

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

TUESDAY, March 17, 2009

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:02 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 (arrived at 7:50 p.m.). Staff present: City Manager Gary Napper, City Attorney Dan Adams, Community Development Director David Woltering, Assistant to the City Manager Laura Hoffmeister, and City Clerk Laci Jackson.

2. **CLOSED SESSION-** None.

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

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

(a) Approved the minutes of the regular and special meetings of March 3, 2009.

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

5. **RECOGNITIONS AND PRESENTATIONS**

(a) Mayor Pierce presented Peggy Marshbern, Red Cross, a Proclamation declaring March 2009 as “American Red Cross Month.”

(b) Presentation of the Annual Report of the Clayton Community Library Foundation (CCLF).

Joyce Atkinson, CCLF President presented the annual report and reminded the community the library was always looking for dedicated volunteers. The Library Foundation was able to raise \$57,967.57 to put back into the Clayton Community Library.

6. **REPORTS**

(a) Planning Commission – Commissioner Keith Haydon reported on the March 10th Planning Commission meeting. He stated the City Attorney gave a presentation on the Conflict of Interest Code and held a Public Hearing on the Rivulet projects Mitigated Negative Declaration.

(b) Trails and Landscaping Committee – Committee member Candace Bass reported on the March 16th meeting of the Trails and Landscaping Committee. The Committee heard an update on Measure WW, discussed the TLC column in the Clayton Pioneer, and discussed the Adopt-a-Trail program.

- (c) The City Manager reported the County Connection released a new schedule with route changes and stated new brochures were available in City Hall. He then invited Jennifer Beck from the YMCA to speak about upcoming programs.

Ms. Beck stated the YMCA was seeking community members interested in joining an advisory board. She stated the winter basketball league had concluded and registration had begun for spring programs (tee-ball, volleyball, and softball). She there was a babysitters class and a spring sports skills day coming up. She stated April 5th is the annual Easter Egg hunt and directed citizens with questions to the Mount Diablo Region YMCA website for more information (www.mdrymca.org).

- (d) City Council

Vice Mayor Stratford attended the Mayors' Conference and thanked staff for their hard work on the event. He also attended the swearing in of the newest Clayton Police Officer Todd Sorrel.

Councilmember Geller attended a meeting with the Easley family regarding possible uses of their property. He attended the candle light vigil for Raymond Casso and Budget Study Session. He thanked staff for their hard work on the budget and thanked the Maintenance department for the trash can in Westwood Park.

Mayor Pierce thanked the Police department for their hard work on the tragic death of Raymond Casso at the Post Office. She attended a candle light vigil in Raymond's honor and attended a Transportation Authority meeting. She thanked staff for their work on the Mayors' Conference, provided the Girl Scouts with a tour of City Hall, and met with local restaurant owners to discuss publicity for the Concert series.

- (e) Other – None.

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

8. **PUBLIC HEARINGS**

- (a) Public Hearing on the Chief of Police's proposed and revised expenditure of Supplemental Law Enforcement Services Funds (SLESF; restricted-use COPS Grant monies) for front-line law enforcement personnel and law enforcement capital equipment in the amount of \$100,000 for FY 2008-2009.

The Police Chief presented the staff report and recommended the Council adopt the Resolution to fund the 11th officer position, the two part time Police Services Aides, and one time expenditure for front line equipment.

Mayor Pierce opened the Public Hearing at 7:45 p.m. No comments were received and closed the Public Hearing at 7:46 p.m.

It was moved by Councilmember Medrano, seconded by Councilmember Geller to adopt Resolution 05-2009 for the use of SLESF grant monies as proposed by the Chief (Passed; 4-0 vote).

9. **ACTION ITEMS**

- (a) Consideration of a temporary reorganization of the Clayton Police Department by establishing two police corporal positions for a 12-month period only in lieu of filling the vacant police sergeant position.

The Police Chief presented the staff report and stated the purpose was to establish two temporary Corporal positions in the Police department. He stated this would help provide supervision for all three shifts along with preparing the two officers with supervisory skills for the open Sergeant position. He stated the temporary positions would allow the department to train from within with the hope of promoting one of the Corporals to a Sergeant position after a one year period. He stated this would be a good morale booster for the department and would help develop new leaders. He stated the pay would be 2% more while acting in the Corporal position which will provide the City with a slight savings over hiring a Sergeant. Once the Sergeant position is filled the corporal position would be returned to an officer position.

No public comments were received.

The Council discussed the hiring procedure for the new Sergeant position. The City manager stated the idea of this position was to produce one if not two candidates who could be promoted to the Sergeant position. He stated if that does not happen then there is always the option of opening the position to outside applicants. Lastly, the Clayton Police Officers Association is in support of this change.

It was moved by Vice Mayor Stratford, seconded by Councilmember Geller to approve the establishment of two temporary Police Corporal positions form within the Police Department for the limited 12-month time period (Passed; 5-0 vote).

- (b) Consider award of contract to either Pacific Municipal Consultants (PMC) in the amount of \$43,828 or Mintier Harnish Planning Consultants in the amount of \$55,000 for preparation of the City's updated Housing Element as required by state law; and allocation of monies from the General Plan Diagram encumbrance account and from the Low-Moderate Affordable Housing Fund of the Clayton Redevelopment Agency (RDA) to fund the selected consultant's expense.

The Community Development Director presented the staff report and stated the City is required to update its Housing Element for 2009-2014. He stated four firms had responded to the request for proposals. He stated PMC and Mintier were the two firms that provided the best overall packages. He checked the references of both firms and both were given excellent reviews. He stated it was up to the Council to choose which firm they wanted the City to work with.

No public comments were received.

The Council discussed the differences in the two proposals.

Vice Mayor Stratford and Councilmember Geller believed PMC would bring fresh eyes to the table since Mintier had developed the last two City Housing elements.

Councilmember Medrano asked if there as any way to go back to Mintier and get the cost lowered. The Community Development Director stated he gave both consultants the opportunity to modify their proposals and he believed these were the final costs.

Councilmember Shuey asked if Mintier had spent all of their contingency money in the past. The City Manager stated in the past Mintier had used its entire contingency fund. Geller- since one company has been here and done two times in the past. Might not have a fresh look. Might want a fresh look with a new company.

Mayor Pierce stated she had worked with Mintier since the 1980's on various housing elements but that having fresh eyes might help bring forward new ideas.

It was moved by Councilmember Geller, seconded by Councilmember Shuey approve the award of contract for \$43,828 to Pacific Municipal Consultants (PMC) to prepare the City's updated Housing Element and authorize the transfer of monies for this purpose (Passed; 5-0 vote).

- (c) Consider award of contract to Star Media in the amount \$88,334.97 for necessary audio & visual equipment renovations to the Council Chambers using restricted-use funds.

The City Clerk outlined the options for the upgrades and recommended the Council choose Option 2 as the project preference as presented in the staff report. She stated the new system would provide higher quality sound and visual recording capability for City Council meetings and community activities held in Hoyer Hall.

Vice Mayor Stratford asked if the suggested projector was more than the city would need. Veronica Roussel from Star Media stated the projector would be adequate for uses such as PowerPoint and was capable of doing more than the current projector.

Councilmember Shuey asked what the ongoing cost of the batteries in Option 2 would be. Ms. Roussel responded she would have to check but did not believe they cost more than \$15 each.

Assistant to the City Manager Laura Hoffmeister stated if the project was approved there would still be left over funds to help cover the cost of the county playback studio.

The Council discussed the option of purchasing an extra microphone.

Mayor Pierce stated she liked Option 1 because it would eliminate the feedback from outside sources such as police frequencies and cellular phones. Councilmember Medrano stated the interference had not been too problematic in the past and did not believe the extra cost for Option 1 was warranted.

Councilmember Shuey stated both Options 1 and 2 had different drawbacks. He stated that quelling interference was not worth the extra \$12,000 in Option 1 and he did not think it was necessary to have an extra microphone.

The Council asked staff to ensure that battery life and interference were not problematic before entering into the agreement but decided to move forward with the project as long as those problems were mitigated.

It was moved by Vice Mayor Stratford, seconded by Councilmember Medrano to authorize the City Manager to enter into an Agreement with Star Media to purchase and install broadcast and audiovisual equipment (Option 2) for Hoyer Hall for an amount not to exceed \$88,334.97 and authorize the expenditure of PEG Funds to fund these upgrades (Passed; 5-0 vote).

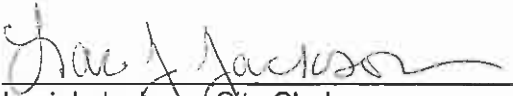
10. **COUNCIL ITEMS**

Mayor Pierce thanked staff their work in putting together the Hoyer Hall event.

She also asked staff to prepare commendations for the officers involved with the incident at the Post Office where Raymond Casso lost his life.

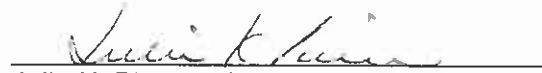
11. **ADJOURNMENT**– On call by Mayor Pierce the meeting adjourned at 8:40 p.m. in memory of Raymond Casso.

Respectfully submitted,



Laci J. Jackson, City Clerk

APPROVED BY CLAYTON CITY COUNCIL



Julie K. Pierce, Mayor