

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

TUESDAY, April 1, 2014

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:01 p.m. by Mayor Stratford in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Stratford, Vice Mayor Shuey, Councilmembers Geller (arrived at 7:03 p.m.) and Pierce. Councilmembers absent: Councilmember Diaz (excused absence). Staff present: City Manager Gary Napper, City Attorney Chris Diaz, City Clerk Janet Brown.

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

Councilmember Pierce requested an urgency item be added to the Agenda tonight as Action Item 8(b), per Government Code Section 54954.2(b)(2), to discuss the Council taking a position on California Assembly House Resolution (HR) 29 (Gomez) regarding legislators' "Pledges Affecting Future Legislation." She noted the need to consider taking action arose after the Agenda was set last Friday.

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to add Urgency Action Item 8(b) per Government Code Section 54954.2(b)(2) for House Resolution (HR) 29 (Gomez), Pledges Affecting Future Legislation. (Passed; 3-0 vote).

3. **CONSENT CALENDAR**- It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to approve the Consent Calendar as submitted (Passed; 3-0 vote).
- (a) Approved the minutes of the regular meeting of March 18, 2014.
 - (b) Approved Financial Demands and Obligations of the City.
 - (c) Approved the City Manager's appointment of Janet Brown as Clayton City Clerk.
 - (d) Adopted a Resolution No. 06-2014 adding the preparation of a Clayton Sanitary Sewer Management Plan (SSMP) to the City's Grants Fund (Fund 230), Project No. 4021, and awarded a contract to Humphrey Consulting in the amount of \$21,940.00 for the development of the City's Sanitary Sewer Management Plan.
 - (e) Accepted the City's Investment Portfolio Report for the Second Quarter of FY 2013-14 ending December 31, 2013.

Councilmember Geller arrived at the meeting.

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

5. **REPORTS**

- (a) Planning Commission – No Meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff – City Manager Gary Napper introduced Assistant City Attorney Chris Diaz covering as legal counsel for tonight's meeting. He then read an email he received late today from Supervisor Karen Mitchoff regarding the Fire District Board's approval to restore full engine and emergency medical response services at Clayton Fire Station 11. The report from the Fire Chief on the District's plan to utilize its 2013 SAFER grant indicated restoring full services at Fire Station No. 11 was the second highest priority of the District for use of its 2-year grant monies..
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Geller finalized this year's Concerts in The Grove flyer which will be in the April 25th edition of the *Clayton Pioneer*.

Vice Mayor Shuey attended a meeting with the Mt. Diablo Unified School District Board.

Councilmember Pierce attended the Mt. Diablo Unified School District Board meeting also, a Contra Costa Transportation Authority Board meeting and the Muir District Boy Scouts dinner.

Mayor Stratford attended the Muir District Boy Scouts Dinner where he was presented with a certificate noting over 3,600 service hours provided by the Boy Scouts within the Clayton community. Mayor Stratford added the "Do the Right Thing" character trait for March/April is "Integrity".

- (e) Other- None.

6. **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Gregg Manning spoke on behalf of the Clayton Business and Community Association requesting permission and assistance displaying banners around the community reflecting the following celebrations; City of Clayton celebrating 50 years, Clayton Historical Society and Museum celebrating 40 years, and CBCA celebrating 30 years. Mr. Manning handed the City Council and staff a color rendering of the banners the CBCA is proposing. He asked for the Council's support of this banner program and City Maintenance's installation of the new banners when the item comes to the Council at its next meeting.

7. **PUBLIC HEARINGS-** None.

8. ACTION ITEMS

- (a) Consider the Council Sub-Committee's and staff's recommendation to retain the Transwestern commercial brokerage firm to list and market certain City-owned properties for sale and development in the Clayton Town Center.

1. One vacant 1.67 acre real property on Main Street (APN 118-560-010);
2. Three real properties located at 1005 and 1007 Oak Street (APNs 119-050-034; 119-050-009; and 119-050-008)

(Vice Mayor Shuey, Council Member Pierce, and City Manager)

Councilmember Pierce noted since the November 2013 direction to obtain a commercial realtor, staff has made contact and outreach to several commercial brokerage firms to ascertain interest and marketing of three (3) City owned properties. A minimum of 5 commercial realty firms were contacted; several declined due to the challenges of location and land size of the parcels. The Council Sub-Committee and staff unitedly recommend Transwestern Property Company West, Inc. as the commercial brokerage firm best suited to list and market the City-owned properties. Councilmember Pierce introduced Edward Del Beccaro from Transwestern Property Company West, Inc.

Mr. Edward Del Beccaro provided some history on their investigation of the sites and presented the marketing proposal prepared by Transwestern Property Company West, Inc.

Councilmember Geller asked what is the possibility of a Bed and Breakfast use for the larger parcel? Mr. Del Beccaro advised everything is numbers and the more successful locations are in high tourist areas for higher occupancy rates

Councilmember Geller asked about a hotel and having package deals with the Oakhurst Country Club and the Concord Pavilion? Councilmember Geller also noted a lot of residents have visitors and family from out of town that need a place to stay.

Mr. Del Beccaro suggested the question is, "Can the rooms be filled?" and advised these are the types of concerns they look at when speaking with potential developers.

Councilmember Pierce, in addition to noting Transwestern had some very creative ideas for the larger parcel in the Sub-Committee's discussions, asked on how to influence the surrounding private property owners to the City-owned parcels to develop?

Mr. Del Beccaro responded the question is, "How to increase pedestrian traffic in the downtown area?" and suggested the answer is, "By increasing the daily errands citizens need in the downtown."

Councilmember Pierce suggested instead of residents driving halfway into Concord to favorite destinations, how does the City encourage such businesses to relocate into downtown Clayton? Councilmember Pierce also noted that Edward Del Beccaro and his team have different strengths; together they make a dynamic team.

Vice Mayor Shuey indicated he also is very impressed with the Transwestern Property Company West, Inc. and the creativity of the team.

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

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to approve an Exclusive Sales Listing Agreement with Transwestern Property

Company West, Inc. to list and market for sale and development several City-owned real properties within the Clayton Town Center, specifically a vacant 1.67 acre parcel on Main Street (APN 118-560-010) and two (2) improved but dilapidated real properties and one (1) adjacent unimproved parcel (0.75 acres in total) located at 1005 and 1007 Oak Street (APNs 119-050-034, 119-050-008 and 119-050-009); and authorize the City Manager to finalize and execute the Agreement. (Passed; 4-0 vote).

9. **COUNCIL ITEMS**

Mayor Stratford announced he would be adjourning the City Council meeting tonight in memory of the recent passing of Ruth Scott, former Clayton City Clerk (1975-1991) and Jim Webb, Clayton citizen who donated to community events and volunteered a majority of his time in the Clayton community and at City Hall.

10. **7:38 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).

8:15 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 8:15 p.m. in memory of Ruth Scott and of Jim Webb.

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Hank Stratford, Mayor

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