

**\*REVISED on page 1 Item 4b – Corrected term date.**

**MINUTES  
OF THE REGULAR MEETING  
CLAYTON CITY COUNCIL  
Tuesday, December 5, 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. Staff present: Executive Assistant to the City Manager/HR Manager Amy Walcker, City Attorney Mala Subramanian, Community Development Director Dana Ayers, and Police Chief Rich McEachin.

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

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

Jim Killoran spoke regarding City employee compensation, stating that it should be increased.

C. W. Wolfe, President of the Clayton Business & Community Association (CBCA), reported on the recent Annual Holidays in The Grove and Tree Lighting event.

Mayor Wan closed public comments.

4. **CONSENT CALENDAR**

There were no public comments on the Consent Calendar.

**Councilmember Tillman requested that Item 4(c) be pulled from the Consent Calendar for discussion and recommended that no City Council meeting be held on September 3, 2024, the Tuesday after Labor Day. It was moved by Councilmember Cloven and seconded by Councilmember Tillman to approve Consent Calendar items 4(a) - 4(b) as submitted and item 4(c) as revised. (Passed 5-0).**

- a. Approved the Minutes of the City Council Regular Meeting of November 21, 2023
- \* b. Appointed Eric Hinzl to the Contra Costa Mosquito and Vector Control Board for a term beginning January 2024 and ending December 2025.
- c. Approved the 2024 City Council Meeting Calendar, revised to remove the Council meeting on Tuesday, September 3, 2024, from the meeting calendar.

5. **RECOGNITIONS AND PRESENTATIONS**

Mayor Wan announced that December 10<sup>th</sup> was Human Rights Day.

6. **REPORTS**

- a. City Manager / Staff

Executive Assistant to the City Manager/HR Manager Amy Walcker announced the City was partnering with Climatec to bring greater energy efficiency to the city of Clayton and to City Hall, so far having completed upgrades to street and building lighting and

scheduling upgrades to heating, ventilation and air conditioning (HVAC) and electric vehicle (EV) charging station equipment. She stated that the goal was for Clayton City Hall to become a net zero energy facility.

Ms. Walcker also shared that state legislation Senate Bill (SB) 1383, related to organics composting, would go into effect in January 2024, and that further information could be found on the City's website.

7. **PUBLIC HEARINGS** – None

8. **ACTION ITEMS**

- a. Nomination and Election of Mayor and Vice Mayor for the Term Commencing December 2023 and Ending December 2024

Mayor Wan introduced the item and nominated Vice Mayor Diaz for Mayor. He then called for Public Comment.

1. Lisa Chow from Supervisor Ken Carlson's office, expressed the Supervisor's appreciation for Mayor Wan's work and offered to partner with the City in the coming year if opportunities arose.
2. Jim Killoran spoke in favor of Councilmember Trupiano being considered for the mayor's seat and stated support for both Councilmembers Tillman and Trupiano.
3. Scott Denslow spoke in support of the women on the Council and recommended the nomination of Councilmember Trupiano for Mayor.
4. Ed Miller commented that neither of the two women on the City Council had been given the opportunity to serve as Mayor and spoke in support of Councilmember Tillman.
5. Terry Denslow spoke regarding items that she hoped to see discussed on upcoming Council agendas.

Councilmember Cloven made comments regarding negative experiences related to previous Council reorganizations, in explanation of his no vote for Vice Mayor Diaz for Mayor.

**It was moved by Mayor Wan and seconded by Councilmember Trupiano to nominate Vice Mayor Diaz for Mayor. (Passed 3-1, Councilmember Tillman abstained).**

Following the vote, outgoing Mayor Wan passed the gavel to Mayor-elect Diaz, who made comments of appreciation to Mayor Wan for his accomplishments.

Mayor-elect Diaz nominated Councilmember Trupiano for Vice Mayor, then called for Public Comment.

1. Ed Hartley spoke in support of Councilmember Tillman as Vice Mayor and questioned the topics on which the Council spent its time.
2. Scott Denslow expressed support for Councilmember Tillman as Vice Mayor.
3. Keith Haydon discussed the role of the Vice Mayor, stating that experience should play a role and supporting Councilmember Tillman.

4. Frank Gavidia congratulated Mayor Diaz for his appointment and made comments in disapproval of Councilmember Cloven.
5. Ray Carrillo thanked the outgoing Mayor for his efforts on the budget and stated that qualifications should be considered when appointing a mayor, not just time in office.

**It was moved by Mayor Diaz to nominate Councilmember Trupiano for Vice Mayor. (Passed 5-0).**

- b. Approve Standby Compensation and Policy for Maintenance Workers

Executive Assistant to the City Manager/HR Manager gave the staff presentation regarding the proposal to implement a standby compensation policy for maintenance workers who are called to provide after-hours service.

Councilmember discussion ensued, with questions being asked regarding what the current protocol was, whether a rotation would be implemented and if the response time requirement could be met. A question was raised as to whether the cost of the program had been anticipated in the budget, to which Ms. Walcker explained that the cost would need to be absorbed into the General Fund.

There were no public comments.

**It was moved by Councilmember Wan and seconded by Councilmember Tillman to approve the Standby Compensation and Policy for Maintenance Workers (Passed 5-0).**

## 9. COUNCIL ITEMS

Councilmember Tillman reiterated her request for discussion to direct the City Attorney to open an investigation into the conduct of Councilmembers. She also requested that an item be added to the agenda for the upcoming meeting to conduct the Geologic Hazard Abatement District (GHAD) Board reorganization.

Mayor Diaz requested that an item be brought forward to discuss a City appointment to the County Connection Advisor Committee.

## 10. COUNCIL REPORTS

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

Councilmember Cloven expressed appreciation for the recent holiday event and reported on the following attendance and meetings: Clayton Pride.

Councilmember Tillman reported on the following attendance and meetings: AAUW Holiday Party; Annual Holidays in The Grove and Tree Lighting event; Mt. Diablo Education Foundation phone banking to raise money for school community gardens; and meetings with the City Manager.

Councilmember Wan reported on the following attendance and meetings: Contra Costa County Sheriff's Holiday Party.

Vice Mayor Trupiano reported on the following attendance and meetings: met with Climatec along with City Staff; attended Annual Holidays in The Grove and Tree Lighting event; and announced upcoming Menorah Lighting and Clayton Historical Society House Tours.

Mayor Diaz reported on the following attendance and meetings: City Manager; Chief of Police; East Bay Regional Communications System meeting; and Sheriff's Posse event. Commended all involved in the Annual Holidays in The Grove and Tree Lighting event, especially Debbie Bruno and her team.

11. **CLOSED SESSION**

Public Comment:

Tom Jossey inquired as to whether there would be a summary of the Closed Session discussion provided to the public afterward.

- a. Conference with Labor Negotiators  
Government Code section 54957.6

Agency Designated Representatives: Bret Prebula, City Manager and Amy Walcker, Executive Assistant to the City Manager/HR Manager

Employee Organization: Clayton Police Officers Association

- b. Conference with Labor Negotiators  
Government Code section 54957.6

Agency Designated Representatives: Bret Prebula, City Manager and Amy Walcker, Executive Assistant to the City Manager/HR Manager

Unrepresented Employee: Police Chief

There was no reportable action taken.

11. **ADJOURNMENT** - On a call by Mayor Diaz, the City Council adjourned its meeting at 9:17 p.m.

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Respectfully submitted,

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Sheri Hartz, Interim City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

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Jim Diaz, Mayor