



AGENDA

REGULAR MEETINGS

* * *

CLAYTON CITY COUNCIL and OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)

* * *

TUESDAY, December 2, 2014

7:00 P.M.

*Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517*

Mayor: Hank Stratford
Vice Mayor: David T. Shuey

Council Members

Jim Diaz
Howard Geller
Julie K. Pierce

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail and on the City's Website at least 72 hours prior to the Council meeting.
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.ci.clayton.ca.us
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7304.

*** CITY COUNCIL ***

December 2, 2014

1. **CALL TO ORDER THE CITY COUNCIL** – Mayor Stratford.

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

3. **CONSENT CALENDAR**

Consent Calendar items are typically routine in nature and are considered for approval by the City Council with one single motion. Members of the Council, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question or input may request so through the Mayor.

(a) **Information Only** – No Action.

1. Notice of Public Hearing on Wednesday, January 7, 2015 by the Contra Costa Water District Board (CCWD) for its consideration of a treated water rate revenue increase of up to 3.5%. ([View Here](#))

2. Notification by Republic Services (aka Allied Waste Services) that residential and commercial solid waste collection and disposal services rates in Clayton will increase by 2.9% (90% of the annual October-October 3.2% Consumer Price Index change, per the City's Franchise Agreement), effective January 1, 2015. ([View Here](#))

(b) Approve the minutes of the regular meeting of November 18, 2014. ([View Here](#))

(c) Approve Financial Demands and Obligations of the City. ([View Here](#))

(d) Adopt a Resolution certifying the results of canvass of returns in the November 2014 General Municipal Election declaring David T. Shuey and Keith Haydon elected to 4-year terms of office on the City Council of the City of Clayton, California, and declaring the local electorate's 2/3rds affirmative passage of Clayton Ballot Measure "P" - Downtown "The Grove" Park. (CFD 2006-1, Operation and Maintenance). ([View Here](#))

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

5. **REMARKS BY OUTGOING CITY COUNCIL MEMBER**

Mayor Hank Stratford

6. **OATHS OF OFFICE BY NEWLY-ELECTED CITY COUNCIL MEMBERS**

David Shuey, Keith Haydon
(City Clerk)

7. ANNUAL REORGANIZATION OF CLAYTON CITY COUNCIL

- (a) Election of Mayor by the City Council [Vice Mayor Shuey to conduct the election].
([View Here](#))
- (b) Election of Vice Mayor by the City Council [Newly-elected Mayor to conduct the election].
- (c) Recognitions and comments by Mayor and Council Members.

8. REPORTS

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff
- (d) City Council - Reports from Council liaisons to Regional Committees,
Commissions and Boards.
- (e) Other

9. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the City Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. When one's name is called or you are recognized by the Mayor as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the City Council.

10. PUBLIC HEARINGS - None.

11. ACTION ITEMS – None.

12. COUNCIL ITEMS – limited to requests and directives for future meetings.

13. CLOSED SESSION - None.

14. ADJOURNMENT– the next regularly scheduled City Council meeting is December 16, 2014.

*** OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT ***
December 2, 2014

1. CALL TO ORDER AND ROLL CALL – Chairman Diaz.

2. PUBLIC COMMENTS

Members of the public may address the District Board of Directors on items within the Board's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the Secretary. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Chair's discretion. When one's name is called or you are recognized by the Chair as wishing to speak, the speaker shall approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Board may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the Board.

3. CONSENT CALENDAR

Consent Calendar items are typically routine in nature and are considered for approval by the Board with one single motion. Members of the Board, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question or input may request so through the Chair.

- (a) Approve the Board of Directors' minutes for its regular meeting November 4, 2014. ([View Here](#))

4. ANNUAL REORGANIZATION OF THE BOARD OF DIRECTORS

- (a) Nominations and election of Chair (Chairman Diaz to conduct the election). ([View Here](#))
- (b) Nominations and election of Vice Chair (New Chair to conduct the election).

5. PUBLIC HEARINGS - None.

6. ACTION ITEMS – None.

7. BOARD ITEMS – limited to requests and directives for future meetings.

8. **ADJOURNMENT** – the next meeting of the GHAD Board of Directors will be scheduled as needed.

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Contra Costa Water District

Notice of Public Hearing on Potential Water Rate and Charge Increases

Wednesday, January 7, 2015 at 6:30 p.m.; Board Room - 1331 Concord Avenue, Concord, CA

Agenda Item: 3a 1.

Contra Costa Water District (CCWD) wishes to notify you of a Public Hearing where a treated water rate increase intended to yield a revenue increase of up to 3.5% will be considered. Public comments and written protests may be submitted to CCWD prior to and at the Public Hearing. Following the Public Hearing, the Board will consider adoption of the proposed rate increase. The new rates will become effective February 1, 2015. The proposed revenue increase will apply to the quantity charge and daily service and demand components of the water rate. If a 3.5% revenue increase is approved as proposed, the increase to a single family residential customer in the CCWD service area using 320 gallons per day (average customer) would be approximately \$2.16 per month. Excess Use Charges (EUC) only apply to residential and landscape irrigation customers whose use both exceeds 1,000 gallons per day (gpd) and exceeds their historical average. A customer with a historical average of 1,000 gpd and using 1,000 cubic feet (7,480 gallons) more than their historical monthly average will see an additional increase of \$1.63 in their monthly water costs. The increase applies only to the amount of water over 1,000 gpd in this example. Customers using less than 1,000 gpd or less than their historical average are not subject to an EUC.

Quantity and Service Charges	Current Charge	Potential Change	Potential Charge
Quantity Charge per hundred cubic feet (748 gallons)	\$3.3007	\$0.1627	\$3.4634
Daily Service and Demand Charge*	\$0.5650	\$0.0057	\$0.5707
Excess Use Charge per hundred cubic feet**	\$3.3007	\$0.1627	\$3.4634

* For a 5/8-inch meter; charges for larger meters are proportionate to size as generally described in Section 5.12.010 CCWD Code of Regulations.

** Represents incremental charge over and above the Quantity Charge, and is only applied to the quantity of water that is both in excess of 1,000 gpd and greater than the historical average use for the account.

Water rates pay for the safe and reliable delivery of drinking water to all CCWD customers. A revenue increase of up to 3.5% is necessary to meet operation and maintenance requirements, fund capital improvements to aging infrastructure, and offset increased costs of purchasing water supplies. For further information, go to www.ccwater.com and click on "Publications" and then "Financial Information" to view CCWD's budget, ten-year financial plan, and comprehensive annual financial report, or call (925) 688-8044.

Received
NOV 21 2014
City of Clayton



Agenda Item: 3a 2.
REPUBLIC
SERVICES

November 20, 2014

Mr. Gary Napper
City Manager
6000 Heritage Trail
Clayton, CA 94517

Dear Gary:

Republic Services is providing notification of our intention to adjust the residential and commercial refuse collection rates by the corresponding percentage change in the Consumer Price Index (CPI) – All Urban Consumers – for San Francisco-Oakland-San Jose Bay Area through October 2014. I have attached a copy of the U.S. Department of Labor Statistics CPI calculations. The CPI increase is 3.2 %.

We are allowed 90% of the CPI for 2015 so the rate increase will be 2.9%. The rate adjustment will take effect on January 1, 2015.

A copy of the historic data is attached for verification purposes. A bill message will be on the December invoice.

Feel free to contact me at (925) 671-5823 if you have any questions.

Sincerely,

Timothy M. Argenti
GENERAL MANAGER

441 North Buchanan Circle
Pacheco, CA 94553
925-685-4711 • Fax 925-685-4735
republicservices.com

Consumer Price Index - All Urban Consumers
Original Data Value

Series Id: CUURA422SA0

Not Seasonally Adjusted

Area: San Francisco-Oakland-San Jose, CA

Item: All items

Base Period: 1982-84=100

Years: 2004 to 2014

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2004		198.1		198.3		199.0		198.7		200.3		199.5	198.8	198.2	199.5
2005		201.2		202.5		201.2		203.0		205.9		203.4	202.7	201.5	203.9
2006		207.1		208.9		209.1		210.7		211.0		210.4	209.2	207.9	210.6
2007		213.688		215.842		216.123		216.240		217.949		218.485	216.048	214.736	217.361
2008		219.612		222.074		225.181		225.411		225.824		218.528	222.767	221.730	223.804
2009		222.166		223.854		225.692		225.801		226.051		224.239	224.395	223.305	225.484
2010		226.145		227.697		228.110		227.954		228.107		227.658	227.469	226.994	227.944
2011		229.981		234.121		233.646		234.608		235.331		234.327	233.390	232.082	234.698
2012		236.880		238.985		239.806		241.170		242.834		239.533	239.650	238.099	241.201
2013		242.677		244.675		245.935		246.072		246.617		245.711	245.023	243.894	246.152
2014		248.615		251.495		253.317		253.354		254.503				250.507	

3.2%

90% 2.9%

2. Section 4 of the Agreement is amended in its entirety effective immediately to read as follows:

Administrative Services and Franchise Fees; Community Enhancement Fee. Effective the next collector billing cycle for customer services in Clayton following approval of this amended Agreement, and as consideration for this franchise granted by City for use of its public rights of way, and to partially reimburse the City for its costs in overseeing this agreement and for services and programs pertaining thereto, Collector shall pay to the City a total annual franchise fee of ten percent (10%) of Collector's gross receipts from customer services provided under this Agreement to residential, commercial and industrial customers within the City limits of Clayton. The franchise fee shall be paid quarterly within 30 thirty (30) days after the end of each calendar quarter and shall be based upon actual gross receipts of Collector for the proceeding calendar quarter.

As further consideration for the extension of the Term of the Agreement, Collector shall, by January 15, 2013, pay to the City a Community Enhancement Fee in the amount of \$100,000.

3. Section 6 of the Agreement is amended to insert the following new paragraph at the end of 6.A.:

Effective the next collector billing cycle for customer services in Clayton following approval of this amended Agreement, Collector will charge up to the maximum service rates as set forth in Exhibit A attached hereto. Commencing effective on January 1, 2013, and every January 1st thereafter during the Term, the Collector's maximum monthly collection rates inclusive of landfill fees shall be increased automatically by an amount equal to ninety percent (90%) of the percentage increase in the Consumer Price Index for the San Francisco Bay Area- All Urban Consumers (base year: 1982-84) during the most recent twelve month period prior to the January 1 rate adjustment date for which such data is available ("CPI"), subject to the following minimum guaranteed rate increase and the maximum rate cap: regardless of the actual applicable change in the CPI, Collector shall receive at least a one percent (1%) increase in its rates every January 1st and Contractor's rates shall not increase more than five percent (5%) at any such annual CPI adjustment.

4. Section 7 of the Agreement is replaced and amended to read in its entirety:

7. Landfill Capacity. Collector agrees to reserve and provide disposal capacity at the Keller Canyon Landfill for all Solid Waste and Yard Waste collected within the franchise area during the term of this Agreement.

5. Section 9 of the Agreement shall be amended to add a new sentence at the end as follows:

Any collection vehicles that are replaced during the term of the Agreement shall be replaced with collection vehicles that use Natural Gas fuel.

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

TUESDAY, November 18, 2014

Agenda Date: 12-2-2014

Agenda Item: 3b

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:02 p.m. by Mayor Stratford in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Stratford, Vice Mayor Shuey and Councilmembers Diaz, Geller and Pierce. Councilmembers absent: None. Staff present: Assistant to the City Manager Laura Hoffmeister, Community Development Director Charlie Mullen, Assistant City Attorney Christopher Diaz, and City Clerk Janet Brown.

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

3. **CONSENT CALENDAR**

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

- (a) Approved the minutes of the regular meeting of November 4, 2014.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the proposed 2015 schedule of Thursday "Concerts in The Grove" for five (5) public concerts sponsored by the City but funded solely through private sponsorships.

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 Diaz attended the Contra Costa County Mayors Conference hosted by the City of Brentwood, Clayton Business and Community Association meeting, and the Clayton Historical Society annual meeting.

Councilmember Pierce congratulated newly elected official Keith Haydon and re-elected Councilmember David Shuey. She attended the Contra Costa County Board of Education meeting where Clayton Valley Charter High School was approved for another 5 years. Councilmember Pierce also attended the Contra Costa Transportation Authority Countywide Transportation Plan meeting, Contra Costa County Mayors Conference, California Council of Governments Planning Retreat, Clayton Valley Charter High School Board meeting, TRANSPAC meeting, Associated Bay Area Governments

Housing Affordability Conference, Joint Policy Committee meeting, Bay Area Prosperity meeting and "Focus on the Future" conference in Santa Clara.

Councilmember Geller attended a meeting with Clayton Valley Village, Contra Costa County Board of Education regarding Clayton Valley Charter High School and the Contra Costa County Mayors Conference. He also congratulated Keith Haydon and David Shuey as councilmembers elect per the 2014 General Election unofficial results.

Vice Mayor Shuey attended the Contra Costa County Board of Education meeting regarding Clayton Valley Charter High School renewing their charter for an additional 5 years. He also thanked Mayor Stratford for his service to the Clayton community and the City Council. Vice Mayor Shuey congratulated newly elected Keith Haydon to the City Council.

Mayor Stratford congratulated Keith Haydon on his new position on Clayton City Council. He attended the Contra Costa County Mayors Conference and reminded the community "Kindness" is the "Do The Right Thing" character trait for November and December.

Councilmember Diaz provided an update on the plans to re-open Clayton Fire Station - according to the County Fire Chief, it has been delayed awaiting current Fire Academy conclusion and advised the re-opening should occur mid-January 2015.

- (e) Other – None.

6. PUBLIC COMMENT ON NON-AGENDA ITEMS

After the Public Hearing, Mayor Stratford received a speaker card from Denise Pursche who provided an update to her research and the findings by Orange County Schools on Common Core, and potential actions by Orange County schools on filing Federal and or State law suits to remove Common Core standards from their schools.

7. PUBLIC HEARINGS

- (a) Public Hearing to consider a Resolution approving a General Plan Amendment to the Housing Element of the Clayton General Plan by adoption of the City of Clayton's 2015-2023 Housing Element Update, as required by State law, and its Initial Study/Negative Declaration environmental analysis report (ENV 02-14; GPA 01-09).

Community Development Director Charlie Mullen presented the staff report and recapped the timeline starting with a joint Public Workshop that took place on November 5, 2013 followed by public hearings held in May 13, 2014 by the Planning Commission and June 3, 2014 by the City Council. On June 4, 2014 Pacific Municipal Consultants (PMC) transmitted the Draft 2015-2023 Housing Element update to the State Housing and Community Development Department (HCD). On July 31, 2014 HCD notified the City of Clayton the Housing Element met the statutory requirement of State housing element law. Pacific Municipal Consultants prepared the Initial Study/Negative Declaration environmental review. The documents were made available for public review and comment on September 12, 2014 which concluded on October 14, 2014. The Planning Commission conducted its public hearing providing minor comments, and made no changes to the Final Draft.

Ms. Jennifer Gastelum from Pacific Municipal Consultants explained the Housing Element components and changes since the June 2014 City Council review. The State Housing and Community Development Department in their July 2014 review (of the City's June 2014 submittal) requested changes regarding emergency shelters designation, transitional and supportive housing, updates to tables 46 and 47 to include approved projects and vacant sites, further explain rezones that were completed as part of the 4th round Housing Element update and amend the General Plan and/or Zoning Ordinance to allow multi-family housing by right. Ms. Gastelum reviewed the Regional Housing Needs Allocation (RHNA) requirements including Income and Residential Capacities.

Vice Mayor Shuey asked the Community Development Director to explain to the community "Why do we have to do this?" Community Development Director Charlie Mullen explained State law requires cities to have a housing element which allows the State to implement regional housing needs. Ultimately, it allows persons of different income levels opportunity for housing.

Vice Mayor Shuey asked "What happens if we don't do this?" Community Development Director Charlie Mullen advised the City of Clayton would not receive State and local funding tied to Measure J. This can be a loss of \$200,000.00 to \$250,000.00 per year.

Assistant to the City Manager Laura Hoffmeister added by not having an adequate housing element does not relieve the City of the requirement to comply with State Law. Other cities have been sued for non-compliance resulting in substantial ramifications both financial and court mandating compliance. This update is similar to previous Housing Element updates. The City of Clayton has in previous Housing Element updates been able to show it can accommodate the required state housing needs in a manner that fits in and is compatible with the community.

Vice Mayor Shuey added it is mandate and legal requirement in California this important for the public to understand and knows it is frustrating to the community however, the City is making to best of the situation, in a way that works for Clayton.

Councilmember Geller asked if a general plan designation was made to a parcel with a new minimum of 20-30 units, does it require the property owner to sell or development the property to the new designation? Community Development Director Charlie Mullen confirmed that it does not require the property owner to sell or develop, rather provides an opportunity for property development within that range.

Councilmember Diaz noted the Residential Capacity Chart indicates the City of Clayton has the ability to accommodate 134 units over the next cycle, which is eight years.

Mayor Stratford opened the Public Hearing to receive public comments on the Resolution No. 42-2014, General Plan Amendment for the Housing Element Update, including the adoption of the Negative Declaration with the environmental finding there is no substantial evidence that it will have a significant effect on the environment.

Resident Bill Jordan requested clarification regarding the Multi-Family High Density General Plan designation and why the change to 20 minimum instead of maximum. Community Development Director Charlie Mullen responded that there had been earlier miscommunication between HCD and the City. The City and its consultant had originally understood language of up to 20 units or 20 maximum would be

acceptable to the State HCD and that was the language submitted. HCD during its review clarified the language would need to be a minimum of 20 units, and the corresponding changes is what is currently proposed consistent with HCD comments.

Mr. Jordan confirmed the allowed minimum unit requirement would be 20 units.

Community Development Director Mullen confirmed and added the allowed minimum requirement is there, however, each site would have to be confirmed and evaluated on a case by case basis and its particular constraints if any.

Councilmember Geller asked with the State mandates is there and the ability to adjust the allowed minimum unit requirement? Community Development Director Charlie Mullen added there would be consideration based on the sites features such as existing trees, creeks, slope and drainage on the proposed properties.

Councilmember Pierce added the Housing Element is a huge achievement however, she expressed concerns with the income ranges for each income category and how residents could afford to stay in the Clayton community in that the housing costs are still high even for the moderate income.

Councilmember Geller thanked Ms. Gastelum for preparation of the Housing Element.

Mayor Stratford also thanked Ms. Gastelum, Community Development Director Charlie Mullen and the Planning Commission working on this complicated issue and is unsure of what the solution is overall regarding accommodating future housing needs and understands that the City is required to comply with State Law. The City is doing its part in a logical and efficient way.

Councilmember Pierce noted that only new units count and it is unfortunate that existing housing is not counted in our stock and added that affordable housing is very expensive.

Assistant to the City Manager Laura Hoffmeister added there is previously established affordable housing units located in the Stranahan, Oakhurst, and Dana Hills Subdivisions. There is also special needs affordable housing within the fabric of Clayton, which includes very low incomes such as Kirker Court and Diamond Terrace.

No further public comments were offered. Mayor Stratford then closed the Public Hearing.

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to adopt Resolution No. 42-2014 to include the adoption of the Negative Declaration environmental finding there is no substantial evidence to suggest the Housing Element document may have a significant effect on the environment. (Passed; 5-0 vote).

8. ACTION ITEMS – None.

9. **COUNCIL ITEMS** – None.

10. **7:57 p.m. CLOSED SESSION** – on call by Mayor Stratford, the City council adjourned into Closed Session for the following purpose:

- (a) *Government Code Section 54956.9(d)(4)* – Conference with Legal Counsel
Anticipated Litigation: 1 Potential Claim
- (b) *Government Code Section 54957*
Public Employee Annual Performance Evaluation
Position Title: City Manager

8:45 p.m. Reports out from Closed Session: Mayor Stratford announced re-opened the public meeting and announced there was no reportable action taken.

11. **ADJOURNMENT**– on call by Mayor Stratford, the City Council meeting adjourned at 8:47 p.m. Its next regular meeting will be on Tuesday, December 2nd at 7:00 p.m.

#

Respectfully submitted,

Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL

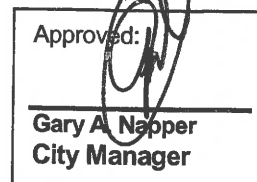
Hank Stratford, Mayor

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Agenda Date 12/2/2014

Agenda Item: 3c



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Kevin Mizuno, FINANCE MANAGER

DATE: 12/2/2014

SUBJECT: FINANCIAL OBLIGATIONS

RECOMMENDATION:

Approve the following Invoices:

11/26/14	Obligations, Cash Requirements	\$ 137,694.94
	Total	\$ 137,694.94

Attachments:

Cash Requirements Report dated 11/26/2014 (3 pages)

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Best Best & Kreiger LLP								
Best Best & Kreiger LLP	12/2/2014	11/26/2014	737468	October Services	\$8,000.00	\$0.00		\$8,000.00
Best Best & Kreiger LLP	12/2/2014	11/26/2014	737467	October Services - SSMP	\$852.50	\$0.00		\$852.50
				Totals for Best Best & Kreiger LLP:	\$8,852.50	\$0.00		\$8,852.50
Steve or Sue Brye								
Steve or Sue Brye	12/2/2014	11/26/2014	CAP0108	Deposit refund for 19 Atchinsion Stage Rd	\$3,785.24	\$0.00		\$3,785.24
				Totals for Steve or Sue Brye:	\$3,785.24	\$0.00		\$3,785.24
CalPERS Health								
CalPERS Health	12/2/2014	11/26/2014	1609	Medical benefits for December 2014	\$33,421.68	\$0.00		\$33,421.68
				Totals for CalPERS Health:	\$33,421.68	\$0.00		\$33,421.68
CalPERS Retirement								
CalPERS Retirement	12/2/2014	11/26/2014	11/24/14	Retirement - City Council, ending 11/24/14	\$381.72	\$0.00		\$381.72
CalPERS Retirement	12/2/2014	11/26/2014	PPE 11/23/14	Retirement PPE 11/23/14	\$20,843.91	\$0.00		\$20,843.91
				Totals for CalPERS Retirement:	\$21,225.63	\$0.00		\$21,225.63
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	12/2/2014	11/26/2014	1664600	contract for 10/17/14-11/16/14	\$337.74	\$0.00		\$337.74
				Totals for Caltronics Business Systems, Inc:	\$337.74	\$0.00		\$337.74
CCWD								
CCWD	12/2/2014	11/26/2014	E Series	Water Service 9/3/14-11/4/14	\$17,012.28	\$0.00		\$17,012.28
				Totals for CCWD:	\$17,012.28	\$0.00		\$17,012.28
City of Walnut Creek								
City of Walnut Creek	12/2/2014	11/26/2014	2015 Dues	Public Managers - pre-paid lunches 2015	\$156.00	\$0.00		\$156.00
				Totals for City of Walnut Creek:	\$156.00	\$0.00		\$156.00
Concord Garden Equipment								
Concord Garden Equipment	12/2/2014	11/26/2014	493301	Work Order 79173	\$356.75	\$0.00		\$356.75
				Totals for Concord Garden Equipment:	\$356.75	\$0.00		\$356.75
Contra Costa County Library								
Contra Costa County Library	12/2/2014	11/26/2014	Q1 FY 15	Add'l hours library Q1 FY 2015	\$3,858.81	\$0.00		\$3,858.81
				Totals for Contra Costa County Library:	\$3,858.81	\$0.00		\$3,858.81
Contra Costa County Mayors' Conference								
Contra Costa County Mayors' Conferenc	12/2/2014	11/26/2014	Mayors Conference 1	Annual Assessment Mayors Conference 2015	\$1,602.60	\$0.00		\$1,602.60
				Totals for Contra Costa County Mayors' Conference:	\$1,602.60	\$0.00		\$1,602.60
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	12/2/2014	11/26/2014	43531864	contract for December 2014	\$342.17	\$0.00		\$342.17
				Totals for De Lage Landen Financial Services, Inc.:	\$342.17	\$0.00		\$342.17
Graybar Electric Co, Inc								

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Graybar Electric Co, Inc	12/2/2014	11/26/2014	975828693	Del Doc # 0348628151	\$2,688.92	\$0.00		\$2,688.92
				<i>Totals for Graybar Electric Co, Inc:</i>	<u>\$2,688.92</u>	<u>\$0.00</u>		<u>\$2,688.92</u>
Hawkins Pools								
Hawkins Pools	12/2/2014	11/26/2014	CAP0132	Deposit refund for 215 Colombard Ct	\$500.00	\$0.00		\$500.00
				<i>Totals for Hawkins Pools:</i>	<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
Arlene Kikkawa-Nielsen								
Arlene Kikkawa-Nielsen	12/2/2014	11/26/2014	December 2014	Library Volunteer Coordinator Hours December	\$900.00	\$0.00		\$900.00
				<i>Totals for Arlene Kikkawa-Nielsen:</i>	<u>\$900.00</u>	<u>\$0.00</u>		<u>\$900.00</u>
LarryLogic Productions								
LarryLogic Productions	12/2/2014	11/26/2014	1463	City Council Meeting 11/18/14	\$275.00	\$0.00		\$275.00
				<i>Totals for LarryLogic Productions:</i>	<u>\$275.00</u>	<u>\$0.00</u>		<u>\$275.00</u>
Marken Mechanical Services Inc								
Marken Mechanical Services Inc	12/2/2014	11/26/2014	114-19607	Library Boiler Annual Service	\$1,587.30	\$0.00		\$1,587.30
				<i>Totals for Marken Mechanical Services Inc:</i>	<u>\$1,587.30</u>	<u>\$0.00</u>		<u>\$1,587.30</u>
Miracle Recreation Equip Co								
Miracle Recreation Equip Co	12/2/2014	11/26/2014	12014-1646	Parts per order 64140461	\$644.85	\$0.00		\$644.85
				<i>Totals for Miracle Recreation Equip Co:</i>	<u>\$644.85</u>	<u>\$0.00</u>		<u>\$644.85</u>
MPA								
MPA	12/2/2014	11/26/2014	December 2014	Life/LTD December 2014	\$1,479.28	\$0.00		\$1,479.28
				<i>Totals for MPA:</i>	<u>\$1,479.28</u>	<u>\$0.00</u>		<u>\$1,479.28</u>
Neopost (add postage)								
Neopost (add postage)	12/2/2014	11/26/2014	11/24/14	Postage Added	\$300.00	\$0.00		\$300.00
				<i>Totals for Neopost (add postage):</i>	<u>\$300.00</u>	<u>\$0.00</u>		<u>\$300.00</u>
Pacific Telemanagement Svc								
Pacific Telemanagement Svc	12/2/2014	11/26/2014	702931	Courtyard Payphone December 2014	\$73.00	\$0.00		\$73.00
				<i>Totals for Pacific Telemanagement Svc:</i>	<u>\$73.00</u>	<u>\$0.00</u>		<u>\$73.00</u>
PERMCO, Inc.								
PERMCO, Inc.	12/2/2014	11/26/2014	10283	Stormwater - follow-up insp, prep annual repo	\$770.13	\$0.00		\$770.13
PERMCO, Inc.	12/2/2014	11/26/2014	10282	services 11/8/14-11/21/14	\$3,093.00	\$0.00		\$3,093.00
PERMCO, Inc.	12/2/2014	11/26/2014	10284	CAP Inspections 11/8/14-11/21/14	\$145.25	\$0.00		\$145.25
				<i>Totals for PERMCO, Inc.:</i>	<u>\$4,008.38</u>	<u>\$0.00</u>		<u>\$4,008.38</u>
PG&E								
PG&E	12/2/2014	11/26/2014	11/17/14	Service 10/16/14-11/16/14	\$17,723.18	\$0.00		\$17,723.18
PG&E	12/2/2014	11/26/2014	10/23/14	Service 9/23/14-10/21/14	\$3,201.63	\$0.00		\$3,201.63
				<i>Totals for PG&E:</i>	<u>\$20,924.81</u>	<u>\$0.00</u>		<u>\$20,924.81</u>
PMT Pest Control Service								

City of Clayton Cash Requirements Report

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
PMT Pest Control Service	12/2/2014	11/26/2014	525	Rodent control services July-October 2014	\$2,200.00	\$0.00		\$2,200.00
				<i>Totals for PMT Pest Control Service:</i>	<u>\$2,200.00</u>	<u>\$0.00</u>		<u>\$2,200.00</u>
Standard Chair of Gardner								
Standard Chair of Gardner	12/2/2014	11/26/2014	INV224362	Gift for Hank Stratford - out-going Mayor	\$272.00	\$0.00		\$272.00
				<i>Totals for Standard Chair of Gardner:</i>	<u>\$272.00</u>	<u>\$0.00</u>		<u>\$272.00</u>
State Water Resources Control Board								
State Water Resources Control Board	12/2/2014	11/26/2014	WD-0102858	Annual Permit Fee FY 14-15	\$8,740.00	\$0.00		\$8,740.00
				<i>Totals for State Water Resources Control Board:</i>	<u>\$8,740.00</u>	<u>\$0.00</u>		<u>\$8,740.00</u>
Roger Stratford								
Roger Stratford	12/2/2014	11/26/2014	01689C	Deposit refund for Courtyard 8/28/14	\$100.00	\$0.00		\$100.00
				<i>Totals for Roger Stratford:</i>	<u>\$100.00</u>	<u>\$0.00</u>		<u>\$100.00</u>
Waraner Brothers Tree Service								
Waraner Brothers Tree Service	12/2/2014	11/26/2014	11600	Acorn Drive, Keller Ridge open space - Oak T	\$2,050.00	\$0.00		\$2,050.00
				<i>Totals for Waraner Brothers Tree Service:</i>	<u>\$2,050.00</u>	<u>\$0.00</u>		<u>\$2,050.00</u>
GRAND TOTALS:					\$137,694.94	\$0.00		\$137,694.94

RESOLUTION NO. -2014

**A RESOLUTION DECLARING RESULTS OF CANVASS OF RETURNS IN
THE 2014 GENERAL MUNICIPAL ELECTION, DECLARING THE PERSONS
ELECTED TO THE CITY COUNCIL OF THE CITY OF CLAYTON AND THE
RESULTS OF THE VOTE ON LOCAL BALLOT MEASURE "P", DOWNTOWN "THE
GROVE" PARK OPERATIONS AND MAINTENANCE DISTRICT SPECIAL TAX
EXTENSION
(Community Facilities District 2006-1)**

**THE CITY COUNCIL
City of Clayton, California**

WHEREAS, a duly noticed general municipal election was held in the City of Clayton on November 4, 2014 for the purpose of voting for candidates for two (2) full-term offices of Council Member on the City Council of the City of Clayton and voter consideration of one (1) local ballot measure, Measure "P", a special tax extension to continue funding the annual operations and maintenance of the Downtown "The Grove" Park for an additional period of twenty (20) years through Fiscal Year 2036-2037; and

WHEREAS, following the canvass of returns by the Contra Costa County Clerk and receipt of his report by the Clayton City Clerk, the City Council met in a regular public meeting on December 2, 2014 and canvassed the returns of the election pursuant to and accordance with applicable provisions of the California Elections Code; and

WHEREAS, the City Council finds the number of votes cast in the City of Clayton at the general municipal election was and is 4,076, a 56.21% turnout; and

WHEREAS, the City Council finds there were seven precincts in the City of Clayton established for holding the November 2014 general municipal election; and

WHEREAS, the City Council finds that the names of the persons voted for and the number of votes given said persons in the general municipal election at each of the above noted precincts and by absentee ballot as candidates for the offices of Council Member on the Clayton City Council and the total votes cast for each candidate, are as set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit A" and incorporated herein by such reference; and

WHEREAS, the City Council further finds that all of the votes in consideration of local ballot Measure "P" submitted to the Clayton voters in the general municipal election are also set forth in the computer printout from the Contra Costa County Election Department, attached hereto as "Exhibit B" and incorporated herein by such reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton, California that the following candidates (listed by order of top vote) for the two offices of Council

Member of the City Council of the City of Clayton received the highest number of votes and are therefore declared to be the two (2) Council Members duly elected to serve on the Clayton City Council until the results of the November 2014 General Municipal election are canvassed and accepted:

David T. Shuey
Keith Haydon

BE IT FURTHER RESOLVED by the City Council that local Ballot Measure "P" and the levy extension of a special tax therein (Community Facilities District No. 2014-1, Downtown Park Operation and Maintenance District) did garner the requisite two-thirds voter approval and therefore Measure "P" did pass.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular public meeting thereof held on the 2nd day of December 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Mayor Hank Stratford

ATTEST:

Janet Brown, City Clerk

**CERTIFICATE OF COUNTY CLERK AS TO THE RESULTS OF THE CANVASS OF THE
CITY OF CLAYTON**

NOVEMBER 4, 2014 GENERAL ELECTION

State of California)
) ss.
County of Contra Costa)

I, JOSEPH E. CANCIAMILLA, County Clerk in and for the County of Contra Costa, State of California, do hereby certify that, pursuant to the provisions of the Elections Code, I did canvass the returns of the votes cast in the **CITY OF CLAYTON** in said county at the General Election held on November 4, 2014 for said city candidates and Measure P submitted to the vote of the voters. I further certify that the statement of the votes cast, to which this certificate is attached, shows the whole number of votes cast in said City and each respective precinct therein, and that the totals of the respective columns and the totals as shown for each candidate are full, true and correct.

WITNESS my hand and Official Seal this 26th day of November, 2014.

JOSEPH E. CANCIAMILLA, County Clerk



By: Rosa Mena
Rosa Mena, Deputy Clerk

PRINTED 11/26/14, 09:27 AM

EXHIBIT A

PAGE 249

		City of Clayton Member, City Council 2 TO BE ELECTED					
		R E G I S T E R E D	V O T E R S	T P U E R R O R S	K H E A I Y T D H O N (NON)	D " S A S H V H U I O E Y " (NON)	W R I T E - I N (NON)
7 PRECINCTS							
Clayton101	A	1076	433	40.24	238	293	143
Clayton101	V	1076	221	20.54	112	129	82
Clayton102	A	1157	365	31.55	206	209	125
Clayton102	V	1157	240	20.74	126	143	80
Clayton103	A	709	268	37.80	169	163	85
Clayton103	V	709	157	22.14	90	95	45
Clayton104	A	910	310	34.07	187	213	97
Clayton104	V	910	185	20.33	94	110	75
Clayton105	A	1248	430	34.46	243	310	120
Clayton105	V	1248	254	20.35	122	155	98
Clayton106	A	864	248	28.70	158	157	84
Clayton106	V	864	223	25.81	125	127	81
Clayton107	A	1288	472	36.65	273	328	167
Clayton107	V	1288	270	20.96	150	159	100
COUNTY TOTAL		7252	4076	56.21	2293	2591	1382
ABSENTEES		7252	2526	34.83	1474	1673	821
VOTING PRECINCTS		7252	1550	21.37	819	918	561
11TH CONGRESSIONAL DST		7252	4076	56.21	2293	2591	1382
CONGRESSIONAL TOTAL		7252	4076	56.21	2293	2591	1382
7TH SENATORIAL		7252	4076	56.21	2293	2591	1382
STATE SENATE TOTAL		7252	4076	56.21	2293	2591	1382
14TH ASSEMBLY DST		7252	4076	56.21	2293	2591	1382
STATE ASSEMBLY TOTAL		7252	4076	56.21	2293	2591	1382
Bd Of Equalization		7252	4076	56.21	2293	2591	1382
BD OF EQUALIZATION TOT		7252	4076	56.21	2293	2591	1382
4TH SUPERVISORIAL		7252	4076	56.21	2293	2591	1382
SUPERVISORIAL TOTAL		7252	4076	56.21	2293	2591	1382
CITY OF CLAYTON		7252	4076	56.21	2293	2591	1382
CITY TOTAL		7252	4076	56.21	2293	2591	1382

EXHIBIT B

PRINTED 11/26/14, 09:27 AM

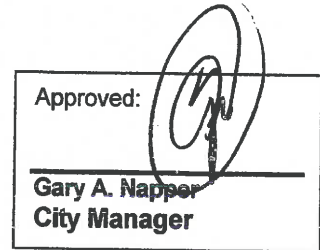
		R E G I S T E R E D	V O T E R S	B C A A L S L T O T S	T P U E R R N C O E U N T T A G E	Measure P - City of Clayton Special Tax - 2/3	
7 PRECINCTS						Y e s (NON)	N o (NON)
Clayton101	A	1076	433	40.24	344	79	
Clayton101	V	1076	221	20.54	175	36	
Clayton102	A	1157	365	31.55	280	76	
Clayton102	V	1157	240	20.74	158	74	
Clayton103	A	709	268	37.80	214	45	
Clayton103	V	709	157	22.14	123	26	
Clayton104	A	910	310	34.07	246	58	
Clayton104	V	910	185	20.33	151	29	
Clayton105	A	1248	430	34.46	345	65	
Clayton105	V	1248	254	20.35	184	61	
Clayton106	A	864	248	28.70	197	40	
Clayton106	V	864	223	25.81	172	45	
Clayton107	A	1288	472	36.65	405	59	
Clayton107	V	1288	270	20.96	218	48	
COUNTY TOTAL		7252	4076	56.21	3212	741	
ABSENTEES		7252	2526	34.83	2031	422	
VOTING PRECINCTS		7252	1550	21.37	1181	319	
11TH CONGRESSIONAL DST		7252	4076	56.21	3212	741	
CONGRESSIONAL TOTAL		7252	4076	56.21	3212	741	
7TH SENATORIAL		7252	4076	56.21	3212	741	
STATE SENATE TOTAL		7252	4076	56.21	3212	741	
14TH ASSEMBLY DST		7252	4076	56.21	3212	741	
STATE ASSEMBLY TOTAL		7252	4076	56.21	3212	741	
Bd Of Equalization		7252	4076	56.21	3212	741	
BD OF EQUALIZATION TOT		7252	4076	56.21	3212	741	
4TH SUPERVISORIAL		7252	4076	56.21	3212	741	
SUPERVISORIAL TOTAL		7252	4076	56.21	3212	741	
CITY OF CLAYTON		7252	4076	56.21	3212	741	
CITY TOTAL		7252	4076	56.21	3212	741	



Agenda Date: 12-2-2014

Agenda Item: 7a

STAFF REPORT



TO: HONORABLE COUNCIL MEMBERS

FROM: CITY MANAGER

DATE: 02 DECEMBER 2014

SUBJECT: NOMINATION AND ELECTION OF MAYOR AND VICE MAYOR

RECOMMENDATION

It is recommended the City Council elect its Mayor and Vice Mayor for the ensuing twelve (12) month period (2015).

BACKGROUND

According to Section F.4. – Mayor Selection, of the *Council Guidelines and Practices* (page 4, copy attached), the Mayorship and Vice Mayorship are one-year terms of office in the City of Clayton. The local electorate does not directly elect its mayor or vice mayor. The election of its officers from within the membership of the City Council commences each year at the first regularly-scheduled Council meeting each December.

Mayor Hank Stratford and Vice Mayor David Shuey were elected to their current Council offices at a City Council regular public meeting held 03 December 2013. The following table lists those serving as mayor in the last fourteen (14) years:

2014	Hank Stratford
2013	Julie Pierce
2012	Howard Geller
2011	David Shuey
2010	Hank Stratford
2009	Julie Pierce
2008	Gregory Manning
2007	William Walcutt
2006	David Shuey
2005	Gregory Manning
2004	Julie Pierce
2003	Pete Laurence
2002	Gregory Manning
2001	Julie Pierce

NOMINATION AND ELECTION PROCEDURES

Pursuant to Chapter 2.04 – Council Meetings of the *Clayton Municipal Code*, our City uses the most recent version of *Robert's Rules of Order* to govern the conduct of City business meetings. Therefore, to assist in the procedure of nominating and selecting the next mayor and vice mayor at this meeting, the following rules* have been extracted and outlined below:

1. The nomination/election of the next Mayor is to be conducted by Vice Mayor Shuey, as former Mayor Hank Stratford will have vacated office by this Agenda item. Once the next Mayor has been elected by the City Council, the newly-elected Mayor immediately presides and conducts the remainder of the business items on the agenda, including its election of a Vice Mayor.
2. The method of nomination in this respect is an "open nomination" solely by and from within the membership of the presently-seated Clayton City Council. Nominations cannot be accepted from members of the public.
3. No "second" is required for a nomination, although sometimes one or more members will "second" a nomination to indicate endorsement.
4. In no event may one member nominate more persons than there are offices to fill in the respective selection.
5. When it appears no one else wishes to make a nomination, the chair of the meeting asks one (1) final time if there are additional nominations. If there is no response, the chair then declares..." the nomination for [Mayor; or Vice Mayor, as applicable] is closed."

It is unnecessary to have a motion to officially close the nominations; yet, if such a motion is made, that motion then requires an affirmative 2/3rds vote of the Council present [4 of 5]. After nominations are closed, a majority vote is required to re-open them.

6. Nominees are voted on in the order in which they are nominated. As soon as one of the nominees receives a majority vote [in this case, 3 or more votes], the chair then declares that person elected to that respective office, and no vote is taken on the remaining nominee(s).

MAYOR SELECTION

In accordance with the adopted *Council Guidelines and Procedures* [February 2007], the City Council established six (6) guidelines pertaining to the annual selection of Mayor. Reference is made to the Attachment of this Staff Report for review of those Guidelines.

FISCAL IMPACT

No financial impact. The offices of Mayor and Vice Mayor receive the same monthly stipend as other members of the City Council.

Attachment: Page 4 of *Council Guidelines and Procedures* [1 pg.]

*Reference: Chapter XIV – Nominations and Elections, *Robert's Rules of Order* [RONR, 10th Edition, pp. 418-430]

2. Staff in General.

- a. Council may make reasonable requests for information directly from Department Heads.
- b. An informal system of direct communication with staff is used but not abused by Council.
- c. Staff will inform Council immediately when an unusual event occurs that the public would be concerned about [e.g., major vehicular accidents; major police activities; areas cordoned off by police or fire, etc.].
- d. The Council and staff will not intentionally blind side each other in public; if there is an issue or a question a Council Member has regarding an agenda item, that Member will contact staff prior to the meeting.

E. COUNCIL RESPONSIBILITIES FOR KEEPING INFORMED

1. Read Commission minutes and staff reports to find out issues being addressed.
2. Read documents on planning items.
3. Read City Manager "goal updates" list for Council.
4. Do homework diligently and thoroughly.

F.

MAYOR SELECTION

1. Election to Vice Mayor and Mayor requires supporting votes of three (3) Council Members, but in the interest of harmony unanimous consensus is to be sought and encouraged.
2. Any Council Member wanting or not wanting a role has a responsibility to tell all other Members.
3. As far as possible and until otherwise decided, Council Members will take turns as Mayor.
4. Mayorship will be a one-year term, commencing with the first meeting in December.
5. Selection of a Mayor is not a lock-step system. The Vice Mayor is generally expected to ascend to Mayor.
6. All Council Members are peers, and the Mayor and Vice Mayor serve at the pleasure of the Council.

MINUTES
REGULAR MEETING
OAKHURST GEOLOGICAL HAZARD ABATEMENT DISTRICT (GHAD)

November 4, 2014

1. **CALL TO ORDER AND ROLL CALL** – the meeting was called to order at 8:25 p.m. by Chairman Diaz. Boardmembers present: Chairman Diaz, Vice Chair Geller, Boardmembers Pierce, Shuey and Stratford. Boardmembers absent: None. Staff present: District Manager Rick Angrisani, City Manager Gary Napper, Assistant General Legal Counsel Christopher Diaz, and Secretary Janet Brown.

2. **PUBLIC COMMENTS** – None.

3. **CONSENT CALENDAR** – It was moved by Boardmember Pierce, seconded by Boardmember Stratford, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).
 - (a) Approved the Board of Directors' minutes for its regular meeting of August 19, 2014.

4. **PUBLIC HEARINGS** - None

5. **ACTION ITEMS**
 - (a) Report on updated findings from the recent geotechnical field investigation of the existing two (2) inclinometers on and below Pebble Beach Drive in the Peacock Creek subdivision of the Oakhurst Development.
 (District Manager)

District Manager Rick Angrisani presented the staff report. Based on the field results from Berlogar Stevens & Associates, it is recommended further readings be conducted after the upcoming rainy season. It is anticipated the cost for the additional inspection will be approximately \$3,000.00 with source of monies from either GHAD reserves or the Presley Lawsuit Settlement Funds. Staff will return to the Board to request authorization of the work and funds in early spring 2015.

Chairman Diaz opened the agenda item to receive public comments.

Joe Legault, resident on Pebble Beach Drive, expressed concerns over the hillside movement and was seeking a reading on his street.

District Manager Rick Angrisani advised readings continue to show movement of about one inch in the last 4 years and it may be moving as a block. Additional readings and inspections are recommended after the 2015 rainy season

Mr. Legault asked about the drainage. District Manager Rick Angrisani advised there are some cracks in the V-ditches that would indicate some movement is occurring.

Terry Jester, resident on Pebble Beach Drive, tried to sell his home and was unable to do so due to the potential of sliding. The Civil Engineer that inspected his property noticed cracks in the street and improper drainage. The potential buyers of his property backed out based on those findings. Mr. Jester would like to know who is responsible and who will be paying for the improvements?

Juanita Jester added the sole inspector of their property did not recommend the potential buyers to purchase her home. She also mentioned the prior owners of her home did not disclose the hillside movement to her when they purchased this home.

Chairman Diaz asked what avenues can the City take to assist the homeowners? District Manager Angrisani advised that GHAD Newsletters have been mailed to area property owners since 2005. The GHAD installed horizontal drainage systems several years ago but that work was unfortunately unsuccessful. The original subdivision work was done by Presley and the GHAD was formed to take care of any such problems. However, GHAD funds come from the property owners agreeing to assess themselves and the property owners have not done so in sufficient amount to make the repairs. It will take millions of dollars to make all the necessary repairs.

Mr. Jester asked again who is responsible? District Manager Angrisani suggested the property owners contact Presley, the original builders of the homes.

Vice Chair Geller added that every property owner has been asked to contribute funds to the GHAD for future repairs as needed. Realtors are required to provide potential home buyers with a GHAD packet to review the history of the movement.

Mr. Jester indicated at the time he bought property 11 years ago, there were not any real problems occurring. Vice Chair Geller added that every GHAD packet is required to be given and signed for during a real estate transaction.

Mr. Jester indicated there were two slides prior to homes being built there and believes the homeowners should not be responsible; rather, the City has a responsibility as the repairs were not done right.

Chairman Diaz asked for General Counsel advice on the matter.

Assistant General Counsel Christopher Diaz advised GHAD to have a sit down with the property owners to get a better sense of what has occurred and compare the amount of GHAD funds to address some of the issues and future funds.

Chairman Diaz asked if there is anything further we can do to be more responsive to the property owners. Assistant General Counsel Christopher Diaz indicated this is an informational report item and discussion should continue in that form.

Mr. Jester reiterated that something needs to be done to repair the problems.

Chairman Diaz requested staff to make further analysis as this issue cannot be resolved this evening. This is an ongoing matter and the GHAD District Manager will need to provide additional information at a later date.

Mr. Legault asked where the previous staff reports and newsletters are located and available for public review. Boardmember Pierce advised the documents are available on the website.

Nicholas Lahanas asked if there not a reading specifically on the movement on Pebble Beach Drive? District Manager Rick Angrisani advised not at this time.

Chairman Diaz asked for any additional further public comments; no further comments were offered.

It was the Board's general consensus for GHAD staff to sit down with the residents to discuss the matter further and bring back to the Board a report on what can be done.

6. **BOARD ITEMS** – limited to requests and directives for future meetings.
None.

7. **ADJOURNMENT** - on call by Chairman Diaz the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Janet Brown, Secretary

Approved by the Board of Directors
Oakhurst Geological Hazard Abatement District

Jim Diaz, Chairman



Agenda Date: 12-2-2014

Agenda Item: GHAD 4

GHAD REPORT

TO: HONORABLE CHAIRMAN AND BOARDMEMBERS
FROM: GENERAL MANAGER
DATE: DECEMBER 2, 2014
SUBJECT: SELECTION OF CHAIRMAN AND VICE CHAIRMAN

RECOMMENDATION

It is recommended the Board of Directors select a new Chairman and Vice Chairman for next year.

BACKGROUND

Similar to the Clayton City Council's annual reorganization, the Board of Directors of the Oakhurst Geological Hazard Abatement District (GHAD) annually changes its chairman and vice chairman.

Since the December 3, 2013 Board meeting Board Member Jim Diaz has served as Chairman of GHAD with Board Member Howard Geller serving as Vice Chairman. At this time, the Board should conduct the nomination and selection of its chair and vice chair to serve for the next twelve months. In recent years the following individuals have served as officers of GHAD:

2014	Chair Jim Diaz	Vice Chair Howard Geller
2013	Chair David Shuey	Vice Chair Jim Diaz
2012	Chair Hank Stratford	Vice Chair Joe Medrano
2011	Chair Hank Stratford	Vice Chair Joe Medrano
2010	Chair Howard Geller	Vice Chair David Shuey
2009	Chair Hank Stratford	Vice Chair Howard Geller
2008	Chair Bill Walcutt	Vice Chair Julie Pierce
2007	Chair Julie Pierce	Vice Chair Gregg Manning
2006	Chair Bill Walcutt	Vice Chair Gregg Manning
2005	Chair David Shuey	Vice Chair Bill Walcutt
2004	Chair Bill Walcutt	Vice Chair Gregg Manning
2003	Chair Bill Walcutt	Vice Chair Julie Pierce

FISCAL IMPACT

None. Boardmembers do not receive any stipend for their time and effort expended in these offices.

Respectfully submitted,

Rick Angrisani
General Manager