

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

TUESDAY, February 2, 2010

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Stratford in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Stratford, Vice Mayor Shuey, Councilmembers Geller, Medrano, and Pierce. Staff present: City Manager Gary Napper, City Attorney Dan Adams, City Engineer Rick Angrisani, Assistant to the City Manager Laura Hoffmeister, and City Clerk Laci Jackson.
2. **CLOSED SESSION** – None.
3. **PLEDGE OF ALLEGIANCE** – led by Mayor Stratford.
4. **CONSENT CALENDAR-** It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey to approve the Consent Calendar as submitted (Passed; 5-0 vote).
 - (a) Approved the minutes of the regular meeting of January 19, 2010 and special meeting of January 25, 2010.
 - (b) Approved Financial Demands and Obligations of the City.
 - (c) Adopted Resolution 04-2010 establishing and approving an Anti-Fraternization Policy for the City of Clayton's employment organization.
 - (d) Accepted the one-year review report concerning the effectiveness of and community compliance with the City's recent ordinance regulating residential outdoor personal property sales (Ordinance No. 420; adopted January 20, 2009).
 - (e) Adopted Resolution 05-2010 supporting the passage of a November 2010 ballot measure, "*The Local Taxpayer, Public Safety and Transportation Protection Act of 2010*".
 - (f) Approved the Mayoral reappointment of Peggie Howell as Clayton's voting representative to the Board of Trustees of the Contra Costa Mosquito and Vector Control District for the 3-year term of January 1, 2010 through January 1, 2014.
5. **RECOGNITIONS AND PRESENTATIONS**
 - (a) Mayor Stratford presented a Certificate of Recognition to Brett Nebeker (BSA Troop 492) for his Eagle Scout Project (small dog fenced area) within the Clayton Dog Park. Brett thanked the Clayton K-9 Foundation for their monetary contributions to the project.

6. REPORTS

- (a) Planning Commission – Vice Chair Sandy Johnson reported on the January 26th meeting of the Planning Commission. The Commission approved a time extension for building enhancements in the Clayton Station Shopping Center. She stated the applicant is required to remove litter, debris and graffiti from the property and have an ongoing maintenance plan in place before March 1st as a condition of approval.
- (b) Trails and Landscaping Committee – No meeting held to report.
- (c) The City Manager reported the Council at its Goal Setting Session discussed extension of a contract with Economic Development Systems for Retail Recruitment in the Town Center, and due to the national economic downturn making this objective more difficult at this time. He reported the Oak Street project (Creeside Commons) is back on schedule.

The City Manager then outlined in detail the blatant inaccuracies of the recent *Contra Costa Times* article "Places like Clayton still denying access to records." He stated the City had in fact provided all of the salary data information that existed in its possession to the investigative reporter Thomas Peele but since it was not in the format he desired continued to claim the Public Records Act had not been fulfilled.

The Mayor stated that it was very frustrating dealing with Mr. Peele since he did not want the City to explain its position but only create the document he wanted.

Councilmember Pierce thanked staff for sticking to the correct principle. She stated the City does not want to have to create documents for every person who comes in demanding it. She stated she has not spoken with a single person who thought the City was wrong. She stated she knows of two letters to the editor being sent to the *Contra Costa Times* in support of the City's position on this matter.

Councilmember Medrano stated the public has to realize that while this is a simple report, citizens should not want tax dollars being spent to create documents because if it is done for one then a precedent is set and the City would have to create documents for everyone who asked.

- (d) City Council

Councilmember Medrano attended the East Bay Division meeting of the League of California Cities.

Councilmember Pierce attended the Caldecott Tunnel groundbreaking, a Transportation Authority meeting, and an ABAG Executive Committee meeting.

Mayor Stratford attended the Library Foundation meeting and stated they are looking for funds and members of the public can become a member or buy a brick to support the Foundation. He also attended the New Mayors' orientation by the Contra Costa Mayors' Conference and a CERT Corps Council meeting. He stated a new CERT class will begin on April 7th.

Other – None.

7. PUBLIC COMMENT ON NON-AGENDA ITEMS

Sawyer Crane and Peter Lloyd (and 16 other teenagers/young adults) described the continued interest in a bike park. Peter stated that there should be a way to use stimulus money to help fund the project to create more jobs for workers. Sawyer stated that the bike park would help with physical fitness and fight obesity. He stated that for youth ages 12 years and older there is nothing to do in the City parks. He stated the downtown park does not allow bikes. He stated that the group had started a website and are looking at ways to raise money. They presented the Council with information on signage to reduce City liability and also presented the City with a map of possible land sites for the dirt bike park.

The Council discussed the steps for a project like this which includes raising funds and finding an appropriate location for the park.

Councilmember Geller asked that the bikers form a coalition with parental support and start looking at the steps it takes to make a project like this happen.

Mayor Stratford stated it is a challenge to think about this project and it would be great to have something. He stated he would need a better understanding of the cost.

Sawyer Crane presented the Mayor with some information regarding cost. He stated locally the only bike parks are San Jose, San Ramon, Pleasanton, Aptos, Livermore, Fresno, and soon Lafayette (\$105,000).

Councilmember Medrano stated that a project like this could take between 18-24 months if the money is raised by donations.

Mayor Stratford stated that there are other groups with competing recreational interests (skateboard parks, bocce ball facilities, tennis courts) who have had trouble raising the money to move their projects forward.

Kelly Crane, Clayton resident and parent asked that the Council take the young men seriously and work with them. He stated the key issue is land use and that a dirt park like this would not require a lot of maintenance.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

- (a) Continued discussion of a proposed Resolution approving a multi-year contract with Environtech Enterprises (Vallejo, CA) in the amount of \$165,999 (3-year total) for annual abatement of noxious weeds in specified areas of the public open space of the Oakhurst Development [Citywide Landscape Maintenance District].

The City Engineer presented the report and stated that at a previous meeting Council asked staff to contact firms and ask them why they did not bid on the project, and if they were interested in bidding on the project if it were opened again. He stated two contractors decided they were not interested, one did not have any interest, and one did not have the correct pesticide licensing. He stated that when staff initially put out the

RFQ it may have been too restrictive, but that after speaking with a manager from San Joaquin County he stated it was likely the City may only receive one or two more bids on the project. State licensing is required for the herbicide field application.

Councilmember Shuey asked what types of companies provide these types of services in the rest of the County. The City Engineer responded that this is very unique work and he was not aware of other cities that have this type of contract for noxious weed abatement.

The Assistant to the City Manager noted that this work is required due to a specific mitigation measure when the Oakhurst Development was approved.

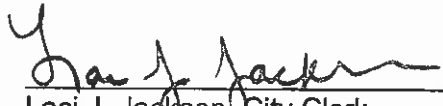
The Council asked staff to research the interest of smaller companies and look at targeting contractors with the state licensing required for this work.

It was moved by Councilmember Medrano, seconded by Vice Mayor Shuey to reject the one quote received and instruct staff to re-do the work specifications and then re-circulate the work scope to obtain further contract quotes to perform the Landscape District's annual noxious weed abatement services (Passed; 5-0 vote).

10. **COUNCIL ITEMS**- None.

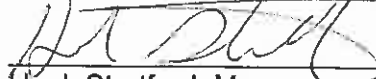
11. **ADJOURNMENT**- On call by Mayor Stratford the meeting adjourned at 8:17 p.m.

Respectfully submitted,



Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Hank Stratford, Mayor