

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

**TUESDAY, October 21, 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 and Councilmembers Diaz, Geller and Pierce. Councilmembers absent: None. Staff present: City Manager Gary Napper, City Engineer Rick Angrisani, 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 Pierce, seconded by Councilmember Diaz, to approve the Consent Calendar. (Passed; 5-0 vote).**

- (a) Approved the minutes of the regular meeting of October 7, 2014.
- (b) Approved Financial Demands and Obligations of the City.
- (c) Approved the proposed schedule for the 2015 Saturday “concerts in The Grove”.
- (d) Approved the City’s Investment Portfolio Report for the 1<sup>st</sup> Quarter of FY 2014-15 ending September 30, 2014.

4. **RECOGNITIONS AND PRESENTATIONS**

Mayor Stratford presented Sandra Johnson with a plaque recognizing her enduring commitment as co-chair with the City of Clayton’s July 4<sup>th</sup> celebration from July 2007- July 2014.

5. **REPORTS**

- (a) Planning Commission – Commissioner Sandra Johnson reported the Planning Commission held a meeting on October 14<sup>th</sup> where a Public Hearing was held to consider, review and receive public comment regarding the Initial Study/Mitigated Negative Declaration to analyze the potential environmental impacts of the Clayton 2015-2023 Housing Element Update. The Planning Commission received comment from two members of the public. The item was approved with conditions.
- (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 a joint meeting with Clayton Valley Charter High School and Contra Costa County Board of Education and Clayton Valley Charter High School's Homecoming where new bleachers were recently installed; funding provided by Measure C. He also attended the swearing in of new Clayton Police Sergeant Jason Shaw and the Contra Costa County Realtors Association event.

Vice Mayor Shuey reminded the determination of Clayton Valley Charter High School comments are due by November 5, 2014 and encourages the community to send emails or letters to the Contra Costa County Board of Education.

Councilmember Diaz attended the Chief Special Agents Association of Northern California luncheon and the Clayton Library Board Foundation meeting.

Councilmember Pierce attended the Contra Costa Transportation Association Countywide Plan meeting and was a keynote speaker at the Association of Bay Area Governments "Loma Prieta 25: Still on Shaky Ground – Building Bay Area Resilience". She also was a speaker at the East Bay Policy makers Forum and attended a meeting hosted by Contra Costa County Board of Education.

Mayor Stratford reminded the community the "Do The Right Thing" monthly character trait "Respect" is concluding at the end of October.

- (e) Other – Introduction of candidates present for City Council elected office. – None.

## 6. PUBLIC COMMENT ON NON-AGENDA ITEMS

Bruce Albert expressed concerns with the Draft Housing Element in violation of *Clayton Municipal Code* 17.28.170 subsection D and "By Right" terminology silences the voice of the public and eliminates the need for Public Hearings on Housing Element. Mr. Albert was also concerned the City did not have additional meetings to its regular City Council meetings on this item.

City Attorney Christopher Diaz confirmed without knowing the context and background the "by right" term does traditionally mean that property restrictions rezoning restrictions can be lifted and not necessitate permits or public hearing. City Staff would still review the project.

City Manager Gary Napper added "by right" state law is imposed for emergency shelters not a typical to a Public Hearing. Citizens typically do not favor high density zoning areas and without an approved Housing Element from the State of California it is more difficult to be eligible for funding of road improvements and Contra Costa Transportation Authority funds. The City of Clayton currently ranks 83 on the pavement index, which is in the top 5 of the Contra Costa County. The goal of the State of California is for cities to provide housing for as many people as possible within their jurisdictions. Additional housing and zoning monitoring is a priority of the State of California. It doesn't mean it will be built, however if a property owner wishes to take advantage of those density or density bonuses it provides the opportunity to do so; projects will still need Public Hearings and considerations before approval. The Housing Policies of the City of Clayton are included in the part of the General Plan.

Councilmember Pierce added the experts showed the City Staff the California State Law and advised City Staff will provide the particular sections to Mr. Albert for his reference and review.

Vice Mayor Shuey also added appeals or Public Hearings are conducted for Public input and has been conducted on all projects within our city limits.

Mr. Albert looks forward to the information from City Staff to better understand the Public's role in the process.

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Consider the Introduction and First Reading of proposed City-initiated Ordinance No. 457 amending Chapter 10.28 Vehicle Weight Limits of the *Clayton Municipal Code* regarding truck routes and declaring certain streets as truck routes in the City.  
(City Engineer)

City Engineer Rick Angrisani presented the staff report and noted the *Clayton Municipal Code* Chapter 10.28 has not been updated since 1974. The only change recommended to the current truck route is the elimination of access to Pine Hollow Road.

Mayor Stratford opened the floor to receive public comments on the amendment of *Clayton Municipal Code* Chapter 10.28 Vehicle Weight Limits; no public comments were offered.

**It was moved by Councilmember Pierce, seconded by Councilmember Geller, to approve a motion to have the City Clerk read Ordinance No. 457 by title and number only and waive further reading. (Passed; 5-0 vote).**

The City Clerk read Ordinance No. 457 by title and number only.

**It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to approve Ordinance No. 457 for Introduction with findings the action does not constitute a project under CEQA and set Tuesday, January 6, 2015 at 7:00 pm in Hoyer Hall at the Clayton Community Library as the date, time and location for a noticed Public Hearing on Ordinance No. 457. (Passed; 5-0 vote).**

9. **COUNCIL ITEMS**

Councilmember Diaz requested the City Council consider at its regular meeting of November 4, 2014 in allowance of the City of Clayton to provide funds for his registration fee at the League of California Cities New Mayors and Council Members' Academy, conference taking place in Sacramento January 14-16, 2015.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Stratford, the City Council meeting adjourned at 7:23 p.m.

The next regularly-scheduled City Council meeting is November 4, 2014.

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Respectfully submitted,

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Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



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Hank Stratford, Mayor

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