

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, September 1, 2020

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:06 p.m. by Mayor Pierce on a virtual web meeting and telephonically (877) 853-5257. Councilmembers present: Mayor Pierce. Councilmembers absent: Vice Mayor Wan, Councilmembers Catalano, Diaz, and Wolfe. Staff present: Interim City Manager Fran Robustelli, Assistant to the City Manager Laura Hoffmeister, City Engineer Scott Alman, Traffic Engineer Lynne Filson, Chief of Police Elise Warren, City Attorney Mala Subramanian 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 Wolfe, to approve the Consent Calendar as submitted. (Passed 5-0 vote).

- (a) Approved the minutes of the City Council’s regular meeting of August 18, 2020.
- (b) Approved the Financial Demands and Obligations of the City.
- (c) Adopted Resolution No. 44-2020 Authorizing the Purchase of a Used 2017 Ford F-350 Utility Body Quad Cab Truck for the City Maintenance Department, and Declaring an Existing 2000 Ford F350 as a Vehicle Surplus to the City’s Needs and Authorize it’s Disposal by the Interim City Manager at Public Auction.

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Contra Costa County Health Official Update Regarding COVID-19.
(Chris Farnitano, M.D., Health Officer of the County of Contra Costa)

Dr. Chris Farnitano, M.D., Health Officer of the County of Contra Costa provided a brief update regarding COVID-19.

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

Sandy Mazza inquired on when local indoor dining will resume.

David Sanchez expressed concerns in the public being reluctant in receiving the COVID-19 vaccination when it becomes available.

Denise Stephens expressed concerns of overflow Southern California positive COVID-19 patients entering Northern California hospitals.

Mayor Pierce closed public comment and thanked Dr. Farnitano for the presentation.

5. REPORTS

- (a) Planning Commission – Commissioner Bassam Altwal stated the Commission’s agenda at its meeting of August 25, 2020, included Temporary Use Permit Time Extension pertaining to outdoor dining, outdoor commercial uses, and outdoor assembly services until the COVID-19 pandemic restrictions have been removed. This item was approved 5-0.

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

- (c) City Manager/Staff

Interim City Manager Fran Robustelli thanked Chief Warren and the Clayton Police Department in response to the demonstration that occurred Saturday evening. She also indicated the upcoming Contra Costa County Mayors’ Conference will include a presentation by the Public Managers Association regarding a regional idea addressing mental health and policing.

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

Vice Mayor Wan worked with Councilmember Wolfe and Chief Warren regarding the Regency/Rialto Drive pilot parking program, and emailed/called constituents.

Councilmember Wolfe worked with Vice Mayor Wan and Chief Warren regarding the Regency/Rialto Drive pilot parking program and provided some brief information on the recent demonstration. Councilmember Wolfe also requested this evenings meeting be adjourned in memory of Rory Richmond who recently passed away.

Councilmember Catalano attended East Contra Costa County Habitat Conservancy board meeting, the League of California Cities East Bay Division meeting, and the Race Relations committee meetings as a community member.

Councilmember Diaz met with the Interim City Manager, acknowledged the Clayton Police Department regarding the recent demonstration and their efforts, continued in an advisory capacity with Morgan Territory residents regarding fire service issues, and attended the League of California Cities East Bay Division meeting.

Mayor Pierce attended the Association of Bay Area Governments Executive Board meeting, and the Housing Methodology Committee meeting.

- (e) Other – Introduction of City Council candidates (present at the meeting).

Mayor Pierce noted that during City elections, it is City Council Policy that candidates for City Council are allowed 3 minutes to introduce themselves and share a few remarks at each City Council meeting if they are in attendance and wish to do so in ballot order each meeting then after rotate ballot order (i.e. the first same will go last at the next meeting, whereas the second name will go first).

The following candidates introduced themselves and provided remarks about their candidacy:

Frank Gavidia

Glenn Miller

Jim Diaz

Tuija Catalano

Peter Cloven

Letecia "Holly" Tillman

6. PUBLIC COMMENT ON NON - AGENDA ITEMS

Scott Denslow expressed support of the Clayton Police Department regarding the recent protest. He also announced the upcoming Race Relations committee webinar and encouraged the community to watch.

Frank Gavidia thanked the Clayton Police Department regarding the recent protest.

Irina Liskovich expressed her concerns regarding political feuds, party affiliations, and personal attacks on candidates on Social Media.

Kim Lally expressed her concerns regarding the recent protest.

Ernie DeTrinidad expressed his support of the COVID-19 presentation; noting the City Council needs to be diverse, transparent, and inclusive on all issues including housing, policing, economics, racism and safety.

Roberto Lopez with Mt. Diablo Soccer Association expressed his support of City Council Candidate Frank Gavidia.

Brad Talmadge expressed his concerns regarding a "secret society" on social media involving City Councilmembers and City Council Candidates.

Dee Vieira expressed her concerns with the "Save Clayton" and "Clayton Progresses" social media private groups.

Rachel Levy provided a brief history regarding "Clayton Progresses" social media group.

Mayor Pierce closed public comment.

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS

- (a) Traffic Calming and Speed Survey Options on Clayton Road, Eagle Peak Avenue and Mountaire Parkway.

City Engineer Scott Alman presented the report.

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

Scott Collier expressed concerns on changing Mountaire Parkway from two lanes to one; and the impact on the residents.

Harry Little expressed concerns regarding the expenses of this project, preferred wider bicycle lanes, and the semi-truck traffic off Mitchell Canyon creating a safety concern.

Dee Vieira inquired if anyone from staff has reached out to residents of Dana Hills regarding possible roadway changes.

Mayor Pierce closed public comment.

By consensus of the City Council; direct staff to move forward with speed limit signs as recommended by the City Engineer, to reach out to Dana Hills Home Owners Association (HOA) to notify residents of potential speed limit changes and informally poll residents on the proposed road diet, and to have staff adjust the signal time to current speed limits on Clayton Road.

It was moved by Vice Mayor Wan, seconded by Councilmember Wolfe, to direct staff to move forward with speed limit signs as recommended by the City Engineer, to reach out to Dana Hills Home Owners Association (HOA) to notify residents of potential speed limit changes and informally poll residents on the proposed road diet, and to have staff adjust the signal time to current speed limits on Clayton Road. (Passed 5-0)

- (b) Draft Proclamation for “Hispanic Heritage Month” (September 15 – October 15).

Councilmember Diaz presented the report.

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

It was moved by Councilmember Diaz, seconded by Councilmember Catalano, to Approve the draft Proclamation for “Hispanic Heritage Month” (September 15 – October 15) with minor edits. (Passed 5-0)

9. COUNCIL ITEMS

Vice Mayor Wan requested the City’s legal counsel of Best, Best & Krieger to stop defending “The Olivia Project” lawsuit on behalf of the City.

City Attorney Mala Subramanian confirmed this request would come back to the City Council as a Closed Session item.

10. CLOSED SESSION

Mayor Pierce announced the City Council will adjourn into Closed Session for the following noticed item (10:09 p.m.) after a six minute break:

Conference with Labor Negotiator
Pursuant to Government Code section 54957.6
Agency designated labor negotiator: Interim City Manager

1. Employee Organization: Miscellaneous City Employees (Undesignated Group)
2. Employee Organization: Police Officers' Association (Represented Group)

Report out of Closed Session (11:22 p.m.)

Mayor Pierce reported there was no reportable action.

13. **ADJOURNMENT**– on call by Mayor Pierce, the City Council adjourned its meeting at 11:23 p.m. in memory of Rory Richmond a long-time Clayton resident and community volunteer who passed away recently.

The next regularly scheduled meeting of the City Council will be September 15, 2020.

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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Julie Pierce, Mayor

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