

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

**TUESDAY, June 18, 2019**

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 6:00 p.m. by Mayor Catalano in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Catalano, Vice Mayor Pierce, and Councilmembers Diaz, Wan, and Wolfe. Councilmembers absent: None. Staff present: Assistant to the City Manager Laura Hoffmeister, and City Clerk/HR Manager Janet Calderon.

2. **COUNCIL INTERVIEW OF PLANNING COMMISSION APPLICANTS**

The City Council separately interviewed two (2) candidates who had applied for appointment to the City Planning Commission:

Peter Cloven  
AJ Chippero

**RECESS:** The City Council took a short recess from 6:44 p.m. – 7:00 p.m.

**7:00 P.M.                      REGULAR PUBLIC MEETING**

3. **RECALL TO ORDER THE CITY COUNCIL** – The meeting was recalled to order at 7:00 p.m. by Mayor Catalano in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Catalano, Vice Mayor Pierce, and Councilmembers Diaz, Wan, and Wolfe. Councilmembers absent: None. Staff present: Assistant to the City Manager Laura Hoffmeister, City Attorney Mala Subramanian, Police Chief Elise Warren, City Engineer Scott Alman, and City Clerk/HR Manager Janet Calderon.

4. **PLEDGE OF ALLEGIANCE** – led by Mayor Catalano.

5. **CONSENT CALENDAR**

**It was moved by Vice Mayor Pierce, seconded by Councilmember Wolfe, to approve the Consent Calendar as submitted. (Passed 5-0 vote).**

- (a) Approved the minutes of the City Council's regular meeting of June 4, 2019.  
(b) Approved the Financial Demands and Obligations of the City.

- (c) Adopted Resolution No. 23-2019 authorizing the levy of annual real property tax assessments for Community Facility District No. 2006-1 in Fiscal Year 2019-2020 (Downtown "The Grove" Park O & M; Fund No. 211).
- (d) Adopted Resolution No. 24-2019 authorizing the levy of annual real property tax assessments for Community Facility District No. 2007-1 in Fiscal Year 2019-2020 (Citywide Landscape Maintenance District; Fund No. 210).
- (e) Adopted Resolution No. 25-2019 authorizing the levy of annual real property tax assessments for the Middle School Community Facility District in Fiscal Year 2019-2020 (CFD 1990-1R, 2007 Special Tax Refunding Bonds; Fund No. 20).
- (f) Approved the Mayoral appointment of Jacalyn Ferree to the Contra Costa County Library Commission as the City of Clayton's representative with the term of office ending June 30, 2023.

## **6. RECOGNITIONS AND PRESENTATIONS**

- (a) Recognition and Appreciation to City Finance Manager Kevin Mizuno for his valued contributions and services to the City from December 2013 through June 2019 upon his leave of City employment.

Mayor Catalano presented a plaque to City Finance Manager Kevin Mizuno for his valued contributions and services to the City from December 2013 through June 2019. Mr. Mizuno thanked the City Council and City Staff for their support over the years.

- (b) Presentation by Pacific Gas and Electric (PG&E) regarding its new "Public Safety Power Shutoff Program" to be employed during fire hazard conditions.  
(Tom Guarino, East Bay Public Affairs Team, Pacific Gas and Electric)

Tom Guarino, East Bay Public Affairs Team, Pacific Gas and Electric introduced Vic Baker, Senior Manager for PG&E's Diablo Division to provide the PowerPoint presentation.

Following questions by the Council, Mayor Catalano thanked PG&E for its presentation.

## **7. REPORTS**

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff – No report.
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Diaz attended the Concert in The Grove featuring Mixed Nuts, the Classic Car Show event, the League of California Cities Environmental Policy Committee meeting, was interviewed by the recruiting firm for the recruitment of the next

City Manager, and announced the upcoming Concert in The Grove featuring The Boys of Summer.

Councilmember Wolfe attended the Contra Costa County Mayors' Conference in Moraga, the Concerts in The Grove featuring Mixed Nuts, responded to emails from constituents, attended a Tuesday evening concert in Healdsburg, and the Clayton Business and Community Association Oktoberfest committee meeting. Councilmember Wolfe advised he will be attending the upcoming Clayton Library Foundation meeting, will be interviewed by the recruiting firm for the recruitment of the next City Manager, and the upcoming Concert in The Grove.

Vice Mayor Pierce attended the Regional Planning Committee of Association of Bay Area Governments, the special meeting of Contra Costa Transportation Authority, the Association of Bay Area Governments General Assembly meeting, the memorial service for Ellen Tauscher, the Contra Costa County Mayors' Conference in Moraga, the Concerts in The Grove featuring Mixed Nuts, the National Association of Regional Councils National Board meeting in Omaha, the Transportation Partnership and Cooperation for Central Contra Costa (TRANSPAC) meeting, the Woman's Transportation Seminar, and the reception at the E-Bart station in Antioch where a conference/training room was named after Joel Keller.

Councilmember Wan advised he will be interviewed by the recruiting firm for the recruitment of the next City Manager, was in contact with a number of residents who expressed some of their ongoing concerns, and received his informational packet regarding the upcoming 4<sup>th</sup> of July parade.

Mayor Catalano announced the need of volunteers for the upcoming 4<sup>th</sup> of July parade. Mayor Catalano attended Contra Costa County Mayors' Conference in Moraga, the League of California Cities Transportation, Communications, and Public Works policy committee meeting. Mayor Catalano also announced upcoming office hours at the upcoming Farmers Market this Saturday from 9:00 am to 10:00 am, and announced the "Making a Difference" character trait for exemplary Community contributor, Volunteer, and or Fundraiser.

(e) Other – None.

## **8. PUBLIC COMMENT ON NON - AGENDA ITEMS**

Heather Prewitt, 1778 Indian Wells Way, expressed her concerns of access and safety regarding the coded gates recently installed in Oak Hollow. Ms. Prewitt provided the City Council photos and a map of the area of concern.

Mayor Catalano noted the area is an HOA matter as it is private property. She included city staff is performing research on this item, when information is available, the City Council will report on the findings at a future date.

Linda Minorsky, 805 Chert Place, advised she has been in contact with City Council and City Manager Gary Napper who reported from preliminary research it does not appear that there was ever a public easement in the original plans. Ms. Minorsky suggested the City pursue a prescriptive easement as she and others have always used that area as a way to access other areas of town.

Louise Compton advised she and her husband moved to Clayton because it is rated one of the most walkable cities. Ms. Compton expressed her concerns regarding the installation of the coded gates in Oak Hollow.

Brent Brinkeroff declined to speak, however is also concerned about the coded gate.

Cindy Knapp, 5 Kenston Court, who is a second grade teacher at Mt. Diablo Elementary wanted to request the dialogue re-open again regarding allowance of chickens in the city of Clayton.

Assistant to the City Manager Laura Hoffmeister noted staff can bring information back to the City Council at a later date regarding previous research regarding chickens within city limits.

**9. PUBLIC HEARINGS – None.**

**10. ACTION ITEMS**

- (a) Consider the Second Reading and Adoption of City-initiated Ordinance No. 488 extending the existing time extension waiver of certain on-site parking relief for specified land uses in Clayton Town Center area for an additional three years through June 30, 2022.

Assistant to the City Manager Laura Hoffmeister presented the report.

Mayor Catalano opened the item to public comments; no comments were provided.

**It was moved by Councilmember Wan, seconded by Councilmember Wolfe, to have the City Clerk read Ordinance No. 488, by title and number only and waive further reading. (Passed; 5-0 vote).**

The City Clerk read Ordinance No. 488 by title and number only.

**It was moved by Councilmember Wan, seconded by Vice Mayor Pierce, to approve a motion to adopt Ordinance No. 488 to amend Section 17.37.030.C (Waiver Period) of the Clayton Municipal Code for the purpose of extending from June 30, 2019 through June 30, 2022 the parking waiver provision in the Town Center Area (ZOA-03-19). (Passed; 5-0 vote).**

- (b) Consider a Resolution establishing a preferential residential parking permit pilot program on designated public street portions of the Regency Drive and Rialto Drive neighborhoods to alleviate on-street parking issues associated with hikers and users of the nearby Mt. Diablo State Park Regency Gate trailhead.

Police Chief Elise Warren presented the report.

There were no questions by the City Council; Mayor Catalano opened the item to public comments.

Mark Montijo supports the preferential residential parking permit pilot program.

Behnaz Athanasopoulos, Regency Drive, expressed her concerns of the parking and garbage issues she has experienced on Regency Drive.

Jeff Weiner supports the pilot program presented this evening, requesting after the pilot program looking into a one-time fee to continue the program.

Eric Rehn, 176 Regency Drive, advised the issue is the volume of visitors at Regency Gate. He does feel the proposal addresses the speeding, street erosion, trash or sanitary nuisance on Regency Drive. Mr. Rehn suggested redirecting funds for the preferential parking program to legally have the State Park fix the problems or restrict access at Regency Gate.

Nancy Topp objects to page 5 of the staff report paragraph regarding preferential parking permit signs, she noted Regency Drive has been a long time official access to Mt. Diablo State Park referred to as Regency Gate for over forty years. Ms. Topp provided the City Council information dating back to the 1970's regarding Regency Gate entrance.

Nathalie Montijo, Regency Drive, also supports the preferential parking pilot program.

Daniel Walsh noted Regency Drive is a fire access road and not ADA accessible. Mr. Walsh is also in support of the preferential parking pilot program.

Terri Denslow is not opposed to the relief of the quality of life concerns on Regency Drive. Ms. Denslow expressed concerns she has regarding use of gas tax expenditures as a funding resource, in the 1989 Mt. Diablo State Park General Plan a recommendation was made to work with the City of Clayton to improve park access via Regency Meadows, and requested the City Council to define how they will measure success from the pilot preferential parking program.

Ray Grimmond, 79 Regency Drive, advised the residents are not trying to restrict access to Regency Gate, rather a matter of parking and quality of life.

Shirley Weiner, 133 Regency Drive, advised the residents are not requesting to restrict access to Mt. Diablo State Park; they are seeking relief to the parking issues on Regency Drive.

Mayor Catalano closed public comment.

Following clarifying questions by the City Council, the City Council requested amendments to "Exhibit A" striking out the entire second bullet point regarding polluted air, addition of a bullet point ensuring the program does not supersede any other parking requirements including the 72 hour parking requirement, and extending the pilot program to fifteen months.

**It was moved by Councilmember Wan, seconded by Councilmember Wolfe, to approve Resolution No. 26-2019 Establishing a Preferential Parking Permit Pilot Program for a Restricted Parking District along Portions of Regency Drive and Rialto Drive Option 2; as amended. (Passed; 5-0 vote).**

- (c) City Council discussion and determination of citizen appointments to two (2) expired terms of office on the Clayton Planning Commission for two 2-year terms commencing July 1, 2019 through June 30, 2021.

Mayor Catalano presented the report.

Mayor Catalano opened the item to public comments; no comments were provided.

**It was moved by Councilmember Diaz, seconded by Councilmember Wolfe, to approve Resolution No. 27-2019 appointing Mr. Peter Cloven and Mr. Anthony Chippero to the offices on the Clayton Planning Commission, each with a term of office to expire June 30, 2021. (Passed; 5-0 vote).**

- (d) Consideration and discussion of Vice Mayor's status report on the Contra Costa Transportation Authority (CCTA's) potential new Transportation Expenditure Plan for the March 2020 ballot.

Vice Mayor Pierce presented the report.

Following questions by the City Council, Mayor Catalano opened the item to public comments; no comments were provided.

No action was taken on this item.

**11. COUNCIL ITEMS**

Mayor Catalano noted earlier requested items include Oak Hollow gate and re-opening dialogue regarding chickens in the city limits

Vice Mayor Pierce added the scheduling of Closed Session interview of an Interim City Manager to take place prior to the next City Council meeting of July 16, 2019.

City Attorney Mala Subramanian noted an agreement with an Interim City Manager should be at the next City Council meeting of July 16, 2019, suggesting time allowance for an interview and contract negotiations.

The City Council tentatively determined a Special Meeting Closed Session interview of an Interim City Manager on July 9, 2019 at 6:00 pm.

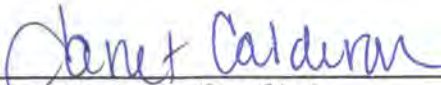
**12. CLOSED SESSION – None.**

**13. ADJOURNMENT– on call by Mayor Catalano, the City Council adjourned its meeting at 9:21 p.m.**

The next regularly scheduled meeting of the City Council will be June 18, 2019

**# # # # #**

Respectfully submitted,

  
\_\_\_\_\_  
Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

  
\_\_\_\_\_  
Tuija Cataland, Mayor

# # # # #