

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

**TUESDAY, March 17, 2015**

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:01 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, City Clerk/HR Manager Janet Brown and Community Development Director Charlie Mullen.

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

3. **CONSENT CALENDAR**

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

(a) Approved the minutes of the regular meeting of March 3, 2015.

(b) Approved Financial Demands and Obligations of the City.

(c) Adopted Resolution No. 07-2015 setting the City's Equivalent Runoff unit (ERU) real property parcel assessment rates in FY 2015-16 at current rates to fund local storm water/clean water programs and services required by the federal and state-mandated National Pollution Discharge Elimination System (NPDES) Program (storm water pollution prevention).

(e) Approved Council Member Diaz's request to switch two (2) of the approved Thursday Nights Concerts in The Grove dates to July 2 and September 3, 2015.

4. **RECOGNITIONS AND PRESENTATIONS**

(a) Certificates of Recognition to "Do The Right Thing" public school students selected for exemplifying the character trait of "Self Discipline" during the months of January and February 2015.

Mayor Shuey and Mt. Diablo Elementary School teachers Mrs. Brown and Mrs. VanOtrive recognized students Ava Beever and Aiden Burgham.

Mayor Shuey and Diablo View Middle School Principal Patti Banister recognized students Camylle Callahan and Ryan Rickhard.

Mayor Shuey and Clayton Valley Charter High School teacher Dylan Perreira recognized students Samantha Dumalig, Jonathan Gomez Gonzalez and James Woods.

- (b) Presentation by PG&E regarding its upcoming High-Wire Transmission Power Line Upgrade Project within the City of Clayton (Tom Guarino, East Bay Senior Government Relations Representative, and Victor Baker, Senior Manager for Customer Care, Contra Costa County).

Vic Baker, PG&E Senior Manager for Customer Care, Contra Costa County, presented a short slideshow presentation outlining PG&E's Contra Costa-Moraga electric power line upgrade project. In 2014 the Diablo Region ranked number one in reliable service out of nineteen regions and ranked second in restoring service during outages. Mr. Baker advised the Contra Costa-Moraga upgrades are necessary to meet the demand of services and preventative maintenance; unfortunately, some of the required construction work times will be an inconvenience to Clayton's residents. PG&E staff is working on community outreach consisting of neighborhood meetings, signage, fact sheets, door-hangers, postcards prior to construction and survey after construction has been completed to the effected residents for feedback. Mr. Baker introduced Denise Conway Customer Impact Senior Customer Outreach Specialist – Electric Reliability to assist in answering specific questions the City Council has in regards to the project itself.

Mayor Shuey asked if there is a schedule available specifying days and times the seven locations outlined in the construction activities would be affected by roadway delays due to overhead transmission line upgrades? Mr. Baker advised the Contra Costa-Moraga electric power line upgrade construction activities are sequenced to one tower at a time and are scheduled to take place on various days and times to help eliminate roadway closures and delays.

Vice Mayor Geller asked if all of the PG&E towers located in Clayton are subject to the Contra Costa-Moraga electric power line upgrade? Mr. Baker advised the Clayton area has 4 transmission towers that will be extended and lifted up.

Denise Conway (PG&E) added not every PG&E tower will be modified in this project; the existing cage is being raised while the existing bottom arms are being removed, then the towers are re-conducted with new lines.

Vice Mayor Geller asked if the project were only for the transmission lines and how electronic magnetic fields (EMF) are going to be impacted; will homes near the towers have a changes in the released EMFs from the towers?

Ms. Conway advised that is a frequent question and she offered to forward a PG&E brochure, Understanding Electronic Magnetic Fields, which should provide answers to how EMFs can harm one's health, and a comparison of magnetic fields outside and within one's own home, with some tips on lowering one's exposure.

Vice Mayor Geller asked the amount of time that would be needed to work on each tower requiring the use of a helicopter in each location in the upgrade

project? Ms. Conway advised the helicopter is brought in when a crane is unable to be used to complete the work. If a helicopter is used, the process is much faster and it should not take longer than one day to complete the work at each tower.

Councilmember Pierce noted concerns of potential school traffic issues at Mt. Diablo Elementary, Pine Hollow Intermediate and Highland's Elementary schools, especially during drop off and pick up times at each campus; she asked if PG&E may consider the use of easy to read A-frame signs to notify the community of potential increased traffic disruption during construction activities scheduled to take place. Ms. Pierce inquired if roadway closures would occur at the same time around Clayton Road and Mitchell Canyon, as it will cause huge traffic delays? Ms. Conway advised PG&E is providing advance notice of the tower work; however there are different phases of construction such as T- Line hooks, and re-conducting that will occur at various times. Ms. Conway also indicated she plans to have a meeting with faculty and parents from the schools and there should not be any roadway closures during school drop off and pick up times. Overall the electric power line upgrades are pretty quick, 1-2 days; however the re-conducting process takes longer.

Councilmember Haydon requested PG&E have frequent communication with the City staff of progress and next day activities and encouraged coordination of activities to take place during non-peak traffic hours.

Vice Mayor Geller added his concerns for traffic and pedestrian impacts at Clayton Road near Mitchell Canyon and the areas surrounding the schools; he would like to see keeping traffic flow safety a priority.

Ms. Conway noted PG&E's construction project is currently taking place in the City of Antioch. After speaking with Principal Irene Keenan from Mt. Diablo Elementary School it could be mid-June before the tower re-conducting would actually occur in Clayton.

Vice Mayor Geller referenced PG&E's construction period in Clayton is March 2015 through July 2015 as indicated on its flyer. Ms. Conway confirmed Clayton's construction period is scheduled to take place March 2015 through July 2015 and added the first part of the project will be the tower modifications followed by the re-conducting of the power lines.

City Manager Gary Napper thanked PG&E for providing the Clayton community information for this project as well as PG&E contact information for the public if they have any additional questions or concerns regarding its Contra Costa – Moraga electric power line upgrade.

Councilmember Pierce asked if outreach was made to the Cemex - Clayton Quarry as gravel trucks line up early to pick up supplies? Ms. Conway advised contact has been made with the account manager at Cemex and outreach will be made to its customers.

## **5. REPORTS**

- (a) Planning Commission –Chairman Dan Richardson reported that at its meeting of March 10<sup>th</sup>, 2015 the Commission approved a variance to allow construction of a single family home addition measuring approximately 444 square feet in area and allowed the addition to encroach 13 feet into the 40 foot front and exterior side setbacks.
- (b) Trails and Landscaping Committee – TBD (Meeting held on March 16<sup>th</sup>).
- (c) City Manager/Staff – No Report.
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Diaz attended meetings of the Contra Costa County Mayors' Conference and Clayton Community Library Foundation. Councilmember Diaz also voted in the March 17, 2015 Special Primary Election today.

Vice Mayor Geller attended meetings of the Contra Costa County Mayors' Conference, Clayton Valley Charter High School Board meeting, and the City's Trails and Landscaping Committee. Vice Mayor Geller added he voted by absentee ballot in the March 17, 2015 Special Primary Election today.

Councilmember Haydon attended the Clayton Business and Community Association 2015 Bocce Ball Spring League registration event.

Councilmember Pierce attended meetings of the Contra Costa County Mayors' Conference, Association of Bay Area Governments, Metropolitan Transportation Commission, Central County TRANSPAC, California Council of Governments and a conference hosted by the California Bankers Association.

Mayor Shuey attended meetings of the Contra Costa County Mayors' Conference, Clayton Business and Community Association's 2015 Bocce Ball Spring League registration event, and hosted surrounding Mayors to a dinner at Moresi's Restaurant to discuss matters of mutual interest. Mayor Shuey also thanked City Manager Gary Napper, City Attorney Mala Subramanian, Community Development Director Charlie Mullen and Finance Manager Kevin Mizuno for their assistance in resolving a matter associated with an affordable housing unit in Clayton and finds the solution satisfactory.

- (e) Other – None.

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

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Presentation and acceptance of the Trails and Landscaping Committee's FY 2013-14 Annual Report on the Citywide Landscape Maintenance District.

Trails and Landscaping Committee Chairman Larry Casagrande reported that at its meeting of March 16<sup>th</sup>, 2015 the Committee welcomed City Council re-appointed members Clayton Smith and Robert Steiner and a newly appointed resident, Christopher Garcia. The Committee unanimously approved Chair Casagrande continuing as Chair and selected Clayton Smith as Vice Chair. The Committee decided to have an information table at the Annual Clayton Cleans Up event on April 25<sup>th</sup>.

Chair Casagrande reported the Adopt a Trail program has not moved forward this past year due to scheduling conflicts; however Christopher Garcia enthusiastically volunteered to work on this project. The Committee received and reviewed a FY 2014-15 mid-year Landscape Maintenance District fund balance budget and found its special reserve funds are higher than expected due to accounting reconciliation and complete close-out of the prior construction project budgets. The Trails and Landscaping Committee members discussed ideas to re-invest monies into future improvement projects within the District; preference for re-working the entry ways at various residential subdivisions would provide more equity to the residents in these highly visible neighborhood entries. The Committee also reviewed the status of the current parcel tax measure expiring, an extension time frame, was briefed on the election schedule for calendar year 2016 and discussed ways to communicate with the public where the special tax funds have been used. The next Trails and Landscaping Committee meeting is planned for May 2015 to review the proposed Fiscal Year 2016-17 Landscape Maintenance District Budget and future funding and operations including re-investment of funding to entryways.

Vice Mayor Geller added the current Measure B Tax Bond is expiring in 2017, which indicates the measure will need to go back out to the voters in 2016 to renew the bond for either 10 (current) or 20 years. The Trails and Landscaping Committee members are planning to have informational booths at various community events, such as the upcoming Clayton Business and Community Association annual Art & Wine Festival, to educate the community on accomplishments made by the Trails and Landscaping Committee.

Councilmember Haydon added that he regularly walks the trails in the community and noticed more people using the trails, however they are not always picking up after their pets. He inquired if it were a goal of the Trails and Landscaping Committee to install additional trash cans at trail heads close to streets and/or installation of plastic bag dispensers to encourage people to clean up after their pets on the trails.

Chair Casagrande responded the Trails and Landscape Committee members expressed similar concerns during their meeting but determined that a lot of times City-supplied dispensers and plastic bags would be vandalized, left in shrubs or on the trail eventually making their way into the nearby creek.

Vice Mayor Geller added existing plastic bag dispensers are not being used and additional garbage cans installed would need to be located to a serviceable area.

He also commended the Trails and Landscaping Committee for their service to the community.

Chair Casagrande added Measure B monies were used to install new landscaping and irrigation for Daffodil Hill and portions of the Clayton Road medians. Future funding would be used for current maintenance and additional installation of trees and shrubbery and upgrading irrigation controls.

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

**It was moved by Councilmember Diaz, seconded by Vice Mayor Geller, to, to accept and approve the Trails and Landscaping Committee's Annual Report for FY 2013-14. (Passed; 5-0 vote).**

- (b) Consider adoption of Resolution No. 08-2015 approving the City's 2014 Annual Report on its Housing Element progress and policies.

Community Development Director Charlie Mullen presented the staff report indicating Government Code Section 65400 requires each governing body to prepare an annual report on the status and processes of implementing the jurisdiction's Housing Element, using forms and definitions adopted by the State of California Department of Housing and Community Development (HCD). Mr. Mullen added HCD uses the Annual Progress Report as a tool to facilitate implementation of a community's Housing Element as well as for the tracking and monitoring of progress in addressing local housing needs and goals, which it may use as one of its thresholds requirements to qualify for certain State grants or program funds. He noted the Planning Commission reviewed and considered the 2014 Annual Progress Report on February 24, 2015 and passed a motion recommending approval to the City Council; no members of the public spoke on the matter at the Commission's meeting.

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

**It was moved by Vice Mayor Geller, seconded by Councilmember Diaz, to adopt Resolution No. 08-2015 approving the City of Clayton 2014 Housing Element Annual Progress Report and authorize it be filed with the State of California Department of Housing and Community Development Department. (Passed; 5-0 vote).**

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Shuey, the City Council meeting adjourned at 8:10 p.m.

The next regularly scheduled City Council meeting is April 7, 2015.

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Respectfully submitted,



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Janet Brown, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



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David T. Shuey, Mayor

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