

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

TUESDAY, November 16, 2021

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:00 p.m. by Mayor Wolfe on a virtual web meeting and telephonically (877) 853-5257. Councilmembers present: Mayor Wolfe, Vice Mayor Cloven, and Councilmembers Diaz, Tillman, and Wan. Councilmembers absent: None. Staff present: City Manager Reina Schwartz, City Attorney Mala Subramanian, Community Development Director Dana Ayers, and City Clerk/HR Manager Janet Calderon.

2. **MEETING PROTOCOL VIDEO** – City Clerk.

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

4. **CONSENT CALENDAR**

City Manager Reina Schwartz requested the City Council not take action on item 4(g) as additional information was received earlier today, resulting in this item to come back at a future meeting.

Councilmember Wan expressed he is pleased with item 4(e).

Councilmember Tillman inquired if outreach was made to the neighbors regarding item 4(d) and satisfaction with service. She also inquired if there are any concerns with the project developer name change on item 4(f).

It was moved by Councilmember Diaz, seconded by Councilmember Tillman, to approve the Consent Calendar items 4(a) – 4(f) as submitted. (Passed 5-0).

- (a) Approved the minutes of the City Council's regular meeting of November 2, 2021. (City Clerk)
- (b) Approved the Financial Demands and Obligations of the City. (Finance)
- (c) Adopted Resolution No. 62-2021 of the City Council of the City of Clayton Allowing for Video and Teleconference Meetings during the COVID-19 State of Emergency Under AB 361. (City Manager)
- (d) Adopted Resolution No. 63-2021 of the City Council of the City of Clayton Approving and Authorizing the Execution of a One-Year Agreement in the Amount of \$40,500 Annually Through December 31, 2022, With Up to Two One-Year Extensions, With Matrix Association Management for Property Management and Maintenance Services for the Diablo Estates at Clayton Development (Subd. 7719) Being Funded by the Diablo Estates at Clayton Benefit Assessment District. (Assistant to the City Manager)

- (e) Acquisition and Installation of Advance “Prepare to Stop” Warning Signs on Clayton Road Approaching Diablo View Middle School in an Amount not to Exceed \$50,000 (CIP #10448). (City Engineer)
- (f) Adopted Resolution No. 64-2021 Approving the Final Subdivision Map (Tract Map 9536) and Authorizing Execution of a Subdivision Improvement Agreement for the Diablo Meadows Residential Development. (Community Development Director)
- (g) **WITHDRAWN BY STAFF** Consideration of Resolutions Selecting Projects for Applications of Funds from the California Department of Parks and Recreation’s Office of Grants and Local Services’ (OGAL) Proposition 68 Per Capita and Recreational Infrastructure Revenue Enhancement (RIRE) Programs. (Community Development Director)

5. RECOGNITIONS AND PRESENTATIONS

- (a) Proclamation declaring November 16, as “Dutch American Heritage Day” in Clayton. (Mayor Wolfe)

Mayor Wolfe briefly read the proclamation declaring November 16 as “Dutch American Heritage” day in the City of Clayton.

- (b) Proclamation declaring December 10, as “Human Rights Day” in Clayton. (Mayor Wolfe)

Mayor Wolfe briefly read the proclamation declaring December 10 as “Human Rights” day in the City of Clayton.

6. REPORTS

- (a) City Manager/Staff

City Manager Reina Schwartz indicated “No Report”.

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

Vice Mayor Cloven attended the meeting of Transportation Partnership and Cooperation for Central Contra Costa (TRANSPAC), the Veterans Day ceremony, met with the City Manager, met with the Mayor, spoke with various citizens regarding the American Rescue Plan Act Funding and the Housing Element Survey.

Councilmember Tillman attended the joint meeting of Mount Diablo Unified School District Superintendent, Mayors’ and City Managers, the Mount Diablo School District Anti-Bias/Anti-Racist subcommittee meeting, the Clayton Community Library Foundation meeting, met with the City Manager and conversations with residents regarding the Housing Element Survey.

Councilmember Wan indicated “No Report”.

Councilmember Diaz met with Dan Keen regarding American Rescue Plan Act Funding and the upcoming City Manager evaluation, met with the Morgan Territory Community Association, met with the Clayton Community and Business Association holiday decorating committee, met with the City's IT technician for a segment from the last City Council meeting, received his booster vaccine, attended the Veterans Day ceremony, received calls from citizens concerned about the incident that occurred at the Cemex Quarry, and attended the Clayton Business and Community Associations Art and Wine committee meeting.

Mayor Wolfe attended the Veterans Day ceremony, the joint meeting of Mount Diablo Unified School District Superintendent, Mayors' and City Managers, the Clayton Business and Community Association Holiday Tree Lighting committee meeting, the Contra Costa County Mayors' Conference, announced United Against Hate is recognized this week, met with the City Attorney, met with the City Manager, met with the consultants regarding the City Manager's upcoming evaluation, wrote newspaper articles, announced the extension of the Governors' emergency declaration, and encouraged interested community members to apply for the vacancy on the Planning Commission.

7. PUBLIC COMMENT ON NON - AGENDA ITEMS

Edward Hartley announced upcoming events hosted by the Clayton Business and Community Association in 2021 and 2022.

Mayor Wolfe closed public comment.

8. PUBLIC HEARINGS

- (a) Introduce and Waive First Reading of an Ordinance to Amend Clayton Municipal Code Section 17.36.080 and Chapter 17.95 entitled "Medical and Adult-use Cannabis Regulations" Relating to Cultivation of Cannabis for Personal Use (ZOA-01-2021). (Community Development Director)

Community Development Director Dana Ayers presented the report.

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

Michael Lewis expressed support of this item.

Jenny Lewis expressed support of this item.

Dee Vieira expressed support of this item.

Scott Denslow expressed support of this item.

Mayor Wolfe closed public comment.

It was moved by Councilmember Wan, seconded by Vice Mayor Cloven, to Introduce Ordinance No. 492 Amending Clayton Municipal Code Section 17.36.080 and Chapter 17.95 Entitled "Medical and Adult-use Cannabis Regulations" Relating to Cultivation of Cannabis for Personal Use (ZOA-1-2021) (Passed 5-0).

9. ACTION ITEMS

- (a) Adopted Resolution No. 65-2021 Approving Program Parameters for the Clayton Cares Program and Appropriating American Rescue Plan Act (ARPA) Funding for Implementation. (City Manager)

City Manager Reina Schwartz introduced Daniel Keen from Management Partners to present the report.

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

Larry Love expressed concerns over the number of businesses in Clayton and was hoping for a better outlook.

Mayor Wolfe closed public comment.

It was moved by Councilmember Tillman, seconded by Vice Mayor Cloven, to adopt Resolution No. 65-2021 to Approve Program Parameters for the Clayton Cares Program and Appropriating American Rescue Plan Act Funds for Implementation. (Passed 5-0).

- (b) Adopted Resolution No. 66-2021 of the City Council of the City of Clayton Electing to Become Subject to the Uniform Public Construction Cost Accounting Act (Public Contract Code Section 22000 et seq.) and Waive First Reading and Introduced an Ordinance Establishing Bidding Procedures in Accordance with the Uniform Public Construction Cost Accounting Act (Public Contract Code Section 22000 et seq.) (City Manager)

City Manager Reina Schwartz presented the report.

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

It was moved by Councilmember Diaz, seconded by Councilmember Tillman, to adopt Resolution No. 66-2021 to Electing to Become Subject to the Uniform Public Construction Cost Accounting Act (Public Contract Code Section 22000 ET SEQ.); Waived First Reading and Introduction of Ordinance No. 493 Establishing Bidding Procedures in Accordance with the Uniform Public Construction Cost Accounting Act (Public Contract Code Section 22000 ET SEQ.) (Passed 5-0).

- 10. CLOSED SESSION – None.**

- 11. COUNCIL ITEMS – None.**

12. **ADJOURNMENT**– on call by Mayor Wolfe, the City Council adjourned its meeting at 10:34 p.m.

The next regularly scheduled meeting of the City Council will be December 7, 2021.

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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Carl Wolfe, Mayor

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