

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

TUESDAY, October 7, 2008

1. CALL TO ORDER & ROLL CALL – the meeting was called to order at 6:17 p.m. by Vice Mayor Pierce in the Library Community Meeting Room, 6125 Clayton Road, Clayton, CA. Councilmembers present: Vice Mayor Pierce, Councilmembers Shuey, Stratford and Walcutt. Absent: Mayor Manning. Staff present: City Manager Gary Napper, City Attorney Dan Adams and City Clerk Laci Jackson.

2. CLOSED SESSION- None.

(a) *Government Code Section 54956.9*, Conference with Legal Counsel
Pending Litigation:

1. *Katzman, et al. v. City of Clayton, et al.* Coordinated Cases
Master/C07-01461/C07-00707, Superior Court of CA, Contra Costa County

7:25 p.m.-Report out of Closed Session: Vice Mayor Pierce reported the Council received a report and provided direction to legal counsel.

3. PLEDGE OF ALLEGIANCE – Led by Vice Mayor Pierce.

4. CONSENT CALENDAR- It was moved by Councilmember Walcutt, seconded by Councilmember Shuey to approve the Consent Calendar (4-0 vote).

(a) Information Only

1. Summaries of new State Legislation (SB 375) outlining how the recent Greenhouse Gas Reduction Law (AB 32 - 2006) will require substantial changes to Local Planning Processes and impose new Affordable Housing Mandates.

(b) Approved the minutes of the regular meeting of September 16, 2008.

(c) Approved Financial Demands and Obligations of the City.

(d) Approved the declaration of a 2003 Ford Crown Victoria (Police Vehicle No. 1725) as equipment surplus to the City's needs and authorize the City Manager to dispose of the surplus property for most economical value.

5. RECOGNITIONS AND PRESENTATIONS

(a) Vice Mayor Pierce summarized the Proclamation declaring October 2008 as "Domestic Violence Awareness Month."

6. REPORTS

(a) Planning Commission – No meeting held to report.

(b) Trails and Landscaping Committee – Vice Mayor Pierce summarized the Special Meeting of September 30th stating the Committee discussed the East Bay Regional Parks District Measure WW but opted not to make a recommendation to the City Council.

- (c) The City Manager reported Planning Intern Kristin Burger had prepared a "Guide to City Council and Planning Commission Meeting" participation for the public. He also stated the Concert in The Grove citizen survey was available on the City's website www.cityofclayton.org. He noted that businesses owners would be mailed the survey in the coming days, and the *Clayton Pioneer* will be featuring an article in an upcoming issue asking people to provide feedback.

(d) City Council

Councilmember Stratford attended the Candidate's Forum, Monday Sept. 28th and was impressed with the candidates. He asked if the Art and Wine Festival had fewer problems such as arrests, fights, and DUI's than Oktoberfest? The City Manager responded yes.

Councilmember Walcutt also attended the Candidate's Forum and stated the candidates did an excellent job. He stated Oktoberfest seemed to have a large crowd on Saturday and people seemed to be enjoying the festivities.

Councilmember Shuey stated that he wished the Candidate's Forum had been televised. He attended Oktoberfest and he continues to work on facilitating discussions regarding neighborhood issues with the Quarry.

Vice Mayor Pierce attended a Transportation Authority meeting and stated that Oktoberfest was a lot of fun and was very crowded. She also attended the Mayors' Conference in El Cerrito.

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

Howard Geller stated he has a record of 33 years of service to the community. He started Kiddie Land at the 4th of July Parade, worked on the Clayton Round-up, Art and Wine Festival, was CBCA President for 4 years, Vice President and President of his Homeowners Association, and this summer was the promoter for the successful Concerts in The Grove. He stated that as a businessman he has also been successful and has good business sense. He concluded by stating that he wants to use his business savvy, integrity, and energy to make Clayton better.

Keith Haydon asked residents to look at the next *Clayton Pioneer* to read about the differences in each of the candidates. He stated he is a Contract Negotiator as a business profession. He stated he sees the biggest issue for Clayton moving forward is maintaining a balanced budget; keeping close focus on expenses and revenues. He stated selecting the appropriate services to provide is essential and his experience living in Clayton and being involved on committees gives him the ability to do that. He stated there are potential revenues in the downtown, and the updates to the Specific Plan will encourage more business while maintaining the small town feel.

Allen Lampo stated he has been an Assistant Boy Scout Master working with the youth of Clayton. He is involved with the Dana Ridge HOA, on of the announcers for the Dana Hills swim team, columnist for the *Clayton Pioneer*, and works as a Financial Advisor. He stated that the goals of the City should be to work on our tax base and attract more small businesses. He stated the downtown might attract more businesses if it helped with tax breaks and loans. He stated he is looking forward to contributing more to the City.

Joe Medrano stated he will be sending out a mailer, and a roundtable discussion between the candidates would be televised October 19th, 26th and November 2nd on Channel 26.

Dan Richardson thanked the many people he met over the last few weeks and stated he was finding out about the fears and concerns of Clayton residents. He stated he has 30 years of experience helping people with issues that concern them. He stated citizens want to be assured that elected officials care about them and what they want. He concluded by thanking all of those who he had spoken with.

Julie Pierce stated she welcomes fresh faces on the Council but stated the Council would be losing more than 30 years of combined experience between Mayor Manning and Councilmember Walcutt. She stated her tenure on the Council will bring experience to help guide the Council. She stated that when talking to residents they are appalled by the behavior of Sacramento and they are happy to hear that Clayton has a balanced budget. She stated the Council has put into place policy of not implementing new programs without knowing how they will pay for them.

7. **PUBLIC COMMENT ON NON-AGENDA ITEMS**- None.

8. **PUBLIC HEARINGS**- None.

9. **ACTION ITEMS**

- (a) Consideration of Resolution amending the adopted Fiscal Year 2008-09 Capital Improvement Budget to reduce by \$406,515 the Redevelopment Agency's transfer of monies to Project No. 10400 – Downtown Economic Development Fund, as a result of the State Budget's seizure of local funds.

The City Manager presented the staff report indicating that in June the City adopted a balanced budget, but at that time the state had not adopted their budget. In order to balance the State budget, Legislators did not take Prop. 1A or Prop. 42 monies, but they did take \$350 million in Redevelopment monies from agencies throughout the state. For Clayton that means a loss of \$406,515; in other words, approximately 50% of the Agency's net revenues in the FY 2008-09 targeted for Downtown Economic Development. He concluded by stating the Governor was expecting to call the Legislature back into session as there is already a deficit because revenue projections were incorrect.

Councilmember Shuey asked why the application of the funding seizures was not equal to all cities. The City Manager stated that the amount taken from each Redevelopment Agency depended on the size of each Redevelopment Agency's boundaries and its assessed valuation.

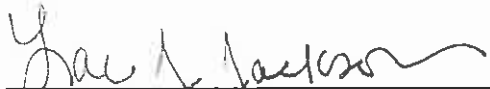
The Council held a lengthy and lively discussion on the theft of Redevelopment Agency money and expressed their continued opposition to the State "stealing" funds from local agencies.

It was moved by Councilmember Shuey, seconded by Councilmember Stratford to have the City Manager write a strongly worded letter for the Mayor to send to the Governor and Clayton's State representatives regarding the State takeaways and to approve Resolution 54-2008 (4-0 vote).

10. **COUNCIL ITEMS** – None.

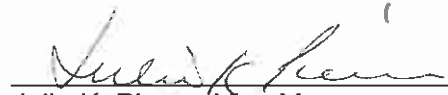
11. **ADJOURNMENT**– On call by Vice Mayor Pierce the meeting adjourned at 8:14 p.m.

Respectfully submitted,



Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Julie K. Pierce, Vice Mayor