

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

TUESDAY, December 21, 2010

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:02 p.m. by Vice Mayor Geller in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Vice Mayor Geller, Councilmembers Medrano, Pierce, and Stratford. Councilmember absent: Mayor Shuey. Staff present: City Manager Gary Napper, City Attorney Dan Adams, Community Development Director David Woltering, and City Clerk Laci Jackson.
2. **PLEDGE OF ALLEGIANCE** – led by Vice Mayor Geller.
3. **CONSENT CALENDAR**- Councilmember Medrano pulled Item 3(c) for discussion. **It was moved by Councilmember Pierce seconded by Councilmember Stratford to approve the remainder of the Consent Calendar as submitted (Passed; 4-0 vote).**
 - (a) Approve the minutes of the regular meeting of December 7, 2010.
 - (b) Approve Financial Demands and Obligations of the City.
 - (c) Award of contract to Bay Area Economics (Davis, CA) in the amount of \$35,760.00 for the preparation of a Fiscal Impacts and Potential Economic Implications Analysis of the proposed Clayton Community Church mixed-use project in the Town Center area.

Vice Mayor Geller stated he had a speaker card from Glenn Miller for this item. Mr. Miller stated he was representing the Applicant and stated they wished for the Item to be pulled and continued in order for sufficient time for the church to react.

Councilmember Stratford asked what impact it would have on the project if the time for approval was delayed? The City Manager responded the January 4th meeting is possibly lacking agenda items and may be cancelled so the next meeting would be held on January 18th which would delay the process for at least a month.

Councilmember Pierce asked if there was any harm in delaying it for another month? The Community Development Director stated there is a relationship between the Fiscal Impact Study and the EIR and it would be helpful to move forward with the Fiscal Impact Study so that its results could feed into the other report.

Glenn Miller stated postponing the decision on this item will allow time for the Applicant's Leadership Council to meet.

Councilmember Medrano asked if it was appropriate to ask questions tonight regarding the report. The City Manager responded **yes**.

Councilmember Medrano stated there were 5 bids submitted for work on the project and the prices for the bid ranged considerably. He stated since the Applicant is required to pay for the study they should have time to review staff's report.

The City Manager stated staff is prepared to respond to those issues. He stated the most responsive consultant is the one staff recommends for approval. He stated the church provided an economic study in their packet submittal and it is in the best interest of the community for those statements to be independently reviewed. Bay Area Economics provided the most responsive and complete response to the City's RFP.

The Community Development Director stated there were other more expensive proposals and even those did not understand what the RFP outlined. He stated Bay Area Economics provided a proposal at a much lower cost. He stated in terms of the overall scope, Bay Area Economics understood the fiscal and economic issues. He stated the Applicant's Development Study is very much in support of the project and is not balanced. Bay Area Economics picked up on specific examples in that study they will look at it including parking for patrons of the project. Overall, Bay Area Economics came in about mid point on cost.

Councilmember Medrano asked if all of the respondents met the bid requirements? The Community Development Director stated technically they all met the requirements, though Bay Area Economics included all of the information staff feels is relevant to the project, not just the information outlined. Councilmember Medrano asked if other companies could provide the same at a lower cost?

Councilmember Pierce stated to her, Bay Area Economics was the most responsive and they responded with a more complete response. She stated this is not a bid process, but it is a Request for Proposal, and staff was looking for completeness and competency of the firm. She stated staff's recommendation is valid.

Councilmember Medrano stated since it's the Applicant's money they should have some input if the other bids met the RFP requirements.

Councilmember Pierce stated the Council and community needs the study to provide as much information as possible and cost is the last factor.

The City Manager stated Bay Area Economics understood the core issue of the project. He stated Bay Area Economics goal is to evaluate the economic impact of the project in the downtown. He stated it is only fair that the community get the most complete response. He also stated the applicant is not typically a part of this selection process because the City represents the objective viewpoint of the community and is seeking information the public may want to know about the project.

No action taken. Item is continued to the next Agenda.

4. RECOGNITIONS AND PRESENTATIONS

- (a) Certificate of Appreciation to James Van Wyck, Troop 262 of the Mt. Diablo Silverado Council – Muir District of the Boy Scouts of America, for preparation and construction of a horseshoe pit at Lydia Lane Park as his Eagle Scout Project.

Vice Mayor Geller stated Mr. Wyck would be mailed his certificate.

5. REPORTS

- (a) Planning Commission – Vice Chairman Dan Richardson stated at the Commission's December 14th meeting they reviewed the Clayton Community Park Parking lot expansion project. They also discussed conflicts of interest for the downtown church project in order to provide a fair review for the community.
- (b) Trails and Landscaping Committee – No meeting held to report.
- (c) The City Manager reported the family New Year's Eve event is scheduled for December 31st from 5 p.m – 8 p.m. at the Clayton Community Gym.

(d) City Council

Councilmember Stratford attended the East Contra Costa County Habitat Conservancy meeting held in Clayton.

Councilmember Medrano reminded citizens about the Clayton Counts Down and stated more volunteers are needed.

Councilmember Pierce attended a Transpac meeting and an ABAG Admin. Committee meeting. She stated at the ABAG meeting it was suggested that central county leaders come together for a joint meeting on January 31st at 6:30 p.m. to hear from ABAG staff on how the implementation of the Sustainable Communities Strategy is moving forward.

The City Manager noted he attended a meeting with Lynn Overcashier of Transpac to discuss projects in the community where funding may be possible including funding bike racks at different locations around town. The idea would be to promote alternative transportation modes throughout the City. He stated Transpac is currently working with the Police Department to bring additional bicycles to patrol. He stated these initiatives would be focused on for the coming year.

Councilmember Pierce added Transpac would be working with the middle school to promote bike safety week in March and would be working to organize bike and walk pooling to promote less driving to the school campuses.

Councilmember Stratford asked if these projects might include lighted crosswalks? The City Manager stated they might look at some of those alternatives.

Vice Mayor Geller attended the Pioneer's Cookie Contest, met with the Budget Subcommittee and completed is required bi-annual Ethics Training.

(e) Other – None.

6. **PUBLIC COMMENTS**- None.

7. **PUBLIC HEARINGS** - None.

7:45 p.m. Vice Mayor Geller recessed the meeting until the end of the Clayton Redevelopment Agency meeting.

7:47 p.m. Vice Mayor Geller resumed the meeting.

8. **ACTION ITEMS**

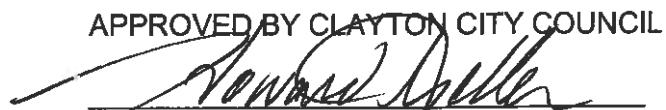
(a) Review and determination of City Council sub-committee, inter-governmental and regional board assignments for 2011.

Vice Mayor Geller stated Mayor Shuey would like to continue this item to the next agenda.

9. **ADJOURNMENT**— On call by Vice Mayor Geller the meeting adjourned at 7:48 p.m.

Respectfully submitted,


Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Howard Geller, Vice Mayor