

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

**TUESDAY, May 21, 2013**

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:01 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, Geller, and Councilmember Shuey. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Community Development Director Charlie Mullen, and City Clerk Laci Jackson

2. **CLOSED SESSION**- None.

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

4. **CONSENT CALENDAR**

Councilmember Geller expressed concerns with Item 4(d). He stated the cost of the contract with PMC seems high since the last Housing Element was so recent, and this firm did that one, there would not seem to be many changes needed to warrant the high price.

The Community Development Director stated unfortunately this is the cost of doing business and following state law. He stated this is the lowest bid received and includes quite a bit of work, including another series of workshops for the community and technical revisions.

The City Manager noted when they performed the last Housing Element update the cost was in the mid \$40,000's. The Community development Director added this Housing Element will last eight years rather than 5 years.

**It was moved by Councilmember Diaz, seconded by Councilmember Geller, to approve the Consent Calendar (Passed; 5-0 vote).**

- (a) Approved the minutes of the regular meeting of May 7, 2013.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the rejection of a liability claim filed against the City by Martha and David Claridge.
- (d) Approved the award of contract to Pacific Municipal Consultants (PMC) for preparation of the 2014-2022 Housing Element Update in an amount not to exceed \$35,398.

5. **RECOGNITIONS AND PRESENTATIONS**

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

Mayor Pierce and Mt. Diablo Elementary School teacher Mrs. Baker recognized students Caleb Briscoe and Sunny Pickett.

Mayor Pierce and Diablo View Middle School Principal Patty Banister and teacher Mrs. Clutz recognized students Konlan Rondini and Taylor Santos.

Mayor Pierce, and Clayton Valley High School teachers Kat Marzel and Amber Limelieber recognized Clayton Valley Charter High School students McKenna DeLong, Charlie Jang, Ben Morse, Madison O'Connor, and Aleksey Shimberg.

- (b) Mayor Pierce read part of the Proclamation declaring June, 2013 as "Safety Awareness Month" in the City of Clayton and urged citizens to be aware of individual safety concerns and surrounding conditions.
- (c) Mayor Pierce read the Proclamation declaring May 2013 as "Clayton Pioneer Month" in recognition of its 10<sup>th</sup> Anniversary. The Proclamation was accepted by Bob and Tamara Steiner of the Clayton Pioneer. She also presented Bob Steiner and the Clayton Pioneer with a plaque in appreciation of their five years as sponsor and organizer of the "Clayton Cleans Up" event.

## 6. REPORTS

- (a) Planning Commission- No meeting held.
- (b) Trails and Landscaping Committee – No report.
- (e) Other

Bob Steiner reported on the Clayton Cleans Up held April 20<sup>th</sup>. He stated 275 people signed in for the event and it was one of the largest yet. He thanked Allied Waste as the largest donor for the event and thanked Travis Credit Union for paying for half of the t-shirt costs. He also thanked Pamela Weisendager of the *Clayton Pioneer*, Linder Pinder, Gregg Manning and City staff for their work preparing for the event.

Tamara Steiner added a thank you to Patricia Crane who created the t-shirts design for the event.

- (c) The City Manager reported the Trails and Landscaping Committee met and approved the tentative FY 13-14 budget of the Landscape District, although numbers are still being finalized. He reminded citizens the Memorial Day Ceremony starts at 10am at the flag pole in downtown Clayton. He noted City Hall is closed Friday for the final furlough day of the fiscal year; furloughs represent a 4.3% loss in compensation for the employees. Mayor Pierce added employees have not had raises in 5 years or merit increases.

- (d) City Council

Councilmember Geller stated the first concert was held on May 11<sup>th</sup> and a record \$2,300 in donations was received. He noted the Farmers' Market opened that day as well. He stated he participated in the Clayton Classic Golf Tournament by CBCA and there was a huge turnout. He attended the meet and greet with Senator Mark DeSaulnier and reminded citizens the second Concert in the Grove is May 25<sup>th</sup>.

Councilmember Shuey reported on the Comcast Cares Cleanup Day at the Charter High School, and over 700 people sign up for the event.

Vice Mayor Stratford stated the "Do the Right Thing" trait of the month for May, June and July is "Courage." He also noted the East Bay Habitat Conservancy will be meeting soon.

Councilmember Diaz attended the funeral for former Chief of Police Fred Albrecht in southern California, the Farmers' Market, met with Senator DeSaulnier, and helped with the Concert in the Grove. He also stated the Fire Services Ad-hoc Committee met and will be finalizing their recommendations soon. He attended the Library Foundation meeting, and thanked Allied Waste, the Local Sheet Metal Workers Association, Travis Credit Union, and Gilled Mortgage for their support of the CBCA Clayton Classic Golf Tournament.

Mayor Pierce attended two Transportation Authority meetings, a Transpac meeting, the Farmers' Market and the first Concert in the Grove. She attended ABAG bi-monthly meeting dealing with Plan Bay Area, an ABAG policy meeting, a joint meeting with MTC, and lastly attended the Garden Tour by the Historic Society.

7. **PUBLIC COMMENTS** – None.

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

- (a) Second Reading and Adoption of Ordinance No. 446 amending Chapter 17.37 of the Clayton Municipal Code approving a 3-year time extension for certain waiver of on-site parking standards for specified development(s) in the Clayton Town Center.

The Community Development Director presented the staff report and stated the Ordinance was introduced on May 7<sup>th</sup>. He noted no public comments have been provided. He stated this Ordinance encourages an incentive for retail development in the town center area.

No public comments were received.

**It was moved by Councilmember Shuey, seconded by Vice Mayor Stratford, to have the City Clerk read Ordinance No. 446 by title and number only and waive further reading (Passed; 5-0 vote).**

The City Clerk read Ordinance No. 446 by title and number only.

**It was moved by Vice Mayor Stratford, seconded by Councilmember Shuey, to adopt Ordinance No. 446 (Passed; 5-0 vote).**

- (b) Request consideration of a proposal and associated details by Councilmember Diaz regarding allowance of up to five (5) additional public Concerts in The Grove on selected Thursday evenings sponsored by the City but set up and funded solely by private sponsors organized by Councilmember Diaz.

Councilmember Diaz stated he has commitment from five businesses to sponsor the Thursday Concerts in The Grove. He stated Allied Waste has committed to providing the porta-pottie service. He stated he will find sponsors to cover the direct cost of the concerts and that CBCA has committed to helping fund the balance of the 5 concert expense if there are insufficient donations.

Councilmember Geller asked if CBCA was really willing to cover \$3,000-4,000? Councilmember Diaz responded yes.

Councilmember Geller stated last year people did not show up until 7pm on weeknights for these concerts, and there was little benefit to the businesses. He also noted this year noise seems to be a problem and adding another event in the downtown may be problematic. Lastly he stated last year's weeknight concerts were poorly attended.

Councilmember Diaz stated he has talked with some of the residents from the Easley neighborhood directly and they have stopped their objections. He noted Thursday concerts highlight local talent and stated if the Concerts are approved the first act might be "My Evergreen Soul," a local group. He stated while there was a smaller crowd last year, some of the feedback was that the businesses did receive a small benefit. He stated the Council should try this for a second year to see if there is an increase in attendance and if it benefits the community. He stated the concerts would end promptly at 8:30 p.m.

Councilmember Shuey stated there was an expectation these concerts would take time to take hold and he thinks attendance will grow. He also noted the businesses, must be interested if they continue to help sponsor the series, and it does not hurt to try for another year.

Vice Mayor Stratford stated if it doesn't cost the City any money he is interested in trying the series for another year.

Mayor Pierce stated she is happy to hear about the different types of music.

Councilmember Geller stated he is in favor as long as the funds are deposited before the concerts. The City Manager stated like last year, staff does not sign contracts until money is in hand. Councilmember Diaz expressed agreement with that process.

No public comments were received.

**It was moved by Councilmember Diaz, seconded by Councilmember Shuey to approve City sponsorship and use of The Grove Park for five (5) additional concerts on Thursday nights (July 11, July 25, August 8, August 22, and September 5) (Passed; 5-0 vote).**

**10. COUNCIL ITEMS – None.**

**11. ADJOURNMENT– on call by Mayor Pierce the meeting adjourned at 8:02 p.m.**

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Respectfully submitted,

  
Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

  
Julie K. Pierce, Mayor