

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, June 4, 2019

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Catalano in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Catalano, Vice Mayor Pierce and Councilmembers Diaz, Wan and Wolfe. Councilmembers absent: None. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Interim Community Development Director David Woltering, Finance Manager Kevin Mizuno, and City Clerk/HR Manager Janet Calderon.

2. **PLEDGE OF ALLEGIANCE** – led by Mayor Catalano.

3. **CONSENT CALENDAR**

Councilmember Wan inquired on the new format of summary minutes.

It was moved by Vice Mayor Pierce, seconded by Councilmember Wolfe, to approve the Consent Calendar as submitted. (Passed 5-0 vote).

- (a) Approved the minutes of the City Council's regular meeting of May 21, 2019.
- (b) Approved the Financial Demands and Obligations of the City.
- (c) Adopted Resolution No. 19-2019 approving three (3) contracts for the purchase and outfitting of a new 2020 Ford Police Interceptor in the total amount of \$60,492.33, and declaring a 2009 Ford Crown Victoria vehicle (Unit 1732) as property surplus to the City's needs and authorizing its disposal by the City Manager at public auction.
- (d) Approved the award of contact to Waraner Brothers Tree Service in the low-bid amount of \$225.00 per hour to augment City tree trimming services in the Citywide Landscape Maintenance District, The Grove Park, and various City parks.

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Presentation of inaugural recognitions to an Outstanding Teacher, Mentor and/or Coach nominated and selected for "Making a Difference" in the city of Clayton.

Mayor Catalano and Councilmember Wolfe presented "Making a Difference" certificates, "Top Hat" pins, Clayton Library Foundation memberships, and Ed's Mudville gift certificates to the Cristine Ballard, Renee Culp, Shay Kornfeld, Teddy McDavitt's family, Aaron Mikuni, Laurie Parker, Alexandra Pike (unable to attend), and Gregory Rosewell.

Samantha Yturralde, Field Representative from Assemblymember Tim Grayson's office also provided certificates of recognition to each recipient.

Mayor Catalano presented City Manager Gary Napper a proclamation recognizing his service to the Clayton community, declaring July 31, 2019 as "Gary Napper Day".

5. REPORTS

- (a) Planning Commission – Commissioner Frank Gavidia indicated the Commission's agenda at its meeting of May 28, 2019, included review of the Fiscal Year 2019-2020 Capital Improvement Program Projects for Conformity with the Clayton General Plan. This item passed unanimously.

- (b) Trails and Landscaping Committee – No meeting held.

- (c) City Manager/Staff

City Manager Gary Napper advised Contra Costa Fire Protection District weed abatement for both private and public properties date has been changed to June 16, 2019. He also announced applications are being accepted for two (2) offices on the Planning Commission with a final filing date of June 13, 2019. He noted applicants are subject to an interview by the City Council prior to the City Council meeting of June 18, 2019, with appointment expected later that evening.

- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Wan attended the VFW Memorial Day event, and continued discussion with Ms. Klein-King regarding traffic safety around the schools.

Vice Mayor Pierce attended the Metropolitan Transportation Commission and Association of Bay Area Governments meeting, the Housing Legislation Working Group meeting, the VFW Memorial Day event, the Clayton Business and Community Association Art and Wine wrap-up meeting, the California Transportation Foundation Awards event, the California Council of Governments board meeting, the Contra Costa Transportation Authority ad-hoc committee meeting, met with a Ukrainian delegation group consisting of Mayors and Council Secretaries, and the Contra Costa Transportation Authority audit committee meeting, and assigned to the AB1487 ad-hoc subcommittee meeting.

Councilmember Wolfe attended the VFW Memorial Day event, the Concerts in The Grove, the Clayton Business and Community Association General Membership meeting, and received emails regarding speeding in the City.

Councilmember Diaz attended the League of California Cities East Bay Division meeting, the Concert in The Grove featuring Brickhouse, the VFW Memorial Day event, the Clayton Business and Community Association Art and Wine wrap-up meeting, and the Clayton Business and Community Association General Membership meeting.

Mayor Catalano attended League of California Cities East Bay Division meeting, the VFW Memorial Day event, attended sub-committee meetings with Executive Search Firm Principals for the recruitment of Claytons next city Manager, held Mayors' Office hours, the Clayton Business and Community Association activities and delivered some monies back into the community through the annual scholarship program at Clayton Valley Charter High School.

- (e) Other – None.

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

7. PUBLIC HEARINGS

- (a) Public Hearing to consider the adoption of a Resolution approving the proposed City of Clayton Budget for Fiscal Year 2019-20, a 5-Year Capital Improvement Program Budget (CIP) for Fiscal Years 2019-2024, and the City Employee Salary Schedule for FY 2019-20.

Finance Manager Kevin Mizuno presented the report.

Following questions by the Council, Mayor Catalano opened the item to public comments.

Terri Denslow requested clarification between the material the Planning Commission reviewed and this evenings City Council packet as three (3) projects 10379, 10400, and 10422 were missing from Planning Commission review.

Mayor Catalano closed public comment.

Interim Community Development Director David Woltering confirmed the Planning Commission review was for project conformity within the General Plan. The three (3) projects noted are old projects adopted many years ago that had previously been reviewed by the Planning Commission for conformity.

It was moved by Councilmember Diaz, seconded by Councilmember Wan, to adopt Resolution No. 20-2019 adopting the annual budget for the city of Clayton for the 2019-2020 Fiscal Year commencing July 1, 2019 and ending June 30, 2020, Adopting the 2019-2020 Appropriations Limit, and Adopting the City Employee Salary Schedule for Fiscal Year 2019-20. (Passed; 5-0).

- (b) Public Hearing to consider the Introduction and First Reading of a proposed City-initiated Ordinance No. 488 extending the existing time extension waiver of certain on-site parking relief for specified land uses in Clayton Town Center area for an additional three years through June 30, 2022.

Interim Community Development Director David Woltering presented the report.

Following questions by the Council, Mayor Catalano opened the item to public comments; no comments were provided.

Councilmember Wan inquired if it is possible to extend the time extension waiver beyond three years or make it permanent waiver.

Interim Community Development Director advised three years is a good way to monitor community activity and impacts, however a longer time extension waiver could come back in the future to the City Council for consideration.

It was moved by Councilmember Diaz, seconded by Vice Mayor Pierce, to have the City Clerk read Ordinance No. 488, by title and number only and waive further reading. (Passed; 5-0 vote).

The City Clerk read Ordinance No. 488 by title and number only.

It was moved by Councilmember Diaz, seconded by Vice Mayor Pierce, to adopt Ordinance No. 488 to amend Section 17.37.030.C (Waiver Period) of the Clayton Municipal Code for the purpose of extending from June 30, 2019 through June 30, 2022 the parking waiver provision in the Town Center Area (ZOA-03-19). (Passed; 5-0 vote).

8. ACTION ITEMS

- (a) Consider the award of a professional services contract to CPS HR Consulting in an amount not to exceed \$25,000.00 (\$18,000 consultant fee plus not-to-exceed \$7,000 for associated expenses) for the performance of executive recruitment services for selection by the City Council of the next Clayton city manager.

Mayor Catalano and Vice Mayor Pierce presented the report.

Following questions by the Council, Mayor Catalano opened the item to public comment; no comments were provided.

It was moved by Vice Mayor Pierce, seconded by Councilmember Wolfe, to approve the award of a professional services contract to CPS HR Consulting in an amount not to exceed \$25,000.00 to conduct executive recruitment firm services to hire the next Clayton city manager. (Passed; 5-0 vote).

- (b) Consider a Resolution approving a 1-year Memorandum of Agreement (MOA) with the City of Clayton's Undesignated Miscellaneous Employees Unit encompassing a 4.25% adjustment to the salary ranges of this Unit's job classifications effective July 1, 2019 through June 30, 2020.

City Manager Gary Napper presented the report.

Following questions by the Council, Mayor Catalano opened the item to public comment; no comments were provided.

It was moved by Vice Mayor Pierce, seconded by Councilmember Diaz, to adopt Resolution No. 21-2019 approving a one (1) year Memorandum of Agreement with the Clayton Undesignated Miscellaneous city employees unit effective the Fiscal Year of 2019-2020. (Passed; 5-0).

- (c) Consider a Resolution approving a Second Amendment to the General Counsel Legal Services Agreement between the City of Clayton/Clayton Successor Agency and the law firm of Best Best & Krieger, LLP, for annual adjustments in legal counsel retainer, rates and services.

City Manager Gary Napper presented the report.

Following questions by the Council, Mayor Catalano opened the item to public comment; no comments were provided.

Councilmember Wan opposed automatic increases as requested in the Second Amendment to the General Counsel Legal Services Agreement.

It was moved by Vice Mayor Pierce, seconded by Councilmember Wolfe, to adopt Resolution No. 22-2019 a second amendment to general counsel legal services agreement between city of Clayton/Clayton Successor Agency/Oakhurst Geologic Hazard Abatement District and Best Best & Krieger LLP. (Passed 4-1; Wan opposed).

- (d) City Council discussion of canceling any regularly scheduled Council meetings in July, August, and/or September 2019 relative to quorum availability and summer travel plans.

City Manager Gary Napper presented the report.

Following discussion by the Council, Mayor Catalano opened the item to public comment; no comments were provided.

It was moved by Mayor Catalano, seconded by Councilmember Catalano, to cancel the regularly scheduled City Council meetings of July 2, 2019 and August 6, 2019. (Passed; 5-0 vote).

9. **COUNCIL ITEMS**

Vice Mayor Pierce requested future agendas to include an opportunity to report on the Contra Costa Transportation Authority expenditure plan for the March 2020 ballot.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Catalano, the City Council adjourned its meeting at 9:21 p.m.

The next regularly scheduled meeting of the City Council will be June 18, 2019.

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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Tuija Catalano, Mayor

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