



AGENDA
REGULAR MEETING
* * *
CLAYTON CITY COUNCIL

TUESDAY, DECEMBER 18, 2012

7:00 p.m.

*Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517*

Mayor: Julie K. Pierce
Vice Mayor: Hank Stratford

Council Members

Jim Diaz
Howard Geller
David T. Shuey

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail on Monday prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

*** CITY COUNCIL ***

December 18, 2012

7:00 P.M.

1. **CALL TO ORDER THE CITY COUNCIL** – Mayor Pierce.

2. **CLOSED SESSION** –None.

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.

4. **CONSENT CALENDAR**

Consent Calendar items are typically routine in nature and are considered for approval by the City Council with one single motion. Members of the Council, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question or input may request so through the Mayor.

(a) Approve the minutes of the regular meeting of December 4, 2012. ([View Here](#))

(b) Approve Financial Demands and Obligations of the City. ([View Here](#))

(c) Approve the proposed dates in calendar year 2013 for the Saturday evening “Concerts in The Grove” series. ([View Here](#))

5. **RECOGNITIONS AND PRESENTATIONS** – None.

6. **REPORTS**

(a) Planning Commission – Vice Chair Gregg Manning.

(b) Trails and Landscaping Committee – Chairman Jake Pauline.

(c) City Manager/Staff

(d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

(e) Other

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

Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the City Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. When one's name is called or you are recognized by the Mayor as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the City Council.

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

- (a) Presentation and acceptance of the Trails and Landscaping Committee's FY 2011-12 Annual Report for the Citywide Landscape Maintenance District. (TLC Chairman Jake Pauline) ([View Here](#))

Staff recommendation: Following presentation of the Annual Report and public comments, that Council by motion accept the Trails and Landscaping Committee's Annual Report for FY 2011-12.

- (b) Consideration and discussion of Council Members' request for the City to commence recordation of its closed sessions. ([View Here](#))
(City Attorney and City Council)

Staff recommendation: Following staff report and public comment, that Council instruct staff to prepare a Resolution for approval at a subsequent public meeting that will allow any one member of Council to request through the City Manager that summary minutes of an upcoming closed session be taken by the City Clerk to be reviewed and approved at a following closed session meeting.

- (c) Review and determination of City Council ad-hoc, committee, inter-governmental and regional board assignments for 2013. ([View Here](#))
(Mayor Pierce)

Staff recommendation: Following report by Mayor Pierce, approve by motion the proposed Council Member assignments for calendar year 2013.

10. **COUNCIL ITEMS** – limited to requests and directives for future meetings.

11. **ADJOURNMENT**– the next regularly scheduled City Council meeting of January 2, 2013 has been cancelled. Its next regularly scheduled meeting is January 15, 2013.

#

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

Agenda Date: 12-18-12

Agenda Item: 4a

TUESDAY, December 4, 2012

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:15 p.m. by Mayor Geller in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Geller, Councilmembers Pierce, Shuey, and Stratford. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Community Development Director David Woltering, Police Chief Chris Thorsen (7:00 p.m.), and City Clerk Laci Jackson.

2. **CLOSED SESSION-** Mayor Geller announced the following purpose for Closed Session and then adjourned into Closed Session at 6:15 p.m.

- (a) *Government Code Section 54956.8*, Conference with Real Property Negotiator
Real Properties: 6055 Main Street, Clayton (APNs 118-560-010 & 119-011-003)
Instructions to City Negotiator (City Manager) concerning terms and conditions.
Negotiating Party: Clayton Community Church.

7:00 Report out of Closed Session: Mayor Geller stated the Council received a report from its negotiator and there was no reportable action taken.

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Geller.

4. **CONSENT CALENDAR-** It was moved by Councilmember Shuey, seconded by Councilmember Stratford, to approve the Consent Calendar as submitted (Passed; 4-0 vote).

- (a) Information Only

1. Notice of Public Hearing on Wednesday, January 2, 2013 by Contra Costa Water District (CCWD) of its consideration of a treated water revenue rate increase of up to 3.5%.

2. Notification by Allied Waste Services that residential and commercial solid waste collection and disposal services rates will increase by 2.9% (90% of the annual October-October Consumer Price Index change, per the Franchise Agreement), effective January 1, 2013.

- (b) Approved the minutes of the regular meeting of November 20, 2012.
- (c) Approved Financial Demands and Obligations of the City.
- (d) Adopted Resolution 65-2012 declaring the results of canvass of returns in the November 2012 General Municipal Election declaring three persons elected to the City Council of Clayton, California for full four-year terms of office.
- (e) Approved cancellation of January 2, 2013 City Council regular meeting.
- (f) Authorized the closure of the Clayton Community Library on three (3) holiday-related Sundays in calendar year 2013.

5. RECOGNITIONS AND PRESENTATIONS

- (a) Mayor Geller presented Certificates of Recognition to "Do The Right Thing" public school students exemplifying the character trait of "Respect".

Mayor Geller and Mt. Diablo Elementary School teachers Mrs. Buchanan and Mrs. Vogensen recognized students Campbell McGee and Aaron Woodling.

Mayor Geller, Diablo View Middle School Principal Patty Banister, and Debbie Perez recognized Taylor Thompson and Brian Nimr.

Mayor Geller, teachers Kat Marzel and Neil McChesney recognized Clayton Valley Charter High School students Jared Deeley, Bianca Rubalcava, and Adrian Lopez.

6. OATHS OF OFFICE BY NEWLY-ELECTED CITY COUNCIL MEMBERS

The Oaths of Office by the November 2012 elected Councilmembers: Jim Diaz, Howard Geller, and Julie Pierce were taken as administered by the City Clerk. The new Councilmembers took their seats at the Council dais and were provided Certificates of Election.

7. ANNUAL REORGANIZATION OF CLAYTON CITY COUNCIL

- (a) Election of Mayor by the City Council.

Mayor Geller opened nominations. Councilmember Shuey nominated Julie Pierce for the office of Mayor. Councilmember Stratford seconded the nomination. There were no other nominations and Mayor Geller closed the nominations. **On call by Mayor Geller, the election of Julie Pierce as Mayor passed by acclamation (Passed; 5-0 vote).**

- (b) Election of Vice Mayor by the City Council.

Mayor Pierce opened nominations for Vice Mayor. Councilmember Geller nominated Hank Stratford for the position of Vice Mayor. Councilmember Shuey seconded the nomination. There were no other nominations and Mayor Pierce closed the nominations. **On call by Mayor Pierce, the election of Hank Stratford as Vice Mayor passed by acclamation (Passed; 5-0 vote).**

- (c) Recognitions and Comments by Mayor and City Council.

Mayor Pierce thanked Councilmember Geller and presented him with a plaque for his service as Mayor in 2012. Councilmember Geller stated it was a pleasure to serve as Mayor for 2012. He stated he enjoyed his time as Mayor working with City staff, the Charter High School, and getting to know the Councilmembers of other cities. He thanked his fellow Councilmembers for their support.

Councilmember Diaz thanked wife Dana and the citizens of Clayton for allowing him to serve. He stated he looks forward to working with the Council and the CBCA.

Mayor Pierce thanked her family and supporters. She stated this is a year of transition for the community with the loss of Redevelopment funding. She stated staff and the Council have continued with conservative budgeting and employees have given furlough

days, taken pay cuts, had no raises, no merit increases, and have done a tremendous amount to keep City in the black. She thanked staff for their contributions. She thanked all of the community volunteers and stated she wants to focus on community building and the preservation of community spirit over the next year.

April Widis, on behalf of Senator DeSaulnier, congratulated Mayor Pierce, Councilmember Diaz and Councilmember Geller on their elections.

Maurice Dommer, on behalf of Assemblywoman Bonilla, congratulated Mayor Pierce, Councilmember Diaz and Councilmember Geller on their elections.

Laura Case, on behalf of Supervisor Mitchoff, congratulated Mayor Pierce, Councilmember Diaz and Councilmember Geller on their elections.

8. OATH OF OFFICE BY NEW CLAYTON CHIEF OF POLICE

The City Clerk administered the Oaths of Office to the new Chief of Police Christopher Thorsen. Chief Thorsen's wife Anne pinned his badge to his uniform.

Chief Thorsen stated he has only been on the job for three day but is convinced he has taken over a very good department. He thanked the many people in his career that helped him advance through the ranks and taught him through the years. He stated he has been welcomed by staff and is looking forward to being a part of the community for many years to come.

7:35 p.m. The Council took a short recess. 7:46 p.m. the Council reconvened.

9. REPORTS

- (a) Planning Commission – No meeting held to report.
- (b) Trails and Landscaping Committee – Vice Mayor Stratford noted the Trails and Landscaping Committee will present their Annual Report at the December 18th City Council meeting.
- (c) The City Manager congratulated Mayor Pierce, Councilmember Diaz, and Councilmember Geller on their election. He noted even with the recent heavy rain there has been no reported damage to City property. He stated former Mayor Geller attended the Board of Supervisors meeting to voice concern about the possible closure of Clayton's sole Fire Station, Station #11 by the District. He stated the 47% of Clayton voters were in favor of Measure Q, and 53% voted no. He stated the public needs know the City Council has no authority over the Fire District. He stated concerned citizens should contact Supervisor Karen Mitchoff, and the City will continue to monitor the situation. He stated there is a serious concern for the emergency medical response and fire suppression protection in the community.

City Attorney reported on the Property Tax Administration Fee (PTAF) lawsuit filed in Los Angeles County over property tax administration fee was ruled in favor of cities by the California Supreme Court. Cities sued that county over property tax administration fees because the fees were in excess of the actual cost to administer the process. The City of Clayton had a tolling agreement with Contra Costa County over this matter and depending on how many years the court allows cities to go back and recover money there could be at least \$27,000 owed to the City of Clayton. The County of Los Angeles

asked for reconsideration of the issue and the court has until mid-February to decide whether or not to reconsider the judgment.

(d) City Council

Councilmember Diaz attended the Contra Costa Legislative reception in Sacramento and met with Senator DeSaulnier and Assemblywoman Bonilla.

Vice Mayor Stratford stated the Trails and Landscaping Committee met but they are not reporting on their meeting until the December 18th. He stated the character trait this month for the "Do the Right Thing" program is "Kindness."

Councilmember Geller attended the CBCA tree lighting and thanked the volunteers and Ed Moresi for sponsoring the carriage rides. He noted Clayton Valley Charter High School is the NCS football champions. He attended the annual City Council meeting with business owners. He stated he attended the Board of Supervisors meeting regarding the closing of Fire Station 11. He suggested concerned residents write letters to Supervisor Mitchoff. He stated there are two new businesses going in downtown, Canessa's Deli and a Mexican restaurant in the Flora Square building.

Councilmember Pierce attended an ABAG meeting, the Council meeting with business owners, Chief Dan Lawrence's retirement lunch, and a joint ABAG and MTC meeting. She also reminded citizens this year's Clayton Counts Down is cancelled.

(e) Other – None.

10. **PUBLIC COMMENTS** – None.

11. **PUBLIC HEARINGS** – None.

12. **ACTION ITEMS** –None.

13. **COUNCIL ITEMS**- None.

14. **ADJOURNMENT**– On call by Mayor Geller the meeting adjourned at 8:03 p.m.

Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor



Agenda Date: 12/18/2012

Agenda Item: 4b

Approved:

Gary A. Napper
City Manager/Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: MERRY PELLETIER, FINANCE MANAGER

DATE: 12/18/2012

SUBJECT: INVOICE SUMMARY

RECOMMENDATION

Approve the following Invoices.

12/14/2012	Cash Requirements Report	\$ 56,332.52
12/14/2012	ACH Payments	\$ 43,384.03
	1. Priority Payment Systems (\$61.56)	
	a. Credit card machine fees	
	2. Cal Pers Retirement (\$21,731.85)	
	a. PPE 11/25/12	
	3. Cal Pers Retirement (\$21,590.62)	
	a. PPE 12/9/12	

TOTAL REQUEST \$ 99,716.55

Attachments:

Cash Requirements Report dated 12/14/2012 (4 pages)

Copy of invoice for ACH Transactions (3 pages)

City of Clayton

Cash Requirements Report

City Council Meeting 12/18/12

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Access One								
Access One	12/18/2012	12/2/2012	1319758	Long Distance 11/12	\$45.56	\$0.00		\$45.56
				<i>Totals for Access One:</i>	<i>\$45.56</i>	<i>\$0.00</i>		<i>\$45.56</i>
All City Management Services, Inc.								
All City Management Services, Inc.	12/18/2012	11/30/2012	29320	school crossing guard services	\$232.50	\$0.00		\$232.50
				<i>Totals for All City Management Services, Inc.:</i>	<i>\$232.50</i>	<i>\$0.00</i>		<i>\$232.50</i>
Arlene H. Kikkawa-Nielsen								
Arlene H. Kikkawa-Nielsen	12/18/2012	12/3/2012	December 2012	Library Volunteer Coordinator December 201	\$900.00	\$0.00		\$900.00
				<i>Totals for Arlene H. Kikkawa-Nielsen:</i>	<i>\$900.00</i>	<i>\$0.00</i>		<i>\$900.00</i>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	12/18/2012	11/27/2012	287589A-IN	30" R1-1 HIP Metal Sign	\$784.81	\$0.00		\$784.81
				<i>Totals for Bay Area Barricade Serv.:</i>	<i>\$784.81</i>	<i>\$0.00</i>		<i>\$784.81</i>
CCC Clerk Elections Division								
CCC Clerk Elections Division	12/18/2012	12/3/2012	1086	Elections - Candidate Statement Fees 11/6/12	\$1,599.28	\$0.00		\$1,599.28
				<i>Totals for CCC Clerk Elections Division:</i>	<i>\$1,599.28</i>	<i>\$0.00</i>		<i>\$1,599.28</i>
CCC Office of the Sheriff-Fiscal (Training)								
CCC Office of the Sheriff-Fiscal (Trai	12/18/2012	12/5/2012	12-1824	Range - Marsh Creek Detention Facility Nove	\$370.00	\$0.00		\$370.00
				<i>Totals for CCC Office of the Sheriff-Fiscal (Training):</i>	<i>\$370.00</i>	<i>\$0.00</i>		<i>\$370.00</i>
CCC Sheriff - Forensic Svc Div (Lab)								
CCC Sheriff - Forensic Svc Div (Lab)	12/18/2012	11/30/2012	CLPD-1210	Alcohol Tests	\$700.00	\$0.00		\$700.00
				<i>Totals for CCC Sheriff - Forensic Svc Div (Lab):</i>	<i>\$700.00</i>	<i>\$0.00</i>		<i>\$700.00</i>
City of Concord								
City of Concord	12/18/2012	11/30/2012	30535	Live scan	\$98.00	\$0.00		\$98.00
				<i>Totals for City of Concord:</i>	<i>\$98.00</i>	<i>\$0.00</i>		<i>\$98.00</i>
Clayton Valley Women's Club								
Clayton Valley Women's Club	12/18/2012	12/3/2012	025532	Deposit Refund for Library Usage 11/16-11/1	\$28.00	\$0.00		\$28.00
				<i>Totals for Clayton Valley Women's Club:</i>	<i>\$28.00</i>	<i>\$0.00</i>		<i>\$28.00</i>
Clean Street								
Clean Street	12/18/2012	11/30/2012	69199	Monthly Sweep Fec	\$3,500.00	\$0.00		\$3,500.00
				<i>Totals for Clean Street:</i>	<i>\$3,500.00</i>	<i>\$0.00</i>		<i>\$3,500.00</i>
Comcast								
Comcast	12/18/2012	12/5/2012	12/5/12	High speed internet	\$392.48	\$0.00		\$392.48
				<i>Totals for Comcast:</i>	<i>\$392.48</i>	<i>\$0.00</i>		<i>\$392.48</i>
Contra Costa Topsoil								

City of Clayton

Cash Requirements Report

City Council Meeting 12/18/12

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Contra Costa Topsoil	12/18/2012	11/14/2012	100256	Sand - 10 yards	\$443.83	\$0.00		\$443.83
				Totals for Contra Costa Topsoil:	\$443.83	\$0.00		\$443.83
Cropper Accountancy Corp								
Cropper Accountancy Corp	12/18/2012	11/30/2012	669	Financial Statements 10/11 Audit	\$5,000.00	\$0.00		\$5,000.00
				Totals for Cropper Accountancy Corp:	\$5,000.00	\$0.00		\$5,000.00
Davis Home Pros								
Davis Home Pros	12/18/2012	12/5/2012	0057	deposit refund	\$500.00	\$0.00		\$500.00
				Totals for Davis Home Pros:	\$500.00	\$0.00		\$500.00
Diablo Tropicals								
Diablo Tropicals	12/18/2012	12/5/2012	0046	Deposit refund	\$1,952.27	\$0.00		\$1,952.27
				Totals for Diablo Tropicals:	\$1,952.27	\$0.00		\$1,952.27
Howard Geller								
Howard Geller	12/18/2012	12/3/2012	11/6/12	Reimbursement for Candidate Statement	\$180.98	\$0.00		\$180.98
				Totals for Howard Geller:	\$180.98	\$0.00		\$180.98
J & R Floor Services								
J & R Floor Services	12/18/2012	12/1/2012	November	November Billing 2012	\$4,880.00	\$0.00		\$4,880.00
				Totals for J & R Floor Services:	\$4,880.00	\$0.00		\$4,880.00
Jarvis Fay Doporto & Gibson, LLP								
Jarvis Fay Doporto & Gibson, LLP	12/18/2012	11/16/2012	October 2012	October 2012 Chevron Property Tax Refund D	\$108.12	\$0.00		\$108.12
				Totals for Jarvis Fay Doporto & Gibson, LLP:	\$108.12	\$0.00		\$108.12
Jim Diaz								
Jim Diaz	12/18/2012	12/3/2012	11/6/12	Reimbursement for Candidate Statement 11/	\$179.84	\$0.00		\$179.84
				Totals for Jim Diaz:	\$179.84	\$0.00		\$179.84
Joe Medrano								
Joe Medrano	12/18/2012	12/3/2012	11/6/12	Reimbursement for Candidate Statement 11/	\$180.22	\$0.00		\$180.22
				Totals for Joe Medrano:	\$180.22	\$0.00		\$180.22
John Deere Landscapes Inc								
John Deere Landscapes Inc	12/18/2012	11/27/2012	63323401	Supplies	\$1,844.66	\$0.00		\$1,844.66
				Totals for John Deere Landscapes Inc:	\$1,844.66	\$0.00		\$1,844.66
Julie Pierce								
Julie Pierce	12/18/2012	12/3/2012	11/6/12	Reimbursement for Candidate Statement 11/	\$176.99	\$0.00		\$176.99
				Totals for Julie Pierce:	\$176.99	\$0.00		\$176.99
Kevin Liberman								
Kevin Liberman	12/18/2012	12/3/2012	11/6/12	Reimbursement for Candidate Statement 11/	\$182.69	\$0.00		\$182.69

City of Clayton

Cash Requirements Report

City Council Meeting 12/18/12

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount Expires On	Discount Expires On	Net Amount Due
LarryLogic Productions				<i>Totals for Kevin Liberman:</i>				
LarryLogic Productions	12/18/2012	12/5/2012	1296	City Council Meeting 12/5/12	\$182.69	\$0.00		\$182.69
LSA Associates Inc				<i>Totals for LarryLogic Productions:</i>				
LSA Associates Inc	12/18/2012	9/25/2012	117923	Clayton Comm Church EIR	\$325.00	\$0.00		\$325.00
Marken Mechanical Services Inc				<i>Totals for LSA Associates Inc:</i>				
Marken Mechanical Services Inc	12/18/2012	12/4/2012	412-1151-12	City Hall Maintenance December 2012	\$13,349.39	\$0.00		\$13,349.39
Marken Mechanical Services Inc	12/18/2012	12/4/2012	412-1152-12	Library Maintenance December 2012	\$13,349.39	\$0.00		\$13,349.39
Michel & Fackler APC				<i>Totals for Marken Mechanical Services Inc:</i>				
Michel & Fackler APC	12/18/2012	12/4/2012	412-1151-12	City Hall Maintenance December 2012	\$150.00	\$0.00		\$150.00
Municipal Pooling Authority				<i>Totals for Michel & Fackler APC:</i>				
Municipal Pooling Authority	12/18/2012	11/30/2012	11326	City of Clayton vs. MPA 3/8/12-11/12/12	\$150.00	\$0.00		\$150.00
NBS Govt. Finance Group				<i>Totals for Municipal Pooling Authority:</i>				
NBS Govt. Finance Group	12/18/2012	12/3/2012	December 2012	December LTD/STD 2012	\$300.00	\$0.00		\$300.00
Pinnacle Residential Services				<i>Totals for NBS Govt. Finance Group:</i>				
Pinnacle Residential Services	12/18/2012	11/30/2012	11120076	Cont Discl Rep Svcs for 2007 Spec Tax Rev R	\$5,516.05	\$0.00		\$5,516.05
Riso Products of Sacramento				<i>Totals for Pinnacle Residential Services:</i>				
Riso Products of Sacramento	12/18/2012	11/26/2012	1590	Mgmt svcs for Diablo Estates BAD December	\$1,631.10	\$0.00		\$1,631.10
Rock & Waterfall Co				<i>Totals for Riso Products of Sacramento:</i>				
Rock & Waterfall Co	12/18/2012	11/27/2012	100535	contract 11/18-12/17/2012	\$4,099.00	\$0.00		\$4,099.00
Rock & Waterfall Co	9/18/2012	8/8/2012	107-55	replace burned out breaker for filter pump	\$94.79	\$0.00		\$94.79
SPRAYTEC (Sprayer Sales Co)				<i>Totals for Rock & Waterfall Co:</i>				
SPRAYTEC (Sprayer Sales Co)	12/18/2012	11/28/2012	11507	waterfall maintenance	\$356.00	\$0.00		\$356.00
SPRAYTEC (Sprayer Sales Co)	12/18/2012	11/28/2012	11506	repair to recycle tank in yard	\$650.00	\$0.00		\$650.00
Sprint Comm (PD)				<i>Totals for SPRAYTEC (Sprayer Sales Co):</i>				
Sprint Comm (PD)	12/18/2012	11/28/2012	11506	Monthly Maintenance on Waste Water Treat	\$1,006.00	\$0.00		\$1,006.00
				<i>Totals for SPRAYTEC (Sprayer Sales Co):</i>				
					\$276.79	\$0.00		\$276.79
					\$225.00	\$0.00		\$225.00
					\$501.79	\$0.00		\$501.79

City of Clayton

Cash Requirements Report

City Council Meeting 12/18/12

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Sprint Comm (PD)	12/18/2012	11/29/2012	7033335311-132	October 26-November 25,2012	\$292.47	\$0.00		\$292.47
				<i>Totals for Sprint Comm (PD):</i>	<i>\$292.47</i>	<i>\$0.00</i>		<i>\$292.47</i>
US Bank Trust National Assoc								
US Bank Trust National Assoc	12/18/2012	11/23/2012	3266836	Clayton Comm Fac Dist 1990 1 spec tax bond	\$577.50	\$0.00		\$577.50
				<i>Totals for US Bank Trust National Assoc:</i>	<i>\$577.50</i>	<i>\$0.00</i>		<i>\$577.50</i>
Waraner Brothers Tree Service								
Waraner Brothers Tree Service	12/18/2012	11/19/2012	10117	Tree Work Clayton Road (Ash)	\$1,200.00	\$0.00		\$1,200.00
Waraner Brothers Tree Service	12/18/2012	12/3/2012	10128	Tree Work El Portal (Oak)	\$450.00	\$0.00		\$450.00
Waraner Brothers Tree Service	12/18/2012	11/19/2012	10116	Tree Work Library	\$1,200.00	\$0.00		\$1,200.00
				<i>Totals for Waraner Brothers Tree Service:</i>	<i>\$2,850.00</i>	<i>\$0.00</i>		<i>\$2,850.00</i>
Western Exterminator								
Western Exterminator	12/18/2012	11/30/2012	776589	November 2012	\$342.00	\$0.00		\$342.00
				<i>Totals for Western Exterminator:</i>	<i>\$342.00</i>	<i>\$0.00</i>		<i>\$342.00</i>
GRAND TOTALS:					\$56,332.52	\$0.00		\$56,332.52

PRIORITY PAYMENT SYSTEMS
P.O. BOX 246
ALPHARETTA, GA
30009-0246

PAGE 1

MONTH ENDING 11/30/12
4 PAGES IN THIS STATEMENT

MERCHANT STATEMENT
SUMMARY OF BANKCARD DEPOSITS

07 209099

8566 2400 0500 01

MERCHANT NUMBER 5180 8924 0574194

DDA/SAV/GL NR 0982504799



City of Clayton
6000 Heritage Trail
Clayton CA 94517-1249

CITY OF CLAYTON
6000 HERITAGE TRL
CLAYTON CA 94517-1249

CUSTOMER SERVICE TEL #: 1-800-935-5961

!ATTENTION!

THE STAR DEBIT NETWORK IMPLEMENTED A STAR NETWORK ANNUAL FEE IN SEPTEMBER 2012. AS A RESULT OF THIS NEW FEE, EFFECTIVE ON YOUR JANUARY 2013 STATEMENT YOU WILL BE CHARGED A STAR NETWORK ANNUAL FEE IN THE AMOUNT OF \$6.00. THIS FEE WILL APPEAR ON YOUR STATEMENT AS A SEPARATE LINE ITEM IN THE SUMMARY OF MISCELLANEOUS FEES IDENTIFIED AS STAR ANNUAL FEE. CONTINUING YOUR MERCHANT ACCOUNT WITH US OR USE OF YOUR MERCHANT ACCOUNT AFTER THE EFFECTIVE DATE WILL CONSTITUTE YOUR ACCEPTANCE TO THESE TERMS.

WE WOULD LIKE TO TAKE THIS OPPORTUNITY TO WISH YOU A HAPPY HOLIDAY SEASON AND TO THANK YOU FOR ALLOWING US TO SERVICE YOUR CARD PROCESSING NEEDS. WE APPRECIATE YOUR BUSINESS THROUGHOUT THE YEAR AND LOOK FORWARD TO PROVIDING YOU WITH THE HIGHEST LEVEL OF CUSTOMER SERVICE IN THE INDUSTRY IN THE FORTHCOMING YEAR.

TOTAL CHARGE TO YOUR ACCOUNT IS

61.56

SUMMARY OF CARD DEPOSITS

CARD TYPE	SALES	RETURNS	NET
MASTERCARD	6 751.00	0 0.00	751.00
MC OFLN DB	1 32.00	0 0.00	32.00
VISA	6 1,306.00	0 0.00	1,306.00
VS OFLN DB	3 200.94	0 0.00	200.94
TOTAL	16 2,289.94	0 0.00	2,289.94

SUMMARY OF INTERCHANGE FEES

INTERCHANGE	RATE	ITEM	COUNT	VOLUME	FEE
MASTERCARD					
WCELITE MERIT3	.0220	.10	1	54.00	1.29
WHEBFACE-FACE	.0242	.10	1	114.00	2.86
EVPSBFACE2FACE	.0232	.10	2	292.00	6.98
REGCORPDATA2LF	.0005	.22	2	291.00	0.59
MC OFLN DB					
REGDBMRT3BASLF	.0005	.22	1	32.00	0.24
VISA					
CPS SEL MKT	.0143	.05	2	701.00	10.12
EIRF CR	.0230	.10	1	146.00	3.45
US BUS CNP	.0225	.10	1	136.00	3.16
US SIG BUS CNP	.0260	.20	2	323.00	8.79

pd Cal Pers Online 12/14/12

Vendor # 201

11 CalPERS - Retirement
(State of California Public Employee's Retirement System)

Earned Period:

11/12/2012 11/23/2012

Debit Date:

Pay date

11/28/12

Paid Reference #:

Payment Due

to PERS by

12/13/12

Admin

Giantvalley, Jennifer	\$ 157.47	
Hoffmeister, Laura	\$ 668.89	
Howe, Rita	\$ 405.82	
Jackson, Laci	\$ 592.32	
Napper, Gary	\$ 1,532.81	
Pelletier, Merry	\$ 793.40	\$ 4,150.71 101-7220-02

Public Works

Arias, Sandro	\$ 412.80	
Bryce, Edward	\$ 489.17	
Janney, Mark	\$ 592.84	
Johnston, Dan	\$ 385.67	
Johnston, John	\$ 592.84	\$ 2,473.31 101-7220-03

Comm Dev

Sikela, Milan	\$ 355.39	
Woltering, David	\$ 901.04	\$ 1,256.43 101-7220-04

Police Dept

Billington, Daren	\$ 1,063.37	
Dansie, Lynn	\$ 458.61	
Dansie, Scott	\$ 1,469.39	
Enea II, Rich	\$ 1,250.11	
Lawrence, Dan	\$ 1,959.70	
Marchut, Tim	\$ 1,318.67	
McEachin, Rich	\$ 1,287.15	
Pike, Allan	\$ 1,208.88	
Roden, Wendy	\$ 372.87	
Shaw, Jason	\$ 1,198.22	
White, Allen	\$ 1,225.41	
Sorrell, Todd	\$ 1,016.70	\$ 13,829.07 101-7220-06

Survivor Benefits	PD	\$ 9.30	\$ 9.30	101-2206-00
Survivor Benefits	Misc	\$ 13.02	\$ 13.02	101-7246-02

Total \$ 21,731.85

9224 Misc, Tier 2	\$ 158.40
9223 Misc	\$ 8,566.55
9225 Safety	\$ 13,006.90
	\$ 21,731.85

Authorized By

Date

City Mgr Approval

Date

✓ ENTERED

0-000

0-000

2,542.07

5,912.44

12.07

74.25

85.22

0.93

2,546.00

10,450.70

9.30

21,731.85

009

pd Calpers online 12/14/12

Vendor #201 **CalPERS - Retirement**
(State of California Public Employee's Retirement System)

Earned Period: 1/06/2012 - 12/31/2012

Pay date: 12/12/12
Payment Due to PERS by: 12/27/12

Debit Date:

Paid Reference #:

Admin

Giantvalley, Jennifer	\$	157.47	(+ .93 survivor bene = \$158.40)
Hoffmeister, Laura	\$	668.89	
Howe, Rita	\$	405.82	
Jackson, Laci	\$	592.32	
Napper, Gary	\$	1,532.81	
Pelletier, Merry	\$	793.40	\$ 4,150.71 101-7220-02

Public Works

Arias, Sandro	\$	412.80	
Bryce, Edward	\$	489.17	
Janney, Mark	\$	592.84	
Johnston, Dan	\$	385.67	
Johnston, John	\$	592.84	\$ 2,473.31 101-7220-03

Comm Dev

Sikela, Milan	\$	355.39	
Woltering, David	\$	901.04	\$ 1,256.43 101-7220-04

Police Dept

Billington, Daren	\$	1,063.37	
Dansie, Lynn	\$	229.30	
Dansie, Scott	\$	1,463.99	
Enea II, Rich	\$	1,257.38	
Lawrence, Dan	\$	979.85	
Marchut, Tim	\$	1,318.26	
McEachin, Rich	\$	1,287.15	
Pike, Allan	\$	1,208.88	
Roden, Wendy	\$	372.87	
Shaw, Jason	\$	1,184.44	
Sorrell, Todd	\$	1,006.97	
Thorsen, Chris	\$	1,089.05	(+ .93 survivor bene = \$1,089.98)
White, Allen	\$	1,225.41	\$ 13,686.92 101-7220-06

Survivor Benefits	PD	\$	10.23	\$	10.23	101-2206-00
Survivor Benefits	Misc	\$	13.02	\$	13.02	101-7246-02

Total **\$ 21,590.62**

Authorized By: Merry Pelletier Date: 12/13/12

City Mgr Approval: [Signature] Date: 12-13-12

 **ENTERED**

9223 Misc	\$	8,337.24
9224 Misc, Tier 2	\$	158.40
9225 Safety, Tier 2	\$	1,089.98
9225 Safety	\$	12,005.00
Total	\$	21,590.62

Gary Napper

Subject: List of Proposed Saturday concert dates in 2013

From: councilmangeller@aol.com [<mailto:councilmangeller@aol.com>]

Sent: Tuesday, December 11, 2012 11:52 AM

To: gnapper@ci.clayton.ca.us

Cc: hgeller617@aol.com

Subject: Re: List of Proposed Saturday concert dates in 2013

Agenda Date: 12-18-12

Agenda Item: 4c

Gary,

We start the weekend after the Art and Wine which is always the weekend before Mothers Day. The dates are: May 11, 25, June 8, 22, July 6, 20, August 3, 17, 31 and Sept. 14.

-----Original Message-----

From: Gary Napper <gnapper@ci.clayton.ca.us>

To: Howard Geller <councilmangeller@aol.com>; Howard Geller <hgeller617@aol.com>

Sent: Tue, Dec 11, 2012 10:24 am

Subject: List of Proposed Saturday concert dates in 2013

Howard:

Arising from the Town Hall meeting with Clayton merchants, would you please provide me with your proposed list of Saturday concerts in 2013?

I need this by Dec. 13th to be on the upcoming Agenda.

Thanks.



Agenda Date: 12-18-12

Agenda Item: 9a

Approved:

Gary A. Napper, City Manager

STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

MEETING DATE: December 18, 2012

SUBJECT: Presentation of the 2011-12 Annual Citizens Oversight Report by the Trails and Landscape Committee for Measure B, Citywide Landscape Maintenance District

REQUEST

Consider and accept the Annual Report for 2011-12 from the Citizens Oversight Committee [Trails and Landscape Committee (TLC)] as stipulated in Measure B as approved by the voters for the Community Facilities District Funding of the City of Clayton roadway landscaping, trail and openspace maintenance (Landscape Maintenance District).

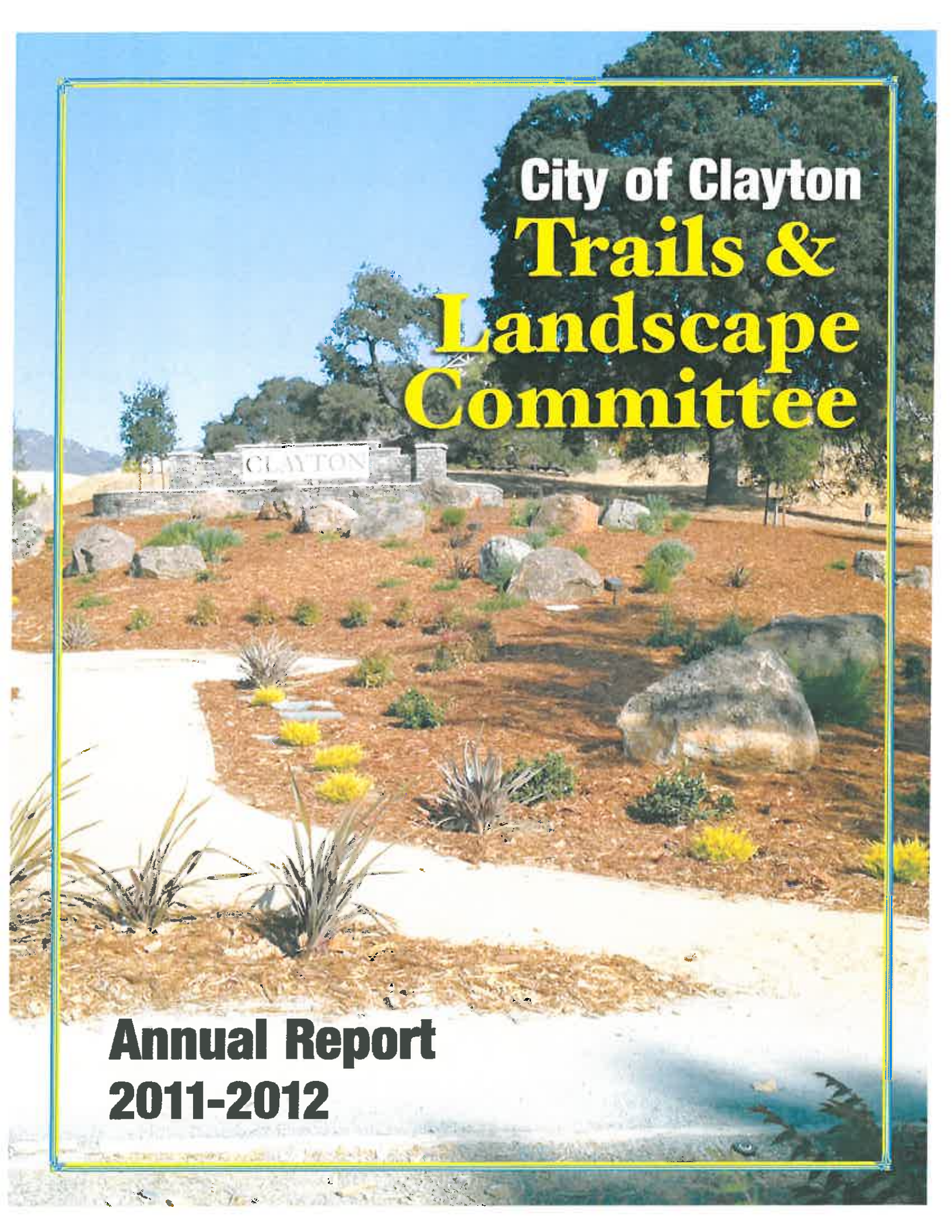
BACKGROUND

Measure B was passed by the voters of Clayton in June 2007 which established special district funding for the Citywide Landscape Maintenance District. The measure called for the preparation of an Annual Report by the Citizens Oversight Committee to be prepared and submitted to the City Council. The Trails and Landscaping Committee (TLC) is the name used to refer to the Citizens Oversight Committee called for in the measure. The TLC has prepared the attached Annual Report for the City Councils consideration and acceptance. The TLC independently prepared the report and at their November 19, 2012 meeting reviewed and unanimously approved the report to the City Council (vote 6-0, 2 absent).

The report provides information and highlights of the past fiscal year's activities, and provides some information as to what is expected to occur in the upcoming fiscal year.

Attachments:

Citizens Oversight Committee FY 11-12 Annual Report for the Citywide Landscape Maintenance District

A photograph of a landscaped area. In the background, a stone wall with the word "CLAYTON" on it is visible. Behind the wall are several large, leafy trees under a clear blue sky. The middle ground is a landscaped garden bed with brown mulch, several large grey boulders, and small green and yellow plants. A light-colored concrete path curves through the garden bed. In the foreground, there are more plants and a small pool of water reflecting the sky.

City of Clayton Trails & Landscape Committee

**Annual Report
2011-2012**

Message from the Chair:

The following Annual report is for the 2011-2012 fiscal year. This report contains a detailed account of the expenditures of revenues collected by measure B. All revenues collected by Measure are to be used on the Landscape Maintenance District (LMD). Measure B required the formation of a citizen oversight board to assure that the Measure B funds are being used for their intended purpose. The Citizen Oversight Committee is now known as the Trails and Landscape Committee (TLC). The Committee is made up of citizens of Clayton that are appointed by the City Council to serve two year terms. The committee will advise the council on LMD projects and maintenance reports, review and submit recommendations on future budgets, and present an annual report for use by the Council and the citizens of Clayton. Traditionally the annual report starts with a message from the chair.

I would like to start by welcoming our new members. Larry Casagrande, Alyse Smith, Harun Simbirdi, and Anthony Chippero were appointed by the City Council to serve two terms. These four individuals are welcome additions and are already making an impact. I would like to thank our current members as well, Robert Steiner, and Robert Erich. I would like to highlight and provide a special note of gratitude to Kelly Marshall. Kelly has served on the Committee since its inception and is integral to its operation. The professional knowledge that Kelly brings to our meetings is a huge benefit. In 2012 we witnessed the retirement of two longstanding members; Lorraine Mole and Virginia Siegel. Thank you to all current and past members for your service to our community.

Over the past 2 years I have learned a lot. I have seen firsthand how our local government works (or in some cases doesn't). I have also learned that the TLC has an important, but limited scope of operation. The committee is only an advisory board. As one member put it; the committee has no teeth. The ultimate power and responsibility still reside in the democratically elected City Council. All in all the Council almost always follows the recommendation of the committee but it is not bound to.

2011-2012 was a good year for the LMD. The attached report highlights all of the different ways your tax dollars have been used. In the end you the tax payer are the judge and jury. So with that in mind read the attached quarterly reports and then take a drive around town and check it out. Ask yourself this question. Is your \$217 per year being spent correctly? If the answer is no then join the TLC. If your answer is yes then join the TLC. We need more civic minded Claytonians to get involved.

Finally, thanks to our Adopt-a-Trail program the tree lights at the rear of the library are operational. The program provided \$4800 to fix the lights. Next time you are near the library at night take and gander, the signature oaks that characterize our town can now be seen at night again. I would like to thank all of our sponsors; Discovery Builders, Passport2Clayton, Diablo Ford, Banister Electric, the Employees of the Federal Credit Union, the Pauline Family, the Siegel Family, Black Diamond Electric, and Dan Pauline. The donations received by these generous individuals and entities have been put to good use, and I would like to personally say thank you.

Jake Pauline

Jake Pauline
Chair

TLC Recommendations, Projects, and Work Product Review 2011-2012

- ✓ **TLC received and reviewed staff reports regarding maintenance activities see attached City Maintenance Quarterly Update Reports.**
- ✓ **Reviewed Incoming and outgoing correspondence between citizens and staff regarding various concerns and observations relating to landscaping and trail issues.**
- ✓ **Reviewed and recommended the proposed Landscape Maintenance District budgets for FY 2011/12 (June 2011) and FY 12-13 (June 2012) to the City Council**
- ✓ **Received and reviewed the status of the deferred landscape Maintenance District Projects, currently implemented throughout the city.**
- ✓ **Conducted mid-year budget review of the Landscape Maintenance District Fiscal Year 2011-12 budget**
- ✓ **Reviewed the proposed re-landscaping plan, conducted a physical tour of the site, and subsequently recommended to the City Council, the adoption of the staff's plan for the re-planting of the median on Clayton Road from Oakhurst to Mitchell Canyon Road.**
- ✓ **Recommended to the City Manager that \$4,800 of the accumulated Adopt a Trail fund be used to replace three (3) up-lights on the Cardinet Trail, directly beside the library, in the open space between the trail and the creek. Recommendation accepted and lights installed.**
- ✓ **Reviewed staff reports, and recommended to the City Council, the final landscape plan and proposed maintenance program for Daffodil Hill.**
- ✓ **Recommended that the city council accept, and include CBCA's monetary, participation in the proposed landscape plan for Daffodil Hill.**
- ✓ **Recommended that *Daffodil Hill* become part of the Landscape Maintenance District.**
- ✓ **Reviewed and accepted a revision of the trails and landscape brochure.**
- ✓ **Discussed methods whereby increasing public interest and active participation in the Adopt-a-Trail program via articles in the Clayton Pioneer. In addition, formed a sub-committee to explore the option(s).**
- ✓ **Complimented the city maintenance staff for the commendable job they do in effectively maintaining and managing the city's system of trails and landscaping within their operating budget.**

ADOPT-A-TRAIL PROGRAM:

The Adopt-a-Trail program continues to thrive with TLC members working as volunteers to support the effort. The program aims to:

- Augment financing provided by Measure B
- Provide a venue for volunteers to help Clayton maintain and enhance its trail network
- Make the trails cleaner
- Celebrate the trails' sponsors and volunteers
- Foster civic pride through volunteerism, philanthropy, and cleanliness

The TLC has identified several trail segments to adopt. Each segment can have two adopters: a financial adopter and clean-up adopter.

Please see the APPENDIX section of this report for a current listing of adopters.

TLC RECOMMENDS BUDGET FOR FISCAL YEAR 2012-2013 TO CITY COUNCIL:

In May of 2012, the TLC recommended a proposed budget to the City Council, which was based on the existing FY 2011-2012 assessment, subject to adjustment by the Consumer Price Index (CPI), but capped to a 3% maximum increase per Measure B. Subsequently, the CPI was published at an increase of 2.08% and in their July 3rd 2012 meeting, the City Council adopted an annual assessment of \$955,317.82 or \$217.86 per residential parcel or non-residential parcel acre. ***A copy of the adopted budget and further explanation of Fund 210 is included in the APPENDIX section of this report.***

For FY 11/12: assessments were \$213.42 per single family parcel; or per nonresidential acre or fraction thereof. – estimated revenue received \$936,063.80 these were recommended by the TLC at its May 23, 2011 meeting and approved by the City Council at their July 5, 2011 meeting.

COMMUNITY OUTREACH:

Both the TLC and the District continue to reach out to the public to keep citizens informed of their activities in a variety of ways, which include:

- Inviting the public to attend quarterly TLC meetings
- Requesting comments and questions via email to cityinfo@ci.clayton.ca.us
- Posting meeting minutes at the City website at www.ci.clayton.ca.us
- Presenting summaries of TLC meetings at City Council meetings
- Publishing quarterly reports of maintenance staff activities
- Submitting articles about the District to the Clayton Pioneer newspaper

APPENDIX

- **2011-2012 Adopted Budget**
- **Adopt-a-Trail Sponsors & Financial Statement**
- **City Maintenance Quarterly Report(s) - Trails and Landscaping**
- **Articles published in the *Clayton Pioneer* during fiscal year 2011-2012**
- **Trails and Landscape Committee Informational brochure**
- **TLC Roster**
- **2012-2013 Adopted Budget**

City of Clayton
Landscape Mtn District CFD 2007-1 Fund 210
Estimated Budget 2011/12

Account Number	Account Name	2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Actual 4/30/2011	2010-11 Projected 6/30/2011	2011-12 Proposed Budget
7111	Salaries/Regular	159,865	162,632	161,964	180,350	162,632
7112	Temporary Help	73,187	94,150	59,475	85,310	94,150
7218	LTD Insurance	1,458	1,545	993	1,128	1,589
7220	PERS Retirement	35,387	34,527	31,844	34,527	35,582
7231	Workers Comp Insurance	5,441	5,627	5,627	5,627	2,679
7232	Unemployment Insurance	6,708	5,938	5,938	5,938	6,999
7233	FICA and Medicare	7,288	9,681	7,298	9,687	9,581
7248	Benefit Insurance	34,635	33,239	30,454	32,709	32,709
7311	General Supplies	32,788	38,718	32,245	38,718	42,998
7318	Landscape Replacement	200	20,000	-	20,000	20,000
7335	Gas & Electric Serv.	27,487	28,840	20,696	28,840	29,000
7338	Water Service	71,995	180,000	96,753	145,000	183,600
7342	Machinery/ Equip Maint.	10,003	8,758	7,769	10,665	10,000
7343	Vehicle Maintenance	7,865	8,334	6,022	8,334	8,334
7344	Vehicle Gas, Oil, and Supplies	8,525	8,484	7,331	9,000	9,000
7381	Property Tax Admin Cost	3,368	3,400	3,550	3,737	3,737
7389	Misc. Expenses	704	-	-	-	-
7412	Engineering Inspection	-	-	1,425	-	-
7419	Other Prof. Services	157,801	133,355	30,068	128,600	141,181
7486	CERF Charges/Depreciation	12,936	12,936	12,936	12,936	12,936
7520	Project/Program costs (materials)	-	260,000	148,500	260,000	330,000
7615	Property Taxes	2,292	2,300	2,332	2,332	2,370
8101	Transfer to General Fund	26,970	29,918	29,918	29,918	29,918
	Total Expenses	685,461	1,082,272	692,827	1,059,676	1,168,985

4604 Clayton LMD Assessment
5601 Interest
5702 Donations for Adopt A Trail
5606 Unrealized Inv Gain/Loss
Total Revenue

Annual Balance (Shortfall)
Beginning Fund Balance
Ending Fund Balance

897,284	910,434	865,042	910,571	936,054
12,843	5,000	13,889	14,000	5,000
1,400	-	4,850	6,050	-
7,358	-	-	-	-
918,885	915,434	883,560	930,621	941,054
233,435	(166,838)	180,733	(129,055)	(227,931)
383,729	617,164	617,164	617,164	488,108
617,164	450,326	807,897	488,108	260,177

City of Clayton
Landscape Mtn District CFD 2007-1 Fund 210
Estimated Budget 2011/12

Account Number	Account Name	2009-10 Actual 6/30/2010	2010-11 Adopted Budget	2010-11 Actual 4/30/2011	2010-11 Projected 6/30/2011	2011-12 Proposed Budget
7419	Wildland Resource Mgmt	48,550	1,600	-	1,600	1,600
	Environtech Enterprises	44,708	53,416	-	53,416	53,416
	Warner Brothers -Tree trimming	15,300	16,000	12,060	16,000	16,000
	Warner Bros Svc 1 x per yr+2 x trails	30,385	31,296	-	31,296	35,000
	NBS Admin Fees+Del letters	3,868	3,900	3,424	3,424	3,624
	Martel Water Systems	475	1,000	-	1,000	1,000
	Rodent Control	8,151	7,500	5,169	7,500	7,500
	Advertising for TEMP labor/Live Scans	148	1,000	602	1,000	1,000
	New Signs	-	-	2,323	2,323	8,000
	Sprayer Sales Company (www.treatment)	-	2,241	-	2,241	2,241
	Water Feature Extra + repair contingency	1,157	8,802	-	2,000	5,000
	Water Feature \$650x12	7,800	7,800	6,500	7,800	7,800
	Total	158,540	133,355	30,068	128,800	141,181
7311	Herbicides		13,720		13,720	16,000
	Fertilizer		5,000		5,000	7,000
	Irrigation		15,000		15,000	15,000
	Misc Supplies		4,998		4,998	4,998
			38,718	32,245	38,718	42,998

Extra to run pump for fountain

10 events (31 days @ \$160=\$4960.)

Art n Wine, Memorial Day, 4th of July, Halloween Parade/Ghost Walk, Veterans Day, Xmas Tree Lighting,
Presidents Day, Thanksgiving, Garden Tours, Oktoberfest

Adopt a Trail updated as of 6/30/12

Adopters/Revenues

<u>Name</u>	<u>Sponsor Type</u>	<u>Trail Section</u>	<u>Amount Recvd</u>	<u>Date \$ Recvd</u>	<u>Ag. recvd</u>	<u>Start Date</u>	<u>Expiration Date</u>
Pauline Family Black Diamond Electric	Volunteer Labor Financial	Cardinet Trail (Library - Lydia La Pk) Cardinet Trail (Library - Lydia La Pk)	\$200 \$1000	2/1/2011 2/1/2011	Yes	3/1/2011 3/1/2011	3/1/2012 3/1/2012
Passport2Clayton (P2C) Passport2Clayton (P2C)	Volunteer Labor Financial Sponsor	Bruce Lee Trail (Upper Easley Trail) Bruce Lee Trail (Upper Easley Trail)	\$200 \$1000	2/1/2011 2/1/2011	Yes	3/1/2011 3/1/2011	3/1/2012 3/1/2012
Employees of CD Federal Credit Union Discovery Builders	Volunteer Labor Financial Sponsor	Blue Oak Trail Blue Oak Trail	\$200 \$1000	2/9/2011 2/17/2011	Yes	3/1/2011 3/1/2011	3/1/2012 3/1/2012
Siegel Family Diablo Ford	Volunteer Labor Financial Sponsor	Lower Easley Trail Lower Easley Trail	\$200 \$1000	2/1/2011 2/1/2011		3/1/2011 3/1/2011	3/1/2012 3/1/2012
Dan Pauline Bannister Electric	Volunteer Labor Financial Sponsor	Cardinet Trail (Lydia La Pk - Westwood Pk) Cardinet Trail (Lydia La Pk - Westwood Pk)	\$200 (from CBCA) \$1000	2/1/2011 8/7/2009	Yes	3/1/2011 3/1/2011	3/1/2012 3/1/2012
<u>Available</u> <u>Available</u>	Volunteer Labor Financial Sponsor	Donner Creek Trail Donner Creek Trail					

Adopt a Trail Expenses

<u>Date</u>	<u>purpose</u>	<u>Amount</u>
3/8/2009	19.5 hrs maintenance temp labor make/ install signs	\$219.00
4/17/2009	materials for sign posts	\$1527.34
6/23/2009	signs printing (bay area barricade)	\$98.87
6/30/2009	t-shirts	\$289.51
8/9/2009	wood for future sign posts (Dolan's Lumber)	\$595.15
8/9/2009	sign printing (Bay Area Barricade)	\$10.93
5/14/2010	Clayton Pioneer Ad	\$200.00
8/31/2011	sign re-screening	\$10.82
8/31/2011	Signs (Bay Area Barricade)	\$209.35
8/31/2011	27 hrs maintenance reg/temp labor make/install signs	\$1116.80
11/30/2011	Oak tree lights (trail by library)	\$3305.98
11/30/2011	electric wire and parts for oak tree lights (trail by Library)	\$437.00
12/30/2011	17 hrs reg/temp labor install oak tree lights (trail by library)	\$697.00
<u>Total Expenses to date</u>		<u>\$8717.75</u>

Donations

Renewal and New as of 3/1/11	\$5050
Prior balance	\$4200
	\$9250

6/30/2012 Account Balance: \$9250-\$8715.75 = \$532.25

Pass

Rd

How Rd

Kirker
Pass
920

Concord
Pavilion

Entrance

Kirkwood Dr

1033

Kirker

Concord

CLAYTON CITY LIMITS

Concord

Pine Hollow

LEGEND

INITIAL TRAIL MARKER

OPTIONAL TRAIL MARKER

POTENTIAL FUTURE TRAIL MARKER

Note: All locations are approximate.
Some locations may need to be
modified in their location due to filed
conditions. Final location subject to
City of Clayton Maintenance staff.

State Park
Headquarters
Staging area
Interpretive
Center

Murchio
Flats

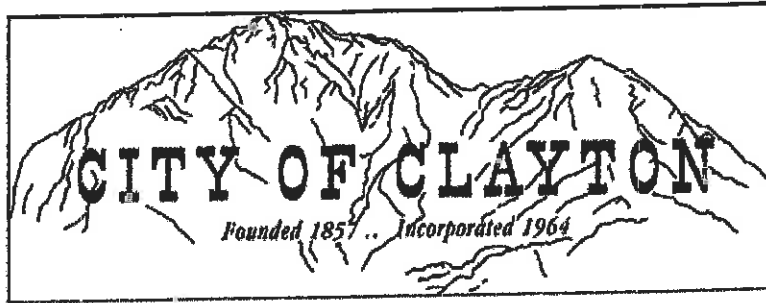
Blue Oak Hill

BLACK DIAMOND TR

Peacock Hill

Clayton Community Park

CLAYTON CITY LIMITS



LANDSCAPE MAINTENANCE DISTRICT WORK UPDATE

4/16/12 to 5/21/12

- Spot spray herbicides and pull weeds in the Landscape District Citywide.
- Started to turn on and repair all irrigation systems within the Landscape District.
- Contractor has moved on site and started the landscaping project on Clayton Road between Mitchell Canyon Road and Oakhurst Drive.
- Discussions with Clayton Road landscape contractor to add in City Council approved Daffodil Hill landscape/irrigation project.
- The City hired contractor will begin during the Week of May 21st the annual abatement of weeds for fire prevention and safety purposes; this includes cutting down weeds in open space along residential property lines of open space and along trails of the City Landscape Maintenance District -- Target date for completion is mid- June.
- The water fountain automatic water leveling system failed and needed repairing do to corrosion. The necessary parts were replaced and the water fill system is now working properly.
- Recruitment for seasonal maintenance workers underway, review of applications and interviews being scheduled – target is to hire a 6 more (currently have 2) for a total of 8.
- Assisted in preparation proposed Landscape Maintenance District budget for Fiscal Year 12/13.

QUARTERLY REPORT UPDATE TRAILS & LANDSCAPING

10/24/11 to 4/16/12

- Spot spray herbicides and pull weeds in the Landscape District Citywide
- Irrigation systems are turn off within the Landscape District. Systems only being turn on when needed due to weather conditions or plant material (new plantings).
- Bid set plans were completed for the Clayton Road median project and put out to bid. At the Clayton City Council meeting on April 3 the lowest responsible bidder was awarded the contract. Work is scheduled to begin at the beginning of May and to be completed during the summer.
- Installation of new lighting was completed for the Adopt a Trail program along the trail behind the Clayton Community Library.
- The second Trim of the Landscape has been completed and the start of a first trim in 2012 began before the seasonal workers were laid off this past winter. With some trimming completed on Clayton Road and Oakhurst Drive.
- Trimmed all the Crape Myrtle trees within the Landscape District.
- Started replanting on Clayton Road medians noses from El Camino Road to Atchinson Stage Road; Installed new irrigation to meet the new water conservation rules, installed a new maintenance strip, replanted the Crape Myrtle trees that were falling over, and new rosemary ground cover,



QUARTERLY MAINTENANCE REPORT UPDATE TRAILS & LANDSCAPING DISTRICT

5/16/11 to 10/24/11

- Spot spray herbicides and pull weeds in the Landscape District Citywide
- Most irrigation systems are turn off within the Landscape District. Systems only being turn on when needed do to weather conditions.
- Completed more contract work on safety trimming of trees along Oakhurst Drive from Yolanda Circle to City limits that were hanging into the sidewalk and street. Trimmed all the North side trees along Oakhurst Drive from Eagle Peak Drive to Yolanda Circle. All the trees were also trimmed along Pine Hollow Road within the Cities Landscape. Large Oak tree at Old Marsh Creek Road and High Street was lifted and trimmed.
- Completed the Marsh Creek Circle re-plant.
- Completed the Water Fountain re-plant project.
- The second Trim of the Landscape is nearly completed with trimming still to be done on inbound Marsh Creek Road by the Middle School, in bound Clayton Road to the Water Fountain, and Peacock Drive.
- Over the summer made numerous repairs to the irrigation system from repairing main line breaks, replacement of irrigation valves, to the repair of sprinkler heads.
- Installed the trail markers for adopted a trail on the Bruce Lee trail (upper Easley) and Lower Easley. Change or replaced sponsor sign on Cardinet trail and Diablo View trail (Peacock Drive to Community Park)

CLAYTON PIONEER

— Last Updated on October 22, 2012 —

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Clayton Fountain still green, less thirsty



June 20, 2011 - By Tamara Steiner

City crews finished the re-landscaping of the Clayton Fountain last week with a splash of green sod across the front.

The new design is drought-tolerant and low maintenance and reduces the previous lawn area by 65 percent. Bioswales in the median and at the east end of the fountain are designed to manage storm water, filtering it and sending it back into the ground instead of allowing it to run off into the storm drains.

The new landscaping replaces the high maintenance, water thirsty lawns and annuals that died in last year's drought. After some initial criticism of the starkness of the design, public reaction to the finished product has been overwhelmingly positive, says Maintenance Supervisor Mark Janney.

"I know that there were some negative comments about the boulders in the Pioneer Letters to the Editor," says Clayton resident Linda Pinder. "But now that the actual plantings are in I think it looks terrific. I think this will once again be a lovely setting for prom and wedding photos."

The fountain project is one of seven Landscape Maintenance District projects slated for completion this year. The city has allocated \$260,000 for all seven which will include median landscaping and pavers along Clayton Road and Oakhurst Blvd and new trees on Keller Ridge Drive.

The city's gateway, known as Daffodil Hill, is a project of the CBCA which is currently in the design and bidding process.





CLAYTON PIONEER

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City gives green light for new median landscaping

December 05, 2011 - By Tamara Steiner

Clayton's main drag is about to get a whole new look. At the Nov. 16 meeting, the City Council voted to tear out the deteriorating landscaping in the median between Mitchell Canyon Road and Oakhurst Drive and replace it with five illuminated live oak trees, flowering shrubs and terraced walls.

"It will be spectacular," said Councilman Howard Geller. "I can't wait for the first shovel to hit the ground."

The \$230,000 project has been in the works for six years, waiting for water and money.

City Maintenance Supervisor John Johnston, started working on the design in 2006, but it was sidelined by a two-year drought and a sluggish economy.

This year, the Landscape Maintenance District, which operates on a "pay-as-you-go" basis, finally had enough money in the bank to include the project in its capital improvement budget. All of the existing plants and trees in the median will be torn out and the irrigation system replaced with a computerized system that will save on water and labor.

"Sadly, this means the four crape myrtles have to go." There was simply no way to incorporate them into the new design without "sacrificing the vision," Johnston said.

"When you drive into town, we want a canopy of trees down the main boulevards," Johnson explained.

But, it is important in that the canopy be high enough that drivers can see the Town Center when coming down Clayton Road. The oaks, all illuminated with LED lighting, will lift the ceiling as you drop into town, Johnston said.

Between the oak trees are raised planters with flowering shrubs, ground covers, some pavers and terraced walls next to the CVS store.

The council praised Johnston for a well thought-out design that will "showcase the city."

"The plan is awesome," said Julie Pierce before joining fellow council members in a 4-0 vote. "It will knock their socks off." Councilman Dave Shuey was absent.

The city will put the project out for bid in the early spring 2012.





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Daffodil Hill project still on pause

April 09, 2012 - By Tamara Steiner

Once upon a time, springtime brought daffodils to the hillside at Clayton and Marsh Creek Roads.

Now weeds and a few brave poppies cover the ground. Boulders are scattered over the hillside like so many giant meatballs and a monument sign sits at the top proclaiming "Clayton" to all who pass.

The Clayton Business and Community Association (CBCA) started working on the civic project almost five years ago. The improvements so far, have cost the club over \$60,000.

Earlier this year, the CBCA Daffodil Hill committee together with landscape architect Stephen Lane presented a creative design to the City Council. The plans include oak trees, ground cover, seating areas and flowering bushes. At that time, the committee was hoping to get the planting done before this fall.

But, the project stalled because the CBCA has not been able to pin down a viable bid to complete it.

By most contractors' standards, the job is small, and it has been difficult to get them to bid on it, CBCA president Keith Haydon told the City Council at the April 3 meeting. "And the bids we did get were all over the map," he said. One private bid was \$29,000 and the other was \$68,000.

Hoping to get a better deal if the smaller project were bid as part of a bigger job, the club asked the city to include the hillside in the request for bid for the much larger median project. But even that bid came in too high - \$52,000 for Daffodil Hill; still too much, said Haydon.

CBCA wants the city to help pay to finish the hillside. "We're willing to contribute a significant portion, but we aren't a bottomless pit. We've invested over \$60,000 so far and don't have much to show for it."

Because the hillside has been a CBCA project from the start, there are no city funds budgeted for its landscaping. Councilman Joe Medrano wants to find city funds to finish the project. "Not to finish it would be a travesty," he said. Other Council members are more cautious.

Julie Pierce said "In some ways, it would have been better not to have done anything than leaving it half done. But, I'm reluctant to commit city funds."

The hill is not part of the Landscape Maintenance District but the District has the option to annex it, said City Manager Gary Napper.

The Council sent the matter to the Trails and Landscape Committee to evaluate annexation and voted unanimously to award the median project to Stockbridge Construction, the low bidder at \$290,711, not including any Daffodil Hill



City Council approves CBCA plans for Daffodil Hill

TAMARA STEINER
Clayton Pioneer

Daffodil Hill came one step closer to actually sprouting some daffodils after the city council approved a landscaping plan for the city's gateway at the corner of Marsh Creek and Clayton Road last week.

The Clayton Business and Community Association is donating the entire project, which has been on the table since 2005.

The hardscape, boulders, trail improvements and new monument sign were installed in the summer of 2009. But the landscaping was sidelined until the drought was over and the water use restrictions were lifted.

"I drive by that hill two or three times a day and it just cries for color," says Nicole Hackett, a

member of the CBCA committee responsible for the project.

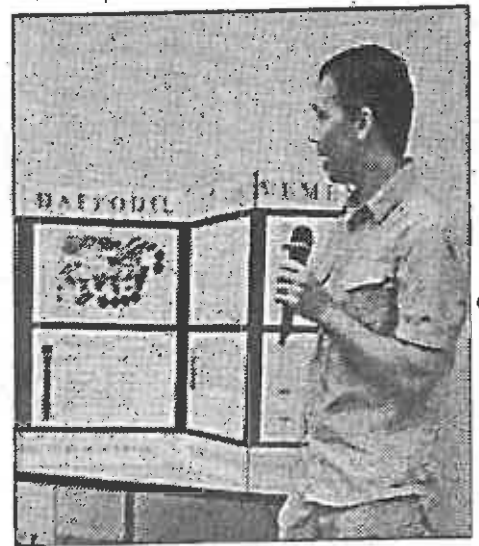
The committee worked with project management consultant Steven Lane to come up with a plan that includes live oak trees, ground cover and flowering shrubs.

"There will be color in every season," said Hackett.

Overall, council members were pleased with the plans. Hank Stratford was concerned that the heritage oak on the hill would eventually be covered by the new live oaks. The committee agreed to remove one of the six oaks planned and move the remaining ones a little further apart.

The CBCA will maintain the landscaping for the first six months after which it will become part of the Landscape Maintenance District.

The next step is for the



DAFFODIL HILL PROJECT MANAGER STEVEN LANE presented the CBCA plan to the city council at the Sept. 20 meeting. Lane worked with the committee to create a plan which the council says should be the "signature gateway" to the city.

CBCA to take the council's approval and final bids to the membership for a vote at their September meeting. If approved, planting will begin in October.

CLAYTON'S TRAILS & LANDSCAPE COMMITTEE (TLC)

Formed by the Clayton City Council in August 2007

Comprised of up to 11 volunteer members
of the Clayton community

Helps the city implement the voter-approved
plan to manage the current and future needs
of the citywide Landscape Maintenance District

Helps to manage and support Clayton's
Adopt-A-Trail program



Serves as a financial oversight committee
and provides short and long term implementation
guidance to city staff and the City Council

The Landscape Maintenance District consists of
roadway edge and roadway median landscaping,
trail maintenance and fire abatement on trails
and open space (city parks and the Clayton
fountain operation are not included in the district)

Funds can only be used for spending within
and for the Landscape Maintenance District

GET INVOLVED!

The Trails and Landscape Committee
meets quarterly on the 3rd Monday
of the month at 7pm at the Clayton Library

Clayton residents are encouraged to attend
these meetings to provide public
opinion and ask questions

Meeting agendas are posted online
City web site at www.ci.clayton.ca.us

Printed copies at:

City Hall, 6000 Heritage Trail;
Clayton Library, 6125 Clayton Road;
Olm's Bulletin Board, 1028 Diablo St

Please direct any questions or
concerns to the City of Clayton via
the website or address above



2012 Trails & Landscape Committee Members

Jake Pauline (Chair)
Kelly Marshall (Vice Chair)
Larry Casagrande
A.J. Chippero
Robert Erich
Harun Simbladi
Alyse Smith
Bob Steiner



Trails & Landscape Committee
2012

THE LANDSCAPE MAINTENANCE DISTRICT: CLAYTON'S "FRONT YARD"

The Landscape Maintenance District covers:

- over 2 million square feet of landscape
- 40,700 square feet of lawns and flowerbeds
- Almost 3,000 city trees
- 5.5 acres of open space
- 7 miles of creek side trails
- 20 miles of open space trails
- Approximately 50 street islands and medians

The District uses the equivalent of only three full time staff along with seasonal and volunteer workers

HOW IS THE DISTRICT FUNDED?

Measure B, a special 10-year special parcel tax passed by Clayton voters in June 2007 funds the District

Measure B is the only source of funding for the Landscape District supplies, electricity, irrigation, water, and labor

Funds may only be used for voter approved Landscape District expenses

Trails & Landscape Committee

ADOPT-A-TRAIL

If you are one of the many Clayton residents that enjoy our trail system you can further help the Landscape Maintenance District and beautify Clayton's trails by Adopting a Trail

This program aims to:

- Augment financing provided by Measure B
- Provide a venue for volunteers that help Clayton maintain and enhance it's trail network
- Make the trails cleaner
- Celebrate the sponsors and volunteers that help Clayton keep the trail network one of the distinguishing characteristics of our community
- Foster civic pride through volunteerism, philanthropy, and cleanliness

If you are interested in participating in this program or would like additional information please leave your contact information on the Adopt-A-Trail Hot Line at 925-673-7369 and a Committee member will return your call

TLC'S STRATEGIC FOCUS

- Remove unwanted expenditures and control costs with strict oversight
- Create equity in the District
- Implement cost effective measures to improve irrigation and infrastructure
- Invest in modern equipment to increase maintenance efficiency and effectiveness
- Implement seasonal and situational based labor to minimize costs

STANDARDS & PRIORITIES FOR THE DISTRICT

- Mandatory firebreaks
- Weeds trimmed along major trails and creeks twice a year
- Trees trimmed for safety purposes
- Irrigation breaks repaired as necessary
- Public roadway landscaping trimmed twice a year
- Landscape areas fertilized once a year as necessary



The Citizen Oversight Committee's Annual Report covers the period from July 1, 2011 – June 30, 2012. In March 2011, the TLC recommended, and the City Council approved, a change to the Committee's start/end dates to better coincide with the preparation cycle of the Annual Report. With the approved change the terms now end in December of the year, allowing for an overlap of members during the fiscal year. The following are the members and their terms during Fiscal Year 2011-12.

2011–2012 Citizen Oversight Committee Members – Trails and Landscape Committee - TLC Members:
(July 2011 – December 2011)

Larry Casagrande	December 2011 – December 2013
Anthony Chippero	June 2011 – December 2013
Robert Erich	June 2009- December 2011
Kelly Marshall	June 2010 – December 2012
Lorraine Mole	June 2009- December 2011
Jake Pauline (Vice Chair)	June 2010 – December 2012
Virginia Siegel (Chair)	June 2009- December 2011
Bob Steiner	June 2010 – December 2012
Harun Simbirdi	June 2011 – December 2013
Alyse Smith	December 2011 – December 2013

Citizen Oversight Committee Members – Trails and Landscape Committee – TLC Members
(December 2011 – June 2012):

Larry Casagrande	December 2011 – December 2013
Anthony Chippero	June 2011 – December 2013
Robert Erich	December 2011 – December 2013
Kelly Marshall (Vice Chair)	June 2010 – December 2012
Jake Pauline (Chair)	June 2010 – December 2012
Harun Simbirdi	June 2011 – December 2013
Alyse Smith	December 2011 – December 2013
Bob Steiner	June 2010 – December 2012

City of Clayton
Landscape Mtn District CFD 2007-1 Fund 210
Estimated Budget 2012/13

Account Number	Account Name	2010-11 Actual 6/30/2011	2011-12 Adopted Budget	2011-12 Projected 6/30/2012	2012-13 Proposed Budget
7111	Salaries/Regular	192,066	162,632	162,632	162,632
7112	Temporary Help	67,947	94,150	94,150	94,150
7218	LTD Insurance	1,192	1,057	955	1,138
7220	PERS Retirement	39,157	35,592	35,592	36,868
7231	Workers Comp Insurance	5,627	2,679	2,679	9,966
7232	Unemployment Insurance	4,960	6,999	6,999	5,449
7233	FICA and Medicare	8,823	9,561	9,561	9,561
7246	Benefit Insurance	37,021	31,175	31,175	31,175
7311	General Supplies	33,441	40,000	40,000	43,000
7316	Landscape Replacement Material	-	20,000	20,000	20,000
7335	Gas & Electric Serv.	25,525	29,000	24,000	25,000
7338	Water Service	127,291	180,000	180,000	180,000
7342	Machinery/ Equip Maint.	14,607	9,000	9,000	9,500
7343	Vehicle Maintenance	8,331	8,334	12,484	12,000
7344	Vehicle Gas, Oil, and Supplies	12,140	9,000	10,000	10,500
7381	Property Tax Admin Cost	3,737	3,737	3,737	3,737
7412	Engineering Inspection	1,425	-	1,423	-
7419	Other Prof. Services	105,687	141,181	141,357	156,555
7486	CERF Charges/Depreciation	12,936	13,500	13,500	13,500
7520	Project/Program costs	277,702	330,000	476,111	-
7615	Property Taxes	2,332	2,370	2,398	2,398
8101	Transfer to General Fund	29,918	30,756	30,756	30,756
8111	Transfer to CIP Fund	-	50,000	50,000	-
	Total Expenses	1,011,865	1,210,723	1,358,508	857,885

4604 Clayton LMD Assessment
5601 Interest

5606 Unrealized Inv Gain/Loss
Total Revenue

Annual Balance (Shortfall)
Beginning Fund Balance
Ending Fund Balance

910,571	936,054	936,054	955,711
18,712	5,000	8,000	5,000
(5,000)			
924,283	941,054	944,054	960,711
(87,582)	(269,669)	(414,454)	102,826
617,163	529,581	529,581	115,127
529,581	259,912	115,127	217,953

Account Number	Account Name	2010-11 Actual 6/30/2011	2011-12 Adopted Budget	2011-12 Projected 6/30/2012	2012-13 Proposed Budget
7419	Wildland Resource Mgmt	46,550	1,600	1,600	1,600
	Environtech Enterprises	44,708	53,416	53,416	53,416
	Waraner Brothers -Tree trimming	15,300	15,000	15,000	15,000
	Waraner Bros Svc 1 x per yr+2 x trails	30,385	35,000	35,000	35,000
	NBS Admin Fees+Del letters	3,868	3,624	3,800	3,800
	Martel Water Systems	475	1,000	1,000	1,000
	Rodent Control	8,151	7,500	7,500	7,500
	Advertising for TEMP labor/Live Scans	146	1,000	1,000	2,000
	Sprayer Sales Company (ww treatment)		2,241	2,241	2,241
	Water Feature Extra + repair contingency	1,157	5,000	5,000	5,000
	Water Feature \$650x12	7,800	7,800	7,800	7,800
	Sub Division/City Entry Signs	-	8,000	8,000	8,000
	Daffidol Hill Landscape Mtn Supplies/water	-	-	-	12,830
	EBRCSA-Radio Mtn PW radio's	-	-	-	1,368
	Total	158,540	141,181	141,357	156,555
7311	Herbicides		16,000	16,000	16,000
	Fertilizer		7,000	7,000	7,000
	Irrigation		15,000	15,000	15,000
	Misc Supplies		2,000	2,000	5,000
			40,000	40,000	43,000
7520	Reserve Projects				
	Trail Resurface - Bruce Lee Trail \$50k		50,000.00		
	Trail Crack sealing/repair \$10k		10,000.00		
	CL Rd Median/Roadway Re-Landscape \$328,011k		328,011.00		
	Irrigation Central Controller System \$30k		30,000.00		
	Tree Replacement Trimming \$10k		10,000.00		
	Jeffrey Ranch Relandscaping \$2.5K		2,500.00		
	Keller Ridge Tree Replacement \$16.6K		16,600.00		
	Daffidol Hill \$29k		29,000.00		
			476,111.00		

Extra to run pump for fountain

10 events (31 days @ \$160=\$4960.)

Art n Wine, Memorial Day, 4th of July, Halloween Parade/Ghost Walk, Veterans Day, Xmas Tree Lighting,
Presidents Day, Thanksgiving, Garden Tours, Oktoberfest



Agenda Date: 12-18-12

Agenda Item: 9b

Approved:


Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS
FROM: CITY ATTORNEY
DATE: December 18, 2012
SUBJECT: DOCUMENTATION OF CLOSED SESSION MEETINGS

RECOMMENDATION

Direct staff to prepare a resolution that allows any one Council Member to make a request to the City Manager that summary minutes of closed session be taken by the City Clerk to be reviewed and approved at a subsequent closed session meeting.

BACKGROUND

Currently, the City does not document closed session. There has been a request made by the Council to discuss this matter to determine if there is interest in documenting closed session in the future.

DISCUSSION

There is no requirement to take minutes or record closed session. The Brown Act specifically authorizes a City by ordinance or resolution to designate a clerk or other officer or employee to attend closed session and keep and enter in a minute book a record of topics discussed and decisions made at the meeting. This book is not a public record and shall be kept confidential and shall only be made available to City Council members or if a Brown Act violation is alleged, to a court of general jurisdiction. The minute book may, but need not, consist of a recording of the closed session.

We surveyed cities throughout California and received the following responses:
12 cities keep brief minutes of closed session, either taken by the City Clerk or the City Attorney, which are then approved at the following closed session meeting.

Three (3) cities record closed sessions, with one making an exception for performance evaluations.

Since we do not believe there is a desire to document every closed session, we suggest that any one Council Member may make a request to the City Manager prior to an upcoming closed session for the City Clerk to take summary minutes of closed session in the same detail as open session minutes are currently taken. As the City Manager and the City Attorney are often actively involved in the closed session discussion, we believe it would be better to have minutes prepared by the City Clerk. We do not recommend recording the closed session because of the concern posed by the City Clerk in ensuring that the recording is properly maintained over a significant period of time due to changing technology.

FISCAL IMPACT

No direct cost impact provided the City Clerk performs the taking of the summary minutes. Indirect impact is incurred by the assumption of additional duties by the City Clerk/HR Manager.



Agenda Date: 9-18-12

Agenda Item: 9c

Approved:

Gary A. Napper
City Manager

AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS
FROM: CITY MANAGER
DATE: 18 DECEMBER 2012
SUBJECT: DETERMINATION OF COUNCIL COMMITTEE ASSIGNMENTS

RECOMMENDATION

It is recommended the City Council determine its Council ad-hoc and committee assignments for the ensuing year of 2013.

BACKGROUND

In addition to its primary role as elected officials of the City of Clayton, members of the City Council have a variety of ad-hoc and committee assignments that involve the direct participation of its members in a host of local and regional issues and intergovernmental organizations. Pursuant to the adopted *Council Guidelines and Procedures*, the Mayor assigns the Council ad-hoc and committee appointments annually each December. It further presents an opportunity to review the established committees and determine their relevance, need to create new ones or abolish existing ones. In making the assignments, the Mayor is encouraged to seek input from members of the City Council regarding appointment preferences.

Attached is the current list of City Council sub-committees and associated assignments during 2012. The list has been updated (*in blue font*) to reflect the elections made at the Council Reorganization Meeting held on December 6th relative to the chair and vice chair of the Oakhurst Geological Hazard Abatement District (GHAD). The Clayton Financing Authority (CFA) chair and vice chair are automatically filled by the mayor and vice mayor of the City, respectively, per its By-Laws.

Also attached are the pertinent pages from the *Council Guidelines and Procedures* referencing Council ad-hoc and committee assignments.

CITY COUNCIL ASSIGNMENTS

AD-HOC COMMITTEES

CITY OF CLAYTON

2012

Association of Bay Area Governments (ABAG)

Julie Pierce
Alternate: David Shuey

Budget/Audit Committee

Hank Stratford, ~~Joe Medrano~~

Citizens Corps Council (CERT)

Hank Stratford

Clayton Financing Authority [CFA]*

*[offices automatically go to Mayor & Vice Mayor, per Bylaws]

President – Julie Pierce
Vice President – Hank Stratford

Clayton “Unsung Heroes” Recognition Program

David Shuey, Hank Stratford

Contra Costa Water District [CCWD]

Howard Geller

Central Contra Costa Transit Authority [CCCTA]

Gregg Manning
Alternate: David Shuey

Downtown Activities Committee

~~Joe Medrano~~, Howard Geller

East Bay Division - League of California Cities

~~Joe Medrano~~
Alternate: David Shuey

East Contra Costa County Habitat Conservancy

Hank Stratford
Alternate: David Shuey

Economic Development Sub-Committee

Julie Pierce
~~Joe Medrano~~
Alternate: David Shuey

Endeavor Hall Marketing Committee

Howard Geller, ~~Joe Medrano~~

| Garbage & Recycling Committee

~~Joe Medrano~~, David Shuey

Interview Committees:

a. Planning Commission applicants

City Council

b. Trails and Landscaping Committee applicants
and TLC Committee liaisons

Vice Mayor
Hank Stratford

| Library Foundation Liaison

Hank Stratford
Alternate: ~~Joe Medrano~~
2nd Alternate: David Shuey

Mayors' Conference – Contra Costa County

Mayor & Council

| Mt. Diablo School District Committee

~~Joe Medrano~~, David Shuey
Alternate: Julie Pierce

Oakhurst Geological Hazard Abatement District [GHAD]

Chair – David Shuey
Vice Chair – Jim Diaz

Redevelopment Agency [of Clayton]

- Extinct -

| TRANSPAC

Julie Pierce
Alternate: ~~Joe Medrano~~

* * * * *

Revised: 04 December 2012
Adopted: 17 December 2004

~~4. Council Members exhibit care and respect for each other as persons.~~

5. Council Members promote care and respect for each other's point of view. Each Member has a right to be heard.

6. Opinions are expressed honestly, openly, civilly and with integrity.

7. Humor is an important tool.

~~8. Traditions are respected but not always binding.~~

C.

COUNCIL INTERACTION AND COMMUNICATION

1. The Mayor makes Council sub-committee appointments annually in December; the Mayor is encouraged to seek input from Council regarding appointment preferences.

2. Members will take seriously the responsibility of reporting to Council on sub-committees and other regional, state and national board/agency/group activities in which they are involved.

3. Each Council Member has the responsibility to initiate resolution of problems as soon as possible.

4. Members shall recall and abide by the Brown Act when giving information to each other outside of public meetings.

5. Cheap shots at each other are not allowed by Members during public meetings, in the media, or at any other time.

6. Relationships are informal, but Council Members need to be aware of impact on and perception of the public.

7. Council Members will be flexible in covering Council responsibilities for each other.

8. Council Sub-Committees.

a. Sub-committee areas belong to the Council as a whole; they are not seen as territorial.

b. Sub-committees shall keep the rest of the Council fully informed. The rest of the Council is responsible for letting a sub-committee know if they want more information or to give input.

c. Before sub-committees start moving in new directions, they will obtain direction from the rest of the Council.

- d. Sub-committee reports will be made under "Council Reports" at Council meetings, when appropriate.
- e. Sub-committee memos will be sent on an interim basis to update other Council Members on:
 - 1). Issues being discussed.
 - 2). Options being considered.
 - 3). Progress.
- f. Appropriate reports will also be included in the City Manager's "Weekly Report".
- g. Council may contact Department Heads or the City Manager to be briefed on any sub-committee work.
- h. Council shall review the performance of citizen committees no less frequently than every six months.
- i. Sub-committees are task oriented with scheduled dates of completion.

~~D. COUNCIL INTERACTION AND COMMUNICATION WITH STAFF~~

~~1. City Manager.~~

- ~~a. Council Members should always feel free to communicate with the City Manager.~~
- ~~b. When a Council Member is unhappy about the performance of a Department, he/she should discuss this with the City Manager, not any other employee [the City Manager will inform the Mayor of any serious violations of this norm].~~
- ~~c. Concerns about the performance of Department Heads must be taken to the City Manager and/or Mayor first for resolution through proper channels.~~
- ~~d. In passing along critical information, the City Manager will inform all Council Members.~~
- ~~e. Council will provide ongoing feedback, information and perceptions to the City Manager, including some response to the "Weekly Report".~~
- ~~f. Council will page the City Manager if there is an emergency and he/she cannot be reached by phone.~~