

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL
TUESDAY, April 3, 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, and Councilmembers Diaz and Pierce. Councilmembers absent: Vice Mayor Shuey and Councilmember Catalano. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Police Chief Elise Warren, and City Clerk/HR Manager Janet Brown.

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

3. **CONSENT CALENDAR**

It was moved by Councilmember Pierce, seconded by Councilmember Diaz, to approve the Consent Calendar as submitted. (Passed; 3-0 vote).

- (a) Approved the minutes of the City Council’s regular meeting of March 20, 2018.
- (b) Approved the Financial Demands and Obligations of the City.
- (c) Adopted Resolution No. 12-2018 approving the City’s list of local transportation improvement projects for Fiscal Year 2018-19 involving Road Maintenance and Rehabilitation Account – Local Streets and Road Funds (RMRA-LSR; SB1).

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Presentation by Margaret Romiti, Emergency & Volunteer Services Manager, Concord Police Department regarding availability of 9-1-1 Services and Emergency Notifications with Smart911.

Margaret Romiti (Emergency & Volunteer Services Manager, Concord Police Department) presented a slide show to inform the Clayton community about a new software program called RAVE Mobile Safety & Smart911. Initially, the City of Concord launched a self-service portal to its residents but it is also available to Clayton residents; the added software system enables push-out notification alerts and the creation of an individual’s profile which will pop up to the dispatch center when 9-1-1 is dialed.

Some opt-in features include emergency and disaster topics and events available in three (3) languages; additional languages may be added as needed. Ms. Romiti advised the system includes business and school locations and their facilities; with the added capability to upload maps, should officers go onto one’s property they will already have the owner’s data in their CAD systems, including phone numbers of the business and business staff numbers if included in the profile. The system also has locations of Automatic External Defibrillators (AEDs); if someone has an event dispatchers can direct citizens or officers to AED locations. The City of Concord launched this program in November; since then several outreach presentations have been conducted and they want to reach out to additional locations such as senior centers. In Concord, an

appointment can be made to enroll seniors online to register with the assistance of a volunteer. Monthly campaigns are also conducted with a goal of 1% - 4% of citizens registered.

Ms. Romiti advised Smart911 is popular software platform on the east coast at its universities where a student can log into the platform and provide notification they are leaving their classroom and provide an estimate of how long it will take to get to their car. If the student does not call, dispatch will reach out to them and put out an emergency if they do not hear back from that student. This service is free to all citizens in the cities of Concord and Clayton; citizens can include as little or as much information they choose including work or home address, additional contact numbers including emergency contact, or if it involves an elderly parent one can register them especially if they have Alzheimer's or dementia list all household residents; and make, model, color, vin number and license plate of all vehicles. It is highly encouraged to add photos of one's children and elderly at the residence to assist dispatchers and police if ever calling 9-1-1. Also, if a caller dials 9-1-1 but cannot speak, police will be able to locate them. There is also an area to register any medical issues and medications. Once information is placed into the secure system, every 6 months the subscriber will receive an email indicating the profile has expired but a link is provided to update the profile with the most current information. To enroll go to www.smart911.com to register.

Councilmember Pierce indicated this is great and asked if Smart911 integrates with the Contra Costa Alert System? Ms. Romiti advised it does not integrate with each other as the Contra Costa System is through the County Sheriff's Office and is funded by the refineries as separate system which law enforcement can use as a whole throughout Contra Costa County. However, if someone is registered in Smart911 and they visit another city or county and dial 9-1-1, their information will pop up in that dispatch center. Current participants are Brentwood, Concord, Clayton, San Ramon and San Ramon Fire.

Councilmember Pierce asked if this system works with a First Alert type of device hooked through a home alarm system. Ms. Romiti advised the two systems are not compatible.

Councilmember Pierce further inquired if an iPhone or iWatch work with the Smart911 system. Ms. Romiti advised if the device has a phone number and can be used to dial 9-1-1, the Smart911 profile will indeed pop up to the dispatchers so long they enter those phone numbers onto their Smart911 profile.

Councilmember Pierce added this system sounds much more sophisticated than the other systems out there and perhaps in the future they could all be integrated. Councilmember Pierce noted during the North Bay fires, cell phone towers went down however text messages were still able to go out as they use less bandwidth. Is this something Smart911 has the capability to do? Ms. Romiti advised Smart911 has that capability however we have not pushed that out yet; a lot of dispatch centers are getting text capability.

Mayor Haydon remarked this will be a big benefit in responding to emergency services and he encouraged residents to register.

City Manager Napper clarified that Clayton's existing contract for dispatch services through the City of Concord has already paid for this service to Clayton residents and businesses. The contract provides that when Concord acquires new or additional software or other equipment that facilitates police dispatching our City is automatically included as a funding partner under a pre-determined formula.

Mr. Napper then inquired if this Smart911 system includes the locations of AEDs within the city of Clayton? Ms. Romiti advised they have not been included at this time as they use another company for AED locations; she noted AEDs are available in the City of Concord's police vehicles.

5. **REPORTS**

(a) Planning Commission – Vice Chair Bassam Altwal indicated the Commission's agenda at its meeting of March 27, 2018 included the consideration of a Home Occupation Permit to allow an after-school home-based instruction of Mandarin, calligraphy, painting, paper cutting art, and other Chinese-themed activities to elementary school and middle school aged children. Some neighbors were concerned about additional traffic; however, the former owner of the property used the property as a church. The commission added two (2) conditions to the approval by adding anyone around the attending children must be CPR-certified and clear a background check through Live Scan. This item was unanimously approved.

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

(c) City Manager/Staff –

City Manager Napper announced a Community Meeting will take place on April 4th at 7:00 p.m. in Hoyer Hall held by the City's prospective developer, Fulcrum Development, who will share information with the community about its facility elevations and site plan map on its proposed senior care facility for the City's vacant property in Clayton's downtown. The City's commercial broker will also be in attendance to explain what he has done to outreach for potential land uses on that vacant property. The community is invited to be self-educated regarding some of the thoughts behind what might be the use on that property; at this time it is characterized as senior housing facility with a retail component at the frontage of Main Street. This senior housing is different than Diamond Terrace as it is a senior living facility; the proposed facility will be senior assisted living which is higher-care senior living with a memory care unit; the occupants will not be driving thereby limiting the amount of traffic imposed on the downtown. Many constituents may wonder why the City Council and Planning Commissioners will not be in attendance; the Planning Commission will review and recommend a decision on the project to the City Council, which would then be the ultimate determiner to approve or deny the proposed land use. Attendance by any of those City officials could influence their bias for or against the project before it officially comes to them on a public agenda.

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

Councilmember Diaz noted he assisted in the rewriting and updating of the professional examination for software systems previously talked about in the private sector capacity. He attended the 29th Annual Valley Leadership Prayer Breakfast, and attended and chaired the Clayton Business and Community Association pre-meeting for the annual Art & Wine Festival scheduled for April 28 and 29.

Councilmember Pierce attended the Contra Costa Transportation Authority Board meeting, the East Bay Division League of California Cities meeting, and attended the Redefining Mobility Summit hosted by the Contra Costa Transportation Authority and GoMentum Station.

Mayor Haydon attended the Creekside Art Festival where he presented the Peoples' Choice Award, a Clayton Business and Community Association General Membership

meeting, and the Clayton Business and Community Association BBQ cook-off planning meeting with the event taking place on July 14.

(e) Other – None.

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

7. **PUBLIC HEARINGS**

(a) Consider a report by All Out Sports League (AOSL) regarding its community recreation sports programs and participant fees at the Clayton Community Gymnasium and adjacent Community Park through existing contract with the City of Clayton.

(City Manager; and Mr. Casey Copeland, AOSL)

City Manager Napper noted the Clayton Community Gymnasium sits on land once owned by the City through the Oakhurst Development process. After the middle school was built, there was no gymnasium and this community spearheaded an effort to obtain school bond money through the state; with additional donations from the community and using some Clayton redevelopment agency funds, the gymnasium was constructed that is now used by Diablo View Middle School. As this effort was a joint construction project, the City had to gift its land to the school district as the school district could not access state school bond monies without having title of the underlying property upon which an improvement would be made.

Since the gymnasium's opening there has been a master use agreement with the Mt. Diablo Unified School District wherein when school is in session the gymnasium is for exclusive use for school purposes; however, when school is out of session, including weekends, summer and school breaks, the City as a joint funding partner of the gymnasium has the opportunity to utilize that gymnasium. Since Clayton does not have sufficient organizational resources to create a Parks and Recreation Department, the City contracted initially with the Mt. Diablo Region YMCA to run community recreation programs at the gymnasium. That program went well for a number of years when suddenly and unfortunately the YMCA became ineligible to continue its operations.

The City immediately commenced an internal examination as to which entity or private contractor could operate a base of community programs at the gymnasium and who would be willing to step forward to fill that void. Fortunately All Out Sports League (AOSL) stepped forward and has been able to keep the community recreation programs operating. The City worked out an agreement with Mr. Casey Copeland (AOSL) providing access to the gymnasium during the City's scheduled use periods and AOSL commenced operation as a pilot program to observe how effective AOSL's programs would be. After about one (1) year the City asked Mr. Copeland to continue with a multi-year operating agreement with All Out Sports League, which is an independent contractor responsible for the generation, production, operation, and community recreation programs on a user-fee basis.

City Manager Napper noted the City does not contribute any money towards the contract or its programs, and the City has no legal rights to determine fees for programs or types of classes. Mr. Copeland's AOSL has since developed a following with the gymnasium overflowing with kids of all ages and adults; the most popular program is developing future players from our community for the NBA. One

of the Council's desires during its annual goals setting session this year was to have an update from Mr. Copeland and how the AOSL programs are doing along with a review prevailing rates compared to other competitive facilities.

Mr. Copeland provided a brief history and update regarding All Out Sports League. AOSL started ten (10) years ago as a 5-person basketball camp out in Brentwood; since then participation has grown to over 2,500 since its move to the Clayton Community Gymnasium. Currently, All Out Sports League has an overall 5-star rating on Yelp. Mr. Copeland provided an update to the program offerings primarily in the Clayton gym consisting of youth basketball leagues and camps; volleyball leagues and camps; flag-football camp every summer; T-ball in the Spring; Club basketball program; drop-in basketball; and AOSL offers financial scholarships to those who in need. All Out Sports league also offers adult volleyball; softball; and drop-in volleyball. In September, All Out Sports League is launching a Junior General Manager program covering such skills as how to write a professional contract and how to create programs. This new program will be run by Mr. Richard Tomlinson, who is a Certified Public Accountant and a professional at Los Medanos Community College. All Out Sports League also holds free financial seminars for kids such as check writing and credit card debt. Mr. Copeland noted All Out Sports League also rents the facility for private birthday parties, offers free live-streaming of its games, and has youth operating the snack bar and game clocks.

Mr. Copeland advised since its opening in Clayton, AOSL's youth basketball program grew in popularity with participants between four (4) and seventeen (17) years old, and its basketball leagues are very successful based on feedback received from the community. The next most popular program is youth volleyball consisting primarily of young ladies between ten (10) and fourteen (14) years old. Currently, the youth basketball camp is running 4 days a week from 9:00 am to noon consisting of forty (40) to fifty (50) participants. In the summer, a no-cost flag football camp is offered. All Out sports League also offers an adult coed softball from spring through fall, and adult volleyball.

City Manager Napper requested Mr. Copeland to go through a pricing comparison between All Out Sports League and neighboring programs offered, and the ratio of participants. Mr. Copeland advised he conducted research on costs associated with various competing local youth basketball programs located in Walnut Creek's "Ultimate Field House," City of Concord Recreation, City of Pleasant Hill Recreation, City of Walnut Creek Recreation, Walnut Creek Youth Athletic Association, Catholic Youth Organization, in Concord "Elevate," and the City of Pittsburg's Recreation. Mr. Copeland research concluded that All Out Sports League is very comparable in pricing in youth basketball and his program includes a new uniform each time, practice times, games, and live streaming of the games to offsite parents/relatives.

Mr. Copeland advised All Out Sports League is 50% of the cost of similar programs offered through "Ultimate Field House" and "Elevate". He also advised All Out Sports League offers drop-in basketball on Sundays at a rate of \$25.00 whereas, the City of Walnut Creek charges \$88.00, Ultimate Field House charges \$60.00, and Elevate charges \$75.00.

Mr. Copeland noted AOSL offers youth recreation volleyball league at \$140.00 while the City of Walnut Creek charges \$220.00. At this time, All Out Sports League is the only organization offering youth volleyball camps at a rate of \$75.00. All Out Sports League offers youth tee ball for three (3) to four (4) year olds, which is different then Clayton Valley Little League's as it offers youth tee ball to four (4) – six (6) year olds. He also indicated his youth football camps are offered at no-cost through All Out Sports League whereas the City of Pleasant Hill charges \$75.00.

AOSL's adult volleyball is offered at \$300.00 per team; the City of Walnut Creek charges \$425.00; and the City of Pleasant Hill charges \$295.00. All Out Sports League adult softball is offered at \$50.00 per player whereas the City of Pleasant Hill charges \$70.00 per player, the City of Concord charges \$60.00 per player, and Walnut Creek Adult Softball charges \$78.00 per player. He noted drop-in volleyball and basketball are offered at typical standard rates of \$5.00.

All Out Sports League offers club basketball, called Blaze, at a rate of \$750.00 whereas other club basketball organizations charge anywhere from \$1,500.00 to \$2,000.00 per participant. The new fall Junior General Manager Program will be offered at \$100.00 per participant for an 8-week program; he is currently working on the website to get the information populated. All Out Sports League also offers birthday parties at \$250.00 including 1 hour of sports in the gym, then a party in the party room, including a host; Ultimate Field House charges \$250.00 and Elevate charges \$350.00. All Out Sports League also rents out the courts at a rate of \$65.00 per court per hour; the City of Walnut Creek charges \$80.00 per court per hour, Ultimate Field House charges \$75.00 per court per hour, and Elevate charges \$125.00 per court per hour.

Youth financial seminars are offered at no-charge

AOSL does minimal advertising and is very popular amongst participants and adults. In evaluating participant boundaries: for youth basketball league and youth volleyball league, 78%-82% of the participants come from Clayton/Concord area; 6%-8% participating from Walnut Creek; 6%-8% participants from Pittsburg; and 3% participating from Antioch.

Councilmember Diaz noted the popularity of AOSL's basketball program and asked if it was offered year round. He also wanted to know how the CYO basketball program affects All Out Sports League basketball. Mr. Copeland advised CYO basketball program season is November to the end of February and uses the gymnasium only for practices, typically Monday through Thursday from 5:00 p.m. to 8:00 p.m. CYO basketball games are played elsewhere.

Councilmember Diaz inquired on the locations used for adult softball offered through All Out Sports League. Mr. Copeland responded Field 2 at Clayton Community Park is used for adult coed softball offered during the fall season.

Councilmember Diaz inquired how many participants are in the basketball program throughout the year. Mr. Copeland replied the typical league is 300 participants; usually five divisions consisting of the Kindergarten and first graders, second & third graders, fourth & fifth graders, middle schoolers, and high schoolers. Typically it is six teams per division and ten players per team.

Councilmember Pierce added she has seen and heard from colleagues of how impressed they are with the AOSL program and "Kudos" to the quality of its coaching; standards are really high, it emphasizes sportsmanship and how to play the game and how to play fair and clean; the kids put their heart and soul into each game. Mr. Copeland indicated his goal was to set up family-based programs, being on time, organized to game and practice times and expectations of players and coaches and parents; he wants offer fairly priced programs and feels that kids are safe and they are going to learn something when involved with AOSL.

Mayor Haydon added when the initial efforts were made to raise the monies for the gymnasium we had hopes for a gym for the school's usage and after-school activities as well. What is in operation now far exceeded the expectations on the types of programs to be offered, and AOSL is very successful in giving our youth in

the Clayton Valley area a real viable option for how they can spend their time after-school. We really appreciate that. Do you anticipate any other program offerings?

Mr. Copeland responded the concept for the upcoming Junior General Manager Program came about because parents were asking for additional educational programs. At this time AOSL is not offering any other type of sports programs unless it can be squeezed into a very busy gymnasium. Recently, AOSL offered an adult whiffle ball program that went pretty well and he may bring back that program.

No action was taken on this Agenda Item – information only. Councilmembers expressed again their individual support and impressions of a very well run community recreation program by AOSL.

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

10. **CLOSED SESSION**

Mayor Haydon announced he received a speaker card for Public Comment on this item.

Ann Stanaway, 1553 Haviland Place, remarked on Clayton’s continuing lackluster enforcement of ordinances relevant to this item. She indicated this agenda item represent a golden opportunity to have the City’s labor negotiator announce the City’s dedication to provide a well-regulated workplace for its police force by enforcing Contra Costa County fire lanes within Clayton’s jurisdiction. Both the police force and the general public will benefit from fire lane protocol enforcement with Clayton’s byways cleared of illegally-parked vehicles; response times to crime scenes and calls for assistance will significantly decrease. The Clayton Police Organization will receive accolades from the public that has lately seen lawless behavior escalate significantly. The Council should take a lead in this for public safety sake and make ordinance enforcement part of the current labor contract negotiations.

Mayor Haydon announced the City Council will adjourn into Closed Session for the following noticed items (8:06 pm):

- (a) *Government Code Section 54957.6, Conference with Labor Negotiator*
Instructions to City-designated labor negotiator: City Manager
Employee Organization: Clayton Police Officers’ Association (CPOA)

Report out of Closed Session (8:56 p.m.)

Mayor Haydon reported the City Council received information from and provided policy directions to its labor negotiator. There is no public action to report.

11. **ADJOURNMENT**– on call by Mayor Haydon, the City Council adjourned its meeting at 8:57 p.m.

The next regularly scheduled meeting of the City Council will be April 17, 2018.

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Keith Haydon, Mayor

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