

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

TUESDAY, September 15, 2020

6:00 P.M.

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:03 p.m. by Mayor Pierce on a virtual web meeting and telephonically (877) 853-5257. Councilmembers present: Mayor Pierce, Vice Mayor Wan, and Councilmember Catalano. Councilmembers absent: Councilmembers Diaz and Wolfe. Staff present: Interim City Manager Fran Robustelli, and City Clerk/HR Manager Janet Calderon.

2. **CLOSED SESSION**

1. Conference with Legal Counsel –Existing Litigation
Government Code section 54956.9(d)(1)
Clayton for Responsible Development vs. City of Clayton
Contra Costa Superior Court Case No. N20-0543

2. Conference with Labor Negotiator
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)

- Short Recess -

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7:00 P.M.

3. **RECALL TO ORDER THE CITY COUNCIL** – The meeting was recalled to order at 7:19 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: Interim City Manager Fran Robustelli, Community Development Director Matthew Feske, City Attorney Mala Subramanian, and City Clerk/HR Manager Janet Calderon.

REPORT OUT OF CLOSED SESSION

Mayor Pierce reported the City Council completed Item 1 noting Item 2 will be reconvening after the regular meeting. There is no public action to report.

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

5. CONSENT CALENDAR

Vice Mayor Wan requested Item 5(d) be pulled from the Consent Calendar for separate discussion.

It was moved by Councilmember Diaz, seconded by Councilmember Catalano, to approve the Consent Calendar items 5(a) – 5(c), and 5(e)-5(f), as submitted. (Passed 5-0; vote).

- (a) Approved the minutes of the City Council’s regular meeting of September 1, 2020.
- (b) Approved the Financial Demands and Obligations of the City.
- (c) Approve the Purchase of Two Electronic Sign Boards for Enhanced COVID 19 Safety Messaging in the amount of \$29,998.53, using Coronavirus Aid, Relief, and Economic Security (CARES) Act grant funds. (Police Chief)
- (e) Adopted Resolution No. 45-2020 authorizing the City Manager to file an application with the California Department of Parks and Recreation’s Office of Grants and Local Services (OGAL) to receive funding from the Prop 68 Per Capita Grant program and execute the grant agreement and all other documents necessary to secure the Prop 68 Per Capita Grant Program Funds in the amount of \$177,952. (Community Development Director)
- (f) Adopted Resolution No. 46-2020 approving a Cooperative Agreement Including Cities of Clayton, Martinez and Pittsburg and Mt. View Sanitary District to Construct the 2020 Tri-Cities Pavement Preservation Project. (City Engineer)

Consent Calendar Pulled

- 5(d) Adopted Resolution No. 47-2020 authorizing application for, and receipt of, Local Early Action Planning “LEAP” Grants Program Funds in the amount of \$65,000. (Community Development Director)

Vice Mayor Wan expressed his preference under LEAP section 7 “Eligible Activities”, directing staff to exclusively use the grant funds on eligible item 13 (6th cycle housing element).

It was moved by Vice Mayor Wan, seconded by Councilmember Diaz, to approve Consent Calendar Item 5(d), as submitted. (Passed; 5-0 vote).

6. RECOGNITIONS AND PRESENTATIONS – None.

7. REPORTS

- (a) Planning Commission –Community Development Director Matthew Feske stated the Commission’s agenda at its meeting of September 8, 2020, included selection of Chair and Vice Chair; appointment of Chair Chippero and Vice Chair Denslow. The Commission also approved regular business items.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff

Interim City Manager Fran Robustelli announced there is a new election ballot box located at Clayton Community Library and advised the community there are only 15 days left to complete the 2020 Census.

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

Vice Mayor Wan emailed/called constituents.

Councilmember Wolfe emailed/called constituents, attended the Clayton Speaks webinar as a citizen, and met with Councilmember Catalano regarding topics for the next Public Safety ad-hoc Committee.

Councilmember Catalano attended the Clayton Speaks webinar as a citizen, and worked with Councilmember Wolfe regarding topics for the next Public Safety ad-hoc Committee meeting.

Councilmember Diaz continued in an advisory capacity with Morgan Territory residents regarding fire service issues, attended the Contra Costa Water District Board meeting, attended the Contra Costa County Mayors' Conference, and complimented the Clayton City Council in adopting the Hispanic Heritage month Proclamation.

Mayor Pierce attended Contra Costa County Mayors' Conference, the Administrative and Planning Committee meeting at the Contra Costa Transportation Authority, the Housing Methodology Committee meeting on behalf of Association of Bay Area Governments and Contra Costa, the Regional Planning Committee meeting, and the joint Metropolitan Transportation Commission and Association of Bay Area Governments meeting.

8. PUBLIC COMMENT ON NON - AGENDA ITEMS

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:

Glenn Miller

Jim Diaz

Tuija Catalano

Peter Cloven

Letecia "Holly" Tillman

Frank Gavidia

Scott Denslow expressed support for continued use of the zoom meeting platform. He also promoted the Clayton Speaks webinar series, thanked the council candidates and offered his support to promote any of their upcoming virtual town hall meetings.

Dee Vieira expressed her concerns of council candidate Frank Gavidia and the meaning of his slogan "Keep Clayton, Clayton".

Dan Hummer thanked the candidates for running for a seat on the Clayton City Council. He also expressed his support for the use of the LEAP grant funds.

Mayor Pierce closed public comment.

9. **PUBLIC HEARINGS** – None.

10. **ACTION ITEMS**

- (a) Race Relations - Do The Right Thing add Character Traits of Diversity/Inclusion.

Councilmember Wolfe presented the report and the addition of adding "Inclusion" as a character trait to Do The Right Thing. He also reviewed establishing Do The Right Thing in some manner as a City Motto to city letterhead and emails.

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

Keith Haydon expressed support of this item.

Scott Denslow expressed support of this item.

Mayor Pierce closed public comment.

**It was moved by Councilmember Wolfe, seconded by Councilmember Catalano, to direct staff to prepare resolutions to be brought back to a future meeting to include the Do The Right Thing character trait of "Inclusion" and a separate resolution adding a City motto on letterhead and emails.
(Passed; 5-0 vote)**

- (b) Consider the option to designate a City Council Voting Delegate and Alternate Delegate to the League of California Cities 2020 Virtual Annual Conference to be held October 7-9, and determine a City voting position, if any, on the one League Conference General Resolution.

City Clerk Janet Calderon 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 Wolfe, seconded by Vice Mayor Wan, to have Councilmember Diaz as Voting Delegate and Councilmember Wolfe as Alternate of the City of Clayton attend the Virtual League of California Cities 2020 Annual Conference to be held October 7th – October 9th, and determined the City voting position against the proposed League Conference General Resolution.
(Passed; 5-0 vote).**

11. COUNCIL ITEMS

Vice Mayor Wan requested a future discussion and adoption of Resolution preserving local control as passed by the City of Lawndale.

12. CLOSED SESSION

Mayor Pierce announced the City Council will adjourn back into Closed Session for the following noticed item (8:52 p.m.) after a eight minute break:

2. Conference with Labor Negotiator
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 (9:30 p.m.)
Mayor Pierce reported there was no reportable action.

- 13. ADJOURNMENT**– on call by Mayor Pierce, the City Council adjourned its meeting at 9:31 p.m.

The next regularly scheduled meeting of the City Council will be October 6, 2020.

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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Julie Pierce, Mayor

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