

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

TUESDAY, November 2, 2010

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:02 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, 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 Councilmember Medrano (Passed; 5-0 vote).
 - (a) Approved the minutes of the regular meeting of October 19, 2010.
 - (b) Approved Financial Demands and Obligations of the City.
 - (c) Adopted Resolution 45-2010 amending the City's Uniform Penalty Schedule for local parking violations by adding a fee of \$3.00 onto each local parking ticket to fund a State-imposed surcharge for the State Trial Court Trust Fund (AB 1617, 2010 statute).
 - (d) Approved the award of contract to Caltronics Business Systems for a 3-year lease and maintenance agreement for the replacement of the main copier at City Hall.
 - (e) Adopted Resolution 46-2010 of support for *Get Connected!*, a call for action to accelerate the deployment and implementation of broadband technology to unserved and underserved communities and populations in California.
 - (f) Approved the closure of the Clayton Community Library on seven (7) Sundays in calendar year 2011 for observance of certain holidays and holiday weekends.
5. **RECOGNITIONS AND PRESENTATIONS**
 - (a) Mayor Stratford read a Proclamation declaring November 2010 as "Pulmonary Hypertension Awareness Month" in the City of Clayton and presented it to Katie Grace Groebner. Katie Grace's mother Kathy thanked the City Council for raising awareness about Pulmonary Hypertension.
6. **REPORTS**
 - (a) Planning Commission- Commissioner Ted Meriam reported on the October 26th Commission meeting. He stated the Commission was prepared to review Use Permit for Longevity Center in the Flora Square building but referred it to the City Council for action in accordance with the DDA. The Commission also approved a variance for a home in Oakhurst to allow for a shade arbor.

(e) Other

Mayor Stratford stated he, Vice Mayor Shuey, Jim Diaz, and Ted Meriam were running for the two City Council seats in the November 2010 election. In accordance with Council policy, he invited Mr. Meriam to stay at the podium and speak, and then he invited Mr. Diaz forward.

Mr. Meriam stated he was a candidate for the City Council and stated it has been an engaging and challenging campaign. He thanked everyone for their support through the campaign and also thanked the current City Council and staff for their work on the election.

Mr. Diaz thanked everyone who has come out and supported the campaign and stated it was a wonderful experience.

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

(c) The City Manager reported when the election is over the California Legislature will go back into session and hopefully with the successful passage of Prop. 22. the State will no longer be able to raid Redevelopment Agency funds. He also reminded citizens the Council Reorganization meeting will occur on December 7th.

(d) City Council

Councilmember Medrano reported the Clayton Counts Down is quickly approaching and the committee is in need of volunteers. He stated the theme will be "Carnival 2010" and the event will run from 5pm-8pm.

Councilmember Pierce reiterated that committee needs volunteers and donations in order to make the event successful. She also attended the ABAG general assembly.

Councilmember Geller stated he is working with CBCA to finish up the Daffodil Hill project and is working to bring back the Clayton Round-up.

Vice Mayor Shuey stated it is interesting running in elections in small towns and thanked everyone for running a polite and non-mudslinging campaign.

Mayor Stratford stated it has been a well run election.

7. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

(a) Consider a series of actions to formally implement "Tier II" California Public Employees Retirement System (CalPERS) pension plans for all newly hired City employees.

The City Clerk presented the staff report and stated in order to finalize the Teir II pension systems for the Miscellaneous employees and the police officers bargaining units, as approved in Resolution 24-2010 and Resolution 34-2010, the Council must approve the Resolution of Intent and conduct the Introduction and First Reading of Ordinance No. 430.

The City Clerk outlined the possible savings the City may see from the implementation of the Tier II pension plan. She stated the cost analysis provided by CalPERS states there will be no immediate impact to the City's current employer contribution rate from this amendment since no "new hires" has yet occurred. She stated ultimately, the City's cost will decrease as it hires new employees subject to the lower pension plan to replace existing employees in the higher formula who retire or otherwise leave City employment.

The new employer contribution rate will be 6.755% of reportable earnings for local miscellaneous members entering membership for the first time in the Miscellaneous classification after the effective date of the amendment to contract.

The new employer contribution rate will be 13.436% of the reportable earnings for local sworn members entering membership for the first time in the Local Public Safety classification after the effective date of this amendment to contract.

The City Clerk stated the timeline for the new contract to be implemented is January 10, 2011 and stated this plan will effect new hires not current active employees. She also described in detail the assumptions and dollar savings to the City over the next 10 years. Since the Tier II pension plans cost less than the current plans, nothing but savings will be realized in the future.

No public comments were received.

It was moved by Councilmember Medrano, seconded by Councilmember Geller to adopt Resolution 47-2010 the Resolution of Intent (Passed; 5-0 vote).

It was moved by Councilmember Medrano, seconded by Councilmember Geller to have the City Clerk read Ordinance No. 430 by title and number only and waive By motion, approve the City Clerk to read Ordinance No. 430 by title and number only and waive further reading (Passed; 5-0 vote).

The City Clerk read Ordinance No. 430 by title and number only.

It was moved by councilmember Medrano, seconded by Councilmember Pierce to approve for Introduction and First Reading Ordinance No. 430 to Amend the Contract Between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City of Clayton to Implement *California Government Code* Section 20475 (2.0% at 60 Full Formula for Miscellaneous Employees and 2.0% at 50 Full Formula for Local Public Safety) Providing Second Tier of Lower Level of Benefits for New City Employees (Passed; 5-0 vote).

- (b) Council discussion and direction regarding the number of, dates and times for the 2011 series of the annual "Concerts in The Grove".

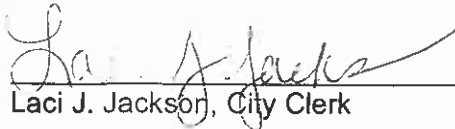
Councilmember Geller stated though the public would like to see the concerts every weekend he is proposing a schedule of every other weekend for the 2011 concert season. He proposed the following dates for the following 10 concerts: May 7, 21; June 4, 18; July 2, 16, 30; August 13, 27; Sept 10.

It was moved by Councilmember Medrano, seconded by Councilmember Pierce to approve the dates of the 2011 Concert series as presented by Councilmember Geller (Passed; 5-0 vote).

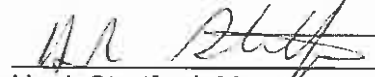
10. COUNCIL ITEMS- None received.

11. ADJOURNMENT- On call by Mayor Stratford the meeting adjourned at 7:33 p.m.

Respectfully submitted,


Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL


Hank Stratford, Mayor