

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

TUESDAY, July 1, 2014

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Stratford in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Stratford and Councilmembers Diaz, Geller and Pierce. Councilmembers absent: Vice Mayor Shuey. Staff present: City Manager Gary Napper, Assistant City Attorney Christopher Diaz, City Clerk Janet Brown, and Assistant to the City Manager Laura Hoffmeister.
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; 4-0 vote).
 - (a) Approved the minutes of the regular meeting of July 1, 2014.
 - (b) Approved Financial Demands and Obligations of the City.
 - (c) Adopted Resolution No. 20-2014 authorizing the levy of annual real property tax assessments in Fiscal year 2014-15 for the Clayton Station Community Facility District (CFD) No. 1990-2R (Fund No. 421).
 - (d) Adopted Resolution No. 21-2014 authorizing the levy of annual real property tax assessments in Fiscal Year 2014-15 for the Diablo View Middle School and Clayton Community Park construction (Community Facility District – CFD) No. 1990-1R (2007) (Fund No. 420).
 - (e) Adopted Resolution No. 22-2014 authorizing the levy of annual real property tax assessments in Fiscal Year 2014-15 for Community Facility District (CFD) No. 2007-1, Citywide Landscape Maintenance District (Fund No. 210).
 - (f) Adopted Resolution No. 23-2014 authorizing the levy of annual real property tax assessments in Fiscal Year 2014-15 for Community Facility District (CFD) No. 2006-1, Downtown Park O&M, aka “The Grove Park”; Fund No. 211).
 - (g) Adopted Resolution No. 24-2014 approving the City’s biennial Growth Management Compliance Checklist for the reporting cycle of Fiscal Years 2012 and 2013, per measure J of the Contra Costa Transportation Authority (CCTA).
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 – No reports.
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Geller attended the Clayton Business and Community Association meeting and also played at the new Ipsen Family Bocce Ball Court in downtown over the past weekend. He recognized the organization efforts of Keith Haydon in the bocce court establishment and noted during Clayton Bocce League play on its opening weekend, curious local citizens stopped to observe the games. Councilmember Geller announced the July 5th Concerts in The Grove will feature “The Fundamentals”.

Councilmember Diaz attended the Friday night Ipsen Family Bocce Ball Court opening along with its ribbon cutting ceremony that took place on Saturday. He also attended the Concerts in The Grove on June 24th and the Clayton Business and Community Association meeting on June 26th.

Councilmember Pierce attended the East Bay Leadership meeting, 4th of July Parade Committee meeting, TRANSPAC, and Transportation Authority and Ad-Hoc Committee meeting. She also enjoyed the June 24th Concert in The Grove and noted Bob Hoyer was thrilled with that band’s music.

Mayor Stratford added he read the City Proclamation at the Ipsen Family Bocce Ball Court opening and thanked staff for its assistance on it. He attended the East Contra Costa Conservancy meeting. Mayor Stratford reminded “Courage” is the focused Do The Right Thing character trait for July. The next character trait will be “Responsibility”. He also announced July 19th as the 1st Annual 5K Run and Fitness Fare taking place at Clayton Community Park as Sarah Owen’s Gold Award Project for Girl Scouts’ highest honor.

- (e) Other - None.

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

7. **PUBLIC HEARINGS**

- (a) Open the Public Hearing to consider a proposed 20-year time extension to the existing Community Facilities District’s (CFD) annual real property parcel tax that funds the Downtown Park’s [aka “The Grove Park”] annual operation and maintenance by placement of a local ballot measure for voter consideration on the November 4, 2014 General Municipal Election; and due to published notice deficiency, continue the Public Hearing to the City Council regular meeting of July 15, 2014.

Assistant to the City Manager Laura Hoffmeister presented the staff report and noted the incorporated changes requested at the previous City Council meeting on this matter: changed the term from 15 years to 20 years, and selected Option 3 ballot measure

wording. Ms. Hoffmeister requested any additional Council input on the ballot measure language prior to final action at the July 15th City Council meeting. She advised the ballot measure argument deadline is August 8th and should the City Council like to write the ballot argument, presumably in favor, she suggested forming an Ad-hoc Committee of its membership to do so.

Councilmember Pierce requested clarification of the residential parcel rate of \$18.56. Ms. Hoffmeister responded the current single family parcel rate is \$18.56 but it increases by \$0.52 in FY 2014-15 to \$19.08; the rate is subject to an annual CPI increase but in no case more than 3% per year.

Councilmember Geller asked if the City Council wished to write Pro/Con arguments and if so should, they provide comments or the argument to staff? Ms. Hoffmeister advised the Council may discuss their option of writing ballot measure arguments tonight.

Councilmember Geller preferred citizens know the current parcel tax rate in the ballot measure itself. Councilmember Pierce replied that type of information is typically found in the Ballot Pamphlet, not in the ballot wording, particularly since varying tax rates apply according to the type of real property.

Mayor Stratford asked if there is a word limit? City Manager Gary Napper advised ballot arguments are limited to 200 words; he further noted the City Council, as proponent of the Ballot Measure, has first priority according to the California Election Code to write a ballot argument if it so chooses.

Councilmember Geller indicated he would like to assist with the ballot argument as he strongly favors the parcel tax to continue. Councilmember Pierce added she would also like to assist with the ballot argument and confirmed there is a 200 word limit.

Ms. Hoffmeister commented if there are less than 2 of its members assisting with the ballot argument writing, the City Council may form an Ad-hoc Committee to do so. City Manager Napper added that a motion to appoint such an Ad-hoc Committee is necessary to grant Council authorization.

Mayor Stratford opened the Public Hearing to receive public comments; no public comments were offered. Mayor Stratford noted the Public Hearing would be continued to July 15th, 2014 due to a noticing deficiency.

It was moved by Councilmember Pierce, seconded by Councilmember Geller, to continue this Public Hearing to July 15th, 2014 at 7:00 pm to consider a Resolution ordering onto the November 2014 election ballot a local measure for voter consideration of a proposed 20-year time extension only to the existing Downtown Park annual special parcel tax for operation, maintenance and repair of The Grove Park and retaining the current tax rate methodology; and to establish and appoint Councilmembers Geller and Pierce as a Council Ad-hoc Committee authorized to author the Ballot Argument in Favor of the Ballot Measure (Passed; 4-0 vote).

8. ACTION ITEMS

- (a) City Council discussion and determination of citizen appointments to three (3) vacancies on the Clayton Planning Commission: three (3) 2-year terms of appointed office from July 1, 2014 through June 30, 2016.

Mayor Stratford advised only 3 applications were received for the three Planning Commissioner seat openings. Applications were received by the incumbents, David Bruzzone, Sandra Johnson and Gregg Manning. Consequently, since the City Council previously interviewed the incumbents prior to appointing them to this expiring term, no City Council interviews as a whole were conducted as would normally transpire.

Councilmember Jim Diaz noted he did meet with Commissioner David Bruzzone prior to this meeting since he was not on the City Council when Mr. Bruzzone was appointed. Based on that conversation, Councilmember Diaz agreed Mr. Bruzzone is well qualified for re-appointment to the Planning Commission.

Mayor Stratford opened the item to receive public comments; no public comments were offered.

It was moved by Councilmember Pierce, seconded by Councilmember Geller, to adopt Resolution No. 25-2014 appointing David Bruzzone, Sandra Johnson, and Gregg Manning to two year terms of appointed office on the Clayton Planning Commission. (Passed; 4-0 vote).

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION**

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

1. Employee Organization: Miscellaneous City Employees Group.

Report out from Closed Session: Mayor Stratford.

8:08 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 City Council meeting adjourned at 8:08 p.m. Its next regular meeting will be on Tuesday, July 1st at 7:00 p.m.

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Hank Stratford, Mayor

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