MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, April 16, 2013

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:30 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. Councilmembers absent: Councilmember Shuey. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Interim Community Development Director Ken Craig, 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 - Anticipated Litigation (*Government Code Section 54956.9 (c)*) Initiation of Litigation (One Potential Case).

7:03 p.m. Report out of Closed Session: Mayor Pierce stated there was no reportable action and Council gave direction to staff.

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 amended (Passed; 4-0 vote).**

(a) Approved the minutes of the regular meeting of April 2, 2013.

(b) Approved the amended Financial Demands and Obligations of the City.

5. **RECOGNITIONS AND PRESENTATIONS**

(a) Certificates of Recognition to "Do The Right Thing" public school students exemplifying the character trait of "Self-Discipline".

Mayor Pierce and Mt. Diablo Elementary School teacher Mrs. Blazer recognized students Jordan Webster and Rulon Adams.

Mayor Pierce and Diablo View Middle School Principal Patty Banister and teacher Mrs. Clutz recognized students Wyatt York and Madison Webster.

Mayor Pierce, teacher Kat Marzel, and Coach Murphy recognized Clayton Valley Charter High School students Cesar Luengas, Gillian Reiman, Devyn Weisendanger, and Adeyemi Fasholo.

(b) Presentation: Clayton Community Library Foundation's Annual Report for 2012.

Joyce Atkinson, CCLF President, presented its Annual Report and thanked the City for its support of the library. She noted the Clayton Library volunteers provided 7,773 hours of service last year. She stated the Library Foundation generated income of $45,885 and also received many donations of books to be added to the materials collection.

(c) Proclamation declaring April 21-27, 2013 as "Clayton Community Library Volunteer Recognition Week" and recognition of Clayton's "Library Volunteers of the Year".

Mayor Pierce presented Carol Wolfe and Yola Yang Certificates of Recognition as Library Volunteers of the Year.

Mayor Pierce read aloud the Proclamation declaring April 21-27, 2013 as "Clayton Library Volunteer Recognition Week".

(d) Presentation by District Attorney Mark Peterson regarding areas of mutual concern.
Mr. Peterson stated he is providing this information to all of the cities in the County. He presented a slide show with statistical information about law enforcement and prosecution concerns, crime rates and trends, and information on new realignment laws for housing prisoners.

Councilmember Geller asked what effect realignment would have on communities? Mr. Peterson responded there will be unintended consequences but that the County Sheriff would be better suited to answer some of the questions regarding realignment and prisoner housing.

6. REPORTS

(a) Planning Commission- Chair Keith Haydon reported on the Planning Commission meeting of April 9th. He stated the Commission approved a Site Plan Review for a two story addition with modifications. The Commission also approved extending the Municipal Code amendment which waives parking requirements within the Town Center.

(b) Trails and Landscaping Committee – No meeting held.

(c) The City Manager reported Saturday April 27th is the Clayton Cleans Up sponsored by the Clayton Pioneer and those who participate will receive a t-shirt. He noted the City's Annual Re-Paving Project is ongoing and the Library and City Hall parking lots will be started at the end of the week.

(d) City Council

Councilmember Diaz attended the Fire Services Ad-Hoc sub-committee meeting where 15 citizens were in attendance as well as City staff. He noted Fire Chief Louder was in attendance and announced he is retiring in October. He stated the next meeting will be held May 13th to finalize recommendations to the Council.

The City Manager stated all of the City Managers and the County Administrator are meeting to set the agenda for a joint meeting of City Councils with the Fire District Board.

Vice Mayor Stratford attended the Habitat Conservancy meeting and stated the biggest issue it is working on is resetting mitigation fees for development in the City and the County.

Councilmember Geller attended the Mayors' Conference.

Mayor Pierce attended the CalCOG meeting, attended the Contra Costa Council luncheon, attended Transpac and TransPlan meetings, ABAG meetings, and a Joint Policy Committee meeting with MTC. She also noted a major forum for the Sustainable Communities plan is being held next Monday evening at the Marriot Hotel in Walnut Creek. Lastly, she attended a Joint Policy Committee Executive Committee meeting and a meeting with the chief field representative from Assemblywoman Susan Bonilla's office.

(e) Other – None.

7. PUBLIC COMMENTS

Sonia Wilkin presented the City Council with information about The Village Movement. She stated the program is geared toward aging in place and provides services to ensure that happens. She has attended conferences and learned information about the grassroots efforts in other areas but stated it is expensive and time consuming. She stated her goal was to bring the program to the Council's attention.

Mayor Pierce stated it is an interesting concept and agreed there are going to need to be different ways sustaining seniors as they age.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

(a) Introduction and First Reading of Ordinance No. 445 adding Chapter 15.92 to the Clayton Municipal Code regarding Universal Design to Facilitate Residential Development for Individuals with Disabilities in Projects Over Five Units.

Interim Community Development Director Ken Craig presented the staff report. He stated the proposed Universal Design Ordinance is required by the 2009 Housing Element. He stated the City must consider the feasibility of the Universal Design Ordinance and the Planning Commission has recommended this Ordinance for approval. The purpose of the Ordinance is to provide more housing adaptability for persons with disabilities, such as enhanced access around the home, wider doorways, zero grade thresholds, and wider landings. The requirement to offer these features would only apply to residential projects with more than five units and not to rehabilitation projects. He stated the proposed Ordinance does not mandate the requirement for developers but requires them to offer the services at the cost to the homebuyer/homeowner. The Planning Commission held four hearings on this Ordinance and felt it was feasible and made sense to provide these accessibility options during construction. He stated the City is not obligated to adopt this Ordinance but it would be helpful to show good faith efforts with our Housing Element implementation plan.

Vice Mayor Stratford asked what the value of this Ordinance is and if it is for those builders who may not want to be bothered by requests for accessibility. The Interim Community Development Director stated it would level the field for all developers with project more than five units and this particular Ordinance fills the gap where the State has not required these features for single family homes.

The City Manager stated it mutually enhances the buyer's awareness and enhances the seller's tool bag to sell homes.

Councilmember Geller commended the Planning Commission for not making the options mandatory on home builders.

Mayor Pierce stated these are simple things that can done at virtually no cost when homes are built. She believes more people will be requesting these modifications.

Mayor Pierce asked for Public Comments.

Planning Commissioner Dan Richardson stated the Commission tried to balance what contractors wanted and the needs of the community. He stated the goal is to get the word out with the brochure and he encouraged the Council to approve the Ordinance.

Planning Commission Chair Keith Haydon stated the Commission grappled with this Ordinance for some time and tried to balance the impacts. He stated this will be an educational process and requiring the brochure is beneficial.

It was moved by Vice Mayor Stratford, seconded by Councilmember Diaz, to have the City Clerk read Ordinance No. 445 by title and number only and waive further reading (Passed; 4-0 vote).

The City Clerk read Ordinance No. 445 by title and number only.

It was moved by Vice Mayor Stratford, seconded by Councilmember Diaz, to approve Ordinance No. 445 for Introduction (Passed; 4-0 vote).

10. COUNCIL ITEMS

The City Manager stated this is the first and final appearance of Interim Community Director Ken Craig at the City Council meeting. He stated thanked Mr. Craig for his work for the community. Mr. Craig stated it was a pleasure working with staff, the Commission, and the community.

11. ADJOURNMENT– on call by Mayor Pierce the meeting adjourned at 8:56 p.m. in remembrance of former Clayton Police Chief Fred Albrecht who passed away recently. She also stated a Special Meeting of the City Council will be held on Friday, April 19, 2013 at 9:00 a.m. at City Hall.

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Respectfully submitted,

Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Julie K. Pierce, Mayor