

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

TUESDAY, March 6, 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, Police Chief Elise Warren, Maintenance Supervisor Mark Janney, and City Clerk/HR Manager Janet Brown.

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

3. **CONSENT CALENDAR**

Mayor Haydon indicated a member of the public wished to speak on two Consent Calendar items.

Ann Stanaway, 1553 Haviland Place, noted Item 3(c) is an initiative much overdue and hopes the landscaping committee will be able to implement sustainable development policies in Clayton. She also commented about Item 3(d) as to how Clayton will actually keep its commitment that is inferred by this initiative given the City's lack of appetite to enforce public safety ordinances.

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

- (a) Approved the minutes of the City Council's regular meeting of February 20, 2018.
- (b) Approved the Financial Demands and Obligations of the City.
- (c) Adopted Resolution No. 6-2018 supporting Proposition 68 on the June 2018 statewide ballot: the "California Drought Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018."
- (d) Adopted Resolution No. 7-2018 supporting the "Reducing Crime and Keeping California Safe Act of 2018" ballot initiative.
- (e) Adopted Resolution No. 8-2018 appointing Ted Sudderth, Doris Ward, and William Wiggins to the Trails and Landscaping Citizens Advisory Committee for the terms of office to expire December 31, 2018.

Mayor Haydon noted on Item 3(a) there is a typo on page three (3) of the February 20, 2018 minutes; he also announced with the passage of Item 3(e) the Council just appointed three (3) new members to its Trails and Landscaping Committee: Ted Sudderth, Doris Ward, and William Wiggins.

4. RECOGNITIONS AND PRESENTATIONS

- (a) Recognition of retiring Clayton Police Officer Allen White in appreciation for his local law enforcement services to the Clayton community from August 2000 through February 2018.

Mayor Haydon presented Allen White, former Clayton Police Officer, with a plaque in appreciation for his valued civic service to the Clayton community. Mayor Haydon also read the last dispatch on Officer White that went out on his last day of employment as he thought it was a very fitting tribute and he wanted to share it publicly. Mr. White remarked he was with the City over seventeen (17) years and has enjoyed his time and community aspect here. He looks forward to his next endeavor with Contra Costa County Animal Services.

- (b) Certificates of Recognition to Clayton Valley Charter High School students for exemplifying the “Do the Right Thing” character trait of “Kindness” during the months of November and December 2017.

Mayor Haydon and Clayton Valley Charter High School Academic Advisor (9th grade) Bob Ralston presented a Certificate to student Zack Storn. Mayor Haydon also gave him certificates of recognition from State Senator Steve Glazer and Assemblymember Tim Grayson offices. Student Henry Smith was not able to make the presentation this evening and the certificates were given to Mr. Ralston to give to him.

- (c) Certificates of Recognition to public school students for exemplifying the “Do the Right Thing” character trait of “Self-Discipline” during the months of January and February 2018.

Mayor Haydon and Mt. Diablo Elementary School Principal Dawn Edwards and third grade teacher Ms. Aimee Grispo presented a Certificate to student Delainey Brady.

Mayor Haydon and Diablo View Middle School Principal Patti Bannister and Ms. Laura Ploetz presented Certificates to students Alexander Akl and Laine Moraes.

Mayor Haydon and Clayton Valley Charter High School Academic Advisor (9th grade) Bob Ralston presented a Certificate to student Max Keil. Student Margret York was unable to attend this evening and Mr. Ralston took the Certificate to be given to her.

- (d) Issuance of a Proclamation declaring March 2018 as “American Red Cross Month” in the City of Clayton.

Mayor Haydon read and presented the proclamation to David Hofmann and Paul Adler from the local chapter of the American Red Cross. Mr. Hofmann provided some statistics specific to Contra Costa County Red Cross volunteers and their service hours to recent disasters in the region.

5. REPORTS

- (a) Planning Commission – Commissioner Peter Cloven indicated the Commission’s agenda at its meeting of February 27, 2018 included a Site Plan Review permit located at 121 Oak Court for the addition of approximately 1,080 square feet. This item was unanimously approved.

(b) Trails and Landscaping Committee – No meeting held.

(c) City Manager/Staff –

City Manager Napper reported with the advance known departure of Officer White, a new police officer started this week. Officer Torrey Jarvis' employment keeps the Clayton Police force fully staffed.

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

Councilmember Catalano attended the Clayton Library Foundation's meeting and announced the upcoming Creekside Arts event taking place on March 23 through 25, 2018. Councilmember Catalano also announced she is Chair of the Clayton Business and Community Association Scholarship Committee noting student applications are available on the CBCA website and due by April 2, 2018.

Vice Mayor Shuey indicated "No Report".

Councilmember Pierce attended a tour of the North Bay fires aftermath with Metropolitan Transportation Commission; she also attended the California Transportation Foundation Awards, two Contra Costa Transportation Authority Board meetings, and four Metropolitan Transportation Commission's committee and Board meetings.

Councilmember Diaz attended the Contra Costa Fire Protection District's 51st Academy Graduation, and he announced the Clayton Business and Community Association's annual Art & Wine Festival scheduled for April 28 and 29, 2018.

Mayor Haydon attended the Clayton Business and Community Association's general membership meeting, the Contra Costa County Fire Protection District's 51st Academy Graduation, the Cub Scout Troop 262 Blue and Gold Banquet, the Contra Costa Habitat Conservancy Board meeting, the Contra Costa County Mayors' Conference, and was a judge at the annual Chili cook-off hosted by the Clayton Club Saloon.

(e) Other – None.

6. PUBLIC COMMENT ON NON - AGENDA ITEMS

Tamara Steiner, Clayton Pioneer, announced the Clayton Cleans Up! Event will still be taking place on the Saturday of the week prior to Clayton Business and Community Association's annual Art and Wine event [April 21, 2018].

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS

(a) Consider an independent safety inspection report on the existing North Valley Park playground and surrounding areas, and provide direction to staff regarding the extent of improvements to the park's resilient play surface, new playground apparatus, sheltered picnic canopies, and shade trees. (ref. North Valley Park Rehabilitation Project - CIP No. 10442)
(Maintenance Supervisor)

Maintenance Supervisor Mark Janney presented the staff report noting at the City Council meeting of January 16, staff was directed to provide more research on a few items:

a. Determine through independent inspection if the existing North Valley Park playground equipment still has useful life and if so, could replacement equipment still be purchased or repaired as needed.

He noted staff hired Borrecco/Kilian & Associates to conduct an independent inspection of the existing equipment and play area. After inspection Mr. Kilian provided a written report noting entanglement issues on three slides, various cracking, various protrusions, corrosion, apparatus steps that are not evenly spaced creating hazards, and ADA issues. Staff contacted Miracle, the manufacturer of the existing equipment, and found parts can be retrofitted; however, a concern is once the deteriorated rubber play surface is removed for replacement, the underlying play equipment metal supports may have corrosion which would necessitate replacement. It is Mr. Kilian's professional independent opinion to replace the entire play structure now with new equipment as replacement parts can be equally as expensive.

b. A cost estimate to install sunshade sails over the playground equipment.

Staff requested estimates for the installation of a sunshade sail and responding quotes ranged between \$43,000 to \$48,000, including the sunshade structure, freight, engineering and installation. The sunshade structure is rated at 90 mph winds.

c. Is there a nearby park that could be visited with the proposed playground installed, as shown in the third option presented to the City Council at its January 16 meeting.

Staff contacted the sales representative for playground option 3 and found this was a design rendering that was created for a client; however the company has no records if it was ever built and installed.

d. Installation of shade structures over the two existing picnic tables similar to those at Clayton Community Park, and shade trees.

Mr. Janney advised new playground equipment and picnic shade structures would be \$140,000 - \$186,400. There could also be an additional expense of \$8,000 to \$15,000 to address ADA access concerns noted in the inspection report. There is \$59,000 earmarked for tree plantings that may be used for the twenty to twenty five shade trees to be planted at North Valley Park.

Vice Mayor Shuey inquired if there is any piece of the existing equipment that is in need of replacement? Mr. Janney responded the three (3) slides and the decking where the stairs vary in height are in need of replacement. Vice Mayor Shuey asked if there have been any complaints about the condition of the existing equipment. Mr. Janney responded not to his knowledge.

City Manager Gary Napper added in the inspection findings there are entanglement issues and overlapping spill zone concerns with the current placement of the existing slides. Mr. Janney concurred and commented if two kids were using each slide at the same time, there could be a collision in the current spill zone.

Councilmember Pierce commented it appears from the report the sunshade structure is made of fabric and mounted on four (4) posts; she asked if there was any thought given to the installation of an all-weather metal shade structure instead of the fabric?

Mr. Janney responded he did not price out a metal shade structure over the play equipment but believed the costs of engineering and installation would be similar.

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

Vice Mayor Shuey expressed disagreement with the inspector's report regarding the spill zones at the slides as it was compliant when it was installed. He acknowledged the rubber play surface is in need of replacement; but now, because we are government and have a safety inspection report, the play structure also needs replacement. He preferred Option 2 as it is closest to the original design. He further advised he is no longer interested in the sunshade structure as it is too expensive.

Councilmember Pierce added the cost to replace the play structure will more than likely be less than retrofitting pieces together; she also preferred playground structure Option 2. She indicated it would be ideal to install some fast-growing shade trees near the play structure to sooner offer shade.

Councilmember Catalano inquired on the life expectancy of new rubber play surface, and expressed preference for playground structure Option 2. Mr. Janney responded new play surface lasts approximately 8-10 years.

City Manager Napper commented during the last twenty-five (25) years since the North Valley play equipment was manufactured, safety codes have changed regarding playground structures.

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to authorize the scope of improvements at North Valley Park to consist of Option 2 playground equipment, replacement of the rubber play surface, the addition of shade structures over the two (2) existing picnic areas, and the addition of fast-growing trees near the play structure. (Passed; 5-0 vote).

- (b) Consider a proposal by Clayton Valley Little League (CVLL) for a partnership with the City involving designation of Clayton Community Park as its home fields to include CVLL in-kind maintenance, in-park storage, and a permanent batting cage location.
(Vice Mayor Shuey)

Vice Mayor Shuey announced at this point he will be recusing himself upon the advice of legal counsel. He doesn't think there is actual conflict, however he will work with the City Attorney to obtain an FPPC ruling in that regard to make sure prior to going through the process which he believed with result in allowing his participation; if he can't; it can muck up the works. Vice Mayor Shuey noted members of the Clayton Valley Little League Board are present this evening to provide the presentation.

City Attorney Subramanian clarified this recusal is because Vice Mayor Shuey is on the Clayton Valley Little League Board of Directors and this item may result in a future agreement with the Little League.

[Vice Mayor Shuey left the Council Chambers at 8:03 p.m.]

Joe Knapp, President of Clayton Valley Little League's Board of Directors, proposed a potential opportunity for the City of Clayton and Clayton Valley Little League to work together to improve Community Park for its home fields. He noted a number of alternative options they had been exploring became exhausted, such as the Cemex Quarry, and Clayton Valley Charter High School has become unavailable for use by

Clayton Valley Little League. They are in search of, and looking into turning Clayton Community Park into its home fields. Currently, Clayton Valley Little League is unable to host All Stars or Tournament of Champions events as it does not have a home field. Mr. Knapp displayed a PowerPoint picture indicating potential improvements that could be completed in phases, with the most important one on Clayton Community Park Field 1 of moving home plate backwards by 20 feet, closer to the backstop, to allow the addition of two additional baseball fields on Field 1, and add two new T-Ball fields on Clayton Community Park Field 4.

Mayor Haydon inquired if this potential project has been broken down into phases yet? Mr. Knapp advised the phases have not been broken down yet as this is just a proposal to see if the City Council would be interested in pursuing a partnership.

Mr. Knapp noted the addition of a snack shack on Field 1 could be a great source of income for the League, plus the addition of two batting cages by adding a fence which could be funded by Clayton Valley Little League and used during practice for individuals. The addition of lighting is also proposed on Clayton Community Park Fields 2 and 3. Mr. Knapp acknowledged Fields 2 and 3 are also being used by soccer but believed the proposed improvements would not interfere with one another.

Councilmember Catalano noted the soccer league no longer use the fields, however private groups are. Mr. Knapp confirmed that is correct as the condition of the fields have been a problem with the ground squirrels. Councilmember Catalano inquired on who the property owner is of Field 4? City Manager Napper responded the City owns most of Field 4 with a narrow section closest to the gymnasium under the ownership of Mt. Diablo Unified School District.

Mr. Knapp further advised the need of additional parking stalls on the asphalt located on the park's drive.

Mayor Haydon inquired on the type of partnership Clayton Valley Little League is seeking with the City? Mr. Knapp responded it would create more people coming to the City during All Stars games and Tournament of Champions; having them come to our park facility creates revenue opportunities for the downtown businesses. CVLL would diligently help maintain the fields by filling in potholes and take better care of that space.

Mayor Haydon further inquired if they were looking for the City to fund or assist with the actual construction or redesign of the fields and then the League would take over maintenance? Mr. Knapp indicated they would not be able to take over sole maintenance of the fields but give it attention by assisting with its maintenance.

Councilmember Catalano mentioned another group has been fundraising at the elementary school to install a track, soccer field and is unsure if they are also looking into baseball or softball fields. Mr. Knapp advised he is also involved in that group and advised the baseball field will still be there however the synthetic turf originally proposed is going to traditional grass.

Councilmember Catalano stated the proposed elementary school ballfields still does not seem to be enough for CVLL's needs. Mr. Knapp indicated the elementary school field would be in conjunction with Clayton Community Park and there may be an additional need of using Highlands Elementary School fields as well to house six different baseball divisions, three softball divisions, and close to 600 kids to accommodate practice and game times. He added Antioch has an awesome facility with scorekeeper booths.

Mayor Haydon asked if the Little League is able to assist with funding. Mr. Knapp advised the Little League has been fundraising and have some funds available that can be used toward this purpose. He estimated the cost to re-design Field 1 would be somewhere around \$200,000.

Mr. Knapp continued his presentation noting additional storage is needed and thought with the construction of scorekeeper's booths there could be storage space underneath the elevated platform, thereby eliminating the old Knapp Boxes currently being used.

Councilmember Catalano inquired what is the primary season of baseball/softball? Mr. Knapp responded the season typically begins in January and goes until June or July.

Councilmember Pierce understands there is an issue in needing to find additional storage and the need to move the containers currently being used for storage from their current location for use by the Little League. Councilmember Pierce indicated she walked the park today looking for site opportunities, and understands the need for the scorekeepers' booth as long as it is done aesthetically well. Councilmember Pierce found on Field 2 near the dugout and end of the infield area there is an existing foul ball fence and she suggested a storage container could be placed there with cladding the steel containers by enclosing them in a way that fits into the surroundings.

Councilmember Catalano inquired on the wild boars that have been on the upper fields in years past and if any thought went into doing something to prevent this from occurring in the future? Councilmember Pierce added that is a risk as we have experienced wild boars can get through and around fences.

City Manager Napper noted there are logistical issues needing to be determined. The City obtained quotes a few years ago to re-do Clayton Community Park Field 1 with turf and at that time the quote was approximately \$100,000 just to replace the existing grass; when skinning turf to re-configure infields irrigation lines will also need reconfiguration; installation of a retaining wall would need to be installed along the proposed additional parking area due to adjacent hillside slope; and consideration also needs to revolve around the Fair Play Act for field access by both men and woman.

City Manager Napper understands this proposal is to occur in phases but deal points are needed and it sounds like Little League prefers to assist the City to do this; he thinks some phases and functions could be introduced more easily than others. Consideration also needs to be determined what the financial partnership might be or quid pro quo might be, such as CVLL maintenance of what: are there expectations, if more fields are skinned, what about extra infield dirt and other things? Does it mean CVLL is looking for higher levels of field maintenance services from the City through this proposal? Or will the new fields bring that differential to the table? Is there any expectant offset in City rental fees for the improved fields? First off, the City needs some written deal points to get an idea of what Little League has in mind. Secondly, does the City Council want staff to work with Clayton Valley Little League, in addition to that of a sub-committee appointed of Councilmembers involved to watch and guide this a little bit? Community Park is the public's fields and as the elected officials did it wish to assist in guiding this proposal, as a sounding board and to resolve differences in viewpoints?

Mayor Haydon opened the item to public comment.

Allen Lampo asked if the three main fields that Little League wants to work on, pushing one back twenty feet, how is that going to affect its current use by Diablo View Middle School? Will it affect them negatively? Mr. Knapp responded it should not affect the

fields' current use as Field 1 will be used by the senior division but is currently configured more like a major league field.

Mike Lauricella, Clayton Valley Little League, added the League needs these types of ballfields; he has been around the other leagues in the District 4 region, which region includes Oakland to Brentwood, and they have excellent fields. Some of the local economy will benefit as beginning in June to the end of July, as District 4 hosts a district wide Tournament of Champions and All Star games and home fields of all the leagues hosts games which brings people from all around to these home fields and gives them the opportunity to see what Clayton can provide.

Councilmember Pierce commented the proposal of Clayton Valley Little League is a great opportunity and vision for Clayton Community Park; with the help of a Council Sub-Committee, city manager, maintenance and engineering, this vision could be viable.

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to authorize the formation of a Council sub-committee of Councilmember Pierce and Councilmember Catalano to work with Clayton Valley Little League and City staff on the vision of Clayton Community Park. (Passed; 4-0 vote).

9. **COUNCIL ITEMS** – None.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Haydon, the City Council adjourned its meeting at 8:38 p.m.

The next regularly scheduled meeting of the City Council will be March 20, 2018.

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Keith Haydon, Mayor

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