subtotal	0.00
10% Markup	<u>0.00</u>
Subtotal Reimbursable:	\$ 0.00

TOTAL FOR INVOICE 10431: \$ 7,172.00


 AUTHORIZED BY 116 DATE 8/28/15
See attached
 VENDOR # 332.0 ACCOUNT # 090115
 AMOUNT CITY MANAGER APPROVAL

INVOICE NUMBER: 10432
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/15
 PROJECT NUMBER: C0010468
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

ENTERED

PROJECT: Construction Activity Permit Inspections – Non-Utility

Perform required encroachment, stormwater, and/or grading permit inspections on small CAP projects citywide (does not include inspection time charged to legacy stormwater permits or large projects issued individual PERMCO job numbers).

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	0.00	150.00	\$ 0.00
0502 PROJECT MANAGER	0.00	124.00	0.00
0502 PROJECT ENGINEER	0.00	124.00	0.00
0503 PROJECT SURVEYOR	0.00	124.00	0.00
0504 DESIGN ENGINEER	0.00	98.00	0.00
0510 CONSTRUCTION INSPECTOR	4.00	83.00	332.00
0520 CADD OPERATOR	0.00	77.50	0.00
0513 ENGINEERING TECH.	0.00	62.00	0.00
0517 CLERICAL	0.00	37.00	0.00
0511 2 MAN CREW	0.00	220.00	<u>0.00</u>
Subtotal Time Charges:			\$ 332.00

Reimbursable Costs:

Printing	0.00
Delivery/Postage	<u>0.00</u>
Subtotal	0.00
10% Markup	<u>0.00</u>
Subtotal Reimbursables:	\$ 0.00

TOTAL FOR INVOICE 10432: \$ 332.00


 AUTHORIZED BY 116 DATE 8/28/15
 VENDOR # 150.00 ACCOUNT # [scribble]
 AMOUNT 450.00 CITY MANAGER APPROVAL 09-0115

INVOICE NO.: 10433
 PAGE NUMBER: 1
 DATE: 8/24/15
 PROJECT NUMBER: C0010478
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517



PROJECT: Diablo Estates BAD

Meeting with homeowners.

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	3.00	150.00	\$ 450.00
0502 PROJECT MANAGER	0.00	124.00	0.00
0502 PROJECT ENGINEER	0.00	124.00	0.00
0503 PROJECT SURVEYOR	0.00	124.00	0.00
0504 DESIGN ENGINEER	0.00	98.00	0.00
0510 CONSTRUCTION INSPECTOR	0.00	83.00	0.00
0520 CADD OPERATOR	0.00	77.50	0.00
0513 ENGINEERING TECH.	0.00	62.00	0.00
0517 CLERICAL	0.00	37.00	0.00
0511 2 MAN CREW	0.00	220.00	<u>0.00</u>
Subtotal Time Charges:			\$ 450.00

Reimbursable Costs:

Printing	0.00
Delivery/Postage	<u>0.00</u>
Subtotal	0.00
10% Markup	<u>0.00</u>
Subtotal Reimbursables:	\$ 0.00

TOTAL FOR INVOICE 10433: \$ 450.00


 AUTHORIZED BY _____ DATE 8/28/15
116 3027520.00 CIP
 VENDOR # _____ ACCOUNT # 10425
38.13 _____
 AMOUNT CITY MANAGER APPROVAL 09/1/15

INVOICE NUMBER: 10434
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/15
 PROJECT NUMBER: C0010494
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

PROJECT: Collector Street Rehabilitation CIP 10425

ENTERED

Caltrans processing (in progress)

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	0.00	122.00	\$ 0.00
0502 PROJECT ENGINEER	0.00	99.00	0.00
0503 PROJECT SURVEYOR	0.00	99.00	0.00
0504 DESIGN ENGINEER	0.00	76.25	0.00
0510 CONSTRUCTION INSPECTOR	0.50	76.25	38.13
0520 CADD OPERATOR	0.00	65.50	0.00
0513 ENGINEERING TECH.	0.00	57.75	0.00
0517 CLERICAL	0.00	35.50	0.00
0511 2 MAN CREW	0.00	190.00	<u>0.00</u>

Subtotal Time Charges: \$ 38.13

Reimbursable Costs:

Printing	0.00
Delivery/Postage	<u>0.00</u>
Subtotal	0.00
10% Markup	<u>0.00</u>
Subtotal Reimbursable:	\$ <u>0.00</u>

TOTAL FOR INVOICE 10434: \$ 38.13

 8/28/15
 AUTHORIZED BY _____ DATE _____
 116 101-741208
 VENDOR # _____ ACCOUNT # _____
 375.00
 AMOUNT CITY MANAGER APPROVAL  09/01/15

INVOICE NUMBER: 10435
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/2015
 PROJECT NUMBER: C0010495
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

PROJECT: Historical Society Garden Plans



Review latest submittal

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	2.50	150.00	\$ 375.00
0502 PROJECT MANAGER	0.00	124.00	0.00
0502 PROJECT ENGINEER	0.00	124.00	0.00
0503 PROJECT SURVEYOR	0.00	124.00	0.00
0504 DESIGN ENGINEER	0.00	98.00	0.00
0510 CONSTRUCTION INSPECTOR	0.00	83.00	0.00
0520 CADD OPERATOR	0.00	77.50	0.00
0513 ENGINEERING TECH.	0.00	62.00	0.00
0517 CLERICAL	0.00	37.00	0.00
0511 2 MAN CREW	0.00	220.00	0.00
Subtotal Time Charges:			\$ 375.00

Reimbursable Costs:

Printing	0.00
Delivery/Postage	0.00
Subtotal	0.00
10% Markup	0.00
Subtotal Reimbursables:	\$ 0.00

TOTAL FOR INVOICE 10435: \$ 375.00

 8/28/15
 AUTHORIZED BY _____ DATE _____
 116 303-7520-00 CIP10424
 IDOR # _____ ACCOUNT # _____
 7,533.50 
 ACCOUNT CITY MANAGER APPROVAL 090415

INVOICE NUMBER: 10436
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/15
 PROJECT NUMBER: C0010497
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

PROJECT: 2015 Neighborhood Street Project- CIP 1042

ENTERED

Construction inspection.

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	13.00	122.00	\$ 1,586.00
0502 PROJECT ENGINEER	0.00	99.00	0.00
0503 PROJECT SURVEYOR	0.00	99.00	0.00
0504 DESIGN ENGINEER	0.00	76.25	0.00
0510 CONSTRUCTION INSPECTOR	78.00	76.25	5,947.50
0520 CADD OPERATOR	0.00	65.50	0.00
0513 ENGINEERING TECH.	0.00	57.75	0.00
0517 CLERICAL	0.00	35.50	0.00
0511 2 MAN CREW	0.00	190.50	0.00

Subtotal Time Charges: \$ 7,533.50

Reimbursable Costs:

Printing	0.00
Delivery/Postage	0.00
Subtotal	0.00
10% Markup	0.00
Subtotal Reimbursable:	\$ 0.00

TOTAL FOR INVOICE 10436: \$ 7,533.50

Q/m
 AUTHORIZED BY _____ DATE 8/28/15
116 601-2741-00 CAPO165
 VENDOR # _____ ACCOUNT # _____
124.50 0901-15
 AMOUNT CITY MANAGER APPROVAL

INVOICE NUMBER: 10437
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/15
 PROJECT NUMBER: C0010499
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

*Misc. \$18.68 to 101-5791-00
 CAP 0165*

PROJECT: PG&E Conduits- Regency & Rialto 2015 (PG&E Project # 31081823)

Inspection of work.

ENTERED

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	0.00	150.00	\$ 0.00
0502 PROJECT ENGINEER	0.00	124.00	0.00
0503 PROJECT SURVEYOR	0.00	124.00	0.00
0504 DESIGN ENGINEER	0.00	98.00	0.00
0510 CONSTRUCTION INSPECTOR	1.50	83.00	124.50
0520 CADD OPERATOR	0.00	77.50	0.00
0513 ENGINEERING TECH.	0.00	62.00	0.00
0517 CLERICAL	0.00	37.00	0.00
0511 2 MAN CREW	0.00	220.00	<u>0.00</u>

Subtotal Time Charges: \$ 124.50

Reimbursable Costs:

Printing	0.00
Delivery/Postage	<u>0.00</u>
Subtotal	0.00
10% Markup	<u>0.00</u>
Subtotal Reimbursable:	\$ 0.00

TOTAL FOR INVOICE 10437: \$ 124.50

 8/28/15
 AUTHORIZED BY _____ DATE _____
 116 303.7520-02 CIP 10437 LMD 2015-4
 VENDOR # _____ ACCOUNT # _____
 1,125.00  AMOUNT CITY MANAGER APPROVAL 

INVOICE NUMBER: 10438
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/15
 PROJECT NUMBER: C0010500
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

PROJECT: Bridge Repair Bid Package 2015

Bridge Repair Project- ~~CIP-10437~~

LMD 2015-4

ENTERED

Complete bid package & then re-advertise.

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	7.50	150.00	\$ 1,125.00
0502 PROJECT ENGINEER	0.00	124.00	0.00
0503 PROJECT SURVEYOR	0.00	124.00	0.00
0504 DESIGN ENGINEER	0.00	98.00	0.00
0510 CONSTRUCTION INSPECTOR	0.00	83.00	0.00
0520 CADD OPERATOR	0.00	77.50	0.00
0513 ENGINEERING TECH.	0.00	62.00	0.00
0517 CLERICAL	0.00	37.00	0.00
0511 2 MAN CREW	0.00	220.00	0.00

Subtotal Time Charges: \$ 1,125.00

Reimbursable Costs:

Printing	0.00
Delivery/Postage	0.00
Subtotal	0.00
10% Markup	0.00
Subtotal Reimbursable:	\$ 0.00

TOTAL FOR INVOICE 10438: \$ 1,125.00



8/28/15



ENTERED

AUTHORIZED BY 116 DATE 210-7520-00 LMD 2016-2

VENDOR # 1114-00 ACCOUNT # [scribble]
 AMOUNT CITY MANAGER APPROVAL 090415

INVOICE NUMBER: 10439
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/15
 PROJECT NUMBER: C0010501
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

PROJECT: 2015 Trail Reconstruction

Prepare C.O. & inspect work.

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	3.00	150.00	\$ 450.00
0502 PROJECT ENGINEER	0.00	124.00	0.00
0503 PROJECT SURVEYOR	0.00	124.00	0.00
0504 DESIGN ENGINEER	0.00	98.00	0.00
0510 CONSTRUCTION INSPECTOR	8.00	83.00	664.00
0520 CADD OPERATOR	0.00	77.50	0.00
0513 ENGINEERING TECH.	0.00	62.00	0.00
0517 CLERICAL	0.00	37.00	0.00
0511 2 MAN CREW	0.00	220.00	<u>0.00</u>

Subtotal Time Charges: \$ 1,114.00

Reimbursable Costs:

Printing	0.00
Delivery/Postage	<u>0.00</u>
Subtotal	0.00
10% Markup	<u>0.00</u>
Subtotal Reimbursable:	\$ 0.00

TOTAL FOR INVOICE 10439: \$ 1,114.00



PM
 AUTHORIZED BY 116 DATE 8/28/15
601-274200/1050
 VENDOR # 116 ACCOUNT # [scribble]
 AMOUNT \$450.00 CITY MANAGER APPROVAL [scribble] 09-11-15

INVOICE NUMBER: 10440
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/15
 PROJECT NUMBER: C0010503
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

Misc. \$ 67.50 to 101-579200/1050
High St. Project

PROJECT: Jordan Property

Preapplication and beginning of plan review.

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	3.00	150.00	\$ 450.00
0502 PROJECT ENGINEER	0.00	124.00	0.00
0503 PROJECT SURVEYOR	0.00	124.00	0.00
0504 DESIGN ENGINEER	0.00	98.00	0.00
0510 CONSTRUCTION INSPECTOR	0.00	83.00	0.00
0520 CADD OPERATOR	0.00	77.50	0.00
0513 ENGINEERING TECH.	0.00	62.00	0.00
0517 CLERICAL	0.00	37.00	0.00
0511 2 MAN CREW	0.00	220.00	<u>0.00</u>

Subtotal Time Charges: \$ 450.00

Reimbursable Costs:

Printing	0.00
Delivery/Postage	<u>0.00</u>
Subtotal	0.00
10% Markup	<u>0.00</u>
Subtotal Reimbursable:	\$ 0.00

TOTAL FOR INVOICE 10440: \$ 450.00


 AUTHORIZED BY _____ DATE 8/28/15

VENDOR # 116 ACCOUNT # 212-7419-00
 AMOUNT \$350.25 CITY MANAGER APPROVAL 09-01-15

INVOICE NUMBER: 10441
 PAGE NUMBER: 1
 INVOICE DATE: 8/24/15
 PROJECT NUMBER: C0030004
 PERIOD COVERING: 7/25/15 to 8/21/15

CITY OF CLAYTON
 6000 Heritage Trail
 Clayton, California 94517

PROJECT: GHAD Miscellaneous Services

ENTERED

Review Kelok Way Latest Monitoring Report.

Time Charges:

Category	Hours	Rate	Amount
0501 PRINCIPAL	3.00	116.75	\$ 350.25
0502 PROJECT MANAGER	0.00	91.00	0.00
0502 PROJECT ENGINEER	0.00	91.00	0.00
0509 PROJECT SURVEYOR	0.00	91.00	0.00
0504 DESIGN ENGINEER	0.00	70.00	0.00
0510 CONSTRUCTION INSPECTOR	0.00	70.00	0.00
0520 CADD OPERATOR	0.00	60.00	0.00
0513 ENGINEER TECH.	0.00	53.00	0.00
0517 CLERICAL	0.00	32.50	0.00
0511 2 MAN CREW	0.00	175.00	<u>0.00</u>

Subtotal Time Charges: \$ 350.25

Reimbursable Costs:

Printing	0.00
Delivery/Postage	<u>0.00</u>
Subtotal	0.00
10% Markup	<u>0.00</u>
Subtotal Reimbursables:	\$ 0.00

TOTAL FOR INVOICE 10441: \$ 350.25

WELLS FARGO BANK, N.A. 03/15/2012
0 Employees With Overflow Statement
0 Overflow Statement 1 Total Statement
Tot Cks/Vchrs:00000000035 Tot Docs in all:00000000038
First No. Last No. Total
Checks: ADPCHECK ADPCHECK 00000000006
Vouchers: 00000400001 00000400029 00000000029

Earnings Statement

Z7L TOTAL DOCUMENT
CITY OF CLAYTON
LOCATION 0001

CHECK STUFFING, RECONCILIATION

79991.51 GROSS
59201.88 NET PAY (INCLUDING ALL DEPOSITS)
9526.43 FEDERAL TAX
175.83 SOCIAL SECURITY
1106.46 MEDICARE
.00 MEDICARE SURTAX
.00 SUI TAX
3154.70 STATE TAX
.00 LOCAL TAX
63531.83 DEDUCTIONS
2496.26 NET CHECK

COMPANY CODE Z7L
CITY OF CLAYTON
TOTAL DOCUMENT
LOCATION 0001

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

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

THE ORIGINAL DOCUMENT HAS AN ARTIFICIAL WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.



Agenda Date: 10-6-2015

Agenda Item: 3c

STAFF REPORT

Approved:

Gary A. Napper
City Manager/Executive Director

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: RICK ANGRISANI, CITY ENGINEER

DATE: OCTOBER 6, 2015

SUBJECT: A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE 2015 PAVEMENT REHABILITATION PROJECT (CIP #10424) AS COMPLETE AND ORDERING THE FILING OF A NOTICE OF COMPLETION

RECOMMENDATION

Adopt Resolution.

BACKGROUND

The contractor, MCK Services, Inc., has completed construction of the 2015 Pavement Rehabilitation Project (CIP #10424) and has requested acceptance of the work.

Overall, the work went very well and we had few instances of inconvenience to the residents, especially compared to prior pavement rehabilitation projects. The work significantly improved many streets. There was some minor extra work and repairs required which pushed the final project costs approximately \$41,802.06 (5.1%) over the approved budget.'

The Engineering Department has now completed inspection of the improvements and submits that the project passes our standards and is now ready for acceptance.

FISCAL IMPACT

As explained in the Final Project Report, the final cost of the project came in at \$847,777.09 or \$41,802.06 (5.1%) over the approved budget.

In order to provide the additional funding without impacting the City's General Fund, staff is recommending that the additional funding required be allocated from the Gas Tax funds (\$191,997) previously allocated to the 2016 Neighborhood Street Project (CIP 10432).

CONCLUSION

The project 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. In addition, the Council should authorize the reallocation of \$41, 802.03 in Gas Tax funds from CIP Project 10432 to CIP Project 10424 and the payment of all retained funds 35 days after filing of the notice.

Attachments: Resolution
 Notice of Completion
 Final Project Report

RESOLUTION NO. - 2015

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE 2015 PAVEMENT REHABILITATION PROJECT (CIP #10424) AS COMPLETE AND ORDERING THE FILING OF A NOTICE OF COMPLETION

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

WHEREAS, on May 5, 2015 the City Council of Clayton, California did award a contract to MCK Services, Inc. for the construction of the 2015 Pavement Rehabilitation Project (CIP #10424); and

WHEREAS, MCK Services, Inc. has now represented their work is complete and they are 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 2015 Pavement Rehabilitation Project (CIP #10424) 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 6th day of October, 2015 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

DAVID T. SHUEY, 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 October 6, 2015.

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 May 5, 2015, contract with MCK Services, Inc., P.O. Box 5697, Concord, California, 94524, for the construction of the 2015 Pavement Rehabilitation Project (CIP #10424) in accordance with the plans and specifications prepared by the City of Clayton and said contractor's surety was and is Fidelity and Deposit Company of Maryland, 525 Market Street, Suite 2900, San Francisco, CA 94105.

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; also that the City Council of the City of Clayton, California, by adopting Resolution No. XX-2015 on October 6, 2015, 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 October 6, 2015. I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 7, 2015, at Clayton, California.

Janet Brown, City Clerk

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

Project: 2015 Pavement Rehabilitation Project

Contractor: MCK Services, Inc.

Streets:

Blue Oak Lane
El Toro Court
Four Oaks Lane
Golden Eagle Way
Indianhead Way
Michigan Blvd.
Mt. Olivet Court
Mt. Olivet Place

Mt. Sequoia Place
Mt. Wilson Way
Mt. Zion drive
Obsidian Way
Panadero Court
Tushytak Court
Verna Way east
Zinfandel Circle

**CITY OF CLAYTON
ENGINEERING DEPARTMENT
925/363-7433
FINAL PROJECT REPORT**

**2015 NEIGHBORHOOD STREET PAVEMENT REHABILITATION
PROJECT (CIP 10424)
2015 TRAIL REPAVING (LMD 2016-2) - PORTION**

Project Description

Under a construction contract with MCK Services, Inc., the 2015 Neighborhood Street Pavement Rehabilitation Project was completed. In addition, a change order was executed to repair and overlay the Lower Easley trail from the Stranahan subdivision to the Easley property. We also asked MCK to overlay the portion of the trail up to the Village Oaks property but they declined citing the lack of access for their large equipment.

Scope Changes During Construction

The original bid for the 2015 Pavement Rehabilitation Project from MCK Services was \$867,373.21. In order to get the construction costs closer to the budgeted construction estimate (\$688,000), we eliminated two streets from the project (Haviland Place and Miwok Way). This reduced the starting construction contract amount to \$752,958 (further reduced to \$674,000 by the anticipated payment from CCWD for water valve can reconstruction, the transfer of \$28,000 from our ADA compliance program for ADA improvements and the transfer of approximately \$30,000 from the Landscape Maintenance District which had allocated \$70,000 for the improvement of the Lower Easley Trail).

Overruns

The project went smoothly with the only significant “extra work” being the repair of the traffic signal loops on Indianhead Way at Oakhurst Drive (approx. \$5,000) and the reconstruction of the existing valley gutter on Verna Way East at Nottingham Circle. The corners of Verna Way East had to have new ADA ramps installed but the portion of the valley gutter remaining was in very poor condition and needed replacement. This extra work totaled approximately \$13,000 which was split between MCK’s subcontractor and W. K. McLellan Co.

We incurred approximately \$7,000 in additional costs when we tallied up the total structures that had to be adjusted after the overlay. Finally, Permco ran up additional costs of approximately \$3,800 for the preparation of plans for the trail overlay and \$13,000 for dealing with various contractors to minimize construction costs. For example, MCK’s subcontractor wanted an additional \$13,000 to complete the valley gutter on Verna Way East (above the extra \$6,500 we had to give them for the portion of the valley gutter adjacent to the new curb line – their original bid was based upon sawcutting the existing valley gutter at the face of curb which would have looked very bad and possibly create future problems). We contacted several contractors and were able to get McLellan to complete the work for approximately \$6,000.

declaring

Agenda Date: 10-6-2015

October 2015

Agenda Item: 4a

As

Domestic Violence Awareness Month

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

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

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

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

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

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

WHEREAS, STAND! For Families Free of Violence provides domestic violence services to families and individuals in Contra Costa County, serving over 15,000 clients annually; and

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

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

NOW THEREFORE, I, David T. Shuey, Mayor, on behalf of the Clayton City Council, do hereby proclaim October 2015 as "Domestic Violence Awareness Month" and urge my fellow citizens to educate themselves as to preventative and awareness measures to reduce, report and eliminate domestic violence in our community.

ADA JEFFRESS
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great "Responsibility"
August and September 2015

Agenda Date: 10-6-2015

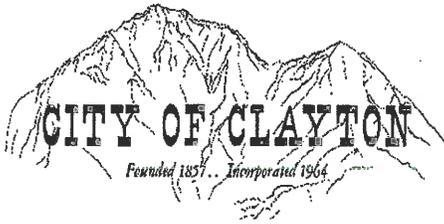
Agenda Item: 4b

ABIGAIL KELLER
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great "Responsibility"
August and September 2015

ODELI HERNANDEZ
for
"Doing the Right Thing"
at
Clayton Valley Charter High School
by exemplifying great "Responsibility"
August and September 2015

HOSNA OPEYANY
for
"Doing the Right Thing"
at
Clayton Charter High School
by exemplifying great "Responsibility"
August and September 2015

ANTHONY VINES
for
"Doing the Right Thing"
at
Clayton Valley Charter High School
by exemplifying great "Responsibility"
August and September 2015



Agenda Date: 10-6-2015

Agenda Item: 8a

Approved:

Gary A. Napper
City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MINDY GENTRY, COMMUNITY DEVELOPMENT DIRECTOR *MAG*

DATE: OCTOBER 2, 2015

SUBJECT: KELLER HOUSE OUTBUILDINGS (CDD-14-15)

RECOMMENDATION

It is recommended the City Council authorize the City Manager to enter into a consultant services contract in order to establish if the three Keller House Ranch outbuildings remain historically significant; to establish options for the future of the three structures; and to understand the process associated with each possible option. Staff will provide its verbal recommendation of the preferred consultant at the conclusion of the discussion at the Council meeting.

BACKGROUND

The Keller Ranch House, which is located on the north side of Town Center, in close proximity to the Clayton Community Library, was built in 1912 by Harry and Elodia Keller, on land that was purchased from the Joel Clayton estate in 1910 (**Attachment 1**). Harry Keller operated a 1300-acre cattle ranch up until his death in 1940, which was subsequently leased out to operators who continued ranching operations up until the property was sold to Pacific Coast Construction Company in 1972. Following an economic downturn and resistance from Native Americans the land was not developed until it was sold to Presley of Northern California in 1987. The City of Clayton acquired the small parcel that contained the Keller House and associated outbuildings as well as the Clayton Library property in 1991.

The Oakhurst EIR, which was completed in 1987, identified over a dozen structures historically located on the Keller Ranch property. Those structures included the house, two large barns, a granary, a chicken coop, a small stable, a bunk house, a work shop, garage and other storage buildings. The three outbuildings that remain today are a granary, a work shed, and a garage, although not in their original locations. According to the EIR, the mortise and tenon construction of the granary and the well-weathered planking suggest pre-1920s construction. However, when dealing with vernacular buildings judging construction dates on stylist analysis alone is difficult. While it seems likely the majority of the structures on the ranch were constructed circa 1910-1920, it is also possible some of the structures postdate this period by a decade or maybe before this time period (**Attachment 2**).

In April 2002, the City of Clayton Redevelopment Agency established the Keller Ranch House Master Plan Steering Committee to assist the City in preparing a master plan for the

preservation, rehabilitation, and reuse of the Keller Ranch House and the surrounding two-acre parcel. The Steering Committee, which was comprised of representatives from the City Council, the Planning Commission, the Historical Society, and other community organizations, was tasked with exploring options to rehabilitate the Keller House on how it would best serve the Clayton community. The Master Plan included a conceptual rehabilitation plan, a ranking of potential uses, and the cost estimates for the various scenarios (**Attachment 3**). The rehabilitation plan contained several options which included: an interpretative center and museum, an interim event center, an interim residential use, an interim office use, and a preservation scenario.

The Master Plan identified a conceptual project budget just shy of two million dollars (2003 dollars) for full rehabilitation of the house and development of the grounds for public use. The budget also included a line item for rehabilitation of the three outbuildings, which was estimated to cost \$21,000 per outbuilding, for a total of \$63,000. Due to the costs associated with the rehabilitation, the lack of a revenue stream/business plan for operation and maintenance of rehabilitated buildings as well as competing priorities using RDA monies for other economic and infrastructure improvements, the City Council decided to pursue the preservation scenario, which included boarding up only the Keller House and performing priority repairs. The outbuildings were not included within this scenario.

In November 2001, the Keller House complex, including the outbuildings, was determined to be significant as a rare example, in the Clayton area, of Mission-style architecture with Craftsman elements. It was elected to the California Register of Historical Resources for the complex's association with cattle ranching, an industry important in local and regional history (**Attachment 4**).

DISCUSSION

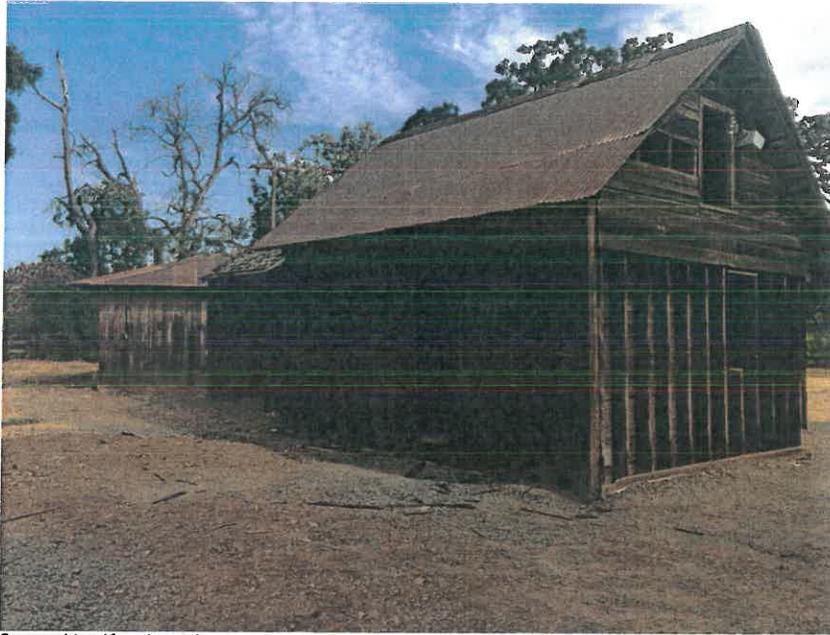
Overview

The City has recently received commentary and complaints in regards to the Keller House outbuildings due to the fact they have become an attractive nuisance because of their deteriorated state and ease of accessibility. Children and teenagers have been known to loiter within the buildings, which has resulted in graffiti, vandalism, and damage (**Attachment 5**). Further, the buildings have not been maintained over the years, which has caused them to become deteriorated and due to their easy accessibility, it has resulted in boards disappearing over the years. Also, local photographers utilize the buildings as a popular backdrop for their photos and have raised concerns regarding the deterioration of the buildings. The City did install a camera, visible on the granary outbuilding, to record acts of ill intent to the historic resources.

Outbuilding Details

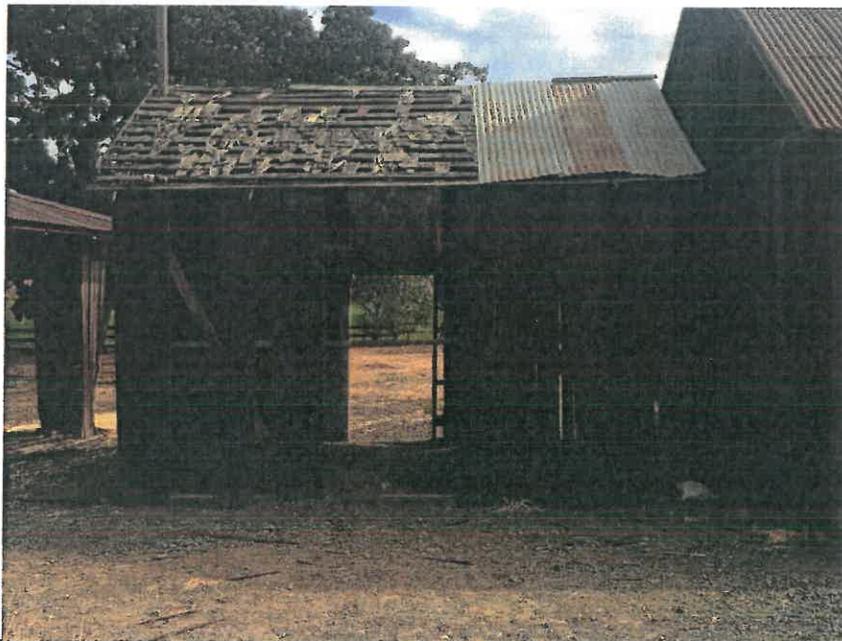
Granary - The granary is currently the southernmost outbuilding and is a small-scale, single-story frame structure with a gabled roof of corrugated metal and horizontal plank siding. The gable ends at one time were fully sheathed in clapboard and in the photograph below, one can see the state of the building today, which has significantly deteriorated over the years. The interior walls of the structure are closed as is typical of a granary. There is a ceiling hatch and heavy mortised beams on the interior. The granary has been cited as a fine

representative example of its type and period; however it was determined in Saxby's report to not be significant on an individual basis.



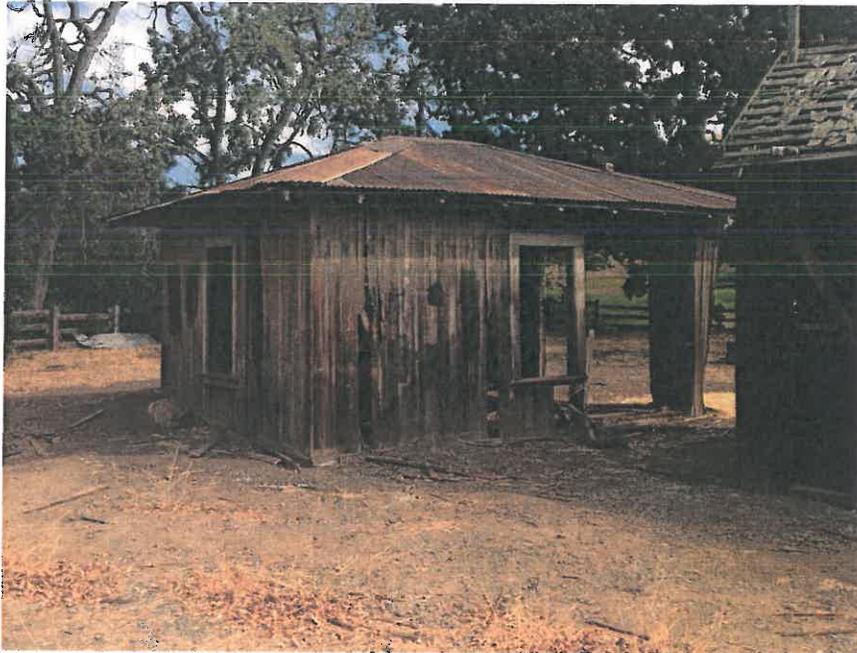
Granary pictured from the southwest.

Work Shed – The work shed, the middle building, is a small-scale, single-story frame structure with wide vertical board siding and a gable roof of corrugated metal. Today, the majority of the corrugated metal roof is missing over the west gable. Plain bargeboards terminate the overhanging eaves; with several boards missing.



Work shed pictured from the west.

Garage – The garage building, the northernmost building, is a single-story, small-scale frame building with a very low-pitched hip roof and a concrete floor and foundation. The exterior is comprised of narrow vertical strip boarding and the roof is corrugated metal. At one time there were rolling double doors, which are now gone and there were windows on the three other sides.



Garage pictured from the southwest.

Process Overview

Step 1: Determine Historical Significance

While the City does have dated information pertaining to these structures, staff is looking for direction from the City Council whether to commission an updated historical report, specifically on the subject outbuildings to determine the extent of their historical significance in their now deteriorated state. The consultant's report would include whether these structures still retain their integrity and if they are still considered significant. Deterioration of structures can elevate to a point where the architectural character of the structure has eroded; thereby removing their historical significance. Back in 2001, the structures were in significantly better shape than they are today; however because of their deterioration over the years, the integrity of these structures could potentially no longer carry their historical status due to the lack of maintenance and repair as well as their susceptibility to vandalism.

Step 2: Identify Options

Included in the consultant's report would be an outline of the City's options; which include demolition, mothballing, or restoration, and the process the City must undertake for each possible option. City staff has not included an option for rehabilitation due to the costs associated with converting the structures to another use given the historic nature of the buildings being used for non-habitable uses and their current dilapidated state. The possible three options discussed below could apply to all of the buildings or some combination thereof, depending on the outcome of the historical significance report and the Council's direction.

- Demolition would completely remove the outbuilding(s) and result in the removal of a growing attractive nuisance, but also remove a potentially historic resource.
- Mothballing would preserve the outbuilding(s) in their current state, which could include boarding them up and/or installing fencing around the outbuildings. There are specific standards in regard to boarding up vacant buildings which make it difficult to gain access; this is not a guarantee that a determined individual(s) would not be able to access the structures; however it does act as a deterrent. Mothballing would retain a potentially historic element of Clayton until such a time the City may find or allocate the necessary funds to fully restore the Keller House complex. This option would also deter vandalism and address some of the safety issues by restricting public access.
- Restoration would return the outbuilding(s) to their previous state in a manner that is historical to the time they were constructed. This option could provide the community with a link to Clayton's ranching history as the outbuilding(s) could be turned into an interpretative area until a time the Keller House has been restored. This option should also include a long term management plan as the City must put funds towards this resource and would want to provide a resource management plan and funds to protect the outbuilding(s) as a City asset.

The City Council may also choose not to take any action, which would leave the outbuildings in their current state; however they would still be an attractive nuisance, subject to vandalism and further degradation. Staff recommends, at a minimum, making a reasonable effort to make the outbuildings inaccessible to the public due to concerns regarding their deteriorated state, which will only become worse over time.

Step 3: Process

The last part of the proposed consultant's report would be the process the City must follow regarding the different aforementioned options based on the historical significance of the outbuildings. The historical significance, or possibly lack thereof, of the outbuildings will play a large role in determining the process as well as which direction the Council directs staff to pursue. If the outbuildings are determined to still be significant, an environmental evaluation (CEQA) may have to be completed unless the actions result in conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*. For example, if the Council chooses demolition and the buildings are historic then an EIR will be required because the impacts will be significant and unavoidable even with mitigations in place; however if restoration is chosen and it complies with the Secretary of the Interior's Standards, then a CEQA exemption may be appropriate.

The information on the process for all options may not be necessary if the Council determines a singular option for staff; however this information may be necessary if the Council wants additional information in regards to what each option would entail for a particular action prior to providing formal direction.

Proposals

The City received four proposals regarding the aforementioned scope from the following firms: Architectural Resources Group (ARG), ECORP, ESA, and Chris VerPlanck.

- A) Architectural Resources Group is a firm focused on the historical rehabilitation and preservation of buildings. The firm submitted a scope of services for a Historical Resource Evaluation (HRE), which would evaluate the historical context and significance of the outbuildings. The HRE would cost the City \$6,940; however ARG focuses on rehabilitation and preservation; therefore they declined to submit a proposal outlining the City's options and process for the future of the outbuildings. Further, the proposal did not mention completion of the State's DRP 523 forms, which are a recognized tool to record the significance of a historical resource (**Attachment 6**).
- B) ECORP is an environmental consulting firm with an in-house cultural resources staff. Their staff is versed in the management and the treatment of historic properties. The proposal from ECORP is two-fold; the first task includes an updated Integrity Assessment for the outbuildings, which includes updating the DPR 523 record for the outbuildings. This first task will determine if the outbuildings remain as contributing elements to the historic significance of the Keller Ranch property. Upon conclusion of the first task and if the outbuildings are determined to retain sufficient integrity to remain contributing elements to the historical significance, then ECORP will prepare a memorandum outlining the City's potential options. The options will also contain guidance on the process, including an analysis of the Secretary of the Interior's Standards the City will be required to follow as well as ECORP's recommendation for the most feasible option. The budget for the first task is \$5,600 and \$6,500 for the second for combined cost of \$12,100, which does not include consultant expenses. As mentioned earlier, depending on the Council's direction, this scope may contain more information than actually needed, which is why it is significantly higher than the others (**Attachment 7**).
- C) ESA is an environmental and planning consulting firm providing a wide array of services, including compliance with cultural and architectural regulations. Their in-house staff has comprehensive knowledge of state and local environmental regulatory issues associated with cultural resource protection. ESA's proposal is to evaluate the historic designation of the three outbuildings and completion of the State's 523 forms, which are for the determination of significance on the California Register of Historical Resources. The report would also include basic potential options with an outline of the appropriate next steps and will identify appropriate contractors for any demolition, mothballing, or restoration work that would occur. Further, the proposal would also contain a CEQA impact analysis for the outlined options. The proposed budget is not to exceed \$7,530 (**Attachment 8**).
- D) VerPlanck Historic Preservation Consulting is a firm that provides a full range of architectural history and preservation consulting services, including reports for

CEQA documents and assessing impacts to potential historical resources. The scope of services would include preparation of a Historical Resource Evaluation (HRE), which would include the evaluation of significance as well as CEQA impacts for three alternatives, which include: demolition, mothballing, and restoration. The proposed budget is not to exceed \$4,750 including expenses; however it does not include DPR 523 forms or a CHRIS search. These staff recommended additional services would cost \$1,600 for a total budget of \$6,350 plus consultant's expenses (**Attachment 9**).

Proposal Overview

	Determination of Historical Significance	Preservation Assistance	CEQA Services	Total Costs
ECORP	\$5,600	\$6,500	Yes	\$12,100*
VerPlanck Historic Preservation	Combined	Combined	Limited	\$6,350*
ESA	\$7,560	Brief overview included in total costs, but not the level of detailed staff is envisioning	Yes	\$7,560
Architectural Resources Group (ARG)*	\$6,940	N/A	Limited	N/A

*Does not include expenses.

The proposals received from ECORP, ESA, and VerPlanck are relatively similar in scope, with ECORP providing the most comprehensive services. Staff's opinion is that all of these firms would be able to perform the initial scope of work; however depending on the direction provided by the Council there may be a firm that is better suited to provide the needed services based on its expertise and resources. For example, ECORP and ESA also provide CEQA services, while VerPlanck focuses on historic preservation. The verbal recommendation from staff will take into account the Council's discussion and any public input, the proposed budget, as well as any potential required future action, e.g. CEQA.

For outreach purposes, staff mailed and emailed a copy of this staff report to the Clayton Historical Society and members of the Clayton Planning Commission.

FISCAL IMPACT

The costs associated with obtaining a report would be the budget amount of the selected consulting firm. The funds would come from Fund 601, which is the Unassigned Capital Improvement Program, currently holding excess interest earnings of \$119,550.

ATTACHMENTS

1. Aerial Photograph
2. Excerpt from Oakhurst Project EIR [11 pp.]
3. Excerpt from 2002 Keller Ranch House Master Plan [4 pp.]
4. State Historical Resources Commission Findings on the Keller House [2 pp.]
5. Photographs of the Outbuildings [2 pp.]
6. Architectural Resources Group Proposed Scope and Budget [3 pp.]
7. ECORP Proposed Scope and Budget [2 pp.]
8. ESA Proposed Scope and Budget [3 pp.]
9. VerPlanck Historic Preservation Consulting Proposed Scope and Budget [3 pp.]

ATTACHMENT 1

Aerial Photograph



Attachment 2

10.2 HISTORICAL RESOURCES: THE KELLER RANCH

A. Setting

1. The Ranch Building Complex

The Keller Ranch complex of structures is located about 700 feet north of the Town of Clayton's Main Street, near the north side of Mt. Diablo Creek. The complex consists of over a dozen structures historically associated with the large land holdings of and working ranch developed by Charles Henry Keller. Among the buildings are a Mission-style residence, a massive hay barn, an equally substantial cattle and hay barn, a granary, a chicken coop and a small bunk house. The remaining structures include a small stable, a work shop and storage buildings (see Figure 10-2).

2. Historical Background

The property which became known as the Keller Ranch was originally a portion of Rancho Monte del Diablo. According to a history of the Town of Clayton, Juan Salvio Pacheco, the original land grantee, gave the southern part of the rancho to his son-in-law Francisco Galindo.(1) In 1866 Galindo sold a 130-acre tract of this land to early Clayton settler John Denkinger.(2) Judging from the description in the Denkinger deed, this was the southwesternmost portion of what would become the Keller Ranch and included the land on which the ranch house and barns would be constructed. After Denkinger's death in 1907, the property was passed on to another of Clayton's early settlers, Andrew Gehringer, who held the land as trustee for Frederick Denkinger.(3) Charles Keller bought the property in 1910.(4)

The "house, barn and other adjacent farm buildings" of the Keller Ranch are said to have been constructed following Keller's purchase of the property.(5) According to voter registration records, Keller moved from Kalindo Street in Concord to the Clayton area sometime between 1910 and April, 1912, changing his occupation from butcher to farmer during

- (1) George Pettitt, Clayton: Not Quite Shangri-La (Martinez: Contra Costa Historical Society, 1969), pp. 12-13.
- (2) Contra Costa County Recorder's Office (Martinez), Book of Deeds, vol. 14, p. 143.
- (3) Idem., Book of Deeds, vol. 161, p. 175.
- (4) Ibid.
- (5) Brooks Kuehl, "Keller History Reads Like Tale of the West," Concord Transcript, 5 October 1977.

the same period.(1) These records tend to support a c.1910 dating of the initial development of the ranch but do not tie down the construction date(s) of the buildings with authority.

Stylistic detailing of the main house (structure A) and the garage (B) does place the construction of these buildings in the early twentieth century. The braced frame construction of the hay and cattle barns, mortise and tenon construction in the granary and well-weathered planking of most of the buildings on the ranch suggest pre-1920s construction dates but only tenuously. When dealing with vernacular buildings -- particularly farm buildings -- judging construction dates on stylistic analysis alone is difficult. Very often such structures lack period stylistic details. Additionally, building construction traditions in high-style architecture tend to persist beyond their standard eras of existence in vernacular building. While it seems likely the majority of structures on the ranch were constructed in the c.1910-20 time period it is also possible some of the structures post-date this period by more than a decade; others might date from the Denkingers' tenure of this property.

3. Description of Structures

a. Keller House (see photos 10-3 through 10-7)

The Keller House, once known as Casa del Sierra,(2) is a Mission-style residence which also conveys a subtle influence of the Craftsman style. It is a raised, single-story structure with a two-story engaged tower. Exterior walls are stucco above raised and battered basement walls of uncoursed fieldstone. The building has a red tile hip roof, front pergola and open porch. The exterior appears to be largely unaltered and in very good condition, its architectural integrity intact. The landscaping around the house is sparse and somewhat unkempt; however, several mature trees at the sides of the building enhance its setting.

The front (south) facade well summarizes the building's stylistic character. The open front porch with segmental arched openings; two-story tower with wide, open eaves; exposed rafters (vigas) piercing the porch wall and smooth wall surfaces are all classic identifying features of the Mission style. The liberal use of uncoursed

(1) Contra Costa County Office of Voter Registration (Martinez), voter registration records for Concord and Clayton, 1910 and 1912.

(2) Kuehl, "Keller History."

stone, the pergola, and the battered pier, porch and basement walls are typically associated with the Craftsman style. Also typical of the Craftsman motif, the ornamental aspect, detailed workmanship and natural materials of the masonry are highlighted. The incorporation of multi-colored mineral types in the stonework -- particularly apparent in the battered pier -- is distinctive; the incorporation of archeological objects (such as mortars) in the pier is unusual. Windows on the first story of the front facade are grouped and double-hung with muntins in the upper panel. There are single and double hung windows on the tower, some in segmental openings and some with segmental surrounds.

The west side of the building is highlighted by an exterior chimney with a wide, uncoursed and battered sante base. Windows are grouped and double hung as well as single (fixed, hopper, awning and/or casement) along this side of the building. The rear (north) side of the building consists largely of an enclosed proch. Porch windows lack the muntins which appear elsewhere on the building, suggesting they may have replaced original windows or enclosed an originally open porch. Attached fencing behind the rear of the house is not original. The east side of the building conscits of irregularly placed windows of several sizes and operational types, most with muntins identical in pattern to those on the front facade.

The building's incorporation of elements typical of both the Mission and Craftsman styles places its construction date approximately between 1905 and 1920. (Pebbles embedded in the concrete walkway under the pergola spell out the message "Keller June 1912" which may indicate an accurate building date however the inscription itself does not appear to be original.)

The interior of the building was not examined; however, additional archeological features including a human skeleton said to be embedded in the basement walls.

b. Garage and Storage Shed (see photo 10-8)

This is a single-story, small-scale frame building with a very low-pitched hip roof and concrete floor and foundation. The exterior is narrow vertical strip boarding; the roof is corrugated metal. Exposed narrow rafters project under wide, open overhanging eaves. There is a two-over-two double hung window on each of the west, north and east sides. Front double doors roll

open. A frame shed addition runs along the building's east side. The condition of the original structure appears to be good; that of the addition fair. Stylistically, this outbuilding shows an influence of the Craftsman style, which would place its construction roughly between 1905 and 1930. The shed portion postdates the hipped portion as evidenced by the existence of the east side window on the garage where it meets the shed.

c. Stable (see photo 10-9)

This is a small-scale frame stable with gable roof, wide vertical board siding and a dirt floor. There is a gate on the west facade; part of the east facade is open. The roof is board and batten. A plain bargeboard highlights projecting eaves. Faded lettering on some of the exterior suggests the siding was originally part of another structure -- possibly a barn or billboard. Mangers in the stable are connected to Structure D by feed chutes. The building appears to be in good condition. In as much as the stable blocks the rear window of the garage, it probably postdates the garage.

d. Hay Feeder and Storage Shed (see photo 10-10)

This is a small-scale, single-story frame structure with vertical board siding and a shed roof of corrugated metal. The roof extends beyond the south wall of the structure and is supported by plain posts. Chutes lead to mangers in the stable to the south and outside the structure to the north. The structure's condition is fair.

e. Work and Storage Shed and Hay Feeder (see photos 10-11 and 10-12)

This is a small-scale, single-story frame structure with wide vertical board siding and a gable roof of corrugated metal. Plain bargeboard terminates overhanging eaves. There is a small six-pane window in the center of the west facade. A small, early shed addition stands attached to the east facade. A small modern stable is attached to the rear. The building appears to be in fair condition.

f. Granary (see photos 10-13, 10-14)

This is a small-scale, raised, single-story frame structure. It has a gable roof of corrugated metal and horizontal plank siding; the west side gable end is

sheathed in clapboard. The front (south) door has four panels and is flanked to the east by a six-over-six double hung window. A modern stair addition leads to the front door. The interior walls of the structure are closed as is typical of a granary. There is a ceiling hatch and heavy mortised beams on the interior, also standard in a structure of this type. Some posts are missing from the interior and portions of the walls have been wallpapered indicating a change of use; today the structure is a workshop. The building appears to be in good condition; the modern stair is dilapidated.

g. Storage Shed (see photo 10-15)

This is a tall single-story frame structure with a shed roof. It stands abutted to the east side of the granary. Its siding is vertical plank; roofing material is wood shake. Double, hinged doors are located on each of the west and north facades. Another opening has been cut into the west facade. The building's walls and roof appear to be in poor condition; some vertical siding and many roof shakes are missing and part of the roof is falling in.

h. Chicken Coop (see photo 10-16)

This is a small, single-story frame structure with a salt box roof. Siding is horizontal drop board. Part of the roofing material is corrugated metal; part is wood shake. Some doors and windows have been boarded over; some openings appear to be additions. The building's configuration and elevations are typical of a chicken coop; however, there is a stove on a brick foundation in one section and an apparent steam or spa room adjacent. The building is in fair-to-poor condition.

i. Hay Barn and Stable (see photos 10-17 through 10-20)

Equivalent to approximately three stories in height with equal or larger dimensions in plan, this massive structure visually dominates the complex of ranch buildings. The building is sheathed in plank siding -- horizontal on the front (west) and sides and vertical on the rear. Resting on a stone foundation, its interior structure is a mix of variously dimensioned posts and beams with plank frame braces and siding supports. Some and perhaps all of the siding appears to have been painted at one time. Unpainted at the present, the sheathing has weathered to a distinctive silver-grey which is a hallmark of Western Red Cedar. The building's monitor roof reflects the three-part plan of the

interior: an immense central hay space is flanked on each side by one-story horse stalls and storage space with hay lofts above. The roof is sheathed in corrugated metal, a common replacement for wood shakes. The roof structure is composed of rafters, purlins and tie-beams. Door hinges on the building are iron strap.

The front facade of the barn is symmetrical: a central door with six horizontal panels and glazed ceramic hardware is flanked by four-over-four double hung windows; sliding wagon doors are located on each corner of this facade. A louvered vent opening is located in the top of the gable end.

On each of the north and south sides of the barn there are three six-pane windows, most of which are missing glass and muntins. On the rear facade there are two sliding doors opposite those on the front facade. Above these doors, opening to the lofts, are hay doors. In the center of the building monumental hinged double doors open to the central hay storage space. The condition of the barn appears to be quite good.

j. Barn (see photo 10-21)

This is a one and one-half story barn with vertical plank siding. The gable roof is covered with corrugated metal. There are shed additions on the south and west sides. Another shed addition appears to have stood against the north side but has been removed. Painted lettering on some of the exterior planking suggests the boards were originally used in another structure. While the original gabled structure appears to be in fair condition, the additions are dilapidated.

k. Cattle and Hay Barn (see photos 10-22 through 10-24)

Nearly as massive as the main hay barn, this structure is set out in the fields some distance from the main complex. At the structure's front (north facade) its roof form is a long sloping gable while at rear it is a gable on hip. The roof structure is composed of common rafters with some purlins and corner struts. The roofing material is wood shake; vertical board siding sheaths the gable end and frieze. On the interior the braced framing (with four-by-fours and four-by-sixes) defines a central mow encircled by an open, U-shaped feeding area. Monumental double front doors close off the mow from the livestock. The condition of the structure appears to be fair; however, one of the doors has fallen in and some posts show signs of structural shifting.

1. Pen (see photo 10-25)

This small but substantially structured pen has a gable roof of both plank frame and corrugated metal. It features sliding gates on pulleys which extend through the roof.

m. Bunk House (see photo 10-26)

This structure is a small, one-story dwelling with a shed roof and a rear (south side) addition. Siding is flush horizontal boarding. There is a very plain raised front porch. The front door is similar to that on the amin barn. Windows on the original structure are one-over-one double hung; windows on the addition are single pane. Interior walls are closed. The building appears to be in good condition.

B. Historical Value

1. Standards for Evaluation

Typically, the standards for evaluating the significance of a structure or a group of structures are the National Register of Historic Places' "Criteria for evaluation" (see Appendix D). To meet National Register standards, a property must be at least fifty years old, must meet one or more of four criteria, must possess architectural integrity and must be evaluated within the context of an area's local history. It need only be significant on a local (versus state or national) level to be eligible for the National Register.

2. Evaluation

The interrelationship of the Keller Ranch structures, their location on a single parcel and (probable) concurrent development suggest that consideration of the structures as a complex is the most appropriate basis for evaluation. While several of the structures are individually more notable than others, it is the intact survival of this entire group of structures which highlights the historical significance of these resources.

As noted earlier, it is likely the majority of structures in the complex meet the age requirements for the National Register. Documentation for the Register itself demands more thorough historical proof than that provided from the limited research undertaken here; however, the research and survey do provide a basis on which to estimate, on a preliminary basis, the age of the structures.

The complex is notable for its association with one of the community's earliest land uses and for its intact survival as a representative example of an early-twentieth century ranch. Additionally, within the complex, several structures stand out as notable on an individual basis: the Keller House (Structure A) is a fine representative example of a Mission-style residence (with unusual incorporation of archeological objects) and the main barn (Structure I), cattle barn (K) and granary (F) are fine representative examples of their type and period. The two barns also stand out by virtue of their massive profiles and extensive structuring, both of which constitute an architectural and visual contribution to the community. By virtue of these characteristics, the complex may meet Criteria A and C of the National Register's standards. The relevance of criterion A arises because the structures are associated with the ranching and farming theme which largely dominates the history of this rural-suburban area. Criterion C bears application to the architectural character of the complex in that it "represents a significant and distinguishable entity whose components may lack individual distinction." There is the additional possibility the complex may meet Criterion D due to the archeological objects embedded in the masonry of the Keller House.

The issue of architectural integrity is particularly difficult to assess when dealing with farm buildings. Alterations to structures often erodes their architectural integrity. However, insofar as farm buildings are concerned, alteration in the form of additions have historically been the standard means by which a farm complex is improved. In the case of the Keller Ranch structures, most of the additions neither enhance nor detract from the quality of the original structures and represent the standard historical pattern of the evolution of farm structures over a long period of time. Additionally, most of the additions themselves appear to be over fifty years old. In terms of architectural compatibility, only the modern stable behind structure E stands out as incompatible. the question of integrity also comes into play when deterioration of a structure has elevated to a point at which the architectural character of the structure is eroded. Deterioration of this extent has altered the integrity of Structures G, H and J. Deterioration of the cattle barn (K) is approaching this point.

In that most of the structures in the complex (and all of the most notable structures) retain a substantial degree of integrity, the complex of structures most likely meets the test of integrity.

An additional aspect of the evaluation of the Keller Ranch structures involves a comparison between the complex and other complexes of its kind within the local region. This "contextual" evaluation allows for an identification of a locality's most significant resources. While a structure or complex of structures does not have to be the best or oldest example of its type in a community to merit inclusion in the National Register, it should stand out in some significant manner. If, for instance, the Keller complex is one of a proliferation of identical complexes surviving from the early twentieth century, it may not be significant in terms of Register criteria. At the other end of the spectrum, if it is among the most intact complexes of its type, period and scale, it would very likely meet the criteria requirements. A comparison of this type would prove useful to further identify the level of significance this complex lends to the surrounding community.

3. Conclusion

The Keller Ranch, consisting of both structures and extensive agrarian acreage, represents an important aspect of the Clayton-Concord area's cultural heritage. Several of the buildings on the ranch -- the main house, the hay barn, the cattle barn, and possibly the granary demonstrate significance on an individual basis. Additionally, all of the structures taken together are significant as an intact complex of interrelated structures. This complex may meet the requirements of the National Register of Historic Places. Eligibility in this case appears to hinge largely on 1) whether or not most or many of the structures were built over fifty years ago and in the same general time frame and 2) whether or not the complex is among the best surviving examples or is a rare surviving example of its type, period and scale in the area. Further historical data which would confirm the construction dates of the many associated structures and an inventory of surrounding-area ranches and farms for purposes of comparison would prove useful (and are perhaps necessary) to document the level of significance demonstrated by the Keller Ranch structures.

C. Potential Impacts

1. The ranch house would be preserved under the proposed Project plan. However, arrangements for renovation and maintenance have not been worked out, and the historic and visual qualities of this building could deteriorate over time.
2. The fate of the ranch barns, other outbuildings, and the access road bridge is uncertain. Current golf course alignment would require the removal or relocation of the large barn and some other structures.

3. Current golf course alignment could result in removal of some large trees, reducing the scenic qualities of the ranch complex.

D. Mitigation Measures

PREMITIGATION: The applicant has agreed to preservation of the Keller Ranch house.

10-5. Building Complex Structures. Interested citizens, Project sponsor and ultimately, the City should decide some form of the following:

- a. Preserve the building complex intact. If the City should find the building complex significant, an effort should be made to find uses for the buildings which do not cause considerable alteration to them. If they are put on the National Register and financial support is sought to restore or rehabilitate them for new uses there would be certain restrictions placed upon the form the restoration could take.
- b. Preserve portions of the building complex. In conjunction with local interests, a decision could be reached to preserve only portions of the complex, to be used for other purposes or to be left in their present condition. If this alternative were chosen, then mitigation of impacts to those buildings to be taken down would be needed. At a minimum an archaeologist would be needed to document the process of demolition to capture on film details of construction -- earthmoving in these areas should already be covered under the need to have an archaeologist either do the digging or monitor the earthmoving due to the presence of prehistoric materials underneath the existing structures.

Attempts should be made to give the buildings intact or to give any significant architectural pieces to interested local historical societies along with any historical materials retrieved during monitoring of the building removal.

- c. Preserve none of the building complex

Recommendations made in the above paragraph would apply here, with a renewed emphasis that destruction be monitored and if necessary, supervised by archaeologists or historians trained in the recording of architectural detail of the structures.

- 10-6. Community Interest. The local community should be consulted concerning their interest in the complex. If the community is concerned with their preservation, they will need to attempt to place the complex on the register as a first step towards getting their designation. Possible uses of the ranch should be placed in front of the community. A plan for preservation should be developed whether for all or part of the building complex. If it is a less ambitious plan for the ranch, such as saving and using only a portion of the buildings, the remainder of the complex does have historical significance in and of itself. If individual buildings should be removed, the details of their construction, any buried information underneath them, and the buildings themselves should be documented as they possibly have meaning outside the local community, representing as they do a rapidly disappearing chapter in the history of Contra Costa County.
- 10-7. Existing Trees. Mature, healthy trees in the ranch building complex should be protected wherever possible. In particular, the massive oak in the center of the ranch complex should be retained. Arrangements are needed to evaluate trees, taking safety considerations into account, and to provide proper horticultural treatment.
- 10-8. Bridge. Consideration should be given to preservation of the picturesque bridge on the Keller Ranch access drive. Evaluations of structural condition, hydrologic factors, and possible uses of the bridge are needed. Arrangements would be needed for any necessary improvements, as well as long-term maintenance of the bridge.

10.3 HISTORICAL RESOURCES: THE CLAYTON/DEMARTINI WINERY

A. Setting

The Clayton/DeMartini Winery property has a common boundary with the Project site for a few hundred feet along Mitchell Creek and Mt. Diablo Creek at their confluence on the west side of the site. The 8.33 acre parcel is bounded on the east by Mitchell Creek, on the north by Mt. Diablo Creek, on the south by Clayton Road between Oak and Mt. Zion streets and on the west by a residential subdivision. In addition to the now vacant 3-story stone winery building and a barn and shed, other uses of the site are an untended almond orchard and eucalyptus, walnut, oak, palm, and various fruit trees.

Because of the significance of the winery and the vineyard land associated with it to the history of Clayton and Contra Costa County, the property qualified as a historic site and was placed on the National Register of Historic Places in 1984.

Attachment 3

Keller Ranch Master Plan

In April 2002, the Clayton Redevelopment Agency established the Keller Ranch Master Plan Steering Committee to assist the City in preparing a master plan for the preservation, rehabilitation, and reuse of the Keller Ranch House and the surrounding two-acre parcel. From May 2002 until January 2003, the Steering Committee met to discuss options for rehabilitating the Keller House to best serve the residents of Clayton. In support of this effort, a consulting team was assembled to prepare this master plan. This plan includes the master plan for site, a conceptual rehabilitation plan for the Ranch House, a ranking of potential uses, and the following cost estimates (see attached budget sheets for additional budgetary information):

- ▶ Conceptual Project Budget - \$1,999,820. This would be the full rehabilitation of the House and development of the grounds for public uses including:
 - Rehabilitation of Ranch House. This includes the demolition, repair, and restoration of the Ranch House. These costs are budgeted at \$431,300.
 - Out-Buildings and Miscellaneous Structures. This includes the restoration of the existing out-buildings; upgrade of the bridge; and construction of the open air pavilion, new storage building, restrooms, water tower, windmill, play structure, and pedestrian bridge. These costs are budgeted at \$425,700.
 - Site Improvements and Amenities. This includes the site preparation, parking lot, picnic tables, fire hydrant, utility extensions, and landscaping. These costs are budgeted at \$306,665.
 - Fees, Design Costs, Overhead, and Contingency Costs. This includes architectural and engineering fees; utility (except water) hook-up fees; permit fees, overhead; and contingency costs. These costs also include \$250,000 for an archeologist to conduct a major archeological excavation and analysis program which would partially mitigate the project's archeological impacts. The scope of the archeological investigation is dependant upon nature of the archeological deposit. These costs are budgeted at \$836,155.
- ▶ Pavilion Interim Scenario - \$1,335,634. This scenario would allow use of the grounds for public and private event activities and includes the following:
 - Improvement of the grounds and construction of a stand-alone kitchen.
 - Shelter for events would be provided by a tent which could accommodate 100-150 persons.
 - No improvements to the Ranch House, except security fencing and waterproofing.

- ▶ Residential Interim Scenario - \$877,175. This scenario would involve repair of the Ranch House to allow the structure to be leased for residential purposes.
 - The storage building would be constructed for the CBCA and Library Foundation.
 - No improvements to the grounds, except as needed to serve the residence and storage building.
- ▶ Office Interim Scenario - \$980,575. This scenario would involve repair of the Ranch House to allow the structure to be leased for office purposes.
 - The storage building would be constructed for the CBCA and Library Foundation.
 - No improvements to the grounds, except as needed to serve the office and storage building.
- ▶ Preservation scenario \$65,010. This scenario would involve securing the Ranch House to prevent vandals from approaching or entering the structure.
 - Selective actions would be taken to retard ongoing deterioration of the foundation, windows, doors, skylight, and exterior.

An archaeological assessment of the property and a structural report for the house and bridge were also prepared and are available at the Clayton Community Development Department.

As part of the master plan preparation, City staff surveyed similar historic homes in the area to determine compatible uses, the costs to maintain and manage the facilities, and the income derived from use of these properties. After thorough consideration of the information provided, the Steering Committee agreed that the Keller Ranch House was an historic resource worthy of preservation and that it could be used for a variety of uses including an interpretative center and museum, as well as a location to host various public and private events or meetings, and that the grounds should be developed to support these events.

Background on Ranch House

The Keller Ranch House was built in 1912 by Charles Henry (Harry) Keller and his wife Elodia (Liberty) Keller. Harry was a member of one of the oldest pioneer families in this part of California. His grandfather, John Keller, crossed the plains with ox teams in 1849. Harry Keller became the owner of three large cattle ranches and is identified as one of the outstanding figures among cattlemen of the West, buying and selling cattle in Oregon, Nevada, Idaho, Wyoming and Utah. Prior to the Keller's occupation of the property, the land was owned by Joel Clayton, founder of Clayton. The property is also thought to have been part of the principal village site of the Chupcan or Volvon people who occupied the area around Mt. Diablo three to four thousand years ago. In November 2001, the property was elected to the California Register of Historical Resources for its association with cattle ranching, an industry important in local and regional history. The Keller House was determined to be significant as a rare example,

in the Clayton area, of Mission-Style architecture with Craftsman elements. The remaining outbuildings from the ranching period also contribute to the historic site. The Keller Bridge was determined to be significant as a rare example of a privately-funded concrete bridge which incorporated engineering and aesthetic considerations in design not common to private, utilitarian bridges in California. The overall site was determined to be significant as an archaeological site with the potential to yield information important to understanding the prehistory of this region.

The Ranch House remains virtually unaltered from its original 1912 construction and retains much of its historic fabric from the period of significance when the Keller Ranch was at the height of its operations. Rehabilitation of this historic resource will preserve an important element of Clayton's history and promote an understanding of the local cattle ranching period.

Features of Site and Ranch House

The Keller Ranch site is located on the north side of Town Center, in close proximity to the Community Library. The property borders on the north side of Mt. Diablo Creek at its convergence with Mitchell Creek, and consists of several structures historically associated with the 1,300-acre working cattle ranch established by Charles Henry Keller. The Ranch House site occupies approximately two acres and includes an arched concrete bridge and several smaller outbuildings from the historic ranching period. The House's style is eclectic, featuring both the Mission style that is commonly associated with California from 1890 to 1920, and the Craftsman style common during the period from 1905 to 1930. Identifying features associated with the Mission style include the red tile roof covering, the wide overhanging open eaves, a porch roof supported by large square piers with segmented-arch openings, and the stuccoed exterior wall surfaces. The Craftsman features include the battered stone foundation walls (veneer), groups of three or more multi-paned double-hung window sash, and a pergola extending from the entry porch. The uncoursed stone masonry is used prominently to display the natural, multicolored fieldstones and incorporates prehistoric artifacts on the south and west facades, particularly around the building entry. It is thought that the custom features of the design could be associated with a well-known architect of the time, such as Schweinfurth or Polk, but it is not known for certain.

The interior of the Keller Ranch House is organized in a simple and functional plan that features the use of natural materials associated with the Craftsman style. This style promoted a reformist message of simplicity, utility, and hand-crafted construction in tune with nature, as well as a return to a humbler, more practical life style. The large Entry of the Keller House originally had a large skylight over the middle of the room with a fountain below. The purpose of this room seems to have been a kind of interior atrium said to have once been filled with plants and a large bird cage, with the sound of running water throughout. Remnants of the skylight curb remain in the attic which provide information about the original size and configuration of this feature. All that remains of the fountain is a concrete base blended smooth with the adjacent floor. The Living Room and Dining Room areas exhibit strong Craftsman features with the stone fireplace, wood paneling, coffered wood beam ceiling, and copper light fixtures. The Dining Room is visually associated with the garden where Elodia Keller planted flowers and enjoyed her garden pond. The large Kitchen with its attached Screen Porch was

most likely the center of the daily activities and chores around the house with meals for the regular ranch hands served on the porch. Three Bedrooms are located along the east side of the House with the front (southern) bedroom the most architecturally detailed of the three. At the top of the front hall stairs is the Tower Room. This room features windows on all four sides that capture a panoramic view of Mt. Diablo and the surrounding area. It is thought that this room may have been used by Elodia Keller as an art studio.

Rehabilitation

The Keller House has been vacant since the mid-1980's and has been subject to vandalism. Currently the building is boarded up to prevent further vandalism, and is being used for storage. Structurally, the House is in poor condition with weak concrete footings and significant settlement problems. Although one and two-story wood-framed structures are considered to be relatively safe in earthquakes, the House does not have adequate lateral load-resisting capacity to avoid severe damage during a major earthquake. In order for the building to be safely used, major structural improvements are required including replacement of the foundation. Rehabilitation of the Keller House would include the repair and refurbishing of all exterior and interior surfaces, windows, and doors. Since the amount of historic fabric remaining is very high, an effort should be made to salvage the existing materials for reuse. Missing elements such as the skylight over the Entry would be reconstructed to restore the character of the room to its earlier appearance. In addition, improvements to address various building code issues would be undertaken to bring the building into compliance with the State Historic Building Code.

If the Ranch House is used as an interpretive center and a museum, or as a place to host various public and private functions, the Entry area could serve as one of two exhibit areas with natural light illuminating a central display case while pictures and other information could be setup along the walls. The Living Room and Dining Room area could be furnished with Craftsman Style furnishings suitable for group meetings, receptions or casual lounging. A modification to the back bedrooms (northeast corner) is recommended to create another exhibit room or large meeting room and a new exit to satisfy safety concerns. The Front Bedroom could be used as an office or special use area. A handicap ramp enabling access to the Front Porch from the east side would resemble the battered stone foundation walls of the original house. In order that the facility adequately support the hosting various public and private functions, the Kitchen could be remodeled to include modern cooking and cleaning equipment integrated into the historic setting. The Screen Porch would serve as the primary cooking area in order to meet building code requirements. The main Kitchen could be used for preparations and cleaning. The Tower Room, due to its restricted accessibility, has limited options for reuse.

It is easy to imagine the rehabilitated Keller Ranch House becoming a facility to preserve important information about the prehistory of the region as well as the important cattle ranching period in Clayton. Its charming character and bucolic setting also make it an attractive location to host community events, and establish the Keller Ranch House as an important local historical landmark.

**STATE HISTORICAL RESOURCES COMMISSION
DEPARTMENT OF PARKS AND RECREATION**

P. O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624
(916) 653-9824 FAX



Received

DEC 17 2001

City of Clayton

JOHN D. HENDERSON, FAIA
.....*Chairperson*
SUE SCHECHTER
.....*Vice Chairperson*
LAUREN W. BRICKER, PhD
PHILIP P. CHOY
KATHLEEN GREEN
ANTHEA M. HARTIG, PhD
WILLIAM R. HILDEBRANDT, PhD
MARY L. MANIERY
CAROL L. NOVEY
DR. KNOX MELLON
.....*Executive Secretary*

14 December 2001

**STATE HISTORICAL RESOURCES COMMISSION FINDINGS
California Register of Historical Resources
Keller House, Clayton, Contra Costa County**

On 2 November 2001, at a regular meeting of the State Historical Resources Commission held in San Simeon, pursuant to Public Resources Code Section 5024.1, the State Historical Resources Commission determined the Keller House, 6015 Heritage Trail, Clayton, to be a significant historical resource and voted to list it in the California Register of Historical Resources. Published herewith are the Commission's findings.

This resource includes the ranch house, and ancillary structures including the granary, storage shed, garage and concrete bridge are significant under criterion 1 for the period 1910 to 1954, for their association with cattle ranching, and industry important in local and regional history. The Keller House is also eligible under criterion 3 for its architecture as a rare example in the Clayton area of Mission Style with Craftsman elements. The bridge, built in 1916, is also individually significant under criterion 3 as a rare example of a privately-funded, concrete bridge which appears to have been built at great cost and shows evidence of engineering and aesthetic considerations in design not common to private, utilitarian bridges in California. The site on which the Keller house and other buildings are located, archaeological site (Cco-222) is also significant under criterion 4 in that it has yielded and has the potential to yet yield information important to understanding the prehistory of this region.

The Commission's determination is based upon the description of the resource and statement of significance provided in the nomination prepared by Thomas Saxby, AIA, at the request and on behalf of the City of Clayton, owner of the resource and applicant.

By virtue of being listed in the California Register, the Keller House, granary, storage shed, garage, and bridge are to be considered significant historical resources which deserve to be protected, to the extent prudent and feasible, from substantial adverse change, pursuant to California Code of Regulations, Title 14, Chapter 3, CEQA Guidelines.

Pursuant to the California Code of Regulations, Title 14, Chapter 11.5, Section 4857, the Commission has the power to reverse or alter its prior determination, in whole or in part, if the prior decision was based on a significant error in the facts, information or analysis, or if it appears, based on new information, that the determination was arbitrary, capricious or based on substantial error.

Requests for redetermination may be submitted within thirty (30) days of the date of this letter. Such requests shall set forth the reasons why the applicant believes the Commission's determination was improper, including all new relevant facts and information. The Commission shall advise the applicant within sixty (60) days after receipt of a request for redetermination whether it will consider such request, and if so, set the date for a hearing by the Commission. If the request for redetermination is denied, the original determination shall become final for all purposes, unless the resource is later shown to be demolished, altered, or has lost its integrity.

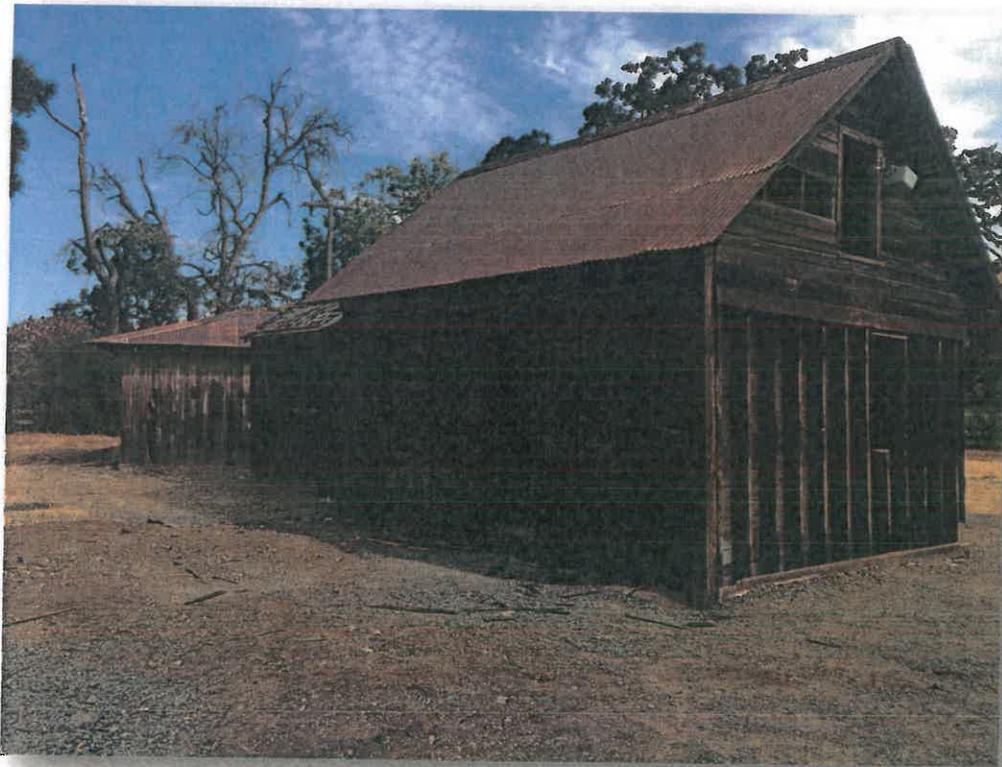
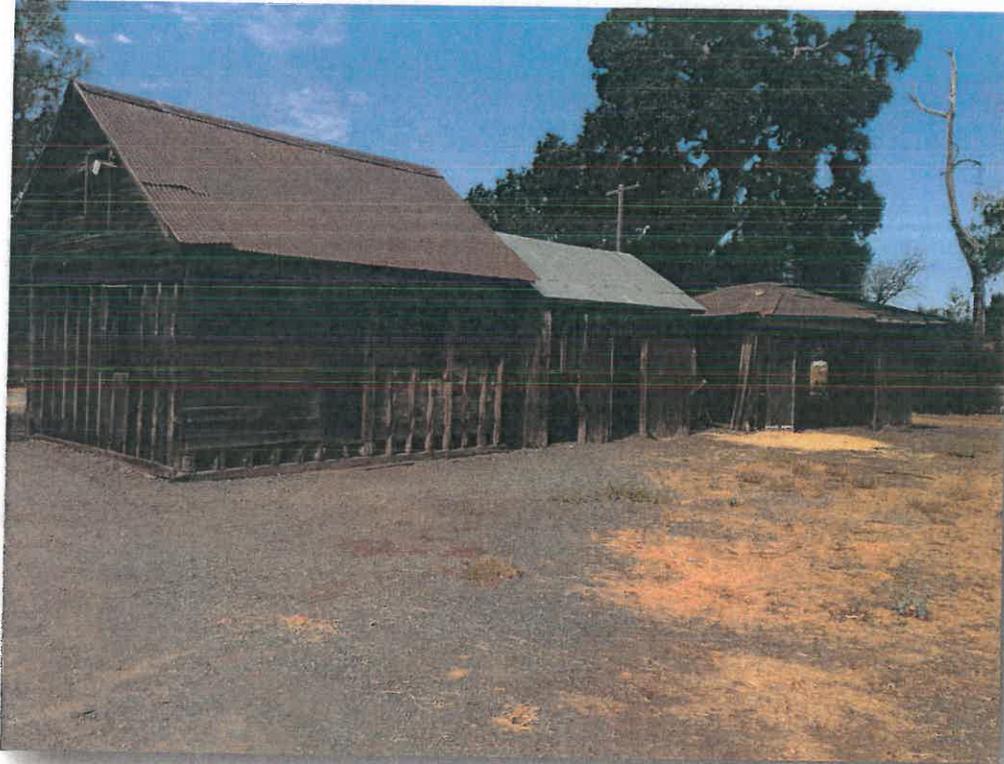
Questions or comments regarding this matter can be addressed to the Registration Unit, Office of Historic Preservation, at the above address.

Sincerely,



Dr. Knox Mellon
State Historic Preservation Officer

ATTACHMENT 5
Photographs of the Outbuildings







Historic Resource Evaluation

Keller Ranch
Clayton, CA
Client: City of Clayton

Proposed Scope of Services

September 3, 2015

Architectural Resources Group, Inc. (ARG) proposes the following scope of services to complete the Historic Resource Evaluation (HRE) that has been requested by the City of Clayton for the outbuildings located at Keller Ranch. The HRE report will include a description of the subject property, an overview of its historical context, and an evaluation of the outbuildings per the California Register of Historical Resources (California Register) criteria.

Proposed tasks include:

A. Scoping Meeting

ARG will confer with the Client to come to an agreement regarding the scope and content of the required Historical Resource Evaluation (HRE). This task also includes time for ongoing communication with the Client throughout the project.

B. Site Visit

ARG will visit the subject property to note and photograph architectural features and visible alterations. Site visit preparation, download, travel, and coordination time are included in this task.

C. Research & Materials Review

ARG will review existing materials and conduct historic property research at various repositories (such as the Clayton Historical Society, the Contra Costa County Historical Society, the Clayton Building Department, and the Contra Costa County Public Library), as necessary, to assess the buildings' historic significance.

D. Draft HRE Report

ARG will develop a draft HRE report for the subject property and it will be submitted to the Client for one (1) round of review and revisions. The HRE will include:

1. An introduction and methodology section;
2. A summary of any past historic evaluations of the property and the property's current historic status;
3. A physical description of the property;
4. A summary history of the property, including selected occupant history and history of known alterations;
5. A focused historical context;
6. An evaluation of the property's historic significance and integrity with respect to the California Register's eligibility criteria; and
7. Photographs of the property, including historic if available.

E. Final HRE Report

Following receipt of one (1) round of comments from Client on the draft HRE report, ARG will revise the draft and provide the Client with the final report.



Historic Resource Evaluation (HRE)
 Keller House
 Clayton, CA
 Client: City of Clayton

Architectural Resources Group (ARG)
 September 3, 2015
 ARG Project 15185

Proposed Scope and Fee*	Project Manager/ Arch. Historian II	Architectural Historian I
A. Scoping Meeting	2	2
B. Site Visit	0	6
C. Research & Materials Review	2	12
D. Draft HRE Report	6	22
E. Final HRE Report	2	4
Total Hours	12	46
Rate/Hr.	\$125	\$115
Subtotal Labor	\$1,500	\$5,290
Subtotal, Labor (Tasks A - E)	\$6,790	
Reimbursables** (estimated)	\$150	
TOTAL LUMP SUM FEE (Tasks A - E, plus Reimbursables)	\$6,940	

Notes

Any meetings will be billed hourly at the rates above.

Reimbursable expenses shall be billed based on the attached rate sheet.

Billing will occur monthly based on percentage of work completed.

*See attached Proposed Scope of Services for detailed descriptions of each task.

**Reimbursables may include, but are not limited to: communication, delivery, postage, copying, reproduction, travel, and research fees.



STANDARD BILLING RATES

1. Direct personnel expense shall be billed at the following rates, including time for meetings, public meetings, and presentations:

Founding Principal	\$230.00/hour
Principal	\$210.00/hour
Associate Principal	\$180.00/hour
Senior: Designer 3, Architect 3, Planner 3, Historian 3, and Conservator 3	\$160.00/hour
Architect 3, Planner 3, Historian 3, and Conservator 3	\$140.00/hour
Architect 2, Planner 2, Historian 2, and Conservator 2	\$125.00 to \$140.00/hour
Planner 1, Historian 1, and Conservator 1	\$100.00 to \$115.00/hour
Designer, Technical Staff and Intern	\$100.00 to \$125.00/hour
Administrative Staff	\$85.00/hour
2. Reimbursable Expenses shall be billed at cost plus 15% and shall include the following:
 - a. Reproduction costs such as printing or duplication of drawings, specifications, written reports, and cost estimates, etc.
 - b. Lodging, subsistence, and out-of-pocket expenses for authorized travel in connection with work.
 - c. Travel: (including local) IRS allowable rate plus tolls and parking.
 - d. Data: Long distance telephone/telegraph/telex/fax charges/database access charges, etc.
 - e. Cost of models, special renderings, photography, special process printing, special printed reports or publications and maps.
 - f. Computer time for drafting is included in our standard billing rates. Computer time and labor time for plotting and trimming of drawings for formal submittals and Owner's use, as well as packaging electronic files for Owner or Contractor use, will be charged at \$18 per plot or plot file.
 - g. Postage and delivery charges.
 - h. Professional consultants retained with client approval.
 - i. Specialized equipment rental (required by the project).
3. Rates effective January 1, 2015 through December 31, 2015.
4. Rates shall increase 5% each year until the project is completed.



15 September 2015
(P15-380)

Scope of Work and Cost Estimate¹ for
Environmental Services
Regarding
Keller House Outbuildings
For
City of Clayton, Community Development Department

Proposed Tasks:

Cost Estimate

Task One: Updated Integrity Assessment of the Keller House Outbuildings

ECORP will first conduct an updated records search with the California Historical Resources information System (CHRIS) of the California Office of Historic Preservation, to obtain full copies of existing research and information previously prepared for the Keller House. Information will be obtained on any previous cultural resource studies conducted on the property, including any copies of DPR 523 records and other relevant background information related to the building.

An ECORP architectural historian, meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history, will carry out a property visit to assess the current state of integrity of the outbuildings at the Keller house to inform the assessment of their contributing or non-contributing status. The site visit will include data gathering to generate a description and photographic documentation of the changes to the outbuildings and their immediate surroundings since the 2001 assessment by Saxby. ECORP requests that the City secure access for the property visit in advance and provide ECORP with a local point of contact to coordinate access.

Based on the results of the records search and field visit, ECORP will prepare an update to the DPR 523 record, if one exists, for the property. If a DPR 523 record does not exist, ECORP will prepare a DPR 523 record for the outbuildings only. The update will include a narrative description and current photographs of the outbuildings, and a detailed integrity assessment with conclusions regarding continued contributing or non-contributing status of the outbuildings to the Keller House. ECORP will also prepare a brief technical memorandum that will describe the update effort and conclusions of the integrity assessment.

ECORP will submit the draft DPR 523 record update and technical memorandum to the City within 30 days of contract execution and notice to proceed. ECORP will address up to two rounds of comments on the update from the City.

¹ Estimate based on time and material and is valid for 90 days.
Keller House Outbuildings (new)

This task does not include a cultural resources inventory of the entire property, an updated evaluation of the Keller House, evaluation of significance or recording of archaeological resources, excavation, mapping, Native American consultation, paleontological surveys, authoring environmental document sections, hard copies of reports, project meetings, or conference calls; however, ECORP will prepare a customized scope and cost for any of these additional tasks upon request.

Task One: \$5,600

Task Two: *Preservation Planning Assistance*

If during the update (Task One) the outbuildings are determined to retain sufficient integrity to remain contributing elements to the historically significant Keller House, then the City has requested guidance on the process for future use of the outbuildings.

ECORP will prepare a memorandum which outlines options for potential future uses of the outbuildings; which may include: demolition, options for rehabilitation, and options for leaving in place. The options for potential future uses will include guidance on the process the City will be required to follow for each option and ECORP's recommendation for the most feasible option. ECORP will participate in up to two conference calls with the City and one site visit or in-person meeting with the City, as necessary, to discuss the options and process.

Task Two: \$6,500

TOTAL COST ESTIMATE FOR TASKS ONE AND TWO: \$12,100

Expense Reimbursement/Other:

1. Computer, facsimile, and telephone are included in the billing rates, and there is no additional charge.
 2. Copies (color and black and white), equipment and other direct expenses are reimbursed with a 14% administrative handling charge (excluding mileage and per diem).
 3. Subcontractor expenses are reimbursed with a 12% administrative handling charge.
 4. Mileage is reimbursed at current IRS rate.
 5. Per Diem, depending upon location, may be charged where overnight stays are required.
 6. Expert Witness Testimony, including Depositions, is billed at time and a half.
 7. When non-standard billing is requested, time spent by office administrative personnel in invoice preparation is a cost to the project and charged as technical labor.
-

September 10, 2015

Mindy Gentry
Community Development Director
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Subject: Evaluation of outbuildings associated with Keller House

Thank you for considering ESA's Cultural Resources Group for evaluation tasks associated with three farm-related outbuildings at the Keller House in Clayton. ESA is an environmental consulting and planning firm staffed with employee-owners that have been successfully guiding clients through the environmental review process for more than 42 years. Our offices in San Francisco and Sacramento give us convenient access to the project area, and flexibility as schedules develop and evolve. Our cultural resources group has a dedicated staff of architectural historians and preservation professional that brings extensive knowledge of the east Bay Area's historical past. This includes comprehensive knowledge of state and local environmental regulatory issues associated with cultural resource protection, as well as experience in coordinating with municipal planning departments.

Project Understanding

According to the Keller Ranch Master Plan (2003, authored by Thomas Saxby), there are three outbuildings associated with the Keller House. The Keller Ranch was built in 1912; the date of the outbuildings is currently undocumented. ESA proposes to document, record, and evaluate these three structures for historic designation to the City of Clayton, or for potential listing in the California Register of Historical Resources.

ESA will review existing documentation from the City of Clayton, perform archival research as needed to document the outbuildings, visit and physically document the buildings with digital photography, and formally evaluate the sites using California Department of Parks and Recreation (DPR 523) forms. We will consider the outbuildings as individual resources, and record and evaluate them as such. Please note that it is possible that the buildings may be part of a larger Keller Ranch historic district, and the buildings would also need to be considered and evaluated as contributing or non-contributing elements of the larger Keller Ranch complex. Should that be the case, identification of the larger district may be one of ESA's recommendations.

In addition to producing appropriate DPR 523 forms, ESA will create a memo with our assessments and recommendations. We will discuss our assessment of significance with City staff, and outline potential options for the three outbuildings: demolition, preservation in place, mothballing, rehabilitation, etc. Following those discussions, the memo will outline potential next steps.

Please note that this scope of work does not address archaeological features or sites that may be on the ranch property. It addresses only architectural historical components.

Project Schedule and Staff

Following receipt of a Notice to Proceed, ESA can complete the archival review, field visit, and completion of appropriate DPR 523 forms within 30 days of a written contract.



Mindy Gentry
September 10, 2015
Page 2

We assume that the City will review the DPR forms in an electronic format. ESA will revise the forms within 10 working days of receipt of comments.

I assume there will be one face-to-face meeting with you (and other appropriate staff) to review the findings of the DPR 523 forms, and assess the potential next steps. The schedule for the memo is dependent upon the meeting schedule; ESA will produce a draft memo for review within 10 working days of that meeting. We will work closely with you to determine the potential options, outline appropriate next steps, and identify appropriate contractors for any demolition, renovation, or rehabilitation that would occur.

I will serve as the Principal Investigator and Point-of-Contact. Katherine Anderson in our Sacramento is our Senior Historian, and will be performing the fieldwork, and serve as the alternate Point-of-Contact.

Budget

Attached is a detailed budget with our proposed hours, summarized here.

Subtotal Labor: \$7420

Expenses: \$110 (mileage and copying)

Total Not-To-Exceed Budget: \$7530

If it appears that ESA may exceed the budget due to unforeseen circumstances, I will immediately notify your office before proceeding, and will not resume work without written authorization to exceed this estimated budget ceiling.

Please let me know if you have any questions. I will be out of my office from Sept 14-28, but Katherine Anderson is available to assist you: 916-231-1280 office; kanderson@esassoc.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca Allen', written in a cursive style.

Rebecca Allen, Ph.D.
Cultural Resources Director
916-221-1484 cell
rallen@esassoc.com



23 September 2015

Ms. Mindy Gentry
Community Development Director
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

Re: Historic Resource Evaluation for the Sheds at the Keller House Property

Dear Mindy,

I am pleased to prepare a scope of work describing preservation consulting services required to evaluate three agricultural outbuildings (sheds) behind the historic Keller House in Clayton, California. This letter provides a detailed scope of work, fee, and schedule for the work in the sections below. The product of this work will be a historic resource evaluation (HRE) that will establish the potential significance, or lack thereof, of the three outbuildings at the rear of the Keller House property. If the structures appear to be historic I will explore three potential project alternatives, including demolition, mothballing, and restoration for an interpretive use. My conclusions will be devised to assist the City of Clayton (City) devise an appropriate and CEQA-compliant treatment for the sheds as part of its stewardship of the historic Keller House.

Scope of Work

The scope of work consists of three components: fieldwork, research, and preparation of an HRE that describes the three sheds, summarizes their historical development and use, evaluates their significance, and explores three alternative treatments. The following sections describe each of the three components in more depth:

- **Fieldwork:** I will meet with you at the site at a time that is mutually convenient so that I may photograph the three sheds, the Keller House, and the surrounding property. I will record fieldnotes that describe the sheds' materials, construction techniques, floor plans, and possible historic uses.
- **Research:** I will rely on Thomas Saxby's excellent *Keller House Report* of 2001 for historical background on the Keller property, including the main house, outbuildings, and any remaining cultural landscape features. The report appears to be quite well-written and documented, but information on the three sheds, which were evidently relocated from elsewhere on the property, is scanty. I will therefore need to pursue additional sources of information to determine where the sheds were originally located on the site and what their original purpose(s) may have been. To that end I will consult historic USGS topographical maps, aerial photographs,

57 Post Street, Suite 810
San Francisco, CA 94104
415.606.0920
chris@verplanckconsulting.com

and other historic maps – to the extent that they are available – to round out my understanding of the sheds and how they either contribute or do not contribute to the property. I will also consult with the Clayton Historical Society to assist me with my research.

- HRE: I will prepare a 15-20-page Historic Resource Evaluation for the three sheds that adheres to the following outline:

I-Executive Summary
II-Methodology
III-Regulatory Environment
IV-Concise Property Description (emphasizing the sheds)
V-Concise Property History (emphasizing the sheds)
VI-Evaluation of Significance (emphasizing the sheds)

If the sheds appear to be historic, either individually or as contributors to the larger Keller Property, I will prepare the following sections:

VII-Project Description of three alternatives: demolition, mothballing, and restoration for an interpretive use

VIII-CEQA Impact Analysis of three alternatives: demolition, mothballing, and restoration for an interpretive use. I will use the Secretary of the Interior's Standards to complete the analysis of each alternative. Project alternatives that comply with all 10 Standards benefit from a regulatory presumption that they will have a less-than-significant impact on the environment.

IX-Conclusion

X-Bibliography

Appendix: Mothballing Guidelines and Rehabilitation Standards

Fee

I propose to bill my services on a time-and-materials basis, not to exceed \$4,750, including expenses, without prior written authorization from you. My billing rate is \$135/hour.

Schedule

My schedule is heavily booked for the rest of the month and well into October, but I will prioritize the fieldwork for early October so I can get the fieldwork and research completed. I am going on vacation with my family during the third week of October, so I anticipate completing the final HRE not until late October/early November.

I am very happy to meet with you privately to discuss the project before or after my fieldwork session but this scope of work does not include my attendance at any public hearings.

Keller House Sheds, Clayton, CA
Historic Resource Evaluation
23 September 2015

This proposal expires within two weeks of the date on the letterhead.

Please let me know if you have any questions about this proposal.

Sincerely,



Christopher VerPlanck

Accepted by: _____

Date: _____

Memorandum

To: Gary Napper, City Manager
From: Jordan Ferguson
Mala Subramanian
Date: September 15, 2015
Re: Options for Dealing with Short Term Rentals

The City of Clayton has discovered that several residents are leasing their homes as short-term vacation rentals. The City is concerned that the rentals may degrade the quality of neighborhoods by generating excessive noise, and parking problems. The Clayton Municipal Code ("CMC" or the "Code") does not directly address short-term rental uses, but it generally prohibits commercial uses in residential zones, and vice versa. Additionally, the current Code requires payment of a Transient Occupancy Tax ("TOT") which in all likelihood would apply to residents engaging in short term rentals.

You have asked what options does the City have to address short term rentals and what are other cities doing to confront the problems posed by this new marketplace?

SHORT ANSWER

The City has a variety of options to address short term rentals, from enforcing its current Code as it can be read to apply to short term rentals, to enacting new ordinances that may better address the City's concerns, to taking a wait and see approach for either state action or more serious local problems to arise before taking action. Other cities are taking a wide range of approaches from banning short term rentals outright (New York City) to regulating them at various levels of severity (San Francisco, Santa Monica, Rancho Mirage) to entering into agreements with Airbnb and other providers to solve some of the issues these rentals present (Portland, San Jose, Malibu, Chicago, Washington, D.C.).

ANALYSIS

The proliferation of online vacation rental websites such as Airbnb.com and Homeaway.com have encouraged and enabled City property owners, tenants, and occupants to rent their local residential properties on a short-term basis to travelers and transients. These short-term rentals, usually for one week or less, are often associated with excessive noise, parking problems, and degradation of a neighborhood's residential character. Due to those nuisance issues, the City has concerns that vacationers using a home for a few days may approach neighborhood harmony and civility very differently from persons residing in the neighborhood for a long time. The City would like to examine the options for dealing with short term rentals should it determine that action needs to be taken to preserve the residential character of its neighborhoods.



BEST BEST & KRIEGER
ATTORNEYS AT LAW

1. Options

A. Under the Current CMC

The current Code allows for at least three options for the City to act without passing any ordinance. First, the City could opt to treat short term rental homes as de facto bed and breakfast facilities under CMC Chapter 17.38. Section 17.38.010 specifically defines a “host home” as a bed and breakfast containing two or fewer guest rooms, which is likely to encompass most if not all of the homes being rented out on Airbnb. Chapter 17.38 also requires bed and breakfasts to apply for and obtain a land use permit, and sets several regulations for their operations, including length of stay, record-keeping requirements, and general property maintenance requirements. Chapter 17.38 would likely alleviate many of the City’s concerns about code enforcement issues and allow the City to obtain a functional registry of these properties within its jurisdiction, all without amending the Code. For these reasons, this appears to be the City’s best course of action at the moment.

Second, the City could attempt to ban short term rentals under the language of its current code by arguing that they are operating as a commercial use in a residential zone, as implicitly prohibited by CMC Chapters 7.16 and 7.20. Should the City determine that renting out a home is a use not contemplated by those chapters, the City could charge renters with violating the zoning provisions of the Code. However, those chapters do not explicitly prohibit other uses, but rather only permit a discrete set of uses. The phrasing of these code sections might present challenges in communicating the violation to property owners, or in successfully prosecuting violations. The risk here comes out of the unsettled question of whether renting out your home constitutes a residential or commercial use of the property. This question has not fully been addressed by courts of yet, but it is very likely litigation will eventually settle this issue.

Finally, the City could require all short term rental properties to collect and remit transient occupancy taxes for all of their rental activities under CMC Section 3.28.030. This would theoretically also have the effect of allowing the City greater information about which properties are being rented out, and would also provide a new source of revenue to the City that could help to offset any code enforcement costs incurred alleviating issues caused by these properties. The provisions of Chapter 3.28 would apply equally whether the City decides to classify short term rentals as bed and breakfasts, or to charge TOT for short term rentals without classifying them, due to the language of CMC Section 3.28.020(A). The current TOT rate for the City is four percent.

B. Amending the CMC

The City could also choose to amend the CMC in any of a number of ways. Any amendment that specifically dealt with short term rentals would have interpretive advantages over the current language of the code, as it could be drafted to explicitly prohibit or otherwise restrict the short term rentals in question. The range of options for the City to amend the code are



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vast, but this section will deal with a few possibilities, incorporating examples from other jurisdictions.

At the most extreme, the City could opt to ban short term rentals outright. Many cities, most prominently New York City, have banned home-sharing entirely, enforcing laws that make it illegal for property owners to rent their homes for periods of less than 30 days. If the City believes short-term rentals will cause serious problems, it could attempt to end the practice entirely within its jurisdiction. New York did so due to fears of housing shortages and whole apartment buildings being operated as short-term hotels. However, that City is still in discussions with Airbnb about the release of host information to the City and the State Attorney General. A ban can only work if there is a way to ensure the City knows when it is being violated, and this basic enforcement issue causes problems with several of the schemes discussed herein. If the City opts to pursue a ban, it should also remove the bed and breakfast provisions discussed above, as it may be difficult to establish a distinction between short term rentals and bed and breakfasts as the code currently treats them.

At the other end of the spectrum, the City could amend the code to allow short-term rentals explicitly. If the City determines that it wishes to allow short-term rentals in residential zones, it should adopt a Code amendment so providing. This amendment could incorporate several regulations that might be wise to adopt if the City intends to allow short-term rentals, including requirements for these properties to pay TOT, requirements for them to register with the City, and various code enforcement protections as applicable to the City's particular issues caused by short term rentals. The City could opt to allow these rentals with any, or with none, of these caveats in place, and a code amendment clarifying the City's position would make it easier to require property owners to behave as the City deems appropriate in this situation.

Some examples of regulations in this manner include Napa, which recently passed an ordinance banning short-term rentals without the issuance of a separate City permit, and Rancho Mirage, which has banned short-term rentals outright unless the agreement is signed by someone over 30. San Francisco and Santa Monica provide examples of some even tighter regulations. In San Francisco, an ordinance requires hosts renting out their homes to be permanent residents of San Francisco who live in the City at least 275 days of the year. The City also limits rentals where the host is not present 90 days a year. Santa Monica, meanwhile, prohibits short-term rentals unless the host is in the home throughout the rental and actively mandates that Airbnb and like sites turn over all data about the names and addresses of hosts and their guests. Both of these policies have run into serious enforcement problems, however, as it remains difficult to prove when someone is in their home, and can be problematic to identify what homes are being rented out without any data from Airbnb and similar sites. Santa Monica intends to create an enforcement division, spending over half a million dollars a year to track and prosecute violators.

C. Entering into an Agreement with Airbnb

Several cities who are more focused on tax revenue have decided to enter into agreements with Airbnb to collect and remit transient occupancy taxes. These agreements frequently protect



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the privacy of users and may not assist in the amelioration of code enforcement issues, however, they provide the City with a revenue stream larger than the City might be able to obtain from simply enforcing TOT obligations individually against violators it has tracked down. Portland, San Jose, San Francisco, Chicago, Washington, D.C., and Malibu have these agreements in place. This option is less likely to apply to the City, as Airbnb tends to enter into these agreements in areas where a high number of rentals are taking place, and in cities that have posed potential regulatory hurdles for the company. However, if the City decides to focus solely on revenue generation, this may be an option worth pursuing.

D. Wait and See

The City could opt to take a wait and see approach to the issue of short-term rentals for the time being, or to monitor potential problems caused by rentals but to hold off on taking action until the issues clarify themselves. Declining to act for the moment would have a few advantages. On the one hand, it would allow the City to effectively determine whether code enforcement or tax collection are of larger concern by monitoring the City for complaints from neighbors about issues caused by these rentals. Waiting to take action would also allow for the possibility of statewide legislation that would solve many of the City's problems. One such bill, SB 593, would authorize local governments to adopt an ordinance that would require these platforms to report specified information quarterly to local governments and to establish, by ordinance, a fine or penalty on a transient residential hosting platform for failure to provide the report. The bill would make the information in the report confidential and require that it not be disclosed. While SB 593 will not become law in this session, it is likely to be raised again in 2016, at which point it may make any amendments to the Code easier to accomplish.

CONCLUSION

The City has a wide variety of options to address any problems with short-term rentals. At this time, the best course of action is to evaluate the issues the City sees as the biggest problems caused by these properties, and then to determine which option would best serve the City's interests, both in the immediate future and going forward as the short-term rental marketplace potentially continues to grow. Based on the currently available information, it appears the easiest way for the City to solve its current issues with short term rentals would be to apply Chapter 17.38 to all short term rentals in the City and to begin to issue notices of violation to any short term rental properties not registered with the City under the provisions of that Chapter.

- Overview
- Reviews
- Rates
- Calendar
- Location
- Owner Info
- Photos

Avg. Nightly **\$475**

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List your property

Clayton, San Francisco Bay Area, California

Arrival

Depart

I don't know my dates yet

Search

Back to search Home USA California San Francisco Bay Area Walnut Creek VRBO Listing #353397

Owner Like 10
Member since: 2006

Unique Garden Estate by the Foothills of Mount Diablo

Send email



- Photos
- Map
- Calendar

Response time **Within 12 hours**

Response rate **100%**

Calendar last updated **08/18/2015**

Phone number [Show phone number](#)



Minimum stay: 2 nights Pets considered: No
 Internet: Yes Wheel chair accessible: Yes

Property description

Large 5 bedroom 3.5 bathroom farmhouse nestled on a 3 acre gated private lot in foothills of Mount Diablo. Easily accommodating a maximum number of 8-10 guests in a luxurious setting, this vacation rental has hardwood and imported tile floors throughout its four thousand square foot two story country home. Artfully decorated in antiques and religious sculpture, this estate will calm every nerve. World class gardens, highlight a perfect family setting, with ample room to explore the hidden splendor the property holds. Perfect for those looking to be close to the heart of the Bay Area while also enjoying the natural brilliance of its surrounding wonder. Views of the mountain greet you every morning as the sunrise outlines the foothills in brilliant pinks and reds. The permanent residence of two miniature horses, Little Man and Oliver, nearby horse and hiking trails allow one to explore a

Feedback

mixture of open range and mountain terrain. Please call to check for availability, and book a vacation stay that whose memory will last a whole life through.

The property is located within minutes to multiple Bart stations, and freeway access to San Francisco, San Jose, the Motherload and wine country.

This property is available for a party of 8 only for stay.

We are sorry, but we are not allowing any functions to take place at the property.

Why VRBO

 We offer vacation rentals for every budget Choose from a wide variety of properties	 No booking fees Free to book with no hidden costs
 We help you travel with confidence All listings eligible for our Basic Rental Guarantee	 Experienced property owners or managers Average five years in the business

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Owner
Member since: 2006

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Response time **Within 12 hours**

Response rate **100%**

Calendar last updated **08/18/2015**

Phone number **Show phone number**

Property Type

Chateau / Country House 4400 sq. ft.

Accommodation Type

Vacation Rental

Meals

Guests Provide Their Own Meals

Suitability

Children Welcome Non Smoking Only Pets Not Allowed
Wheelchair Accessible

Bedrooms: 5 Bedrooms, Sleeps 8, Beds for 8

Bedroom 3: 1 queen

Bedroom 4: 1 queen

Bedroom 5: 1 queen

Other (See Description)
Office with Queen Sofa Sleeper

Master Suite: 1 king
w/ Master Bathroom and Balcony

Master Suite 2: 1 king
w/ Private Bathroom

Queen size Beds (4), Double Beds (1)

Feedback

Bathrooms: 3 Bathrooms, 1 Half Bathroom	Overview	Reviews	Rates	Calendar	Location	Owner Info	Photos
--	--------------------------	-------------------------	-----------------------	--------------------------	--------------------------	----------------------------	------------------------

Private Bathroom: toilet, combination tub/shower, jetted tub
 Bathroom : toilet, shower, jetted tub
 Powder Room: toilet

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Entertainment

CD Player	DVD Player	Satellite / Cable: (4) Stereo
-----------	------------	-------------------------------------

Theme

Adventure	Family	Sports & Activities
Away From It All	Historic	Tourist Attractions
Budget	Romantic	

Attractions

Arboretum	Health/Beauty Spa	Museums
Cinemas	Live Theater	Restaurants
		Theme Parks

Local Services & Businesses

Fitness Center

Leisure Activities

Boating	Scenic Drives	Walking
Eco Tourism	Shopping	Wildlife Viewing
Horseback Riding	Sight Seeing	

Location Type

Mountain View

Sports & Adventure Activities

Basketball Court	Fishing	Hiking
Cycling	Golf	Mountain Biking

Dining

Dining Area Seating for 12 people

General

Air Conditioning	Internet	Telephone
Broadband Access	Linens Provided	Washing Machine
Clothes Dryer	Parking Off Street	Wireless Internet
Covered Parking	Parking For RV/Boat/Trailer	Wood Fireplace

Response time **Within 12 hours**

Response rate **100%**

Calendar last updated **08/18/2015**

Phone number Show phone number

[Feedback](#)

Kitchen	Reviews	Rates	Calendar	Location	Owner Info	Photos
Overview Coffee Maker		Dishwasher		Microwave		
Cooking Utensils		Ice Maker		Oven		
Dishes & Utensils		Kitchen		Refrigerator		
				Stove		

Avg. Nightly **\$475**

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Response time **Within 12 hours**

Response rate **100%**

Calendar last updated **08/18/2015**

Phone number [Show phone number](#)

Outside

Balcony Deck / Patio Gazebo

Pool / Spa

Jetted Tub:
(2)

Reviews

5 from **19 traveler reviews**

[Write a review](#)



Outstanding in every way!

First, if you are truly interested in renting this property, follow the directions and CALL Patty...do not email! We rented this gorgeous estate while we were in the Walnut Creek area for my son's wedding. Our family (and the groomsmen) stayed here for the better part of a week while we toured San Francisco and participated in wedding activities. We also hosted the rehearsal dinner in the garden. As other reviewers have mentioned, this estate is a destination unto itself! Words can't describe the lovely, eclectic decor and the fascinating, whimsical gardens. [redacted] was helpful in every way. Thank you for sharing your beautiful home with us!

Stayed: May 2015 **Submitted:** July 16, 2015 **Source:** VRBO

Recommended for: Families with young children, Sightseeing, Girls getaway, Age 55+, Romantic getaway, Families with teenagers

Was this review helpful?



Gorgeous Estate

My family and I rented this beautiful estate while visiting the San Francisco area and Napa Valley for my daughters wedding. Pictures do not do this home and it's gardens justice, one has to explore it piece by piece to truly understand the magnificence and peacefulness that one finds here. Our regret was that we scheduled too much time away from the property prior to arriving that would have been better scheduled just relaxing on the porches, decks, gardens and sitting areas that are so plentiful. We'll not make that mistake on our return trip here in the near future. Our daughter had a beautiful day for her wedding and the family had a fabulous week enjoying California because of this property. Thank you so much [redacted]!

Stayed: October 2014 **Submitted:** December 4, 2014 **Source:** VRBO

Recommended for: People with disabilities, Families with young children, Sightseeing, Girls getaway, Tourists without a car, Adventure seekers, Age 55+, Romantic getaway, Families with teenagers

Was this review helpful?

Stunning home and gardens

[Feedback](#)

[View](#) [Reviews](#) [Rates](#) [Calendar](#) [Location](#) [Owner Info](#) [Photos](#)

We rented this estate to house out-of-town guests for my 60th birthday celebration. We also had a Saturday brunch in her beautiful garden. I can not imagine a more perfect place. The house is truly stunning. There is attention to every detail and you can tell the owner has spent years collecting furniture and art to make the house so beautiful. Even the plates, silverware and glasses are exceptionally beautiful. There is nothing about this property that feels like a typical rental. It feels like being a guest in an expensive home, owned by someone with remarkable taste who very much loves the property. In addition, the garden is like a scene from Alice in Wonderland. The photos in no way do it justice. There are 3 acres of a mature garden, with beautiful plants, succulents and trees, all wonderfully maintained. And around every corner and nook, there are small art pieces and sculptures to explore, both whimsical and stunningly beautiful. I spent all Sunday just wandering around the garden with my friends, and finding new places to sit and contemplate the beauty around every bend. I have several friends who are gardeners and they were all blown away. The location is great, right next to Mt. Diablo and close to stores. [redacted] was a very gracious host. I highly recommend this property.

Stayed: October 2014 **Submitted:** November 12, 2014 **Source:** VRBO

Was this review helpful? Yes No

Avg. Nightly **\$475**

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Owner
Member since: 2006

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Response time **Within 12 hours**

Response rate **100%**

Calendar last updated **08/18/2015**

Phone number [Show phone number](#)

Peaceful Retreat Setting

I ran a retreat for women on Balance and Perspective. The location was an amazing compliment to what we were doing. The grounds were phenomenal, hard to put into writing how special the gardens and seating areas are, and so many places to explore and discover. For whatever mood, you can find a suitable place to reflect and just be. It allowed us to have community as well as privacy. It is close to Mt. Diablo, so we had a wonderful hike. Everyone wishes it could have lasted longer. [redacted] is the sweetest person. She is such a great caretaker of both the property and the guests. I plan to run more retreats from this location...it is special.

Stayed: October 2014 **Submitted:** October 12, 2014 **Source:** VRBO

Recommended for: Families with young children, Girls getaway, Age 55+, Romantic getaway

Was this review helpful? Yes No

Wonderful, wonderful!

This house is absolutely gorgeous and [redacted] and the on-site staff were super helpful and so generous and kind. Everything is exceptionally clean and well-maintained yet homey, so you can truly relax. Each room is lovely and unique and very comfortable. The garden is a delight - a place for contemplation and to recharge. There is so much space to wander and so many cozy spots to enjoy. We had a family gathering here and enjoyed grilling corn on the grill and eating outside on the beautiful wooden tables under a string of lights. Oh, and sitting in the hot tub in the evening after a long day was superb. With all of the beauty and the wonderful people - we would definitely come back.

Stayed: August 2014 **Submitted:** September 22, 2014 **Source:** VRBO

Recommended for: Pet owners, Girls getaway, Adventure seekers, Age 55+, Romantic getaway, Families with teenagers

Was this review helpful? Yes No

Lush and Enchanting Retreat

The bridal party and I spent two nights here after my wedding and it was phenomenal. First off [redacted] was a wonderful hostess; prompt replies, friendly, and above all accommodating. But the true star of the property was the gardens. Photos cannot capture this type of beauty... We arrived late at night and instantly had to explore. They

[Feedback](#)

Overview | Reviews | Rates | Calendar | Location | Owner Info | Photos

go on and on, with meandering trails intersecting intimate seating alcoves and trickling fountains. Such a beautiful backyard retreat to relax after a stressful few months! The next morning we had a caterer prepare a brunch. It was a perfect day playing croquet and bocce on the large lawn while feasting on the patio. I cannot comment enough on how wonderful this home was, but what truly made it special was that our dog could be there too!! Thank you for letting us share your magical home and giving us these memories we will be sure to cherish for the rest of our lives!

Stayed: August 2014 Submitted: August 20, 2014 Source: VRBO

Recommended for: Pet owners, Girls getaway, Tourists without a car, Age 55+, Romantic getaway

Was this review helpful? 1 Yes 0 No



Second Time As Wonderful As The First

This is the second time my family of 6 has stayed at this property and we hope to return every year. We love this home! The house is spacious, interesting, and full of character. The gardens are perfect for my younger kids to explore and play and for my older kids to relax and be with the family. The owner is so sweet and my kids think of her as part of our family now. Love, love, love!

Stayed: May 2014 Submitted: July 22, 2014 Source: VRBO

Recommended for: Families with young children, Girls getaway, Families with teenagers

Was this review helpful? 1 Yes 0 No



Family Reunion on the 4th of July

I was elected by extended family to organize and host a small family reunion in this area over the 4th of July. There are a number of us who already live in the area, but we needed a place for those traveling to stay and a place for all of us to gather. My wife and I have used VRBO on a number of occasions in the past for vacationing and thought if we could find a big enough place that it just might work. When we found this place we stopped looking. It was perfect. The house itself was enough to convince us this was our spot, but then we toured the grounds and found them to be even more stunning. I can't verbally do justice to the place. Please look at the photos on the web site. Best of all was the superb care that the owners took to ensure that our needs were met. I won't go into details but we had a few special needs to set up for our event. The owners were totally accommodating. The icing on the cake was when we arrived to check in we found the place decorated in 4th of July red-white-and-blue. I totally got the feeling that the owners priority was us enjoying our stay. If for some reason I have occasion to do some similar event in the area I will not hesitate to use this site again.

Stayed: July 2014 Submitted: July 11, 2014 Source: VRBO

Recommended for: People with disabilities, Families with young children, Pet owners, Sightseeing, Girls getaway, Age 55+, Romantic getaway, Families with teenagers

Was this review helpful? 1 Yes 0 No



Unique Beautiful Home!

This home is absolutely beautiful! We had family traveling from all over the US for a family wedding and this house was the perfect solution for us to all stay together in one home. This home has so many large sitting areas (inside and outside too). It easily accommodates a large group. I highly recommend this home. It is truly more beautiful than the photos portray. is very accommodating and kept in contact with us during our stay asking if there was anything we needed or anything she could do for us. You can rent this home with confidence. Being from Wisconsin, we were not able to see the home before we booked it, so we were a little worried it wouldn't be what it claimed

Avg. Nightly \$475

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Owner Member since: 2006

Send email

Response time Within 12 hours

Response rate 100%

Calendar last updated 08/18/2015

Phone number Show phone number

Feedback

Overview to be, but when we arrived, we were amazed with how beautiful the home and the gardens were. The owners are awesome and worked hard to make sure our stay was wonderful. And it was! We loved it. We are very sure you will love it too!

Stayed: June 2014 **Submitted:** June 25, 2014 **Source:** VRBO

Recommended for: Girls getaway, Age 55+, Romantic getaway, Families with teenagers

Was this review helpful? Yes No

Avg. Nightly **\$475**

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Owner
Member since: 2006

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Response time **Within 12 hours**

Response rate **100%**

Calendar last updated **08/18/2015**

Phone number [Show phone number](#)



AMAZING!! You will LOVE it!!!

I've been meaning to write this for a while, because this property deserves a stellar review!!

The women in my family (9 of us) get together every spring for a special getaway. We book a different place every year and this year was one of our absolute favorites!! The owner, is so warm and down to earth and accommodating! But in addition to her charming personality, the property itself is truly special...a work of art. It is a whimsical combination that is both eclectic and elegant at the same time. I couldn't believe all of the attention to detail and the never ending beautiful little touches here and there throughout the home and the gardens. She used to be a stager and she was also a landscape designer as well, and it shows!! The gardens and grounds are stunning and every time we went for a stroll, we would find something new and different that we hadn't noticed before. The pictures don't do the property justice and I was a little worried when I booked it that it would be one of those places that looks better in pictures than it looks in person. NOT the case!! You will not be disappointed!! And I don't mean to just rave about the gardens, the house too is truly a gem. When we first walked in to the house, our jaws dropped and we were high fiving each other with pleasure and saying "YES!"

Book this beautiful country chateau and you will create a memory of a lifetime!!!

Stayed: March 2014 **Submitted:** May 16, 2014 **Source:** VRBO

Recommended for: Girls getaway, Age 55+, Romantic getaway

Was this review helpful? Yes No

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Rates

Currency Conversion

Rental basis: Per property

Rental rates quoted in: **USD**

Dates	Nightly	Weekend Night	Weekly	Monthly *	Event
My Standard Rate 2 night min stay	\$475				

Additional information about rental rates

Fees:

Refundable Damage Deposit \$650
 Cleaning Fee \$200
 Taxes Not included

Notes:

All holidays are subject to price change

[Feedback](#)

Be gentle with property. Be advised if damage has been determined at property your security deposit will be retained. The rental agreement and house rules must be adhered to or security deposit will be retained.

Payment is 100% at time of Booking

Cancellation Policy:

before 120 Day 75% refund

before 60 Day 50% refund

Travel with confidence

Pay with an approved method (credit card, check, or bank transfer) to protect your payment up to \$1,000. Before making a payment always call the owner at the number listed on our website, and never use instant money transfer services such as Western Union and MoneyGram.

Don't forget your vacation protection! Get protected now

Adding our Vacation Protection services can make sure your getaway goes smoothly, no matter what. We offer Cancellation Protection, Carefree Rental Guarantee, and Damage Protection so you can truly relax.

Protect your payments in case you need to cancel.

Guarantee the rental meets your expectations.

Ensure you're prepared in case of accidental damage.

Calendar

Last updated: 08/18/2015

Arrival Departure

September 2015						
SU	MO	TU	WE	TH	FR	SA
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

October 2015						
SU	MO	TU	WE	TH	FR	SA
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2015						
SU	MO	TU	WE	TH	FR	SA
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2015						
SU	MO	TU	WE	TH	FR	SA
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

January 2016						
SU	MO	TU	WE	TH	FR	SA
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February 2016						
SU	MO	TU	WE	TH	FR	SA
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

23 Available ~~21~~ Unavailable 22 Today 23 Selected dates

Location

Avg. Nightly **\$475**

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Owner
Member since: 2006

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Response time **Within 12 hours**

Response rate **100%**

Calendar last updated **08/18/2015**

Phone number [Show phone number](#)

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- Photos

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Owner
Member since: 2006

[Send email](#)

Response time **Within 12 hours**

Response rate **100%**

Calendar last updated **08/18/2015**

Phone number [Show phone number](#)

Car: Not Necessary

Owner info

About the owner: I originally grew up in this home some five miles away, before it was moved from my family's Walnut Orchard to its current location. One of the oldest homes in Contra Costa County.

Why the Owner Chose Walnut Creek:

A perfect family environment with a children's playroom inside and an Alice in Wonderland-theme for play areas throughout the gardens.

The Unique Benefits at this Chateau / Country House:

Truly incomparable gardens and natural beauty await those who stay.

Contact us

Speaks: English

Photos

[Feedback](#)



Where are you going?

Help (/help)

Sign Up (/signup_login)

Log In (/login)



Close 2 Mt. Diablo State Park trail

[Become a Host](/rooms/new)

Clayton, CA, United States ★★★★★ ★★★★★ (5)

Private room

2 Guests

1 Bed

Request to Book **Instant Book**

\$84 **Per Night**

Check In Check Out

Guests

Request to Book **Instant Book**

Save to Wish List

Email

Facebook (<http://www.facebook.com/sharer.php>)

... More

About this listing

Our home is a quiet get away. Located less than 1 mile frm Mt. Diablo State Park trail & 8 miles frm Concord BART station (should you wish to go to the City).

One bedroom with private bathroom.

Contact Host

The Space	Room type: Private room Bed type: Real Bed Property type: House (/s/Clayton--CA?type=house) Accommodates: 2 Bedrooms: 1	Bathrooms: 1 Beds: 1 Check In: 3:00 PM Check Out: 11:00 AM
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- Amenities**
- Kitchen
 - Internet
 - Kitchen
 - Internet
 - TV
 - Essentials
 - Shampoo
 - Heating
 - Air Conditioning
 - Washer
 - Dryer
 - TV
 - Essentials
 - + More**
 - Suitable for Events**
 - Smoking Allowed**
 - Wheelchair Accessible**
 - Elevator in Building**
 - Indoor Fireplace
 - Buzzer/Wireless Intercom**
 - Doorman**
 - Pool (/explore/clayton--ca/house/pool)
 - Hot Tub
 - Gym**
 - Smoke Detector

- Free Parking on Premises
 - Wireless Internet
 - Cable TV
 - Breakfast
 - Carbon Monoxide Detector
 - First Aid Kit
 - Safety Card
 - Fire Extinguisher
- Pets-Allowed**
- Family/Kid Friendly
(/explore/clayton--ca/house/family-friendly)

Prices Weekly Price: \$468 /week Cancellation: Flexible
 Monthly Price: (/s/?sublets=monthly) \$1267 /month (/home/cancellation_policies#flexible)

Description **The Space**

You can see Mt. Diablo from our back yard (preferably while sitting in the below ground hot tub). It is a very short walk to the Mt. Diablo State Park trail. Our home is a quiet oasis - the two of us live here alone and we stay in our Master bedroom mostly, so you can feel free to make yourself comfortable.

Guest Access

Nothing is off limits except for my home office and Master bedroom. You can cook your meals in our vast kitchen, or use the outdoor kitchen complete with roasting barbeque. Washer and dryer is just off the kitchen and is available for your use.

Interaction with Guests

We would be happy to give you tips on where to go for recreation around here. We have maps of San Francisco and of Mt. Diablo State Park if you need them.

The Neighborhood

Up the street has horse back riding services, there are wild turkeys out here, deer, and other wild life. It is a great place to get away!

Getting Around

8 miles to the Concord BART station, 10 miles to the Walnut Creek BART station.

10 miles to the intersection of highway 680 and CA 24 (Walnut creek)

Napa valley is just one hour drive.

+ More

House Rules Please respect our privacy, cleanliness, and quiet. Our neighbors live out here for the peace and quiet and we'd like to keep them happy! If you smoke, you may smoke in the back yard deck area or the front court yard.

+ More

Availability 1 night minimum stay **View Calendar**

See all 22 photos

★★★★★
5 Reviews★★★★★

Summary **Accuracy** ★★★★★
 ★★★★★★★★★★
 ★★★★★

Location ★★★★★
Check In ★★★★★★★★★★
Value ★★★★★

Communication ★★★★★
 Cleanliness ★★★★★
 ★★★★★


 (users/show/14356172)
 The listing was very accurate. [Redacted] was superbly friendly and made her home very accessible and open. Often times, some Airbnb hosts are a tad particular about their kitchen or accessing other parts of their home. What I appreciated the most about [Redacted] and her home is everything was accessible even though I was only stayed overnight at her place and was suffering from a sinus headache. When I awoke in the morning, I did not feel I was stepping on eggshells and immediately went to her lovely backyard to do some work prior to my 11am meeting.

+ More
 August 2015


 (users/show/25418647)
 [Redacted] were amazing hosts with a wonderful home. They made my wife and I feel at home the minute we walked into the house. The room was cozy and the bathroom was spacious and clean. Though we didn't see [Redacted] much, the whole house was available to us including the pool and hot tub. The bed was quite comfortable as well and the TV in the room was so convenient. If we ever need a home to stay in we will definitely be back again to stay with [Redacted]. Thank you guys so much

+ More
 August 2015


 (users/show/18896899)+ More
 June 2015
 Very comfortable, quiet place to stay. [Redacted] made sure I had everything I needed and were generous with coffee and snacks. I enjoyed a full day of hiking around Mt Diablo, then drove a short distance to downtown Clayton for delicious filipino food at Morning Star/Pare. Great place to stay.


 (users/show/25780635)
 It was great staying with [Redacted]. Very hospitable and kind people, cosy and beautiful house, great atmosphere. It was a pleasure. Thank you for everything guys!

+ More
 June 2015


 (users/show/5416253)
 Very comfortable accommodations. Didn't see [Redacted] too much, but everything was clean and orderly.

+ More
 June 2015

About the Host [Redacted]


 (users/show/9552)
 We are a just-married couple since 2014 and we bought our "love shack"/"barbie dream house" in 2012 (we call it the Barbie dream house 'cuz its pink). We love living in Clayton and we'd love to share our home with you! We have a below ground hot tub and pool that has a beautiful view of Mt. Diablo. Our home is less than a mile away from the Mt. Diablo State Park trail should you wish to climb up the mountain after looking at it from our

backyard. We just paid a boat load of money for me to go to graduate school and airbnb is a great way for us to pay off my student loans while meeting cool new people! Welcome!

[View full profile \(/users/show/9553732\)](#)
[+ More](#)

Clayton, California, United States
Member since October 2013

Response rate: 91%
Response time: within a few hours

[Contact Host](#)

Connections

Are you or your friends connected with this host?

[f Connect with Facebook \(https://www.facebook.com/v2.0/dialog/oauth?client_id=138566025676&redirect_uri=https%3A%2F%2Fwww.airbnb.com%2F...\)](#)

Trust

11

Reviews



[\(/users/show/9553732#reviews\)](#)

Listing Location

[La Encinal Court, \(/s/La-Encinal-Court-Clayton--CA\)](#)[Clayton, \(/s/Clayton--CA\)](#)[California, \(/s/California--United-States\)](#)[United States \(/s/United-States\)](#)

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BAY AREA, NR SF, WALNUT CREEK, BERKLEY

Clayton, CA, United States ★★★★★ (3)

Private room

2 Guests

1 Bed

[Become a Host \(/rooms/new\)](#)

Request to Book ⚡ Instant Book

\$55

Per Night

Check In

Check Out

mm/dd/yyyy

mm/dd/yyyy

Guests

2

Request to Book ⚡ Instant Book

Save to Wish List

Email

Facebook (<http://www.facebook.com/sharer.php?>)

... More

About this listing

Lovely home in Clayton, nr Walnut Creek/Concord, John Muir Hosp, DVC. Remodeled hm w/ nice kitchen, yard, no pets. A great getaway to relax, located between SF & Napa, favorite for outdoor enthusiast, hike Mt. Diablo Many choices for shops & Cuisine! Just hop in to bus & BART & go places. Near exciting San Francisco, academic Berkeley, San Ramon, Danville, Livermore.

Contact Host

The Space	Room type: Private room	Bathrooms: 2
	Bed type: Real Bed	Beds: 1
	Property type: House (/s/Clayton--CA?type=house)	Check In: 4:00 PM
	Accommodates: 2	Check Out: 11:00 AM
	Bedrooms: 1	

Amenities	Kitchen	TV
	Internet	Essentials
	Kitchen	+ More
	Internet	Suitable for Events
	TV	Smoking Allowed
	Essentials	Wheelchair Accessible
	Shampoo	Elevator in Building
	Heating	Indoor Fireplace
	Air Conditioning	Buzzer/Wireless Intercom
	Washer	Doormen
	Dryer	Pool
		Hot Tub
		Gym
		<input checked="" type="checkbox"/> Smoke Detector
		<input checked="" type="checkbox"/> Carbon Monoxide Detector

- Photos
- About this listing 
- Free Parking 
- The Pool 
- Location 
- First Aid Kit 
- Wireless Internet 
- Safety Card 
- Cable TV 
- Fire Extinguisher 
- Breakfast
- Pets Allowed
- Family/Kid Friendly

Prices

Extra people: \$10 / night after the first guest
 Cleaning Fee: \$30
 Weekly Price: \$385 /week

Monthly Price: (/s/? sublets=monthly) \$1380 /month
 Cancellation: Moderate (/home/cancellation_policies#moderate)

Description

The Space

Lovely, relaxing place, with lovely living rm, overlooking large yard with trees and plants. Modern fully equipped kitchen. Front yard with lovely trees, flowering plants, and large backyard with patio, sitting areas for relaxing, barbecue & gardening.

Guest Access

Access to amenities at home like kitchen, living room, dining area, washer/dryer & big lovely yard & plants, patio with sitting areas.

Interaction with Guests

Always available for any concerns or questions. We care & listen to our guest & are happy to provide recommendations on things to do, places to visit, the best dining and shopping options.

The Neighborhood

Nice scenic neighborhood with mostly homeowners. Near Mt Diablo State Park. Great location for walking, bicycling, hiking, e few minutes to Walnut Creek, around 45 minutes to SF & SF airport.

Getting Around

One block to bus stops. Near BART train station which can take you to various cities in the SF Bay area, [Oakland, Berkeley, San Mateo, SF International Airport, etc.

Other Things to Note

The famous Mt Diablo State Park is nearby. It is also near the Sleep Train Concord Pavilion for concerts & events year round. Many restaurants and shopping centers. Guests who stay with us enjoy the many choices there's sure to be something for everyone. Country like atmosphere yet close to city life & conveniences. By hopping to the BART train, you can go various cities in the Bay Area.

+ More

House Rules

No smoking inside the home. Pls. clean up after your own mess.

+ More

Availability 2 nights minimum stay [View Calendar](#)

★★★★★
3 Reviews★★★★★

Summary

Accuracy	★★★★★	Location	★★★★★
	★★★★★	Check In	★★★★★
	★★★★★	Value	★★★★★
Communication	★★★★★		★★★★★

Photos About this listing **Cleanliness** Reviews The Host Location

Everything was okay!
+ More
August 2015
</users/show/40526025>

(/users/show/22342487) **Response from**
 was a great guest. He kept and left the place clean, followed the house rules. He communicated well his questions. He is always welcome to stay at our place anytime. Best wishes & good luck on your travels!
August 2015

(/users/show/8552196) On the positive side, the hostess was friendly and helpful. The room was clean and bed comfortable. The area is lovely - close to shops and convenient to the hospital where I was visiting relatives. The shared space (bathroom, kitchen, living room, etc) were clean and nice. I just wish that I had been informed ahead of time that there were so many people staying at the house. There were at least 6 people staying in various rooms while I was there. Everyone was polite and respectful, but it got sometimes got noisy especially at night when I was trying to sleep. Since my days were stressful I really needed peace and quiet. Although the price and location was right, I probably would not have stayed there if I had known so many people would be there too.
+ More
May 2015

(/users/show/30151475) Nice neighborhood. was eager to have guests stay.
+ More
May 2015

This host has 21 reviews for other properties.
[View Other Reviews \(/users/show/22342487\)](/users/show/22342487)

About the Host,

(/users/show/22342487) About myself, I was born & raised in the SF Bay Area. I like to read, garden, go to movies and decorate homes. I also love traveling having visited most of Europe & Asia. I love Hawaii with its beautiful beaches & incredible sceneries. I like meeting people & developing new friendships. We are continually improving our accommodations & services since we want our guests to have memorable experiences. Looking forward to having you as my guest!
View full profile (/users/show/22342487)
+ More
San Francisco, California, United States
Member since October 2014
Response rate: 93%
Response time: within a few hours
[Contact Host](#)

Connections Are you or your friends connected with this host?



Beautiful room in a very big house!

Clayton, CA, United States

Private room
 2 Guests
 1 Bed

[Become a Host](/rooms/new)

[Request to Book](#) ⚡ [Instant Book](#)
\$50 Per Night
 Check In Check Out
 Guests
[Request to Book](#) ⚡ [Instant Book](#)

[Save to Wish List](#)

Email
 Facebook (<http://www.facebook.com/sharer.php>)
 More

About this listing

In a quaint, upscale neighborhood near the Concord Pavilion and Mt. Diablo hiking trails, lies a 4000 sq ft. home, with a sauna, salt-water pool, huge kitchen with a gourmet sink. You'll have a private room with a beautiful Cal-King, with a shared bathroom, among a shared house of young professionals in their 20s and 30s. There are a lot of rad things to do in the East Bay, and I'm happy to tell you the most amazing restaurants and things to do in the area. Just 15 minutes from Walnut Creek.

Contact Host

The Space	Room type: Private room Bed type: Real Bed Property type: House (/s/Clayton--CA?type=house) Accommodates: 2	Bedrooms: 1 Bathrooms: 1.5 Beds: 1 Pet Owner: Dog(s)
-----------	--	---

Amenities	Available Amenities	Unavailable Amenities
	Kitchen	TV
	Internet	Essentials
	Kitchen	+ More
	Internet	Suitable for Events
	TV	Smoking Allowed
	Essentials	Wheelchair Accessible
	Shampoo	Elevator in Building
	Heating	Indoor Fireplace
	Air Conditioning	Buzzer/Wireless Intercom
	Washer	Doorman
	Dryer	Pool (/explore/clayton--ca/house/pool)
		Hot Tub
		Gym
		<input checked="" type="checkbox"/> Smoke Detector
		Carbon Monoxide Detector

Photos	About this listing	Free Parking	The Host	Location	First Aid Kit
		Wireless Internet			Safety Card
		Cable TV		Fire Extinguisher	
		Breakfast			
		Pets Allowed			
		Family/Kid Friendly			

Prices	Extra people: \$10 / night after the first guest	Monthly Price: (/s/? sublets=monthly) \$1100 /month
	Cleaning Fee: \$10	Cancellation: Flexible
	Weekly Price: \$300 /week	(/home/cancellation_policies#flexible)

Description

The Space

When you pull up to the big beautiful house, you come in with keyless entry, up the stairs, down the hall, and our room is to the right. There are 6 other people living here, 20s & 30s professionals. [redacted] owns the house and my fiancé and I rent a big room here. There's a big bed, zen-like vibe in the room, with views outside the window of Mt. Diablo. You share the bathroom with one person. She's very nice, and is mostly gone to work during the week... It's been really sunny this summer, so you can watch a movie on the big screen, go swimming in the salt water pool, hang out in the sauna, or work out on the elliptical. :)

Guest Access

You'll have access to common living areas, the salt-water pool, sauna (just make sure to only have it on when you are in it) the main bathroom downstairs, and [redacted] room, upstairs in the last room on the right.

Interaction with Guests

I'm happy to talk with you over the phone and tell you some amazing places in the area to visit, and also will be available over the phone during your stay. There are all kinds of cool things that Clayton town has going on. We're kind of new to the area (6 months), but we love it. It's gorgeous!

The Neighborhood

In a golf course, hiking community, Clayton is a gorgeous little town that has modern amenities, as well as a country feel. They do farmer's markets every Saturday, and Bachi ball happens "Downtown". Walnut Creek is 15 minutes away with tons of night life and beautiful restaurants and shopping for many blocks. Really beautiful area! We love hiking over at Mt. Diablo, we can tell you about our secret spot if you promise not to tell.

Getting Around

Our home is walking distance to the bus stop, about 10 minutes to Concord Bart Station, and you will probably need a car if you want to be able to get around easily.

Other Things to Note

Although you are totally welcome and will feel totally relaxed in this space, most people that live in this house kind of do their own thing, wake up early, and have full, rich lives. Other than that, when in doubt, you can always call me or [redacted] and let us know if you have any questions.

+ More

House Rules

You are welcome to store and eat your own food in the fridge and freezer, and you can use the kitchen. Condiments are open to everyone. Please wash your own dishes, and clean up after yourself (wipe the counters, throw away trash/recycling, tidy up). Everyone is really cool in this house, and no one will really bother you. If you have any questions, ask [redacted] she is the one who shares the bathroom with you. In the back corner/wing of the house, you can play music in our room, make yourself comfortable and kick back your feet. We have shampoo and conditioner you can use, and we always use clean

Photos About this listing **Reviews** The Host Location
sheets. Please do not smoke, leave any stains, and just be considerate of the space. It is very sacred to us, and you must be really special if we let you stay there while we were gone. Thank you for being awesome.

Please be considerate by not playing loud music late at night, and if you use it, only keep sauna on while you are using it. Electricity bill is very high, and we are in drought in California, so we are not using the jacuzzi. Please be extra considerate of those things, or you're welcome to pitch in more for electricity if you would like to use the jacuzzi.

+ More

Availability

12 nights minimum stay

View Calendar

1 Review



/users/show/411151

The host canceled this reservation the day before arrival. This is an automated posting.

+ More
August 2015

/users/show/41115102

(/users/show/41092702)

Response from
So sorry At the last minute our landlord told us our guests need to have a two week minimum, which you are of course welcome to rebook if you decide to stay 2 weeks.

August 2015

About the Host



/users/show/410927

are really passionate about self-development, traveling, health mastery, exploration, and are happy to share our sacred space with awesome people who are the same!

We are really laid-back, fun-loving people who are doing our best to make it in this world. We own our own business, we travel frequently, and love spending time with our family and friends all over the world.

[View full profile \(/users/show/41092702\)](/users/show/41092702)

+ More

Clayton, California, United States
Member since August 2015

Response rate: 100%
Response time: within an hour

[Contact Host](#)

Connections

Are you or your friends connected with this host?

[Connect with Facebook \(https://www.facebook.com/v2.0/dialog/oauth?client_id=138566025676&redirect_uri=https%3A%2F%2Fwww.airbnb.com%2F\)](https://www.facebook.com/v2.0/dialog/oauth?client_id=138566025676&redirect_uri=https%3A%2F%2Fwww.airbnb.com%2F)

Trust

1

Review

(/users/show/41092702#reviews)

Photos About this listing Reviews The Host Location Listing Location
Yolanda Circle, (/s/Yolanda-Circle-Clayton--CA)Clayton, (/s/Clayton--CA)California, (/s/California--United-States)United States (/s/United-States)

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Home Sharing in the New Economy

BY TREVOR RUSIN AND ANDREA VISVESHWARA

Topics

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About Legal Notes

This column is provided as general information and not as legal advice. The law is constantly evolving, and attorneys can and do disagree about what the law requires. Local agencies interested in determining how the law applies in a particular situation should consult their local agency attorneys.

This article is the second in a two-part Legal Notes series on "New Economy" issues in cities.

Trevor Rusin is an attorney with the law firm of Jenkins & Hogin LLP and can be reached at trusin@localgovlaw.com. Andrea Visveshwara is an assistant city attorney for the City of Petaluma and can be reached at avisveshwara@ci.petaluma.ca.us.

With short-term residential rentals exploding in popularity in the "new" or "sharing" economy, many cities are taking a hard look at the impacts of such rentals in the community. Online hosting platforms such as Airbnb, HomeAway and Flipkey¹ have created a direct connection between hosts (for

example, residential owners) and travelers or other temporary visitors and make it easy to rent a

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home or room for short periods of time. Opponents are concerned with loss of housing stock and the residential character of neighborhoods. Neighbors may complain about impacts from parking, traffic and noise, as well as other public safety issues. Hotels may also complain that short-term residential rentals do not have the same overhead costs and regulation that they face.

Alternatively, proponents may desire to supplement their income with such rentals for a variety of reasons, such as to offset a job loss. The business community may also welcome the positive effects of more visitors who frequent city restaurants and purchase other services.



Although not specifically designed to address the sharing economy, cities' traditional regulatory tools allow communities to address short-term rentals

and their potential impacts. This article provides an overview of these tools and their reach.

Short-Term Residential Rentals Can Be Regulated as a Land Use

The California Court of Appeal in *Ewing v. City of Carmel-By-The-Sea* considered whether a city ordinance that banned short-term rentals (residential property rentals of 30 days or less) was valid.ⁱⁱ The ordinance was based on the city's General Plan policies related to strengthening the residential character of neighborhoods in the city by limiting commercial uses in residential neighborhoods.ⁱⁱⁱ The plaintiffs owned a single-family property in a residential district and rented the property to tourists for short stays.^{iv} They argued the ban ordinance did not advance a legitimate government interest, citing a lack of complaints about the rentals.^v However, the court found that the short-term rentals alone sufficiently threatened the residential character of a neighborhood because "short-term tenants have little interest in public agencies or in the welfare of the citizenry."^{vi} Accordingly, the court upheld the city's prohibition.

A city is not limited to imposing a strict prohibition or ban and may use its constitutional police power to allow short-term rentals subject to conditions designed to address potential negative impacts. Options include a density restriction or allowing the rentals only in certain areas to mitigate against harm to a neighborhood's residential character. Alternatively, a city may allow short-term rentals where the host is present (for example, renting a room or guesthouse), but prohibit them where the host is not present (for example, renting the entire residence). Cities may also consider limiting the number of days in a calendar year that a property can be used as a short-term rental or implement related parking or noise restrictions.

One option for implementing conditions is requiring hosts to obtain an administrative permit or otherwise register with the city pursuant to an ordinance. A key benefit of this practice is that it makes the host known to the city and facilitates communication. The city may also charge a permit fee, which can offset the cost of administering the permitting program.



Short-Term Rentals May Be Taxed

Short-term rentals also present a potential source of revenue for cities. Revenue and Taxation Code section 7280 allows a city to tax "the privilege of occupying a room or rooms, or other living space, in a hotel, inn, tourist home or house, motel or other lodging unless the occupancy is for a period of more than 30 days." Thus, these rentals *may* already be subject to a city's transient

occupancy tax (TOT) ordinance, depending on how the jurisdiction has defined its ordinance.

ABOUT SB 593 (The Thriving Communities and Sharing Economy Act)

is a two-year bill in the

Site Search

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Legislature that may be taken up again in January 2016. If passed, the bill would amend section 7280 to declare that existing law allows a city to levy a tax on short term rentals pursuant to its TOT ordinance on either a host or a hosting platform.

A short-term rental may also be considered a business, subject to a city's business license and tax requirements.

Enforcing Compliance With Local Ordinances

Permitted Use by Right in All or Certain Zones. The easiest and most cost-effective ordinance to enforce is one that allows short-term rentals. This type of ordinance may include a requirement that hosts register with the city. Such an ordinance will also generate the greatest tax revenue if the rentals are subject to the city's TOT. It encourages registration and payment of taxes because:

- There is no benefit to avoiding registering; and
- There are heavy financial penalties (including back taxes, penalties and interest) for not complying.

Cities that employ this type of ordinance will not only be able to take enforcement action against problem rental properties (for example, properties that violate nuisance, noise or special-event permit ordinances), they will also be able to educate and communicate more effectively with hosts. If short-term rentals are permitted in only some areas of the city, the benefits will decrease proportionally. This type of ordinance may work best in a city where there are not significant concerns about housing stock being depleted.

Bans. This type of ordinance is the next easiest to enforce because a single violation is enough for city staff to take enforcement action, and once a violating property is found it can be monitored. Although a ban may eliminate some short-term rental use, it may also drive the hosts underground. Some hosts may disguise their properties online, falsify or eliminate the rental paper trail and use middlemen to avoid detection and repercussions. Such deception makes enforcement costly and time consuming, with no tax revenue to offset the cost of enforcement.

One option to simplify enforcement is to adopt an ordinance that bans advertising of short-term rentals. There is no right to advertise illegal activity, which opens the door to taking action directly against websites that facilitate such rentals.^{vii} If passed, SB 593 might provide another tool for enforcing a ban as it would prohibit website platforms from advertising short-term rentals in cities where they are not allowed.

Allowed Subject to Conditions. These ordinances are seen as a compromise between local proponents and opponents of short term rentals. However, the conditions imposed:

- **Are harder to prove.** A city must show not just that a rental occurred, but that the rental violated the conditions because, for example, it exceeded the number of rentals allowed in a year for the property or rented out an entire home instead of a room (depending on the conditions in the ordinance);
- **Make violators harder to detect because renting is allowed.** It is much easier to detect rental activity than to determine if specific conditions are being violated; and
- **May discourage host registration if conditions are too complex or burdensome.**

The effect conditions will have on registration should therefore be carefully considered. If SB 593 passes in 2016, enforcement of such ordinances may be more feasible because of the information that hosting platforms will be required to provide to cities. For now, enforcement may prove challenging.

Enforcement Tools

Short-term rentals can be easily disguised to look like legitimate long-term rentals. A few tools exist to make enforcement efforts easier. They include education efforts, legislative subpoenas, undercover operations, using advertising against hosts, and TOT collection by the hosting platform.

Legislative subpoenas. All California cities can issue subpoenas to aid investigation and enforcement related to short term rental ordinances. These subpoenas are a powerful tool and can be used to:

- Obtain information from hosting platforms; and
- Obtain information directly from hosts.

While effective at gathering information from hosts or websites based in the same county as a city, enforcing a legislative subpoena against more distant hosts may face stiff resistance. If enacted, SB 593 would also require hosting platforms to produce quarterly reports detailing the addresses, dates of stay and amounts paid for short-term rentals booked on their platforms. This information could aid a city in assessing TOT owed and detecting rentals that violate an ordinance.^{viii}

Undercover operations. These efforts can be an effective tool if a city has a ban or allows short-term rentals subject to conditions. However, a substantial investment of staff time is needed for the investigations.

Use advertising against hosts. Without online hosting platforms, short-term rentals would exist only on a small scale. As a result, most hosts advertise on the platforms. Information from hosting platforms should be downloaded, preserved and investigated.

TOT collection by the hosting platform. If a city collects TOT from short-term rentals, the city can request or require^{ix} the hosting platform to collect and remit the tax directly to the city. Thus far, Airbnb has been the only hosting platform willing to collect TOT at the request of a city and does so in San Francisco, San Jose and Malibu.

Consider Local Options Carefully

Cities have a variety of options available in crafting an ordinance that best addresses short-term rentals in the community. The right ordinance may differ greatly among cities, depending on the local goals for the regulation. Ordinances that focus on the key impacts of concern and that are easy to understand and straightforward to enforce will have the best success in meeting the community's needs. For more information about short-term rentals, visit the League's "Hot Issues" page at www.cacities.org/vacationrentals.



Legislative Subpoena Guide	
Authority	<p>General Law Cities: Government Code sections 37104-37109</p> <p>Charter Cities: California Constitution Article XI, sections 3(a) and 4(e), and may be codified in city's charter.</p> <p><i>Note: A charter city's subpoena power may be broader than a general law city's power.</i></p>
Execution	<ul style="list-style-type: none"> • Subpoena must be authorized by ordinance or similar enactment, signed by the mayor and attested by the city clerk.^x

ABOUT ADVERTISE EDITORIAL INFO	Served in same manner as civil subpoenas. ^{xi}	<input type="text"/>	<input type="button" value="Site Search"/>	 66.0F FORECAST >
	<ul style="list-style-type: none"> • Must detail a valid legislative purpose, the need for the subpoena and the relevance of the materials or testimony sought.^{xii} <ul style="list-style-type: none"> ◦ Note: "Matters relating to the investigation and enforcement of tax measures are proper legislative concerns."^{xiii} • Must comply with general subpoena requirements, notably: <ul style="list-style-type: none"> ◦ The materials/testimony sought must be sufficiently defined; ◦ It must not be overly broad or unduly burdensome; and ◦ It must not run afoul of any statutory or common law privilege that prevents disclosure.^{xiv} • To ensure complete records are produced, both records and an appearance at a city council meeting should be demanded. If complete records are produced three days before the meeting, the personal appearance can be excused. 			
Consequences	If the subpoenaed party fails to comply, the city needs to report the violation to the superior court. The judge will issue an attachment for the party and begin contempt proceedings where the disobeying party faces fines and/or jail. ^{xv}			

Footnotes:

ⁱ See www.airbnb.com, www.homeaway.com, www.flipkey.com.

ⁱⁱ (1991) 234 Cal.App.3d 1579.

ⁱⁱⁱ *Id.* at p. 1589.

^{iv} *Id.* at p. 1584, 1590.

^v *Id.* at pp. 1589-90.

^{vi} *Id.* at p. 1591.

^{vii} *Pittsburg Press Co. v. Pittsburgh Commission on Human Relations* (1973) 413 U.S. 376, 388.

^{viii} An example of a legislative subpoena issued in a short-term rental context can be found online at <http://www.cacities.org/getattachment/Policy-Advocacy/Hot-Issues/Vacation-Rentals/Subpoena-to-YBYC-Inc-6-30-14.pdf.aspx>.

^{ix} An ordinance that requires hosting platforms to collect TOT may be challenged in court by the hosting platforms. Of note, San Francisco Municipal Code section 41B.5(d) requires hosting platforms to collect TOT owed, but it is not enforcing this requirement against hosting platforms such as HomeAway, which challenged the ordinance in federal district court. *HomeAway v. City and County of San Francisco*, No. 3:14-CV-04589, 2014 WL 5510760 (NDCA 2014).

^x Gov't Code § 37105; *Connecticut Indemnity Company v. Sup. Ct.* (2000) 23 Cal.4th 807, 814.

^{xi} See C.C.P. § 1987.

^{xii} *Connecticut Indemnity Company*, 23 Cal.4th at 814.

^{xiii} *City of Vacaville v. Pitamber* (2004) 124 Cal.App.4th 739, 748.

^{xiv} See *Flora Crane Service, Inc. v. Sup.Ct.* (1965) 234 Cal.App.2d 767; *Southern Pacific Co. v. Sup.Ct.* (1940) 15 Cal.2d 206.

^{xv} Gov't Code §§ 37106-9.