

PUBLIC COMMENT
Submitted before 5:00 pm 4/16/24

From: [janis hester](mailto:janis.hester@gmail.com)
To: [Jim Diaz](#); [Kim Trupiano](#); [Peter Cloven](#); [Letecia "Holly" Tillman](#); [Jeff Wan](#); [City Clerk](#)
Date: Tuesday, April 16, 2024 5:02:11 PM

Some people who received this message don't often get email from janisahester@gmail.com. [Learn why this is important](#)

Members of the Council,

Thank you for the opportunity to relate some important facts from my experience regarding a matter you are deciding tonight. My name is Janis Hester and I am a resident of Clayton over in Dana Hills.

I am concerned about the potential appointment of Frank Gavidia to the Community Financial Sustainability Committee, based upon his temperament I witnessed at a council meeting last year.

At that meeting, I sat towards the back of Hoyer Hall near the door, and Mr. Gavidia was sitting on the other side of the room also near the back, watching the meeting unfold. A little ways into the meeting a resident offered public comments and concluded with a statement that Mr. Wan had violated the Brown Act at the prior council meeting. After he concluded his comments, as he walked to the back and stood there, Mr. Gavidia got up out of his seat, walked towards the commenter in a threatening manner, waving his hands and yelling "I won't support you any more!". The commenter asked Gavidia if they could discuss it outside, and as the two of them left the room, Gavidia slammed the two doors loudly, startling those in attendance and briefly interrupting the meeting. I could hear Mr. Gavidia shouting at the man in the lobby, muffled by the door. They did not return. I waited about ten minutes when I thought it might be safe, and left the meeting.

Mr. Gavidia may in fact possess useful skills pertinent to the committee's work, but given the recent discussions of toxic work environments and the mission of this committee to engender the community's trust regarding city finances, it seems ill-advised to introduce someone on such a committee who might intimidate speakers or otherwise chill collaboration on this important subject.

Thank you, and I hope this helps in your deliberations.

Janis Hester



Clayton
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From: [RANDAL WATERHOUSE](#)
To: [City Clerk](#)
Subject: Public Comment for the April 16th City Council meeting
Date: Monday, April 15, 2024 11:02:21 AM
Attachments: [Why is Clayton so Divided.docx](#)

You don't often get email from randy.waterhouse@comcast.net. [Learn why this is important](#)

Good morning Stephanie,
When you get a chance could you please post the attached document under Public Comment for the April 16th City council meeting?
Much appreciated!
Randy

Why is Clayton so Divided? Is it About Power and Control? You Decide.

Throughout this post, I will share some factual information that a few community members may prefer I didn't. However, it's important for the community to know the full history behind why I believe our town has become so divided. I will stick to the details I know to be factual and avoid speculation. The common denominator on division is obvious, but I'll let you decide for yourself.

- **Over the past 25 years**, the Clayton City Council has had 4 to 5 members that were also part of the Clayton Business and Community Association (CBCA), formally known as CBPA. This, in my opinion, created a potential conflict of interest that raises ethical concerns, even though it may not be illegal.

- **Historically**, there were several steps involved in getting on the Clayton City Council. **1)** Candidates would typically join CBCA, **2)** They would get appointed to the Planning Commission, and **3)** After being endorsed by the CBCA, they could run unopposed for a City Council seat backed by Tamara and Bob Steiner of the Clayton Pioneer newspaper, and the CBCA. **Important note:** Though a 501(c)(3) nonprofit, the CBCA's political involvement may have violated IRS regulations, but that's a discussion for another day.

- **Tamera Steiner**, her husband Bob, Julie Pierce, and her ex-husband Steve have been longstanding, active members of the CBCA; Bob and Steve both previously served as president. While the organization does important work for the community, its close ties to political figures like Julie Pierce, our 28-year council member and 7-time mayor, have raised concerns about undue influence in city affairs. This makes a strong case for exploring term limits in the future.

- **Previously the CBCA requested the City Manager**, Planning Commission Chair, and Police Chief to provide monthly reports at CBCA meetings. However, in early 2021, the City ended this practice, as it had become apparent that requiring these reports was dividing the community and was inappropriate.

- **Recently**, tensions have been rising between city leadership and local newspaper owner Tamara Steiner. For reasons that remain unclear, three of the five city council members refuse to speak with Tamara or cooperate with her publication. Tamara appears increasingly frustrated, perhaps because she is losing some influence and control over the city affairs that her newspaper once held.

- **Ever since Jeff Wan first ran for political office**, Tamara has appeared to oppose him. Since Jeff was an outsider who thought independently, Tamara selectively edited his responses to her 2018 candidate questionnaire, likely trying to sabotage his campaign. Readers should review Jeff's original response and draw their own conclusions.

- **Since Jeff Wan's election to the City Council**, The Pioneer newspaper has made repeated attempts to undermine his credibility. Just a reminder, Jeff is an outsider and not a member of the CBCA.

- **The town's divisiveness and animosity** between factions stem from the 2020 mayoral appointment when Vice Mayor Wan was bypassed for Mayor as Councilmembers C.W. Wolfe, Holly Tillman, and Peter Cloven seized control. Disregarding the City Council Handbook's guidance, Tillman nominated Wolfe while Wan was still speaking. Wan was again passed over the next year when Cloven became Mayor.

- **This past year the CBCA has lost control and influence over the Planning Commission**, as three out of the five current commissioners are not CBCA members.

- **One of the Planning Commissioners** supported by Council member Holly Tillman in 2021 worked as a registered lobbyist in California and had two prior arrests, according to the commissioner's website. However, neither Tillman nor the commissioner disclosed this background during the initial interview and appointment process. When the commissioner's term expired and she reapplied, Tillman voted against reappointment, apparently because the commissioner's background had been revealed publicly by a community member.

- **After the City Council's extensive community feedback and consultation with residents**, CBCA members, and an outside expert, a new Master Fee Schedule was implemented in 2023 to better align rates with the city's actual operating and recovery costs. While most speakers at the public meetings were CBCA members, their input - though passionate - was often unconstructive, with some using profanity. It was apparent that the CBCA members and their leadership were upset because they wanted to continue to use our downtown for free.

- **The city's fee schedule had gone unreviewed for years**, according to city staff who admitted they could not find records of when fees were last examined. This lack of oversight raises concerns and questions about past city councils' financial priorities over the past 25 years, as they may have focused more on supporting the CBCA than responsibly managing city finances. Outdated fees that failed to keep pace with expenses could have indirectly subsidized the CBCA's events for decades at the expense of Clayton citizens.

- **Over the last few years**, tensions have risen between the city government and the local non-profit CBCA group due to disputes over proposed changes to the city's Master Fee Schedule along with other changes at City Hall.

- **Last year**, the CBCA's annual donation to the city's Concerts in the Grove summer event plummeted from \$5,000 to a mere \$500, a 90% funding reduction. According to reports, the CBCA made this drastic cut out of spite after the city instituted a new master fee schedule.

- **The city's Fourth of July parade planning committee**, co-chaired by two volunteers, sought to choose a new master of ceremonies for the prestigious role. However, City Manager Bret Prebula unilaterally overruled the committee's decision and reinstated C.W. Wolf, the CBCA President, a controversial choice. Right before this appointment, the CBCA had donated \$1,000 to the city for the parade when they had not contributed a nickel for four (4) years prior. This sequence of events led to allegations of a "pay to play" arrangement and quid pro quo between Bret Prebula and the CBCA, resulting in C.W. Wolf's selection. The committee co-chairs and volunteers were deeply upset by the perceived interference and lack of consultation from the City Manager. The situation demonstrated growing distrust and poor communication between Bret Prebula, his staff, and the community.

- **The City of Clayton Special Events Committee** was formed to organize major city events like Concerts in the Grove, Fourth of July Parade, and more, however, according to a city staff member, Bret opposed the committee and instead wanted to give the Clayton Business and Community Association (CBCA) more control over these events because he said his staff was overworked. Three out of five council members pushed back and voted to keep the city's special events under the control of the city.

- At a recent meeting of the CBCA, Vice Mayor Kim Trupiano faced criticism from CBCA board members C.W. Wolfe, Ed Hartley, Keith Hayden, and Pat Middendorf when she asked for a donation to support the city's special events. According to meeting attendees, Trupiano was verbally attacked for requesting assistance for these events. It was apparent that the CBCA board, along with some long-standing members remained frustrated about paying the city's standard rental fees to use city-owned streets and venues for CBCA events.

In summary, The Clayton Pioneer newspaper, reporter Tamara Steiner, the CBCA organization, and City Council members Holly Tillman and Peter Cloven appear to be fueling tensions in Clayton. The city and residents should communicate to the CBCA that despite having several members on the Council, it does not control City Hall or Council decisions.

For the good of our small city, the CBCA must end its divisive tactics, which seem driven by a power struggle rather than any real issue. This unproductive conflict needs to cease.