

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

**TUESDAY, June 5, 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, Vice Mayor Shuey and Councilmembers Catalano and Diaz. Councilmembers absent: Councilmember Pierce. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Finance Manager Kevin Mizuno, Community Development Director Mindy Gentry, City Engineer Scott Alman, and City Clerk/HR Manager Janet Brown.

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

3. **CONSENT CALENDAR**

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

- (a) Information Only – No action required.
1. Notification to Clayton real property owners of the City of Concord's annual sewer services rate increase effective July 1, 2018 (8.23% increase to \$592/year per single-family dwelling) for real property sewer services including treatment, maintenance, repair and operation of Clayton's municipal sewer system.
- (b) Approved the minutes of the City Council's regular meeting of May 15, 2018.
- (c) Approved the Financial Demands and Obligations of the City.
- (d) Approved the award of consultant contract to Economic and Planning Systems, Inc. (Oakland, CA) in the total amount of \$89,850.00 for an Affordable Housing In-Lieu Fee Study (\$47,855) and an Open Space (Active and Passive) Development Impact Fee Study (\$41,995).
- (e) Adopted Resolution No. 17-2018 approving the award of low-bid contract to VSS International in the amount of \$ 789,000.00 for the Keller Ridge Collector Street Repave Project (CIP No. 10425).
- (f) Approved a Fourth Amendment to a Tolling Agreement further extending the limitations period for the filing of a legal challenge by West Coast Homebuilders, Inc., concerning a final map for the Oak Creek Canyon residential subdivision project (SUBD.6826).

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Issuance of a Proclamation declaring June 2018 as "Elder and Dependent Adult Abuse Awareness Month" in the City of Clayton.

Mayor Haydon read the Proclamation declaring June 2018 as "Elder and Dependent Adult Abuse Awareness Month" and presented it to Michelle Calabio, social worker, Adult Protective Services, who then thanked the City Council and provided some

information about the services offered including some local statistics: in 2017 the City of Clayton had forty-one (41) reports of elder and dependent adult abuse and neglect, where 32% of those reports involved financial abuse allegations. Ms. Calabio noted World Elder Abuse Awareness Day was launched June 15, 2006 by the International Network for the Prevention of Elder and Adult Abuse and World Health Organization at the United Nations.

Lorna Van Ackeran, member of the Contra Costa Advisory Council on Aging, announced an upcoming event on June 29 at the Pleasant Hill Senior Center where over 4,200 purple flags will fly representing elder adults. People can check in and ask questions of various services offered.

## **5. REPORTS**

### **(a) Planning Commission**

Commission Chairman Carl Wolfe indicated the Commission's agenda at its meeting of May 22, 2018 included the consideration of Municipal Code Amendments consisting of Inclusionary Housing requirements and to conditionally allow parolee homes. No public comment was received regarding the Inclusionary Housing requirement; that item was recommended for approval by the City Council. The Commission did not feel they received enough information to make a decision to conditionally allow parolee housing homes and so they have recommended its denial to the City Council.

### **(b) Trails and Landscaping Committee**

Committee Member Bill Wiggins indicated the Committee's agenda at its meeting of May 21, 2018 included review of the Landscape Maintenance District proposed budget for FY 2018/19 functioning as the Citizens Oversight Committee on Measure H. This item was approved by the four (4) members of the Trails and Landscaping Committee that were present.

Committee Member Ted Sudderth added there will be a rehabilitation of the downtown kiosk by him and Mayor Haydon consisting of replacing the glass and posting a new Clayton trails map. Mayor Haydon added Ted Sudderth was selected as Vice Chair on the Trails and Landscaping Committee.

### **(c) City Manager/Staff**

City Manager Napper announced the City's upcoming 4<sup>th</sup> of July Parade is an opportunity to volunteer in the community where help is needed the day of the event to assist with crowd control along with other tasks. If interested, more information and signups can be found on the City's website.

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

Councilmember Catalano attended the Clayton Community Library Foundation's Board meeting and the Council Budget Sub-Committee meeting.

Vice Mayor Shuey indicated "no report".

Councilmember Diaz attended an East Bay Regional Communications System Authority meeting, the Clayton Business and Community Association's upcoming 8<sup>th</sup> Annual BBQ planning meeting, the Saturday Concert in The Grove featuring Big Band Beat, and the VFW Memorial Day Ceremony.

Mayor Haydon attended the Council Budget Sub-Committee meeting, the Saturday Concert in The Grove featuring Big Band Beat, the VFW Memorial Day event, an Eagle Scout Court of Honor for Logan Schoffstall, and the East Contra Costa County Habitat Conservancy meeting.

(e) Other – None.

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

Mayor Haydon outlined in detail the process for receipt of public comments for matters not on the City Council agenda and in particular abiding by the 3-minute rule so that all have the same time opportunity to share comments. He also summarized the current status of the proposed concept proposal by a developer for a senior assisted living/memory care facility on the City-owned vacant parcel downtown and why members of the City Council cannot comment on the concept proposal at this time for due process reasons.

Ann Stanaway, 1553 Haviland Place, advised on May 17<sup>th</sup> she heard our current mayor represent to a neighborhood public forum that Clayton's enforcement of public safety ordinances is entirely discretionary indicating the City believes public safety is well served by arbitrary prosecution. With this pronouncement our mayor has put the City at risk for a class-action lawsuit. The public record reflects a clear pattern of intent by this mayor and current vice mayor as both openly mock state public safety regulations, the Americans with Disabilities Act, and federal playground equipment safety regulations.

Joanna Welch was pleased the City installed the license plate reader camera system in Clayton after her suggestion of it several years ago. However, Clayton police officers have told her it is not working well and the camera lens is not clear enough to be useful as images are difficult to read due to the camera maintenance not being performed. Ms. Welch also expressed her opposition to the proposed building in the heart of Clayton; she requested communication to the residents of why this parcel of land must be developed. She requested an interactive forum by the Council with residents in the next thirty (30) days to have open dialogue and discuss concerns of the residents regarding this development. She then quoted David Ford with Fulcrum Development in the May 11<sup>th</sup> edition of the *Clayton Pioneer* who stated, "We won't go forward with the project without community support." Put it to a vote of the people.

Mayor Haydon provided an update of the status indicating Fulcrum Development is in the concept stage; no formal application has been presented to the Community Development Department as of yet. Vice Mayor Shuey added the downtown parcel has been vacant for decades, the discussion of what to do with this parcel of land has been going on for decades. It has always been discussed during each term of office. The City has solicited public input time after time. The current zoning regulations are for all retail downtown. The proposal does not entail all retail; in order for it to go forward there would have to be a determination any changes in zoning.

Vice Mayor Shuey then asked City Manager Napper if he had a response on the public comment regarding the camera system. Mr. Napper advised he is surprised at the comment regarding an inoperable police camera system and not particularly encouraged by such news either. He will ask about its status in his staff meeting tomorrow morning.

J. Gamble, 202 Prospector Place, felt he didn't get much respect from Mr. Reyes during the Community Meeting and indicated there were no chairs provided for the elderly people in attendance. Mr. Gamble advised he posted the poll and petition on Nextdoor regarding the downtown parcel, noting if the right thing is not done about this issue a real petition will be generated and placed on a ballot as a special election or on the

November ballot. There are too many memories left in the vacant lot to potentially look at a building that will block the existing scenery and view of the mountain.

Frank Gavidia, 104 Gold Rush Court, stated the community does not trust the City Council and has incredible concerns regarding the City Manager being unable to answer a question about the camera system. And he is paid \$300,000 per year, which is outrageous for this little town! With the addition of Ms. Mindy Gentry's salary their combined salaries equal half a million dollars; these are the folks that bring us this projects. The community does not trust the City, which is why Mr. Gamble talks about bringing this to a ballot vote. We don't want to go down that route, and does not believe anyone on the current Council was on the City Council back in 2002, except maybe Julie Pierce who has been there for 40 years.

Jon Challoner, resident of Clayton since the mid-70s, provided a history of his public service and advised the City finds itself in a conflict with a proposed project that is in the concept stage and not formally submitted to the City for review. If it is the desire of the constituency to leave the downtown as it is, a great place for festivals, music and food for about ten (10) days a year and if our city council shares that goal, it also has a responsibility to discharge its fiduciary obligations to its constituency. Once known, if a majority of the stakeholders wish to assume the cost of doing nothing, the City can adjust the tax base to accommodate those wishes; then, create a committee including citizens input as well as financial, legal, real estate marketing and other expertise as needed. The time has come for everyone to take a deep breath and step back.

Brian Buddell indicated on May 16<sup>th</sup> last year he spoke at the Council meeting about a proposed Zoning Ordinance that was later approved for a possible project in the downtown. He said at that time Councilmember Shuey dismissed his concerns with a smirk; not only does Mr. Buddell have a problem with this project, but a problem with the Council. Mr. Buddell indicated Fulcrum Development has advertised they are in an Exclusive Purchasing Agreement with the City entered into November 2017. Mr. Buddell reminded the City Council their job is to serve the people, the people do not serve them; it is the Council's job to keep the community apprised of what is going on in this City and not the community's job to find it out.

Fiona Hughes indicated she has a huge distrust of the City; there is a lack of communication between the community and discussions with the developer as the developer mentioned groundbreaking would occur in the first quarter of 2019. Ms. Hughes opposes the proposed project; a price cannot be placed on the memories of children jumping from hay bale to hay bale during the Oktoberfest and the atmosphere during hot August nights and the very many things we enjoy around Clayton which would be done away with if something of that magnitude is placed in the vacant parcel.

Dee Vieira stated for the record she is not employed by developers, any city government or assisted living centers. Ms. Vieira expressed her support for the potential Grand Oaks Assisted Living and Memory Care Center with retail downtown and understands no plans are in the process of approval; and further, the current plans are being re-thought to compliment the downtown. This project would allow for thirty-five (35) memory care seniors and sixty (60) assisted seniors; it will not take away our community events and has few if any impacts for the community downtown. It has been more than seven years since the last proposal got shot down and other proposals as well out of concerns over parking, traffic and other issues relating to outside events. Ms. Vieira indicated a downtown location is where life is; these are our parents and grandparents, we would not be here without them. If the Grand Oaks arrives it is not the building size that brings charm, it is what resides in the building that brings charm.

Christina Nadler remarked as residents of Clayton the Council knows how important downtown is to the community and she cannot believe a project like this would even be considered on the Main Street location. Ms. Nadler suggested be more open in communication by separating discussions around this parcel only and away from the development that is being proposed. Ms. Nadler said she is formally requesting an interactive community dialogue with the Council within 30 days to address concerns outside of the Fulcrum Development proposal. The community wants to hear what the Council has to say.

Sandra Adams expressed the importance of good communications as it seems the community has not received all the facts about this proposed project. She complimented the City Council on its good decisions made in the last 33 years, with the exception of the gas station proposal. Ms. Adams attended the developer meeting and spoke to Mr. Reyes [Cornerstone] advising him she is a registered nurse and asked if registered nurses would be on staff at the proposed development? Mr. Reyes advised no, this is only a care home and we will not have any medical staff whatsoever. Ms. Adams felt Mr. Reyes was not really open to her thoughts about this project and she thought the community meeting was going to be more of an interactive session. Ms. Adams is not in favor of this project as the home care will be enormous at 91 beds that are much bigger than any care home in the State of California. And this is going to take up so much land at 70,000 square feet from Oak Street to almost all the way to Marsh Creek Road. That's 70-80% of Main Street, and we only have 2 streets downtown!

Colleen Samsing, 1279 Shell Circle, expressed her strong opposition to this proposed project, and the lack of communication does not inspire trust in the City Council. Ms. Samsing attended the meeting with the developer which seemed more like a marketing session; she felt a hostile, aggressive attitude by the developer and was accused of not liking old people, which is far from the truth. The developer made it seem like this was the only solution; if you weren't for it, then you were against old people.

Brian Krefr commented he felt like the project is already finished and noted the developer's Community Meeting was more of a marketing gimmick as they expressed this project was already a down deal, although it is not too late to kill it. Mr. Krefr feels the project's footprint is too excessive for downtown Clayton; he was not sure that was the vision the Council has for downtown Clayton and fully appreciates the issue of what fits in downtown. Mr. Krefr indicated retail may not be a good fit as the amount of foot traffic it could generate does not support retail; he noted Clayton Station has not panned out all that well for Clayton and the community already pays a lot for police services.

Bill Jordan advised he does not have a position on the downtown project and for the last 2 years he has been following progress of a proposed downtown project. Mr. Jordan noted Pacific Union Land Company was originally proposing the same project; all meetings were properly noticed on the Council's agenda. Mr. Jordan disagrees with the expression of a lack of communication by the City; if one has access to a computer the staff reports are readily available, including the real estate broker's presentation regarding status of how many marketing calls, the renewal of the real estate listing, its marketing and its current status. A project downtown is not anything new. It is his opinion the City has been upfront and noticed everything correctly.

Marci Longchamps, 3001 Coyote Circle, expressed her opposition to the proposed development at this time at that particular location. She advocates nothing be done at this time and instead have an opportunity to communicate with the City Council. She requested we have an interactive forum with the Council together speaking kindly and respectfully to one another within the next 30 days.

Mayor Haydon advised there is a Town Center Specific Plan developed approximately fifteen years ago by public meetings with citizens with representatives from different groups; at that time it was our vision of what Clayton should look like into the future, our dream plan and that is what developers are referred to when asking about downtown development. Mayor Haydon reminded the audience this proposal is at the concept stage only where they are fine tuning their plan prior to submittal to the City.

Councilmember Catalano summarized several procedural matters: one of the most common complaints by citizens is they hear of a potential project too late in the process. At this time there is no application on file, no environmental review has been conducted, no public hearings yet, we are at the very early stages where the potential developer has reached out to the community for feedback. In terms of the property there have been a few public hearings back in 2015 where the City Council discussed what would be the most appropriate types of uses on this parcel. The only decision this Council has made prior to the concept proposal was the Exclusive Negotiation Agreement last November, and that decision was made at a noticed public hearing and not for approval of any project.

She read from the Exclusive Negotiation Agreement [ENA]: *“This Agreement does not constitute a disposition of the property by the City or exercise of control of the property by the Developer. Execution of this Agreement by the City is merely an agreement to enter into a period of exclusionary negotiations according to the terms hereof, reserving final discretion and approval by the City Council.”* The ENA specifically called for the developer to reach out to the community, to reach out to them early so they can get some of their feedback. During the Pre-Application period the developer shall hold a minimum of two advertised meetings using a City-provided facility for the purpose of sharing and discussing the proposed project with interested public and shareholders; this is the process the City wanted to ensure the developer does reach out to the community and hears from them. For a project of this scope an application is required to be reviewed by City staff and then comments by City staff under the California Environmental Quality Act (CEQA) for every project that requires a discretionary environmental review. In this phase a project of this size would have to be approved by the Planning Commission and then ultimately approved by the City Council. Before a City Council can say “yes” or “no” to any particular project it is extremely rare the project that is originally proposed in the early stages is the product that gets approved with extensive feedback. Councilmember Catalano advised no one on the City Council is able to take action at this point; under due process the Council must have the full record to review consisting of an application, environmental review, and community feedback.

Mayor Haydon remarked there are numerous requirements a developer has to go through before the project could be presented to City Council for consideration.

Joanna Welch commented the first Community Meeting with the developer had a forum with easels and a little more discussion. At the second Community Meeting, Community Development Director Mindy Gentry was in attendance advising there would be no chairs and the developers announced this would not be a Q&A session. Ms. Welch inquired what constitutes a meeting as not everyone heard the same thing; we did not hear each other’s concerns, we did not hear what the developer said to each individual as a whole. We were hoping it would be similar format at the second Community Meeting but that did not happen. The second session was more difficult, they were merely checking the boxes to complete its requirement.

Mayor Haydon apologized for the Community Meeting experience and wanted to let the audience know the Community Meetings were intended as a resource to get the word out about the potential project and the developer had an opportunity to hear the concerns of the community.

Sandra Adams added Mr. Reyes [Cornerstone] indicated all they needed was approval by the City Council then they could break ground. It was as if they did not understand the process completely either.

Vice Mayor Shuey remarked he and the rest of the City Council attend community events in town just as everyone else in the community, and it can be frustrating when we think we have done everything we can in communicating to the community with noticed agendas and then the community states that they did not know; however, there is some responsibility on the citizens. Vice Mayor Shuey indicated the Town Center Specific Plan was developed before computers and that its retail plan may no longer be appropriate at this time. He noted Fulcrum Development does not represent the Council, and clearly there was a disconnect between its presentation to the community and what the Council intended. The process is working right now because citizens are here and expressing anger with the project; Fulcrum Development is listening. The Council cannot decide on anything until an application is submitted for full review. If you communicate with staff, in a nice professional courtesy manner, they will respond back to you. The Council will respond as well, although it may say, "Sorry I can't comment now because the law states I cannot make a decision on that." But we can also forward your comments to staff.

Joanna Welch asked if we can go back to the beginning and work together in a calm respectful way starting with the zoning.

[Unknown male speaker]: We are a democracy, why don't we simply have a vote. We have folks that want it and folks that don't. Let's educate everybody that we are having a vote, let's give it plenty of time that we are going to have a vote, have a vote, draw the red line, and end it.

Mary Ellen Evenson, inquired on the zoning of the parcel, if it is zoned residential? Vice Mayor Shuey responded the property is currently zoned retail/commercial.

Ms. Evenson also asked for the expiration date on the Exclusive Negotiation Agreement with Fulcrum?

City Manager Napper advised the Exclusive Negotiation Agreement with Fulcrum can be viewed on the Council's November 2017 agenda. Fulcrum has submitted a Pre-Application that triggered this process in the Pre-Application period. Our Community Development Department reviewed its preliminary application, a City letter was sent dated May 9<sup>th</sup> with staff's initial reactions and requirements. The Agreement states from that date, May 9<sup>th</sup>, the developer has ninety (90) days in which to file its Final Application, which date is approximately August 9<sup>th</sup>. The process is currently in the developer's hands on whether to move forward. Staff has been forwarding it the citizen comments that are provided to the City. At this stage and junction it is Fulcrum's full risk in terms if they wish to proceed. We have heard the community's reaction along with the developer's reaction; neither is very happy and Fulcrum may be discouraged and they may be re-considering the project. Yet that is the process that was described and referred to in the Exclusive Negotiation Agreement.

With regard to zoning, it is currently a retail/commercial zoning as indicated. In order for the developer to put residential on the ground floor it would require a General Plan Amendment as well as a Town Center Specific Plan Amendment. During this process of marketing the land we have learned the plan developed many years ago, that Clayton might be a second Danville, does not appear like that is going to happen because the retail market with e-commerce has changed. It is no longer sticks and mortars. Much online shopping is occurring and therefore the Downtown Specific Plan vision may need to be revisited.

By the terms of the Exclusive Negotiation Agreement the developer could file a Final Application; they would start paying for all the City staff time to review and critique that project. City staff may come out of that process with a recommendation to the public and to the Planning Commission for denial of the project. If Fulcrum still decides to go to the Planning Commission to overturn the staff recommendation, they can do that. No one needs to appeal the Planning Commission's decision as the matter automatically goes to the legislative body of the City, which is the City Council. Why? Because changing the General Plan as well as the Town Center Specific Plan is an adjudicatory as well as a legislative act. Those acts can only be done by the City Council. The developer did not want to go through this process without securing the price of the parcel so the City would not ask for more money at the end of the process. Similarly, a developer does not want to go initiate a process to then have the City start talking to another developer to bring in a competing identical use project. When the City Council entered into the ENA it did not know the size of the project and was advised it could be two or three stories in height. Staff was surprised by the developer's concept for a three story building with the proposed mass.

J. Gamble inquired why a proposed project of this size is considered while an existing two-story building across the street is only a fraction full. What will happen to all the other small businesses? Mr. Reyes [Cornerstone] advised Mr. Gamble that he will practically give away the retail space.

Will Evenson, Mt. McKinley Court, commented the developers of this project, as often is the case in commercial real estate, is proposing something that is probably out of scope. That is a common tactic; then, of course, they go back to their original plan that was issued going from three stories down to two stories, reduce the beds from ninety-one (91) to sixty (60). It is a very common practice in real estate development; it is an inappropriate use in downtown.

- City Council Recess (8:44 p.m. to 8:56 p.m.) -

7. **PUBLIC HEARINGS** – None.

8. **ACTION ITEMS**

- (a) Consider the Introduction/Presentation of the proposed City of Clayton Budget for Fiscal Year 2018-19 and the proposed Capital Improvement Project (CIP) 5-Year Budget, and set the date of Tuesday, June 19, 2018 for a Public Hearing to review and adopt the proposed City Budget.

Finance Manager Kevin Mizuno presented the staff report with a PowerPoint presentation highlighting details of the proposed FY 2018-19 City of Clayton City Budget. Mr. Mizuno outlined a 5-Year Budget trend displaying the General Fund history, Other Funds, Capital Improvement Program, and the Successor Agencies. Mr. Mizuno advised "Other Funds" include the City's Special Revenue (12 funds), Internal Service (3 funds), Enterprise (1 fund), and Fiduciary Funds (8 funds). He noted the 7.96% overall increase from the prior year's budget is largely due to creation of two (2) new funds: 1.) Road Maintenance and Rehabilitation Account (RMRA or SB1); and 2.) Pension Rate Stabilization Fund. He pointed out the noteworthy increase in proposed expenditures occurs from inter-fund transfers from the Measure J fund for 2018 Neighborhood Streets Repave Project (CIP 10436) and Keller Ridge Drive Collector Street Rehabilitation Project (CIP 10425). Mr. Mizuno summarized Total Budget Revenues advising the City's two largest revenue sources are the General Fund at 62.98%, and the Citywide Landscape Maintenance District at 15.27%.

Finance Manager Mizuno summarized the proposed Total Budget Expenditures noting the top three expenditure categories, as they should be, are the City's General Fund at 50.87%, and the Citywide Landscape Maintenance District at 17.47%. Mr. Mizuno provided a chart indicating the General Fund's 18-year revenue trend of budgeted revenues verses a hypothetical revenue gain corresponding to associated Consumer Price Index increases. This comparison found the difference between anticipated revenues next fiscal year is \$909,257 less than if City revenues kept pace with Bay Area Consumer Price Index increases. This chart illustrates the City's ongoing challenge to meet the needs of the community, and its growing needs, with limited financial resources.

Mr. Mizuno discussed the City's share of its allocation of 1% Ad Valorem Property Tax local, regional and state run agencies. The amount of the tax is based on an annually-determined assessed valuation calculated by the County Assessor's office and is paid to the County Tax Collector. The City of Clayton has eleven tax rate areas by current assessed value returning on average 6.6% of the full one percent tax back to the General Fund. In this respect, Clayton is categorized as a "Low Property Tax City" going back to Proposition 13.

Mr. Mizuno commented for the taxable sales in Clayton, the applicable sales tax rate is 8.25% which results in a 1% local return based on the state's approved local Bradley-Burns rate.

Mr. Mizuno outlined the General Fund Revenues at a total of \$4,689,190. The largest General Fund Revenue is 21.0% for Property Tax in Lieu of Vehicle License Fees (VLF), followed by 20.7% for Secured Property Taxes, 12.0% for Franchise Fees, 10.2% for Sales & Use Taxes, and then the 8.8% for the City's share of the Redevelopment Property Tax Trust Fund.

Mr. Mizuno summarized the General Fund Expenditures at a total of \$4,587,220. The largest General Fund allocation is 49.4% for the Police Department. He then provided a year to year comparison proposing a 2.97% increase. This increase is primary explained by post-drought conditions at Clayton Community Park; the state has lifted its previous drought restrictions allowing irrigation at the park to return to normal; and the CalPERS Unfunded Actuarial Liability billings for Tier 1 miscellaneous group. Mr. Mizuno noted the budgeted FY 2018-19 surplus is estimated at \$101,970.

He then provided a summary of the Capital Improvement Projects planned for funding by the restricted-use Gas Tax funds in FY 2018-19. He noted improvement plans in the Landscape Maintenance District with the largest monetary project of the four being the proposed Downtown Planters Replacement Project; the second project is removal of 18 Eucalyptus trees in open space/trails areas; the third project is purchase of more centralized irrigation control field panel, and the fourth is seed money for Sub-Division Entry Landscaping. Mr. Mizuno provided a summary planned CIP projects consisting of the 2018 Neighborhood Street Repave project, the Keller Ridge Collector Street Rehabilitation project, the El Molino Drive Sanitary Sewer Improvement, the North Valley Playground Rehabilitation, the Clayton Community Park Lower Field Rehabilitation, the Pine Hollow Road Upgrades, and then the City Hall ADA Accessibility Project.

Finance Manager Mizuno continued his presentation involving the City's financial status of its CalPERS' Unfunded Actuarial Liabilities (UAL) and its budget impacts between Public Safety and Miscellaneous employees dating back to June 30, 2011. Mr. Mizuno also provided a 15-Year Employer Pension Cost trend analysis displaying the impact of UALs and discount rate change on employer contributions and projections through 2023. The decline during FYs 2012-2015 occurred through the attrition/retirement of Tier 1 City employees, the state's implementation of its Public Employee Pension Reform Act

(PEPRA), and the City proactively establishing a more affordable Tier II Plan prior to the state's enactment of PEPRA.

Mr. Mizuno concluded his report by thanking the City Manager and the Council Budget Subcommittee for their input and time in preparation of the proposed City Budget.

Mayor Haydon opened the floor to receive public comments; no public comments were offered on the proposed City Budget.

City Councilmembers commended City staff on its budget preparations and for its fiscal stewardship of the City.

**It was moved by Councilmember Catalano, seconded by Vice Mayor Shuey, to set Tuesday, June 19, 2018 at 7:00 pm in Hoyer Hall as the date, time and location of a Public Hearing on the proposed FY 2018-19 City Budget. (Passed; 4-0 vote).**

- (b) City Council discussion of canceling any regularly scheduled Council meetings in July, August and/or September 2018 relative to quorum availability and summer travel plans.

City Manager Napper advised, per the City's Municipal Code, the Clayton City Council meets the first and third Tuesdays of each month. This year the Council's first meeting in July 2018 falls the evening of July 3<sup>rd</sup> before the annual July 4<sup>th</sup> Parade. He briefly outlined the upcoming City agenda items staff is tracking. Due to pending City business items, there is a need for at least one of the City Council's regular meetings to occur in each of the months of July, August, and September.

Councilmember Catalano inquired if Councilmember Pierce notified the City of her summer schedule. Mr. Napper advised Councilmember Pierce is unavailable for the August 7<sup>th</sup> Council meeting.

Vice Mayor Shuey advised he is unavailable July 13 through July 22. The City Council took a quick poll and determined it would still have a quorum for that Council meeting.

Mayor Haydon opened the floor to receive public comments.

Ann Stanaway wondered, with the cancellation of one meeting per month, whether the Public Comment Period during those meetings would be restructured from a 3 minute time limit per person to 6 minutes.

**It was moved by Vice Mayor Shuey, seconded by Councilmember Catalano, to cancel the regularly scheduled City Council meetings of July 3, 2018, August 7, 2018 and September 4, 2018. (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 Haydon, the City Council adjourned its meeting at 9:47 p.m.

The next regularly scheduled meeting of the City Council will be June 19, 2018.

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Keith Haydon, Mayor

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