

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, July 21, 2020

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:02 p.m. by Mayor Pierce on a virtual web meeting and telephonically (877) 853-5257. Councilmembers present: Mayor Pierce, Vice Mayor Wan, and Councilmembers Catalano, Diaz, and Wolfe. Councilmembers absent: None. Staff present: Assistant to the City Manager Laura Hoffmeister, City Attorney Mala Subramanian, City Engineer Scott Alman, and City Clerk/HR Manager Janet Calderon.

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

3. **CONSENT CALENDAR**

It was moved by Councilmember Diaz, seconded by Councilmember Catalano, to approve the Consent Calendar as submitted. (Passed 5-0 vote).

 - (a) Approved the minutes of the City Council's special meetings of June 23, 2020 and June 30, 2020 and regular meeting of July 7, 2020. (City Clerk)
 - (b) Approved the Financial Demands and Obligations of the City. (Finance)
 - (c) Approved the Purchase of Replacement Tasers. (Police Chief)
 - (d) Approved Multi-Year Agreement with Konica Minolta Business Solutions (Konica Minolta) for a Konica Minolta Bizhub C659 Copier Lease and Maintenance Agreement. (City Clerk)

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

Assistant to the City Manager Laura Hoffmeister announced the Oakhurst Geological Hazard Abatement District Item proposing real property tax assessments for Fiscal Year 2020-2021 has been continued to August 4, 2020. She further noted public comment will still be taken this evening.

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

Councilmember Diaz attended the virtual Contra Costa Water District meeting, and met with residents in an advisory capacity on Morgan Territory regarding fire service issues.

Councilmember Catalano worked with Councilmember Wolfe regarding details of the upcoming Public Safety ad-hoc committee meeting.

Councilmember Wolfe worked with Councilmember Catalano regarding details of the upcoming Public Safety ad-hoc committee meeting, worked with the community based organized group on race relations in an advisory capacity, and attended the organized group on race relations webinar.

Vice Mayor Wan emailed and called constituents.

Mayor Pierce attended the Transportation Partnership and Cooperation for Central Contra Costa (TRANSPAC) planning committee meeting via zoom, and the Association of Bay Area Governments Housing Methodology Committee meeting, and Bay Area Collaborative meeting. She also noted more information regarding RHNA Housing allocations will be provided at the upcoming Mayors' Conference.

- (e) Other –Ed Miller, CCTA Citizens Advisory Committee.

Ed Miller began his report stating he has been selected as Chair. He further noted Clayton can submit a proposal of when they would like to make their presentation to the CCTA in the next two years.

Mayor Pierce added the “Wayfair decision” (i.e. online) sales tax returns are higher than expected in the County.

Councilmember Catalano also congratulated Mr. Miller on his election to chair.

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

Melinda Merrion noted she was pleased to see how cities she visited on her recent road trip showed their support for equality and justice. She urged the City Council continue to speak up and take action to support these issues.

Sandra Mazza thanked staff for taking care of the landscaping issue on Eagle Peak. She also inquired if the trails could be restored and maintained annually.

Mayor Pierce closed public comment.

7. **PUBLIC HEARINGS**

- (a) Public Hearing on Proposed Real Property Assessments for the Diablo Estates at Clayton Benefit Assessment District (BAD); Ordering Improvements and Levying Annual Assessments in FY 2020-21 incorporating a 1.1% Adjustment. (City Engineer)

City Engineer Scott Alman presented the report.

Following questions by City Council, Mayor Pierce opened the item to public comment.

Sandra Mazza inquired what this item means to the city of Clayton and if any general fund taxes are used for maintenance of Diablo Estates.

City Engineer Scott Alman made reference to line item 7420 consisting of administrative costs for Diablo Estates.

Assistant to the City Manager clarified the Diablo Estates at Clayton Benefit Assessment District is not funded by general tax payer dollars and is self-supported by their own levies.

Mayor Pierce closed public comment.

It was moved by Councilmember Catalano, seconded by Vice Mayor Wan, to Adopt Resolution No. 39-2020 Confirming Assessments for the Operation and Maintenance of Improvements Within the Diablo Estates at Clayton Benefit Assessment District for Fiscal Year 2020-21. (Passed 5-0)

8. ACTION ITEMS

- (a) Adopt a Resolution Condemning Racism. (Councilmember Catalano)

Councilmember Catalano presented the report.

Following questions by City Council, Mayor Pierce opened the item to public comment.

Amy Hines-Shaikh expressed support of this item and requested the use of Black Lives Matter. She also noted a sign she saw outside of the City limits displaying racial slurs going out toward Morgan Territory Road.

Scott Denslow expressed support of this item and efforts in the future.

Melinda Merrion expressed support of this item.

Nancy Topp expressed support of this item.

Dee Vieira expressed support of this item and support of a Juneteenth Proclamation.

Mayor Pierce closed public comment.

The City Council discussed and consensus to remove specific names and preferred wording more inclusive to 'grieving over men, woman and children of color whose lives were unjustly taken', correct 'People' to 'people', and change 'forms or racism' to 'forms of racism'.

It was moved by Councilmember Catalano, seconded by Councilmember Wolfe to adopt Resolution No. 39-2020 Condemning Racism in the City of Clayton as amended. (Passed 5-0)

- (b) Adopt a Resolution Authorizing A Salary Adjustment for the Assistant to The City Manager for Serving as Acting City Manager. (City Attorney)

City Attorney Mala Subramanian presented the report.

Following comments by City Council, Mayor Pierce opened the item to public comment; no comments were offered.

Councilmember Diaz thought Laura did an excellent job by doing both her regular job as Assistant to the City Manager and Acting City Manager. Through this time and in the past, where she did not receive the compensation when she periodically sat in for the City Manager on his absence; she has clearly demonstrated to him that she capable of being a full-fledged City Manager, it may not be in Clayton but in some other municipality. She has demonstrated far beyond what he expected with her capabilities; fully endorsing this item. He would hope once we get through this interim period she will be back in contention.

Councilmember Wolfe appreciated Laura's assistantance and knowledge during this time.

Councilmember Catalano thanked Laura.

Vice Mayor Wan also thanked Laura.

Mayor Pierce stated the City could not get through this extraordinary time without Laura's assistance and appreciates everything Laura has done.

It was moved by Mayor Pierce, seconded by Councilmember Diaz to adopt Resolution No. 38-2020 Authorizing a Salary Adjustment for the Assistant to the City Manager for Serving as Acting City Manager. (Passed 5-0)

- (c) Consider approving an Employment Agreement for Interim City Manager services between the City of Clayton and Fran Robustelli.
(Mayor Pierce)

Mayor Pierce presented the report.

City Attorney Mala Subramanian provided details of the Employment Agreement.

Following questions by City Council, Mayor Pierce opened the item to public comment.

Sandra Mazza asked what happened to Ikani.

Mayor Pierce advised he resigned May 29, 2020.

Mayor Pierce closed public comment.

It was moved by Mayor Pierce, seconded by Councilmember Wan to Approve an Employment Agreement for Interim City Manager Services between the City of Clayton and Fran Robustelli. (Passed 5-0)

Interim City Manager Fran Robustelli thanked the City Council for trusting her in the Interim City Manager leadership role and looking forward to serving the Clayton community.

9. **COUNCIL ITEMS**

Councilmember Catalano requested the Community Development Director to create an informational document explaining the housing element including FAQ/facts that can be uploaded to the City's website. Councilmember Catalano would follow up with the Community Development Director with some examples.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Pierce, the City Council adjourned its meeting at 8:16 p.m.

The next regularly scheduled meeting of the City Council will be August 4, 2020.

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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Julie Pierce, Mayor

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