

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

TUESDAY, June 15, 2010

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:02 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, and City Clerk Laci Jackson.
2. **CLOSED SESSION** Mayor Stratford announced the following purpose for Closed Session and then adjourned into Closed Session at 6:02 p.m.
 - (a) *Government Code Sections 54956.9 (a), (b) (1) and (c).*
Conference with Legal Counsel
Pending Litigation: *Katzman, et al. v. City of Clayton, et al.* Coordinated Cases Master/C07-01461/C07-00707, Superior Court of CA, Contra Costa County and related coverage issues.

7:15 p.m **OPEN SESSION:** Mayor Stratford stated the Council received a report and gave direction to Legal Counsel for item 2(a). The Council will continue in Closed Session for Item 2 (b) Labor Negotiations after the adjournment of the Oakhurst Geologic Hazard Abatement meeting.
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 June 1, 2010.
 - (b) Approved Financial Demands and Obligations of the City.
 - (c) Set June 29, 2010 at 7:00 p.m. in Hoyer Hall at the Clayton Community Library, 6125 Clayton Road as the date, time and location of a Special Meeting of the City Council.
 - (d) Adopted Resolution 17-2010 approving Master Cooperative Agreement No. 24C.03 with the Contra Costa Transportation Authority (CCTA) for Measure J project funds.
5. **RECOGNITIONS AND PRESENTATIONS-** None.
6. **REPORTS**
 - (a) Planning Commission – Commissioner Sandra Johnson stated the June 8th Planning Commission meeting was continued from its May 25th meeting. The Commission approved the following items to be moved forward to the City Council for the Creekside Terrace project: adopted the CEQA Mitigated Negative Declaration, extended the parking waiver, changed the building permit issuance requirement from one year to two years, and approved the develop plan and tentative map. She stated the Commission also suggested a new elevation for the south east corner of the building. The Commission also discussed a Tree Removal Permit for The Grove park and will hold a public meeting to discuss the historic cypress tree removal.

- (b) Trails and Landscaping Committee – No meeting held.
- (c) The City Manager reported summer programs at the Clayton Community Gymnasium through All Out Sports League begins on June 21st. Anyone interested in the sports programs or summer enrichment classes can find more information on the City's website under Community Recreation.
- (d) City Council

Councilmember Pierce attended the Mayors' Conference and a Transportation Authority meeting. She also attended a 4th of July Parade meeting and reminded citizens this year there is no kiddie land. She also noted \$817 was raised by donations at the last Concert in The Grove.

Councilmember Geller read a letter from the Concert in The Grove band Littledog2 which thanked the City for the well run event. He also attended a Budget Sub-committee meeting.

Vice Mayor Shuey attended a Municipal Pooling Authority Board meeting on behalf of the City.

Mayor Stratford attended the Mayors' Conference and the Budget Sub-committee meeting. He also attended the 10 year anniversary of the Clayton Dog Park, a CERT Corp Council meeting, and an Eagle Court of Honor for three Clayton Boy Scouts. Lastly, he attended a Creditor Committee meeting for unsecured debt of the YMCA, and a "Character Counts" development meeting.

- (e) Other – None.

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

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

- (a) Presentation and consideration of the recommended City of Clayton Budget for Fiscal Year 2010–2011 and the Capital Improvement Program (CIP) for Fiscal Years 2010-2015.

City Manager stated the State of California has an \$18.6 billion budget deficit. He stated this deficit effects the City because the State continues to take money from local government to fill their budget shortfalls. He stated the City's General Fund Budget is basically static. He stated there is a 2% overall increase in the budget which reflects pulling money from the Landscape District Reserve to perform improvement projects throughout the District. He stated the Police Department now accounts for 50% of the general fund budget expenditures.

He stated the General Fund Budget is balanced at \$3,656,609 but one time money from Trust & Agency interest earnings of \$18,410 is needed to fill the gap. He stated for the 2010-2011 budget the City is projecting a 2% drop in property taxes. He stated Library operations will remain the same for this budget. He stated the budget has assumptions built in and while the employee units are still in negotiations, this budget assumes the status quo with no holiday pay (which functions like a furlough), and no step increases.

He stated if something changes during negotiations the budget would need to be amended to reflect the changes. The City Manager stated labor concessions saved \$239,309 last year and have been built into the budget for this year as well. Last year the organization downsized by making the Assistant Planning position 24 hours per week.

The General Fund Reserve is \$4.8 million because the City has operated judiciously. He stated the Reserve Fund has enough money to run the City for one year and then some but the Reserve is for unfunded or unanticipated occurrences. He stated the City does not depreciate buildings, roads, or the library and if major repairs are needed the money comes out of the Reserve. The City Manager stated the City budget is like a household budget in that the City can not anticipate severe unknowns but has the reserve available for that purpose.

The City Manager outlined the Other Funds and stated the Landscape District will be spending \$260,000 from reserves to make improvements throughout the District with the highest priority being the Fountain area. He outlined the Capital Equipment Replacement Fund and stated this year the City needs to purchase a police vehicle, replace an 18 year old ford pick-up truck for the Maintenance Department, and replace the financial software for the Finance Department.

The City Manager then outlined the CIP budget and stated the City will have enough money to do a neighborhood street re-pavement project and plans to use money from the East Bay Regional Parks District Measure WW grant to expand the parking lot at the Clayton Community Park. There will also be an overlay project for Old Marsh Creek Road from Clayton Road to the Middle School using Measure J money.

Councilmember Geller thanked the Finance Manager for her hard work on the budget.

No public comments were received.

Mayor Stratford stated he was happy to see we have a good reserve.

Councilmember Pierce thanked staff but stated the reserve is not much in actual dollars. She stated the Council should never cover structural gaps with one time money.

It was moved by Councilmember Medrano, seconded by Councilmember Shuey to instruct the City Manager to prepare the Budgets for Public Hearing and adoption at the June 29th City Council special meeting (Passed; 5-0 vote).

- (b) Public Meeting on the proposed levy of annual assessments on real property in the Street Lighting Assessment District (residential street lights) for FY 2009-2010, pursuant to Streets and Highways Code 18070 and Government Code 54954.6.

The City Engineer presented the staff report and indicated the annual Street Lighting Assessment will not be increased and noted it had not been increased since 1996.

Mayor Stratford read a letter from Yan S. Pawlak who urged the City Council to reduce street light costs by turning off every other street light in town. Mayor Stratford stated he appreciated input but believes that street lights deter theft and vandalism which occurs when the streets are darker. Councilmember Pierce agreed with Mayor Stratford. The City Manager noted citizens quickly call and email City Hall daily when street lights are not functioning.

No action was taken.

- (c) City Council discussion and determination of appointments to three (3) expiring offices on the Planning Commission and setting terms of appointed office from 01 July 2010 through 30 June 2012.

The City Clerk presented the staff report and stated staff advertised for the vacancies on the Planning Commission but only the incumbents re-applied for the positions.

It was moved by Councilmember Geller, seconded by Councilmember Medrano to adopt Resolution 18-2010 re-appointing Bob Armstrong, Tuija Catalano and Sandra Johnson to the Clayton Planning Commission (Passed; 5-0 vote).

- (d) City Council discussion of holding regularly scheduled Council meetings in July, August and/or September 2010 relative to quorum availability and summer vacation plans.

Members of the City Council discussed its summer plans and City business meetings required.

It was moved by Councilmember Geller, seconded by Councilmember Pierce, to cancel its August 17, 2010 regular meeting (Passed; 5-0 vote).

10. COUNCIL ITEMS

Councilmember Medrano asked that the Council have discussion on gating certain communities in the City. Mayor Stratford asked for his "Character Counts" concept program to be placed on an upcoming agenda.

Mayor Stratford then recessed the Council meeting at 8:30 p.m. and re-opened the Council meeting at 8:50 p.m.

- 2. CLOSED SESSIONS** – Mayor Stratford announced the following purpose for Closed Session and then adjourned into Closed Session at 8:50 p.m.

- (b) Conference with Labor Negotiator
Government Code Section 54957.6.
Instructions to City-designated negotiator: City Manager

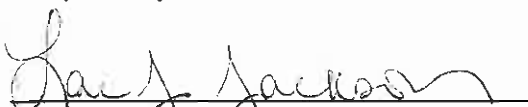
(1) Employee Organization: Clayton Police Officers Association (CPOA)

(2) Employee Organization: Undesignated City Employees Unit

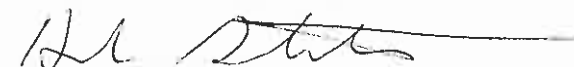
Reports Out from Closed Session: Mayor Stratford reported the Council gave direction to the City-designated negotiator.

- 11. ADJOURNMENT**– On call by Mayor Stratford the meeting adjourned at 9:25 p.m.

Respectfully submitted,


Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL


Hank Stratford, Mayor