

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

TUESDAY, April 17, 2012

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Geller in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Geller, Vice Mayor Medrano, Councilmembers Pierce, Shuey, and Stratford. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Finance Manager Merry Pelletier, and City Clerk Laci Jackson.
2. **CLOSED SESSION** – None.
3. **PLEDGE OF ALLEGIANCE**- led by Mayor Geller.
4. **CONSENT CALENDAR**- It was moved by Councilmember Stratford, seconded by Councilmember Pierce, to approve the Consent Calendar as submitted (Passed; 5-0 vote).
 - (a) Approved the minutes of the regular meeting of April 3, 2012.
 - (b) Approved the Financial Demands and Obligations of the City.
 - (c) Adopted Resolution 15-2012 setting the City's Fiscal Year 2012-13 Equivalent Runoff Unit (ERU) real property assessment existing rate to fund local storm water/clean water programs and services required by the federal and state-mandated National Pollution Discharge Elimination System (NPDES) Program (storm water pollution prevention).
5. **RECOGNITIONS AND PRESENTATIONS**
 - (a) Presentation of the Clayton Community Library Foundation's Annual Report for 2011.

Joyce Atkinson, CCLF President, presented the Annual Report and thanked the City for its support of the library. She noted the Clayton Library volunteers provided 7,013 hours last year. She stated the Library Foundation generated income of \$50,054 and also received many donations of books to be added to the collection.
 - (b) Proclamation declaring April 15-21, 2012 as "Clayton Community Library Volunteer Recognition Week" and recognition of Clayton's "Library Volunteers of the Year".

Mayor Geller read the Proclamation aloud and presented it to Clayton Library Foundation members present.

Mayor Geller presented certificates of recognition to Rosemary Harwood and Laura Minorsky recognizing them as Library Volunteers of the Year. Dieter Lauterbach was unable to attend the meeting but was also recognized as a Library Volunteer of the Year.

6. REPORTS

- (a) Planning Commission – Vice Chairman Keith Haydon reported on the April 10th Planning Commission meeting. He stated the Commission reviewed an Ordinance that will adopt a process for ADA Reasonable Accommodations or land use regulations.
- (c) Trails and Landscaping Committee – Jake Pauline, Chairman, reported on the April 16th Trails and Landscaping Committee (TLC) meeting. He stated the Committee has four new members: Anthony Chippero, Alyse Smith, Harun Simbirdi, and Larry Casagrande. He stated the Committee reviewed the Adopt a Trail program and noted collected funds had recently paid for the re-lighting of the Oak trees on eastern side of the Library. He thanked the sponsors of the program for their support. He noted the Committee received an update on the deferred landscape improvement projects and reviewed the mid-year budget. He noted Saturday, April 21st is the Clayton Cleans Up from 9am-Noon.

Chairman Pauline stated the majority of meeting was the discussion of the Daffodil Hill project. He stated the Committee received background information on the project from staff and from CBCA members present. He stated the Committee reviewed Measure B and discussed the intent of the voters when approving the tax. He stated every member agreed Daffodil Hill is a main focal point but were concerned with the maintenance costs burdening the District. He stated the Committee did not have input on the plans and would have liked to see different plant types incorporated into the plan for consistency and maintenance. He stated the Committee weighed the benefits of annexing the property into the District and recommended the Council annex the property into the District, pay for 50% of the construction costs not to exceed \$26,000 and for the General Fund to reimburse the District for ongoing maintenance of the project area. He stated the next Trails and Landscaping Committee meeting is May 21st.

- (c) The City Manager noted Saturday April 21st is the Clayton Cleans Up which is sponsored by the Clayton Pioneer. He stated the Successor Agency Oversight Board will have its first meeting on April 26th. He added a few comments on the TLC report. He stated the District is fluid and has the opportunity to annex property as opportunities arise. He stated originally the Daffodil Hill project was scaled back considerably and at the time he believed General Fund could pay for the upkeep valued at \$2,000 per year. The landscape plan has grown considerably and the status of the City's General Fund has suffered considerably with the recession. He also stated that during the bidding of this project the Contra Costa Water District banned planting of new plants due to a statewide drought. He stated now with the demise of the Redevelopment Agency this project had to shift.

- (d) City Council

Vice Mayor Medrano attended the TLC meeting and stated everyone on the Committee is looking out for how taxpayer money is being spent. He stated he will be attending the League of California Cities Bocce Tournament fundraiser and is in the process of confirming bands for the weeknight concerts.

Councilmember Stratford attended the Mayors' Conference held in Clayton.

Councilmember Shuey has been working with the Charter School and stated community and parent volunteers are needed because there is a lot of work to be done.

Councilmember Pierce thanked the TLC for their feedback on the Daffodil Hill project. She attended the Mayors' Conference and thanked staff for their work on the event. She attended a meeting with ABAG Disaster Resilience Council, a Regional Planning Committee meeting, Transportation Authority meetings, San Ramon leadership program presentation, a Bay Area Council Economic Institute meeting, and a Joint meeting of ABAG/MTC.

Mayor Geller attended the Mayors' Conference and thanked Oakhurst Country Club for hosting a great event. He stated the food and service was outstanding, and everyone involved worked well with staff. He attended a Relay for Life meeting and worked on finalizing the flyer for the Saturday night concerts.

The City Manager acknowledged the time Mayor Geller personally contributed to making Clayton's hosting of the Mayors' Conference a memorable event.

(e) Other – None.

7. **PUBLIC COMMENTS** – None.

8. **PUBLIC HEARINGS**- None.

9. **ACTION ITEMS**

- (a) Consideration of the Second Reading and Adoption of proposed Ordinance No. 440 enacting various *Clayton Municipal Code* amendments regarding the City's Housing Element Implementation Project (ENV 01-12; GPA 03-11; SPA 01-12; ZOA 06-11).

The City Manager presented the staff report and stated this action is necessary to approve the Housing Element implementation measures required by the City's adopted Housing Element. He stated these amendments include property re-designations of certain parcels in the City and is part of an ongoing cycle required by the State for local housing elements.

No public comments were received.

It was moved by Vice Mayor Medrano, seconded by Councilmember Pierce, to have the City Clerk read Ordinance No. 440 by title and number only for Second Reading (Passed; 5-0 vote).

The City Clerk read Ordinance No. 440 by title and number only.

It was moved by Vice Mayor Medrano, seconded by Councilmember Pierce, to adopt Ordinance 440, an Ordinance of the City of Clayton amending Chapters 17.04 and 17.20 and Sections 17.16.020, 17.24.20, 17.28.100, and 17.60.030 of the Clayton Municipal Code related to uses allowed within the City of Clayton, and rezoning certain parcels shown on the Clayton Zoning Map to Planned Development District (Passed; 5-0 vote).

- (b) Consideration of a Resolution adopting a revised City of Clayton's Emergency Operations Plan that has been modified and updated for integration of the federal government's National Incident Management System.

The Chief of Police presented the staff report and stated an Emergency Operations Plan provides a plan for staff to follow when responding to large scale emergencies. He stated as required by the Federal Government all staff were trained in 2006 on NIMS (National Incident Management Systems). He stated staff has worked with the County in updating the Emergency Plan and believes it a valid current resource for possible serious hazards.

He stated following the adoption of the Resolution, and the signing of the letter of promulgation, staff and elected officials will be trained on the plan, a tabletop exercise will occur, and a functional disaster exercise will be planned.

No public comments were received.

Councilmember Pierce thanked staff for their work on this update, and noted emergency recovery is also critical to the success of responding to emergencies and disasters.

It was moved by Councilmember Pierce, seconded by Councilmember Shuey, to adopt Resolution 16-2012 (Passed; 5-0 vote).

- (c) Action Item of City serving as Successor Agency to the former Clayton RDA
Consideration of a Resolution of the City, acting as the Successor Agency, to approve and adopt its 2nd Recognized Obligation Payment Schedule (ROPS) covering the time period from July 2012 through December 2012, pursuant to new California Redevelopment Law (ABx1 26).

The Finance Manager presented the staff report. She stated the first ROPS was adopted by the City for the time period of January through June 2012. She stated the second ROPS is for the time period of July through December 2012. She stated the ROPS includes the debt service payments and pass-throughs required to be paid. She noted the Successor Agency will not be able to pay off the bonds early as anticipated since ABx1 26 prohibits the acceleration of debt retirement. She stated the Successor Agency Oversight Board must review and approve the ROPS at its upcoming meeting.

No public comments were offered.

It was moved by Councilmember Stratford, seconded by Councilmember Pierce, to adopt Resolution 17-2012 (Passed; 5-0 vote).

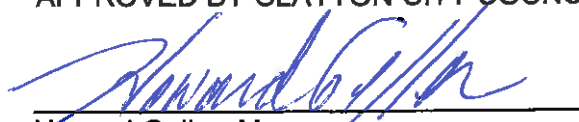
10. COUNCIL ITEMS- None.

11. **ADJOURNMENT**– On call by Mayor Geller the meeting adjourned at 8:12 p.m. in memory of Charles “Chuck” Evans a past Mayor and Councilmember of Clayton, who passed away recently.

Respectfully submitted,


Laci J. Jackson City Clerk

APPROVED BY CLAYTON CITY COUNCIL


Howard Geller, Mayor