

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

TUESDAY, April 4, 2017

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:01 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 Catalano and Pierce. Councilmembers absent: Councilmember Shuey. Staff present: City Manager Gary Napper, City Attorney Alison Martinez, Community Development Director Mindy Gentry, and City Clerk/HR Manager Janet Brown.

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

3. **CONSENT CALENDAR**

Vice Mayor Haydon requested Item 3(a) be pulled from the Consent Calendar for separate discussion.

It was moved by Councilmember Pierce, seconded by Vice Mayor Haydon, to approve the Consent Calendar Items 3(b) – (d). (Passed; 4-0 vote).

- (b) Approved the minutes of the City Council's regular meeting of March 21, 2017.
- (c) Approved Financial Demands and Obligations of the City.
- (d) Adopted Resolution No 09-2017 setting the City's Equivalent Runoff Unit (ERU) real property parcel assessment rates in FY 2017-18 at current rates to pay for local storm water/clean water programs and services required by the unfunded federal and state-mandated National Pollution Discharge Elimination Systems (NPDES) Program (storm water pollution prevention).

Consent Calendar Item 3 (a) - Pulled

- (a) Information Only – No Action Requested.
1. Availability of Citizen's Guide to Local Residential Laws and Frequently Asked Questions (2017 edition).

Vice Mayor Haydon thanked City staff for putting together the Citizen's Guide as it is a very helpful pamphlet with lots of good information about the City of Clayton, and it is available for free at the Clayton Community Library and at City Hall.

Councilmember Pierce requested a modification on page twelve (12) of the Citizen's Guide under Prohibited Animals: "*Residents are prohibited from keeping bees, reptiles, livestock or fowl as pets.*" Ms. Pierce suggested striking the words "as pets" since such animals cannot be kept as commercial operations either on residential properties.

It was moved by Councilmember Pierce, seconded by Vice Mayor Haydon, to approve Consent Calendar Item 3 (a), with the modification to page 12 as noted. (Passed; 4-0 vote)

4. **RECOGNITIONS AND PRESENTATIONS** – None.

5. **REPORTS**

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff –

City Manager Gary Napper noted Ms. Alison Martinez, an Associate from our City Attorney law firm of BB&K, who is sitting in tonight as legal counsel.

He also announced the City Treasurer position appointed by the City Council is open since the City's long-term City Treasurer, Merle Hufford, recently resigned after almost twenty (20) years of voluntary service. Applications for consideration are being accepted until the final filing date of Thursday, April 13th at 5:00 p.m., and are available online at the City's website or interested parties may contact the City Clerk to have one mailed to them. Mr. Napper noted the only eligibility requirement is to be a registered voter in the City of Clayton, although some financial management or accounting experience is useful.

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

Vice Mayor Haydon attended the Creekside Arts Festival held at the Clayton Community Library, and the Clayton Business and Community Association general membership meeting.

Councilmember Catalano attended the Clayton Business and Community Association general membership meeting.

Councilmember Pierce attended three Metropolitan Transportation Commission Board meetings, the Association of Bay Area Governments' Administrative Committee meeting, the Metropolitan Transportation Commission's Planning Committee meeting, a legislative workshop with Association of Bay Area Governments' and Metropolitan Transportation Commission, and a Council of Governments meeting in Monterey.

Mayor Diaz attended the League of California Cities East Bay Division monthly meeting, the Creekside Arts Festival held at the Clayton Community Library, and the Clayton Business and Community Association general membership meeting.

- (e) Other – None.

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

Amy Hines-Shaiku, Clayton resident, requested the Clayton City Council pass a Resolution wholeheartedly endorsing California Senate Bill 54 authored by Senate President Pro Tem Kevin De Leon. She noted forty-nine years ago today, on April 4, 1968, Dr. Martin Luther King, Jr. was assassinated. He was speaking up for oppressed sanitation workers in Memphis, Tennessee at the time, although he was not a sanitation worker and he did not live in Memphis. Ms. Himes-Shaiku asked the Council to consider speaking up for persons who possibly are not like you, but maybe they are, and to advocate for people who are not in this room. The California Values Act (SB 54) is a bill that would stop state and local resources from being used to deputize local law

enforcement officers and turn them into de-facto ICE (Immigration and Customs Enforcement) agents, furthering the federal immigration agenda by taking our local resources. Ms. Hines-Shaiku asked this item for the Clayton City Council to support SB 54 be placed as an Action Item on its agenda for its next meeting on April 18th. The vote on the California Senate floor was yesterday, and our State Senator Steve Glazer voted in favor of the bill. It now moves to the State Assembly so this matter is timely and urgent to send a message that Clayton wants a “Yes” vote on SB 54. The California Values Act would also ban state and local resources from being used to facilitate the creation of a national registry based on religion. Ms. Hines-Shaiku advised her husband was raised Muslim; by asking the City Council to vote on a resolution to endorse SB 54 her family would be protected from a potential Muslim registry, and possibly everything else that could follow from a registry.

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Consider the Second Reading and Adoption of Ordinance No. 474 amending Chapter 15.02, 15.03, 15.04, 15.05, and 15.80 of the Clayton Municipal Code to implement the 2016 California Building Standards Code with local changes, additions, and deletions as allowed by state law. (ZOA-09-16)

Ms. Gentry provided a brief background of this item, noting the Ordinance was first read and introduced at the last City Council meeting of March 21, 2017 and no changes were made to the Ordinance.

Mayor Diaz opened the floor to receive public comment; no public comments were offered.

It was moved by Councilmember Pierce, seconded by Vice Mayor Haydon, to have the City Clerk read Ordinance No. 474, by title and number only and waive further reading. (Passed; 4-0 vote).

The City Clerk read Ordinance No. 474 by title and number only.

It was moved by Councilmember Pierce, seconded by Vice Mayor Haydon, to approve Ordinance No. 474 for adoption amending Chapters 15.02, 15.03, 15.04, 15.05, and 15.80 of the Clayton Municipal Code (ZOA-09-16) and adopting by reference the 2016 edition of the California Building Standards Code, including the 2016 California Building Code (Incorporating and Amending the 2015 International Building Code); the 2016 California Residential Code (Incorporating and Amending the 2015 International Residential Code); the 2016 California Green Building Standards Code; the 2016 California Existing Building Code; the 2016 California Electrical Code (Incorporating and amending the 2014 National Electrical Code); the 2016 California Plumbing Code (Incorporating and Amending the 2015 Uniform Plumbing Code); and the 2016 California Mechanical Code (Incorporating and Amending the 2015 Uniform Mechanical Code), together with changes, additions, and deletions thereto (ZOA-09-16), with the finding the action does not constitute a project under CEQA. (Passed; 4-0 vote).

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 7:21 p.m.

The next regularly scheduled meeting of the City Council will be April 18, 2017.

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Jim Diaz, Mayor

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