

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

TUESDAY, February 19, 2013

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:47 p.m. by Mayor Pierce in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Diaz and Geller. Councilmember absent: Councilmember Shuey. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, and City Clerk Laci Jackson

2. **CLOSED SESSION**- On call by Mayor Pierce the Council adjourned into Closed Session for the following purpose:

- (a) Conference with Legal Counsel, Existing Litigation
Government Code Section 54956.9(a), City of Brentwood, et al. v. Robert Campbell
Case No. MSN11-1029, Contra Costa County Superior Court.

7:06 p.m. **Report out from Closed Session** – Mayor Pierce reported the Council authorized the City's participation in a conditional appeal of the trial courts judgment regarding this case.

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

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

- (a) Approved the minutes of the special meetings on January 31, 2013, February 4, 2013, and February 5, 2013.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the change in membership of the City Council Ad-Hoc Committee on Fire Services (Council Members Jim Diaz and David Shuey).

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Presentation and Report by the Pacific Coast Farmers' Market (PCFMA) on the "Clayton Farmers' Market" held on Diablo Street in the Clayton Town Center.

Max Timms and John Silva from the PCFMA presented a powerpoint presentation about the Clayton Farmers' Market. Mr. Timms stated the Market will be in its 6th season and will start on May 11th. It is considered a medium size market with approximately 30 spaces.

Mayor Pierce thanked PCFMA for their work in holding the Clayton Farmers' Market.

6. REPORTS

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) The City Manager no report.
- (d) City Council

Councilmember Diaz attended Incident Command Systems (ICS) training for elected officials. He also attended the Fire District Board meeting and expressed concerns over fire station closure. Lastly, he attended the Windmill Canyon neighborhood watch program meeting.

Vice Mayor Stratford attended ICS training and the Mayors' Conference.

Councilmember Geller attended ICS training and the Mayors' Conference.

Mayor Pierce attended the Mayor's Conference, an ABAG meeting, a Transportation Authority meeting, a Joint meeting ABAG and MTC, the Historical Society's Camellia Tea, and the Fire District Board meeting. She noted County Supervisors are angry with the way things are being handled at the Fire District but direction was given to call a meeting of all of the cities in District. Lastly, she attended the Mayors' Conference and a Transpac meeting.

- (e) Other – None.

7. PUBLIC COMMENTS – None.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

- (a) Consideration of the City's Annual Report concerning the City's levy, collection and disposition of development impact mitigation fees during FY 2010-2011, in compliance with *California Government Code* (AB 1600).

The Assistant to the City Manager presented the staff report stating it is required after the City's financial audit is complete. She stated this report is for the FY 2010-2011. She stated the City has a number of impact fees but since development is down there has been no real revenue collection and most of the changes in the funds are interest earnings. She noted impact fee revenues from Diablo Estates would be documented in the FY 2011-2012 report. She noted the childcare fee has a positive balance of \$36,986 and the intention is to eventually use that money at the Clayton Community Gym for its stated purpose. She stated there is still a nexus between the fees and their need to make improvements.

No public comments were received.

It was moved by Vice Mayor Stratford, seconded by Councilmember Diaz, to adopt Resolution 05-2013 with findings there is a reasonable relationship between current needs for the development impact mitigation fees and the purposes for which they were originally levied and collected (Passed; 4-0 vote).

10. **COUNCIL ITEMS** – None.

11. **ADJOURNMENT**– on call by Mayor Pierce the meeting adjourned at 7:40 p.m.

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Respectfully submitted,



Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Julie K. Pierce, Mayor