

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

TUESDAY, September 16, 2008

1. **CALL TO ORDER & ROLL CALL** – the meeting was called to order at 6:30 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 and Walcutt. Absent: Councilmember Shuey. Staff present: City Manager Gary Napper, City Attorney Dan Adams, Police Chief Dan Lawrence, and City Clerk Laci Jackson.

2. **CLOSED SESSION**- None.

- (a) Conference with Legal Counsel, *Government Code Section 54956.9(c)*
Consider Initiation of Litigation (1 case)

7:00 p.m.-Report out of Closed Session: Mayor Manning reported the Council gave direction to initiate litigation.

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 Consent Calendar (4-0 vote).

- (a) Approved the minutes of the regular meeting of September 2, 2008.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Adopted Resolution 51-2008 revising Public Works Standards and Specifications.
- (d) Adopted Resolution 52-2008 setting fines for violation of parking time limitations in posted municipal parking lots.
- (e) Adopted Resolution 53-2008 amending Appendix "A" of the City of Clayton Conflict of Interest Code.
- (f) Confirmed Mayoral appointment of Lori Turner as Clayton's representative to the Contra Costa County Advisory Council on Aging.
- (g) Rejected the liability claims against the City filed by Oyinloal and Olubunmi Oshinowo (MPA Claim No. 008264) for alleged injuries reportedly occurring on March 31, 2008.

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Mayor Manning read aloud the Proclamation declaring September 21st-27th as "Fall Prevention Awareness Week."

Gennifer Mountain, Fall Prevention Program Coordinator, accepted the Proclamation.

6. REPORTS

- (a) Planning Commission – Commissioner Keith Haydon reported on the September 9th Planning Commission meeting. The Commission approved a site plan review for 1816 Ohlone Heights. They also held a study session on a possible amendment to the Municipal Code to increase the size of a home addition staff can approve at an administrative level.
- (b) Trails and Landscaping Committee – Chairperson Bass reported on the September 15th meeting of the Trails and Landscaping Committee and stated they discussed the East Bay Regional Parks Bond Measure WW and the Adopt a Trail program.
- (c) The City Manager reported on the status California State Budget and potential fiscal impacts to the City.

The Police Chief reported the 2007 FBI Crime Statistics were published and Clayton was once again in the top 10 safest cities for populations of 10,000-99,000, ranked 5th safest place in the state. He also reported the Police Department had hired a new officer, Peter Hanft, a Sacramento State graduate.

- (d) City Council

Councilmember Stratford attended the Mayors' Conference in Antioch.

Vice Mayor Pierce attended a CCTA planning committee meeting, a Transportation Authority meeting, the Mayors' Conference, a TRANSPAC meeting, an E-Bart meeting, and lastly a CERT Control Committee meeting.

Councilmember Walcutt had no report but asked the City Engineer if the dirt slope above the new retaining wall on Marsh Creek Road would be hydro seeded. The City Engineer responded in the affirmative.

Mayor Manning attended the funeral for Carol Schroder, the Mayor of Martinez's wife, and the funeral of the Martinez Sergeant killed in the line of duty. He also attended the Mayors' Conference, the swearing in of the newest Clayton Police Officer, and an Administration and Finance meeting of the County Connection.

- (e) Other – Introduction of City Council candidates present in the audience.

Keith Haydon stated he has served on the Planning Commission for many years and would like to carry out the plans of the Commission as a City Councilmember. He stated he would like to see continued development of the downtown. He stated he also worked on the City Landscaping ballot measures. Lastly, he stated he would like to see new additions and take advantage of new opportunities in the community.

Allen Lampo stated he had been a volunteer with the Boy Scouts, he writes the financial section for the Clayton Pioneer, is an announcer for the Dana Hills Swim team, and would like to do even more in the community.

Harun Simbirdi stated he is a recent resident to Clayton but has become very involved as a CERT member and member of the Citizens Core Council. He is the chief executive of a privately held company and can sell a vision. He has volunteered throughout the City on a number of events from the 4th of July Parade to the Labor Day Derby, and stated he would like to contribute to the community.

Howard Geller stated he has been a resident for 33 years and is dedicated to the community. He stated Clayton is a unique community and he has always tried to make a difference. He stated he had worked on the 4th of July committee and created the Kiddie Land. He stated he wants the community to grow. He was a founder of the Clayton Round-up and wants to bring that event back. He would like to see a better commercial environment in the downtown area. Lastly, he stated he was the Concert Promoter for the Concerts in The Grove series, which was very successful and his dedication to the community is consistent.

Jim Diaz stated he has been a member of the community for almost 30 years. He was a member of the Clayton Police Department for 10 years and has been a member of CBCA. He stated he is looking forward to running for the Council again, he stated this is his third attempt but he hopes to be successful this time. Lastly, he would like to continue to see more business in Clayton.

Dan Richardson discussed his professional experience as the former Director of Public Services for the City of Walnut Creek. He stated that in his position he was in charge of everything the City owned including, parks, streets, and open space. He worked as a liaison to the Regional Water Quality Control Board, Solid Waste Authority and many other regional bodies. He was a liaison to business groups and helped improve business in the downtown area. He also worked with citizens groups, the museums, the open space foundation, and the Fresh Start program. Lastly, he stated he has more than 30 years of experience enhancing environments and bring about what the citizens want and expect.

Julie Pierce stated she is glad to see so many fine candidates come out for the election. She stated she has represented Clayton at home and regionally and would like to remain on the Council for continuity and leadership.

7. PUBLIC COMMENT ON NON-AGENDA ITEMS

Danny Conden asked if the Council could put a sidewalk on Oak Street because children walk down that street to get to school. Vice Mayor Pierce stated it was something to look further into.

Nick Swiako asked if a bridge could be built to connect Dana Hills and Regency Drive [Woods]. Mayor Manning responded Dana Hills was still part of the county when Regency Drive was built but that the Council may want to consider it in the future. Councilmember Walcutt stated it was a good idea but that a pedestrian trail was more politically viable.

8. PUBLIC HEARINGS- None.

9. ACTION ITEMS

- (a) Consideration of a proposed 5-year Plan for pavement rehabilitation of local streets and roads using transportation improvement funds.

The City Engineer presented the staff report and explained the difference between the two proposals. Proposal A would rank the streets to be improved/repaved by the Pavement Management Program. Proposal B would treat the lowest streets in the City, therefore improving/repaving the 35 worst streets in a five year period. Lastly, he stated the City of Clayton has the 5th best conditioned streets in the county at a Pavement Condition Index score of 78 which is considered "Very Good".

No public comments were received.

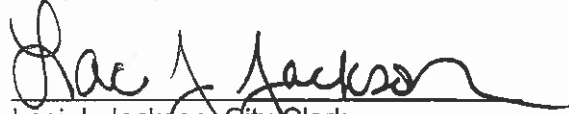
Council held a lengthy discussion on the two proposals and determined proposal B would be more equitable and would give residents a clear understanding of when their street would likely be repaved in the next 5 years.

It was moved by Councilmember Walcutt, seconded by Vice Mayor Pierce to adopt the 5-Year Street Improvement Project, "Schedule B" (4-0 vote).

10. **COUNCIL ITEMS** – None.

11. **ADJOURNMENT**– On call by Mayor Manning the meeting adjourned at 8:12 p.m.

Respectfully submitted,


Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL


Julie K. Pierce, Vice Mayor