

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

TUESDAY, February 3, 2009

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:07 p.m. by Mayor Pierce in the Library Community Meeting Room, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Stratford, Councilmembers Geller, Medrano, and Shuey. Staff present: City Manager Gary Napper, City Attorney Dan Adams, Finance Manager Merry Pelletier and City Clerk Laci Jackson.

2. **CLOSED SESSION** – None.

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.

Mayor Pierce stated a matter of urgency occurred after the Agenda was posted on January 30th and deals with the City's access to federal Economic Stimulus monies. Mayor Pierce requested the Urgency be placed on the Agenda as Action Item 9(c). It was moved by Councilmember Shuey, seconded by Councilmember Geller to place Item 9(c) on the Agenda as a Resolution approving the filing of a City application for federal Economic Stimulus funds (Passed; 5-0 vote).

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

(a) Approved the minutes of the regular meeting of January 20, 2009.

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

5. **RECOGNITIONS AND PRESENTATIONS** - None

6. **REPORTS**

(a) Planning Commission – Chairperson Catalano reported on the Planning Commissions January 27 meeting. The Commission conducted a Site Plan review for an addition to a home on Southbrook Drive and reviewed a minor change to an Ordinance which will come to the City Council concerning minor additions to 2nd-story single-family residences.

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

(c) City Manager - no report.

(d) City Council

Councilmember Medrano attended the orientation for new Councilmembers put on by the Contra Costa Mayors' Conference and stated it was an informative day.

Councilmember Stratford attended the Clayton Cleans Up planning meeting, and reminded citizens that April 25th is the date for the Clayton Cleans Up. He also attended the East Contra Costa Habitat Conservancy Board meeting and the Citizens Corp Council, and stated the new CERT class would begin May 4th.

Councilmember Geller worked on the sound needs for the Concerts in The Grove with Don Stone, and continued work on a "Shop Clayton First" program.

Mayor Pierce attended a meeting for the League of California Cities subcommittee on local speed limits and attended a new Mayors' meeting at the home of Vice Mayor Sue Rainey in Walnut Creek. She was also a presenter at the new Councilmembers meeting held by the Mayors' Conference.

(e) Other – None.

7. **PUBLIC COMMENT ON NON-AGENDA ITEMS**- None.

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

(a) Presentation of City's Audited Financial Statement for Fiscal Year 2007-2008 prepared by Moss, Levy and Hartziem, Certified Public Accountants.

The Finance Manager presented the staff report. She stated the Audited Financials were prepared by Moss, Levy and Hartziem as independent auditors and the report was delayed because of the auditor's and City's consultant is numbers not matching. She stated the auditors are very good and taxpayers should feel confident because they are extremely detailed. Overall, the process went fairly smooth. She stated in the City's General Fund the revenues exceeded the expenditures by \$64,000 and outlined many of the other funds. She stated the City's reserve status is very healthy because of the prudence of elected officials and staff. Due to this the City is well prepared to respond to the recent economic events.

The City has received the highest rating possible on its Audited Financial Statements for the Fiscal Year of 2007-2008, an "Unqualified Opinion" but the Auditors. The Finance Manager noted on Page 14 of the Audited Statements that..."Overall since 2001 City expenditures have increased by 21% while during the same time period the Consumer Price Index increased by 22.6%. Clearly, the City has done a great job at controlling expenses.

Councilmember Medrano asked the Finance Manager how many journal entries she has to do. The Finance Manager responded that because the City does not have an integrated cash receipts system she has do all of the journal entries. She also noted the City Treasurer reviews all of the reports and the staff tries to have a separation of duties but with the minimal level of staff positions at City Hall it is very difficult to implement.

No public comments were received.

It was moved by Councilmember Geller, seconded by Councilmember Shuey to approve the FY 2007-2008 Audited Financial Statement as submitted by the independent auditors (Passed; 5-0 vote).

- (b) Consideration of recommendation to name and sign the Clayton Community Library Meeting Room as "Hoyer Hall" after the first mayor and first lady of Clayton, Bob & Eldora Hoyer.

Mayor Pierce asked the Council to consider naming the meeting room in the Clayton Community Library in honor of Bob and Eldora Hoyer. She proposed simple letters above the entry and a small plaque in the Room itself. She stated a small recognition ceremony would be done before the March 17th City Council meeting, a day before the 45th anniversary of the incorporation of the City of Clayton.

Under Public Comment, Pete Laurence stated he agreed with the idea because the Hoyers have been involved since the Founding of the City of Clayton.

It was moved by Mayor Pierce, seconded by Councilmember Shuey to approve the recommendation to name and sign the Clayton Community Library Room as "Hoyer Hall" after Bob and Eldora Hoyer, and to have a presentation before the March 17th City Council meeting (Passed; 5-0 vote).

- (c) Consider a Resolution approving Local Support American Recovery and Reinvestment Act of 2009 (ARA) Funding and Authorizing the Filing of an Application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) Funding and Stating the Assurance to Complete the Project.

City Engineer stated the federal government is in the process of approving an economic stimulus package that would enable local agencies to apply for money to be used on special projects. The stimulus package is only open for projects which can be started very quickly, and can have contracts awarded within 90 days. The City of Clayton will be eligible for approximately \$550,000, and the design is for use as a pavement overlay project on portions of Clayton Road and Oakhurst Drive. He noted federal money could only be used for major arterials that require no significant environmental review. He asked the City Council to approve the Resolution in front of them as it is the standard Resolution required by the Metropolitan Transportation Commission (MTC) in order to move forward with the project. The MTC's requirement to have this Resolution adopted arose today.

The City Manager asked if this is the authorization for filing the application or if the project would still come back to the Council for approval of the contracts? The City Engineer stated the award of contract must still come before the City Council but the contract must be awarded within 90 days.

Mayor Pierce stated these local projects would keep people employed and money flowing into the marketplace.

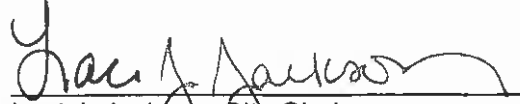
City Manager stated the City would still be moving forward with its annual streets repaving project and this federal project would be in addition to those already approved in the City Budget.

It was moved by Councilmember Geller, seconded by Vice Mayor Stratford to adopt Resolution 02-2009 (Passed; 5-0 vote).

10. COUNCIL ITEMS –None.

11. ADJOURNMENT– On call by Mayor Pierce the meeting adjourned at 7:47 p.m.

Respectfully submitted,



Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Julie K. Pierce, Mayor