

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

TUESDAY, July 18, 2023

1. **CALL TO ORDER AND ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Wan held via a hybrid meeting format live in-person and Zoom videoconference and broadcast from Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California. Councilmembers present: Mayor Wan, Vice Mayor Diaz, and Councilmembers Cloven, Tillman and Trupiano. Councilmembers absent: None. Staff present: City Manager Bret Prebula, City Attorney Mala Subramanian, Executive Assistant to the City Manager/HR Manager Amy Walcker, Finance Director Prapti Aryal, Community Development Director Dana Ayers, City Engineer Larry Theis, and City Clerk Janet Calderon.

2. **PLEDGE OF ALLEGIANCE** – Led by Mayor Wan.

3. **PUBLIC COMMENT ON NON - AGENDA ITEMS**

Ann Stanaway expressed her dissatisfaction with the City Manager newsletter and the City Manager conversation on July 13.

Bill Walcutt requested the City Council consider a parking permit program for the area of Lower Easley, Upper Easley, Stranahan, Diablo Village, Center Street, and parts of downtown due to The Olivia project.

Gary Hood supported Mr. Walcutt's request in the City Council consider a parking permit program with representation from each neighborhood due to The Olivia project.

Mayor Wan closed public comment.

4. **CONSENT CALENDAR**

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

- (a) Approved the minutes of the City Council's regular meeting of June 20, 2023.
(City Clerk)
- (b) Approved the Financial Demands and Obligations of the City. (Finance Director)
- (c) Adopted Resolution No. 41-2023 of the City Council of the City of Clayton Adopting the City of Clayton's Salary Schedule Effective July 1, 2023 in Conformance with CalPERS Requirements to Provide a Publicly Available Salary Schedule.
(Executive Assistant to City Manager/HR Manager)

- (d) Adopted Resolution No. 42-2023 Accepting the Clayton Community Park Play Structure Replacement Project (Capital Improvement Project No. 10454) Performed by Specified Equipment Company (SPEC) as Complete, Approving the Notice of Completion, Directing the City Clerk to Record Same with the County Recorder, and Authorizing the Payment of All Retained Funds to SPEC 35 Days After Recording the Notice of Completion. (Community Development Director)
- (e) Multi-Year Agreement with Konica Minolta Business Solutions (Konica Minolta) for a Konica Minolta Bizhub C650i Copier Lease with Maintenance Agreement. (City Clerk)

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Save Mount Diablo Presentation. (Councilmember Trupiano)

Ted Clement, Executive Director Save Mount Diablo presented a PowerPoint presentation providing a brief overview of the efforts of Save Mount Diablo.

6. **REPORTS**

- (a) City Manager Bret Prebula introduced new employees Finance Director Prapti Aryal and Executive Assistant to the City Manager/HR Manager Amy Walcker.

7. **PUBLIC HEARINGS**

- (a) Public Hearing on Proposed Real Property Assessments for the Diablo Estates at Clayton Benefit Assessment District (BAD); Ordering Improvements and Levying Annual Assessments in Fiscal Year 2023/24. (City Engineer)

City Engineer Larry Theis presented the report.

Following discussion by the City Council, Mayor Wan opened the item to public comments; no comments were offered.

It was moved by Councilmember Tillman, seconded by Councilmember Trupiano, to Adopt Resolution No. 43-2023 Confirming Assessments for the Operation and Maintenance of Improvements Within the Diablo Estates at Clayton Benefit Assessment District for Fiscal Year 2023/24. (Passed; 5-0).

- (b) Resolution Adopting the 2022 East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Mitigation Fee Audit and Nexus Study and Update of the East Contra Costa County HCP/NCCP Mitigation Fees, and Finding the Action to be Exempt from the California Environmental Quality Act. (Community Development Director)

Community Development Director Dana Ayers presented the report.

Following discussion by the City Council, Mayor Wan opened the item to public comments; no comments were offered.

It was moved by Councilmember Trupiano, seconded by Vice Mayor Diaz, to Adopt Resolution No. 44-2023 the 2022 East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) Mitigation Fee Audit and Nexus Study and Updating the East Contra Costa County HCP/NCCP Mitigation Fees, and Finding the Action to be Exempt from the California Environmental Quality Act. (Passed; 5-0).

8. ACTION ITEMS

- (a) Adopt a resolution approving a Franchise Agreement with Allied Waste Systems, Inc. (Republic Services) for garbage, recyclable materials and organic waste collection services and revising the maximum limit for rates for such services starting on January 1, 2024. (City Manager)

City Manager Bret Prebula presented the report.

Following discussion by the City Council, Mayor Wan opened the item to public comments.

J Smyth expressed concern in the presentation chart city over city, he felt Republic Services ask of 25.51% increase is excessive with 19% also excessive, and felt the notices of violation and penalties should also include Republic Services when garage falls on the street and not picked up.

David had questions on the cost for the replacement of the containers.

Cassie Bartholomew expressed support of food scrap recycling and compost giveaways.

It was moved by Councilmember Cloven, seconded by Councilmember Tillman, to Adopt Resolution No. 45-2023 Approving an Agreement with Allied Waste Systems, Inc. and Approving the new Solid Waste Collection Rates Effective January 1, 2024. (Passed; 5-0).

- (b) Approve Funding Agreement between Contra Costa Transportation Authority and City of Clayton for Cost Sharing Commitments to Design and Construct the Countywide Smart Signals Project. (City Engineer)

City Engineer Larry Theis presented the report.

Joy Bhattacharya, Vice President Advance Mobility Group, clarified some questions of the City Council.

John Wong, Planning Director Contra Costa Transportation Authority, also clarified some questions of the City Council.

Following discussion by the City Council, Mayor Wan opened the item to public comments; no comments were offered.

It was moved by Councilmember Tillman, seconded by Councilmember Cloven, to Approve Funding Agreement between Contra Costa Transportation Authority and

City of Clayton for Cost Sharing Commitments to Design and Construct the Countywide Smart Signals Project as modified to June 30, 2024. (Passed; 5-0).

- (c) Provide Direction To Staff On Pursuing Opportunities For Cell Tower Leases.
(City Manager)

City Manager Bret Prebula presented the report.

Following discussion by the City Council, Mayor Wan opened the item to public comments; no comments were offered.

Direction provided to staff.

- (d) Approve On-call Citywide Service Contract with Waraner Brothers Tree Service.
(Maintenance Supervisor)

City Manager Bret Prebula presented the report.

Following discussion by the City Council, Mayor Wan opened the item to public comments; no comments were offered.

It was moved by Councilmember Cloven, seconded by Councilmember Tillman, to Adopt Resolution No. 46-2023 Awarding a Contract for On-call Tree Service. (Passed; 5-0).

- (e) Adopt a Resolution Authorizing the City Manager to Sign All Documents Related to Obtaining and Implementing Granicus Agenda Management Software and Any Necessary Budget Amendments. (City Manager)

City Manager Bret Prebula presented the report and introduced Emery Hensel to present a PowerPoint.

Following discussion by the City Council, Mayor Wan opened the item to public comments; no comments were offered.

It was moved by Councilmember Cloven, seconded by Councilmember Trupiano, to Adopt Resolution No. 47-2023 Authorizing the City manager to Sign Any and All Documents Related to the Implementation of the Granicus Agenda Management Software and Approval of Any Necessary Budget Amendments. (Passed; 5-0).

9. COUNCIL ITEMS

Vice Mayor Diaz requested a future agenda item to include a consideration a parking permit program for the area of Lower Easley, Upper Easley, Stranahan, Diablo Village, Center Street, and parts of downtown.

10. COUNCIL REPORTS

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

Councilmember Cloven spoke with constituents regarding the Master Fee Schedule specially the event fees, announced the VFW will be hosting a 9/11 event, and advised he will be organizing another service day prior to the 9/11 event.

Councilmember Tillman attended the Cal Cities Community Services Policy Committee meeting, attended the Juneteenth celebration in Concord, attended the Clayton City Council Special meeting, spoke with constituents regarding various concerns, attended the Citpac Bocce Ball event, attended the Clayton 4th of July Parade, met with the Clayton Pride committee, and met with the City Manager.

Councilmember Trupiano attended the Clayton 4th of July Parade, met with the Contra Costa Library Foundation President, attended the Contra Costa Mayors' Conference, attended the Concerts in The Grove, and met with Sonja Wilkin from Clayton Valley Village.

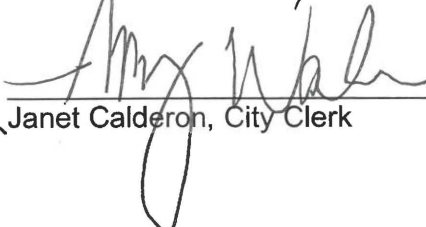
Vice Mayor Diaz attended the Clayton 4th of July Parade, attended the County Connection Finance and Administrative Board meeting, attended the Contra Costa County Mayors' Conference, attended the Concerts in The Grove, attended the Contra Costa Mineral and Gem Society meeting, attended the Clayton Classic Car Show, and requested this evening's meeting be adjourned in memory of Allen "Bud" Krohn, David Skuba, and Karen Ann Mangini who recently passed away.

Mayor Wan attended the Clayton 4th of July Parade, and attended the Contra Costa Mayors' Conference.

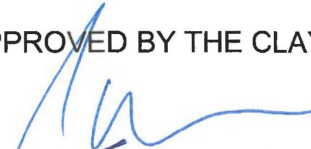
- 11. **ADJOURNMENT** - on call by Mayor Wan, the City Council adjourned its meeting at 10:40 p.m. in memory of Allen "Bud" Krohn, Dave Skuba, and Karen Ann Mangini who recently passed away.

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Respectfully submitted,


FOR Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL


Jeff Wan, Mayor