



**AGENDA
PLANNING COMMISSION
Regular Meeting**

7:00 P.M. on Tuesday, June 9, 2015

Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California

1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

2. ADMINISTRATIVE

- 2.a. Review of agenda items.
- 2.b. Declaration of Conflict of Interest.
- 2.c. Commissioner Johnson to report at the City Council meeting of June 16, 2015 (alternate Commissioner Hellmann).

3. PUBLIC COMMENT

4. MINUTES

- 4.a. Approval of the minutes for the April 14, 2015 regular meeting.

5. PUBLIC HEARINGS

- 5.a. **HOP-05-15, Home Occupation Permit, Kim Alison Grant**, 105 Joscolo View (APN: 118-392-009). A request for consideration of a Home Occupation Permit to allow an educational therapy business to operate from a single family residence. Pursuant to California Environmental Quality Act (CEQA) Guideline 15301(n), the project is categorically exempt per CEQA.

Staff Recommendation: Staff recommends that the Planning Commission receive and consider the staff report and all information provided and submitted to date, receive and consider any public comment and, if determined to be appropriate, conditionally approve the Grant Home Occupation Permit.

6. OLD BUSINESS

None.

7. **NEW BUSINESS**

- 7.a. **GPA-02-15, City of Clayton.** Review of the Fiscal Year 2015-2016 Capital Improvement Program Projects for Conformity with the Clayton General Plan.

Staff Recommendation: Staff recommends that the Planning Commission find the City's CIP projects for the Fiscal Year 2015-2016 are in conformity with the Clayton General Plan and there is no possibility this finding may have a significant effect on the environment.

8. **COMMUNICATIONS**

- 8.a. Staff.
8.b. Commission.

9. **ADJOURNMENT**

- 9.a. The next regularly-scheduled meeting of the Planning Commission will be held on **Tuesday, June 23, 2015.**

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340. An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present.

Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.

Minutes
Clayton Planning Commission Meeting
Tuesday, April 14, 2015

1. CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Chair Richardson called the meeting to order at 7:00 p.m. at First Floor Conference Room, City Hall, 6000 Heritage Trail, Clayton, California.

Present: Chair Dan Richardson
Vice Chair David Bruzzone
Commissioner Peter Hellmann
Commissioner Sandra Johnson
Commissioner Gregg Manning

Absent: None

Staff: Community Development Director Charlie Mullen
Assistant Planner Milan Sikela, Jr.

2. ADMINISTRATIVE

2.a. Review of agenda items.

2.b. Declaration of Conflict of Interest.

None.

2.c. Commissioner Manning to report at the City Council meeting of April 21, 2015.

3. PUBLIC COMMENT

None.

4. MINUTES

4.a. Approval of the minutes for the April 21, 2015 regular meeting.

Commissioner Manning moved and Vice Chair Bruzzone seconded a motion to approve the minutes. The motion passed 4-1 (Commissioner Johnson abstained as she did not attend the April 21, 2015 Planning Commission meeting).

5. PUBLIC HEARINGS

None.

6. OLD BUSINESS

None.

7. NEW BUSINESS

- 7.a. **CDD-01-15, City of Clayton.** Consider the State of California Property Assessed Clean Energy (PACE) Programs for the City of Clayton, consisting of the CaliforniaFirst, Figtree, and HERO programs.

Community Development Director Mullen presented the staff report.

A representative of CaliforniaFirst, Jeremy Hutman, was available for questions and clarification.

Commissioner Manning asked so the City is not supplying the capital for these programs? Director Mullen indicated that some programs have bond financing and some have private financing.

Peter Hellmann had the following questions:

- If these programs were approved by the City Council, when would they become available? Director Mullen indicated that the programs would be available within a few months and a notice in local newspapers would be provided.
- What would be the approval mechanism for additional programs? Director Mullen indicated that each program would have to be approved by the City Council.
- Did the City obtain any feedback from other jurisdictions as to why these jurisdictions did or did not go with all three programs? Director Mullen indicated that there could be a variety of factors involved in a jurisdiction's decision to go with a program, possibly a matter of outreach as to which program approached the jurisdiction.

Vice Chair Bruzzone inquired have any communities declined PACE because I see not all communities in Contra Costa County are listed? Director Mullen indicated that it could be that the communities simply have not made the decision rather than outright denying the program.

Chair Richardson inquired how do these programs work with contractors? Director Mullen indicated that each program has a list of licensed professional contractors.

Jeremy Hutman indicated the following:

- CaliforniaFirst is up and running in over 200 cities and 34 counties.
- As soon as a jurisdiction passes a resolution to join our program, the program will immediately be available.
- I believe Figtree has the same setup.

Commissioner Johnson inquired do PACE contractors have to be used or can any contractor be used? Mr. Hutman indicated that CaliforniaFirst screens and trains the contractors, using only upstanding contractors that are licensed, bonded, and insured. You can go online to calfirst.org to find contractors.

Chair Richardson had the following questions of Mr. Hutman:

- Who determines if the work done by the contractor is appropriate?
- Who represents the property owner and manages the risk to the property owner?
- How many projects do you currently have going?
- What kind of staff do you have?

Mr. Hutman indicated the following:

- CaliforniaFirst has additional screening and conducts site inspections to make sure the work is done correctly.
- We have lists of average costs for work done by contractors.
- Any project can be up to 15% of the property value.
- We have approximately 1,000 projects going across California.
- Regional managers oversee project construction, but if a property owner has an issue with a contractor, the property owner contacts us.
- CaliforniaFirst will initially agree on the scope of the project with the property owner and contractor and then the property owner signs financing documents for disclosure based on appraisal and value of home.
- Depending on the measure being constructed—HVAC, energy/water saving, or solar—we want the property owner to get at least three bids.

Director Mullen indicated that a lot of work is being done on aging homes. These improvements are not based on a cost/benefit ratio but, rather, an enjoyment ratio.

Commissioner Manning had the following questions and comment:

- Is the list of eligible measures the only measures to choose from? Mr. Hutman indicated that the list is only an example; CaliforniaFirst finances anything comparable. A property owner would have to be replacing something that is less efficient.
- It appears that HERO has done 95% of the measures. Mr. Hutman indicated that HERO has done the most because they launched in 2012 and were the first program.
- Can a property owner do more than one project at once? Mr. Hutman responded, yes, it is typical for a property owner to have multiple improvements done concurrently.

Commissioner Hellmann had the following questions and comments:

- Why did the City of Concord not choose CaliforniaFirst? Mr. Hutman replied that he was not sure but he thought that CaliforniaFirst was still talking with the City of Concord. The trend for jurisdictions seems to be that multiple programs are established within the same jurisdiction.
- How would a property owner find out about PACE? Mr. Hutman indicated that contractors usually inform property owners.
- How are appraisals done? Mr. Hutman responded that desktop appraisals are provided.
- What about taxes? Mr. Hutman replied that CaliforniaFirst does not get involved in the tax end of things.
- How do you handle defaults? Mr. Hutman indicated that if a property owner does not make property tax payments it usually means that they are not making their mortgage payments either.

- Do you use truth and lending? Mr. Hutman replied yes.
- Have there been any lawsuits? Mr. Hutman replied no.
- The closing costs of 6.5% seems high.
- A chart shows indebtedness is transferrable. The PACE assessment is recorded as a lien on the property.
- Where are you located and how many staff do you have? Mr. Hutman replied that we are located in Oakland and have over 100 staff members and growing.

Commissioner Johnson inquired would financing be provided through property taxes? Mr. Hutman replied that CaliforniaFirst does not get involved; we encourage property owners to consult with a tax professional.

Commissioner Manning inquired how does it appear on the tax bill? Mr. Hutman responded that we do not encourage people to write off the entire amount.

Vice Chair Bruzzone inquired for the pre-approved contractor's list, do you require a specialty license? Mr. Hutman indicated that CaliforniaFirst requires Contractor State Licensing Board exams to verify contractor legitimacy.

Director Mullen indicated that the City wants to be hands-off regarding these programs, other than a link on the City's website connecting to the other programs' websites.

Chair Richardson indicated the following:

- The Clayton General Plan Housing Element only asks that we review these programs, not adopt them.
- I agree with the City's desire to be hands-off regarding these programs.
- What troubles me is that there is the potential for the contractor to promote money savings, then get their foot in the door just to take advantage of the programs.
- I think the safeguards are not in place for these programs to receive a de facto endorsement.
- I see the programs managing their own risk, but there needs to be protections in place for the property owner to ensure that the work is done correctly.
- We need to give PACE the "sniff test" in order to avoid a situation where property owners get taken advantage of.

Commissioner Hellman indicated that he agreed with Chair Richardson's concerns but is intrigued by the programs from a consumer standpoint. I feel this is an opportunity to help people save water, energy, and money.

Vice Chair Bruzzone indicated that he understands the concerns over the City's endorsement of these programs; however, it is up to the property owners to educate themselves.

Commissioner Hellmann inquired if the City could re-visit these programs in two years to gauge their effectiveness? Director Mullen indicated that the City can rescind its approval if the programs are not found to be appropriate.

Commissioner Manning indicated the following:

- The fact that we can rescind our approval is good.
- We should give this program a chance.

The Commissioners discussed and acknowledged Chair Richardson's concerns and the majority of the Commission felt that the programs offered incentives to and benefits for the community.

Commissioner Manning moved and Commissioner Johnson seconded a motion to recommend City Council approval of the City's participation in the PACE programs. The motion passed 4-1 (Chair Richardson abstained).

8. COMMUNICATIONS

8.a. Staff.

Director Mullen provided the following updates:

- At the next City Council meeting on April 21, 2015, we will have a discussion about land uses in the Town Center since the City has been marketing the City-owned property but have had no buyers.
- The developer for the Oak Creek Canyon subdivision wants to fund an environmental analysis for the project.
- On the Silver Oak Estates project, supplemental environmental work needs to be completed to address certain issues raised by concerned citizens.

8.b. Commission.

None.

9. ADJOURNMENT

- 9.a. The meeting was adjourned at 8:00 p.m. to the regularly-scheduled meeting of the Planning Commission on April 28, 2015.

Submitted by
Charlie Mullen
Community Development Director

Approved by
Dan Richardson
Chair

Com Dev\Plng Comm\Minutes\2015\0414

**PLANNING COMMISSION
STAFF REPORT**

Meeting Date: June 9, 2015

Item Number: 5.a

From: Milan J. Sikela, Jr. 
Assistant Planner

Subject: Public Hearing to consider a Home Occupation Permit request to allow an educational therapy business to operate from a single-family residence (HOP-05-15)

Applicant: Kim Alison Grant

Business: Brilliant Minds Educational Therapy and Learning Solutions

REQUEST

Public Hearing to consider a Home Occupation Permit to allow an educational therapy business to operate from a single-family residence.

PROJECT INFORMATION

Location: 105 Joscolo View
APN: 118-392-009

General Plan Designation: Single Family Residential Medium Density
(3.1 to 5.0 units per acre)

Zoning: Planned Development (PD)

Environmental Review: Categorically exempt per Section 15301(n) of the California Environmental Quality Act (CEQA) Guidelines.

Public Notice: On May 22, 2015, a public hearing notice was posted at the notice boards and mailed to property owners within 300 feet of the project site.

Authority: Section 17.71.030.A of the Clayton Municipal Code (CMC) authorizes the Planning Commission to approve a home occupation permit in accordance with the standards in CMC Section 17.71.030.B.

DISCUSSION

The applicant has requested approval of a home occupation permit to allow an educational therapy business to be conducted from a single-family residence at 105 Joscolo View (see **Attachment 1** for the vicinity map). According to the written supplement submitted by the applicant (see **Attachment 2**), the home-based educational therapy business would involve the

applicant working with clients—pre-teenagers, teenagers, and young adults ranging in age from 9 years old and older—that have learning problems with a focus on helping those with dyslexia, dysgraphia, and autism. One client at a time is proposed to attend the educational therapy sessions, with occasional meetings occurring between the applicant and parent of the client. A potential maximum of three clients per day and ten clients per week is being proposed. The days and hours of operation are proposed Monday through Friday from 1:00 p.m. to 8:30 p.m. and Saturdays from 9:00 a.m. to 1:00 p.m.

Section 17.71.030 of the Clayton Municipal Code (CMC) requires that any home occupation generating client traffic to the subject residence, which this home occupation is proposing to do, Planning Commission review and approval is required. Section 17.71.030.B.2 of the CMC states:

“The home occupation shall not generate client/student traffic to the residence in excess of six (6) clients/students per day, unless the number is reduced by the Planning Commission. On Saturdays, client/student traffic may only occur between 9:00 a.m. and 5:00 p.m. Client/student traffic is prohibited on Sunday.”

Since the number of clients proposed to visit the subject residence (including clients accompanied by a parent) will not exceed the maximum allowable visits of six per day and the home occupation business will be conducted during the times allowed by the CMC, the proposal meets the CMC requirements as related to client/student traffic and days of operation as well as the other applicable home occupation standards of approval.

Parking Issues

Per Chapter 17.37 of the CMC, single-family dwellings are required to have four off-street parking spaces (two covered and two uncovered) per residential unit. Staff field verified that the subject property has four off-street parking spaces, two covered and two uncovered, which complies with City requirements. Staff has discussed with the applicant that clients be encouraged to park in the driveway, although staff notes that it is not illegal for clients or visitors to park on the street, as Joscolo View is a public street. However, given that only one client is visiting the residence at one time, the driveway should provide sufficient off-street parking.

Clarification Requested

Several neighbors requested clarification on the home occupation permit request. Staff responded accordingly to address the comments received.

RECOMMENDATION

Staff recommends the Planning Commission consider all information provided and submitted, take and consider all public testimony and, if determined to be appropriate, approve Home Occupation Permit HOP-05-15 to allow an educational therapy business to be conducted from the single-family residence at 105 Joscolo View.

Proposed Findings of Approval

Based upon the evidence set forth in the staff report, which includes relevant information from the project file, as well as testimony at the public hearing, the Planning Commission makes the following findings that Home Occupation Permit HOP-05-15, as conditioned:

1. Is consistent with the General Plan designation and policies.
2. Meets the Home Occupation Permit standards of approval listed in Chapter 17.71 of the Clayton Municipal Code.

The above-stated findings assume acceptance and approval of the proposed conditions of approval listed below.

Proposed Conditions of Approval

1. Home Occupation Permit HOP-05-15 is to allow an educational therapy business to be conducted from the single-family residence at 105 Joscolo View Drive (APN: 118-392-009) in Clayton.
2. The Home Occupation shall be conducted in compliance with requirements in Chapter 17.71 of the Clayton Municipal Code.
3. The applicant shall obtain a Clayton Business License prior to commencing operation of the home occupation. Business license application may be obtained from the City's website www.ci.clayton.ca.us or at Clayton City Hall, 6000 Heritage Trail, Clayton, 925-673-7310.
4. Upon City determination of a violation of or failure to comply with Clayton Municipal Code Chapter 17.71 or these Conditions of Approval, this Home Occupation Permit HOP-05-15 may be revoked or modified in accordance with Clayton Municipal Code Sections 17.64.050 - 17.64.070.
5. The applicant agrees to indemnify, protect, defend, and hold harmless the City and its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including, but not limited to, attorney's fees, costs, and disbursements arising out of or in any way relating to the issuance of this entitlement, any actions taken by the City relating to this entitlement, and any environmental review conducted under the California Environmental Quality Act for this entitlement and related actions.

Advisory Notes

Advisory notes are provided to inform the applicant of: (a) Clayton Municipal Code requirements; and (b) requirements imposed by other agencies. The advisory notes state requirements that may be in addition to the conditions of approval.

1. This Home Occupation Permit shall be used, exercised, or established within twelve (12) months after the granting of the Permit, or a time extension must be obtained from the Planning Commission, otherwise the Permit shall be null and void (Clayton Municipal Code Sections 17.64.010-17.64.030).
2. If the project site is located within an area subject to covenants, conditions, and restrictions (CC&Rs) administered by a homeowners' association (HOA), additional requirements and/or approvals may be required by the HOA. Before proceeding with the project, it is advisable to check with the HOA to ensure any applicable requirements are met.

ATTACHMENTS

1. Vicinity Map
2. Written supplement with project description, submitted by the applicant, date stamped May 13, 2015

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VICINITY MAP

	<p>Grant Residence HOP-05-15 Educational Therapy Home Occupation 105 Joscolo View APN: 118-392-009</p>	<p>N</p>  <p>(Not to Scale)</p>
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ATTACHMENT - 1



Bright Minds Learning Solutions and Educational Therapy

Kim Alison Grant, **Educational Therapist**

105 Joscolo View Drive, Clayton Ca. 94517

RECEIVED

925-354-6257

City of Clayton Planning Commission

MAY 13 2015

To Whom It May Concern,

**CITY OF CLAYTON
COMMUNITY DEVELOPMENT DEPT**

This letter is to address the issues that may be areas of concern while you consider approval of my request for the permit for operation of an educational therapy business at me home address in Clayton.

The business name reserved for the Educational Therapy practice at 105 Joscolo View Drive in Clayton Ca. is ' Brilliant Minds Educational Therapy and Learning Solutions'. This is a private practice which operates similarly to a tutoring operation. Only 1 practitioner; Kim Alison Grant; owner, will operate out of the home with one client at a time.

My Clients and business functions: I work with people who have learning problems with language such as reading and other communicative disorders. Special focus of my practice will address dyslexia, dysgraphia and non-communicative problems often experienced by high performing people with autism. I plan to collaborate with the local school districts and private schools to provide assessments, support parents, other professionals and school staff in order to present the best possible remediation for the client. The function of the home office will only be the educational therapy, one to one practice.

Traffic and parking: I work with clients on a one-to-one basis and there will never be more that one client at a time attending my practice. Occasional meetings will be held with a parent, and client. All parties doing business at my address will be required to park in my driveway. There is space for up to five vehicles in my driveway; not infringing upon the space of my neighbors.

My hours of operation: visiting hours will be Monday through Friday 1 pm.-8:30 pm., and Saturday from 9 am- 1 pm. During these hours there will be no more than 3 people visiting in 1 day, and a maximum of 10 people visiting my home office in a week.

Area and Space: Materials and Equipment: the dining area in the front of the home and one bedroom will be designated for the operation of the business, and will occupy less than %25 of the home. Assessment and academic materials for testing will be on used, and they present no environmental or

ATTACHMENT - 2

Hazardous possibilities: There are no hazardous or mechanical materials involved in this operation.

I would greatly appreciate the opportunity to operate this needed service in the city of Clayton. Thank you for your consideration.



Kim Alison Grant,

Educational Therapist

Phone 925-354-6257

Email kcrosbygrant@gmail.com

Bright Minds Learning Solutions and Educational Therapy

4/27/2015

**CITY OF CLAYTON
PLANNING COMMISSION
STAFF REPORT**

Meeting Date: June 9, 2015

Item No.: 7.a.

From: Charlie Mullen
Community Development Director 

Subject: Review of the FY 2015/16 Capital Improvement Program Projects for Conformity with the Clayton General Plan; GPA-02-15.

Applicant: City of Clayton

DISCUSSION

Section 65401 of the California Government Code requires that the Planning Commission determine if projects proposed in the City's Capital Improvement Program (CIP) for the upcoming fiscal year are in conformity with the General Plan. Projects in the City's 2015/16-2019/20 CIP that may be undertaken during the Fiscal Year 2015-2016 are listed below. Additionally, citations from the Clayton General Plan are provided related to the particular project's conformity with the General Plan.

1. ADA Compliance Program (CIP No. 10394A)

Each fiscal year the City sets aside \$6,000 of its annual Gas Tax revenues to build up sufficient revenues to perform handicap ramp corner curb cuts on public sidewalks. In addition to installing these ADA ramps where none exist, federal standards as to ramp specifications were modified in July 2008 requiring revamping of existing ramps when street or sidewalk projects are installed in the adjacent area. These monies may also be used to repaint and remark existing ADA public parking spaces to current standards. No project expenditures are planned yet for FY 2015-16, as the City annually builds reserves in this project account for projected future costs. At the close of FY 2015-16, it is projected that the project account will have a balance of approximately \$16,600.

The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to "Provide systematic upgrades of streets and roads to applicable standards."

2. Utility Undergrounding (CIP No. 10397)

Each year, PG&E is required by the Public Utilities Commission to set aside funds for the undergrounding of overhead utility lines. The money set aside is distributed by PG&E to local agencies on a proportional basis. Since the cost of undergrounding is so high (minimum of \$1,000,000 for 300 feet or so), this project was created to accept

and accumulate these funds until enough is available to undertake a project. In FY 2015-16 the City expects to receive approximately \$21,000 in funding from PG&E's Rule 20A funds although no project expenditures are planned at this point for FY 2014-15. The projected funding set aside by PG&E for this project at June 30, 2016 is \$278,688.

These program improvements conform to the General Plan by supporting the primary Goal of the Community Facilities Element "To provide for an efficient infrastructure and facility plan and program for improvement of existing infrastructure." and Policy 1d "Identify private utility plans including program for undergrounding."

3. 2015 Neighborhood Street Project (CIP No. 10424)

In the FY 2014-15 CIP Program Budget, appropriations of \$341,410 were authorized for this project. On May 5, 2015, the City Council authorized the award of contract to MKC Services and authorized a revision to estimated funding sources and costs of this project as follows:

A. Gas Tax	\$350,807
B. Measure J (per capita & 28A)	377,152
C. ADA Compliance Program	28,000
D. <u>CCWD (pays for water valve work)</u>	<u>18,270</u>
Total Revised Funding	\$774,229

With the approval of this contract and the corresponding revision to total estimated funding sources, unspent FY 2014-15 appropriations from the Gas Tax and Measure J funds have been rolled forward to FY 2015-16 to fund this project totaling \$118,463 and \$184,017 respectively. In addition to the Gas Tax and Measure J FY 2014-15 appropriations rolled forward for this project, new FY 2015-16 Gas Tax and Measure J monies appropriated for this project are \$192,344 and \$193,135 respectively. Total projected expenditures related to completing this project in FY 2015-16 are **\$734,229**.

The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to "Provide systematic upgrades of streets and roads to applicable standards."

4. Collector Street Rehab Project (CIP No. 10425)

The "Collector Street Rehab Project", originally budgeted in FY 2014-15, is in progress and will be rolling forward into FY 2015-16. This project is to be funded by federal Local Street and Road Shortfall Fund monies (STP monies) expected for release in the coming fiscal year of \$385,000. This federal grant requires a local match of 11.5%, which the City planned to meet using Gas Tax monies allocated for FY 2014-15 totaling \$45,045. These federal grant monies can only be used on a collector or arterial street (rather than on a residential local street). Preliminary internal plans envision Keller Ridge Drive since work on the previously contemplated street, Regency Drive, was completed in FY 2012-13. During FY 2014-15, it is projected that only \$20,000 in project costs covered by Gas Tax monies will have been incurred. With unspent FY 2014-15 Gas Tax appropriations for this project rolling into FY 2014-15, total projected expenditures related to the completion of this project in FY 2015-16 are **\$410,045**.

The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to “Provide systematic upgrades of streets and roads to applicable standards.”

5. 2016 Neighborhood Street Project (CIP No. 10432)

The FY 2015-16 Proposed Budget includes projections on ending fund balances for both the Gas Tax (No. 201) and Measure J (No. 220) funds as of June 30, 2015, as well as corresponding fund revenue projections for the upcoming fiscal year. Utilizing figures provided by the League of California Cities as well as Contra Costa Transportation Authority, it is projected there are Gas Tax and Measure J funds of \$191,997 and \$360,592 respectively, to finance (at least in part) a 2016 Neighborhood Streets Program. Although there is a reasonable possibility this project will not be completed in the upcoming year, the Proposed Budget includes **\$552,589** in appropriations for the 2016 Neighborhood Streets Project.

The maintenance of Clayton streets conforms to the General Plan by supporting Policy 9c of the Circulation Element to “Provide systematic upgrades of streets and roads to applicable standards.”

The above proposed CIP projects represent a total projected Capital Related Expenditure in FY 2015-16 of \$1,696,863 in public monies to maintain and improve the infrastructure of this community.

As a result of the above projects and related General Plan review and analysis, staff concludes that the CIP projects that may proceed in Fiscal Year 2015-16 are consistent and in conformity with the Clayton General Plan.

CEQA

Pursuant to the California Environmental Quality Act (CEQA), Section 15061(b)(3) it can be seen with certainty that there is no possibility that finding the Capital Improvement Program in conformance with the General Plan may have a significant effect on the environment, it is therefore not subject to CEQA, and additionally, since this is a consistency finding the previous environmental documentation for the General Plan is adequate CEQA documentation.

RECOMMENDATION

Staff recommends that the Planning Commission find the City’s CIP projects for the Fiscal Year 2015-2016 are in conformity with the Clayton General Plan and there is no possibility this finding may have a significant effect on the environment.

Attachments:

1. Excerpts from 2015/2016 – 2019/20 City of Clayton Capital Improvement Program

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2015/16-2019/20 Capital Improvement Program

Category	Project Number	Project
Streets	10394A	ADA Compliance Program

DESCRIPTION - LOCATION

Construction of various improvements.

COMMENTS

As needed to comply with ADA standards as determined by City's transition plan

\$28,000 transferred to CIP 10424 in FY 14/15

City-Wide

Estimated Cost	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$500,000	\$500,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$500,000	\$500,000

Funding Source(s)	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Gas Tax	\$10,590	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$459,410	\$500,000
Total	\$10,590	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000	\$459,410	\$500,000

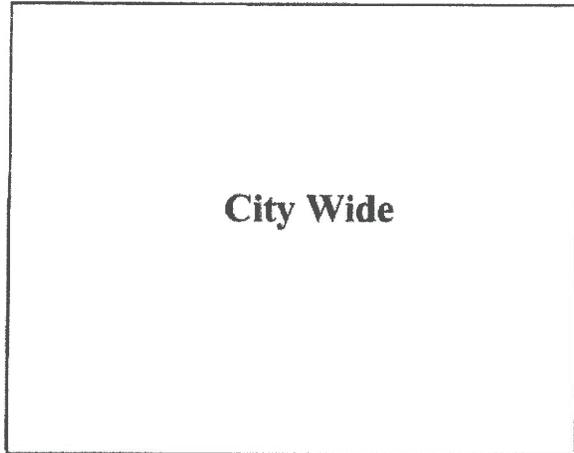
City of Clayton

2015/16-2019/20 Capital Improvement Program

Category	Project Number	Project
Streets	10397	Utility Undergrounding

DESCRIPTION - LOCATION

Underground overhead utility lines at undetermined locations.



COMMENTS

Estimated Cost	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Preliminary Design								
Final Design								
Construction							\$3,000,000	\$3,000,000
CM/Inspection								
ROW Acquisition								
Other								
TOTAL							\$3,000,000	\$3,000,000

Funding Source(s)	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Unfunded							\$2,637,312	\$2,637,312
PG&E Rule 20A	\$257,688	\$21,000	\$21,000	\$21,000	\$21,000	\$21,000		\$362,688
Total	\$257,688	\$21,000	\$21,000	\$21,000	\$21,000	\$21,000	\$2,637,312	\$3,000,000

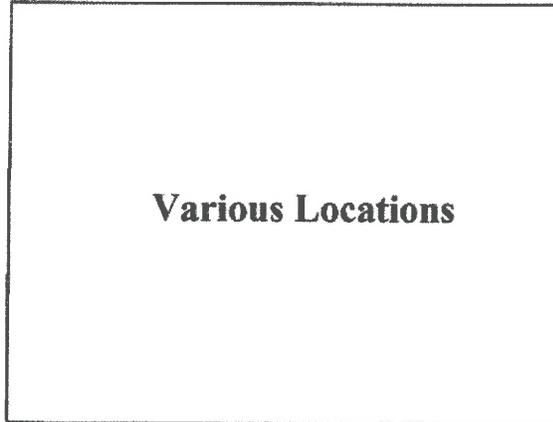
City of Clayton

2015/16-2019/20 Capital Improvement Program

Category	Project Number	Project
Streets	10424	2015 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.



COMMENTS

Estimated Cost	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Preliminary Design								
Final Design	\$15,000							\$15,000
Construction		\$739,229						\$739,229
CM/Inspection		\$20,000						\$20,000
ROW Acquisition								
Other								
TOTAL		\$759,229						\$774,229

Funding Source(s)	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Gas Tax	\$350,807							\$350,807
Measure J (per cap & 28A)	\$377,152							\$377,152
ADA - CIP 10394A	\$28,000							\$28,000
CCWD	\$18,270							\$18,270
Total	\$774,229							\$774,229

City of Clayton

2015/16-2019/20 Capital Improvement Program

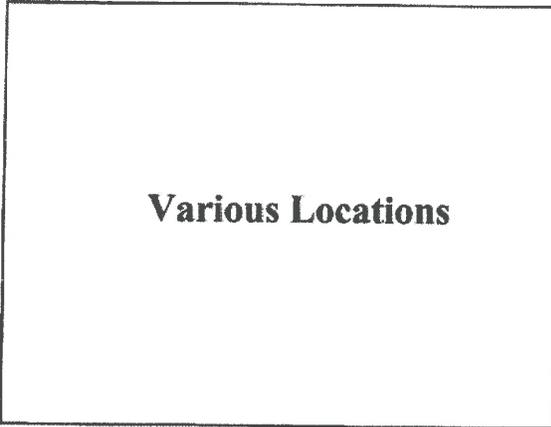
Category	Project Number	Project
Streets	10425	Collector Street Rehabilitation Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various collector streets throughout City.

COMMENTS

Local Streets & Roads Shortfall (LS&RS) funding is federal requiring extensive processing for construction approval. Gas Tax amount covers city share as required by federal funding.



Estimated Cost	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Preliminary Design	\$15,000							\$15,000
Final Design		\$20,000						\$20,000
Construction		\$370,000						\$370,000
CM/Inspection		\$25,000						\$25,000
ROW Acquisition								
Other								
TOTAL	\$15,000	\$415,000						\$430,000

Funding Source(s)	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
LS&RS	\$385,000							\$385,000
Gas Tax*	\$45,000							\$45,000
Total	\$430,000							\$430,000

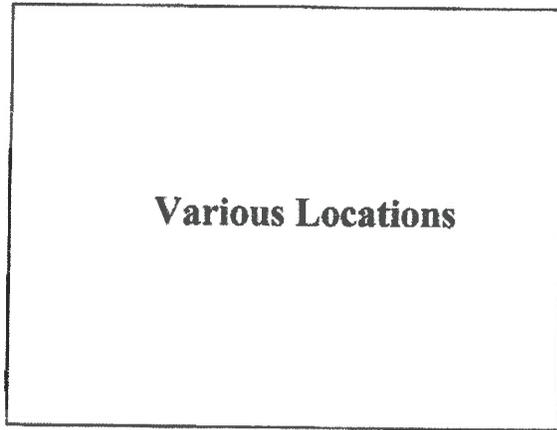
City of Clayton

2015/16-2019/20 Capital Improvement Program

Category	Project Number	Project
Streets	10432	2016 Neighborhood Street Project

DESCRIPTION - LOCATION

Pavement resurfacing and treatment on various streets throughout City.



COMMENTS

Estimated Cost	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Preliminary Design								
Final Design			\$20,000					\$20,000
Construction			\$929,600					\$929,600
CM/Inspection			\$20,000					\$20,000
ROW Acquisition								
Other								
TOTAL			\$969,600					\$969,600

Funding Source(s)	Prior Yrs.	2015-16	2016-17	2017-18	2018-19	2019-20	Future	TOTAL
Gas Tax		\$192,000	\$184,000					\$376,000
Measure J (per capita)		\$360,600	\$233,000					\$593,600
Total		\$552,600	\$417,000					\$969,600

City of Clayton