

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

**TUESDAY, May 2, 2017**

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Diaz in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Diaz, Vice Mayor Haydon and Councilmembers Pierce and Shuey. Councilmembers absent: Councilmember Catalano. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, and City Clerk/HR Manager Janet Brown.
  
2. **PRESENTATION OF THE COLORS AND PLEDGE OF ALLEGIANCE**  
Led by Scouts from Troop 262, Mt. Diablo Silverado Council, Boy Scouts of America.
  
3. **CONSENT CALENDAR**  
**It was moved by Vice Mayor Haydon, seconded by Councilmember Pierce, to approve the Consent Calendar as submitted. (Passed; 4-0 vote).**
  - (a) Information Only – No action taken.
    1. Notification to Clayton real property owners of a City of Concord annual sewer service charge increase effective July 1, 2017 (8.96% increase to \$547/year for a single-family dwelling) for real property sewer services and maintenance, repair and operation of Clayton’s municipal sewer system.
  - (b) Approved the minutes of the City Council’s regular meeting of April 18, 2017.
  - (c) Approved the Financial Demands and Obligations of the City.
  - (d) Adopted Resolution No. 11-2017 directing the preparation of an Engineer’s Report for calculation of the annual real property tax assessments in FY 2017-18 for the Diablo Estates at Clayton Benefit Assessment District (BAD).
  - (e) Approved a one-year low-bid award of contract to Waraner Brothers Tree Service in the amount of \$49,000 for performance of the 2017 Annual Weed Abatement Program for fire hazards on City-owned real properties (funded by the Citywide Landscape Maintenance District, CFD 2007-1), and allocated \$4,000 from the District’s reserve to underwrite the service contract.
  - (f) Approved a Second Amendment to a Tolling Agreement extending the limitations period to November 8, 2017 for the filing of a legal challenge by West Coast Homebuilders, Inc., regarding a final map for the Oak Creek Canyon residential subdivision project (SUBD.6826).
  - (g) Accepted the City’s Investment Portfolio Report for the Third Quarter of FY 2016-17 ending March 31, 2017.

#### **4. RECOGNITIONS AND PRESENTATIONS**

- (a) Oath of Office by newly-appointed Clayton City Treasurer, Ross “Hank” Stratford.

The Oath of Office by appointed City Treasurer, Ross E. “Hank” Stratford, was administered by City Clerk Janet Brown.

Mayor Diaz presented Mr. Stratford with a Certificate of Appointment. Mr. Stratford thanked the City Council for its confidence in appointing him as City Treasurer and looks forward to serving the Clayton community in this new capacity.

- (b) Presentation by the Mt. Diablo Silverado Council, Boy Scouts of America, regarding the status of Scouting in Clayton (Arnel Jaime, District Executive).

Several Boy Scouts from Troop 262, Mt. Diablo Silverado Council, provided verbal reports on the amount and extent of scouting within the city of Clayton. Various Scouts offered brief presentations about the history, ranks, activities and volunteer service hours provided by Scouts to the Clayton community. The City Council was presented with a plaque denoting 5,187 community hours expended on Eagle Scout and Service Projects for this community during 2014 - 2016.

- (c) Certificates of Recognition to public school students selected for exemplifying the “Do the Right Thing” character trait of “Integrity” during March - April 2017.

Mayor Diaz and Mt. Diablo Elementary School fourth grade teacher Kristen Burkhardt presented a certificate to student Grady Rose.

Mayor Diaz and Diablo View Middle School Principal Patti Bannister presented certificates to students Lilian Ryan and Alyson Spitzer.

- (d) Report by Peggie Howell, President of the Board of Trustees of the Contra Costa Mosquito Vector Control District and the City of Clayton’s representative.

Peggie Howell, President of the Board of Trustees of the Contra Costa Mosquito Vector Control District, is Clayton’s representative on the Board for 9 years and is a 25 year resident of Clayton. Ms. Howell’s background includes academic training with Master in Science and a degree in medical microbiology, she spent various aspects of her career in clinical laboratory science and public health is a passion. Ms. Howell offered a basic report of the services provided by the Contra Costa Mosquito Vector Control District noting its funding comes through property tax revenues and benefit assessment charges. Ms. Howell advised the District is on track for 2016-2017 to end the year over budget on revenue and under budget on expenses. Prior to the economic downturn in 2008, the District set aside a healthy reserve and has been able to continue vital services without increasing the benefit assessments paid by taxpayers; excess funds are invested in the Local Agency Investment Fund.

Ms. Howell provided a current status on vector control noting two (2) species of mosquito are found in Contra Costa County which carry the West Nile virus. The District has traps placed around the county collecting the mosquitos weekly, and then identifies the species and tests for viruses. The trap located in Clayton is at Ms. Howell’s residence. The District also maintains sentry chickens and tracks and collects dead bird (ravens and blue jays) for testing. In 2016, there were 442 human West Nile virus cases in California and 4 of those cases in Contra Costa County; none occurred in Clayton.

Ms. Howell concluded her report noting its current General Manager is retiring in August after 16 years of service; recruitment underway through the executive search firm Ralph Andersen and Associates. The Search Committee expects to interview screened applicants in June with a recommendation to the full board in July.

Councilmember Shuey inquired if the recent rainfalls could potentially cause a problematic year for West Nile virus? Ms. Howell advised there will be more mosquitos; however, they are not sure if the West Nile virus will be an issue as the infection rates actually went up during the drought due to little water sources so animals and mosquitos were hovering around the fewer and fewer water spots, closely packed together where infection could spread better. It is unknown what impact if any there will be this year with infections.

Councilmember Pierce suggested an article in the *Clayton Pioneer* to advise the community of the dangers of mosquitos, and with Ms. Howell being Clayton's representative and President of the Board our public might be more interested.

City Manager Napper advised a hotlink to the Contra Costa Mosquito Vector Control District website can be found on the City's website home page. Mr. Napper also thanked Ms. Howell and her staff for its responsiveness when the City has been presented with neglected swimming pools needing quick attention; the Contra Costa Vector Control District has responded in a timely fashion to assist with these types of neighborhood problem. Mr. Napper then inquired if the Mosquito District's tax rate assessment is based on a home's assessed valuation? Ms. Howell responded that is correct. She clarified the District receives funding from a Benefit Assessment District as well as assessed property taxes. The District Board is allowed to increase the Benefit Assessment District tax rate yet noted it has not done so even during the tough budget times; it is being responsible and worked to accomplish their tasks without further burdening the taxpayers. Ms. Howell added the District also handles other areas of concerns such as roof rats; technicians will come out to assess the situation, show the homeowner where the rats are getting in, and figure out why their yard is attracting them. The District controls rats in only sewers however. Ms. Howell added the Zika virus is not a problem here in that we do not have the mosquito species that carries Zika; however, the District still conducts surveillance monitoring for it.

- (e) Kickoff of Clayton's Certified Farmers' Market for 2017  
"Opening Day" is Saturday, May 13<sup>th</sup> (9:00 am – 1:00 pm, each Saturday in the Main Street public and KinderCare's parking lots)  
(Lynnette Miscione, Clayton Market Manager, PCFMA  
Shawn Lipetzky, Regional Manager, Pacific Coast Farmers' Market Association)

Ms. Miscione summarized a PowerPoint presentation on its 2016 Pacific Coast Farmers' Market Annual Report for Clayton's farmers' market and highlighted the upcoming attractions for the 2017 season. Ms. Miscione advised the relocation of the market from Diablo Street to the KinderCare parking lot was very beneficial for patrons and vendors, along with expanded advertising. She also acknowledged some of the feedback from the patrons as this season the market will be open from 9:00 a.m. to 1:00 p.m. and the vendors have doubled in size based on the demand for more of a variety of items.

Vice Mayor Haydon commented the new location is much more visible attracting more patrons. City Manager Napper wished to publicly acknowledge the cooperation of KinderCare by being very generous in allowing various community groups, including this Farmers' Market, to utilize its private parking lot creating a better venue.

**5. REPORTS**

- (a) Planning Commission – Vice Chairman Carl Wolfe indicated the Commission’s agenda at its meeting of April 25, 2017 included a proposed General Plan Amendment and Municipal Code amendment to the Land Use Element regarding determination of residential density calculations for residential parcels with sensitive land areas. Mr. Wolfe advised there were several speakers that misunderstood the purpose of the item, and once staff explained its objective the motion passed unanimously. The Commission also reviewed and has recommended to the City Council a City-initiated Ordinance amending Title 15 “Building and Construction” Chapter 15.08 – Sign Provisions, to comply with a recent U.S. Supreme Court decision and to recommend the local prohibition of mobile billboards and to incorporate other best signage practices. That item was also approved unanimously. Mr. Wolfe noted the Planning Commission’s next regular meeting is to take place on Tuesday, May 23, 2017.
- (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 Shuey attended several meetings but indicated “no report.”

Vice Mayor Haydon attended the Clayton Community Library Foundation’s Board meeting, the Clayton Cleans Up! Event, the East Contra Costa Habitat Conservancy Board meeting, the Clayton Business and Community Association’s General Membership meeting, the Clayton Business and Community Association’s Annual Art and Wine Festival, and the Clayton Valley Village’s Launch Party.

Councilmember Pierce attended the Contra Costa Transportation Authority Executive Board meeting, the Association of Bay Area Governments’ Executive Board meeting, the Bay Area Regional Collaborative meeting, the Clayton Cleans Up! Event, the Clayton Business and Community Association’s Annual Art and Wine Festival, and she announced the 4<sup>th</sup> of July Committee is seeking volunteers for its upcoming parade and the Clayton Historical Society’s Annual Garden Tour will take place on May 6<sup>th</sup> and 7<sup>th</sup>.

Mayor Diaz attended the County Connection Board meeting, the Clayton Cleans Up! Event, the Clayton Business and Community Association’s General Membership meeting, the Clayton Business and Community Association’s Annual Art and Wine Festival, and the Clayton Valley Village’s Launch Party at Endeavor Hall.

Vice Mayor Haydon added the Clayton Business and Community Association’s Annual Art and Wine festival is its largest Spring Fundraising event. Monies raised go back into the Clayton community to support schools, sports and charities.

- (e) Other – None.

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

**7. PUBLIC HEARINGS – None.**

**8. ACTION ITEMS – None.**

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

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Diaz, the City Council adjourned its meeting at 8:15 p.m.

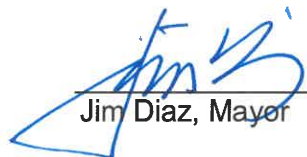
The next regularly scheduled meeting of the City Council will be May 16, 2017.

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Respectfully submitted,

  
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Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

  
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Jim Diaz, Mayor

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