

**MINUTES**  
**OF THE**  
**REGULAR MEETING**  
**CLAYTON CITY COUNCIL**  
**TUESDAY, May 1, 2018**

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Haydon in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Haydon, Vice Mayor Shuey and Councilmembers Catalano, Diaz 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 Haydon.

3. **CONSENT CALENDAR**

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

- (a) Approved the minutes of the City Council’s regular meeting of April 17, 2018.
- (b) Approved the Financial Demands and Obligations of the City.
- (c) Authorized the initiation of the internal City process for state-mandated biennial review of the City’s Conflict of Interest Code.
- (d) Authorized a City letter to Governor Brown and state legislators supporting a coalition of California’s fire services’ request for \$100 million in FY 2018-19 State Budget funds to the Office of Emergency Services (OES) to pre-position and strengthen swifter disaster response teams.

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Certificates of Recognition to public school students selected for exemplifying the “Do the Right Thing” character trait of “Integrity” during March – April 2018.

Mayor Haydon, Mt. Diablo Elementary School Vice Principal Joe Bruno and fourth grade teachers Mrs. Carcamo and Ms. Fail presented Certificates to students Marco Tredinnick and Madison Bautista.

Mayor Haydon and Diablo View Middle School Principal Patti Bannister presented Certificates to students Lily Wilcox and Logan Gonzales.

As no student selected by Clayton Valley Charter High School was present to receive Certificates of Recognition, Mayor Haydon requested City staff to contact the school and try to reschedule the recognition to a subsequent City Council meeting.

## 5. **REPORTS**

- (a) Planning Commission – Commissioner William Gall indicated the Commission’s agenda at its meeting of April 24, 2018 included the consideration of a Site Plan Review Permit to allow the construction of a single-story garage addition measuring approximately 700 square feet in area and 14 feet in height on an existing split-level single-family residence located at 5859 Clayton Road. This item was unanimously approved.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff –

City Manager Napper announced the City’s prospective developer of the large vacant lot downtown, Fulcrum Development Group, is in the process of submitting its plans for review by staff. As part of its agreement with the City, Fulcrum held its first public community meeting on April 11th, and plans to hold its second community meeting on May 23rd in Hoyer Hall at 7:00 p.m. He noted this is a great opportunity for citizens to come out and put what they have heard in the community together with what they can see the developer is proposing, and also provide input directly to the developer regarding any concerns they may have. Ultimately, once the plans are submitted and reviewed by City staff, the proposal will be presented to the Planning Commission, and finally the City Council for approval. He added attendance at these community meetings by a city council member or planning commissioner is not recommended as doing so could influence one’s bias for or against the project before it officially comes to them on a public agenda.

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

Councilmember Catalano attended the Clayton Cleans Up! event, the Clayton Business and Community Association General Membership meeting, the Clayton Business and Community Association scholarship interviews, the Clayton Business and Community Association’s Art and Wine Festival, and announced the Mt. Diablo Elementary Children’s Theater Group’s production of “Willy Wonka and the Chocolate Factory,” directed by Sarah Wilcox, will take place on May 3<sup>rd</sup> and 4<sup>th</sup> at 7:00 p.m.

Vice Mayor Shuey attend the Clayton Business and Community Association’s Art and Wine Festival, and attended Clayton Valley Charter High School Board meetings.

Councilmember Pierce attended the Contra Costa Transportation Authority Board meeting, the Bay Area Regional Collaborative meeting, the Clayton Cleans Up! event, the Metropolitan Transportation Committee meeting, and the Clayton Business and Community Association’s Art and Wine Festival. Councilmember Pierce also announced the Clayton Historical Society’s annual Clayton Gardens Tour takes place on May 5<sup>th</sup> and 6<sup>th</sup>, and the first Concert in The Grove featuring “Plan B” takes place on Saturday, May 12<sup>th</sup> from 6:00 p.m. to 8:30 p.m. She advised patron hats are still available with a \$200.00 donation to the Concerts in The Grove.

Mayor Haydon thanked Councilmember Jim Diaz for chairing the Clayton Business and Community Association’s Art and Wine committee this year.

Councilmember Diaz attended the Clayton Cleans Up! event, the Clayton Business and Community Association General Membership meeting, and he met the new Oakhurst Country Club General Manager, Michael Clark. Councilmember Diaz thanked the many volunteers who helped with the Clayton Business and Community Association’s Art and Wine Festival; he specifically recognized Councilmember Tuija Catalano who

coordinated all of the adult volunteers, Marcy Bussey for arranging the student volunteers to clean up after the event, and Councilmember Pierce who was out early providing coffee, sweet rolls and fruit for the vendors and volunteers.

Mayor Haydon attended the County Connection Board of Directors meeting, the Clayton Cleans Up! event, the East Contra Costa Habitat Conservancy Board meeting, the Clayton Business and Community Association BBQ Cook-Off committee meeting, spoke at the Blue Star Moms dedication of a memorial to Major James Ahern at Clayton Valley Charter High School, went on the Save Mount Diablo Four Days Diablo hike, the Clayton Business and Community Association's Art and Wine Festival, the Lafayette War Veterans' dedication of a memorial that identified twenty-two (22) fallen heroes in Contra Costa County since 9/11, and a Central County Mayors Committee meeting consisting of the four (4) mayors from Walnut Creek, Concord, Martinez and Clayton. Mayor Haydon also shared an informational flyer regarding Prop 68 with the Councilmembers, as requested by East Contra Costa County Habitat Conservancy.

(e) Other – None.

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

Ann Stanaway, 1553 Haviland Court, reiterated previous comments about the City having no regard for public health and safety in the community, and urged it discontinue its use of Roundup in the parks as it contains carcinogens.

7. **PUBLIC HEARINGS** – None.

## 8. **ACTION ITEMS**

(a) Consider the Second Reading and Adoption of Ordinance No. 481 amending Chapter 8.14 (regulation of Smoking) of the *Clayton Municipal Code*.  
(Community Development Director)

Community Development Director Mindy Gentry advised this item is the second reading of an Ordinance to amend the City's smoking regulations, noting at the April 17th City Council meeting two (2) changes were made to the proposed Ordinance to allow smoking on public sidewalks and remove the staff-proposed 25' no smoking zone around The Grove Park.

Mayor Haydon opened the matter for public comments; no comments were offered.

**It was moved by Councilmember Pierce, seconded by Councilmember Catalano, to have the City Clerk read Ordinance No. 481, by title and number only and waive further reading. (Passed; 5-0 vote).**

The City Clerk read Ordinance No. 481 by title and number only.

**It was moved by Councilmember Pierce, seconded by Councilmember Catalano, to adopt Ordinance No. 481 with the finding its adoption is not a project under CEQA and it will not have a significant adverse effect on the environment and therefore is exempt under CEQA. (Passed; 5-0 vote).**

9. **COUNCIL ITEMS** – limited to requests and directives for future meetings.  
None.

10. **CLOSED SESSION**

Mayor Haydon announced the City Council will adjourn into Closed Session for the following noticed item (7:33 p.m.):

- (a) *Government Code Section 54957.6*, Conference with Labor Negotiator  
Instructions to City-designated labor negotiator: City Manager  
Employee Organization: Clayton Police Officers' Association (CPOA)

Report out from Closed Session (8:54 p.m.):

Mayor Haydon reported the City Council received information from and provided policy directions to its labor negotiator. There is no public action to report.

11. **ADJOURNMENT**– on call by Mayor Haydon, the City Council adjourned its meeting at 8:55 p.m.

The next regularly scheduled meeting of the City Council is May 15, 2018.

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Respectfully submitted,



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Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

  
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Keith Haydon, Mayor

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