

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

**TUESDAY, September 20, 2016**

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

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

3. **CONSENT CALENDAR**

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

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

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

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

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

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

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

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

**It was moved by Councilmember Pierce, seconded by Councilmember Shuey, to approve Consent Calendar Item 3 (f) with the condition it be amended with City Attorney prepared language that CalTrans' 2015 PW Standards and Specifications must be utilized depending on an applicable project's source of funds. (Passed; 5-0 vote).**

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

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

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

#### **5. REPORTS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

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

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

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

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

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

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

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

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

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

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

No Council action was taken on this item.

9. **COUNCIL ITEMS**

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

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

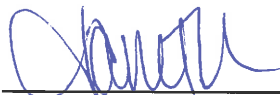
10. **CLOSED SESSION** – None.

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

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

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

  
Howard Geller, Mayor

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