

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, December 4, 2018

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Haydon in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Haydon, Councilmembers Catalano, Diaz and Pierce. Councilmembers absent: Vice Mayor Shuey. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Community Development Director Mindy Gentry, City Engineer Scott Alman, Maintenance Supervisor Jim Warburton, Chief of Police Elise Warren, and City Clerk Janet Calderon.

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

3. **CONSENT CALENDAR**

It was moved by Councilmember Pierce, seconded by Councilmember Catalano, to approve the Consent Calendar as submitted. (Passed; 4-0 vote).

 - (a) Information Only – No Action Requested.
 1. Notification by Contra Costa Water District (CCWD) of its public hearing on January 2, 2019 to consider rate structure changes and an annual rate increase of up to 6%.
 - (b) Approved the minutes of the City Council's regular meeting of November 20, 2018.
 - (c) Approved the Financial Demands and Obligations of the City.
 - (d) Awarded the lowest-bid contract to West Coast Arborist in the amount of \$194,050 for the removal of seventeen (17) large Eucalyptus trees in open space/creek areas near Regency Drive/El Portal Drive, along a portion of the Cardinet Trail behind homes in the Rachel Ranch subdivision, and several trees on Lydia Lane near the park entry; and allocate \$10,000 from the Landscape Maintenance District reserve fund to gap-fund the necessary budgeted project.
 - (e) Adopted Resolution No. 44-2018 certifying the results of canvass of returns in the November 2018 General Municipal Election and declaring Jeff Wan and Carl "CW" Wolfe elected to 4-year terms of public office on the City Council of the City of Clayton, California.

4. **RECOGNITIONS AND PRESENTATIONS**
 - (a) Certificates of Recognition to public school students for exemplifying the "Do The Right Thing" character trait of "Respect" during the month of October 2018.

Mayor Haydon and Mt. Diablo Elementary School Second Grade Teacher Mrs. Pike presented certificates to Daelynn Chippero and Nathan Stojanovich.

Mayor Haydon and Diablo View Middle School Principal Patti Bannister presented certificates to Shelly Suaboksan and Daniel Akl.

Mayor Haydon and Clayton Valley Charter High School Athletic Director Bob Ralston presented a certificate to Analysa Espinoza. Student Gabe Martin was unable to attend this evening and Mr. Ralston took the Certificate to be given to him.

5. REMARKS BY OUTGOING CITY COUNCIL MEMBERS

Mayor Haydon advised Vice Mayor David Shuey was unable to attend this evening due to a prior commitment.

Mayor Haydon remarked he appreciated the opportunity to serve on the Council, it has been a wonderful educational experience; anyone who begins to follow the City Council and all they are able to accomplish can appreciate the work that goes into running this City. City Council makes a lot of the decisions, but really the day-to-day operations here in the City are performed by the City staff. Mayor Haydon wished to recognize two of his mentors who really helped him understand what is expected of a City Councilperson by always being prepared; those mentors are Howard Geller and Julie Pierce.

Mayor Haydon also recognized and praised an excellent City Manager, Gary Napper; we are very fortunate to have him as he is able to apply the experience he has gained, not only in other assignments but his experience here in Clayton for about twenty years. Mayor Haydon also recognized Janet Calderon, our City Clerk, for her administrative assistance for the City Council, and Assistant to the City Manager, Laura Hoffmeister, as she carries out many of the duties working with the residents and varying community groups, assisting with the front desk at City Hall, and dealing with our residents. And he noted additional staff department heads in attendance: Mindy Gentry, Community Development Director, Kevin Mizuno, Finance Director, Jim Warburton, our new Maintenance Supervisor, Scott Alman, City Engineer, and our new Chief of Police, Elise Warren.

Mayor Haydon thanked Clayton for allowing him to serve in this role, but he stated that also the big reason Clayton is the wonderful community we all enjoy in large part is due to a staff that ensures all of the needs are being met. "Thanks again."

Councilmember Pierce recognized the work of Vice Mayor David Shuey as he served on the City Council for sixteen (16) years, and worked four (4) years prior on the original Community Services Commission working on The Grove Park Design Committee that he also chaired. He also worked on our Landscape Maintenance ballot measures, as did Keith Haydon, and was just always there to volunteer, to lend an experienced ear. His expertise in construction claims law when we had issues with any of our contracts was particularly valuable. David gave his heart and soul to this City and will continue to, and for that we want to absolutely thank him from the depths of our hearts.

Councilmember Pierce further recognized Keith Haydon as she has known him since they were together on the Board of Directors at the Westwood Home Owners Association a very long time ago, where Keith still serves as President. She wanted folks to understand the depth of his commitment to this community since the time Westwood was a brand new subdivision; she noted the median around the mailboxes at the Westwood entrance would not exist except for the fact they came together to the then-City Council and protested it cannot sign off on the Conditions of Approval for that park because the developer had not finished its work; she believes that incident is what got them interested in some of the work they have done since then. Mayor Haydon followed that event with a total of sixteen (16) years on the Planning Commission, as well as his time on the City Council, and she knows he is one of the more active volunteers with the

Clayton Business and Community Association, and for that we also "thank you." She knows he will continue to volunteer all over town with every event CBCA has and she values volunteerism in a hands-on community like ours. It has been an honor to serve with him.

Mayor Haydon thanked Councilmember Pierce for recognizing the contributions of Vice Mayor Shuey for his many years of service,

Councilmember Diaz advised he had an opportunity to meet with David one-on-one where David expressed some disappointment with the outcome of the election; he is still very positive on Clayton and all the things that we have and will continue to accomplish here. Particularly, things he was involved in like The Grove Park and various other parks in the community, he was personally involved in the development of those and wants to see things continue in a very positive manner. He was very upbeat and they developed a closer relationship as a result of this conversation.

Councilmember Catalano added Mayor Haydon's commitment to the City was much more than the City Council as he served on the Planning Commission, also serving as an original member of the Trails and Landscaping Committee, a very long commitment, to reading the Council materials; he made an excellent contribution to the City. She finds it very appropriate his representation of Clayton on the East Contra Costa Habitat Conservancy Board, also leaving that board as its last Chair. She had the pleasure of serving with him on the Planning Commission and the Budget/Audit Committee, one of the assignments with a number of meetings and hours looking at the budget items line-by-line. That is one example of his level of focus to detail, commitment and being prepared, which is needed as a council member, and his level of public service that is admirable.

Former Mayor Keith Haydon then stepped down from the Council dais and sat in the audience.

6. OATHS OF OFFICE BY NEWLY-ELECTED CITY COUNCIL MEMBERS

Mr. Jeff Wan and Mr. Carl "CW" Wolfe were then invited forward by the City Clerk.

The Oaths of Office by the November 2018 elected Councilmembers Jeff Wan and Carl Wolfe were administered by City Clerk Janet Calderon. Each of the newly-elected Councilmembers then took a seat at the Council dais.

George Escutia, Jr., Field Representative for California Senator Glazer, presented a certificate to former Mayor Haydon in recognition of his services as Mayor to the Clayton community.

7. ANNUAL REORGANIZATION OF CLAYTON CITY COUNCIL

- (a) Election of Mayor by the City Council
[Councilmember Pierce, as the tenured member of Council, to conduct the election]

Councilmember Pierce opened the nominations for mayor. Councilmember Pierce nominated Tuija Catalano for the office of Mayor.

Councilmember Diaz said as he reviewed the last election and all of the challenges we faced, and what will be coming in the next year, he finds himself in a difficult position in that he believes in the past we have always had someone from the position of vice

mayor before ascending to mayor's position. He thinks it benefits that person in terms of experience and things that go into taking on the mayoral role. Although all of the Councilmembers are equal in stature, he stated the mayor takes the position as the administrator head of the Council and out more in the public. He remarked not having that experience as the vice mayor is a void.

Councilmember Diaz then nominated Julie Pierce for the office of Mayor. Councilmember Pierce declined the nomination.

Councilmember Wolfe seconded the nomination of Tuija Catalano for the office of Mayor. With no further nominations occurring, Councilmember Pierce then closed the nominations.

On call by Councilmember Pierce, the election of Tuija Catalano as Mayor passed by acclamation (Passed 4-0-1 vote; Diaz, abstained).

- (b) Election of Vice Mayor by the City Council
[Newly-elected Mayor to conduct the election]

Mayor Catalano opened nominations for vice mayor. Mayor Catalano nominated Julie Pierce for the position of Vice Mayor. There were no other nominations and Mayor Catalano closed the nominations.

On call by Mayor Catalano, the election of Julie Pierce as Vice Mayor passed by acclamation. (Passed 4-0-1 vote; Diaz, abstained).

- (c) Recognitions and remarks by new Mayor and Council Members.

Mayor Catalano presented former Mayor Haydon with a personalized gavel plaque as a small token of appreciation for his years of service on the Council and as Mayor.

Councilmember Wolfe remarked he is honored and humbled to be elected to the Clayton City Council, thanked his supporters and hopes to earn the trust of the voters that did not elect him. He congratulated Councilmember Wan for his win and will work together to fill the divide that occurred in the community with this election.

Councilmember Diaz welcomed Councilmember Wan and Councilmember Wolfe to the City Council and knows both are up to the challenges for the coming year. He also congratulated them on their elections.

Councilmember Wan thanked his wife and family for their support, as he could not have done the things he does without them. He also thanked Councilmember Shuey for his service; even though they were opponents in this election, he appreciated Mr. Shuey's many years of public service for the benefit of Clayton. Councilmember Wan commented this election showed an unmet community desire of transparency and he will be providing regular updates through various social media platforms; with the technological tools we have today there really is not a reason to not meet people where they are and he expects to continue to do that during his term. He looks forward to working with the City Council.

Vice Mayor Pierce also welcomed Councilmember Wan and Councilmember Wolfe and expressed she looks forward to working together as a team in the best interest of Clayton. Although there may be some spirited discussions, that is what it is all about and having respect for each other's views, with one goal in mind: it is all for Clayton.

Mayor Catalano thanked the Council for electing her as Mayor for the coming year and she looks forward to a very positive year ahead. Although there is some division, this community seems to come together for what is best for Clayton. The City has its challenges coming ahead from the State and other agencies; we do not need to use our energy fighting amongst each other but by expressing our opinions constructively.

7:34 p.m. Social Break

Mayor Catalano called for a short break in the Council proceedings so attendees in the audience and members of the City Council could socialize with the newly-installed members of the City Council and former Mayor Haydon.

[Councilmember Diaz left the meeting]

8:01 p.m.

Mayor Catalano called the City Council meeting back to order.

8. REPORTS

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – Meeting held on November 27, 2018.
- (c) City Manager/Staff

City Manager Napper, on behalf of City staff, welcomed Councilmember Wan and Councilmember Wolfe and expressed he looks forward to working with them in serving our community. He also congratulated our new Mayor and Vice Mayor and noted there is a little more working with City staff in these two positions. City Manager Napper also thanked Keith Haydon and David Shuey for their services to the city of Clayton.

City Manager Napper announced with the Holiday Season approaching it is typically a slow time of the year at City Hall. City Hall employees met and they have collectively elected to use personal accrued paid time to close City Hall the week between Christmas Eve Day and New Year's Day, which is a regular holiday, resulting in City Hall [3rd Floor] closed until January 2, 2019. Police field services and Maintenance crews will remain operational and available for emergencies. A Press Release will be posted on the City's website, bulletin boards and the front doors of City Hall.

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

Councilmember Wolfe indicated "No Report".

Councilmember Wan indicated "No Report".

Councilmember Pierce attended a Metropolitan Transportation Commission workshop, the Clayton Business and Community Association's Tree Lighting event, and she announced the upcoming Clayton Historical Society Homes Tour.

Councilmember Catalano attended the Clayton Community Library Foundation Board's meeting, and the Clayton Business and Community Association's Tree Lighting event.

- (e) Other – None.

9. PUBLIC COMMENT ON NON - AGENDA ITEMS

Frank Gavidia, 104 Gold Rush Court, congratulated the new Councilmembers and thanked David Shuey for all of his service. Mr. Gavidia also wanted to address the comments on how divisive the election was; he felt there were a number of residents in the community that disagreed with some things going on in the community. Mr. Gavidia agreed with a statement made by Councilmember Wolfe during the election, *"Regardless of where we stood on this, we all love Clayton."* Mr. Gavidia held up a reprint of the *Clayton Pioneer's* article on the July 2010 4th of July Parade, when it used to sponsor a best picture award contest. He noted his daughter and Jim Gamble's daughter were in the photo printed in the newspaper. He commented things can get heated but that's America. It is not a big deal – it was just an election. He will do his part to "heal the divide" by participating and helping in the community.

- 10. PUBLIC HEARINGS – None.**

- 11. ACTION ITEMS – None.**

- 12. COUNCIL ITEMS – limited to requests and directives for future meetings.**

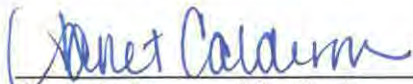
- 13. CLOSED SESSIONS – None.**

- 14. ADJOURNMENT– on call by Mayor Catalano, the City Council adjourned its meeting at 8:11 p.m.**

The next regularly scheduled meeting of the City Council is December 18, 2018.

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Respectfully submitted,


Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL


Tuija Catalano, Mayor

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