

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

**TUESDAY, March 1, 2022**

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:00 p.m. by Mayor Cloven on a virtual web meeting and telephonically (877) 853-5257. Councilmembers present: Mayor Cloven, Vice Mayor Tillman, and Councilmembers Diaz, Wan, and Wolfe. 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**

Vice Mayor Tillman thanked the residents that applied for and were appointed to the Trails and Landscaping Committee.

**It was moved by Councilmember Wolfe, seconded by Councilmember Wan, to approve the Consent Calendar items 4(a) – 4(i) as submitted. (Passed 5-0).**

- (a) Approved the minutes of the City Council’s regular meeting of February 15, 2022. (City Clerk)
- (b) Approved the Financial Demands and Obligations of the City. (Finance)
- (c) Adopted Resolution No. 14-2022 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. 15-2022 Appointing Nine (9) Citizens to the Trails and Landscaping Committee for terms of office commencing March 1, 2022 through December 31, 2023. (City Clerk)
- (e) Adopted Resolution No. 16-2022 Acceptance of the 2021 General Plan Implementation and Housing Element Annual Progress Report. (Community Development Director)
- (f) Adopted Resolution No. 17-2022 of the City Council of the City of Clayton: 1) Identifying the Replacement of the School-Age and Toddler Play Structures for the Application to the California Department of Parks and Recreation’s Office of Grants and Local Services’ (OGAL), for Receipt of Grant Funds Pursuant to the Proposition 68 Per Capita Grant Program; 2) Establishing a Capital Improvement Project (CIP) for Clayton

Community Park Playground Replacement (CIP 10454) in a Total Amount of \$378,074; 3) Accepting and Appropriating to CIP 10454 \$185,074 in Proposition 68 Per Capita Grant Funds for CIP 10454; 4) Accepting and Appropriating to CIP 10454 the Donation of \$20,000 from Clayton Valley Concord Sunrise Rotary; 5) Appropriating \$173,000 in Developer Impact Fees to CIP 10454; Delegating Authority to the City Manager or Designee to Execute Any Required Documents; and Directing the City Manager to File a Notice of Exemption from the California Environmental Quality Act for the Project.  
(Community Development Director)

- (g) Adopted Resolution No. 18-2022 Approving an Agreement with Precision Civil Engineering for Preparation of Pre-Approved Accessory Dwelling Unit (ADU) Plans and an ADU Information Brochure, and Appropriating Funding for a Not-to-Exceed Amount of \$54,500 in Reimbursable Funds from the Senate Bill 2 Planning Grants Program.  
(Community Development Director)
- (h) Establish a City Council Ad Hoc CEMEX Committee. (City Manager)
- (i) Adopted Resolution No. 19-2022 of the City Council of the City of Clayton Adopting a Notification of Intention to Comply with Senate Bill 1383, California's Short-Lived Climate Pollutant Reduction Law (Organic Waste Reduction Regulations).  
(Assistant to the City Manager)

## **5. RECOGNITIONS AND PRESENTATIONS**

- (a) Certificates of Recognition to public school students for exemplifying the "Do the Right Thing" character trait of "Self-Discipline" during the months of January and February 2022. (Mayor Cloven)

Councilmember Wolfe and Mt. Diablo Elementary School Principal Katie Sanchez and teachers Mrs. VanOstrive and Mrs. Erickson presented certificates to Ian Meyer and Mehar Nanwhan.

Councilmember Wolfe and Diablo View Middle School Principal Peter Fong presented certificates to Kaylee Abregana and Luka Sahin.

- (b) Proclamation declaring March as "Irish-American Heritage Month" in the City of Clayton.  
(Mayor Cloven)

Mayor Cloven read the proclamation declaring March as "Irish-American Heritage Month".

- (c) Proclamation declaring March as "National Women's History Month" in the City of Clayton. (Mayor Cloven)

Vice Mayor Tillman read the proclamation declaring March as "National Women's History Month".

- (d) Proclamation declaring March 31, as "Cesar Chavez Day" in the City of Clayton.  
(Mayor Cloven)

Councilmember Diaz read the proclamation declaring March 31 as "Cesar Chavez Day".

## 6. REPORTS

### (a) City Manager/Staff

City Manager Reina Schwartz provided a brief update on the Clayton Cares Program and advised in-person City Council meetings are expected to begin in April.

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

Councilmember Wan called and emailed constituents.

Vice Mayor Tillman attended the CalCities Legislative Discussion Forum, met with the Mount Diablo Unified School District Superintendent at Northgate High School, attended the Mount Diablo Unified School District board meeting, attended the Clayton Business and Community Association general membership meeting, attended the local elected woman's luncheon, assembled and distributed door hangers in the community.

Councilmember Diaz attended the Clayton Business and Community Association general membership meeting, met with the City Manager, met with the Police Chief, and announced Bob Hoyer, first Mayor of Clayton will be celebrating his 101<sup>st</sup> birthday on March 17.

Councilmember Wolfe met with the Mayor, met with the City Manager, emailed and called constituents, attended the BART redistricting meeting, and assisted in the distribution of door hangers in the community.

Mayor Cloven attended the BART Redistricting meeting, visited Mount Diablo Elementary School, attended a Hazardous Waste Materials Commission meeting, attended the Clayton Business and Community Association general membership meeting, assisted with the distribution of door hangers in the community, felt the recent *Clayton Pioneer* article may have created more confusion for the community and clarified certain items regarding the potential tax measure, and attended the Clayton Club Annual Chili Cook-Off.

## 7. PUBLIC COMMENT ON NON - AGENDA ITEMS

James Killoran expressed concern regarding the costs of obtaining driveway permits and inspection fees in the City of Clayton.

Mark Foley, BART Director District 2, provided a brief update on BART redistricting.

Dee Vieira expressed concern regarding an anonymous letter she received regarding potential Clayton Business and Community Association fraudulent activities, and expressed her appreciation regarding the distribution of the door hangers.

Gary Hood expressed his concerns regarding the lack of preventative maintenance although every resident is contributing to the Landscape Tax Assessment, he also felt the *Clayton Pioneer* article created more confusion, and requested the City Council and

City Manager reconsider the claim filed against the city for the tree falling on private property, as he felt those trees were not properly maintained by the City.

Mayor Cloven closed public comment.

8. **PUBLIC HEARINGS** – None.

9. **ACTION ITEMS**

- (a) Discussion of Availability of a Quorum at the April 5, 2022 Regular City Council Meeting.  
(City Manager)

City Manager Schwartz presented the report.

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

After City Council discussion, it was determined there will be a quorum at the April 5, 2022 regular City Council meeting.

No action taken.

10. **CLOSED SESSION** – None.

11. **COUNCIL ITEMS**

Councilmember Diaz requested both the City Council and Planning Commission form a Study Group regarding the Housing Element.

12. **ADJOURNMENT**– on call by Mayor Cloven, the City Council adjourned its meeting at 8:05 p.m.

The next regularly scheduled meeting of the City Council will be March 15, 2022.


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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

  
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Peter Cloven, Mayor

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