



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

TUESDAY, March 19, 2024

1. **CALL TO ORDER AND ROLL CALL** – The meeting was called to order at 6:30 p.m. by Mayor Diaz 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 Diaz, Vice Mayor Trupiano, and Councilmembers Cloven, Tillman, and Wan. Staff present: City Manager, Bret Prebula; Asst. To City Manager/HR Manager, Amy Walcker; City Attorney, Mala Subramanian; and City Clerk, Stephanie Cabrera-Brown

2. **CLOSED SESSION**

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

Action: No reportable action was taken.

3. **PLEDGE OF ALLEGIANCE** – Led by Mayor Diaz

Mayor Diaz announced that he would be re-ordering the agenda to move Item 6a Recognitions and Presentations, ahead of Item 3, Public Comment.

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

Members of the public may address the City Council on non-agendized items within the Council's jurisdiction. To ensure an orderly meeting and an equal opportunity for everyone, each speaker is limited to three (3) minutes, or the time established by the Mayor. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked or may at its discretion request Staff to report back at a future meeting concerning the matter.

Public comment and input on other agenda items will be allowed when each item is considered by the Council.

Larry McNeil – Spoke regarding employee turnover and concerns with how City Managers have been treated.

James Killoran – Spoke regarding concerns with a parcel tax and recommended the Council reconsider the sales tax measure.

Kevin McFarland – Spoke regarding concerns with city staff turnover and wished the City Manager well.

Lauren Kindorf – Spoke regarding the sales tax and supports a sales tax increase and regarding a systemic issue with holding on to staff.

Scott Denslow – Spoke regarding city staff turnover, what it means to live in Clayton and the importance of working together.

Terri Denslow – Requested the Council agendaize the request from Councilmember Tillman to conduct a review of staff and council engagement.

Janet Calderon – Spoke regarding her sudden departure from the City of Clayton.

Roy Correa – Spoke regarding staff turnover and requested to see the City Manager's job description.

Gary Hood – Spoke in support of previous employees, Concerns with the current City manager, and various concerns.

Bill Walcott – Thanked the City Council for their work, Spoke regarding previous employee's departures, and in opposition of a sales tax measure.

5. CONSENT CALENDAR

It was moved by Councilmember Wan, seconded by Councilmember Tillman, to approve Consent Calendar items 5(a), 5(b), and 5(e) as submitted, and item 5(c) as amended. (Passed; 5- 0).

- a. Approval of Meeting Minutes:
 - i. March 5, 2024, Regular Meeting
 - ii. March 8, 2024, Special Meeting
(City Clerk)

- b. Consider proclaiming the month of April as Autism Awareness Month and accepting the donation of an Autism Awareness flag to be flown during the month of April. (City Manager)
- c. Approve amendments to the Purchasing Policy to require an informational agenda item listing agreements signed under the City Manager’s signing authority. (City Manager)

Amended: To include quarterly reporting.

- d. Adopt a Resolution changing the amounts within various General Fund Reserve Assignments to support bridging operations to the November 2026 election, when the City Council plans to place a revenue measure on the ballot. (City Manager)

Resolution 7- 2024

- e. Adopt a Resolution accepting the City’s 2023 Housing Element Annual Progress Report (APR) and summary of actions related to implementation of other General Plan policies. (Community Development Director)

Resolution 8- 2024

Following discussion by the City Council, Mayor Diaz opened the item to public comment:

Allison Snow – Spoke regarding being a parent of children with Autism Spectrum Disorder and offered to donate an Autism Awareness Flag.

Gary Hood – Spoke regarding the Purchasing Policy.

6. RECOGNITIONS AND PRESENTATIONS

- a. Certificates of Recognition to Public School Students for Exemplifying the “Do the Right Thing” Character Trait of “Self-Discipline” during the months of January/February 2024.

Councilmember Cloven presented the awards with the assistance of the school Principals.

7. REPORTS

a. City Manager / Staff

- Link to ClearGov Transparency Portal:
<https://cleargov.com/california/contra-costa/city/clayton/checkbook>

8. PUBLIC HEARINGS

(There were no Public Hearings scheduled for this meeting.)

9. ACTION ITEMS

- ### a. Receive a Staff update on the Interim City Manager and City Manager recruitment process, appoint a City Council ad hoc subcommittee to assist in the City Manager Recruitment Process for an Interim and Permanent City Manager, consider and approve an amendment to the Bob Murray Agreement for City Manager recruitment, and provide Staff direction as necessary. (Asst. to the City Manager/HR Manager)

HR Manager Amy Walcker provided an overview of Interim City Manager and City Manager recruitment process. Following discussion by the City Council, Mayor Diaz opened the item to public comment:

Lauren Kindorf – Spoke regarding the March 8, 2024 meeting and recommended that a new candidate be selected promptly.

Scott Denslow – Spoke regarding concerns with transparency on the recruitment process.

James Killoran – Spoke regarding importance of consulting the Police Chief and Police Officers Association to

Bill Walcott – Spoke regarding the need for community involvement in the process and made a recommendation to the Council.

Gary Hood – Spoke regarding the importance of interview committees and wants the community to be involved.

Terri Denslow – Spoke regarding previous recruitment processes and requested the council all consider being part of the recruitment process.

It was moved by Councilmember Wan and seconded by Vice Mayor Trupiano to approve an amendment to the Bob Murray Agreement for City Manager recruitment and appoint Councilmember Cloven and Vice Mayor Trupiano to an ad hoc subcommittee to assist in the City Manager

Recruitment Process. (Passed; 5-0)

- b. Provide direction on the desire to declare 1-acre of APN 118-370-077 and up to 4-acres of APN 118-520-001 as “surplus land” under the Surplus Land Act, so that the City can move forward toward disposal (City Manager)

City Manager Bret Prebula provided an overview of the surplus land and Surplus Land Act. Following discussion by the City Council, Mayor Diaz opened the item to public comment. There were no members of the public in attendance wishing to provide public comment.

It was moved by Councilmember Cloven and seconded by Councilmember Tillman to approve an amendment to declare 1-acre of APN 118-370-077 and up to 4-acres of APN 118-520-001 as “surplus land” under the Surplus Land Act. (Passed; 5-0)

The Council recessed at 8:39 p.m. and reconvened the meeting at 8:50 p.m.

10. COUNCIL ITEMS – Limited to Council requests and directives for future meetings.

Councilmember Cloven requested the tax measure discussion be brought back to the council for clarification at the next available meeting.

Councilmember Tillman requested a future agenda item to discuss the censure of councilmembers and requesting to the City Attorney review concerns.

11. COUNCIL REPORTS

Councilmember Cloven attended meetings for: Transpac and Clayton Cleans up.

Councilmember Tillman attended meetings for: Community Services Policy Committee; Student Engagement Committee (Mt. Diablo Education Foundation Board); Trails and Landscape Committee; Clayton Pride Board; City Manager and Asst. to the City Manager; Marsh Creek Firewise group; Attended: Network of Care Crab feed; and Thanked the departing City Manager for his work and time in Clayton.

Councilmember Wan attended a Climatec meeting and shared that he will not be available to attend the April 2, 2024, City Council meeting.

Vice Mayor Trupiano attended meetings for: Mayors Conference; Clayton Community Library Foundation; Climatec and will attend meetings for: CSSE, and Budget and Audit Committee; and thanked the departing City Manager.

Mayor Diaz attended meetings for: County Connect Schedule Committee; Mayors Conference; DFWD – Post 1525; Oakhurst; Sheriff's Charity Ball; met with: Supervisor Ken Carlson; City Manager and Assistant to the City Manager; attended: Celebration of Life for Paul Guilkey; St. Patrick's Day celebrations; and wished the departing City Manager well in his future endeavors.

ADJOURNMENT – on a call by Mayor Diaz, The City Council adjourned its meeting at 9:29 p.m.

Respectfully submitted,



Stephanie Cabrera-Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Jim Diaz, Mayor