MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, January 7, 2014

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:04 p.m. by Mayor Stratford in Hoyer Hall of the Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Stratford, Vice Mayor Shuey, Councilmembers Diaz, Geller and Pierce. Councilmembers absent: None. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Community Development Director Charlie Mullen, and Interim City Clerk Janet Brown.

2. **PLEDGE OF ALLEGIANCE** – led by Mayor Stratford.

3. **CONSENT CALENDAR- It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to approve the Consent Calendar as submitted (Passed; 5-0).**

(a) Approved the minutes of the regular meeting of December 17, 2013.

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

(c) Adopted a Resolution approving a two (2) month Addendum No. 8 to the base Memorandum of Understanding (MOU) between the City of Clayton and the Clayton Police Officers' Association, effective 01 January 2014 through 28 February 2014

4. **RECOGNITIONS AND PRESENTATIONS** – None.

5. **REPORTS**

(a) Planning Commission – None.

(b) Trails and Landscaping Committee – None.

(c) City Manager/Staff – None.

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

Councilmember Diaz attended the retirement of Golden Gate Division Chief Teresa Becher from the California Highway Patrol in Napa.

Councilmember Pierce attended the Contra Costa Transportation Authority monthly Board meeting. She was also in attendance at the ABAG & MTC Economic Prosperity Strategy committee meeting. Their key objective is to identify "industries of opportunity" and "places of opportunity" that can provide quality paying jobs to those in need. She will be reaching out to some of our local schools in that effort. Councilmember Pierce attended the Board of Supervisors reorganization lunch; Supervisor Karen Mitchoff is appointed Chair of the Board. She announced a town hall meeting on the fire reports and emergency services. Priorities for Supervisor Mitchoff are fire services, emergency

services and Delta water issues. She has offered to come and make a presentation on water issues at any time the Council would need more information.

Mayor Stratford announced the January/February "Do The Right Thing" Character Initiative is Self-Discipline; Kindness has ended.

(e) Other- None.

6. PUBLIC COMMENT ON NON-AGENDA ITEMS –

Denise Pursche spoke to the City Council of her concerns for additional findings about Common Core educational data mining and observations.

7. PUBLIC HEARINGS- None.

8. ACTION ITEMS

(a) Consider the Introduction and First Reading of Ordinance No. 452 amending designated Chapters of the Clayton Municipal Code to bring the City's Building, Electrical, Plumbing and Mechanical Codes into compliance with the 2013 Editions of the respective California Building Standards Codes with changes, additions, and deletions as allowed by State law. (ZOA-06-13)
(Community Development Director)

The Community Development Director presented the staff report to the City Council and noted Building, Electrical. Plumbing and Mechanical Codes are typically updated every three years, the last update was in 2010. The Ordinance and cycle of code updater would increase standards for some building foundations to better withstand the seismic forces found in this region of California. The Ordinance would require the installation of hard-wired smoke detectors in existing flat roof buildings when a pitch roof is added on top of the existing flat roof and the solid sheathing of the flat roof is not removed. The local amendments recommended to be continued through this proposed Ordinance are predominantly designed to address the risk of seismic activity within the County of Contra Costa and City of Clayton and to protect public health and safety.

Mayor Stratford asked for Public Comments. No public comments were received.

It was moved by Councilmember Geller, seconded by Councilmember Diaz, to have the City Clerk read Ordinance No. 452 by title and number only and waive further reading (Passed; 5-0 vote).

The Interim City Clerk read Ordinance No. 452 by title and number only.

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to approve Ordinance No. 452 for First Reading with findings the adoption will not have a significant adverse effect on the environment and is therefore exempt under CEQA. (Passed; 5-0 vote).

It was moved by Councilmember Pierce, seconded by Councilmember Geller, to approve the setting of a Public Hearing on February 4, 2014 at 7pm to consider adoption of Ordinance No. 452. (Passed; 5-0 vote).

(b) Consider the Introduction and First Reading of Ordinance No. 453 amending Chapter 15.09 of the Clayton Municipal Code to adopt the 2013 California Fire Code with changes, additions and deletions as allowed by State law. (ZOA-07-13)
(Community Development Director)

The Community Development Director presented the staff report to the City Council. Fire Codes are typically updated every three years, the last update was in 2010. The proposed Ordinance establishes automatic sprinkler systems requirements throughout Group R (residential) occupancies and clarifies that new manufactured and mobile homes are also required to provide automatic sprinkler systems. While Clayton does not have any or provide for any mobile home parks, it is possible that pre-manufactured homes could be proposed or constructed and thus this provision would be applicable.

The Community Development Director introduced Lewis Broschard III Fire Marshal, Contra Costa County Fire Protection District to answer any questions regarding 2013 California Fire Code.

Councilmember Diaz inquired what an "untethered sky lantern" is?

Fire Marshal Broschard confirmed untethered sky lanterns are Chinese lanterns made from paper that are ignited with a fuel pack. Labeling indicates that they are fire proof, however, after testing, it is proven to pose a fire hazard.

Councilmember Pierce requested confirmation of the Fire Code requiring all residential dwellings from 2010 forward to comply with the automatic sprinkler system requirements.

Mayor Stratford inquired if automatic sprinkler system was based on the size of the dwelling?

Fire Marshal Broschard confirmed prior to 2010 the requirement was based on size of the residential dwelling. In 2010, the automatic sprinkler system became a requirement for all new residential construction.

Councilmember Pierce confirmed the Oakwood residential area has automatic sprinkler systems based on the location of the homes. The City Manager confirmed the recently constructed Diablo Estates residential homes also have automatic sprinkler systems.

Vice Mayor Shuey inquired if residential automatic sprinkler systems prove valuable considering the cost?

Fire Marshal Broschard confirmed that dwellings with the automatic sprinkler system go beyond the normal fire design features of a home, resulting in no deaths, often puts the fire out, and gives occupants up to ten minutes to evacuate.

Councilmember Geller inquired if there was an aftermarket product availableto retrofit existing homes?

Fire Marshal Broschard confirmed there are aftermarket products available. The contractors used for new construction installation are used for aftermarket retrofits, at a much higher cost though.

Councilmember Geller asked if there is a way to test the system to make sure that it is operable?

Fire Marshal Broschard confirmed that orange PVC pipe is used for the automatic sprinkler systems, which is the same as water piping. The system can be tested at the valves, the audible bell can be tested but the sprinkler heads can only be visually inspected.

Mayor Stratford then asked for Public Comments. No public comments were received.

It was moved by Councilmember Pierce, seconded by Councilmember Geller, to have the City Clerk read Ordinance No. 453 by title and number only and waive further reading (Passed; 5-0 vote).

The Interim City Clerk read Ordinance No. 453 by title and number only.

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to approve Ordinance No. 453 for First Reading with findings the adoption will not have a significant adverse effect on the environment and is therefore exempt under CEQA. (Passed; 5-0 vote).

It was moved by Councilmember Pierce, seconded by Councilmember Geller, to approve the setting of a Public Hearing on February 4, 2014 at 7pm to consider adoption of Ordinance No. 453. (Passed; 5-0 vote).

(c) City Council discussion to determine the date, time and location for the City Council's annual Goals and Objectives Setting Session with its City Manager.
(City Manager)

The City Manager provided, offered January and February 2014 to the City Council to select a date for its annual Goals and Objectives Setting Session.

Councilmember Pierce suggested January 21st at 5 or 5:30pm since the Council will be meeting that evening for its regular City Council meeting.

Mayor Startford, Vice Mayor Shuey, Councilmember Diaz and Geller confirmed their availability of January 21, 2014 at 5:00 pm.

It was moved by Vice Mayor Shuey, seconded by Councilmember Pierce, to call a City Council special meeting on Tuesday, January 21st at 5:00pm in the 3rd floor Conference Room at City Hall for this purpose. (Passed; 5-0 vote).

9. **COUNCIL ITEMS** – limited to requests and directives for future meetings.
None.

10. **ADJOURNMENT**– on call by Mayor Stratford the meeting adjourned at 7:38 p.m.

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Respectfully submitted,

Janet Brown, Interim City Clerk

APPROVED BY CLAYTON CITY COUNCIL

Hank Stratford, Mayor