

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, November 17, 2015

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Shuey in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Shuey, Vice Mayor Geller and Councilmembers Diaz, Haydon and Pierce. Councilmembers absent: None. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Community Development Director Mindy Gentry, and City Clerk/HR Manager Janet Brown.

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

3. **CONSENT CALENDAR**

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

- (a) Approved the minutes of the regular meeting of October 20, 2015.
- (b) Approved Financial Demands and Obligations of the City.

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Introductory presentation of “Plan Bay Area 2040”, a nine county Bay Area process to plan for long-range transportation, land use and housing.

Community Development Director Mindy Gentry provided a PowerPoint overview of “Plan Bay Area” explaining what the document sets out to achieve, the current status of its 4-year update, and what it means locally for Clayton. Two regional agencies are responsible for the study and development of “Plan Bay Area”: the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG). MTC is an agency focused on regional transportation planning for the nine Bay Area counties while ABAG is focused on land use planning and housing.

As a region, “Plan Bay Area” identifies shared concerns such as: affordable housing, job creation, maintenance and repair of existing infrastructure, managing and improving both traffic and transit, maintaining local control over transit, land use, and housing decisions and protection of the environment. “Plan

Bay Area” established the framework for Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs). PDAs are areas envisioned to grow, are located within close proximity to transit hubs, and provide a pedestrian friendly environment. PCAs are areas that have been identified as having agricultural, natural resources, scenic, cultural, recreational, and/or ecological value. There are currently a total of 188 PDAs and 165 PCAs listed through “Plan Bay Area”. Clayton has neither a PDA nor a PCA.

“Plan Bay Area” is the region’s response to the passage and the implementation of Senate Bill 375, which was signed into law by Governor Schwarzenegger. The bill mandates the creation of a Sustainable Communities Strategy, which is the function of the Plan Bay Area document. The bill also establishes a goal of 15% reduction in automobile GHG emissions by 2035. Plan Bay Area aligns the planning objectives of the state with the Bay Area region to create consistency among the Regional Transportation Plan (RTP), Regional Housing Needs Allocation (RHNA), Priority Development Areas (PDAs) and Priority Conservation Areas (PCAs).

In order to develop “Plan Bay Area”, ABAG and MTC engage with local jurisdictions and the public looking for feedback and comments on local priorities. “Plan Bay Area is a work-in-progress that is updated every four years to reflect new priorities and in some cases, new legislation, updated regulations or additional resources needed to fully realize the “Plan Bay Area” vision and implement the Plan’s policies and programs. In July 2013, after extensive community input, MTC and ABAG adopted the initial “Plan Bay Area”. Now MTC and ABAG are embarking on the four year update that should be adopted by the summer of 2017. From late April through May 2015, a series of open houses were conducted across the region to introduce the public to the “Plan Bay Area” update process, seek comments on goals and targets, and receive feedback on local priorities across a wide range of issue areas. Residents were also able to comment and provide feedback online at PlanBayArea.org.

Plan Bay Area 2040 will address these issues, and the ways they relate to one another, in order to protect and enhance the region’s quality of life. After the “open houses” that occurred earlier this year, the next step in the process to update “Plan Bay Area” is to formulate different scenarios. Each scenario will combine different policy, land use, and transportation strategies. Scenario planning is a common way to analyze and communicate the effects of different combinations of land use and transportation strategies on regional goals and targets. Scenarios can also help articulate alternative future paths and provide information to help understand trade-offs. Scenarios can be constructed to modify the status quo, analyze and evaluate strategies that may be practically or politically challenging, and engage the region in a thoughtful dialogue about planning for the common future.

The scenario development process looks something like this. First, concepts are developed, then the appropriate policy strategies are formed, the scenarios are then built and then evaluated against goals and targets, and lastly those refined scenarios are presented. ABAG and MTC request that local public jurisdictions participate in the scenario development process and the transportation investment prioritization process. Major milestones for local jurisdiction participation are noted. Even though Clayton does not have any PDAs or PCAs

there are issues that are still important for the City to stay engaged in the process. Staff is looking for feedback from the City Council on the growth projection ranges in population and in job creation for Clayton:

| | <u>2013 Plan Bay Area</u> | <u>2017 Prelim Plan Bay Area</u> |
|------------|---------------------------|----------------------------------|
| Jobs | 1,950 | 2,000 – 2,400 |
| Population | 4,150 | 4,200 – 5,000 |

Councilmember Pierce advised the City has been given more than generous projections for 2040 and she would prefer to provide a more realistic projection for the upcoming study. Ms. Pierce suggested downsizing the numbers provided for the 2017 preliminary “Plan Bay Area” by at least half in our response. Councilmember Pierce also recalled the last time Clayton provided such numbers for “Plan Bay Area”, City staff and she counted actual parking spaces in the downtown area, since it is Clayton’s only commercial zone that could grow. It is possible employment numbers would increase due to more home-based businesses coming to town.

Mayor Shuey suggested changing the employment number to 500 by year 2040.

Councilmember Pierce advised the numbers provided to “Plan Bay Area” can be changed during its next study to keep with a more realistic approach. Councilmembers exchanged discussion on the appropriate projection numbers for Clayton’s response.

General direction was provided to staff to alter the jobs projection to 500 and the population projection to 1,000 by year 2040. Staff will provide the City Council’s response in writing to ABAG and MTC.

5. REPORTS

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

City Manager Gary Napper announced the employment of Tom Starick as Clayton’s newest police officer, number 10 on the police force. He advised Mr. Starick’s oath of office occurred in City Hall on Monday, November 16th and he was supported by many friends and family members in attendance. Mr. Starick must complete Field Training before being released on his own, noting that process can take several months.

He also indicated the City received a total of 89 applications for its vacant Police Administrative Clerk position and 10 of those applicants have been invited to participate in the interview process taking place on Monday, November 23rd.

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

Councilmember Haydon attended the Joan Culver Memorial Bocce Ball Tournament and the Korean War Veteran's Association Chapter 264, VFW Post 1525 Veterans Day ceremony.

Councilmember Pierce attended meetings of the Contra Costa Transportation Authority, TRANSPAC, and the Metropolitan Transportation Commission. She also attended the closing ceremony of the World War II exhibit at the Clayton Historical Society Museum, a Pittsburg Center Bay Area Rapid Transit Station milestone dedication ceremony, and a women mentors' event hosted by U.S. Congressman Mark DeSaulnier.

Councilmember Diaz attended Contra Costa County Mayors' Conference hosted by the City of Richmond, the Joan Culver Memorial Bocce Ball Tournament, the Pittsburg Center Bay Area Rapid Transit Station milestone dedication ceremony, the Korean War Veteran's Association Chapter 264, VFW Post 1525 Veterans Day ceremony, a 20th Anniversary Cops for Kids event, and a meeting of the Morgan Territory Fire Committee.

Vice Mayor Geller attended the Contra Costa County Mayors' Conference hosted by the City of Richmond, the Joan Culver Memorial Bocce Ball Tournament, and the Korean War Veteran's Association Chapter 264, VFW Post 1525 Veterans Day ceremony.

Mayor Shuey did not provide a report.

- (e) Other – None.

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

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) City Council selection of Mayor and Vice Mayor to serve the one-year term of office commencing December 1, 2015.

Mayor Shuey remarked the City Council will decide tonight its selection of mayor and vice mayor next year because he will be absent from the December 1st regular meeting at which this action would normally be conducted. He then opened nominations for the office of Mayor.

Councilmember Pierce nominated Howard Geller for Mayor. Councilmember Haydon seconded the nomination. No other nominations were provided and Mayor Shuey then closed the nominations.

On call by Mayor Shuey, the election of Howard Geller as Mayor starting December 1, 2015 passed by acclamation (Passed; 5-0 vote).

Mayor Shuey then opened nominations for the office of Vice Mayor. Councilmember Pierce nominated Jim Diaz for the position of Vice Mayor. Councilmember Shuey seconded the nomination. There were no other nominations and Mayor Shuey closed the nominations.

On call by Mayor Shuey, the election of Jim Diaz as Vice Mayor starting December 1, 2015 passed by acclamation (Passed; 5-0 vote).

- (b) City Council discussion of potential uses for a portion or all of its \$389,895 in General Fund excess monies from FY 2014-15 on one-time expenditures, equipment or capital project unmet needs.

City Manager Napper indicated at the City Council's last regular meeting it was noted the previous fiscal year closed with a General Fund net excess of \$389,895. Staff inquired at that meeting whether the City Council was interested in discussing possible one-time expenditure items and capital projects using this surplus. Staff was instructed to bring a list back at this meeting to explore different opportunities for use of some or the entire annual General Fund surplus on one-time expenditures for unmet needs of the City. Part of staff's obligation as staff is to identify unmet needs of the City for City Council review and policy decision for the unassigned funds.

The current General Fund Reserve balance of \$5.5 million does include this annual General Fund excess of \$389,895. In terms of financial history, in August of 2006 the City also experienced a similar excess of funds of approximately \$350,000 and at that time the City Council placed the surplus into a Deferred Maintenance account. Over the years that Deferred Maintenance Fund was used to underwrite numerous deferred maintenance items in the City, eventually resulting in a residual balance last year of approximately \$40,000, which was then returned to the General Fund.

City Manager Napper then reviewed in detail the list of unmet needs of the City identified by management categorized by City Maintenance, Police, Community Development, and City Technology/Modernization office needs. He noted there are not a lot of items, nothing is absolutely urgent or pressing, and the smallness in identified unmet needs is a testament to the good management of the City and the City Council in keeping its organization, public facilities, and public infrastructures in relatively good shape and order. However, those items listed are matters that sometime will need to be addressed. The items listed also have no other source of funding other than the General Fund. Mr. Napper then went through the list of items line by line.

Councilmember Pierce commented she would like to add Wi-Fi guest capability at City Hall to the list of identified items, particularly since the City Council has requested this capability for some years now.

Councilmember Haydon inquired if the figures provided for each item were actual costs or estimates? Mr. Napper advised the costs provided are professional “guesstimates” and will be refined to actual costs through further staff investigation based on what the City Council expresses further interest in.

Councilmember Haydon also inquired on the condition of the wood street light poles and if replacement could be done in phases to allow other potential unmet needs of the community to also be met? Mr. Napper responded the hollow-core wood street light poles deteriorate from the inside out and at this point it is undeterminable of the current condition. He agreed the wood street light poles could be replaced in phases. Councilmember Diaz suggested approaching this project by age of neighborhood and accompanying wood street light poles.

After considerable discussion and review, the City Council determined it would like more information on the following unmet needs:

- Wi-Fi at City Hall.
- Electronic Records Management System (laserfiche).
- New interactive City website.
- Restoration of Keller Ranch outbuildings.
- Funds for a one-day training of the entire Police Department.
- Solar power equipment to operate the Clayton Fountain.
- Replace wood street light poles with metal ones (City-owned).
- Mini-Excavator (on traks).
- New trash cans and possible replacement BBQs at Community Park.
- Paint interior & exterior of Endeavor Hall, re-finish wood flooring (2009), and re-seal patio concrete (2005).
- Paint and re-seal public restrooms at Community Park.
- F-450 Utility Truck.

No action further action was taken on this item. City Manager Napper indicated staff would perform further research and obtain contractor/vendor quotes on the needs identified and return with its report, likely in early 2016.

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

None.

10. **CLOSED SESSIONS**

Mayor Shuey announced the City Council will adjourn into Closed Session to handle the matters disclosed and declared below (at 8:22 p.m.):

- (a) *Government Code section 54957*
Public Employee Annual Performance Evaluation
Position Title: City Manager.
- (b) Government Code Section 54957.6, Conference with Labor Negotiators
Agency designated representatives: Mayor Shuey, Vice Mayor Geller
Unrepresented employee: City Manager.

9:07 p.m. Report out from Closed Session

Mayor Shuey announced the City Council discussed matters above and gave instructions to its labor negotiators.

11. **ADJOURNMENT**– on call by Mayor Shuey, the City Council adjourned its meeting at 9:08 p.m.

The next regularly scheduled meeting of the City Council will be December 1, 2015.

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



David T. Shuey, Mayor

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