

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

TUESDAY, December 7, 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 Manager.

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

4. **CONSENT CALENDAR**

It was moved by Councilmember Diaz, seconded by Vice Mayor Cloven, 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 November 16, 2021 and the City Council’s special meetings of November 29, 2021 and November 30, 2021. (City Clerk)
- (b) Approved the Financial Demands and Obligations of the City. (Finance)
- (c) Adopted a Resolution No. 68-2021 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 Ordinance No. 492 to Amend Clayton Municipal Code Section 17.36.080 and Chapter 17.95 entitled “Medical and Adult-use Cannabis Regulations” Relating to Cultivation of Cannabis for Personal Use (ZOA-01-2021). (Community Development Director)
- (e) Adopted Ordinance No. 493* Establishing Bidding Procedures in Accordance with the Uniform Public Construction Cost Accounting Act (Public Contract Code Section 22000 et seq.). (Community Development Director)
- (f) Adopted Resolution No. 69-2021 Approving the 2021 Hazard Mitigation Plan, and Authorize Emergency Planning Consultants to Forward the Signed Resolution of Approval to FEMA for Issuance of a Final Letter of Approval. (City Manager)
- (g) Approved the National Opioid Litigation and Authorization to Participate in Settlement Agreements Arising from the Litigation. (City Attorney)

- (h) Approved Cancellation of the Regular Meeting of the Clayton City Council on December 21, 2021. (City Manager)
- (i) Received and Filed a Letter to District Attorney Diana Becton Regarding Concerns Over the Increase of Large-Scale Retail Thefts and Property Crimes in the Bay Area. (City Manager)

*Ordinance 493 has been re-numbered to Ordinance 494 with no other change to correct an administrative error in numbering.

5. RECOGNITIONS AND PRESENTATIONS – None.

6. ANNUAL REORGANIZATION OF CLAYTON CITY COUNCIL

- (a) Election of Mayor by the City Council
[Mayor Wolfe, to conduct the election]

Mayor Wolfe opened public comment.

Chris Wilder representing Supervisor Mitchoff's office thanked the City Council for their service this past year.

Wendy Moore thanked the City Council for their dedication to the Clayton community.

Mayor Wolfe closed public comment.

Mayor Wolfe opened the nominations for Mayor. Councilmember Diaz nominated Jeff Wan for the office of Mayor.

Councilmember Tillman then nominated Peter Cloven for the office of Mayor.

Mayor Wolfe performed a roll call vote for the position of Mayor.

On call by Mayor Wolfe, the election of Jeff Wan as Mayor failed. (Failed 2-3 vote; Cloven, Tillman and Wolfe, No).

On call by Mayor Wolfe, the election of Peter Cloven as Mayor passed. (Passed 3-2 vote; Diaz and Wan, No).

- (b) Election of Vice Mayor by the City Council
[Newly-elected Mayor to conduct the election]

Mayor Cloven opened nominations for Vice Mayor. Councilmember Wolfe nominated Holly Tillman for the position of Vice Mayor. There were no other nominations and Mayor Cloven closed the nominations.

Ernie DeTrinidad congratulated Mayor Cloven and Vice Mayor Tillman on their election.

Frank Gavidia expressed his dissatisfaction with the Mayor and Vice Mayor election this evening.

Bassam Altwal expressed his dissatisfaction with the previous public speaker.

AJ Chippero agreed with the previous public speaker.

Sandra Mazza expressed her shock at the interactions between the City Council members this evening.

Scott Denslow expressed his dissatisfaction with Councilmembers Diaz and Wan.

Dee Vieira thanked Councilmember Wolfe for his service and congratulated Mayor Cloven and Vice Mayor Tillman on their election.

Rachel Levy thanked Councilmember Wolfe for his service and congratulated Mayor Cloven and Vice Mayor Tillman on their election.

Edward Hartley thanked Councilmember Wolfe for his service and congratulated Mayor Cloven and Vice Mayor Tillman on their election. He requested the City Council work together.

Mayor Cloven closed public comment.

On call by Mayor Cloven, the election of Holly Tillman as Vice Mayor passed. (Passed 4-1 vote; Wan, No).

(c) **Recognitions and remarks by new Mayor and Council Members.**

Vice Mayor Tillman thanked Councilmember Wolfe for his nomination. She is looking forward to bringing the community together.

Mayor Cloven thanked Councilmember Wolfe for his service as Mayor and is looking forward to serving as Mayor in 2022. Mayor Cloven also requested kindness and respect to one another between the City Council and public comment.

7. REPORTS

(a) **City Manager/Staff**

City Manager Reina Schwartz provided a brief report regarding the Clayton Cares program noting 11 applications have been processed consisting of 2 individual and 9 business, and about a dozen more for review. Disbursements to go out around December 17, 2021.

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

Councilmember Diaz announced today is the 80th Anniversary of the Attack on Pearl Harbor, met and made a presentation to a former Navy Pilot Louis Pat Patterson of Danville on his 100th birthday, attended the Morgan Territory Community Association meeting, attended the East Bay Regional Communications Systems Authority meeting, and met with the City Manager and Police Chief.

Councilmember Wolfe met with the City Manager regarding the Pine Hollow Road improvement Project, attended the Clayton Business and Community Association meeting, attended the Clayton Business and Community Association Tree Lighting event, attended the Contra Costa County Mayors' Conference, met with central Contra Costa County Mayors' with District Attorney Diane Becton regarding the prosecution levels with recent smash and grabs, attended Clayton City Council Closed Session and Special meetings, wrote newspaper articles, responded to constituent emails, and will be attending the East Contra Costa County Habitat Conservancy. He also thanked everyone for their kind words and the current City Council.

Councilmember Wan indicated the City Council received a letter from the Clayton Police Officers Association president detailing their work during the pandemic requesting consideration of supplemental pay recognizing the work that has been done.

Councilmember Diaz also requested City Council also consider City Staff for supplemental pay.

Vice Mayor Tillman attended East Bay Philanthropy awards event hosted by Opportunity Junction, attended the Clayton Business and Community Association general membership meeting, met with the City Manager, spoke to several people regarding the American Rescue Plan Funding program, and met with other local elected from surrounding cities.

Mayor Cloven attended the Contra Costa County Hazardous Materials Commission, attended the Contra Costa County Mayors' Conference, attended the Clayton Business and Community Association Tree Lighting event, met with central Contra Costa County Mayors with District Attorney Diane Becton regarding the prosecution levels with recent smash and grabs, and spoke to several people regarding the American Rescue Plan Funding program.

8. PUBLIC COMMENT ON NON - AGENDA ITEMS

Wendy Moore announced upcoming events hosted by the Clayton Business and Community Association in 2021 and 2022.

Sandra Mazza promoted support of the renaming of Mount Diablo to Tuyshtak, meaning "at the dawn of time".

Ernie DeTrinidad encouraged the City Council work together as a group.

Scott Denslow provided a brief history of Mount Diablo and supported the renaming of Mount Diablo to Tuyshtak.

Mayor Cloven closed public comment.

9. PUBLIC HEARINGS – None.

10. ACTION ITEMS – None.

11. **CLOSED SESSION** – None.

12. **COUNCIL ITEMS**

Councilmember Diaz requested a presentation of Cemex regarding a recent incident and requested a future agenda item considering use of American Rescue Plan Funds to be considered for Clayton Police and City staff.

Councilmember Wan requested a future agenda item considering use of American Rescue Plan Funds to be considered for Clayton Police and City staff.

Vice Mayor Tillman requested a future item to updated the City Council Policies and Procedures. She also requested a poll of City Staff regarding their working relationship with City Council.

13. **ADJOURNMENT**– on call by Mayor Cloven, the City Council adjourned its meeting at 8:18 p.m.

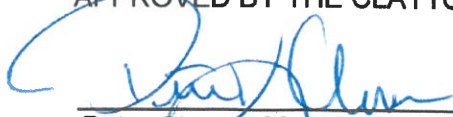
The next regularly scheduled meeting of the City Council will be January 4, 2022.

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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL


Peter Cloven, Mayor

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