

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

TUESDAY, December 20, 2022

6:00 P.M.

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 6:00 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 Reina Schwartz, City Attorney Mala Subramania04n, and Community Development Director Dana Ayers.

2. **CLOSED SESSION**

A. Public Employee Appointment (Gov. Code 54957)
Title: Interim City Manager

B. Conference with Labor Negotiators (Gov. Code 54957.6)
Agency designated representatives: Mayor Wan and Vice Mayor Diaz
Unrepresented Employee: Interim City Manager

- Short Recess -

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3. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:10 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 Reina Schwartz, City Attorney Mala Subramanian, and Community Development Director Dana Ayers.

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

5. **CONSENT CALENDAR**

It was moved by Councilmember Cloven, seconded by Councilmember Tillman, to approve the Consent Calendar items 5(a) – 5(h), as submitted. (Passed 5-0).

- (a) Approved the minutes of the City Council's regular meeting of December 6, 2022. (City Clerk)
- (b) Approved the Financial Demands and Obligations of the City. (Finance)
- (c) Adopted Resolution No. 85-2022 of the City Council of the City of Clayton Allowing for Video and Teleconference Meetings as Needed during the COVID-19 State of Emergency Under AB 361. (City Manager)
- (d) Adopted Resolution No. 86-2022 / Successor Agency Resolution SA01-2022 / Public Facilities Financing Authority Resolution FA01-2022 Approving a Debt Management Policy. (Interim Finance Director)
- (e) Adopted Resolution No.87-2022 Renewing Signature Authorizations For Investing City Funds In The Local Agency Investment Fund. (Interim Finance Director)
- (f) City Council Approval of Declaring Certain Police Department Equipment as Surplus. (Police Chief)
- (g) Adopted Resolution No. 88-2022 of the City Council of the City of Clayton Amending a Professional Services Agreement with GovInvest for Interim Finance Director Services and for a Comprehensive Fee Update in the Amount of \$35,875 for a Total Not-To-Exceed Amount of \$65,875. (City Manager)
- (h) Receive and File the Quarterly Financial Reports on the City's Investment Portfolio for the Periods Ending March 31, 2022, June 30, 2022 and September 30, 2022. (Interim Finance Director)

6. RECOGNITIONS AND PRESENTATIONS

County Connection update - Keith Haydon, City Council's designated liaison, provided a brief verbal Annual Report of County Connection activities.

7. REPORTS

- (a) City Manager Reina Schwartz provided an update on the Finance Director recruitment and advised City Hall will be closed December 23, 2022 – January 2, 2023.
- (b) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Cloven attended the Clayton Business and Community Association holiday dinner, attended the Transportation Partnership and Cooperation for Central Contra Costa (TRANSPAC) meeting, attended the Wreaths Across America event, attended the Rainbow Community Center fundraiser, called and emailed constituents.

Councilmember Tillman attended the Anti-Biased/Anti-Racist meeting, attended the Clayton Business and Community Association holiday dinner, attended the Cal Cities holiday dinner, attended the city of Oakley swearing in ceremony, attended the city of San Ramon swearing in ceremony, attended the Clayton Budget/Audit Committee

meeting, attended the Elected Women's Luncheon, attended the Wreaths Across America event, met with the City Manager recruitment firm, and met with the City Manager.

Councilmember Trupiano attended the Clayton Business and Community Association holiday dinner, attended the Menorah lighting, met with the Police Chief, met with the City Manager and met with the City Attorney.

Vice Mayor Diaz attended the Clayton Business and Community Association holiday dinner, met with the Morgan Territory Community Organization, attended the Wreaths Across America event, met with the Police Chief, met with the City Manager, and met with the City Manager recruitment firm.

Mayor Wan attended the Clayton Budget/Audit Committee meeting, attended the Wreaths Across America event, met with City staff, and met with the City Manager recruitment firm.

8. PUBLIC COMMENT ON NON - AGENDA ITEMS – None.

9. PUBLIC HEARINGS – None.

10. ACTION ITEMS

- (a) Resolution 89-2022 Amending the Order of Business Taken up by the City Council at City Council Meetings Pursuant to Clayton Municipal Code Section 2.04.070.
(City Attorney)

City Attorney Mala Subramanian presented the report.

Following questions by the City Council, Mayor Wan opened the public comment.

Keith Haydon does not support elimination of Council Reports from the regular meeting agenda.

Aaron Levy does not support elimination of Council Reports from the regular meeting agenda.

Roy Correa suggested the City Council report out on more economical reports benefitting Clayton.

Christine Muller does not support the elimination of Council Reports from the regular meeting agenda.

Mayor Wan closed public comment.

It was moved by Councilmember Tillman, seconded by Councilmember Trupiano, to adopt Resolution No. 89-2022, Amending the Order of Business Taken Up by the City Council at City Council Meetings Pursuant to Clayton Municipal Code Section 2.04.070, as amended. (Passed; 5-0)

- (b) Appoint Two Members to the Community Financial Sustainability Committee as Recommended by the City Council's Budget & Audit Subcommittee.
(City Manager)

City Manager Reina Schwartz presented the report.

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

It was moved by Mayor Cloven, seconded by Vice Mayor Diaz, to appoint Howard Kaplan and Hank Stratford to the Community Financial Sustainability Committee. (Passed; 5-0)

- (c) Discuss and approve City Council Committees and Assignments for Standing/Ad-Hoc Committees and Liaison Positions. (City Manager)

Mayor Wan presented the report.

Following questions by the City Council, Mayor Wan opened the public comment.

Keith Haydon expressed his concerns regarding the proposed changes to the Concerts in the Park Committee.

Roy Correa expressed his concerns regarding liability and reporting from the City's current concert promoter and supports Council regaining leadership over this event.

Mayor Wan closed public comment.

It was moved by Mayor Cloven, seconded by Councilmember Tillman, to Approve City Council Committees and Assignments for Standing/Ad-Hoc Committees and Liaison Positions as Amended. (Passed; 5-0)

- (d) Request by Mayor Wan to Discuss Potential Solar Lease Project and Provide Direction to Staff.
(City Manager)

Mayor Wan presented the report.

Following questions by the City Council, Mayor Wan opened the public comment.

Ed Miller expressed concern regarding the use of public property for this project and suggested using American Rescue Plan Act funding if available.

Roy Correa expressed support of this item regarding solar.

Doug Moore expressed the difficulty he has experienced in obtaining permits and partnership with the City in moving forward with this project.

Mayor Wan closed public comment.

It was moved by Mayor Wan, seconded by Vice Mayor Diaz, to direct staff to work with Oakhurst Country Club on the Feasibility of a Solar Lease Project. (Passed; 5-0)

11. COUNCIL ITEMS

Councilmember Trupiano requested a future agenda item to include Diamond Terrace fee increases.

City Manager Schwartz confirmed this item is on the Council tracking list.

12. CLOSED SESSION – Continued

Mayor Wan announced the City Council will adjourn into Closed Session for the following noticed items (9:28 p.m.):

- A. Public Employee Appointment (Gov. Code 54957)
Title: Interim City Manager
- B. Conference with Labor Negotiators (Gov. Code 54957.6)
Agency designated representatives: Mayor Wan and Vice Mayor Diaz
Unrepresented Employee: Interim City Manager

Report out of Closed Session:

(9:49 p.m.) Mayor Wan reported Council provided direction to its negotiator.

13. ADJOURNMENT– on call by Mayor Wan, the City Council adjourned its meeting at 9:50 p.m.

The next regularly scheduled meeting of the City Council will be January 17, 2023.

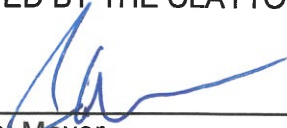
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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Jeff Wan, Mayor

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