

**MINUTES**  
**OF THE**  
**REGULAR MEETING**  
**CLAYTON CITY COUNCIL**  
**TUESDAY, October 4, 2016**

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:01 p.m. by Vice Mayor Diaz in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Vice Mayor Diaz and Councilmembers Haydon, Pierce and Shuey. Councilmembers absent: Mayor Geller. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, and City Clerk/HR Manager Janet Brown.

2. **PLEDGE OF ALLEGIANCE** – led by Vice Mayor Diaz.

3. **CONSENT CALENDAR**

**It was moved by Councilmember Pierce, seconded by Councilmember Haydon, to approve Consent Calendar as submitted. (Passed; 4-0 vote).**

- (a) Approved the minutes of the regular meeting of September 20, 2016.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved Resolution No. 51-2016 approving the amended City of Clayton's Conflict of Interest Code, pursuant to the Political Reform Act of 1974, adding the position of Police Administrative Clerk.
- (d) Approved the proposed schedule for the ten (10) Saturday "Concerts in The Grove" series in The Grove Park in 2017.
- (e) Approved the First Amendment of an Exclusive Negotiation Agreement (ENA) with Pacific Union Land Investors, LLC, for the preparation of a Disposition and Development Agreement (DDA) leading to the sale/purchase, private development and management of certain City-owned vacant real property in the Clayton Town Center for commercial retail establishments and a senior care facility, generally located at 6005 Main Street (APN 118-560-010-1).

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Proclamation declaring October 2016 as "Domestic Violence Awareness Month."

Vice Mayor Diaz invited Carole Temps to share some information about STAND! and receive the City's Proclamation recognizing October as "Domestic Violence Awareness Month". Mrs. Temps provided information regarding Domestic Violence Awareness noting she has been a member of STAND! since 2004 and thanked the City for recognizing the importance of this issue and of STAND!'s work. The Center for Disease Control reports that 1 in 4 woman and 1 in 7 men will experience domestic violence in their lifetime severe enough to send them to the hospital. We all play a role to end the vicious cycle.

Vice Mayor Diaz read the Proclamation and gave it to Mrs. Temps.

## 5. **REPORTS**

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff –

Mr. Napper reported the water supply retrofit work recently performed on The Grove Park restrooms had a great test this past weekend with Oktoberfest crowds reported by the Chief, with Councilmember Haydon concurring, that Saturday was probably the largest crowd that has ever attended CBCA's Oktoberfest. The park's restrooms appeared to now work very well in accommodating large crowds. Staff is hoping this test is a good harbinger of things; we have figured out the solution caused by high usage during these types of community.

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

Councilmember Pierce attended meetings of the Contra Costa Transportation Authority, meeting of the Bay Area Economic Institute, meetings of the Metropolitan Transportation Commission, and celebrated the retirement of Ezra Rapport, Executive Director of Association of Bay Area Governments.

Councilmember Shuey indicated "No Report".

Councilmember Haydon attended the East Contra Costa Habitat Conservancy meeting, the inaugural Skip Ipsen Memorial Bocce Ball Tournament, the Clayton Business and Community Association's General Membership meeting, and the 13th Annual Oktoberfest sponsored by the Clayton Business and Community Association.

Vice Mayor Diaz attended the Bay Area Rapid Transit (BART) Fleet for the Future train event, the Costa County Realtors Association reception, a meeting of the League of California Cities East Bay Division, the Travis Credit Union flag raising ceremony in honor of its newest national credit union designation, the inaugural Skip Ipsen Memorial Bocce Ball Tournament, the Clayton Business and Community Association's General Membership meeting, the 13th Annual Oktoberfest sponsored by the Clayton Business and Community Association, and the League of Woman Voters forum on the November 2016 Propositions for voter consideration.

- (e) Other – Introduction of City Council candidates (present at the meeting)

Vice Mayor Diaz noted that during city elections, it is City Council Policy that candidates for City Council are allowed 3 minutes to introduce themselves and share a few remarks at City Council meetings if they are in attendance and wish to do so.

Allen Lampo stated he has lived in Clayton for twenty years, raised two children who attended UC Riverside and UCLA. Mr. Lampo served on the Dana Hill's HOA Board for 10 years, been an announcer for the Dana Hill's swim team, and an assistant Boy Scout Leader for Troop 444. Mr. Lampo stated he has always been in leadership starting back in high school as Student Body President at Los Lomas and Captain of the water polo team; also at Cal Berkeley where he studied chemical engineering and served several times as an officer in his fraternity. Mr. Lampo has been employed with John Hancock, he wrote the financial section articles for the Clayton Pioneer, been General Manager of Big 5 Sporting Goods, and ran multiple restaurants and local night clubs. He feels this latter experience and connections could benefit the Clayton Concert Series. Mr. Lampo stated he loves this little town and would like to do more to support it; he believes that

his hard work and attitude to get things down in a quick organized fashion, ability to organize and work with others, and lead by example will aid Clayton.

Julie Pierce advised she has been a member of the Clayton City Council for a number of years, serving the position of Mayor five times, a member of the Clayton Business and Community Association, since 1995 and has put on the Art and Wine Vendor Breakfast, Co-Chair of the Annual 4<sup>th</sup> of July Parade, helps organize the Concerts in The Grove, serves on the Clayton Historical Society Board as Secretary and co-chairs many of its activities including garden improvements and Christmas chores, actively involved with the planning of the Clayton Community Park, Community Gym, The Grove Park, the Oakhurst Subdivision, and helped write the Town Center Specific Plan. Ms. Pierce also helped raise money for the Clayton Community Library. Further, she serves on the regional intergovernmental level in a variety of capacities and a variety of organizations where she is always looking out for the small town interest of Clayton.

Jim Diaz advised he is seeking re-election with the Clayton City Council having served nearly four years. Mr. Diaz indicated he is a long-time member of over 37 years in Clayton, extremely involved in local issues including when he first joined its Police Department and became a commander for the Reserve Division, retiring from that in 1989. He then went on to the City Planning Commission, became involved with the Clayton Business and Community Association and has worked on a number of events including the Art and Wine Festival handling the entertainment and security portion, the Oktoberfest providing the transportation for the handicapped patrons who have been very happy that such service is provided, and worked on the Concerts in The Grove series. He is looking forward to a very positive campaign seeking re-election and looks forward to the support from the community.

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

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Consider the second reading and adoption of proposed Ordinance No. 468 which adjusts the monthly compensation for elected members of the Clayton City Council to become effective December 6, 2016.

City Clerk Janet Brown presented the staff report noting the recommendation is for two separate motions of the City Council: 1. Consider Ordinance No. 468 for Second Reading by title and number only; and 2. A motion to adopt Ordinance No. 468.

Vice Mayor Diaz opened the floor to receive public comment; no public comments were offered.

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to have the City Clerk read Ordinance No. 468, by title and number only and waive further reading. (Passed; 4-0 vote).**

The City Clerk read Ordinance No. 468 by title and number only.

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to adopt Ordinance No. 468 revising the monthly compensation for city council members by amending the Clayton Municipal Code Section 2.05.010. (Passed; 4-0 vote).**

- (b) City Council discussion to determine the preferred date of its annual joint special meeting with the Board of Trustees of the Mt. Diablo Unified School District from among the Monday dates offered by MDUSD, and identify any potential City-initiated agenda topics.

Councilmember Haydon noted in the past the City Council has scheduled its joint meeting with the Mt. Diablo School District Board in February and referenced that Monday, February 6, 2017 is offered this year. Councilmember Haydon would like to have this date as the first preferred date and the second preferred date as March 6, 2017.

Vice Mayor Diaz opened the matter to receive public comments; no public comments were offered.

Councilmember Haydon also indicated there is a request for possible topics for discussion and he recommended an update or status of the agenda items discussed at the last joint meeting would be a great starting point.

**It was moved by Councilmember Haydon, seconded by Councilmember Shuey, to have the City Clerk contact the Mt. Diablo Unified School District's Board of Trustee's Secretary with the Council's preferred first choice date for the Joint Special Meeting on February 6, 2017 with the second preferred choice date of March 6, 2017. (Passed; 4-0 vote).**

City Manager Napper advised the process from here will be for staff to contact the school district to confirm the meeting date, and then two to four weeks prior to the joint meeting he will agendize a Council item to officially call and set the joint meeting date and approve the proposed agenda items for discussion.

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Vice Mayor Diaz, the City Council adjourned its meeting at 7:26 p.m.

The next regularly scheduled meeting of the City Council will be October 18, 2016.

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Respectfully submitted,



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Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



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Howard Geller, Mayor

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