

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

TUESDAY, June 6, 2023

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 6:01 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 and Trupiano (via Zoom/ AB 2449). Councilmembers absent: None. Staff present: City Manager Bret Prebula, and City Clerk Janet Calderon.

2. **CLOSED SESSION**

(6:02 pm) Mayor Wan announced City Council Closed Session.

- (a) Conference with Labor Negotiator
Government Code Section 54957.6
Instructions to City-designated labor negotiator: City Manager

1. Employee Organization: Miscellaneous City Employees (Undesignated Group)

- Short Recess -

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7:00 P.M.

Report out from Closed Session:

(7:19 pm) Mayor Wan reported “No Reportable Action”.

4. **RECALL TO ORDER THE CITY COUNCIL** – 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 and Trupiano (via Zoom/ AB 2449). Councilmembers absent: None. Staff present: City Manager Bret Prebula, City Attorney Mala Subramanian, Chief of Police Rich McEachin, City Engineer Larry Theis, and City Clerk Janet Calderon.

5. **PLEDGE OF ALLEGIANCE** – led by Mayor Wan.

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

Bassam Altwal expressed his concern regarding the Clayton Classic Car Show permits not fully signed and fee waivers.

Rosy Straka provided a brief overview of the 2nd Annual Clayton Pride Parade and expressed concern regarding potential future fees to hold this and other events in Clayton.

Terri Denslow also expressed concerns regarding the Clayton Classic Car show event, and Clayton Pride Parade thanking Councilmember Cloven and Tillman in their support of this event.

Amy Hines-Shaikh expressed her concern regarding a letter she had recently received pertaining to her business license penalties and fees. She also noted her business is a proud sponsor of the recent Clayton Pride Parade.

Jim Diaz provided a handout of the Car Show series, and will discuss further under Council Reports.

Mayor Wan closed public comment.

7. CONSENT CALENDAR

Councilmember Trupiano requested item 7(c) pulled for a separate discussion.

It was moved by Councilmember Cloven, seconded by Vice Mayor Diaz, to approve the Consent Calendar items 7(a) – 7(d) as submitted. (Passed 5-0).

- (a) Approved the minutes of the City Council’s regular meeting of May 16, 2023. (City Clerk)
- (b) Approved the Financial Demands and Obligations of the City. (Finance Director)
- (d) Approved an Amendment to the Professional Services Agreement with MIG, Inc., to Provide Planning Consultant Services for Update of the Clayton General Plan Housing Element for the 6th Housing Cycle. (Community Development Director)

Item 7(c) pulled for a separate discussion

- (c) Adopted Resolution No. 30-2023 Contra Costa Transportation Authority Growth Management Program Biennial Compliance Checklist for Calendar Years 2020 & 2021. (Community Development Director)

Councilmember Trupiano requested additional information regarding the \$220,000 in Local Street Maintenance Funds Measure J if this is a reimbursement of existing costs or additional revenue.

City Manager Bret Prebula advised the funds are expected this fiscal year to offset some of the costs.

8. RECOGNITIONS AND PRESENTATIONS

- (a) Information Only – No Action Requested.

- Portuguese Heritage Month (June)
- LGBTQI+ Pride Month (June)
- Juneteenth (June 19)

- (b) Proclamation declaring June 13, 2023 as “GFWC Clayton Valley Woman’s Club Day”. (Mayor Wan)

Mayor Wan read the proclamation declaring June 13, 2023 as “GFWC Clayton Valley Woman’s Club” in the City of Clayton.

Judy Disbrow, Co-President, Clayton Valley Woman’s Club thanked the City Council for the Proclamation.

Mayor Wan opened Public Comment on the Consent Calendar

Scott Denslow provided a brief overview of the recent Clayton Pride Parade and expressed his disappointment that all Councilmembers were not in attendance. Mr. Denslow also played a recording from the League of Woman’s Voters Candidate Forum regarding potential LGBT community annual celebration.

Mayor Wan closed public comment.

- (c) Contra Costa County Fire Protection District Fire, Rescue, EMS Update. (Lewis Broschard, Fire Chief)

Fire Chief Lewis Broschard, provided a brief PowerPoint presentation on Fire, Rescue and EMS updates for the city of Clayton.

- (d) Clayton Valley/Concord Sunrise presentation. (Jeff Wilson, Director)

Jeff Wilson, Director Clayton Valley/Concord Sunrise provided a brief overview of the Clayton Valley/Concord Sunrise Rotary Club and announced the upcoming Father’s Day Run and 4th of July Parade Pancake Breakfast.

9. **REPORTS**

- (a) City Manager Bret Prebula indicated “No Report”.

10. **PUBLIC HEARINGS** – None.

11. ACTION ITEMS

- (a) Presentation on Proposed Update to Master Fee Schedule. (Finance Director)

City Manager Bret Prebula presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment.

J Smyth recommended a side-by-side supply and demand comparison by year.

Bassam Altwal expressed his concern of the fees presented seem to align with Walnut Creek which has a larger population than Clayton. He also inquired on which events are City sponsored.

Erin Bennett requested a more transparent user-friendly fee schedule for various events.

Howard Kaplan requested a breakdown of fixed costs versus variable costs for street closures and how they are determined.

Ed Miller expressed concern that the proposed Master Fee Schedule may have unintended consequences as they are not representative or competitive.

Scott Denslow although accepting of change expressed concern of annual events relocating or cancelled.

Terri Denslow advised the Master Fee Schedule presented is not user-friendly and requested more clarification on City sponsored events versus non-City sponsored events.

Mayor Wan closed public comment.

By consensus of the City Council, it was requested receive an extensive report including background information on how the proposed Master Fee Schedule book of fees were determined from the Finance Consultant and to consider a user-friendly format in determining the fees for an event as an example.

Due to the late hour, Mayor Wan requested to change the order of the agenda this evening to Action Item 11(d), 11(e), 11(f) then recess this meeting to open the Oakhurst Geological Hazard Abatement District meeting, and after that meeting reconvene to City Council Action Item 11(c) and 11(b).

- (d) Approve the Engineer's Report and Proposed Assessments for the Operation & Maintenance of Streetlights in the Streetlight Assessment District, Fiscal Year 2023/24. (City Engineer)

City Engineer Larry Theis presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment; no comments were offered.

It was moved by Councilmember Tillman, seconded by Mayor Wan, to Adopt Resolution No. 31-2023 Approving the Engineer’s Report and Levying Assessments for Operation and Maintenance of Streetlights in the Streetlight Assessment District for Fiscal Year 2023/24. (Passed; 5-0)

- (e) Approve the Engineer’s Report and Declare Intent to Levy and Collect Real Property Assessments for the Diablo Estates at Clayton Benefit Assessment District for Fiscal Year 2023/24 and Give Notice of a Public Hearing to be held on July 18, 2023 at 7:00PM at the City of Clayton City Hall on the Levy of the Proposed Assessments. (City Engineer)

City Engineer Larry Theis presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment; no comments were offered.

It was moved by Mayor Wan, seconded by Councilmember Trupiano, to Adopt Resolution No. 32-2023 Approving the Engineer’s Report and Declaring Intent to Levy and Collect Real Property Assessments for the Diablo Estates at Clayton Benefit Assessment District for Fiscal Year 2023/24, and Setting Tuesday July 18, 2023 at 7:00pm at a Regular City Council Public Meeting as the Time and Place for a Public Hearing on the Levey of Proposed Assessments, as amended. (Passed; 5-0)

- (f) Approve an Ordinance Amending Chapter 10.20 “SPEED LIMITS” of the Clayton Municipal Code. (City Engineer)

City Engineer Larry Theis presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment; no comments were offered.

It was moved by Mayor Wan, seconded by Councilmember Cloven, to Approve an Ordinance Amending Chapter 10.20 of the Clayton Municipal Code, Entitled “Speed Limits” as amended. (Passed; 5-0)

RECESS THE CITY COUNCIL MEETING – Mayor Wan
(until after the conclusion of the Oakhurst Geological Hazard Abatement District meeting)

(11:09 pm) Mayor Wan recessed the City Council meeting.

RECONVENE THE CITY COUNCIL MEETING – Mayor Wan

(11:39 pm) Mayor Wan reconvened the City Council meeting.

- (c) Adopt A Resolution Adjusting the Salary Ranges for Certain Management Positions and Reclassification Of One Management Position Within The City Manager's Office. (City Manager)

City Manager Prebula presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment; no comments were offered.

It was moved by Councilmember Tillman, seconded by Councilmember Cloven, to Adopt Resolution No. 33-2023 Approving Changes to the Salary Schedule of Four Management Positions and Approval of a Reclassification of the Assistant to the City Manager Job Classification. (Passed; 4-0, Vice Mayor Diaz abstained)

- (b) Receive the Report and Provide Direction on the Fiscal Year 2023-24 Proposed Operations and Maintenance Budget. (City Manager)

City Manager Prebula presented the report.

Following questions and comments by the City Council, Mayor Wan opened the public comment.

Ed Miller complimented the City Manager on the presentation of this item. He also expressed concern regarding FTE information containing no actionable or data provided by MRG Consultants.

Mayor Wan closed public comment.

Direction was provided to staff regarding Landscape Maintenance District, Technology, General Fund, and Operations Budget.

12. **COUNCIL ITEMS** – None.

13. **COUNCIL REPORTS**

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

Councilmember Cloven attended the Clayton Pride Parade.

Councilmember Tillman attended the Clayton Pride Parade, spoke to constituents regarding the Trails and Landscaping Committee and Master Fee Schedule, attended the Clayton Business and Community Association was inducted in the Athletic Hall of Fame at Clayton Valley Charter High School, attended the VFW Memorial Day event, attended the Pride Flag raising ceremony, attended the Contra Costa County Mayors' Conference, met with the City Manager, thanked Clayton Police Department and Clayton Maintenance

Department for their assistance at the Clayton Pride Parade, and attended the Clayton Business and Community Association Art and Wine wrap-up meeting.

Councilmember Trupiano met with PG&E Energy Services and Infrastructure Committee meeting, attended the Garbage and Recycling Committee meeting, attended the Clayton Budget and Audit Committee special meeting, attended the Elected Woman's luncheon, attended the Concerts in The Grove, attended the VFW Memorial Day event, and attended the Clayton Budget and Audit Committee meeting.

Vice Mayor Diaz attended the County Connection Board meeting, the Clayton Police Department recognition, the VFW Memorial Day event, the Clayton Business and Community Association Art and Wine wrap-up event, and provided a brief overview of the history of the Clayton Classic Car Show.

Mayor Wan attended the Contra Costa County Mayors' Conference, the Clayton Budget and Audit Committee regular and special meeting, the Garbage and Recycling Committee meeting, the VFW Memorial Day event, and was a guest speaker at the Clayton Valley/Concord Sunrise Rotary Club meeting.

14. **ADJOURNMENT** - on call by Mayor Wan, the City Council adjourned its meeting at 1:58 a.m. Wednesday, June 7, 2023.


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Respectfully submitted,



Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Jeff Wan, Mayor