



CLAYTON CITY COUNCIL SPECIAL MEETING AGENDA

**TUESDAY, JULY 28, 2026
7:00 PM**

**Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517**

Public comment at this Special Meeting is limited to the items listed on the posted agenda. Members of the public may participate virtually. Please join via Zoom.

At the time and date of the meeting, please click this URL to join the webinar:
<https://us02web.zoom.us/j/87013308207?pwd=CseB8FiFZXHszhgXSPA1SHLTAjNzoM.1>
Meeting ID: 870 1330 8207 | Meeting Password: 121212
Dial 669-444-9171 to join by phone

Virtual Public Comments: When the Mayor invites public comment for the item on which you would like to comment, please use the "raise hand" feature (or press *9 if connecting via telephone only and press *6 to unmute/mute) to alert staff you have a public comment to provide.

Jeff Wan, Mayor

Richard Enea, Vice Mayor
Holly Tillman, Councilmember

Jim Diaz, Councilmember
Kim Trupiano, Councilmember

1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. CONSENT CALENDAR

- (a) Adopt Resolution No. 33-2026 amending the ballot label/ballot question for a special tax measure placed on the November 3, 2026 general municipal election ballot relating to extending the term for ten (10) years and altering the rate and method of apportionment of the existing special tax for the Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) ("CFD")

Recommendation: Adopt the resolution.

- (b) Adopt Resolution No. 34-2026 Adopting a List of Projects Funded by SB1 - Road Repair and Accountability Act of 2017 for FY27 and FY28

Recommendation: Adopt the resolution.

4. REPORTS

- (a) City Manager's Report

5. PUBLIC HEARING

- (a) Conduct an Appeal Hearing and Consider Denying the Appeal and Upholding the Decision of the Planning Commission to Approve the Peacock Creek Townhomes Vesting Tentative Subdivision Map and Site Plan Review. The location of the project is at the intersection of Clayton Rd. and Peacock Creek Dr. (Assessor's Parcel No. 118-370-073)

Recommendation: Continued this item without discussion, the hearing will be re-noticed when rescheduled.

6. ACTION ITEMS

- (a) Discussion and Direction on whether the City Council is in support of annexation or property outside of the current city boundary

Recommendation: Receive direction from the City Council to determine interest in exploring annexation of property outside of the City of Clayton boundary.

7. ADJOURNMENT

The next regularly scheduled meeting will be August 18, 2026. For meeting information and materials, please visit the City's website.

Meeting Information and Access

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail and on the [City's website](#).
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) [City's website](#).
- Any writings or documents provided to a majority of the City Council after distribution of the agenda packet and regarding any public item on this agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours and is available for review on the [City's website](#).
- If you have a physical impairment requiring special accommodation to participate, please call the City Clerk's office at least 72 hours (about 3 days) before the meeting at (925) 673-7300.
- E-mail Public Comments: Public comment may also be sent to the [City Clerk](#) by 12:00 p.m. on the day of the meeting. All e-mailed public comments will be forwarded to the entire committee and made part of the official meeting file.
- The City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur time to time. In the event of these difficulties, the City will comply with the Brown Act and its Disruption Policy, which may mean public meetings will continue despite technical difficulties for participants using the teleconferencing option.
- The City does not recommend watching the meeting on YouTube if you plan to speak, as the livestream may be delayed.

Each person attending the meeting who wishes to speak on an agendized or non-agendized matter (within the council's jurisdiction), shall have a set amount of time to speak as determined by the Mayor.



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Kris Lofthus, City Manager

DATE: July 28, 2026

SUBJECT: Adopt Resolution No. 33-2026 amending the ballot label/ballot question for a special tax measure placed on the November 3, 2026 general municipal election ballot relating to extending the term for ten (10) years and altering the rate and method of apportionment of the existing special tax for the Community Facilities District No. 2007-1 (Citywide Landscape Maintenance) ("CFD")

Recommendation: Adopt the resolution.

STAFF RECOMMENDATION

Staff recommends the City Council consider minor revisions to the ballot label and ballot question to the language while maintaining the Council's previously approved intent and ensuring compliance with applicable election requirements.

BACKGROUND

At its July 7, 2026, meeting, the City Council conducted a public hearing and adopted Resolution No. 29-2026 calling a General Municipal Election, to be consolidated with the Statewide General Election, to submit to the voters a measure to extend the term of the existing Landscape Maintenance District (LMD) through June 30, 2037, approve the levy of assessments based on a revised Rate and Method of Apportionment (RMA), and establish rules and deadlines for the submission of ballot arguments.

Following transmittal of the election materials to the Contra Costa County Elections Office, the City was advised that the proposed ballot measure language exceeded the 75-word limit prescribed by the California Elections Code. To ensure compliance with the statutory word limit while preserving the intent and substance of the measure previously approved by the City Council, the City Clerk's Office worked with the City Attorney's Office to prepare revised ballot measure language.

The revisions do not alter the purpose, intent, or substantive effect of the measure previously approved by the City Council. Staff is requesting that the City Council amend Resolution No. 29-2026 to approve the revised ballot language for submission to the Contra Costa County Elections Office.

ANALYSIS

The revised ballot language was subsequently reviewed with the Contra Costa County Elections Office, which confirmed that the amended ballot label and ballot question comply with the applicable 75-word requirement.

Because the ballot language was incorporated into Resolution No. 29-2026, City Council action is required to amend the resolution and approve the revised ballot label and ballot question before the election materials are finalized and submitted to the Contra Costa County Elections Office.

CEQA

NA

FISCAL IMPACT

With the 10% one-time increase, the maximum residential assessment in FY2027-28 will be \$354.45 per parcel and \$354.45 per acre or fraction thereof. This will raise approximately \$1.5 million for district landscape maintenance operations, an increase of approximately \$150,000.

ATTACHMENTS

1. Attachment A - Resolution No. 33-2026

RESOLUTION NO. 33-2026

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON,
AMENDING THE BALLOT LABEL/BALLOT QUESTION FOR A
SPECIAL TAX MEASURE PLACED ON THE NOVEMBER 3, 2026
GENERAL MUNICIPAL ELECTION BALLOT RELATING TO
EXTENDING THE TERM FOR TEN (10) YEARS AND ALTERING THE
RATE AND METHOD OF APPORTIONMENT OF THE EXISTING
SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2007-1
(CITYWIDE LANDSCAPE MAINTENANCE) (“CFD”)**

**THE CITY COUNCIL
City of Clayton, CA
Community Facilities District No. 2007-1
(Citywide Landscape Maintenance)**

WHEREAS, on July 7, 2026, pursuant to the Mello-Roos Community Facilities Act of 1982 (commencing with Government Code section 53311 *et seq.*) and Section 9222 of the California Elections Code, the City Council adopted Resolution 29-2026, placing a measure on the November 3, 2026 General Municipal Election ballot in order to propose to Clayton voters a measure to extend the term of the existing special tax within the CFD for ten (10) years and to alter the CFD’s rate and method of apportionment of the special tax; and

WHEREAS, by the same Resolution, the City Council also requested that the County of Contra Costa consolidate the General Municipal Election with the Statewide General Election being conducted on the same date and set rules and deadlines for the submission of arguments and rebuttals for and against the proposed measure; and

WHEREAS, Resolution 29-2026 included the following ballot label/ballot question which is intended to be printed in the ballot received by voters at the election:

CITY OF CLAYTON - MEASURE: ____.		
CITYWIDE LANDSCAPE MAINTENANCE EXTENSION AND ALTERATION OF RATE OF EXISTING SPECIAL TAX Shall the measure to fund on-going trail system operations and maintenance, roadway landscaping, open space weed abatement, and related services of the Clayton Community Facility District No. 2007-1 (Citywide Landscape Maintenance) by extending the special tax for ten years and amending its rate and method of apportionment of the special tax to \$354.54/year per residential and \$354.54/acre per non-residential parcels, for FYs 2027-2037, including annual inflationary adjustments to the special tax rates not to exceed 3% per year, and subject to continued citizen’s committee oversight, be approved?	Yes	
	No	

WHEREAS, in order to simplify and clarify the measure for Clayton voters, the City Council desires to amend the ballot label/ballot question as set forth herein.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLAYTON, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. Recitals. The City Council hereby finds and determines that the foregoing recitals are true and correct, are incorporated herein and by this reference made an operative part hereof.

SECTION 2. Amended Ballot Label/Ballot Question Language. The ballot label/ballot question to be submitted to Clayton voters with regards to the CFD Special Tax measure shall be amended to read as follows:

CITY OF CLAYTON - MEASURE: ____.		
CITYWIDE LANDSCAPE MAINTENANCE EXTENSION AND ALTERATION OF RATE OF EXISTING SPECIAL TAX Shall the measure to fund on-going trail system operations and maintenance, roadway landscaping, open space weed abatement, and related services of the Clayton Community Facility District No. 2007-1 (Citywide Landscape Maintenance) by extending the special tax for ten years and amending its rate and methodology to \$354.45/year per residential parcel and \$354.45/year per non-residential acre, including annual inflationary adjustments, subject to citizen's committee oversight, be approved?	Yes	
	No	

SECTION 3. Placement on the Ballot. The full text of the Measure shall not be printed in the voter information guide, and a statement shall be printed in the ballot pursuant to Section 9223 of the Elections Code advising voters that they may obtain a copy of the Measure at no cost, upon request made to the City Clerk.

SECTION 4. No Further Amendments by this Resolution. This resolution only authorizes the amendment of the ballot label/ballot question for the CFD special tax measure that was placed on the November, 3, 2026 General Municipal Election ballot by City Council Resolution 29-2026. Except as expressly provided herein, Resolution 29-2026 shall remain in full force and effect as adopted on July 7, 2026.

SECTION 5. Delivery of Resolution to County. The City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions. The City Council directs the City Clerk to deliver copies of this Resolution to the Clerk of the Board of Supervisors of Contra Costa County and to the Registrar of Voters of Contra Costa County.

SECTION 6. CEQA. The City Council hereby finds and determines that the ballot measure relates to organizational or administrative activities of governments that will not

result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, section 15378(b)(5).

SECTION 7. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The City Council hereby declares that it would have adopted this Resolution irrespective of the invalidity of any particular portion thereof.

SECTION 8. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California, at a special public meeting thereof held on the 28th day of July 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Jeff Wan, Mayor

ATTEST:

Melissa Rhodes, City Clerk

I certify that the foregoing resolution was duly and regularly passed by the City Council of the City Clayton at a special meeting held on July 28, 2026.

Melissa Rhodes, City Clerk



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Dennis Bozanich, Administrative Services Director

DATE: July 28, 2026

SUBJECT: Adopt Resolution No. 34-2026 Adopting a List of Projects Funded by SB1 - Road Repair and Accountability Act of 2017 for FY27 and FY28

Recommendation: Adopt the resolution.

RECOMMENDATION

Staff recommends adoption of Resolution No. 34-2026 to maintain eligibility for SB 1 funds for critical neighborhood street repair projects during FY27 and FY28.

BACKGROUND

Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide. the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.

The Council approved Resolution No. 27-2026 on July 7, 2026 on this same topic. However, California Transportation Commission staff requested the City make some changes to the adopted Resolution which are now incorporated into Resolution No. 34-2026 for your consideration.

ANALYSIS

The following list of proposed projects will be funded in-part or solely with Fiscal Year 2026-27 Road Maintenance and Rehabilitation Account revenues:

Project Title: 2028 Clayton Paving Project

Project Description: Provide pre-construction design and document preparation for the biennial paving project for citywide streets to be repaved and/or resurfaced including required ADA upgrades for curb ramps and minor drainage improvements. Street segment selection is

to be determined.

Project Location: Citywide Clayton

Estimated Project Schedule: Start (03-2028)– Completion (08-2028) based on the component being funded with RMRA funds

Estimated Project Useful Life: Fifteen years

The following previously proposed and adopted projects may also utilize Fiscal Year 2026-27 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

Project Title: 2026 Clayton Paving Project

Project Description: Biennial paving project for citywide streets to be repaved and/or resurfaced including required ADA upgrades for curb ramps and minor drainage improvements. Street segment selection is to be determined.

Project Locations: Eagle Peak Avenue from Oakhurst Drive (south) to Keller Ridge Drive; N. Mitchell Canyon Road from Clayton Road to northern end; El Portal Drive from Regency Drive to El Pueblo Court; Marsh Creek Road from El Molino Drive to Clayton Road; Main Street from Oak Street to Marsh Creek Road; Herriman Drive from Mitchell Canyon Road to Tiffin Drive; and Mountaire Parkway from Marsh Creek Road to Mountaire Circle South.

Estimated Project Schedule: Start (07-2024)– Completion (12-2026) based on the component being funded with RMRA funds

Estimated Project Useful Life: Fifteen years

FISCAL IMPACT

The funds for the 2026 Clayton Paving Projects is included in the FY27 Adjusted Budget and the Capital Improvement Plan.

CEQA

This action is not a "project" under CEQA. It is an administrative action to maintain funding eligibility.

ATTACHMENTS

1. Attachment A - Resolution No. 34-2026 Adopting a List of Projects Funded by SB1

RESOLUTION NO. 34-2026

A RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2026-27 AND 2027-28 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

THE CITY COUNCIL City of Clayton, California

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated \$305,000 in RMRA funding in Fiscal Year 2026-27 from SB 1; and

WHEREAS, this is the tenth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City maintain and rehabilitate streets throughout the City this year and multiple similar projects into the future; and

WHEREAS, the 2023 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in an "good" condition, and this revenue will help us maintain the overall quality of our road system and over the next decade will allow our streets and roads to maintain "good" condition; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive business and residents statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Clayton, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The following list of newly proposed projects will be funded in-part or solely with Fiscal Year 2026-27 Road Maintenance and Rehabilitation Account revenues:

Project Title: 2028 Clayton Paving Project

Project Description: Provide pre-construction design and document preparation for the biennial paving project for citywide streets to be repaved and/or resurfaced including required ADA upgrades for curb ramps and minor drainage improvements. Street segment selection is to be determined.

Project Location: Citywide Clayton

Estimated Project Schedule: Start (03-2028)– Completion (08-2028) based on the component being funded with RMRA funds

Estimated Project Useful Life: Fifteen years

3. The following previously proposed and adopted projects may also utilize Fiscal Year 2026-27 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

Project Title: 2026 Clayton Paving Project

Project Description: Biennial paving project for citywide streets to be repaved and/or resurfaced including required ADA upgrades for curb ramps and minor drainage improvements. Street segment selection is to be determined.

Project Locations: Eagle Peak Avenue from Oakhurst Drive (south) to Keller Ridge Drive; N. Mitchell Canyon Road from Clayton Road to northern end; El Portal Drive from Regency Drive to El Pueblo Court; Marsh Creek Road from El Molino Drive to Clayton Road; Main Street from Oak Street to Marsh Creek Road; Herriman Drive from Mitchell Canyon Road to Tiffin Drive; and Mountaire Parkway from Marsh Creek Road to Mountaire Circle South.

Estimated Project Schedule: Start (07-2024)– Completion (12-2026) based on the component being funded with RMRA funds

Estimated Project Useful Life: Fifteen years

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a special public meeting thereof held on the 28th day of July 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABTSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Jeff Wan, Mayor

ATTEST:

Melissa Rhodes, City Clerk



NOTICE OF APPEAL HEARING
CONTINUED
CITY COUNCIL MEETING
CITY OF CLAYTON

NOTICE IS HEREBY GIVEN that the City of Clayton City Council Appeal Hearing scheduled for 7:00 p.m. on July 28, 2026 is continued and will be re-noticed when rescheduled. The Project includes a Vesting Tentative Subdivision Map (9632) and Development Plan for the ±2.5 acres with access from Peacock Creek Drive. The location of the project is at the intersection of Clayton Rd. and Peacock Creek Dr.; Assessor's Parcel No. 118-370-073.

Planning Commission Decisions That Were Appealed

At their meeting of June 23, 2026, the Planning Commission rendered the following actions on Planning Commission Resolution No. 04-2026 and 05-2026:

- By a 3-1 vote, the Planning Commission adopted Planning Commission Resolution No. 04-2026 Certifying the Initial Study/Mitigated Negative Declaration (Env-01-2022; State Clearinghouse No. 2025080315) for the Peacock Creek (Oakhurst) Townhomes Project, Adopting Environmental Findings Pursuant to the California Environmental Quality Act, Adopting the Mitigation Monitoring and Reporting Program, and Approving the Project
- By a 3-1 vote, the Planning Commission adopted Planning Commission Resolution No. 05-2026 Approving a Vesting Tentative Subdivision Map and Site Plan Review Permit For The Peacock Creek (Oakhurst) Townhomes Project on ±2.55 Acres Located at the Southeast Corner of Clayton Road and Peacock Creek Drive (APNs: 118-370-073-9) (Map 9632)

This hearing will be re-noticed when rescheduled.

If you have any questions, please email the City Clerk at melissar@claytonca.gov or by phone (925) 673-7300.

Date: July 23, 2026

Melissa Rhodes | City Clerk



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Kris Lofthus, City Manager

DATE: July 28, 2026

SUBJECT: Discussion and Direction on whether the City Council is in support of annexation or property outside of the current city boundary

Recommendation: Receive direction from the City Council to determine interest in exploring annexation of property outside of the City of Clayton boundary.

RECOMMENDATION

Receive direction from the City Council to determine interest in considering annexation of property outside of the current City of Clayton boundary.

BACKGROUND

Annexation is governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act and requires review and approval by LAFCO. The process generally includes preparation of technical studies, environmental review as required by the California Environmental Quality Act (CEQA), negotiation of property tax exchange agreements with affected agencies, public hearings, and opportunities for affected property owners and registered voters to participate in the process.

DISCUSSION

The annexation process is complex, resource-intensive, and typically takes significant staff time. It requires coordination with the Contra Costa Local Agency Formation Commission (LAFCO), affected public agencies, property owners, and other stakeholders. In addition, annexation generally involves detailed budget impact analysis, cost/benefit assessments, environmental review, infrastructure and municipal service evaluations, public outreach, and compliance with applicable state laws and regulations.

This item is for Council to discuss whether the City should evaluate potential annexation opportunities and whether to direct staff to conduct a preliminary analysis. Such an analysis would examine the feasibility, benefits, challenges, costs, and long-term implications associated with annexation.

As part of this effort, staff would evaluate factors including, but not limited to:

- Existing and future land use opportunities
- Fiscal impacts, including projected revenues and ongoing service costs
- Impacts on “return to source” funding related to the Urban Limit Line
- Infrastructure and capital improvement needs
- Public safety, public works, and municipal service requirements
- Environmental considerations
- Consideration of the City's General Plan and long-term strategic goals
- Potential impacts on existing residents and property owners

Given the City's current fiscal and operational conditions, including limited staffing resources, ongoing budget challenges, and the number of active development and infrastructure projects, pursuing annexation would require a significant commitment of organizational resources that are presently dedicated to existing City priorities. As a result, the City's ability to actively pursue annexation efforts at this time is constrained.

The approval of Contra Costa County Measure A in June 2026 extends the County's Urban Limit Line through December 31, 2051, continuing long-standing county policies that preserve open space, agricultural lands, and direct urban growth toward existing developed areas. While Measure A does not prohibit annexation, it establishes a planning framework that may affect the feasibility of future annexation proposals involving unincorporated land.

FISCAL IMPACT

If the City is interested in considering annexations, the City would initially incur additional staffing or contracted services costs to conduct the impact analysis. After any annexation, additional service expenditures would be required for infrastructure maintenance, public safety and recreation resources. Further analysis would be required to determine tax revenue and service expenditure impacts.

ATTACHMENTS

None