

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

**TUESDAY, March 15, 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, Finance Director Katherine Korsak, 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**  
  
**It was moved by Councilmember Diaz, seconded by Councilmember Wolfe, 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 March 1, 2022. (City Clerk)
  - (b) Approved the Financial Demands and Obligations of the City. (Finance)
  - (c) Adopted Resolution No. 20-2022 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. 21-2022 of the City Council of the City of Clayton: 1) Identifying Various Facilities and Equipment Replacement and Installations 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 Recreational Infrastructure Revenue Enhancement (RIRE) Grant Program; 2) Establishing a Capital Improvement Project (CIP) for The Grove Facilities Enhancements (CIP 10455) in a Total Amount of \$250,000; 3) Accepting and Appropriating to CIP 10455 \$250,000 in Proposition 68 RIRE Grant Funds; and 4) Directing the City Manager to File a Notice of Exemption from the California Environmental Quality Act for the Project (Community Development Director)
  - (e) Adopted Resolution No. 22-2022 Establishing 2022/23 ERU Assessment Rate for Federal and State Mandated National Pollution Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention) (Assistant to the City Manager)

- (f) Approval of 2022 “Classic Car Show & DJ” Wednesday Series at the City Parking Lot on Main Street. (Councilmember Diaz)

**5. RECOGNITIONS AND PRESENTATIONS**

- (a) Proclamation declaring March as “Red Cross Month” in the City of Clayton.  
(Mayor Cloven)

Stan Massie, Volunteer/ Board Member, Red Cross briefly spoke about the efforts of the Red Cross.

Mayor Cloven read the proclamation declaring March as “Red Cross Month” in the City of Clayton.

**6. REPORTS**

- (a) City Manager/Staff

City Manager Reina Schwartz advised on March 7 the Trails and Landscaping Committee met and will be meeting again in May, and advised the Balancing Act Software is still available to the community on the City’s website.

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

Councilmember Wan attended the Budget/Audit Subcommittee meeting, called and emailed constituents.

Councilmember Wolfe met with the Mayor, met with the City Manager, met with Planning Commissioner Miller, signed “Do The Right Thing” certificates, and attended Bob Hoyer’s 101<sup>st</sup> birthday celebration.

Councilmember Diaz attended the 56<sup>th</sup> Fire Academy Graduation, the East Bay Regional Communications Authority meeting, the Clayton Business and Community Association Art and Wine Committee meeting, the Cemex Ad-Hoc Committee meeting, the San Ramon Valley Exchange Club, the Clayton Business and Community Association Special meeting, the Clayton Business and Community Association BBQ Committee meeting, and met with the City Manager.

Vice Mayor Tillman met with the City Manager and attended the Budget/Audit Subcommittee meeting.

Mayor Cloven attended the Contra Costa County Mayors’ Conference, the Cemex ad-hoc committee meeting, the Clayton Business and Community Association Special meeting, the meeting of Transportation Partnership and Cooperation for Central Contra Costa (TRANSPAC), called and emailed constituents, and spoke with several American Rescue Plan Act funding beneficiaries.

**7. PUBLIC COMMENT ON NON - AGENDA ITEMS – None.**

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

- (a) Accounting Action Plan to Correct FY2020/21 Audit Findings.  
(Finance Director)

Finance Director Korsak presented the report.

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

Terri Denslow expressed her support for this item.

Mayor Cloven closed public comment.

No Action Required.

- (b) Adopted Resolution No. 23-2022 Appropriating American Rescue Plan Act (ARPA) funds for the Purchase and Implementation of the ClearGov Budget and Performance Management Software Platform  
(Finance Director)

Finance Director Korsak presented the report.

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

Terri Denslow expressed her support for this item.

Gary Hood would support this platform in the future, as he has concerns with the current financial deficiencies.

Mayor Cloven closed public comment.

**It was moved by Councilmember Wolfe, seconded by Vice Mayor Tillman, to adopt Resolution No. 23-2022 Appropriating American Rescue Plan Act Funds for Purchase and Implementation of the ClearGov Budget and Performance Management Software Platform. (Passed 3-2; Diaz and Wan, No).**

- (c) FY2021/22 Mid-year Budget Review and Adopted Resolution No. 24-2022 Authorizing the Creation of a Separate Fund (232) for American Rescue Plan Act (ARPA) Revenues and Expenses.  
(Finance Director)

Finance Director Korsak presented the report.

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

**It was moved by Councilmember Wan, seconded by Councilmember Diaz, to adopt Resolution No. 24-2022 Authorizing the Creation of a Separate Fund (232) for American Rescue Plan Act Revenues and Expenses. (Passed 5-0).**

- (d) Adopted Resolution No. 25-2022 Approving a Professional Services Agreement with Anchor CM Through June 30, 2023 with up to Four One-year Renewals, for City Engineering Services, Authorizing the City Manager to Execute the Agreement and Appointing Larry Theis, PE As City Engineer for the City of Clayton.  
(City Manager)

City Manager Schwartz presented the report.

Larry Theis, PE Anchor CM introduced himself and provided a brief overview of the services provided by Anchor CM.

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

**It was moved by Councilmember Diaz, seconded by Councilmember Wolfe, to adopt Resolution No. 25-2022 Approving A Professional Services Agreement with Anchor CM Through June 30, 2023 with Up to Four One-year Renewals, For City Engineering Services, Authorizing the City Manager to Execute the Agreement and Appointing Larry Theis, PE As City Engineer for the City of Clayton. (Passed 5-0).**

- (e) Update on the Contra Costa County Land Use Permit Revision Application Pertaining to the Amendment of the CEMEX Clayton Quarry Reclamation Plan and Availability of the Draft Environmental Impact Report (EIR) Prepared for the Project.  
(Community Development Director)

Community Development Director Ayers presented the report.

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

No Action Required.

**10. CLOSED SESSION – None.**

**11. COUNCIL ITEMS**

Mayor Cloven requested a future agenda item to include an “Otter Day” proclamation in honor of Dana Hills swim team.

**12. ADJOURNMENT– on call by Mayor Cloven, the City Council adjourned its meeting at 9:36 p.m.**

The next regularly scheduled meeting of the City Council will be April 5, 2022.

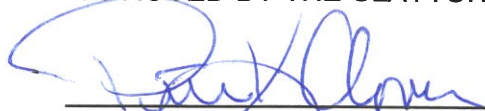
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Respectfully submitted,



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Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



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Peter Cloven, Mayor

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