

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

TUESDAY, September 21, 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, and City Clerk/HR Manager Janet Calderon.

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

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

4. **CONSENT CALENDAR**

Councilmember Wan asked if there are any issues with the current contract between the City and Harris and Associates relating to item 4(c).

City Manager Schwartz confirmed there are no issues.

It was moved by Vice Mayor Cloven, seconded by Councilmember Wan, to approve the Consent Calendar items as submitted. (Passed 5-0).

- (a) Approved the minutes of the City Council's regular meeting of August 17, 2021. (City Clerk)
- (b) Approved the Financial Demands and Obligations of the City. (Finance)
- (c) Adopted Resolution No. 55-2021 Amending the FY2021/22 Capital Improvement Program (CIP) Establishing an FY2021/22 CIP for ADA Curb Ramp Work at \$353,888 (CIP No. 10453); Appropriating \$98,025 from Measure J (Fund 220) to the Neighborhood Pavement Preservation Project (CIP No. 10449) for a Revised Project Cost of \$1,019,137 to Fully Fund the Construction Management and Design Support Services for the Project; and Approving Letter Agreements with Harris & Associates for Construction Management and Design Support Services for Both Projects. (City Engineer)
- (d) Received and Filed Letters of Support for Assembly Bill 361 (Rivas) As Amended September 3, 2021 – Open Meetings During Declared State of Emergency. (Mayor)

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Certificates of Recognition to public school students for exemplifying the “Do the Right Thing” character trait of “Responsibility” during the months of August and September 2021. (Mayor Wolfe)

Mayor Wolfe and Mt. Diablo Elementary School 4th grade teachers Ms. Carcamo and Ms. Fail presented certificates to Kaia Brogan and Ethan White.

Mayor Wolfe and Diablo View Middle School Principal Peter Fong presented certificates to Anatalia Jovita "AJ" Esver and Jessie Thompson.

- (b) Presentation by Con-Fire Chief Terence Carey.

Terence Cary, Assistant Fire Chief, Contra Costa County Fire Protection District, provided an overview of Fire services with a focus on Clayton.

- (c) Proclamation declaring September 15 – October 15, as "Hispanic Heritage Month in Clayton. (Councilmember Wolfe)

Mayor Wolfe briefly read the proclamation declaring September 15 – October 15 as "Hispanic Heritage Month" in the City of Clayton.

- (d) Proclamation declaring September 17, as "Constitution/Citizenship" day in Clayton. (Mayor Wolfe)

Mayor Wolfe briefly read the proclamation declaring September 17 as "Constitution/Citizenship" day in the City of Clayton.

6. REPORTS

- (a) City Manager/Staff

City Manager Reina Schwartz noted the Appeal filed by the City regarding the Regional Housing Needs Allocation (RHNA) is being considered by Association of Bay Area Governments (ABAG) on September 24 with a final decision to be made in October.

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

Councilmember Diaz spoke with citizens on a variety of issues including vandalism on Peacock Creek, attended the Clayton Business and Community Association open house, the last two Concerts in The Grove, the memorial service for Lou Gernhardt, briefly spoke about the power outage that occurred in Clayton, and met with the City Manager.

Councilmember Tillman attended the Clayton Business and Community Association mixer, spoke with Cheryl Willis regarding the location of the little free Anti-Racist Library, attended Antonio Tapia's citizenship party at Moresi's, met with the MIG Consultant, attended the Clayton Community Library Foundation meeting, met with American Rescue Plan Act (ARPA) funding consultant, received calls from residents regarding unsafe conditions at Endeavor Hall and Clayton Community Library.

Councilmember Wan met with consultants regarding Housing and American Rescue Plan Act (ARPA) funding, met with the City Manager inquiring on the Community Rating systems as part of National Flood Insurance Program, and advised as part of the terms

of the City's agreement with Republic Services residents are able to request additional green waste and recycle bins at no additional charge.

Vice Mayor Cloven recognized the Dana Hills Swim Team in their recent County win, attended the Contra Costa County Hazardous Materials Commission meeting, the Clayton Business and Community Association open house, spoke with consultants regarding Housing and American Rescue Plan Act (ARPA) funding, the Contra Costa County Mayors' Conference, and followed up with Larry Love a local business owner.

Mayor Wolfe met with Larry Love a local business owner, met with consultants regarding Housing and American Rescue Plan Act (ARPA) funding, met with the City Manager, attended the National League of Cities Mayors' roundtable, attended the Contra Costa County Mayors' Conference, attended the Rory Richmond memorial service, presented an Eagle Scout Proclamation to Dylan Lynch, noted a correction to his recent newspaper articles, met with the Clayton Business and Community Association Sponsorship Committee, noted a vandalism issue on Peacock Creek, and announced his upcoming attendance at the Cal Cities Annual Conference.

7. PUBLIC COMMENT ON NON - AGENDA ITEMS

Roy Correa expressed his concerns with a lack of information provided to the citizens regarding outcomes of the recent conversations with consultants.

Mayor Wolfe provided some brief information regarding SB9/SB10 noting a Special Joint meeting will take place on September 28 with the City Council and Planning Commission to discuss housing needs.

Mayor Wolfe closed public comment.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

- (a) Approve an Upgrade to Audio-Visual Equipment in Hoyer Hall in the amount of \$40,000, Appropriate Funding from Comcast PEG (Public Education and Government Access) Grant Funds (Fund 230, Project number 5051) to Fund the Upgrade, and Provide Direction to Staff Regarding Holding a Fully Virtual City Council Meeting on October 5, 2021 as Authorized Under AB 361. (City Manager)

City Manager Reina Schwartz presented the report.

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

Dee Vieira expressed support of continuing virtual meetings.

Mayor Wolfe closed public comment.

It was moved by Councilmember Diaz, seconded by Vice Mayor Cloven, to Approve an Upgrade to Audio-Visual Equipment in Hoyer Hall in the Amount of \$40,000, Appropriate Funding from Comcast PEG (Public Education and Government Access) Grant Funds (Fund 230, Project Number 5051) to Fund the Upgrade, and Provided Direction to Staff to Continue Virtual City Council Meetings As Authorized By AB 361 to December 31, 2021, Unless Direction is Otherwise Provided by The Contra Costa County Health Official. (Passed; 5-0 vote).

- (b) American Rescue Plan Act Update and Ratification of Agreement with Management Partners for Assistance in Developing and Implementing a Program to Use Federal Stimulus Funding from the American Rescue Plan Act for a Not-to-exceed Amount of \$55,000 and Appropriating \$55,000 from American Rescue Plan Funds Received by the City of Clayton to Fund the Agreement. (City Manager)

City Manager Reina Schwartz presented the report.

Daniel Keen, Partner, Management Partners, presented a brief PowerPoint.

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

Larry Love expressed support of this program for small business owners.

Mayor Wolfe closed public comment.

It was moved by Councilmember Diaz, seconded by Councilmember Tillman, to Approve an Agreement with Management Partners for Assistance in Developing and Implementing a Program to use Federal Stimulus Funding From the American Rescue Plan Act (ARPA) with Option 6. (Passed; 5-0 vote).

- (c) Discussion of Process and Timing for putting a tax measure on the Ballot. (City Clerk)

City Clerk Janet Calderon presented the report.

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

It was moved by Councilmember Wan, seconded by Mayor Wolfe, to Direct Staff to Move Forward with Consideration of a Ballot Measure to be placed on the November 8, 2022 General Election and report back at a future City Council Meeting. (Passed; 5-0 vote).

10. COUNCIL ITEMS

Councilmember Diaz requested Maintenance to provide additional cleaning to The Grove Park during the Concerts in The Grove season, and requested a 6-month Evaluation of the City Manager.

Mayor Wolfe requested operation of the City Fountain on September 11th each year.

Councilmember Tillman requested a review of protocol of City Council/Planning Commission procedures.

11. **ADJOURNMENT**— on call by Mayor Wolfe, the City Council adjourned its meeting at 10:00 p.m.

The next regularly scheduled meeting of the City Council will be October 5, 2021.

#

Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Carl Wolfe, Mayor

#