

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

TUESDAY, August 19, 2008

1. **CALL TO ORDER & ROLL CALL** – the meeting was called to order at 7:00 p.m. by Mayor Manning in the Library Community Meeting Room, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Manning, Vice Mayor Pierce, Councilmembers Stratford, Shuey and Walcutt. Staff present: City Manager Gary Napper, City Attorney Dan Adams, Police Chief Dan Lawrence, and City Clerk Laci Jackson.

2. **CLOSED SESSION**- None.

3. **PLEDGE OF ALLEGIANCE** – Led by Mayor Manning.

4. **CONSENT CALENDAR**- It was moved by Councilmember Walcutt, seconded by Vice Mayor Pierce to approve the remainder of the Consent Calendar (5-0 vote).

(a) Approve the minutes of the regular meeting of July 15, 2008.

(b) Approve Financial Demands and Obligations of the City.

5. **RECOGNITIONS AND PRESENTATIONS** – None.

6. **REPORTS**

(a) Planning Commission – Vice Chair Ed Hartley reported on the July 29th and August 12th Planning Commission meetings. At the July meeting the Commission approved a Site Plan Review, and three Temporary Use Permits for the Clayton Community Church. At the August meeting the Commission approved two Site Plan Reviews on El Camino Drive and Lydia Lane. The Commission also approved a use permit for Snap Fitness in the Village Oaks building, and a use permit for Clayton Mind and Body. The Commission also reorganized with Tuija Catalano as Chair and Ed Hartley as Vice Chair.

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

(c) City Manager/ Staff- No report.

(d) City Council

Councilmember Stratford attended the Mayors' Conference in Martinez.

Vice Mayor Pierce attended a Transportation Authority meeting where Clayton's annual check list was approved for Local Return to Source monies for street improvements. She also attended a TRANSPAC meeting, National Night Out events, an ABAG Regional Planning Committee meeting, and the Mayors' Conference. Lastly, she toured the Marsh Creek Detention Facility with Supervisor Susan Bonilla.

Councilmember Shuey reported he visited nice play structure shade structures in the City of Murphy's downtown area and said the Council may want to look into something like that for The Grove in the future.

Mayor Manning attended two County Connection meetings, a Habitat Conservation meeting, and the County Board of Supervisors meeting where they discussed the Marsh Creek Facility. Lastly, he stated he met with ABC Channel 7 today for an interview regarding the local issue of the vegetable stand.

(e) Other-

Mayor Manning introduced Howard Geller and Harun Simbirdi as City Council candidates.

Howard Geller stated he has been a Clayton resident for 33 years and wanted to be involved with public service.

Harun Simbirdi stated he has been a part of the CERT team and sees a lot of opportunity in Clayton.

7. **PUBLIC COMMENTS**- None.

8. **PUBLIC HEARINGS**- None.

9. **ACTION ITEMS**

- (a) Consideration of a Resolution endorsing the East Bay Regional Parks District's (EBRPD) proposed November 2008 ballot measure to extend its regional open space, wildlife, shoreline and parks Bond.

Beverly Lane, District Board Member presented a report explaining the November 2008 Ballot Measure WW. She explained the bond was an extension of the Measure AA and would continue at the same taxation rate. She indicated the Measure would provide the EBRPD with an additional \$500,000,000.00 in funds in order to purchase more open space and parks. She stated that Clayton's share of the money would be \$500,000.00 to be spent on things such as major maintenance of the trails.

The City Council held a lengthy discussion questioning the City's eligibility to use to the bond monies for maintenance and repairs of trails. Councilmember Shuey asked if the City Manager had seen anything in writing to ensure that Clayton would be able to use their share of the money for the trails. The City Manager stated he received verbal assurance but did not have anything in writing.

Mayor Manning asked for public comment.

Candace Bass, Chairperson of the Trails and Landscaping Committee asked if the Trails and Landscaping Committee would be able to have input on the projects that might fit under the Measure. The City Manager responded the Trails Inventory provided by the Trails and Landscaping Committee might tie into the Measure's funding.

Mayor Manning and Councilmember Walcutt stated they were ready to vote on the issue and approve the Resolution.

Vice Mayor Pierce, Councilmembers Shuey and Stratford wanted more information before they voted on the Resolution in support of the Measure.

It was moved by Vice Mayor Pierce, seconded by Councilmember Shuey to continue the item to the agenda of September 2, 2008 in order to receive more legal assurance on the ability of the City of Clayton to spend its share of the money on major park repairs (3-2; Manning and Walcutt- Noes).

- (b) Consider the Introduction and First Reading of proposed Ordinance No. 418 for Municipal Parking lot time limitations on public parking.

The Police Chief presented the staff report and stated parking in public parking lots would be prohibited between 1 a.m. and 4 a.m. The Ordinance would give the Police Department and effective tool in handling overnight parking in public lots.

Councilmember Stratford asked which lots would be included in this Ordinance. The Police Chief indicated that public parking lots such as Endeavor Hall, Library, City Hall, Community Parks, the City parking lot in downtown. He also stated that these areas would be signed.

Vice Mayor Pierce stated this addressed the issues for Mitchell Creek Place parking well.

No public comments were received.

It was moved by Vice Mayor Pierce, seconded by Councilmember Walcutt to have the City Clerk read Ordinance No. 418 by title and number only and waive further reading (5-0 vote).

The City Clerk read Ordinance No. 418 by title and number only.

It was moved by Vice Mayor Pierce, seconded by Councilmember Walcutt to approve Ordinance No. 418 for Introduction and First Reading (5-0 vote).

- (c) Designation of the City's Voting Delegate and Alternate for League of California Cities 2008 Annual Conference to be held September 24 thru September 27, 2008.

The City Clerk presented the staff report indicating that the Council needed to determine if an elected official will attend the Annual Conference due to City budget considerations, and if so select its Voting Delegate.

Vice Mayor Pierce stated the Council should pass on sending a delegate this year and send a letter to the League President and the state Legislature indicating that do to State Budget takeaways and local revenue downturns, the City has eliminated its Conference attendance expense to balance our budget.

Councilmember Walcutt asked if anything important would be being voted on. The City Manager responded if an important issue arose the Council could still communicate their feelings; he also stated the Resolutions for the League Conference would be presented at the September 2nd Council meeting.

No action take- no Delegate appointed.

- (d) Consider a Resolution opposing fiscally irresponsible State Budget decisions by the California Legislature and the Governor that would once again "borrow" local government, transportation and redevelopment funds.

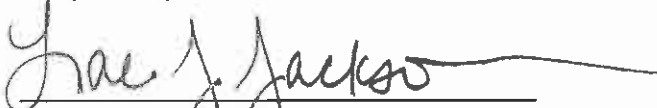
City Manager presented the staff report indicating that over the years the State had "borrowed" \$4.5 million from the City of Clayton. He stated the State has been using local government money to balance their budget. The \$4.5 million they have borrowed does not take into account this year's State budget deficit. This year the State is looking to take a combination of Redevelopment Agency and General Fund monies to help bring the State budget gap closer together. For Clayton this means \$153,000 in General Fund monies, all Prop 42 monies which are already pledged to the street project, and \$221,000 from the Redevelopment Agency (total of \$476,415). The Resolution before Council asks the State to balance their budget with State revenues, not local funds.

It was moved by Councilmember Shuey, seconded by Councilmember Stratford to adopt Resolution 46-2008 (5-0 vote).

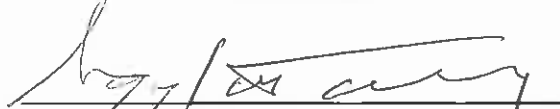
10. **COUNCIL ITEMS** – None.

11. **ADJOURNMENT**– On call by Mayor Manning the meeting adjourned at 8:33 p.m.

Respectfully submitted,


Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL


Gregory J. Manning, Mayor