



**CLAYTON CITY COUNCIL
REGULAR MEETING AGENDA**

TUESDAY, FEBRUARY 18, 2025

6:30 PM

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

Kim Trupiano, Mayor

Jeff Wan, Vice Mayor

Jim Diaz, Councilmember

Holly Tillman, Councilmember

Richard G Enea, Councilmember

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT ON NON-AGENDA ITEMS**

Members of the public may address the City Council on non-agendized items within the Council's jurisdiction. To ensure an orderly meeting and an equal opportunity for everyone, each speaker is limited to three (3) minutes, or the time established by the Mayor. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked or may at its discretion request staff to report back at a future meeting concerning the matter.

Public comment and input on other agenda items will be allowed when each item is considered by the Council.

4. CLOSED SESSION

a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property Under Negotiation: Assessor's Parcel Numbers: APN: 118-370-077 and 118-520-001-9, located at Clayton Road east of Peacock Creek Drive, Clayton, CA, 94517

Agency Negotiators: Kris Lofthus, City Manager and Farhad Mortazavi, Interim Community Development Director

Negotiating Parties: Grant Alvernaz, Three Putt Development, LLC

Under Negotiations: Price and Terms of Payment

5. CONSENT CALENDAR

(a) Approval of the February 4, 2025, Meeting Minutes

[\(View\)](#)

(b) Authorize Execution and Recordation of Noise Abatement Agreement for Oakhurst Golf Course Maintenance Activities

[\(View\)](#)

(c) Establishing 2025/2026 Equivalent Runoff Unit (ERU) Assessment Rate for Federal and State Mandated National Publishing Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention System)

[\(View\)](#)

6. RECOGNITIONS AND PRESENTATIONS

(There are no Recognitions or Presentations scheduled for this meeting.)

7. REPORTS

(a) City Manager/Staff

- Link to ClearGov Transparency Portal: <https://cleargov.com/california/contracosta/city/clayton/checkbook>

(b) City Council / Committees

[\(View\)](#)

8. PUBLIC HEARINGS

(There are no Public Hearings scheduled for this meeting.)

9. ACTION ITEMS

- (a) **Approve a 4% Base Salary Increase for the Police Chief Job Classification and Amend the City of Clayton's Pay Schedule Accordingly**

[\(View\)](#)

10. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be March 4, 2025. For meeting information and materials, please visit the City's website at www.claytonca.gov

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 at www.claytonca.gov
- 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 Website at www.claytonca.gov
- 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 at www.claytonca.gov
- 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 at cityclerk@claytonca.gov by 5:00 p.m. on the day of the meeting. All e-mailed public comments will be forwarded to the entire City Council and made part of the official meeting file.

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: Stephanie Cabrera-Brown, City Clerk/Assistant to the City Manager

DATE: February 18, 2025

SUBJECT: Approval of the February 4, 2025, Meeting Minutes

BACKGROUND

The City Council reviews and approves the minutes from the previous meeting.

FISCAL IMPACTS

None.

ATTACHMENTS

[Minutes 020425 - Draft.pdf](#)



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

TUESDAY, FEBRUARY 4, 2025

1. **CALL TO ORDER AND ROLL CALL** – The meeting was called to order at 6:30 p.m. by Mayor Trupiano held in-person, and broadcast from Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California. Councilmembers present: Councilmembers: Diaz, Enea, Tillman, Vice Mayor Wan, and Mayor Trupiano. Staff present: City Manager, Kris Lofthus; Assistant City Manager, Regina Rubier; City Engineer, Larry Theis; City Attorney, Malathy Subramanian (remote); City Clerk, Stephanie Cabrera.
2. **PLEDGE OF ALLEGIANCE** – Led by Mayor Trupiano
3. **PLANNING COMMISSION INTERVIEWS**
 - a. Conduct Interviews to Fill One Planning Commission Vacancy And Select One Candidate to Appoint to an Unexpired Two-Year Term, Ending June 30, 2026, To The Planning Commission Under Item 9b

Charlie Schmidt, Nate Brzovich, and Nathalie Archangel-Montijo each spoke regarding their experience and answered interview questions posed by the Council in open session.

7:00 P.M.

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

Members of the public may address the City Council on non-agendized items within the Council's jurisdiction. To ensure an orderly meeting and an equal opportunity for everyone, each speaker is limited to three (3) minutes, or the time established by the Mayor. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked or may at its discretion request Staff to report back at a future meeting concerning the matter.

Public comment and input on other agenda items will be allowed when each item is considered by the council.

Kahni Horton – Spoke regarding concerns with civility in City Council meetings, teleconference meetings, maintenance of the city,

Dane Horton – (continued from previous speaker) Spoke regarding concerns with civility in City Council meetings, teleconference meetings, maintenance of the city, staff turnover investigation, racism, and concerns with public events held in Clayton.

5. CONSENT CALENDAR

It was moved by Councilmember Diaz and seconded by Councilmember Enea, to approve Consent Calendar Item 4(a) (Passed 4/0/1; Abstained: Vice Mayor Wan)

- a. Approval of the January 21, 2025, Meeting Minutes.
(City Clerk)

Following discussion by the City Council, Mayor Trupiano opened the item to public comment; there were no members of the public wishing to make public comment.

6. RECOGNITIONS AND PRESENTATIONS

- a. Unsung Hero Award Presented to Linda Pinder.

Mayor Trupiano acknowledged the contributions made by Ms. Pinder, and presented the award.

Ms. Pinder thanked the council and encouraged people to volunteer.

- b. Proclamation Honoring Cup O' Jo 20th Anniversary

Mayor Trupiano presented and read the proclamation. Marcello thanked the council and received the proclamation on behalf of Peter Barbosa and Kristina Ferreira.

C.W. Wolfe – Spoke in support of Cup O'Jo and shared a banner made for the business to display in honor of their 20th anniversary.

Speaker – Spoke regarding the welcoming environment at Cup O' Jo and how it brought people together during the pandemic.

- c. Informational Only – No Action Requested
 - a. African American/Black History Month

Mayor Trupiano shared that February 4th was also Rosa Park's birthday, and a bit of history on how February was selected as the month to celebrate.

7. **REPORT**

- a. City Manager / Staff
 - Link to ClearGov Transparency Portal:
<https://cleargov.com/california/contra-costa/city/clayton/checkbook>

Kris Lofthus, City Manager, shared the Budget and Audit meeting on February 10th, provided an update on the staffing positions approved by the council and the closing date for the current openings, shared events being held by the East Bay Regional Parks in the month of February, and introduced Interim Community Development Director, Farhad Mortazavi.

Mr. Mortazavi shared his experience and thanked the council for the opportunity to work with the city, noting the projects he is currently working on.

- b. City Council / Committees
Reports provided as an attachment to the agenda.

8. **PUBLIC HEARINGS**

(There were no Public Hearings scheduled for this meeting.)

9. **ACTION ITEMS**

- a. Authorize the City Manager to Execute an Agreement with UBS Financial Services Inc. for Investment Advisory Services, Effective February 5, 2025, and Update the City's Investment Policy. (Assistant City Manager)

Regina Rubier, Assistant City Manager, introduced UBS Financial Services Inc. representative, James Dill, who provided an overview of the Agreement with UBS Financial Services Inc. for Investment Advisory Services and the Update to the City's Investment Policy schedule. Following discussion by the City Council, Mayor Trupiano opened the item to public comment:

Frank Gavidia – Spoke in support of the agreement with UBS Financial Services Inc.

It was moved by Vice Wan and seconded by Councilmember Tillman to Authorize the City Manager to Execute an Agreement with UBS Financial Services Inc. for Investment Advisory Services, Effective February 5, 2025, and Update the City's Investment Policy. (Passed 5/0)

- b. Adopt a Resolution Appointing One Individual to the Planning Commission for an Unexpired Two-Year Term, Expiring June 30, 2026 (City Clerk)

Mayor Trupiano provided an overview of the Planning Commission Vacancy and Selection Process. Following discussion by the City Council, Mayor Trupiano opened the item to public comment; No members of the public wished to speak to this item.

Resolution 4-2025

It was moved by Mayor Trupiano and Vice Mayor Wan to Adopt a Resolution Appointing Nate Brzovich to the Planning Commission for an Unexpired Two-Year Term. (Passed 5/0)

- c. Create and Appoint Two (2) City Councilmembers to an Ad Hoc Committee to Facilitate a Governance Training Workshop (City Manager)

Kris Lofthus, City Manager, provided an overview of the Ad Hoc Committee and Governance Training Workshop. Following discussion by the City Council, Mayor Trupiano opened the item to public comment:

Bill Walcott – Congratulated the Mayor and Vice Mayor. Mr. Walcott also thanked the council for their leadership in bringing this opportunity and spoke regarding the training and need for councilmembers to want to participate and for the good of the community, make it work.

It was moved by Vice Mayor Wan and seconded by Councilmember Enea to Create and Appoint Councilmember Tillman and Mayor Trupiano to an Ad Hoc Committee to Facilitate a Governance Training Workshop. (Passed 5/0)

- d. Authorize the City Manager to Negotiate with Three Putt Development, LLC, for Potential Sale of City Property Located at APN'S 118-370-077 and 118-520-001-09 (City Manager)

Kris Lofthus, City Manager, provided an overview of the request to Negotiate with Three Putt Development, LLC, for Potential Sale of City Property Located at APN'S 118-370-077 and 118-520-001-09. Following discussion by the City Council, Mayor Trupiano opened the item to public comment; No members of the public wished to speak to this item.

It was moved by Vice Mayor Wan and seconded by Councilmember Enea to Authorize the City Manager to Negotiate with Three Putt Development, LLC, for Potential Sale of City Property Located at APN'S 118-370-077 and 118-520-001-09. (Passed 5/0)

- e. Review and Potentially Select a Restriping Alternative for Mountaire Parkway between Marsh Creek Road and Mountaire Circle (south – swimming pool) from Four Lanes to Two Lanes (City Engineer)

Kris Lofthus, City Manager, provided an overview of the Ad Hoc Committee and Governance Training Workshop. Following discussion by the City Council, Mayor Trupiano opened the item to public comment:

Tom Brassil – Spoke in support of keeping the current striping, provided information on the street usage and made a recommendation on where continued road improvements can be made.

Kristine Brassl – Supported the previous speaker and shared concerns with bike lanes on Mountaire Parkway.

Nancy Ahern – Spoke regarding concerns with driver and pedestrian interaction and made recommendations on how to better improve the road.

Bill Walcott – Spoke regarding concern with lack of input from residents, shared that majority of homeowners in the HOA would not support changing the lanes.

Chris Reed – Spoke in support of restriping the streets.

Ben Grover – Spoke in support of restriping the streets and shared incidents on the street with pedestrians and cyclists.

Speaker – Spoke regarding incidents with his vehicles on the street and concerns with cyclists on the sidewalk.

It was moved by Vice Mayor Wan and seconded by Councilmember Tillman to Select Restriping Alternative Two for Mountaire Parkway between Marsh Creek Road and Mountaire Circle, and to defer the project to 2026 . (Passed 3/2; Yes: Councilmembers: Tillman, Diaz, and Vice Mayor Wan; Noes: Councilmember Enea and Mayor Trupiano)

The Council convened into Closed Session at 8:42 p.m.

10. CLOSED SESSION

a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property Under Negotiation: Assessor's Parcel Numbers: APN: 118-370-077 and 118-520-001-9, located at Clayton Road east of Peacock Creek Drive, Clayton CA, 94517

Agency Negotiators: Kris Lofthus, City Manager, Farhad Mortazavi, Interim Community Development Director, and Malathy Subramanian, City Attorney

Negotiating Parties: Three Putt Development, LLC
(Principal: Grant Alvernaz)

Under Negotiations: Price and Terms of Payment

No Reportable Action Taken.

11. ADJOURNMENT – on a call by Mayor Trupiano, The City Council adjourned its meeting at 8:42 p.m.

Please note the Minutes of this meeting set forth all actions taken by the City Council on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Kris Lofthus, City Manager

DATE: February 18, 2025

SUBJECT: Authorize Execution and Recordation of Noise Abatement Agreement for Oakhurst Golf Course Maintenance Activities

RECOMMENDATION

That the City Council authorize execution and recordation of noise abatement agreement for Oakhurst Golf Course Maintenance Activities.

BACKGROUND

Golfers at the Oakhurst Golf Course frequently tee off at sunrise and depart the course at sundown causing maintenance operation to typically occur before and after when the golfers are present on the course, causing noise complaints from neighboring properties. A noise abatement measure became necessary to mitigate the situation.

FISCAL IMPACTS

There are no immediate fiscal impacts associated with the project.

CEQA

The City Council's action is not a project subject to the California Environmental Quality Act (CEQA) as it is more akin to an administrative function of the City with no direct or indirect change in the environment. It is therefore exempt pursuant to State CEQA Guideline 15378 as an administrative activity of the government that will not result in direct or indirect physical changes in the environment

ATTACHMENTS

[Clayton - Oakhurst - Noise Abatement Agreement 2025-FINAL \(002\).pdf](#)

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City Clerk
City of Clayton
6000 Heritage Trail
Clayton, CA 94517

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOISE ABATEMENT AGREEMENT FOR OAKHURST GOLF COURSE MAINTENANCE ACTIVITIES

WHEREAS, Clayton Municipal Code Section 9.30.050(C) allows the City Council, where exceptional circumstances exist, to approve a noise abatement agreement between the City of Clayton ("City") and a property owner that when executed and recorded make Chapter 9.30 of the Clayton Municipal Code inapplicable to specific activities upon the property; and

WHEREAS, , Empire Acres LLC doing business as Oakhurst Country Club (herein "Club"), the managing and operating corporation of the Oakhurst Country Club located at 1001 Peacock Creek Dr., Clayton, CA 94517 ("Property"), has requested on behalf of the owner of the Club, , Troon Golf Management that the City Council authorize execution of such a noise abatement agreement pertaining to the Club's golf course maintenance activities; and

WHEREAS, the City Manager and the Club General Manager have negotiated the terms of such a noise abatement agreement ("Agreement"); and

WHEREAS, exceptional circumstances exist because golfers typically tee off at sunrise and depart the course at sundown causing maintenance operations to typically occur before and after when golfers are present on the course.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the undersigned parties as follows:

1. Throughout the entire year the Club shall assign its maintenance crews to perform morning work first on holes #2, #16, #17, #18 no earlier than 5:30 am, Hole #1 no earlier than 6:00am, and thereafter maintenance work will be performed on holes #3, #4, #5, #6, #7, #8, and #9, #10, #11, #12, #13, #14, #15- inclusive no earlier than 7:00 a.m., and no later than. 8:00 pm, seven days a week. The latter holes being those closest to adjacent residences.

2. Maintenance vehicle traffic will be rerouted as far away as possible from adjacent residences, e.g., on hole #4 maintenance vehicle traffic will travel along the right side of the hole furthest away from the homes in the rough area and not on the cart path prior to 7:00 a.m. and after 8:00 p.m.

3. The Club shall respond to complaints regarding noise caused by maintenance operations within the next business day.

4. Any complaint the Club receives which is not promptly resolved may be appealed by either the complaining party or the Club to the City Manager whose decision as to the appropriate resolution of the complaint shall be final. The City and the Club find that as of the time of the execution of this Agreement, it is impractical, if not impossible, to reasonably ascertain the extent of damages which shall be incurred by City as a result of a breach by the Club of its obligations under this Agreement. The City and the Club agree that the liquidated damages amount specified below represent reasonable estimates of the amount of such damages considering all of the circumstances existing on the effective date of this Agreement, including the harm to the City, and the community as a whole that reasonably could be anticipated and the anticipation that proof of actual damages would be costly or impractical. In placing their signatures below, each party specifically confirms the accuracy of the statements made herein and the fact that each party has had ample opportunity to consult with legal counsel and obtain an explanation of the liquidated damage provisions at the time that this Agreement was made. Liquidated damages for non-compliance with this Agreement shall constitute a \$100 fine after the first complaint, \$200 after the third complaint, and \$500 for each complaint thereafter.

5. The Club will provide the City with a list of maintenance equipment. The list shall be submitted to the City no later than 30-days from execution of this Agreement.

6. This Agreement shall remain in effect for a period of thirty-six full calendar months following the date of execution by the City and the Club. During the last four months of the term of this Agreement the Club will conduct a survey of the owners of residences adjacent to the golf course to determine the efficiency of the Club's maintenance noise abatement procedures pursuant to the provisions of this Agreement with the results of such survey to be reported to the City Manager. The City Manager will then recommend whether this Agreement be renewed for a mutually agreed upon period of time or otherwise modified.

7. The regulations herein set forth shall pertain only to the golf course maintenance activities of the Club and not to other activities conducted on the Club's property, such as swimming and tennis events.

8. The terms hereof shall be binding upon the successor and assigns of the parties hereto.

9. It is the intention of the Club to operate all golf course activities in a manner that does not disturb the neighboring residents. .

Notary Public

On _____, 2024, before me, the undersigned, a notary public, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence, to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or entity on behalf of which the person acted, executed the instrument.

Notary Public



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Larry Theis, General Manager

DATE: February 18, 2025

SUBJECT: Establishing 2025/2026 Equivalent Runoff Unit (ERU) Assessment Rate for Federal and State Mandated National Pollutant Discharge Elimination System (NPDES) Program (Storm Water Pollution Prevention System)

RECOMMENDATION

Staff recommends that the City Council adopt the Stormwater Utility Assessment Resolution (Attachment 1), establishing the Rate per Equivalent Runoff Unit (ERU) for FY 2025/2026, and requesting the Contra Costa Flood Control and Water Conservation District to adopt an Annual Parcel Assessment for Drainage and Maintenance and the National Pollutant Discharge Elimination System (NPDES), maintaining the current maximum ERU Rate at \$29.00 per single-family parcel.

BACKGROUND

The 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal storm drainage water conveyance systems. As implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes. Stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Governments. During wet weather, large amounts of pollutants, such as oil and grease from automobiles, heavy metals from vehicle exhaust and brake pads, such as copper and lead, pesticides, herbicides and fertilizers from lawns and gardens, soil erosion, and biological material enter the storm drain system and ultimately empty, untreated, into creeks, waterways, the Delta and the Bay.

The City participates and obtains its joint NPDES permit from the SF Regional Water Quality Control Board via the Contra Costa Clean Water Program whose participants include the cities within the County, the County and the Flood Control District. The City of Clayton has participated since its inception in September 1993. The SF Regional Water Quality Control Board issued the Municipal Regional Permit 3.0 (MRP 3.0), which began July 1, 2022, and The 1987 Reauthorization of the Federal Clean Water Act, as well as similar State legislation, required local agencies to obtain a NPDES Permit for discharging the contents of municipal

storm drainage water conveyance systems. As implemented and enforced by the State through the Regional Water Quality Control Board (San Francisco Bay Area Region), this permitting effort is intended to improve water quality in the Delta and San Francisco Bay Estuary System, protect endangered species, and safeguard public waters and waterways for continued economic, recreation and health purposes. Stormwater runoff pollution has been identified as a significant impact on water quality and wildlife in the Bay Area by the State and Federal Governments. During wet weather, large amounts of pollutants, such as oil and grease from automobiles, heavy metals from vehicle exhaust and brake pads, such as copper and lead, pesticides, herbicides and fertilizers from lawns and gardens, soil erosion, and biological material enter the storm drain system and ultimately empty, untreated, into creeks, waterways, the Delta and the Bay

The City participates and obtains its joint NPDES permit from the SF Regional Water Quality Control Board via the Contra Costa Clean Water Program whose participants include the cities within the County, the County and the Flood Control District. The City of Clayton has participated since its inception in September 1993. The SF Regional Water Quality Control Board issued the Municipal Regional Permit 3.0 (MRP 3.0), which began July 1, 2022, and extends to June 30, 2027. MRP 3.0 covers many counties and cities in the Bay Area. The MRP 3.0 permit allows the City and other jurisdictions to utilize the storm water drainage system for the discharges into creeks that ultimately drain into the Bay. This joint participation allows for the program management and permit process costs to be kept to a minimum through economies of scale and local and regional collaboration, at a fraction of the cost of doing it alone. The program provides for a regional approach to stormwater pollution control, regional monitoring, public education and outreach, technical support and training, special studies and NPDES permit administration requirements.

The cost of meeting the obligations of the increased requirements contained in the MRP 3.0 have been and are expected to continue to exceed City revenues received from the ERU. Although it is difficult to fully identify all future additional costs at this point, current compliance costs are projected to outpace revenues in FY 2025/2026. Requirements contained in our current permit MRP 3.0 include more elimination of litter going into storm drains; more monitoring and reporting on our storm drain inlets trash capture devices (which capture litter before going to the creek), and “green infrastructure” which sets forth standards for cities to redirect their existing storm drainage water into landscape areas.

AUGMENTED FUNDING DENIED:

When the program was originally established in 1993, the rate cap for the current parcel fee in Clayton was set by the City Council at \$29/ERU. Because other members of the Clean Water Program also have the same issues (costs exceeding available revenue available from the ERU rate) a cost/revenue analysis was undertaken by the Contra Costa Clean Water Program to evaluate possible additional funding mechanisms for the added requirements of the MRP. The Clean Water Program attempted three times to pursue legislation to add stormwater to the definitions of other utilities such as sewer and water and was not successful in receiving needed legislative support, and there is no support by the governor and his staff. It was after these statewide attempts proved fruitless, our straining local funding and the continuing increased requirements by state regulating agencies that led to the 2012 Prop 218 property owner vote for a new parcel fee. The second proposed revenue measure did not pass. Local

assessments for stormwater quality protection have been maxed out since 2000—while compliance costs continue to increase. Additional state legislation is being pursued to establish a process to allow for future local voter consideration of new stormwater revenues. However, in order to continue to receive the City’s existing current ERU rate of \$29 per single family parcel (the same amount levied since FY1999/2000) it must be levied annually. Failure to levy this fee would result in the City supplanting this revenue source (approx. \$130,631) from another funding source such as the General Fund, Rainy Day Fund 110, and/or a local city specific revenue measure.

FISCAL IMPACTS

Annual authorization by the City Council of the ERU assessment fee is needed for the County Flood Control District to levy this fee each year on the property tax roll for parcels within the City of Clayton boundaries. Denying the assessment will result in the loss of approximately \$130,631 of stormwater funding that is used to perform the MRP 3.0 requirements, and the City would need to allocate separate funding to meet its obligations to avoid violations of the Nationwide Pollution Discharge Elimination System; including paying its share toward the Countywide Clean Water program.

CEQA

None.

ATTACHMENTS

[Attachment 2 - FY25-26 SUA Allocation.pdf](#)

[Attachment 1 - Resolution.pdf](#)

RESOLUTION NO. XX-2025

A RESOLUTION ESTABLISHING THE RATE PER EQUIVILANT RUN-OFF UNIT (ERU) FOR FY 2025/2026 AND REQUESTING THE CONTRA COSTA FLOOD CONTROL AND WATER CONSERVATION DISTRICT TO ADOPT AN ANNUAL PARCEL ASSESSMENT FOR DRAINAGE MAINTENANCE AND THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

THE CITY COUNCIL City of Clayton, California

WHEREAS, under the Federal Water Quality Act [33 U.S.C. Section 1342 (p)], certain municipal stormwater discharges require a permit from the appropriate federal or state authorities pursuant to the National Pollutant Discharge Elimination System (NPDES) program; and

WHEREAS, the City of Clayton, in conjunction with other affected jurisdictions within Contra Costa County, applied to the State Regional Water Quality Control Board and received a Joint NPDES Permit which requires the implementation of a Storm Water Management Plan and Best Management Practices to minimize or eliminate pollutants from entering stormwaters; and

WHEREAS, Assembly Bill 2768 (West's Water Code Appendix, Section 63-12 and 63-12.9) authorizes the Contra Costa County Flood Control and Water Conservation District (District) to establish Stormwater Utility Areas (SUA) and to levy annual benefit assessments for the purpose of carrying out activities required under the NPDES program; and

WHEREAS, it is the intent of the City of Clayton to utilize funds received from its Stormwater Utility Area (SUA) for implementation of the NPDES program and local drainage maintenance activities; and

WHEREAS, at the request of the City of Clayton, the Contra Costa County Flood Control District and Water Conservation District (District) has completed the process for the formation of a SUA, including the adoption of the Stormwater Utility Assessment Drainage Ordinance No. 93-47; and

WHEREAS, the SUA and Program Group Costs payment agreement between the City and the District requires that the City of Clayton annually, by April 1, determine its rate to be assigned to a single ERU for the forthcoming fiscal year; and

WHEREAS, the City Council adopted Resolution 9-93, which established the range of the annual assessment to be imposed by the District within the storm water utility area not to exceed \$29 per ERU; and

WHEREAS, the City of Clayton has operated at its maximum \$29 per ERU rate since FY 1999/00 (the last twenty-six fiscal years) and this same rate is proposed again for FY 2025/2026.

NOW THEREFORE, BE IT RESOLVED the City Council of Clayton, California does hereby determine that its real property assessment rate to be assigned to a single ERU for FY 2025/2026 shall be set and assessed at \$29.00.

BE IT FURTHER RESOLVED, the City Council of Clayton, California, does hereby request the Contra Costa Flood Control and Water Conservation District to adopt the SUA levies in the City of Clayton based on the above established rate

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California, at a regular public meeting thereof held on the 18th day of February 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Kim Trupiano, Mayor

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Clayton at a regular public meeting held on February 18, 2025.

ATTEST:

Stephanie Cabrera-Brown, City Clerk



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Kris Lofthus, City Manager

DATE: February 18, 2025

SUBJECT: City Council / Committees

RECOMMENDATION

Councilmember Diaz:

- No report submitted.

Councilmember Enea:

- Met with Police Chief Mort, attended a CBCA Art/Wine Festival Committee meeting, and a TRANSPAC meeting

Councilmember Tillman:

- January 29th discussed Firewise communities with interested local residents, and state experts.
- February 3rd attended the Clayton Pride Board meeting to discuss future planning.
- February 4-5th fielded several messages and calls regarding Diamond Terrace eliminating their amenities and requested future agenda item for the Council to direct staff to research the original contracts and the effect this change has on our affordable housing allocations.
- February 5th met with Chief Mort
- February 6th spoke with several residents regarding the Trails and Landscape Committee and the Landscape Maintenance District
- February 11th attended a Clayton Pride Board meeting.
- In addition, I fielded several questions regarding the Mountaire Parkway restriping and public comments made at the last council meeting. As a leader in our community, I denounce the comments made by Dane and Kahni Horton and I proudly stand with all of our residents, neighbors, friends, and strangers who choose to peacefully protest and speak out for those who are marginalized.
- Happy Black History Month!

Vice Mayor Wan:

- February 10th attended the Budget and Audit Committee meeting to discuss the Mid-Year budget review
- Met with Interim Police Chief regarding goals and priorities
- Had discussions with residents.

Mayor Trupiano:

- February 10th
 - Met with Republic Services, Kris Lofthus (City Manager), and Regina Rubier (Assistant City Manager)
 - Attended the Budget and Audit Committee meeting (HdL contract review and performance, Mid-year budget review, and Revised Salary for Police Chief)
- February 13th attended the Mayors' Conference in Moraga

BACKGROUND

The City Council provides a report of activities that took place between the city council meetings.

FISCAL IMPACTS

n/a



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Regina Rubier, City Engineer

DATE: February 18, 2025

SUBJECT: Approve a 4% Base Salary Increase for the Police Chief Job Classification and Amend the City of Clayton's Pay Schedule Accordingly

RECOMMENDATION

The City Council approve a 4% base salary increase for the Police Chief job classification and amend the City of Clayton (City) Salary Schedule accordingly.

BACKGROUND

On January 16, 2024, the City Council approved an employment agreement for the recently departed police chief, Chief McEachin. In the agreement, there is a 4% cost of living adjustment (COLA) scheduled for June 1, 2025.

Chief McEachin resigned his position as Chief of Police in December 2024. After his departure, staff completed a salary comparison with cities within Contra Costa County that have populations under 35,000 residents; the study also included other cities in Northern California that have a similar population base. Only base salary was explored in this study and the results can be found in the attached Chief Salary Study (Amendment 3).

On February 10, 2025, the City Manager presented the findings of the Salary Study to the Budget and Audit Committee. After a detailed review and discussion of the study's results, the City Manager recommended implementing a 4% increase to the base salary. This proposed adjustment aims to improve the city's competitiveness in the job market and enhance recruitment efforts by offering more attractive compensation to prospective employees. The recommendation reflects the city's commitment to addressing recruitment challenges while ensuring salaries remain aligned with market standards.

FISCAL IMPACTS

The salary adjustments included in the proposed Resolution are consistent with the City's current fiscal year budget and included in future budget plan. No budget amendments would be required.

CEQA

None

ATTACHMENTS

[Staff Report Police Chief Salary Adjustment.pdf](#)

[Attachment A - Police Chief Salary Adjustment Resolution 02 18 2025.pdf](#)

[Attachment B - Salary Schedule Rev 02 18 2025.pdf](#)

[Attachment C -Chief Salary Study.pdf](#)



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Kris Lofthus, City Manager

DATE: February 18, 2025

SUBJECT: Approve a 4% Base Salary Increase for the Police Chief Job Classification and Amend the City of Clayton's Pay Schedule Accordingly

RECOMMENDATION

The City Manager recommends, and the Budget and Audit Committee Concur that the City Council approve a 4% base salary increase for the Police Chief job classification and amend the City of Clayton (City) Salary Schedule accordingly.

BACKGROUND

On January 16, 2024, the City Council approved an employment agreement for the recently departed police chief, Chief McEachin. In the agreement, there is a 4% cost of living adjustment (COLA) scheduled for June 1, 2025.

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DISCUSSION

In an effort to recruit and retain a quality Chief of Police, the City Manager recommends making a conservative enhancement to the Police Chief salary by implementing the 4% COLA prior to the recruitment process. Currently the range for the Chief of Police is \$141,000 - \$173,051. The prior Chief of Police had an employment agreement which provided certain percentages to enhance the salary. Those included: Longevity pay of 3% of base salary; and a 4% annual salary increase in June 2025. The City Manager is recommending including 4% of the COLA at this point to build it into the base salary. This would create a range with a base salary of:

	Month (\$)	Year (\$)
Step A	12,216.02	146,592.28
Step B	12,858.32	154,299.84
Step C	13,535.49	162,425.86
Step D	14,247.53	170,970.33
Step E	14,997.81	179,973.74

Increasing the salary at this point will enhance our ability to attract a highly qualified Police Chief by making the position more competitive with neighboring agencies. Reducing the salary gap will allow us to target experienced candidates with leadership skills, law enforcement expertise, and strategic vision necessary to guide our police department effectively. Competitive compensation not only broadens the candidate pool but also ensures we can select a leader committed to long-term success and community safety.

FISCAL IMPACTS

The salary adjustments included in the proposed Resolution are consistent with the City's current fiscal year budget and included in future budget plan. No budget amendments would be required.

ATTACHMENTS

Attachment A: Resolution

Attachment B: Master Salary Schedule Rev. 02/18/2025

Attachment C: Chief Salary Study

**CITY OF CLAYON
CITY COUNCIL
STATE OF CALIFORNIA
* * ***

RESOLUTION NO. 2025-XX

**AMENDING THE CITY'S PAY SCHEDULE TO INCREASE THE SALARY OF THE
POLICE CHIEF ON THE MASTER PAY SCHEDULE**

WHEREAS, The City Council of the City of Clayton ("City") desires to change the compensation, and salary range for the Police Chief; and

WHEREAS, The City already has budgeted a 4% Cost of Living Adjustment (COLA) as of June 1, 2025 for the Police Chief's salary; and

WHEREAS, the City is in active recruitment for a new Police Chief; and

WHEREAS, the City Council desires to attract and recruit a qualified Police Chief by having a competitive salary.

WHEREAS, the City desires to amend the City's Pay Schedule to reflect the change in compensation for the Police Chief.

WHEREAS, it is necessary for the City Manager to have authority to adjust employee pay rates within the City's Pay Schedule, subject to satisfactory or better job performance as determined through regular evaluation, so that the City Manager can effectively and efficiently manage staff and carry out the City's goals and objectives.

WHEREAS, the City Council desires to authorize the City Manager to negotiate with a selected candidate for the Police Chief position over a total compensation package which would include salary in accordance with the authorized salary schedule and other employee benefits and other fringe benefits in accordance with the above recommendation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clayton hereby and amends the City's Pay Schedule to read as follows:

Salary Table Effective June 16, 2024:

TITLE	ANNUAL SALARY				
	Step 1	Step 2	Step 3	Step 4	Step 5
Add: Police Chief	146,592.28	154,299.84	162,425.86	170,970.33	179,973.74

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council reserves the right to alter the benefits defined herein.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Clayton at a regular meeting held on the 18th day of February, 2025 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Kim Trupiano
Mayor, City of Clayton

ATTEST:

Stephanie Cabrera-Brown
City Clerk

City of Clayton Salary Schedule FY 2024-25

Revised January 22, 2025

Revised January 22, 2025									
Administration				A	B	C	D	E	
City Manager	City Manager	Effective 6/16/24	Monthly	17,058.33	17,916.67	18,812.50	19,814.58	20,833.33	X
			Hourly	98.41	103.37	108.53	114.31	120.19	
			Annually	204,700.00	215,000.00	225,750.00	237,775.00	250,000.00	
Assistant City Manager/ Administrative Services Director	Miscellaneous City Employee	Effective 6/16/24	Monthly	15,768.75	16,557.19	17,385.05	18,254.30	19,166.67	X
			Hourly	90.97	95.52	100.30	105.31	110.58	
			Annually	189,225.00	198,686.25	208,620.56	219,051.59	230,000.00	
City Clerk/Assistant to the City Manager	Miscellaneous City Employee	Effective 6/16/24	Monthly	8,693.75	9,128.44	9,583.33	10,062.50	10,565.63	
			Hourly	50.16	52.66	55.29	58.05	60.96	x
			Annually	104,325.00	109,541.25	115,000.00	120,750.00	126,787.50	
Management Analyst	Miscellaneous City Employee	Effective 1/22/25	Monthly	7,583.17	7,962.33	8,360.44	8,778.46	9,217.39	
			Hourly	43.75	45.94	48.23	50.64	53.18	x
			Annually	90,998.00	95,547.90	100,325.30	105,341.56	110,608.64	
Accountant	Miscellaneous City Employee	Effective 6/16/24	Monthly	6,727.08	7,063.44	7,416.67	7,787.50	8,176.88	
			Hourly	38.81	40.75	42.79	44.93	47.17	x
			Annually	80,725.00	84,761.25	89,000.00	93,450.00	98,122.50	
Administrative Clerk	Miscellaneous City Employee	Effective 1/22/25	Monthly	4,548.36	4,775.78	5,014.57	5,265.29	5,528.56	X
			Hourly	26.24	27.55	28.93	30.38	31.90	
			Annually	54,580.31	57,309.33	60,174.79	63,183.53	66,342.71	
Community Development Technician	Miscellaneous City Employee	Effective 1/22/25	Monthly	5,139.63	5,396.61	5,666.44	5,949.76	6,247.25	
			Hourly	29.65	31.13	32.69	34.33	36.04	x
			Annually	61,675.53	64,759.31	67,997.27	71,397.14	74,966.99	
Community Services Leader	Miscellaneous City Employee	Effective 1/22/25	Monthly	\$4,415.88	\$4,636.68	\$4,868.51	\$5,111.94	\$5,367.53	
			Hourly	\$17.92	\$18.82	\$19.76	\$20.74	\$21.78	
Maintenance				A	B	C	D	E	
Maintenance Superintendent	Miscellaneous City Employee	Effective 7/1/24	Monthly	8,446.00	8,868.30	9,312.23	9,777.79	10,266.01	
			Hourly	48.73	51.16	53.72	56.41	59.23	
			Annually	101,352.00	106,419.60	111,746.76	117,333.48	123,192.12	
Maintenance Senior	Miscellaneous City Employee	Effective 7/1/24	Monthly	5,482.14	5,756.25	6,044.06	6,346.26	6,663.58	
			Hourly	31.63	33.21	34.87	36.61	38.44	
			Annually	65,785.70	69,074.98	72,528.73	76,155.17	79,962.93	
Maintenance Worker I	Miscellaneous City Employee	Effective 7/1/24	Monthly	4,537.84	4,764.73	5,002.96	5,253.11	5,515.77	
			Hourly	26.18	27.49	28.86	30.31	31.82	
			Annually	54,454.02	57,176.73	60,035.56	63,037.34	66,189.21	
Maintenance Worker II	Miscellaneous City Employee	Effective 7/1/24	Monthly	5,003.77	5,253.96	5,516.66	5,792.49	6,082.11	
			Hourly	28.87	30.31	31.83	33.42	35.09	
			Annually	60,045.23	63,047.50	66,199.87	69,509.86	72,985.36	
Planning				A	B	C	D	E	
Senior Planner	Miscellaneous City Employee	Effective 1/22/25	Monthly	9,001.75	9,451.84	9,924.43	10,420.65	10,941.68	
			Hourly	51.93	54.53	57.26	60.12	63.13	
			Annually	108,021.00	113,422.05	119,093.15	125,047.81	131,300.20	
Police				A	B	C	D	E	
Chief of Police	Police Chief	Effective 7/1/24	Monthly	12,216.02	12,858.32	13,535.49	14,247.53	14,997.81	
			Hourly	70.48	74.18	78.09	82.20	86.53	
			Annually	146,592.28	154,299.84	162,425.86	170,970.33	179,973.74	
Police Administrative Clerk	Miscellaneous City Employee	Effective 7/1/24	Monthly	4,548.36	4,775.78	5,014.57	5,265.29	5,528.56	
			Hourly	26.24	27.55	28.93	30.38	31.90	
			Annually	54,580.31	57,309.33	60,174.80	63,183.54	66,342.71	
Police Office Coordinator	Miscellaneous City Employee	Effective 7/1/24	Monthly	5,139.63	5,396.61	5,666.44	5,949.76	6,247.25	
			Hourly	29.65	31.13	32.69	34.33	36.04	
			Annually	61,675.53	64,759.30	67,997.27	71,397.13	74,966.99	
Police Officers	Police Officers' Association	Effective 7/1/24	Monthly	7,662.65	8,045.78	8,448.07	8,870.47	9,314.00	
			Hourly	44.21	46.42	48.74	51.18	53.73	
			Annually	91,951.79	96,549.38	101,376.85	106,445.69	111,767.98	
Police Sergeant	Police Officers' Association	Effective 7/1/24	Monthly	9,003.35	9,453.52	9,926.19	10,422.50	10,943.63	
			Hourly	51.94	54.54	57.27	60.13	63.14	
			Annually	108,040.20	113,442.21	119,114.32	125,070.03	131,323.53	

City	Population	Low	High	Difference @ High
Clayton	10,941	\$141,000	\$173,051	
El Cerrito	25,552	\$198,168	\$286,224	\$113,173
Hercules	26,582	\$210,720	\$256,140	\$83,089
Pleasant Hill	33,802	\$212,076	\$282,060	\$109,009
Pinole	18,481	\$233,462	\$271,729	\$98,678
San Pablo	31,249	\$253,356	\$307,956	\$134,905
Pacific Grove	14,791	\$162,676	\$217,963	\$44,912
Mill Valley	14,006	\$166,296	\$222,852	\$49,081
Grass Valley	13,930	\$147,717	\$203,962	\$30,911
Healdsburg	11,709	\$192,012	\$233,400	\$60,349
Piedmont	10,811		\$264,192	\$91,141
Tiburon	8,938	\$182,256	\$227,820	\$54,769
Cloverdale	8,809	\$150,753	\$183,241	\$10,189