

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

**TUESDAY July 16, 2024**

1. **CALL TO ORDER AND ROLL CALL** – The meeting was called to order at 6:00 p.m. by Mayor Diaz, held in-person from Hoyer Hall, Community Library, 6125 Clayton Rd., Clayton, California and virtually via Zoom. Councilmembers present: Mayor Diaz, Vice Mayor Trupiano, and Councilmembers: Cloven, Tillman, and Wan. Staff present: Interim City Manager, Adam W. Politzer; Financial Advisor, Regina Rubier; Police Chief, Richard McEachin; City Clerk/Assistant to the City Manager, Stephanie Cabrera-Brown and Administrative Assistant, Lauren Stevens

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

3. **PLANNING COMMISSION INTERVIEWS**

Conduct interviews to fill three Planning Commission vacancies and select three candidates to appoint to a two-year term ending June 30, 2026, to the Planning Commission under item 8a.

The Mayor provided a brief overview of the candidate interview process.

Richard Enea, Dan Richardson, and Maria Shulman each provided a summary of their experience and time serving on the Planning Commission.

Nathalie Archangel-Montijo and Nate Bzrovich each provided a summary of their experience relative to the vacancies.

Appointment of the selected candidates took place as Action Item 8a.

4. **CLOSED SESSION**

- a. Public Employment (Gov. Code 54957)  
Title: City Manager

Conference with Labor Negotiators (Gov. Code 54957.6)

Agency designated representatives: Vice Mayor Trupiano and Councilmember Cloven

Unrepresented employee: City Manager

*Action: Staff given direction; No reportable action was taken.*

**5. 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 the Clayton Pride Parade.*

*Jim Killeren – Spoke in support of the City Council's work and regarding fire security.*

*Gary Hood – Spoke regarding claytonwatch.org.*

*Bill Walcott – Spoke regarding claytonwatch.org and the landscaping on the postal property.*

*Dane Horton – Thanked the Council for their service, the Clayton community, and the freedom of choice.*

*Scott Denslow – Spoke regarding a previous speaker and shared his vision for Clayton politics.*

*Roy Carrera – Spoke regarding previous speakers, requested an update on the City Manager recruitment and recommended community engagement in the process.*

*The Mayor recessed the meeting at 7:27 p.m. and reconvened the meeting at 7:30 p.m.*

**6. CONSENT CALENDAR**

**It was moved by Vice Mayor Trupiano, seconded by Councilmember Tillman, to approve Consent Calendar items 6(a) to 6(c) as presented. (Passed; 5- 0).**

- a. Approval of Meeting Minutes
  - i. June 4, 2024 Regular Meeting
  - ii. July 9, 2024 Special Meeting(City Clerk)

- b. Approve the purchase of a 2025 Ford Police Interceptor Utility vehicle to replace an unserviceable police vehicle, along with emergency equipment outfitting and identifying decals, as follows: purchase of a 2025 Ford Police Interceptor Utility vehicle from Folsom Lake Ford, purchase of emergency equipment and labor to install equipment by Lehr Auto, and application of identifying decals by Fast Signs, for a total of \$88,030.72 from the Capital Equipment Replacement Fund (CERF).  
(Police Department)
- c. *Award the Construction Contract to Rapid Grading Services from Hayward, CA for the total bid amount of \$651,011.59; authorize project expenditure up to \$814,000 (includes a 25% contingency); approve project construction plans in accordance with the design immunity requirements listed under California Government Code 830.6; and authorize the City Manager to execute the contract on behalf of the City.*  
(City Engineer)

**7. RECOGNITIONS AND PRESENTATIONS**

- a. *Contra Costa Water District Update (Contra Costa Water District)*

*Contra Costa Water District (CCWD) Board President David Avila presented an update on the CCWD operations, future projects, and answered questions from the council and community.*

*Bill Wallcott – Requested additional information on drought protocols and water supply.*

**8. REPORTS**

- a. City Manager / Staff

- 1. Link to ClearGov Transparency Portal:

<https://cleargov.com/california/contra-costa/city/clayton/checkbook>

*Interim City Manager, Adam W. Politzer provided an update on the City Manager and Assistant City Manager/Administrative Services Director recruitment, and shared that Finance Advisor, Regina Rubier accepted the Assistant City Manager/Administrative Services Director position and will start in August.*

**9. PUBLIC HEARINGS**

- a. Open the Public Hearing, receive public comments, on Proposed Real Property Assessments for the Diablo Estates at Clayton Benefit Assessment District (BAD), close the Public Hearing, and take action to adopt a Resolution which allows for the annual levying of assessments.  
(City Engineer)

*Mayor Diaz opened the Public Hearing. City Engineer, Larry Theis provided a brief overview , on Proposed Real Property Assessments for the Diablo Estates at Clayton Benefit Assessment District. Mayor Diaz opened public comment; there were no speakers to this item. Mayor Diaz closed the Public Hearing.*

**It was moved by Councilmember Wan, seconded by Councilmember Tillman, to adopt a Resolution establishing the Real Property Assessments for the Diablo Estates at Clayton Benefit Assessment District Fiscal Year 2024-25 as amended:**

**To include: The Fiscal Year 2024-24 maximum assessment per parcel is proposed to be \$4,409.39 which includes a 4% increase over the existing Fiscal Year 2023-24 maximum rate of \$4,239.80 per year.**

**(Passed; 5- 0).**

**10. ACTION ITEMS**

- a. Adopt a Resolution appointing three (3) individuals to the Planning Commission for a 2-year term, expiring June 30, 2026. (City Clerk)

*City Clerk, Stephanie Cabrera-Brown provided an overview of the Planning Commission appointment process and interviews conducted under Item .*

*Following discussion by the City Council, Mayor Diaz opened the item to public comment; there we no members of the public wishing to speak to this item*

**It was moved by Councilmember Wan, seconded by Vice Mayor Trupiano, to reappoint the following Planning Commissioners to a new term ending June 30, 2026:**

- **Dan Richardson**
- **Maria Shulman**
- **Richard Enea**

**(Passed; 5-0)**

- b. Authorize the Interim City Manager to execute Amendment No. 2 to the City of Clayton's Professional Services Agreement with Theis Engineering & Associates for City Engineering Services for additional limited time public works management services, with no extension to the time, for an additional amount not to exceed \$37,200. (Interim City Manager)

*Interim City Manager, Adam W. Politzer introduced Financial Advisor, Regina Rubier who provided an overview of Amendment No. 2 to the City of Clayton's Professional Services Agreement with Theis Engineering.*

*Following discussion by the City Council, Mayor Diaz opened the item to public comment; there we no members of the public wishing to speak to this item*

**It was moved by Councilmember Wan, seconded by Vice Mayor Trupiano, to approve Amendment No. 2 to the City of Clayton's Professional Services Agreement with Theis Engineering.(Passed; 5-0)**

- c. Adopt a Resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown Park Operation and Maintenance) for Fiscal Year 2024 - 25. (Finance Advisor)

*Financial Advisor, Regina Rubier provided an overview of the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown Park Operation and Maintenance) for Fiscal Year 2024 - 25*

*Following discussion by the City Council, Mayor Diaz opened the item to public comment; there we no members of the public wishing to speak to this item.*

**It was moved by Councilmember Wan, seconded by Councilmember Cloven, to adopt a Resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) 2006-1 (Downtown Park Operation and Maintenance) for Fiscal Year 2024 - 25. (Passed; 5-0)**

- d. Adopt a Resolution ordering the levy and collection of special taxes and setting forth the special tax amount for Community Facilities District (CFD) No. 2007-1 (Citywide Landscape Maintenance Tax) for Fiscal Year 2024 - 25. (Finance Advisor)

*Financial Advisor, Regina Rubier provided an overview of the levy and collection of special taxes and setting forth the Community Facilities District (CFD) No. 2007-1 (Citywide Landscape Maintenance Tax) for Fiscal Year 2024 - 25.*

*Following discussion by the City Council, Mayor Diaz opened the item to public comment; there we no members of the public wishing to speak to this item.*

**It was moved by Councilmember Wan, seconded by Councilmember Tillman to adopt a Resolution ordering the levy and collection of special taxes and setting forth the special tax amount for the Community Facilities District (CFD) No. 2007-1 (Citywide Landscape Maintenance Tax) for Fiscal Year 2024 - 25. (Passed; 5-0)**

- e. Establish the appropriations limit applicable to the City of Clayton (City) during Fiscal Year (FY) 2024-25 as \$14,632,351.

*Financial Advisor, Regina Rubier provided an overview of the appropriations limit applicable to the City of Clayton (City) during Fiscal Year (FY) 2024-25 as \$14,632,351.*

*Following discussion by the City Council, Mayor Diaz opened the item to public comment; there we no members of the public wishing to speak to this item.*

**It was moved by Councilmember Wan, seconded by Vice Mayor Trupiano to establish the appropriations limit applicable to the City of Clayton (City) during Fiscal Year (FY) 2024-25 as \$14,632,351. (Passed; 5-0)**

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

*Councilmember Tillman requested to discuss the LMD Sunset date, a potential joint meeting with the Trails and Landscape Committee, and a discussion with the City Attorney to discuss hiring an independent third party to investigate treatment of City Hall employees.*

*Mayor Diaz would like to schedule a joint meeting with the Mount Diablo School District.*

## 12. COUNCIL REPORTS

*Councilmember Cloven thanked the Special Events Committee and Sandy Johnson for the 4<sup>th</sup> of July Parade and met with community members.*

*Councilmember Wan attended meetings for the Budget and Audit Committee Meetings, Cintra Ad Hoc Committee, and the City Manager Recruitment.*

*Councilmember Tillman attended meetings for: Clayton Pride; met with the Financial Advisor; League of California Cities – Policy Committee; Mount Diablo Education Board; City Manager Interviews; attended: the outgoing Community Development Director’s farewell party; award ceremony for Clayton Pride; CBCA Roundup and the BBQ and Brews Festival; League of California Cities Bocce Tournament; 4<sup>th</sup> of July Parade; will share Clayton Firewise Oakhurst assessment information; and shared that Chick Boss had reopened downtown.*

*Vice Mayor Trupiano attended meetings for: Clayton Library Foundation; East Contra Costa Conservancy Meeting; City Sponsored Special Events; Cemex, City Manager Interviews; Budget and Audit Committee; Energy Services and Infrastructure Committee; Mayors’ Conference; and attended: 4<sup>th</sup> of July Parade.*

*Mayor Diaz attended meetings for: Mayors’ Conference; County Connection, Art and Wine; Car shows; attended: CBCA Roundup; July 4<sup>th</sup> Parade; and shared information regarding National Night out with the Clayton Police Department on August 6, 2024, at 6:00 pm.*

## 13. ADJOURNMENT

*On a call by Mayor Diaz, the City Council adjourned its meeting at 8:45 p.m. in memory of Clayton Library Foundation Founder Jeanne Boyd*

*Please note the Minutes of this meeting set forth all actions taken by the City Council on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.*

Respectfully submitted,

  
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Stephanie Cabrera-Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

  
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Jim Diaz, Mayor