

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

TUESDAY, March 4, 2014

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:02 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: Assistant to the City Manager Laura Hoffmeister, City Attorney Mala Subramanian, Interim City Clerk Janet Brown, Community Development Director Charlie Mullen.

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

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

- (a) Approved the minutes of the regular meeting of February 18, 2014.
- (b) Approved Financial Demands and Obligations of the City.

4. **RECOGNITIONS AND PRESENTATIONS**

Certificates of Recognition to “Do The Right Thing” public school students chosen for exemplifying the character trait of “Self Discipline.”

Mayor Stratford and Mt. Diablo Elementary School teachers Mrs. Il and Mrs. VanOutrive and Principal Irene Keenan recognized students Ella Habermeyer and Jared Rickard.

Mayor Stratford and Diablo View Middle School teacher Ms. Ruff and Principal Patti Bannister recognized Payton Mannie and Madison Webster.

Mayor Stratford and Clayton Valley Charter High School teachers Mrs. Luchay, Mrs. Costello and Mrs. Turrin recognized Miguel Hernandez, Megan Lobsinger, Shane Reardon, and Ariana Rahbari (who was unable to attend the meeting).

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 Geller attended the CBCA meeting and was a judge at the Clayton Club 14th Annual Chili Cook Off.

Councilmember Diaz attended the Council's Fire Services Ad-hoc Committee meeting and the Contra Costa County Board of Directors meeting regarding the Fire District. He was also a judge at the Clayton Club Chili Cook Off.

Councilmember Pierce attended the Contra Costa Transportation Authority, Association of Bay Area Governments, East Bay League of California Cities meetings. She also attended the retirement party for news reporter Lisa Voderbrueggen from the *Contra Costa Times*. Councilmember Pierce announced the City of Clayton is celebrating its 50th Anniversary of Incorporation and the next regular City Council meeting of March 18th will take place at Endeavor Hall.

Mayor Stratford invited the community to the Council's Special Meeting taking place on March 5th with the Mt. Diablo Unified School District Board members. He attended the East Contra Costa County Habitat Conservancy meeting. Mayor Stratford announced the "Do the Right Thing" character trait for March/April is "Integrity".

(e) Other- None.

6. **PUBLIC COMMENT ON NON-AGENDA ITEMS** - None.

7. **PUBLIC HEARINGS**

- (a) Public Hearing on the proposed Second Reading to consider a City-initiated Ordinance No. 454 that amends a portion of the *Clayton Municipal Code*, Title 17, Chapter 17.28 Planned Development (PD) District to establish the Site Plan Review permit to be used for processing of Multiple-Family development projects located on property designated as Multifamily High Density (MHD) on the General Plan Land Use Map (ZOA-08-13). (Community Development Director)

Community Development Director Charlie Mullen presented the staff report noting no changes in the report or proposed Ordinance from the last presentation.

Mayor Stratford opened the Public Hearing and asked for Public Comments. No public comments were received. Mayor Stratford closed the Public Hearing.

It was moved by Councilmember Geller, seconded by Councilmember Diaz, to have the City Clerk read Ordinance No. 454 by title and number only and waive further reading. (Passed; 5-0 vote).

The Interim City Clerk read Ordinance No. 454 by title and number only.

It was moved by Councilmember Geller, seconded by Councilmember Diaz, to approve Ordinance No. 454 with findings its adoption will not have a significant adverse effect on the environment and is therefore exempt under CEQA. (Passed; 5-0 vote).

8. **ACTION ITEMS**

- (a) Adopt a Resolution setting the City's Equivalent Runoff Unit (ERU) real property parcel assessment rates in FY 2014-15 at current rates to fund local storm water/clean water programs and services required by the federal and state-mandated National Pollution Discharge Elimination System (NPDES) Program (storm water pollution prevention). (Assistant to the City Manager)

Assistant to the City Manager Laura Hoffmeister presented the staff report and noted the annual fee of \$29.00 per single family parcel has not increased in the last thirteen years. It has been found stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Government. Staff is aware the cost of meeting the obligations of the increased requirements contained in the Municipal Regional Permit will begin to exceed our revenues received from the ERU. The shortfall for FY 14-15 is expected to be \$30,000 which will be able to be covered by Stormwater Reserve Fund balance.

Mayor Stratford asked what is the process to raise the fee?

Assistant to the City Manager Laura Hoffmeister advised a local ballot tax measure would be needed to increase the fee. She pointed out that such a ballot measure did not pass recently at the county level (ref. 2012 Clean Water Initiative ballot).

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

It was moved by Councilmember Geller, seconded by Councilmember Diaz, to approve adopt Resolution No. 04-2014 establishing the rate per equivalent run-off unit (ERU) for FY 2014-2015 and requesting the Contra Costa Flood Control and Water Conservation District to adopt an annual parcel assessment for drainage maintenance and the national pollutant discharge elimination system. (Passed; 5-0 vote).

- (b) Authorize Mayor to send letter to Board of Supervisors/ Fire Board requesting new approved grant funding be directed to fully operating (24/7) Clayton Station #11 with three (3) man crew.
(Council Member Diaz)

Council Member Diaz thanked Vice Mayor Shuey and Assistant to the City Manager Laura Hoffmeister with their assistance in preparation for the Fire District Board meeting.

On February 20th the Clayton City Council Ad- hoc Fire Services Committee met to review the final Fitch Associates Fire Service Study. This report was presented at the Board of Supervisors/Fire District Board at their February 25th meeting. On February 21st it was announced the Fire District was successful in being approved by Federal Emergency Management Agency (FEMA) for the Staffing for Adequate Fire and Emergency Response (SAFER) grant funds of an amount of \$9.6 million over a two year period; the new Fire Chief was interested in using these funds to add back additional front line services within the District. At the Board meeting the Fire Chief was directed to return with a plan for the use of the SAFER grant funds. Council Member Diaz requested the City Council authorize the mayor to send a letter to the Fire District Board requesting that some of the grant funds be used to return Clayton Station (#11) from part times hours back to its full operational hours of 24/7 staffing that existed prior to the reduction in 2013.

Mayor Stratford directed City staff to write a letter in support of returning Clayton Station (#11) back to full operational 24/7 staffing.

District Battalion Chief Terry Stewart supports the City Council in returning Clayton Fire Station (#11) back to full operational 24/7 staffing.

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

It was moved by Vice Mayor Shuey, seconded by Councilmember Diaz, to authorize the Mayor to send a letter to the Board of Supervisors/Fire District Board to return the Clayton Station No. 11 to its full operational hours of 24/7 staffing. (Passed; 5-0 vote).

9. **COUNCIL ITEMS**

Councilmember Pierce announced along with her duties as Association of Bay Area Governments president, she also serves on the Executive Council of the San Francisco Estuary Partnership.

Councilmember Diaz requested at the next meeting an Agenda item to discuss the Thursday Night concert series.

Assistant to the City Manager announced the address to Endeavor Hall 6008 Center Street in Clayton for the next regular Council meeting of March 18th.

10. **7:45 p.m. CLOSED SESSION** – on call by Mayor Stratford, the City Council adjourned into Closed Session for the following purpose:

- (a) Government Code Section 54957.6, Conference with Labor Negotiator
Instructions to City-designated labor negotiator: Assistant to the City Manager.

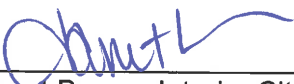
1. Employee Organization: Clayton Police Officers' Association (CPOA).

8:05 p.m. Report out from Closed Session: Mayor Stratford announced Council received information and gave direction to its Labor Negotiator.

11. **ADJOURNMENT**– on call by Mayor Stratford the Council meeting adjourned at 8:05 p.m. to an adjourned regular meeting on Monday, March 10th at 5:00 p.m., 3rd Floor Conference Room, Clayton City Hall, 6000 Heritage Trail, Clayton, CA.

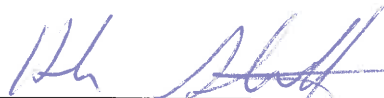
#

Respectfully submitted,



Janet Brown, Interim City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Hank Stratford, Mayor

#