



City Council Regular Meeting Minutes - Draft

Tuesday, April 11, 2023

4:00 PM

1. CALL TO ORDER AND ROLL CALL

Mayor N. Rogers called the meeting to order at 4:02 p.m.

- Present: 7 Mayor Natalie Rogers, Vice Mayor Dianna MacDonald, Council Member Eddie Alvarez, Council Member Victoria Fleming, Council Member Jeff Okrepkie, Council Member Chris Rogers, and Council Member Mark Stapp
- 2. ANNOUNCEMENT OF CLOSED SESSION ITEMS NONE.
- 3. STUDY SESSION NONE.
- 4. ANNOUNCEMENT OF ROLL CALL (IF NEEDED)
- 5. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS NONE.
- 6. PROCLAMATIONS/PRESENTATIONS
 - 6.1 PROCLAMATION WEEK OF THE YOUNG CHILD

Council Member Fleming read and presented the proclamation to Laura Maqnusdottir, Community Child Care Council.

Laura Magnusdottir thanked Council for their support of child care initiatives in the community.

No public comments were made.

6.2 PROCLAMATION - APRIL IS SEXUAL ASSAULT AWARENESS MONTH

Mayor N. Rogers read and presented the proclamation to Metzli Perez Flores with Verity.

Metzli Perez Flores made brief comments regarding the support and resources Verity provides.

No public comments were made.

7. STAFF BRIEFINGS

7.1 COMMUNITY EMPOWERMENT PLAN UPDATE

This will be a standing item on the agenda. No action will be taken except for possible direction to staff.

Danielle Garduno, Interim Violence Prevention Program Manager provided a brief update on the launch of the Diversity, Equity, Inclusion, and Belonging Spaces Mini-Grant program and on upcoming efforts by the VPP to address the continued concern on safety issues throughout our community.

PUBLIC COMMENT

Duane DeWitt spoke on the importance of community engagement in Roseland and made suggestions on how to improve graffiti removal in the community.

7.2 2023 EARTH DAY EVENT IN COURTHOUSE SQUARE

Santa Rosa Water staff will provide information on Santa Rosa's annual Earth Day event taking place at the Courthouse Square on Saturday, April 22, from 12pm-4pm. The Council may discuss this item and give direction to staff.

Alicia Quilici, Research and Program Coordinator presented on the upcoming Earth Day event.

PUBLIC COMMENT

Duane DeWitt spoke in support of the Earth Day celebration.

8. CITY MANAGER'S/CITY ATTORNEY'S REPORTS

Maraskeshia Smith, City Manager, provided a brief report on Assistant City Manager Daryel Dunston's selection as a North Bay Business Journal's 40 under 40 award recipient, announced that on April 7, 2023 the State Department of Housing and Community Development (HCD) certified the Santa Rosa 2023-2031 Housing Element, the Merit Award nomination period is now open, and the

Finley Aquatic Center will celebrate it's 30th birthday on April 17 and invited the community to help celebrate.

No public comments were made.

9. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

Council Member Fleming announced her abstention from Item 11.3.

10. MAYOR'S/COUNCIL MEMBERS' REPORTS

Council Member Okrepkie provided a brief report on a recent trip to Savannah, GA and community events recently attended.

Council Member Stapp provided a brief report on recent water related meetings covering the state of our water supply, and community events attended.

Council Member Rogers provided a brief report on various subcommittee discussions, and on recent community events attended.

Council Member Fleming provided a brief report on recent community events attended and upcoming community events.

Vice Mayor provided a brief report on recent meetings and community events attended.

Mayor N. Rogers provided a brief report honoring the City of Santa Rosa dispatchers as it is Dispatch Appreciation Week, and on meetings and recent community events attended.

10.1 MAYOR'S/COUNCIL MEMBERS' SUBCOMMITTEE AND LIAISON REPORTS (AND POSSIBLE COUNCIL DIRECTION TO BOARD REPRESENTATIVE ON PENDING ISSUES, IF NEEDED)

10.1.1 Council Subcommittee Reports

10.1.2 Sonoma County Transportation Authority/Regional Climate Protection Authority (SCTA/RCPA)

10.1.3 Sonoma County Water Agency (SCWA) - Water Advisory Committee

10.1.4 Association of Bay Area Governments (ABAG)

10.1.5 Sonoma County Agricultural Preservation and Open Space District Advisory Committee

10.1.6 Sonoma Clean Power Authority (SCPA)

10.1.7 Zero Waste Sonoma (formerly known as Sonoma County Waste Management Agency (SCWMA))

- 10.1.8 Groundwater Sustainability Agency (GSA)
- **10.1.9** Sonoma County Continuum of Care (CoC)
- 10.1.10 Renewal Enterprise District (RED)

Council Member Fleming provided a brief report.

10.1.11 Public Safety Subcommittee

10.1.12 Other

Mayor N. Rogers announced the following Chair appointments to various boards, commissions, and committees: Kim Badenfort - Bicycle and Pedestrian Advisory Board Melanie Jones Carter - Design Review Board Evette Minor - Measure O Citizen's Oversight Committee

10.2 SONOMA COUNTY MAYORS' AND COUNCIL MEMBERS' ASSOCIATION / CITY SELECTION COMMITTEE

10.2.1 The City Council will, by motion, provide direction to the Mayor regarding letters of interest received for appointment to the following vacancies, which will be made by the Board of Directors and by the City Selection Committee of the Sonoma County Mayors' and Councilmembers' Association at its meeting on April 20, 2023:

Board of Directors:

1. ABAG Executive Board: One seat and one alternate, to fill the expired terms of Susan Hollingsworth-Adams, Rohnert Park, and Stephen Zollman, Sebastopol. Letters received from:

- Susan H. Adams (Rohnert Park)
- Stephen Zollman for Alternate Seat (Sebastopol)

2. North Bay Division, LLOC, Executive Board: One seat and one alternate, to fill a seat vacated by former Council Member Mike Healy, Petaluma, and the vacant alternate seat. The term expires two years from appointment. No letters received to date.

3. Sonoma County Agricultural Preservation and Open Space District Citizens Advisory Committee: Two seats, to fill the expired terms of Brian Barnacle, Petaluma, and Neysa Hinton, Sebastopol. Letters received from:

- John Shribbs (Petaluma)
- Kevin McDonnell (Petaluma)

City Selection Committee:

1. Metropolitan Transportation Commission: One seat, to fill the expired term of Victoria Fleming, Santa Rosa. Per Gov. Code 66503(b), The City Selection Committee submits three names, and the appointment is made by the Board of Supervisors. Letter received from:

• Victoria Fleming (Santa Rosa)

2. Airport Land Use Commission: One seat, to fill the expired term of Sam Salmon, Windsor, to be effective May 2023. No letters received to date.

3. Golden Gate Bridge, Highway & Transportation District: One seat to fill the expired term of Gerard Giudice, Rohnert Park. Letter received from:

• Gerard Giudice (Rohnert Park)

It is also recommended that if late nominations are received or if the City Selection Committee or Mayors' and Councilmembers' Board recommends alternates, that the City Council authorize the Mayor or their designated representative the authority to vote on these late nominations or recommendations at the City Selection Committee

Meeting or Mayors' and Councilmembers' Association board meeting.

No public comments were made.

A motion was made by Council Member Rogers, seconded by Council Member Okrepkie, to support Susan Adams as primary and Stephen Zollman as alternate to ABAG, John Shribbs and Kevin McDonnell to the Sonoma County Agricultural Preservation Committee, Victoria Fleming for Metropolitan Transportation Commission, Gerard Giudice for Golden Gate Bridge Highway and Transportation District, and for the two seats where no letters were received to authorize the Mayor to vote on these if a nomination is presented at the City Selection Committee Meeting or Mayors' and Councilmembers' Association board meeting. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

11. APPROVAL OF MINUTES

- 11.1 February 28, 2023, Regular Meeting.Approved as submitted.
- 11.2 March 14, 2023, Regular Meeting.

Approved as submitted.

11.3 March 28, 2023, Regular Meeting.

Approved as submitted with Council Member Fleming abstaining.

12. CONSENT ITEMS

Lisa Welsh, Associate Civil Engineer and Jason Nutt, Assistant City Manager answered questions on Item 12.1.

PUBLIC COMMENT

Duane DeWitt spoke on Item 12.2, and appreciated Items 12.8 and 12.9.

Gregory Fearon spoke in support of Item 12.4.

Chris Guenther spoke in support of Item 12.1 and provided additional suggestions regarding multi-modal transportation throughout the city.

Cris Eggers spoke in support of Item 12.1 and 12.8.

Approval of the Consent Agenda

A motion was made by Vice Mayor MacDonald, seconded by Council Member Stapp, to waive reading of the text and adopt Consent Items 12.1 through 12.11. The motion carried by the following vote:

Yes: 7 - Mayor Rogers, Vice Mayor MacDonald, Council Member Alvarez, Council Member Fleming, Council Member Okrepkie, Council Member Rogers, and Council Member Stapp

12.1 MOTION - CONTRACT AWARD FOR THE SANTA ROSA AVENUE CORRIDOR IMPROVEMENT PROJECT

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by motion, award Contract No. C01620, Santa Rosa Avenue Corridor Improvements, in the amount of \$2,179,030.68 to the lowest responsible bidder, Granite Construction Company of Watsonville, California, and approve a 15% contract contingency for a total contract not-to-exceed amount of \$2,505,885.28.

This Consent - Motion was aproved.

12.2 MOTION - 2022 GENERAL PLAN, INCLUSIONARY HOUSING, & GROWTH MANAGEMENT ANNUAL REVIEW REPORT

RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by motion, receive and approve the 2022 General Plan, Inclusionary Housing, and Growth Management Annual Review report.

This Consent - Motion was approved.

12.3 RESOLUTION - SANTA ROSA TOURISM BUSINESS IMPROVEMENT AREA ADVISORY BOARD APPOINTMENTS

> RECOMMENDATION: It is recommended by the Planning and Economic Development Department that the Council, by resolution: 1) appoint Hugh Futrell, co-owner and operator of Hotel E, to the Santa

Rosa Tourism Business Improvement Area Advisory Board to serve as the representative for a full-service hotel; and 2) appoint Janelle Meyers, Visit Santa Rosa Vice President of Marketing and Communications, to the Advisory Board to serve as an alternate representative for the Santa Rosa Metro Chamber in the event their primary representative is unavailable.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-059 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPOINTING MEMBERS TO THE ADVISORY BOARD FOR THE SANTA ROSA TOURISM BUSINESS IMPROVEMENT AREA

12.4 RESOLUTION - NATIONAL OPIOIDS SETTLEMENTS WITH NEW SETTLING DEFENDANTS TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART; AUTHORIZING THE CITY MANAGER TO ENTER INTO ANY FUTURE SETTLEMENT AGREEMENTS WITH ANY ADDITIONAL SETTLING DEFENDANTS UNDER THE NATIONAL OPIOID SETTLEMENTS AND DIRECTING USE OF SETTLEMENT PROCEEDS WITHIN ANY PERMISSIBLE USE PROVIDED

> RECOMMENDATION: It is recommended by the City Attorney's Office that the Council, by resolution: 1) authorize the City Manager to execute a Subdivision and Special District Settlement Participation Form and Proposed California State-Subdivision Agreement regarding Distribution and Use of Settlement Funds (Allocation Agreement) for each of the following settling entities as part of the National Opioid Settlements: Teva, Allergan, CVS, Walgreens, and Walmart, subject to approval as to form by the City Attorney; 2) authorize the Chief Financial Officer to appropriate the funds from the National Opioid Settlement fund to the Opioid Settlement Fund project keys; 3) authorize the City Manager to enter into any future settlement agreements with additional settling defendants and/or bankruptcy plans related to the National Opioid Settlement; and 4) authorize the City Manager to direct use of all settlement proceeds within any permissible use as provided for in the settlement agreements.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-060 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE CITY OF

April 11, 2023

SANTA ROSA TO ENTER INTO SETTLEMENT AGREEMENTS AS PART OF THE NATIONAL OPIOID PROPOSED SETTLEMENTS WITH TEVA, ALLERGAN, CVS, WALGREENS AND WALMART; AUTHORIZING THE CITY MANAGER TO ENTER INTO ANY NEW SETTLEMENTS WITH ADDITIONAL SETTLING DEFENDANTS AND/OR BANKRUPTCY PLANS RELATED TO THE NATIONAL OPIOID SETTLEMENT; EXECUTE ALL DOCUMENTS NECESSARY; AND DIRECTING USE OF ALL SETTLEMENT PROCEEDS WITHIN ANY PERMISSIBLE USE AS PROVIDED FOR IN THE SETTLEMENT AGREEMENTS

12.5 RESOLUTION - FIRST AMENDMENT TO GENERAL SERVICES AGREEMENT F002211 WITH CALIFORNIA PATROL OPERATIONS INC

> RECOMMENDATION: It is recommended by the Police and Finance Departments that the Council, by resolution, approve the First Amendment to General Service Agreement Number F002211 to add funds under the current term in the amount of \$35,000, and a one-year extension with no increase in contract price in the amount of \$65,000 for a total increase of \$100,000 with California Patrol Operations Inc, Sacramento, California for a total cumulative amount not to exceed of \$195,000.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-061 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIRST AMENDMENT TO GENERAL SERVICES AGREEMENT NUMBER F002211 WITH CALIFORNIA PATROL OPERATIONS INC

12.6 RESOLUTION - APPROVING A GENERAL SERVICES/CONCESSION LICENSE AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND PONY EXPRESS EQUINE ASSISTED SKILLS FOR YOUTH

> RECOMMENDATION: It is recommended by the Recreation Division that the Council, by resolution, approve a General Services/Concession License Agreement with The Pony Express Equine Assisted Skills for Youth, Santa Rosa, CA, for a two year term, with three additional one-year extensions, for a total contract amount not to exceed \$500,000 to operate the Pony Ride Concession at Howarth Park.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-062 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A GENERAL SERVICES/CONCESSION LICENSE AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND PONY EXPRESS EQUINE ASSISTED SKILLS FOR YOUTH

12.7 RESOLUTION - CONTRACT CHANGE ORDER - CITYBUS ELECTRICAL VEHICLE FLEET ELECTRIFICATION PROJECT

RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution: 1) approve Change Order(s) to Design-Build Contract C02340 with Cupertino Electric, Inc. in an amount not-to-exceed \$478,036.66 to purchase and install two additional electric bus chargers and pay past invoices; and 2) authorize and approve an additional contingency amount of \$70,054.60, which is 15% of the cost of adding the installation of the two additional chargers, for a total contract not-to-exceed amount of \$1,100,733.50.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-063 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A CHANGE ORDER AND AUTHORIZING A CONTINGENCY AMOUNT OF \$70,054.60 TO CONTRACT C02340 TO CUPERTINO ELECTRIC, INC. FOR A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$1,100,733.50

12.8 RESOLUTION - REQUEST FOR AUTHORIZATION FOR SUBMITTAL OF ONE BAY AREA GRANT 3 (OBAG 3) APPLICATIONS FOR THE HIGHWAY 101 HEARN AVENUE MULTIUSE PATHWAY AND PAVEMENT REHABILITATION AND THE DOWNTOWN CONNECTIVITY TO SUPPORT HOUSING DENSITY INTENSIFICATION

> RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by three separate resolutions, take the following actions necessary to apply for federal Surface Transportation Commission (MTC) One Bay Area Grant Program 3 (OBAG 3) funding, including: 1) authorization to file an application for \$1,321,000 in OBAG 3 Funding which also provides of assurances that the City will complete the Highway 101 Hearn Avenue Multi-Use Pathway and Pavement Rehabilitation project; 2) authorization to file an application for \$2,588,000 in OBAG 3 Funding

which also provides assurances that the City will complete the Downtown Connectivity to Support Housing Density Intensification project; and 3) a commitment by the City to comply with state housing laws. The Transportation and Public Works Department also recommends that the Council authorize the use of non-general funds (local utility impact fees, Capital Facilities Fees, Measure M funds, gas tax, and Transportation Development Act Article III funds) to match the federal funds being requested.

These Consent - Resolutions were adopted.

RESOLUTION NO. RES-2023-064 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO METROPOLITAN TRANSPORTATION COMMISSION AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCE TO COMPLETE THE PROJECT

RESOLUTION NO. RES-2023-065 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO METROPOLITAN TRANSPORTATION COMMISSION AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCE TO COMPLETE THE PROJECT

RESOLUTION NO. RES-2023-066 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO COMPLY WITH STATE HOUSING LAWS

12.9 RESOLUTION - ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 SENATE BILL 1 TRANSPORTATION FUNDING FISCAL YEAR 2023/2024 PROJECT LIST

> RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council by resolution, authorize the Department of Transportation and Public Works to submit the following projects to the California Transportation Commission in order to receive Fiscal Year 2023-2024 apportionment of Senate Bill 1(SB1) Road Maintenance and Rehabilitation Account funding: 1) Highway 101 Hearn Interchange Project in the amount of \$3,714,279; and 2) Highway 101 Bicycle and Pedestrian Overcrossing in the amount of \$1,174,065.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-067 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE SUBMITTAL OF THE HIGHWAY 101 HEARN INTERCHANGE PROJECT AND HIGHWAY 101 BICYCLE AND PEDESTRIAN OVERCROSSING PROJECT TO THE CALIFORNIA TRANSPORTATION COMMISSION IN ORDER TO RECEIVE FISCAL YEAR 2023/2024 APPORTIONMENT OF SB1 ROAD MAINTENANCE AND REHABILITATION ACCOUNT FUNDING

12.10 RESOLUTION - PROFESSIONAL SERVICES AGREEMENT WITH GMV SYNCROMATICS CORP. FOR A COMPUTER AIDED DISPATCH AND AUTOMATED VEHICLE LOCATION SYSTEM (THIS ITEM WAS CONTINUED FROM THE MARCH 28, 2023 MEETING)

> RECOMMENDATION: It is recommended by the Transportation and Public Works Department that the Council, by resolution, approve a Professional Services Agreement with GMV Syncromatics Corp. for a five year term for a total amount of \$931,787 for replacement of the Santa Rosa CityBus Computer Aided Dispatch and Automated Vehicle Location system.

This Consent - Resolution was adopted.

RESOLUTION NO. RES-2023-068 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH GMV SYNCROMATICS CORP. TO PROVIDE A COMPUTER AIDED DISPATCH AND AUTOMATED VEHICLE LOCATION SYSTEM

12.11 ORDINANCE ADOPTION - SECOND READING -ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE BY RECLASSIFYING SEVEN PROPERTIES LOCATED ALONG WEST BARHAM AVENUE AND BARHAM AVENUE FROM THE PLANNED DEVELOPMENT 96-002 ZONING DISTRICT TO THE LIGHT INDUSTRIAL (IL) ZONING DISTRICT, FILE NO. REZ22-003

RECOMMENDATION: This ordinance, introduced at the March 28, 2023, Regular Meeting by a 5-0-2 vote (C. Rogers and Fleming absent), will rezone seven parcels located along the north side of West Barham Avenue and Barham Avenue (identified as Assessor's Parcel Nos. 125-281-032, 125-281-046, 125-281-035, 037-101-042, 037-101-043,

037-101-015, 037-101-020) from Planned Development 96-002 (PD 96-002) Zoning District to the IL (Light Industrial) Zoning District to achieve General Plan consistency.

This Consent - Ordinance was adopted.

ORDINANCE NO. ORD-2023-004 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE BY RECLASSIFYING SEVEN PROPERTIES LOCATED ALONG WEST BARHAM AVENUE AND BARHAM AVENUE FROM THE PLANNED DEVELOPMENT 96-002 ZONING DISTRICT TO THE LIGHT INDUSTRIAL (IL) ZONING DISTRICT, FILE NO. REZ22-003

13. PUBLIC COMMENT ON NON-AGENDA MATTERS

Tom LaPenna, president of the Santa Rosa Manufactured Homeowners Association, spoke on mobile home park concerns, expressed appreciation to Council and City staff for taking meetings related to these concerns, and asked that additional language be added to the rent control ordinance related to protecting the senior parks.

James Foley expressed appreciation in making our city parks alcohol free, and expressed consideration of a pickleball stadium built downtown atop the mall parking lot.

Duane DeWitt spoke on the All-American Car Show to be held on July 1, 2023 and invited the community to participate in this event.

Yvonne Rawhouser spoke on Carriage Court and expressed concerns related to the mobile home parks rental rates.

Sloane, local high school freshmen and journalist, expressed appreciation regarding recent discussions and interviews held with Council Members and city staff on the topic of local government for an article to be featured in the school newspaper.

MaDonna Feather Cruz, Disability Service and Legal Center submitted a speaker card requesting help with Indigenous People Gathering at SR Fairgrounds on May 20-21, 2023.

13.1 CORRESPONDENCE

This item was received and filed.

- 14. REPORT ITEMS NONE.
- 15. PUBLIC HEARINGS NONE.
- 16. WRITTEN COMMUNICATIONS NONE.

17. PUBLIC COMMENTS ON NON-AGENDA MATTERS

18. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEMS, RECESS TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS [IF NEEDED]

19. ADJOURNMENT OF MEETING

Mayor N. Rogers adjourned the meeting at 5:33 p.m. The next regular meeting will be held on Tuesday, April 25, 2023, at a time to be set by the Mayor.

20. UPCOMING MEETINGS

20.1 UPCOMING MEETINGS LIST

Approved on:

Dina Manis, Interim City Clerk