



# **AGENDA**

## **REGULAR MEETING**

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## **CLAYTON CITY COUNCIL**

\* \* \*

**TUESDAY, November 17, 2015**

**7:00 P.M.**

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

**Mayor:** David T. Shuey  
**Vice Mayor:** Howard Geller

### **Council Members**

Jim Diaz  
Keith Haydon  
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](http://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 \***  
**November 17, 2015**

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

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

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) Approve the minutes of the regular meeting of November 3, 2015. ([View Here](#))

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

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. ([View Here](#))  
(Mindy Gentry, Clayton Community Development Director)

5. **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

**6. 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.*

**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. ([View Here](#))  
(Mayor Shuey)

Staff recommendation: Following opportunity for public comment, it is recommended Mayor Shuey conduct the nomination and selection process for the City's next Mayor and Vice Mayor to serve starting December 1, 2015.

- (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. ([View Here](#))  
(City Manager)

Staff recommendation: Following staff presentation and opportunity for public comments, that City Council provide general policy direction regarding which idea(s), if any, staff should further research and return to the City Council for subsequent authorized allocation and use of Fiscal Year 2014-15 excess General Fund monies for one-time expenses.

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

**10. CLOSED SESSIONS**

- (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

Report out from Closed Session: Mayor Shuey.

- 11. ADJOURNMENT**– the next regularly scheduled City Council meeting is December 1, 2015.

# # # # #

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

Agenda Date: 11-17-2015

Agenda Item: 3a

TUESDAY, November 3, 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, Finance Manager Kevin Mizuno, 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) Information Only – No Action requested.
  - 1. Contra Costa County Library System scheduled closures of County-operated local libraries in calendar year 2016.
- (b) Approved the minutes of the regular meeting of October 20, 2015.
- (c) Approved Financial Demands and Obligations of the City.
- (d) Approved the City's Investment Portfolio Report for the 1<sup>st</sup> Quarter of FY 2015-16 ending September 30, 2015.

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Administration of the Oath of Office by City Clerk to the City's new Chief of Police, Chris Wenzel.

The City Clerk administered the Oath of Office to Clayton's new Chief of Police, Chris Wenzel. Chief Wenzel's wife, Karen, pinned his badge to his uniform.

Chief Wenzel stated it is a great honor to be Clayton's next Chief of Police. Mr. Wenzel provided a brief career background including his term as Chief of Police with the Town of Danville and his recent retirement from the Contra Costa County Sheriffs' Office as a Commander. He also thanked his family and many friends in attendance this evening and looks forward to his partnership with the Clayton community for many years to come.

Members of the Clayton City Council also welcomed Chief Wenzel.

- (b) Certificates of Recognition to public school students for exemplifying the “Do The Right Thing” character trait of “Respect” for the month of October 2015.

Mayor Shuey and Mt. Diablo Elementary School second grade teachers Jennifer Blazer and Alexandra Pike presented Certificates to students Aaralyn Clark and Christopher Dent.

Mayor Shuey and Diablo View Middle School Principal Patti Bannister and 8<sup>th</sup> grade teacher Mrs. Ploetz presented Certificates to students Joe Course and Felipe Ognian.

Mayor Shuey and Clayton Valley Charter High School Director of Operations, Gregory Hile, presented Certificates to students Lynette Cox, Julian Rike and Anthony Vines.

- (c) Proclamation declaring November 4<sup>th</sup>, 2015 as “Shelter In Place Education Day”.

Mayor Shuey read the Proclamation and requested staff send it to the requestor as no one was present to receive the Proclamation in person.

**7:26 p.m. The Council took a short recess.**  
**7:43 p.m. The Council reconvened its meeting.**

## **5. REPORTS**

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

Councilmember Diaz participated in a telephone conference “Funding our Future” conducted by the Contra Costa Transportation Authority; attended a Clayton Business and Community Association General Membership meeting, Interim Clayton Chief of Police Doug Koford’s farewell luncheon, and a Community Emergency Response Team (CERT) meeting. He announced the 1<sup>st</sup> Annual Joan Culver Bocce Ball Tournament will be held this weekend.

Vice Mayor Geller attended the general membership meeting of the Clayton Business and Community Association, Interim Clayton Chief of Police Doug Koford’s farewell luncheon, and a City of Clayton Budget/Audit Committee Meeting to review the FY 2014-15 Audited Financial Statements of the City.

Councilmember Haydon attended the City of Clayton Budget/Audit Committee Meeting to review the FY 2014-15 Audited Financial Statements, a general membership meeting of the Clayton Business and Community Association, and

he met with Ted Sudderth, formal member of the City's Trails and Landscaping Committee, to update the Black Diamond Plaza trail kiosk with current trail maps and current Clayton information. He also noted the upcoming 1<sup>st</sup> Annual Joan Culver Bocce Ball Tournament.

Councilmember Pierce attended several meetings of the Contra Costa Transportation Authority, the Metropolitan Transportation Commission, and the Association of Bay Area Governments. She also met with District III Supervisor Piepho regarding plans to expand the Marsh Creek Road Trail system, and attended Interim Clayton Chief of Police Doug Koford's farewell luncheon

Mayor Shuey attended several meetings with the Clayton Valley Charter High School.

- (e) Other – None.

## 6. **PUBLIC COMMENT ON NON - AGENDA ITEMS**

Mr. David Sorenson advised the City Council that he and his son, Dallin, are in attendance this evening as his son is working on his Boy Scout merit badge of communication.

## 7. **PUBLIC HEARINGS** – None.

## 8. **ACTION ITEMS**

- (a) Presentation and approval of the City's Audited Financial Statement for Fiscal Year 2014-2015 prepared by Cropper Accountancy Corporation, independent Certified Public Accountant Firm.

Finance Manager Kevin Mizuno provided a quick overview of the staff report noting the staff objective to issue timely, relevant and reliable financial statements. Mr. Mizuno noted this year's financial statements also include the newly-required Governmental Accounting Standards Board Statement (GASB) No. 68, which revised and established new financial reporting requirements for governments which provide their employees with public pension benefits.

The City's independent auditor, Cropper Accountancy Corporation, has issued an "unmodified opinion" on the City of Clayton's financial statements for the fiscal year 2014-2015. This "clean" audit opinion is based on the Generally Accepted Accounting Principles (GAAP), a source of the Governmental Accounting Standards Board. The government-wide aggregated financial statements report the long-term assets and liabilities in the Statement of Net Position.

The City-wide net position increased by a positive balance of \$488,237.00 as a result of Fiscal Year 2014-15 activities. The audited financial statements now

reveal an actual annual surplus of \$389,895 in the City's General Fund. The positive outcome arose primarily as a result of spikes in both normal operating and non-recurring revenue sources offset by an extraordinary loss arising from the State of California's "clawback" of RDA monies lawfully expended as part of the CA Department of Finance's (DOF's) AB1484 "RDA Dissolution" Due Diligence Reviews.

Ultimately, the General Fund surplus resulted in 7.57% increase to City's overall General Fund balance, bringing the total amount to \$5,538,632 as of June 30, 2015. Mr. Mizuno then turned the presentation over to Mr. John Cropper, partner of the Cropper Accountancy Corporation.

Mr. Cropper thanked the City Council and the Audit Sub-Committee members. He briefly went through a slideshow presentation entitled the "State of City" confirming its Unmodified (Clean) Audit Opinion of the City's fiscal year activities. He highlighted the new Governmental Accounting Standards Board (GASB 68) Pronouncement, declaring and stating for the first time a \$3,693,394 GASB 68 Unfunded Liability for the City of Clayton in terms of its public employee pension system (CalPERS). He also referenced the deferred outflows of resources, deferred pensions amount of \$471,130, and deferred inflows of resources deferred pension amount of \$845,472. Mr. Cropper highlighted the General Fund balance being strong with a favorable annual variance from the final budget of \$562,609. It was the DOF clawback of former RDA monies in the City's General Fund from 2011 that caused the net gain to decline to \$389,895. Overall, he stated the City of Clayton's financial status is in great shape.

Vice Mayor Geller referred to the Governmental Fund noting the City of Clayton has a positive figure. Mr. Cropper noted the revenues and other financing sources over (under) expenditures and other financing uses started with a general fund balance of \$589,895; then there was an extraordinary loss on the AB 1484 dissolution in the amount of \$200,000 resulting in a change of fund balance to \$389,895.

Vice Mayor Geller inquired on the status of the California Department of Finance "claw back" regarding the AB 1484 dissolution. Mr. Cropper advised the management of the City disagrees with certain conclusions reached by the Department of Finance and intends to file a Meet and Confer pursuant to AB 1484 to dispute some of the findings. The final obligation owed from the Clayton Successor Agency to Contra Costa County will be determined after the Meet and Confer process with final payment to be remitted sometime this fiscal year.

Mr. Napper added the City already filed its appeal to the decision of the Department of Finance and we believe there is a good chance for some relief of the clawback amount requested. Vice Mayor Geller expressed his doubts when dealing with the DOF.

Mr. Mizuno advised the unfunded pension liability of GASB 68's accounting standards are just now catching up with PEPRA (Public Employees' Pension Reform Act) law that became effective January 1, 2013. This is the first year it has been calculated and placed on a city's books, and it is not a current or single year event. The City Council previously addressed its CalPERS' situation by creating Tier II pension plans well in advance of the PEPRA state law; this action

eased some of the City's liabilities. Despite being surcharged this year by CalPERS, as all public agencies have been as well, the City Council and staff still managed to adopt a balanced budget in Fiscal Year 2016. Unfortunately, CalPERS' contribution rates and pension methodologies are constantly being altered and become moving targets for cities to address.

Councilmember Haydon commented this is his first run through of the Clayton Budget and Audit process and he thought it was explained well and very understandable and transparent.

Councilmember Pierce thanked staff for walking her through some of the CalPERS items and advised of other public agency budgets she has reviewed on GASB 68, this one is definitely clearer.

Councilmember Diaz inquired on several notes on page 55 C. Note payable: didn't we get some relief with the help of one of our state senators? What is the impact of that? Was it this year or a prior year? What was the amount?

Mr. Mizuno responded the City Manager did contact State Senator Glazer and we did receive some positive help on one of the big controversies facing the City with former RDA activities. The Department of Finance was intent on wiping out all of the formal RDA loans due the City General Fund, applying very strict interpretations and requirements. Ultimately, staff was able to receive confirmation that 2 of our disputed transactions between the former RDA and the City will be honored. Those are: 1. the 2% Election monies due the City but omitted in payment since 1987 and amounting to approximately \$501,000; and 2. the Fire Station land note in the amount due of \$475,000.00. DOF now understands the 2% Election monies was not a loan but a correction of an error involving a statutory obligation due the City. And, the Promissory Note on the Fire Station land was not a movement of cash; it was deeding of City-owned land through the RDA for gifting to the Contra Costa County Fire Protection District to construct a new better-located fire station, which is considered a redevelopment activity. These financial declarations are considered a subsequent audit event and will not be seen until the Fiscal Year 2016 audit.

Councilmember Diaz inquired about the Potential One-Time Expenditures list submitted in the staff report to provide additional services or make one-time expenditures.

Mr. Napper advised this list was put together to explore different opportunities to use some of the annual General Fund surplus funds as one time expenditures for unmet needs of the City, should the Council desire. Our obligation as staff is to provide unmet needs of the City for Council review and policy decision for the unassigned funds. Action is unable to occur this evening; however, this can be placed on a future agenda and discussed at that time including other ideas for use of the funds.

Councilmember Pierce would prefer not using General Fund reserves in case of a natural disaster such as a landslide; we are not able to rely on emergency or disaster funds to be provided by the State of California.

Mayor Shuey opened the floor to receive public comments on the fiscal year 2014-15 Audited Financial Statement of the City of Clayton; no public comments were offered.

**It was moved by Vice Mayor Geller, seconded by Councilmember Haydon, to accept as submitted the FY 2014-15 Audited Financial Statement of the City of Clayton. (Passed; 5-0 vote).**

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

Mayor Shuey advised he will not be in attendance at the regular City Council meeting of December 1<sup>st</sup> and requested that the vote for Mayor and Vice Mayor take place at the City Council's next regular meeting of November 17<sup>th</sup>. He noted the newly selected officers will not take effect until the December 1<sup>st</sup>.

Councilmember Haydon requested the Potential One-Time Expenditures to provide additional services or make one-time expenditures be placed on a future City Council agenda for consideration.

10. **RECESS THE CITY COUNCIL MEETING** – Mayor Shuey recessed the City Council meeting at 8:39 p.m.

(until after the conclusion of the Clayton Financing Authority Board meeting)

11. **RECONVENE THE CITY COUNCIL MEETING** – Mayor Shuey reconvened the City Council meeting at 8:41 p.m.

12. **CLOSED SESSIONS**

Mayor Shuey announced the City Council will adjourn into Closed Session to handle the matters disclosed and declared below (at 8:41 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: Mayor Shuey.

10:20 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 10:21 p.m.

The next regularly scheduled meeting of the City Council will be November 17, 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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Approved:   
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 Gary A. Napper  
 City Manager

# STAFF REPORT

**TO:** HONORABLE MAYOR AND COUNCILMEMBERS  
**FROM:** Kevin Mizuno, FINANCE MANAGER  
**DATE:** 11/17/2015  
**SUBJECT:** FINANCIAL OBLIGATIONS

**RECOMMENDATION:**

Approve the following Invoices for payment:

11/13/2015	Cash Requirements	\$ 235,279.14
11/10/2015	ADP, Week 46, PPE 11/8/2015	\$ 92,557.68
	<b>Total</b>	<b>\$ 327,836.82</b>

Attachments:  
 Cash Requirements Report dated 11/13/2015 (4 pages)  
 ADP Report Week 46, PPE 11/8/15 (1 page)

## 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
<b>All City Management Services, Inc.</b>								
All City Management Services, Inc.	11/17/2015	11/17/2015	40667	School crossing guard services 9/27/15-10/10/	\$509.10	\$0.00		\$509.10
<i>Totals for All City Management Services, Inc.:</i>					<u>\$509.10</u>	<u>\$0.00</u>		<u>\$509.10</u>
<b>American Fidelity Assurance Company</b>								
American Fidelity Assurance Company	11/17/2015	11/17/2015	B388423	Supplemental Insurance for December 2015	\$435.38	\$0.00		\$435.38
<i>Totals for American Fidelity Assurance Company:</i>					<u>\$435.38</u>	<u>\$0.00</u>		<u>\$435.38</u>
<b>Bay Area News Group East Bay (CCT)</b>								
Bay Area News Group East Bay (CCT)	11/17/2015	11/17/2015	0000916878	ad for PD admin clerk	\$871.70	\$0.00		\$871.70
<i>Totals for Bay Area News Group East Bay (CCT):</i>					<u>\$871.70</u>	<u>\$0.00</u>		<u>\$871.70</u>
<b>Best Best &amp; Kreiger LLP</b>								
Best Best & Kreiger LLP	11/17/2015	11/17/2015	759890	General retainer for October 2015	\$8,000.00	\$0.00		\$8,000.00
Best Best & Kreiger LLP	11/17/2015	11/17/2015	759887	services for October	\$632.39	\$0.00		\$632.39
Best Best & Kreiger LLP	11/17/2015	11/17/2015	759888	Labor & Employment (EPMC)	\$1,485.00	\$0.00		\$1,485.00
Best Best & Kreiger LLP	11/17/2015	11/17/2015	759889	Redevelopment - October	\$75.00	\$0.00		\$75.00
<i>Totals for Best Best &amp; Kreiger LLP:</i>					<u>\$10,192.39</u>	<u>\$0.00</u>		<u>\$10,192.39</u>
<b>CalPERS Retirement</b>								
CalPERS Retirement	11/17/2015	11/17/2015	PPE 11/8/15	Retirement for PPE 11/8/15	\$12,164.38	\$0.00		\$12,164.38
CalPERS Retirement	11/17/2015	11/17/2015	Misc UAL November	Misc UAL for November 2015	\$9,827.00	\$0.00		\$9,827.00
CalPERS Retirement	11/17/2015	11/17/2015	Safety UAL Novembe	Safety UAL for November 2015	\$18,610.00	\$0.00		\$18,610.00
<i>Totals for CalPERS Retirement:</i>					<u>\$40,601.38</u>	<u>\$0.00</u>		<u>\$40,601.38</u>
<b>City of Concord</b>								
City of Concord	11/17/2015	11/17/2015	48276	dispatch services for November 2015	\$20,089.50	\$0.00		\$20,089.50
City of Concord	11/17/2015	11/17/2015	47935	Printing for PD letterhead	\$131.05	\$0.00		\$131.05
City of Concord	11/17/2015	11/17/2015	47908	vehicle maintenance September 2015	\$702.70	\$0.00		\$702.70
<i>Totals for City of Concord:</i>					<u>\$20,923.25</u>	<u>\$0.00</u>		<u>\$20,923.25</u>
<b>Clayton Pioneer</b>								
Clayton Pioneer	11/17/2015	11/17/2015	1310181	Help wanted ads for PD	\$270.00	\$0.00		\$270.00
<i>Totals for Clayton Pioneer:</i>					<u>\$270.00</u>	<u>\$0.00</u>		<u>\$270.00</u>
<b>Clean Street</b>								
Clean Street	11/17/2015	11/17/2015	80217	Monthly Sweep Fee for October 2015	\$3,500.00	\$0.00		\$3,500.00
<i>Totals for Clean Street:</i>					<u>\$3,500.00</u>	<u>\$0.00</u>		<u>\$3,500.00</u>
<b>Cole Supply Company</b>								
Cole Supply Company	11/17/2015	11/17/2015	67999	trash liners	\$689.30	\$0.00		\$689.30
<i>Totals for Cole Supply Company:</i>					<u>\$689.30</u>	<u>\$0.00</u>		<u>\$689.30</u>
<b>Contra Costa County Public Works Dept</b>								
Contra Costa County Public Works Dept	11/17/2015	11/17/2015	700336	Traffic signal maintenance for August 2015	\$998.28	\$0.00		\$998.28
Contra Costa County Public Works Dept	11/17/2015	11/17/2015	700353	Traffic signal maintenance for September 201	\$650.84	\$0.00		\$650.84

## 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
<i>Totals for Contra Costa County Public Works Dept:</i>					\$1,649.12	\$0.00		\$1,649.12
<b>Contra Costa County Sheriff - Forensic Svc Div (Lab)</b>								
Contra Costa County Sheriff - Forensic S	11/17/2015	11/17/2015	CLPD-1509	Toxicology for September 2015	\$500.00	\$0.00		\$500.00
<i>Totals for Contra Costa County Sheriff - Forensic Svc Div (Lab):</i>					\$500.00	\$0.00		\$500.00
<b>Cop Shop Installations Inc</b>								
Cop Shop Installations Inc	11/17/2015	11/17/2015	PD vehicle	Stripout of Ford Crown Vic	\$795.00	\$0.00		\$795.00
<i>Totals for Cop Shop Installations Inc:</i>					\$795.00	\$0.00		\$795.00
<b>Cropper Accountancy Corp</b>								
Cropper Accountancy Corp	11/17/2015	11/17/2015	1081	Third Progress Billing - Audit 6/30/15	\$8,675.00	\$0.00		\$8,675.00
<i>Totals for Cropper Accountancy Corp:</i>					\$8,675.00	\$0.00		\$8,675.00
<b>Downtown Ford Sales</b>								
Downtown Ford Sales	11/17/2015	11/17/2015	233865	Order # C038-1738 2016 Ford Police Utility	\$33,272.42	\$0.00		\$33,272.42
<i>Totals for Downtown Ford Sales:</i>					\$33,272.42	\$0.00		\$33,272.42
<b>Fraser &amp; Associates</b>								
Fraser & Associates	11/17/2015	11/17/2015	Successor Agency	Cumulative TI Analysis October 2015	\$500.00	\$0.00		\$500.00
<i>Totals for Fraser &amp; Associates:</i>					\$500.00	\$0.00		\$500.00
<b>Garton Tractor, Inc</b>								
Garton Tractor, Inc	11/17/2015	11/17/2015	WF00212	PO # 07222015	\$79,953.06	\$0.00		\$79,953.06
<i>Totals for Garton Tractor, Inc:</i>					\$79,953.06	\$0.00		\$79,953.06
<b>Globalstar LLC</b>								
Globalstar LLC	11/17/2015	11/17/2015	1000000006865701	service 9/16/15-10/15/15	\$55.91	\$0.00		\$55.91
<i>Totals for Globalstar LLC:</i>					\$55.91	\$0.00		\$55.91
<b>HUB Inter of CA Ins Svc</b>								
HUB Inter of CA Ins Svc	11/17/2015	11/17/2015	October	Insurance for October 2015	\$228.15	\$0.00		\$228.15
<i>Totals for HUB Inter of CA Ins Svc:</i>					\$228.15	\$0.00		\$228.15
<b>LarryLogic Productions</b>								
LarryLogic Productions	11/17/2015	11/17/2015	1541	city council meeting 11/3/15	\$275.00	\$0.00		\$275.00
<i>Totals for LarryLogic Productions:</i>					\$275.00	\$0.00		\$275.00
<b>Marken Mechanical Services Inc</b>								
Marken Mechanical Services Inc	11/17/2015	11/17/2015	415-1151-10	City Hall Maintenance for October 2015	\$150.00	\$0.00		\$150.00
Marken Mechanical Services Inc	11/17/2015	11/17/2015	415-1151-8	City Hall Maintenance for August 2015	\$150.00	\$0.00		\$150.00
Marken Mechanical Services Inc	11/17/2015	11/17/2015	415-1147-7	EH Maintenance for July 2015	\$247.00	\$0.00		\$247.00
Marken Mechanical Services Inc	11/17/2015	11/17/2015	415-1148-9	City Hall Maintenance for September 2015	\$332.50	\$0.00		\$332.50
Marken Mechanical Services Inc	11/17/2015	11/17/2015	415-1146-9	Library Maintenance for September 2015	\$502.17	\$0.00		\$502.17
<i>Totals for Marken Mechanical Services Inc:</i>					\$1,381.67	\$0.00		\$1,381.67
<b>Martell Water Systems, Inc.</b>								

# 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
Martell Water Systems, Inc.	11/17/2015	11/17/2015	22161	Service Call 7/28/15	\$2,765.48	\$0.00		\$2,765.48
				<i>Totals for Martell Water Systems, Inc.:</i>	<u>\$2,765.48</u>	<u>\$0.00</u>		<u>\$2,765.48</u>
<b>Matrix Association Management</b>								
Matrix Association Management	11/17/2015	11/17/2015	2237	Management Services for November 2015	\$4,264.10	\$0.00		\$4,264.10
				<i>Totals for Matrix Association Management:</i>	<u>\$4,264.10</u>	<u>\$0.00</u>		<u>\$4,264.10</u>
<b>Muir/ Diablo Occupation Medicine</b>								
Muir/ Diablo Occupation Medicine	11/17/2015	11/17/2015	328386	new employee health screening	\$912.00	\$0.00		\$912.00
				<i>Totals for Muir/ Diablo Occupation Medicine:</i>	<u>\$912.00</u>	<u>\$0.00</u>		<u>\$912.00</u>
<b>Neopost (add postage)</b>								
Neopost (add postage)	11/17/2015	11/17/2015	11/3/15	Postage added 11/3/15	\$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>
<b>Neopost Northwest</b>								
Neopost Northwest	11/17/2015	11/17/2015	N5619507	contract for 12/7/15-1/6/15	\$158.20	\$0.00		\$158.20
				<i>Totals for Neopost Northwest:</i>	<u>\$158.20</u>	<u>\$0.00</u>		<u>\$158.20</u>
<b>PERMCO, Inc.</b>								
PERMCO, Inc.	11/17/2015	11/17/2015	10476	General services 10/24/15-11/6/15	\$3,375.00	\$0.00		\$3,375.00
PERMCO, Inc.	11/17/2015	11/17/2015	10477	PG&E Encroachment Permits	\$83.00	\$0.00		\$83.00
PERMCO, Inc.	11/17/2015	11/17/2015	10478	Field inspections to verify annual reports	\$152.50	\$0.00		\$152.50
PERMCO, Inc.	11/17/2015	11/17/2015	10479	review conditions of approval for Oak Creek C	\$675.00	\$0.00		\$675.00
PERMCO, Inc.	11/17/2015	11/17/2015	10480	Caltrans processing (in progress)	\$976.00	\$0.00		\$976.00
PERMCO, Inc.	11/17/2015	11/17/2015	10481	Review preliminary submittal, St John's Parce	\$450.00	\$0.00		\$450.00
PERMCO, Inc.	11/17/2015	11/17/2015	10469	Encroachment Permit	\$600.00	\$0.00		\$600.00
				<i>Totals for PERMCO, Inc.:</i>	<u>\$6,311.50</u>	<u>\$0.00</u>		<u>\$6,311.50</u>
<b>R-Computer</b>								
R-Computer	11/17/2015	11/17/2015	505464	Work Order 24503	\$270.00	\$0.00		\$270.00
R-Computer	11/17/2015	11/17/2015	24628	remote support 11/5/15	\$33.75	\$0.00		\$33.75
				<i>Totals for R-Computer:</i>	<u>\$303.75</u>	<u>\$0.00</u>		<u>\$303.75</u>
<b>Riso Products of Sacramento</b>								
Riso Products of Sacramento	11/17/2015	11/17/2015	148532	contract for 10/18/15-11/17/15	\$94.86	\$0.00		\$94.86
				<i>Totals for Riso Products of Sacramento:</i>	<u>\$94.86</u>	<u>\$0.00</u>		<u>\$94.86</u>
<b>Roto-Rooter Sewer/Drain Service</b>								
Roto-Rooter Sewer/Drain Service	11/17/2015	11/17/2015	J-2173-15	service call - Storm Drain Cleaning	\$6,324.00	\$0.00		\$6,324.00
				<i>Totals for Roto-Rooter Sewer/Drain Service:</i>	<u>\$6,324.00</u>	<u>\$0.00</u>		<u>\$6,324.00</u>
<b>Sprint Comm (PD)</b>								
Sprint Comm (PD)	11/17/2015	11/17/2015	703335311-167	service 9/26/15-10/25/15	\$274.95	\$0.00		\$274.95
				<i>Totals for Sprint Comm (PD):</i>	<u>\$274.95</u>	<u>\$0.00</u>		<u>\$274.95</u>
<b>Staples Advantage</b>								

## City of Clayton Cash Requirements Report

<u>Vendor Name</u>	<u>Due Date</u>	<u>Invoice Date</u>	<u>Invoice Number</u>	<u>Invoice Description</u>	<u>Invoice Balance</u>	<u>Potential Discount</u>	<u>Discount Expires On</u>	<u>Net Amount Due</u>
Staples Advantage	11/17/2015	11/17/2015	8036644006	supplies for October 2015	\$43.15	\$0.00		\$43.15
				<i>Totals for Staples Advantage:</i>	<u>\$43.15</u>	<u>\$0.00</u>		<u>\$43.15</u>
<b>State Water Resources Control Board</b>								
State Water Resources Control Board	11/17/2015	11/17/2015	WD-0112646	Annual Permit Fee FY 2016	\$6,869.00	\$0.00		\$6,869.00
				<i>Totals for State Water Resources Control Board:</i>	<u>\$6,869.00</u>	<u>\$0.00</u>		<u>\$6,869.00</u>
<b>Thomson Reuters-West</b>								
Thomson Reuters-West	11/17/2015	11/17/2015	2016 Ed	Publications for 2016	\$258.23	\$0.00		\$258.23
				<i>Totals for Thomson Reuters-West:</i>	<u>\$258.23</u>	<u>\$0.00</u>		<u>\$258.23</u>
<b>Edward Venturino</b>								
Edward Venturino	11/17/2015	11/17/2015	CAP0171	Deposit refund for 5843 Four Oaks Lane	\$500.00	\$0.00		\$500.00
				<i>Totals for Edward Venturino:</i>	<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
<b>Western Exterminator</b>								
Western Exterminator	11/17/2015	11/17/2015	3643757	service for October 2015	\$370.00	\$0.00		\$370.00
				<i>Totals for Western Exterminator:</i>	<u>\$370.00</u>	<u>\$0.00</u>		<u>\$370.00</u>
<b>Zee Medical Company</b>								
Zee Medical Company	11/17/2015	11/17/2015	724500568	supplies for August 2015	\$252.09	\$0.00		\$252.09
				<i>Totals for Zee Medical Company:</i>	<u>\$252.09</u>	<u>\$0.00</u>		<u>\$252.09</u>
<b>GRAND TOTALS:</b>					<b>\$235,279.14</b>	<b>\$0.00</b>		<b>\$235,279.14</b>

**Earnings Statement**

Employees with Overflow Statement  
0 Overflow Statement 1 Total Statement  
Tot Cks/Vchrs:00000000036 Tot Docs in all:00000000039  
First No. Last No. Total  
Checks: ADPCHECK ADPCHECK 00000000005  
Vouchers: 00000460001 00000460031 00000000031

Z7L TOTAL DOCUMENT  
CITY OF CLAYTON  
LOCATION 0001

**CHECK STUFFING, RECONCILIATION**

92557.68 GROSS  
65744.88 NET PAY (INCLUDING ALL DEPOSITS)  
13449.79 FEDERAL TAX  
319.03 SOCIAL SECURITY  
1286.70 MEDICARE  
.00 MEDICARE SURTAX  
.00 SUI TAX  
3779.28 STATE TAX  
.00 LOCAL TAX  
70398.00 DEDUCTIONS  
3324.88 NET CHECK

**COMPANY CODE Z7L  
CITY OF CLAYTON  
TOTAL DOCUMENT  
LOCATION 0001**

COPY

COPY

VERIFY DOCUMENT AUTHENTICITY - COLORED AREA MUST CHANGE IN TONE GRADUALLY AND EVENLY FROM DARK AT TOP TO LIGHTER AT BOTTOM

**NON-NEGOTIABLE - VOID - NON-NEGOTIABLE**  
**NON-NEGOTIABLE - VOID - NON-NEGOTIABLE**

Plan  
BayArea  
2040



# Plan Bay Area 2040

## An Introduction



November 17, 2015



METROPOLITAN  
TRANSPORTATION  
COMMISSION



Association of  
Bay Area Governmen

Agenda Item: 4a

Agenda Item: 4a

# WHO WE ARE

Plan  
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Two agencies are charged with helping to plan long-range transportation, land use and housing in the nine county Bay Area. They share joint responsibility for the study and development of Plan Bay Area.



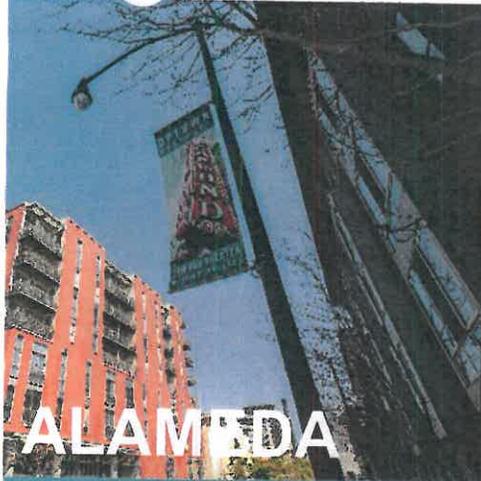
**METROPOLITAN  
TRANSPORTATION  
COMMISSION**

MTC is the transportation planning organization for the Bay Area. MTC is responsible for travel demand and transportation revenue forecasts and manages One Bay Area Grants (OBAG).

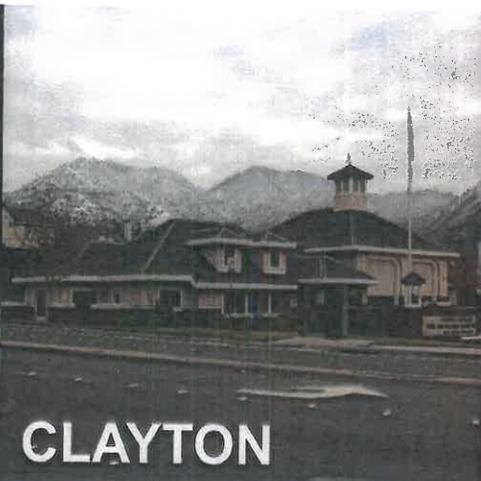


**Association of  
Bay Area Governments**

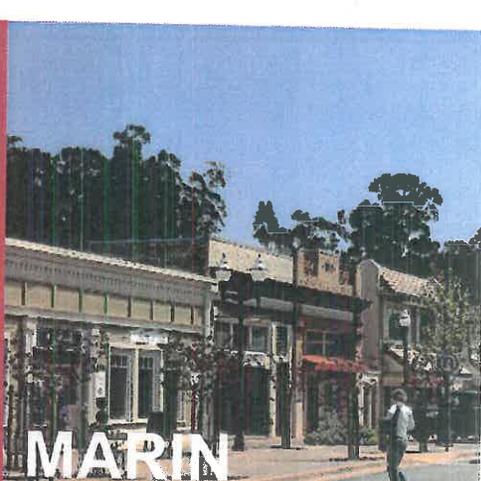
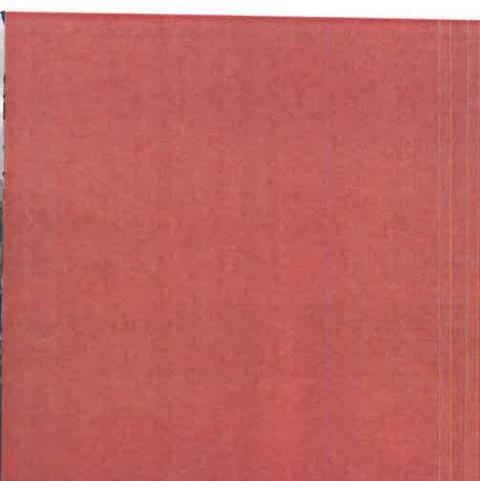
ABAG is the regional land use and housing planning agency and Council of Governments for the Bay Area. ABAG is responsible for population, employment, and housing forecasts.



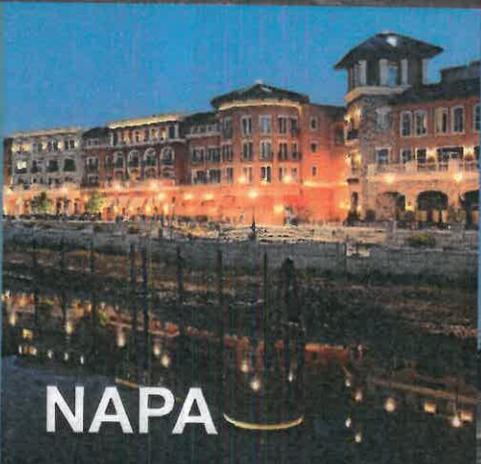
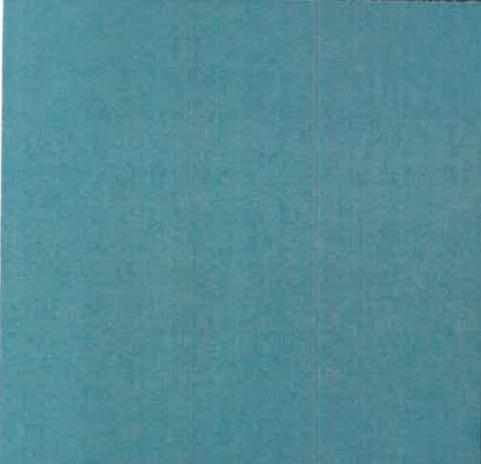
**ALAMEDA**



**CLAYTON**



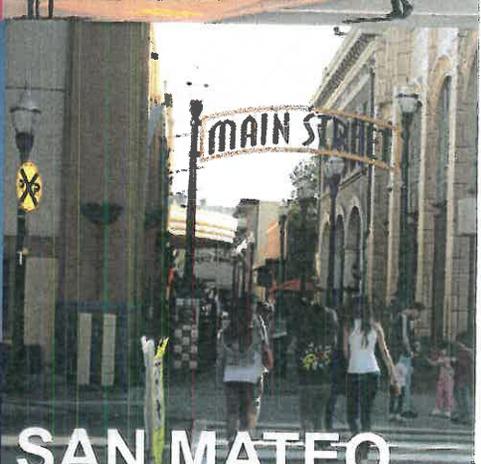
**MARIN**



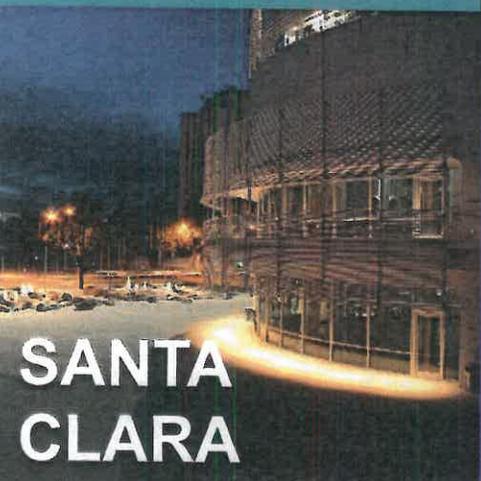
**NAPA**



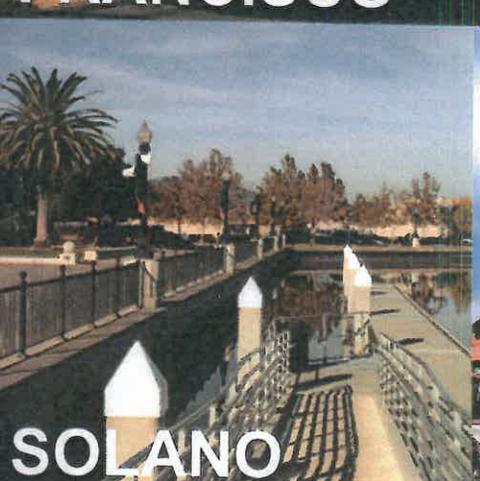
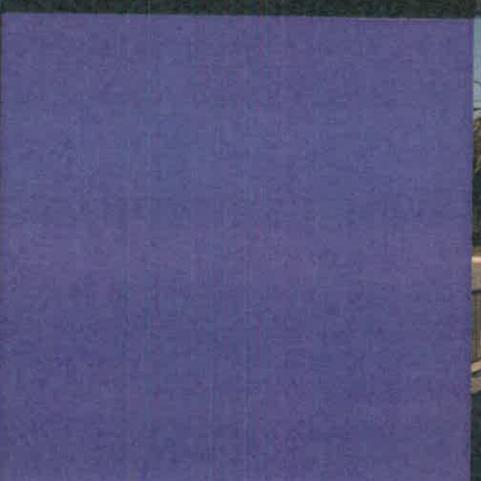
**SAN FRANCISCO**



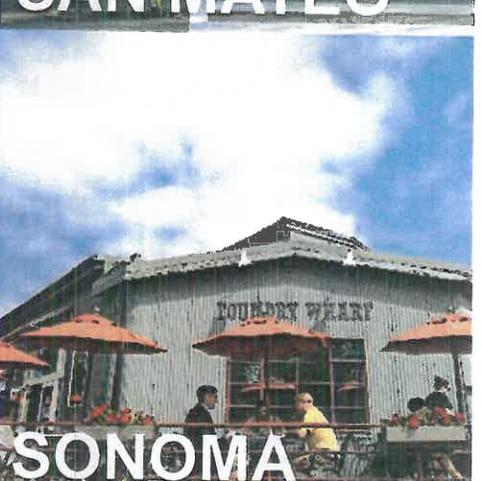
**SAN MATEO**



**SANTA CLARA**



**SOLANO**



**SONOMA**

# SHARED CONCERNS

Across the Bay Area, we share many of the same concerns about the future of our communities.



Cost of Housing



Quality of Life



Repairing Existing Infrastructure



Managing Traffic  
and Improving Transit



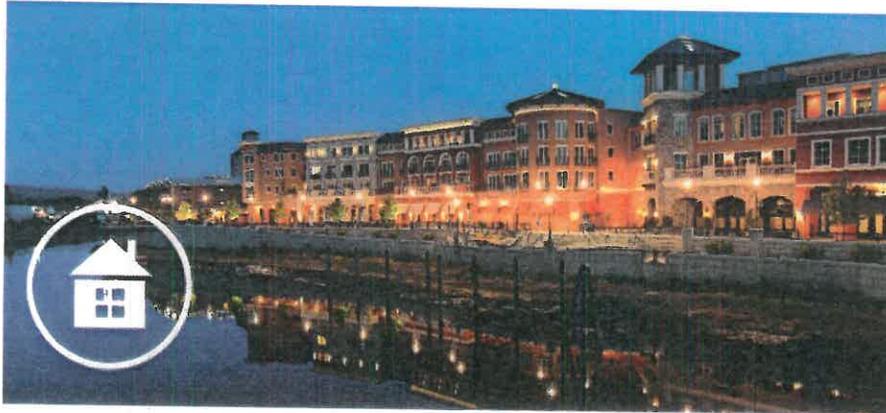
Local Control of  
Planning Decisions



Protecting the Environment

# FRAMEWORK FOR THE FUTURE

Plan  
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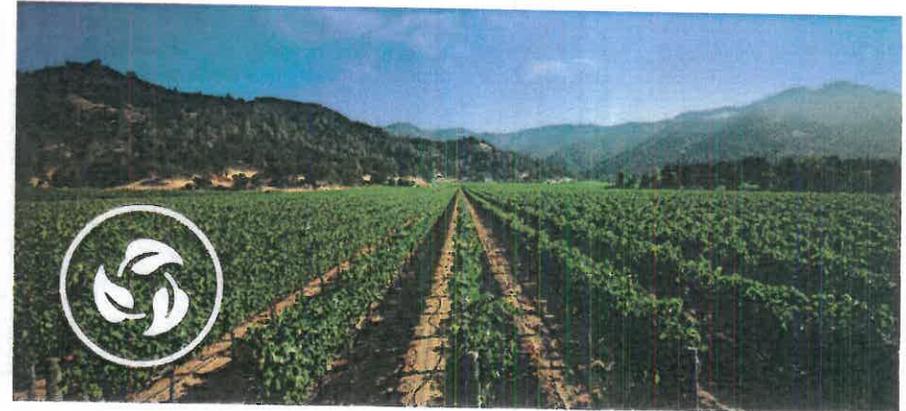


## Priority Development Areas (PDAs)

PDAs are locally nominated areas where amenities and services can be developed to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit.

The compact growth envisioned through these PDAs is based in large part on local aspirations and community context.

The Bay Area has a range of existing communities and the 188 adopted PDAs reflect this diversity.



## Priority Conservation Areas (PCAs)

PCAs are locally-identified areas that provide important agricultural, natural resource, scenic, cultural, recreational, and/or ecological values and ecosystem functions.

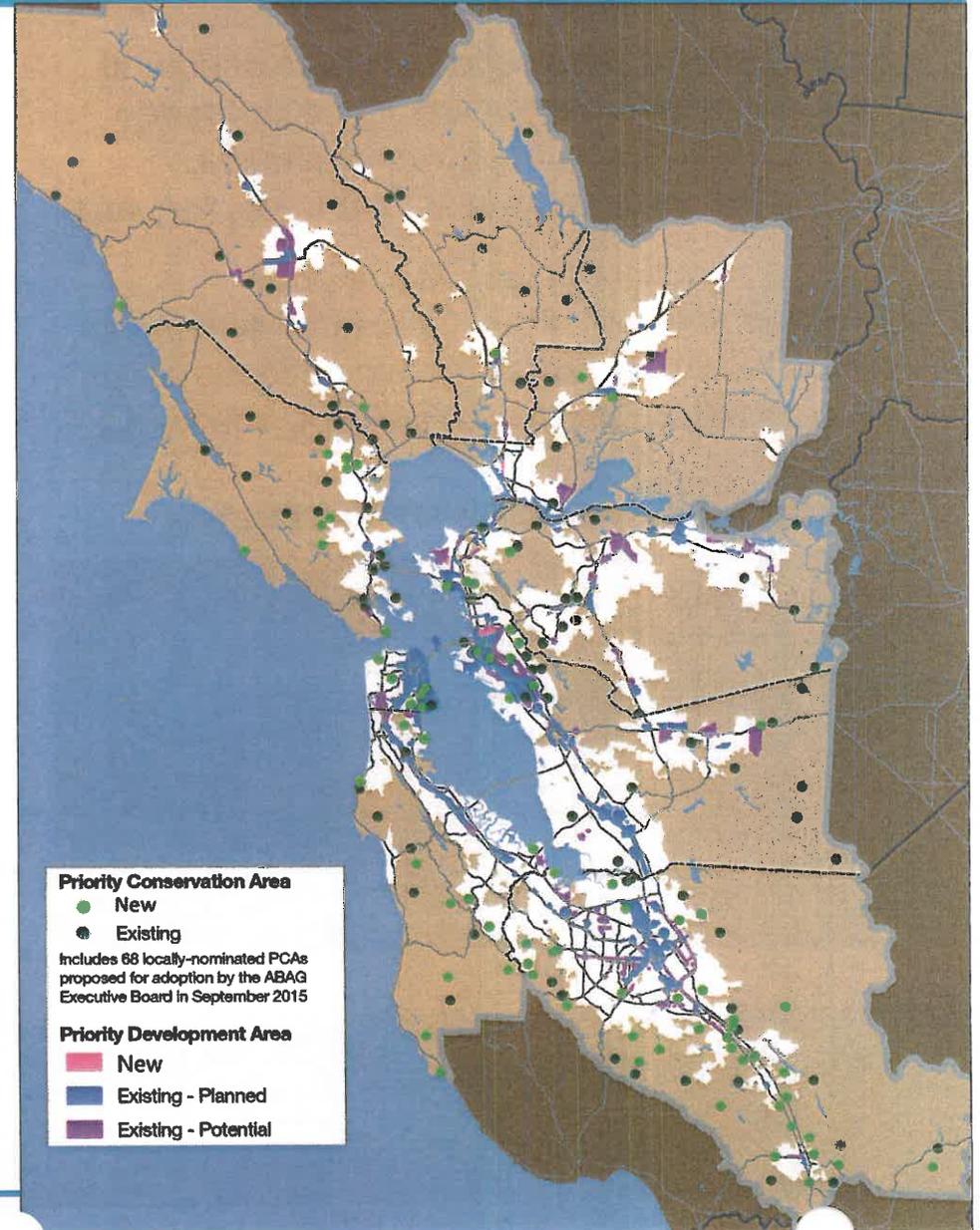
The 168 PCAs across the Bay Area are areas of regional significance that represent opportunities for land conservation through purchase of land or conservation easements with willing landowners.

# REGIONAL PDA/PCA MAP

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-188 PDAs

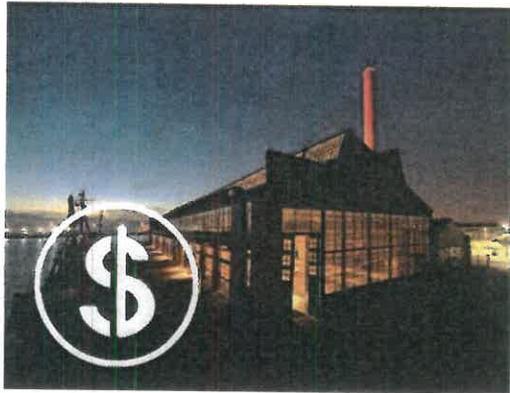
-165 PCAs



# WHAT IS PLAN BAY AREA?

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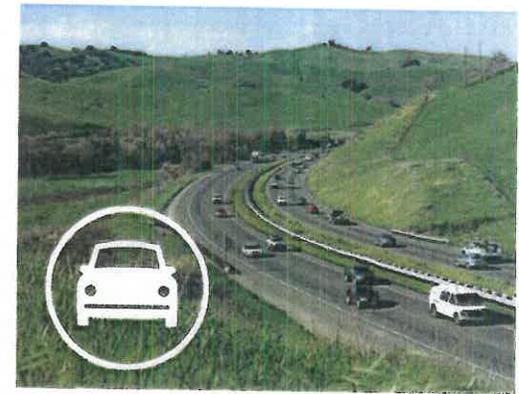
**Plan Bay Area** is a roadmap to help Bay Area cities and counties preserve the character of our diverse communities while adapting to the challenges of future population growth.



Promotes a strong regional **economy** by providing communities with the data they need to plan for future job growth, as well as any accompanying education, housing, and transportation needs.



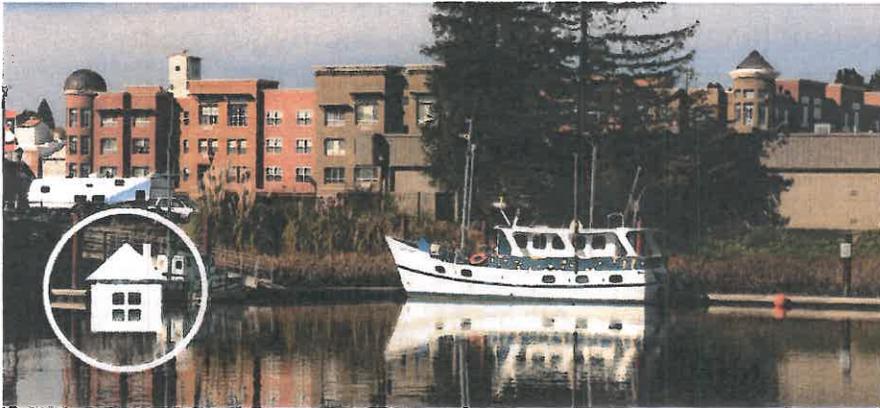
Informs local cities and counties in their decision-making around new **housing** developments by providing housing demand forecasts.



Supports strategic **transportation** investments that aim to decrease traffic congestion, improve travel options, and reduce pollution both locally and regionally.

# BAY AREA INVESTMENTS

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## Land Use and Housing

Plan Bay Area's PDA-focused growth strategy guides **housing and employment investments** toward existing and planned transit. This enables the development of accessible and vibrant, complete communities while preserving and creating enhanced connection to the Bay Area's cherished natural environment, including PCAs.



## Transportation

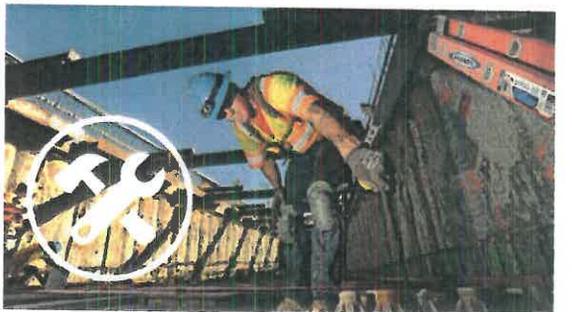
With Plan Bay Area, MTC continues its longstanding **Fix-It-First Policy** by dedicating funds to maintaining the region's existing transportation system across our urban, suburban, and rural communities.

# PLANNING ALIGNMENT

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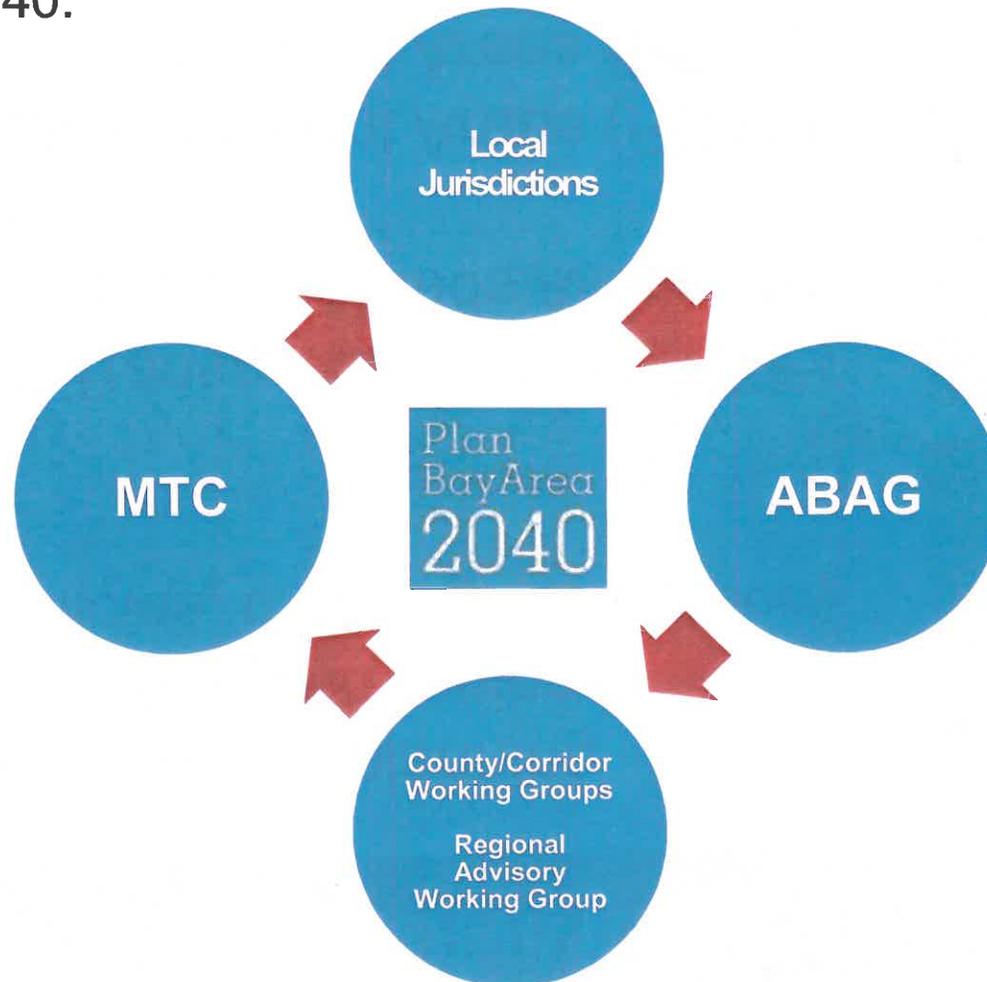
Plan Bay Area aligns planning objectives of state and regional planning policies, creating consistency among:

- Regional Transportation Plan (RTP)
- Regional Housing Needs Allocation (RHNA)
- Priority Development Areas (PDAs)
- Priority Conservation Areas (PCAs)



# PARTNERSHIPS

Engagement with local governments is critical to the success of Plan Bay Area 2040.



# STRATEGIC UPDATE

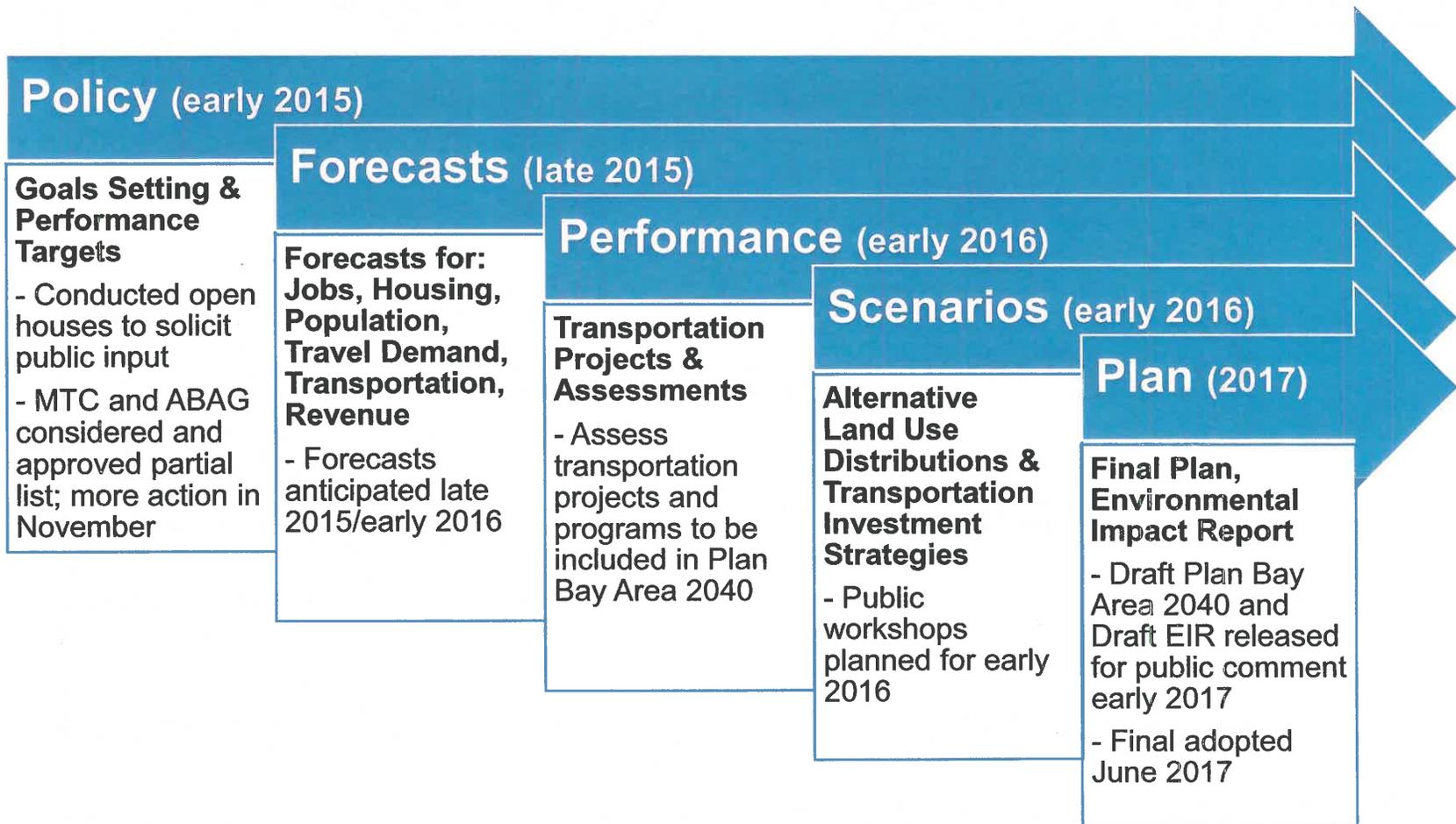
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Important things to note about Plan Bay Area 2040:

- Updated every 4 years
- In the middle of a strategic, limited update to be approved in 2017
- No Regional Housing Need Allocation (RHNA) update until 2021 RTP/SCS



# MAJOR MILESTONES



# 2015 SPRING OPEN HOUSES

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**JOBS** DEVELOPMENT  
PRESERVATION

EXPANSION  
PRIVATE-PROPERTY RIGHTS  
INTERCONNECTEDNESS  
MORE NOTICE  
HUMAN COMPONENT  
ADEQUATE  
FREE  
CARS  
PLAN  
SMART  
COMMUNICATION  
GROWTH  
REGIONAL  
CORPORATE  
ECONOMIC  
BIKING  
COMMUNICATION

GOOD  
WAGE  
RESIDENTIAL  
WILDLIFE  
WALKING  
TRAILS  
SEGREGATION  
ACCOUNTABILITY

HOUSING

AFFORDABLE

LOCAL

LOW-INCOME  
BAY

TECH

DROUGHT

TRANSIT

EDUCATION

CLIMATE CHANGE  
PROTECTION

TRANSPORTATION  
HOMELESSNESS  
PUBLIC

COMMUNICABILITY

LOCAL

LOW-INCOME

SAFETY  
EQUITY

SEA-LEVEL RISE

WATER

SLOWER

REALISTIC  
NEIGHBORHOOD  
ACCESS  
FOOD  
PEDESTRIAN

JOBS-HOUSING BALANCE  
OPEN SPACE  
COMMUTE

# NEXT STEP: SCENARIOS

- Scenarios are developed to show the different approaches we can take to managing our region's growth. Each scenario represents a different vision for how the Bay Area could change over time to accommodate expected growth while meeting our goals for a more prosperous, sustainable, and equitable region.
- Each scenario combines different policy, land use, and transportation investment strategies, resulting in potential differences in the region's development pattern and transportation system.



# SCENARIO DEVELOPMENT PROCESS

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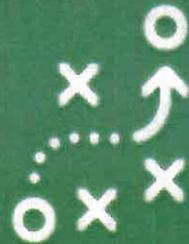
1

Develop  
Concepts



2

Determine  
Appropriate  
Policy  
Strategies



3

Build  
Scenarios



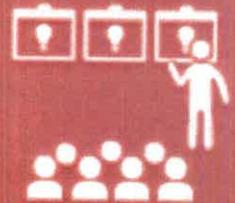
4

Evaluate  
Scenarios  
Against Goals  
and Targets



5

Present  
Refined  
Scenarios



## Scenario Development Process:

- Scenario concepts (Late 2015)
- Draft scenarios (Early 2016)
- Public workshops (April 2016)
- Preferred Scenario (May 2016)
- Adoption of Preferred Scenario (June 2016)

## Prioritizing Transportation Investments:

- Transportation revenue forecast (Summer/Fall 2015)
- Operations and maintenance need assessments (Summer/Fall 2015)
- Project performance assessment (Fall 2015)



# WHAT DOES THIS MEAN LOCALLY?

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- City staff to respond to both ABAG and MTC to provide the requested information and feedback
- Continue to promote high density housing downtown
- Continue to support open space preservation in and around Clayton

## City Council Feedback on Preliminary Growth Ranges

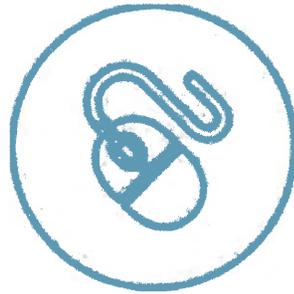
- Jobs: 2,000 to 2,400
  - Population: 4,200 to 5,000
-

# STAY INVOLVED

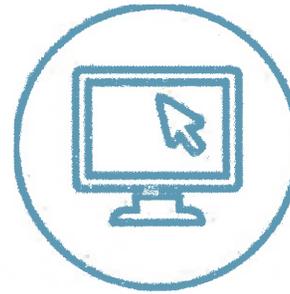
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Subscribe to mailing list to receive updates about Plan Bay Area and other regional initiatives at [PlanBayArea.org](http://PlanBayArea.org)



Contact MTC and ABAG directly to provide your comments in writing at [info@planbayarea.org](mailto:info@planbayarea.org) or join the discussion online on [PlanBayArea.org](http://PlanBayArea.org) or Facebook and Twitter.



Find an archive of past planning documents, frequently asked questions, regional planning agency calendars, and up-to-date planning information at [PlanBayArea.org](http://PlanBayArea.org)



Ken Kirkey  
Planning Director  
[kkirkey@mtc.ca.gov](mailto:kkirkey@mtc.ca.gov)  
(510) 817-5790

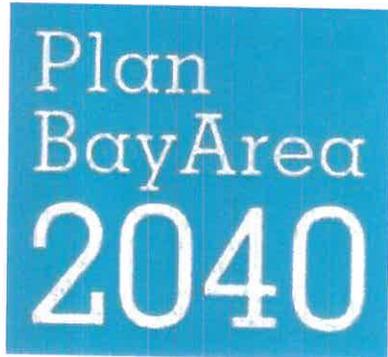
Miriam Chion  
Planning & Research  
Director  
[miriamc@abag.ca.gov](mailto:miriamc@abag.ca.gov)  
(510) 464-7919



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[@PlanBayArea](https://twitter.com/PlanBayArea)



**Thank You**



# COUNCIL FEEDBACK

## JOB AND HOUSING PROJECTIONS

### *2013 PLAN BAY AREA*

JOBS: 1,950

POPULATION: 4,150

### *2017 PRELIMINARY PLAN BAY AREA PROJECTIONS*

JOBS: 2,000 TO 2,400

POPULATION: 4,200 TO 5,000



Agenda Date: 11-17-2015

Agenda Item: 8a

# STAFF REPORT

Approved:   
Gary A. Napper  
City Manager

**TO: HONORABLE COUNCIL MEMBERS**

**FROM: CITY MANAGER**

**DATE: 17 NOVEMBER 2015**

**SUBJECT: NOMINATION AND ELECTION OF MAYOR AND VICE MAYOR**

## RECOMMENDATION

It is recommended the City Council elect its Mayor and Vice Mayor for a one-year term of office (2016), to commence 01 December 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 David Shuey and Vice Mayor Howard Geller were elected to their current Council offices at a City Council regular public meeting held 02 December 2014. The following table lists those serving as mayor over the last fifteen (15) years:

2015	David Shuey
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

### **ADVANCE ELECTION OF OFFICERS**

Pursuant to its adopted *Council Guidelines and Procedures* [last updated in February 2007], Section F.4. [Mayor Selection] indicates, "Mayorship will be a one-year term, commencing with the first meeting in December." Mayor Shuey has informed the City Council and staff that due to his professional responsibilities he will be unable to attend that "first meeting in December" for 2015 [which happens to fall on December 1<sup>st</sup> this year]. He has indicated he wishes to be present to participate in this decision. Therefore, the question is posed whether the Clayton City Council can advance its annual selection of mayor and vice mayor so the entire City Council may be present to participate in this determination.

As a general law city incorporated under the statutes of the California Government Code, Section 36801 specifies certain criteria for the selection of mayor and mayor pro tempore:

*"The city council shall meet at the meeting at which the declaration of the election results for a general municipal election is made pursuant to Sections 10262 and 10263 of the Elections Code and, following the declaration of the election results and the installation of elected officials, choose one of its number as mayor, and one of its number as mayor pro tempore."*

Clearly, should Mayor Shuey's scheduling conflict to be occurring during a municipal election year in Clayton, any early action or delay to pre-select its officers would be contrary to this governing code. Since the City's general municipal election is not occurring in 2015 and does not occur until next year, November 2016, the California Government Code is silent on the intervening year as to local selection of mayor and vice mayor. Therefore, we must turn to any local regulations or guidelines enacted by the city council as to its selection of mayor and vice mayor.

Firstly, the *Clayton Municipal Code* does not contain any law or regulation governing the City of Clayton's selection of its mayor and vice mayor from among its membership. However, the next layer of official municipal action in this regard is City Resolution No. 16-98 (May 1998) which initially adopted in its entirety a policy document entitled *Council Guidelines and Procedures*. On Page 4 of that policy document is Section F – Mayor Selection wherein it indicates the mayorship in the City of Clayton will be for a one-year term, commencing with the first meeting in December. [Emphasis added]

Application of this adopted Council policy to the present question of whether the Clayton City Council may select its next mayor and vice mayor this year before its "first meeting in December" results in the conclusion the City Council may indeed pre-select its next mayor and vice mayor at the 17 November 2015 meeting. However, the newly-selected mayor and vice mayor cannot and do not assume their respective offices until the first meeting in December 2015, since Mayor Shuey, having been selected in December 2014, will not have completed the stipulated one-year term [of mayorship] until that time. Mayor Shuey and Vice Mayor Geller continue to preside until the first Council meeting in December 2015.

### **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 Mayor Shuey. In this advance instance, once the next Mayor has been elected by the City Council to commence a 1-year term of office starting 01 December 2015, Mayor Shuey continues to preside and conducts the remainder of the business items on the agenda, including the City Council's election of a Vice Mayor to serve a 1-year term of office commencing 01 December 2015.
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, 10<sup>th</sup> 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 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.



Agenda Date: 11-17-2015

Agenda Item: 8b

Approved:   
Gary A. Napper  
City Manager

# AGENDA REPORT

**TO: HONORABLE MAYOR AND COUNCILMEMBERS**

**FROM: CITY MANAGER**

**DATE: 17 NOVEMBER 2015**

**SUBJECT: CONSIDER USE OF FY 2014-15 EXCESS GENERAL FUND MONIES TO ADDRESS IDENTIFIED ONE-TIME EXPENSE UNMET FINANCIAL NEEDS**

## RECOMMENDATION

It is recommended, following staff presentation and opportunity for public comments, the City Council provide staff with general policy direction to narrow its interest in further staff research and refined quotes on the organization's identification of unmet financial needs in City public facilities, infrastructures, and capital equipment using a portion or all of the \$389,895 in excess General Fund monies from the conclusion of FY 2015-15.

## BACKGROUND

Concurrent with the receipt of a "clean" opinion from the City's independent auditing firm of Cropper Accountancy Corporation, the City learned that Fiscal Year 2014-15 ended its operations and expenses with a cash excess of \$389,895 in General Fund monies. The City's General Fund balance is now at \$5,538,632 with an unassigned balance of \$4,509,255 (which amount includes the \$389,895 under discussion). With the General Fund primarily shouldering the bulk of essential public services to our community and for the operations of the municipality (e.g. personnel services), it is often difficult to incorporate larger ticket items into the annual budget while maintaining the City Council's policy of producing an annually-balanced budget. Therefore, the General Fund reserve is multi-purpose in its function as the City's "savings" account, not only for emergency and disaster purposes but also to underwrite one-time expenditure items that are merely too large or non-repetitive to tuck into a balanced budget.

Recognizing this principle, the City Council in August 2006 established a new "Deferred Maintenance Fund" using \$350,000 in excess General Fund monies from the conclusion of its FY 2007-08 City Budget. Over the years, that Fund was used to perform a variety of public facility and one-time expense needs of the City that would otherwise have been left unattended (e.g. new carpet/paint in Hoyer Hall in 2010; hand-dryers in public restrooms; rehabbed pathway at Lydia Lane Park; North Valley Park drainage system; rehabbed Community Park shade structures, new benches and new asphalt pathways; additional

concrete work in the City Hall courtyard; new curtains, chairs and exterior fence at Endeavor Hall).

### **FY 2014-15 GENERAL FUND EXCESS**

At its public meeting on 02 November 2015, in conjunction with the presentation of the Audited Financial Statements, the City Council received and commented briefly on the inclusion of a staff-generated list of potential one-time expenditures for consideration relative to the \$389,895 in General Fund net excess monies. Members of the City Council expressed interest in discussing these identified unmet needs in greater detail and requested staff agendize this discussion at its next public meeting. In the interim, staff re-circulated its initial list internally to further identify one-time expense items that may have been overlooked or should be acknowledged.

Consequently, the attached compilation (ref. Exhibit A) classifies, by City department, those recognized needs worthy of identification and potential funding, either now or in the near future. In harmony with the City's prudent fiscal policy of not creating or developing new facilities, infrastructures or organizational purchases that will obligate or consume recurring expenditures to support, the list naturally leans to maintaining or upgrading existing assets or capital equipment. To facilitate the City Council's determination of priority, items marked by an asterisk (\*) are deemed pressing for attention and priority consideration. In addition, the City Council may have one-time expense items it wishes to add to this list. This list largely contains items that are not eligible for funds from sources other than the City's General Fund (e.g. Restricted-Use Funds).

### **RECOMMENDED PROCESS**

None of the items listed are accompanied by actual quotes; the dollar amounts are merely estimates by staff at this point and are each subject to further refinement. An associated cost does represent the professional judgement of staff as to a likely ballpark figure, but actual expense is subject to further research and refinement by staff.

However, rather than staff spending time investigating each listing, it is recommended the City Council discuss and provide to staff its general policy direction as to which, if any, of the listed items should be further explored by obtaining actual quotes and vendor/contractor estimates. Staff would then complete that expense fine-tuning and return with a staff report containing the results of its efforts for consideration of earmarked funds by the City Council.

Exhibit: A. List of Potential One-Time Expense Items

POTENTIAL USES FOR FY 2014-15 GENERAL FUND NET EXCESS

CITY OF CLAYTON

17 NOVEMBER 2015

EXHIBIT A

General Fund Net Excess \$389,895.00

\* \* \* \* \*

Identified One-Time Expenditures (by City Department)

A.	City Maintenance	
	◦ F-450 Utility Truck	\$ 70,000 *
	◦ Paint and re-seal Public Restrooms at Community Park	\$ 12,000 *
	◦ Paint interior & exterior of Endeavor Hall, re-finish wood flooring (2009), and re-seal patio concrete (2005)	\$ 19,000 *
	◦ New carpet and re-paint interior of Clayton Library (20 yrs.)	\$ 115,000 *
	◦ New trash cans, BBQs and Knack Boxes at Community Park	\$ 20,000 *
	◦ Re-install copper wiring (theft) on Community Park pathway between upper and lower sports fields, plus lighting controller	\$ 17,000
	◦ Trim trees at Community Park	\$ 30,000
	◦ Replace resilient play surface at North Valley Park (16 yrs.)	\$ 16,000
	◦ Tree replacement at North Valley Park (20 trees @ \$500)	\$ 10,000
	◦ Carport in City Corporation Yard (for new tractor, etc.)	\$ 10,000
	◦ Mini-Excavator (on traks)	\$ 50,000
	◦ Replace wood street light poles with metal ones (City-owned)	\$ 250,000 *
	◦ Install solar power equipment to run Clayton Fountain	\$ unk
B.	Police Department	
	◦ Police Carport (side yard of City Hall)	\$ 50,000
	◦ Funds for Training Day of entire PD (on same day)	unk
	◦ Replace PD tasers (11)	\$ 28,000
C.	Community Development (Planning)	
	◦ Update City Noise Element	\$ 40,000
	◦ Restore Keller Ranch outbuildings	\$ 80,000
	◦ Comprehensive update of City General Plan	\$ 400,000
D.	Department-wide Technology and Records Storage *	
	◦ New interactive City Website	\$ unk
	◦ Electronic Records Management System (laserfiche) (quote of \$10,000 to convert 20 boxes; 120+ boxes)	\$ 100,000 (a start) *
	◦ Searchable Online City Municipal Code	\$ unk
	◦ Geographic Information System (GIS)	\$ unk