



# AGENDA

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## TRAILS AND LANDSCAPING COMMITTEE [CITIZENS OVERSIGHT COMMITTEE]

**Monday, March 7, 2022**

**7:00 p.m.**

### **\*\*\* NEW LOCATION\*\*\***

*This meeting is being held in accordance with AB 361, given the proclaimed state of emergency and the Contra Costa County Health Officer's recommendation for physical distancing for public meetings. The public is invited to watch and participate via the methods listed below.*

#### **COMMITTEE MEMBERS**

Erin Bennett  
Kate Happy  
Patti Pratt  
Allison Snow  
Joyce Wells

Tom Brand  
Craig Nuchols  
Stephen Rossi  
Nancy Topp

*Vice Mayor Holly Tillman  
(Ex-Officio)*

*Councilmember Jeff Wan  
(Ex-Officio Alternate)*

Staff: Laura Hoffmeister, Asst. to the City Manager

Jim Warburton, Maintenance Supervisor

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review on the City's website at [www.claytonca.gov](http://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](http://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 is available for review on the City's website at [www.claytonca.gov](http://www.claytonca.gov)
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7300.

## Instructions for Virtual Trails and Landscape Committee Meeting – March 7, 2022

To protect our residents, officials, and staff, and aligned with current public health guidance, this meeting is being conducted utilizing teleconferencing means consistent with the requirements of AB 361 that allows the public to address the local legislative body electronically.

To follow or participate in the meeting:

1. **Videoconference:** to follow the meeting on-line, click here:  
<https://us02web.zoom.us/j/82002499044>
2. **Phone-in:** dial 877 853 5257 (Toll Free) using the *Webinar ID: 820 0249 9044*.

**E-mail Public Comments:** If preferred, please e-mail public comments to the Assistant to the City Manager, Laura Hoffmeister (LauraH@claytonca.gov) by noon on the day of the Trails & Landscape Committee meeting. All E-mail Public Comments will be forwarded to the entire Trails & Landscape Committee and will be part of the public record.

For those who choose to attend the meeting via videoconferencing or telephone shall have 3 minutes for public comments.

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### Location:

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# **\* TRAILS AND LANDSCAPING COMMITTEE \***

**March 7, 2022**

1. **CALL TO ORDER & ROLL CALL** – Asst. to the City Manager
2. **SELF INTRODUCTIONS**
3. **INFORMATIONAL PRESENTATION:**  
American Discovery Trail marker location program within the City of Clayton.  
(John Mercurio- American Discovery Trail California Coordinator- Contra Costa County Region)
4. **ORIENTATION AND BACKGROUND** – Asst. to the City Manager
  - (a) Brown Act Overview
  - (b) Landscape Maintenance District (LMD) Boundary Map
  - (c) What LMD does (and does not do)
  - (d) History and Factoids of the LMD
  - (e) LMD Standards
  - (f) Drought Water Management Plan
  - (g) Fountain (water feature at Oakhurst Blvd/Clayton Road) operation policy
  - (h) Approved Tree List for Public Property & Rights- of -Way
  - (i) TLC role and responsibilities as adopted by City Council
  - (j) Questions/Answers
5.
  - (a) Selection of Chair
  - (b) Selection of Vice Chair
6. **PUBLIC COMMENTS ON NON-AGENDA ITEMS**

*Any member **of the public** may address the Committee on items within the Committee's jurisdiction, (which are not on the agenda), each speaker is limited to 3 minutes, enforced at the Chair's discretion. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Committee may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter.*

Public comment and input on Consent Calendar, Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the Committee.

**7. CONSENT CALENDAR**

*Consent Calendar items are typically routine in nature and **all items are considered together for approval by the Committee with one single motion.** Members of the Committee, Audience, or Staff may remove an item from the Consent Calendar for purpose of public comment; question or input may request so through the Chair. After discussion of the item the entire Consent Calendar can be approved together in one single motion.*

- (a) Landscape Maintenance District Staff Activity Report for April 2021 through February 2022.
- (b) Status of Landscape Maintenance District Projects.

Recommended Action: Approve the Consent Calendar (both items a. and b.)

**8. ACTION/DISCUSSION ITEMS**

- (a) Receive and review the Landscape Maintenance District fiscal year end budget for FY 2020/21, as the Citizens Oversight Committee for Measure H.  
(Asst. to the City Manager Hoffmeister and Maintenance Supervisor Warburton)

Recommended Action: Receive information report no action needed

- (b) Mid-year review of the status of Landscape Maintenance District FY 2021/22 budget expenses/revenues for July 1, 2021 – December 31, 2021.  
(Asst. to the City Manager Hoffmeister/ Maintenance Supervisor Warburton)

Recommended Action: Receive information report; provide any comments related to mid-year review for upcoming City Council meeting if applicable.

- (c) Select up to four Committee member(s), as an Ad Hoc subcommittee to prepare a draft FY 2020/21 Annual Report as the Citizens Oversight Committee for Measure H.

Recommended Action: Select up to four committee members (must be less than a quorum of the Committee).

**9. CORRESPONDENCE – review of incoming and outgoing correspondence  
- *Informational Only- No Action*  
None**

**10. COMMITTEE ITEMS – limited to suggestions/topics for future meetings:**

- (a) Future Agenda Items and target dates: (all future agendas will include minutes; Maintenance staff Activity Report for the District; LMD Projects status report as applicable; latest FY to date general budget expenses)



- March 2021 – City Council mid-year budget Review for FY 2021/22
- **May 2022 - TLC meeting** for proposed Annual Report draft from the Subcommittee and the LMD draft budget for FY 2022/23
- May 2022 - City Council Budget Subcommittee meeting
- June 7, 2022 - accept TLC prepared FY 2020/21 Annual Report (can be consent calendar or Action item if a TLC member wants to make a presentation) City Council meeting budget introduction, presentation public hearing;
- June 21, 2022 - City Council adoption of budget
- June 28, 2022 – Alternative optional budget adoption date if not done on June 15
- **Sept./Oct. 2022 - TLC meeting** for FY 2021/22 year-end review and select Committee Member(s) to prepare draft FY 2021/22 Annual Report
- **Nov./Dec. 2022 - TLC meeting** FY 2021/22 TLC prepared Annual Report review
- Jan. 2023 – City Council meeting accept of TLC prepared FY 2021/22 Annual Report (can be consent calendar or Action item if a TLC member wants to make a presentation)
- **Feb. 2023 – TLC meeting for mid-year FY 2022/23 budget review.**

- (b) Committee Member communications – general information not requiring any action by the TLC
- (c) Staff communications – general information not requiring any action by the TLC
  - Updated TLC Roster

**11. ADJOURNMENT** – Upon call by the Chair the meeting shall be adjourned.

The Committee's next regularly-scheduled meeting will be called as needed. Please contact the City Clerk at 673-7300 to verify actual date/and location.



# Memo

**To:** Trails and Landscape Committee members  
**From:** Laura Hoffmeister, Asst. to the City Manager  
**Meeting Date:** March 7, 2022  
**Re:** American Discovery Trail Informational Presentation

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## **INFORMATIONAL PRESENTATION:**

John Mercurio- American Discovery Trail California Coordinator- Contra Costa County Region will provide a brief informational presentation on their Trail Marker Program.

The California the American Discovery Trail (ADT) Marker Program has partnered with the City of Clayton to mark the ADT trail sections that are on the Clayton Trails. All of the other sections of Contra Costa County have had the ADT Markers installed. The Markers are placed on existing trail markers where possible by the ADT Program and in locations where there are not markers partners with the City to install appropriate posts. In Clayton there are only two location where new posts will be installed to allow for the proper markers to be installed. All others will be on existing posts. The ADT Program will monitor and maintain the markers.

Additional information regarding the program can be found at this link

<https://pioneerpublishers.com/push-is-on-for-congress-to-discover-america/>

Agenda Date: 3/7/22

Agenda Item: 4a

**BROWN ACT OVERVIEW – QUICK HIGHLIGHTS OF KEY PROVISIONS**

For more information see [www.cacities.org/opengovernment](http://www.cacities.org/opengovernment)

The Committee can meet and convene only with a posted agenda 72 hours in advance of regular meeting time; and 24 hours in advance for special meeting.

A minimum of a quorum or majority of the appointed body must be present to conduct the scheduled and agenda meeting.

If there is less than a quorum the meeting cannot be held and staff will reset to a future meeting date and time.

Committee members must allow for general public comment on matters under their purview that are not listed on the agenda, though no discussion may take place other than clarifications of speaker and refer to staff for follow up or to direct placement of issue on future agenda. A uniform time limit, if needed, may be set at the beginning for each speaker (ie: 3 minutes; or 5 minutes) all public speakers at the meeting shall have same time.

The Committee must allow for public input on all matters listed on their agenda. A uniform time limit if needed may be set at the beginning of this for each speaker (ie: 3 minutes; or 5 minutes).

All Committee discussion must occur at the meeting - Commission members may not discuss matters of the agenda before the meeting with each other prior to the meeting, this includes emails and voice mails, texts, letters, social media messaging, social media posting or liking on social media etc.

A Committee member may discuss agenda items with one member only, but that member may not discuss with any other member or else a serial meeting has occurred. It is strongly recommended that this not occur as a member may not be aware that another member could have been contacted already on a topic and thus created an illegal serial discussion.

Committee members may have discussion outside of the meeting including voice mails, emails text messages and social media only related to availability to schedule a meeting, transportation arrangements to/from a meeting or to advise may not be in attendance at a meeting.

Individual Committee members may contact staff with ideas for future agenda items under its purview; however it is better to include this at the end of the agenda – "items for future agendas". Discussion of the merits of the item can not occur just the scheduling or not scheduling of it.

Committee members may have general discussion outside of the meeting on matters that have already been decided by the Committee, general matters overall, or on items that have yet to be placed on an agenda.

Committee members may address the Planning Commission or City Council as personal individuals, or if agreed as a representative of the TLC, ie: status report, recommendation reports.

Permissible Gatherings. Not every gathering of members of a public body outside a noticed meeting violates the law. For example, a violation would not occur if a majority of the members attend the same educational conference or attend a meeting not organized by the local agency as long as members do not discuss among themselves agency business except as part of the gathering. Nor is attendance at a social or ceremonial event in itself a violation. The basic rule to keep in mind is a majority of the members cannot gather and discuss agency business except at an open and properly noticed meeting.

Commissioners may have conflicts of interest on items where they own property or have an interest in property in close proximity to a site, or are a member of a organization making a request or sponsoring an item that could be under review for recommendation by the CSC, in that case the Commissioner may address the CSC as an individual in person or writing, or a representative of the outside organization, but must recuse themselves from the matter after they have provided their statement. This means that they have to physically leave the room and not be a part of the meeting discussion. If they are part of an organization it is better to have another member from that organization make the comments/presentation – the CSC member would still not be able to be in the room.





Agenda Date: 3/7/22

Agenda Item: 4c

What does the LMD do:

The funding for the maintenance and operation of the LMD is from a voter approved special parcel tax (Measure H). Measure H extended the prior parcel tax and rate methodology through FY2026/27, with the continuation of Citizens Oversight Committee which the TLC functions. The funds collected are for on-going operations and maintenance of the areas within the District for the trail system, roadway landscape, irrigation, hardscape, lights and electricity, various open space weed abatement and fire breaks, and related expenses.

This TLC periodically reviews, typically three to four times per year and as needed, the operations and functions of the Landscape Maintenance District budget, and can serve as another avenue for citizens' concerns on public roadway landscaping, public trails and open space maintenance issues and make recommendations accordingly to staff. The TLC is encouraged to contact staff with any maintenance concerns that can be quickly scheduled to be addressed such as trimming, irrigation malfunction or similar. These maintenance operation items should not wait for a meeting of the TLC. Staff looks to the TLC as additional eyes on the improvements covered by the LMD and to timely notify staff of issues, concerns observations so that they can be followed up.

As the Citizen's Oversight Committee the TLC annually shall prepare a report to the public regarding the LMD funds collected and their use according to the terms of Measure H.

The TLC shall operate within the parameters of Resolution No.24-2020 "Membership, Duties, and Responsibilities of the Trails and Landscaping Committee which serves as the Citizens Oversight Committee for the Citywide Landscape Maintenance District CFD 2007-1; and that of the City Council and City Staff".

What the LMD does not do:

The LMD District and funds does not include park operations and maintenance or building grounds operations and maintenance (ie: City Hall, Library, Endeavor Hall).

Agenda Date: 3/7/22

Agenda Item: 4d

## **HISTORY OF THE DISTRICT**

In 1997, Clayton residents realized that the City's modest General Fund budget was unable to adequately provide for our public landscaping, trails and open space maintenance.

Recognizing their importance in how it defines our community, a Community Facilities District was established, known as the Trails and Landscape Maintenance District, to provide for maintenance costs for the trails, open space and roadside landscaping. A 10-year special parcel tax was approved by the voters to establish a reliable funding source for this District.

In 2007, as the special parcel tax neared its end, Clayton residents, approved a 10 year extension of the special parcel tax along with the establishment of a citizens advisory committee, known as the Trails and Landscape Committee. In June 2016 the Clayton voters approved another 10-year extension of the special parcel tax, with the continuation of the advisory Trails and Landscape Committee.

### **Overview of what the LMD does:**

The Landscape Maintenance District consists of the roadway edge and roadway median landscaping, trail maintenance and fire abatement on trails and open space, and the limited operation of the running of the Clayton Fountain.

City parks are not included in the District.

### **QUICK FACTS of Your Landscape Maintenance DISTRICT: Your "FRONT YARD"**

- The District landscape covers over 2,000,000 sq. ft.
- There are 40,700 sq. ft. of lawns and flowerbeds.
- There are over 2,871 trees in the City.
- There is 515 acres of open space.
- There are 7 miles of creek side trails and 20 miles of open space trails.
- There are about 50 street islands and medians.
- The District uses equivalent of only three full time staff and Includes the use of some seasonal and volunteer workers as needed.
- During 2005, 2008-2009 and 2015 the Contra Costa Water District had mandatory water reductions of 45% for the Landscape District. The District priorities were to preserve trees, then shrubs and to eliminate watering of lawns and groundcovers to stay within the limits and to avoid financial penalties through even higher water costs. This approach has been established as the Drought Management Framework Plan

## **HOW IS THE DISTRICT FUNDED?**

The District is funded by a 10- year special parcel tax "Measure H" passed by 77% of the Clayton voters in June 2016 that is currently \$ 266.46 per year that appears on your property tax bill. This assessment can only be increased for inflation with a maximum annual Increase cap of 3% per year. This is the only source of funding for the Landscape District supplies, electricity, irrigation, water, and labor. All funds are kept separate and only used for the voter approved Landscape District **expenses**. *(The operation of the Clayton Fountain Water Feature beyond the few special event dates was not approved by voters to be included in the District).*

## **What are the Standards and Priorities of the LMD ?**

- Firebreaks are Mandatory.
- Weeds are cut along major trails and creeks twice yearly.
- Trees are trimmed for safety purposes first.
- Irrigation breaks are repaired as needed.
- Public roadway landscaping is trimmed twice yearly.
- Landscape areas are fertilized one time a year as needed.
- Limited funds for targeted improvements or replanting of \$20,000 each year.

## **STRATEGIC FOCUS**

- Take Care of what we have before planting something new
- Remove unwanted expenditures and control costs with strict oversight.  
Create Equity in the District.
- Implement Cost-Effective measures to improve irrigation and infrastructure and functions.
- Invest in improved equipment as a means to increase maintenance efficiency and effectiveness.
- Implement Seasonal and situational based labor to minimize costs

## **SOME COMPLETED PROJECTS FUNDED BY THE DISTRICT**

- Redesign of the Clayton Fountain Water Feature with new irrigation and drought tolerant plants.
- Clayton Towne Center sign entry way landscaping with joint funding by the Clayton Business and Community Association (CBCA).
- Redesign and replanted medians on Clayton and Oakhurst Roads.
- Replaced all seven pedestrian trail bridge surfaces.
- Repaved all previously paved trails.
- Constructed a trail connection from downtown to CVS along Clayton Rd.
- Drainage and trail repaving on the Mt Diablo Elementary School hill.



Agenda Date: 3/7/22

Agenda Item: 4e

# **MAINTENANCE STANDARDS**

**COMMUNITY FACILITIES DISTRICT 2007-1  
(CITYWIDE LANDSCAPE MAINTENANCE DISTRICT)**

## TRAILS & LANDSCAPING

*Note: Development of Standards assumed responsibility for District in "as-is" landscape condition but brought to the higher standard of maintenance requested by the Committee. Except for the \$20,000 per year Landscape Replacement Account, no workloads were included to elevate the existing landscaping with more shrubs, trees or associated improvements [e.g. irrigation systems; hardscape; replantings; deferred capital improvement projects].*

### Landscape Trimming

- Trim all landscape areas in District 2 times a year.
  1. Trim all shrubs and groundcover in District landscape areas.
  2. Haul off all trimmings and debris.
  3. Hand-pull all large weeds over one foot tall.
  4. Pick up visible litter.
  5. Remove all dead shrubs or groundcover.
  6. Cut off all tree and plant suckers.
  7. Blow off all walkways and street areas.

### Irrigation Maintenance

(Irrigation systems are operational approximately 9 months of the year)

- Check complete system 2 times a year.
- Adjust controllers 3 times a year.
- Repair any broken waterlines within 1 month of request.
  1. Complete system check of entire irrigation system.
  2. Adjust all sprinkler heads for proper coverage.
  3. Mark all irrigation boxes on lids and curbside.
  4. Repair any leaks in mainline or control valves.
  5. Repair any broken sprinkler heads.
  6. Replace or repair all irrigation boxes.
  7. Provide irrigation system upgrades over time as funding allows.

### Mowing Turf

(Lawn areas will be mowed approximately 9 months out of the year)

- Mow lawns every 2 weeks.
- Edge lawns once a month.
- Fertilize lawns every 6 months.
- Aerate once a year.
  1. Mow all lawns in District.
  2. Edge all lawns in District.
  3. Fertilize all lawns in District.
  4. Pick up litter and debris in lawn areas.
  5. Blow off all walkways and street areas

### **Tree Trimming**

- Trim all Crape Myrtles trees once a year.
- Trim all Oleanders trees every year.
- Trim trees away from walkways and signs as time allows.
- Trim as needed.
- \$15,000 tree trimming contract.
  1. Prune all Crape Myrtles for increase summer flowering.
  2. Thin and trim out crowns on all Oleander trees.
  3. Stake up trees as needed.
  4. Cut out all suckers.
  5. Coordinate contract tree work.
  6. Trim trees away from walkways and signs.

### **Herbicide Control**

- Spray pre-emergent 2 times a year in median.
- Spray pre-emergent once a year in roadside landscape areas.
- Spot spray every 2 months.
- Spray Round-Up along trails and open space once a year.
- Pull weeds over 1 foot as time permits.
  1. Control weeds located in the landscape areas
  2. Spray pre-emergent in landscape areas.
  3. Hand-pull any weeds over one foot.

### **Fertilizing**

- Fertilize all landscape areas once a year.
- Use slow release 14x14x14 at 1.5 lbs per 100 square feet
  1. Fertilize all landscape areas of District.
  2. Clean all walkways and street of excess fertilizer.

### **Annuals**

- Plant annuals once a year.
- Weed and clean planters once every 3 months.
  1. Plant annuals in all District flowerbeds.
  2. Cultivate soil and add conditioner before planting.
  3. Weed and clean out planters periodically.

### **Trails**

- Spray preemergent along trails 2 times a year.
- Spray Round Up along trails 2 times a year.
- Complete trail repair and inspection once a year.
- Periodic trail repair and inspection 6 times a year.
- Cut down weeds along sides of trails 2 times a year.
  1. Clear trails of all weeds and debris.
  2. Repair trail headers.

Agenda Date: 3/7/22

Agenda Item: 4f

### **City of Clayton Drought Water Management Plan Framework**

The City has had two recent droughts 2009 and 2015 where Contra Costa Water District mandated water reduction from a prior 3 year average by 15% and/or 45%. There may be future droughts and the following framework used to prepare specific action plans based upon mandates from the Water District or State.

To meet requirements the plantings within the city were evaluated for which would be able to be restored the fastest and which would provide the most water reduction.

Grass areas that are not active use have water reduced/turned off. Grass uses the most water and is the fastest to replant and/rejuvenate. Only active field areas in Clayton Community Park are prioritized to keep maintained and if possible with reduced water. Outer fields at Clayton Community Park are not watered. Grove Park, downtown planters Library Landscaping, Lydia Lane and Westwood Park also have well water for use.

All lawns in the LMD will have irrigation turned off. Roadway and median island landscaping shall be reduced to achieve the % reduction mandated by the Water District. It is expected that some shrubs and trees although drought tolerant are not drought proof. All landscaping need some amount of water especially during the non-rainy season. Between shrubs and trees, shrubs typically need more water are the cheapest to replant if needed, as compared to trees. Trees have deeper roots and can tolerate infrequent deep watering. Watering amounts and schedule will be structured around saving trees as they are the most expensive to replant and take longer to reestablish larger growth.

The order of reduction/elimination of potable irrigation from the Water District is as follows:

1. Grass
2. Shrubs
3. Trees

Attachment:

- Landscape Maintenance District Water Rationing Plan

## **LANDSCAPE MAINTENANCE DISTRICT WATER RATIONING PLAN**

To achieve the Contra Costa Water District's 45% mandatory reduction in water usage the following objectives will be implemented to meet this goal.

### **Objectives**

- "Pool" all water meters within the Landscape District
- Read all Landscape District meters every two weeks
- Stop watering all lawn areas
- Turn off sprinklers in bare areas
- Manually adjust controllers for watering cycles
- Concentrate watering on newer and healthier planted areas
- Suspend trimming of the landscape during rationing
- Suspend planting of annuals at base of Clayton Fountain and along Main Street
- Option to drain the pond at the Clayton Fountain
- All District monies saved from using less water stay within the District's Fund and will be set aside for future water system improvements or restoration of turf areas or plants lost to the drought

### **Purposes**

- I. The Landscape District will "pool" all 43 water meters within the District so we can better achieve the overall 45% reduction in water usage. This allows us to divert water from metered locations where the water is not needed to areas that will need the water so we will be able to save the desired landscaping (see criteria below VI). Implementing meter "pooling" will allow the Maintenance Department more flexibly in attaining our goal of 45% water reduction mandated by the Water District.
- II. Maintenance staff will read the water meters every two weeks to ensure that we are meeting our goals of a 45% reduction in water usage over all. With the meters pooled together we will be better able to see if we were keeping within our total allotment and if not make adjustments quickly before heavy penalties apply. There will be addition man hours to perform this job but will be offset from man hour saving from suspending trimming and from buying/using less water

- III. Maintenance staff will stop watering all turf area funded by the Landscape District. These areas are: Water Feature, Coal Mine Court, Peacock Creek Drive, Eagle Peak Ave and Indian Wells Way at both ends, Eagle Peak Ave at Miwok Way, Indian Head Way, Downtown at the off ramp, Tear Drop (where roses are), Christmas tree and above Black Diamond Plaza

Lawns are by far the largest user of water in a landscape. By not watering them we will be able to divert water to save shrubs and tree which are more costly to replace then lawn. An added benefit of not watering these lawns is when the drought is over we will be able to make upgrades to the sprinkler systems and get new thatch free turf. This will make watering much more efficient and make for healthier lawns in the future.

- IV. Maintenance staff will be going through the landscape and shut off individual sprinkler heads that are only watering dirt areas. This has already been done in most areas where we have experienced major plant loss over the years. There will be a small add cost in man hours since we will be checking for this throughout the year instead of just at the beginning of the watering season as in previous years.

- V. The irrigation controllers will be manually programmed throughout the water season to meet our goals of a 45% overall water reduction. Instead of a standard program that runs throughout the watering season we will be making adjustment to the controllers on an as-needed basis. This could mean daily or weekly or monthly. There will be additional man hours needed since we will be doing a lot more adjustments then in normal watering years. These additional man hours will be absorbed from savings from suspending the landscape trimming and buying/using less water.

- VI. Maintenance staff will be making an evaluation of all the landscaping plantings to determine what plants would be most cost and water effective for saving. The priority will be to save the newer and healthier landscape areas such as: Center Street trail area; old Marsh Creek Road; east bound side of Oakhurst Drive. Then, priority in order will be to save trees, shrubs; then lastly any ground cover (listed in order of cost priority and aesthetic impact).

- VII. Maintenance will suspend trimming the landscape during the summer and fall months. Under the standards of the Landscape District we trim the landscaping twice a year. By suspending trimming for the summer and fall we will be only trimming the shrubs an average of once a year during the declared drought period. By taking this action we will save water by not promoting the plant to re-grow after they are trimmed especially during the

hot summer months. Trimming will be done on a case by case basis for the following reasons; sight obstructions at intersections, overgrowth impeding walkways, and any other hazard found to endanger the public. Trimming will not be performed for aesthetic reasons during this time so as to save and conserve the plants during drought conditions.

- VIII. Maintenance will suspend the planting of annual flowers at the Clayton Fountain and at the tear drop on Main Street. We will also inform the Garden Club that there will not be sufficient water to be able to water the raised planter boxes along Main Street and Center Street that they maintain with annual color. This is being done because annuals use almost as much water as lawn areas.
- IX. As an option to save more water the Landscape District may have to drain the Clayton Fountain and put the pumps into storage. Maintenance staff will monitor this during the summer months and if we are not meeting the imposed 45% goal for water savings, then we will have to take this option. This water feature is like a swimming pool where water is being added all the time from evaporation and recirculation of the filter pump. The water feature is not metered separately from the nearby landscape so there is no accurate way to measure what it uses daily. If the water feature were to be shut down the pumps would need to be serviced to put them into storage while the feature is drained. This would allow the pumps to stay in operational condition until the time when the District turns the Fountain back on. There will be some cost to put the water feature into storage and restart. Overall there would be savings from the monthly maintenance contract which would be suspended and water usage.
- X. All monies saved from purchasing less water after added labor costs to implement the above plan remain within the District's restricted-use Fund and are proposed to be set aside for future uses; irrigation efficiency improvements, plant replacement from the drought, and hardscape installation for less watering in the future within the District. After the drought restrictions are lifted, Maintenance Staff will compile a list of projects to implement with the funding available for the Trails and Landscaping Committee to review and recommend to the City Council. It is unknown at this time what the amount of monies would be saved from less water usage but it could be substantial if the drought lasts multiple years.

### **Summary**

During the rationing the Maintenance staff will be responding and repairing all leaks as they are detected so as to conserve as much water as possible. Also WAP (work alterative personnel) will be employed in areas where hand watering may be more efficient to save trees or shrubs then using the existing irrigation systems. Adjustments to this plan may be made throughout the year to achieve the goal of 45% reduction on water usage and at the same time save as much of the plant life as possible.





6000 Heritage Trail  
Clayton, CA 94517  
(925) 673-7300

## CLAYTON FOUNTAIN OPERATIONAL POLICY

Agenda Date: 3/7/22

Approved by City Council 16 April 2002  
Confirmed by City Council 16 July 2002  
Amended by the City Council 19 February 2008  
Amended by the City Council 21 August 2018

Agenda Item: 4g

The Clayton Fountain (with geysers) at the intersection of Oakhurst Boulevard, Clayton Road, and Center Street will operate on the following selected days to recognize City-sponsored events or functions and Federal holidays as established by law (5 U.S.C. 6103):

Martin Luther King Jr. Birthday (third Monday in January)

Presidents' Day Weekend (February)

Annual Garden Tour Weekend (April)

Annual Art and Wine Festival (last weekend in April or first weekend in May)

Memorial Day Weekend (May)

4<sup>th</sup> of July

BBQ Cook Off (July)

Labor Day Weekend

Oktoberfest (last weekend in Sept. or first weekend in October)

Columbus Day (second Monday in October)

Veterans Day (November 11)

Thanksgiving Holiday weekend (fourth Thursday in November)

Downtown Holiday Tree Lighting Ceremony and Sing Along,

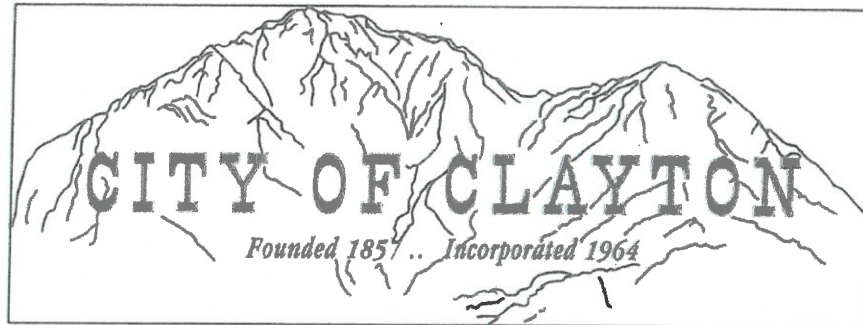
Christmas

New Year's Eve and Day

Private party or other organization requests for operation of the Clayton Fountain are subject to a two (2) week advance written request to the City of Clayton and payment by the requesting party of the flat fee as stated in the City of Clayton Current Fee Schedule. The flat fee pays for the full direct and indirect costs incurred by the City for the operation of the Clayton Fountain over a forty-eight (48) hour event time period.

Agenda Date: 3/7/22

Agenda Item: 4h



**CITY OF CLAYTON  
TREE LIST  
FOR  
PUBLIC PROPERTIES  
AND  
RIGHTS-OF-WAY**

**Prepared By City of Clayton  
Maintenance Services Staff**

**Mark Janney, Maintenance Supervisor  
John Johnston, Maintenance Supervisor**

**Approved by the City Council  
March 16, 2010**

**RESOLUTION NO. 06- 2010**

**A RESOLUTION ESTABLISHING AND APPROVING A  
CITY STREET TREE LIST**

**THE CITY COUNCIL  
City of Clayton, California**

**WHEREAS**, the City has no recommended listing of the types of trees to be planted along the City rights-of-way and medians; and

**WHEREAS**, staff has determined the need for an approved City Street Tree List for public properties and rights-of-way; and

**WHEREAS**, at its regularly scheduled meeting on February 8, 2010 the Trails and Landscaping Committee reviewed and recommended City Council approval of the proposed City Street Tree List for public properties and rights-of-way for use in the Clayton Landscape District; and

**WHEREAS**, at its regularly scheduled meeting on March 9, 2010 the Clayton Planning Commission reviewed and recommended City Council approval of the proposed City Tree List for public properties and rights-of-way, indicating the City Street Tree List should be adaptable to allow for additional trees that may be suitable for the Clayton community and continued consideration be given that the trees being recommended are selected and placed to address concerns related to maintenance requirements and drought tolerance; and

**WHEREAS**, it is appropriate for the City Council to formally establish and approve a City Street Tree List that has now been approved by both the Trail and Landscape Committee and the Clayton Planning Commission; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of Clayton, California, upon the recommendation of its City Manager, does hereby establish and approve the City Street Tree List titled, "City of Clayton Tree List for Public Properties and Rights-of-Way", attached hereto as "Exhibit A" and incorporated herein as if fully set forth, and hereby orders said List to be part of the Regulations of the City.

**PASSED, APPROVED AND ADOPTED** by the City Council of Clayton, California at a regular public meeting thereof held on the 16<sup>th</sup> day of March 2010 by the following vote:

**AYES:** Mayor Stratford, Vice Mayor Shuey, Councilmembers Medrano and Pierce.

**NOES:** None.

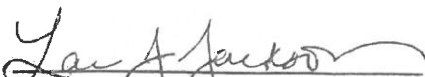
**ABSTAIN:** None.

**ABSENT:** Councilmember Geller.

**THE CITY COUNCIL OF CLAYTON, CA**

  
Hank Stratford, Mayor

**ATTEST:**

  
Laci J. Jackson, City Clerk

## TABLE OF CONTENTS

TREE TYPE	PAGE
Lagerstroemia Indica <b>Crape Myrtle</b> .....	3
Pistacia Chinensis <b>Chinese Pistache</b> .....	4
Pyrus Calleryana 'Bradford' <b>Ornamental Pear – Bradford</b> .....	5
Quercus Agrifolia <b>California Live Oak</b> .....	6
Quercus Lobata <b>California Valley Oak</b> .....	7
Quercus Douglasii <b>Blue Oak</b> .....	8
Platanus x acerifolia 'Columbia' <b>London Plane Tree – Colombia</b> .....	9
Prunus Krauter Vesuvius <b>Flowering Plum</b> .....	10
Liquidambar Styraciflua <b>American Sweet Gum</b> .....	11
Sequoia sempervirens 'Aptos Blue' <b>Costal Redwood</b> .....	12
Cedrus Deodara <b>Deodar Cedar</b> .....	13
Schinus 'Molle' <b>California Pepper Tree</b> .....	14
Ulmus Parvifolia 'Athena' <b>Chinese Evergreen Elm</b> .....	15
Cercis Canadensis 'Alba' <b>Eastern Redbud</b> .....	16

**Lagerstroemia Indica**  
**Crape Myrtle**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Examples Existing Tree Locations
Lagerstroemia Indica Crape Myrtle	Deciduous	Up to 25'ht Up to 25'w	Summer color, drought tolerant good for small planting areas	10'-12'	Citywide Clayton Road



**Pistacia Chinensis**  
**Chinese Pistache**



Genus Species 'variety' <b>Common Name</b>	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Examples of Existing Tree Locations
Pistacia Chinensis <b>Chinese Pistache</b>	Deciduous	30'-60' ht 30'-60' w	Tolerates a wide range of conditions, good street tree, tolerates various watering Regimes, brilliant fall color	20'	City Hall



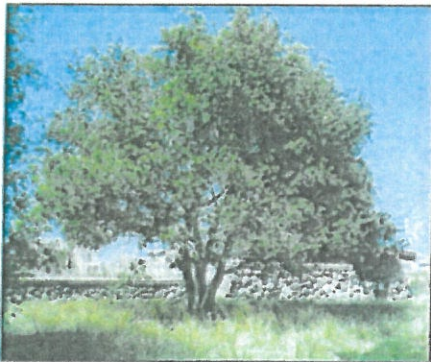
**Pyrus Calleryana 'Bradford'**  
**Ornamental Pear - Bradford**



Genus Species 'variety' <b>Common Name</b>	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Examples of Existing Tree Locations
Pyrus Calleryana 'Bradford' <b>Ornamental Pear</b>	Deciduous	Up to 50'ht 30'w	Vertical limbs, less susceptible to fireblight, Blooms early spring, tolerates most soils, Moderate water	15'	Old Marsh Creek Road



**Quercus Agrifolia**  
**California Live Oak**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Quercus Agrifolia California Live Oak	Evergreen	20-70' ht 70' w	Good shade tree, drought tolerant, native to coastal central Calif., greedy root system	40'	City wide Community Park



**Quercus Lobata**  
**California Valley Oak**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Quercus Lobata California Valley Oak	Deciduous	70' ht 70' w	One of largest Oak trees in North America, best in deep soils, native to central valley, can be fast grower, drought tolerant	60'	City Wide Clayton Road

**Quercus Douglasii**  
**Blue Oak**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Quercus Douglasii Blue Oak	Deciduous	30'-50' ht 40'-70' w	Bright fall colors, native to central valley, drought tolerant	40'	Oakhurst Drive



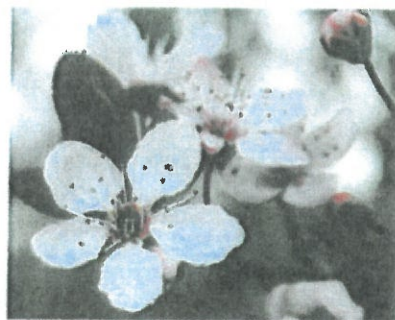
**Platanus x acerifolia 'Columbia'**  
**London Plane Tree - Colombia**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Platanus x acerifolia 'Columbia' London Plane Tree	Deciduous	40'-80' ht 30-40' w	Best in rich well drain soil, great shade tree, resistant to diseases, deep regular watering needed	30'	Clayton Road



**Prunus Krauter Vesuvius  
Flowering Plum**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Prunus Krauter Vesuvius Flowering Plum	Deciduous	18' ht 12' w	Spring pink flowers, darkest foliage of any flowering plum, tolerates most soil conditions,	12'	Citywide Clayton Road

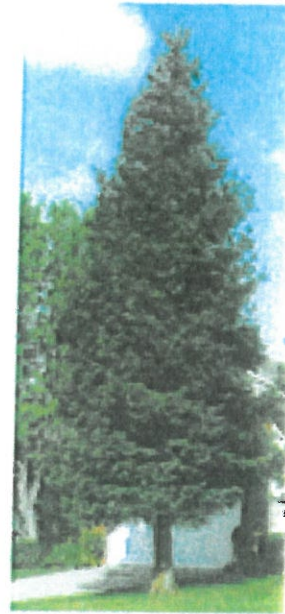


Liquidambar Styraciflua  
American Sweet Gum



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Liquidambar Styraciflua American Sweet Gum	Deciduous	60' ht 24' w	Good street tree, moderate water, brilliant fall color, good soil	10'-12'	Clayton Road

**Sequoia sempervirens 'Aptos Blue'**  
**Costal Redwood**



Genus Species 'variety' <b>Common Name</b>	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Sequoia sempervirens 'Aptos Blue' <b>Costal Redwood</b>	Evergreen	70'-90' ht 15'-30' w	Native to the central costal area, fast growing, Moderate to regular watering, good planting near lawns, good in groupings or alone	15'	Water Feature Clayton Road



**Cedrus Deodara**  
**Deodar Cedar**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Cedrus Deodara Deodar Cedar	Evergreen	80' ht 40' w	Fast growing, conifer, deep rooted, need well drain soil, drought tolerant	30'	Clayton Road Community Park

**Schinus 'Molle'**  
**California Pepper Tree**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Schinus 'Molle' California Pepper Tree	Evergreen	25'-40' ht 25'-40' w	Tolerant of most soils, little to no water, can be messy, great shade tree, must be planted away from roadways and side walks	60'	Clayton Road



**Ulmus Parvifolia 'Athena'**  
**Chinese Evergreen Elm**



Genus Species 'variety' <b>Common Name</b>	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Ulmus Parvifolia 'Athena' <b>Chinese Evergreen Elm</b>	Deciduous	40'-60' ht 50'-70' w	Good sun screen tree, regular watering, fast growing, tolerant of most soils, do have aggressive root system	40'	Grove Park



**Cercis Canadensis 'Alba'**  
**Eastern Redbud**



Genus Species 'variety' Common Name	Evergreen/ Deciduous	Ht/Width at Maturity	Comments	Spacing	Example of Existing Tree Location
Cercis Canadensis 'Alba' Eastern Redbud	Deciduous	Up to 35'ht Up to 35'w	Fastest growing of the Redbuds, moderate water, profuse display of flowers	10'-12'	Grove Park

Agenda Date: 3/7/22

Agenda Item: 4i

**What is the TLC?**

The TLC was formed by the Clayton City Council in August 2007 to help the City Implement the voter-approved funds to manage the current and future needs of the City-wide Landscape Maintenance District (LMD).

The TLC serves as the financial oversight committee and provides guidance to the City Staff and City Council regarding the spending of the special voter approved funds that can only be used for spending within and for the landscape Maintenance District.

**RESOLUTION NO. 24 -2020**

**MEMBERSHIP, DUTIES AND RESPONSIBILITIES OF THE  
"TRAILS AND LANDSCAPING COMMITTEE"  
WHICH SERVES AS THE CITIZENS OVERSIGHT COMMITTEE FOR THE  
CITYWIDE LANDSCAPE MAINTENANCE DISTRICT CFD 2007- 1;  
AND THAT OF THE CITY COUNCIL AND CITY STAFF**

**THE CITY COUNCIL  
City of Clayton, California**

**WHEREAS**, on November 4, 1997 the voters of Clayton, California approved the formation of Community Facilities District 1997-1, Measure "E", to provide special parcel tax revenues for the maintenance of public roadway landscaping, open space and trail system improvements within the City of Clayton. This measure replace two separate districts (the Oakhurst Landscape Assessment District, and the Clayton Landscape District), and added other parcels not previously covered by these two Districts; and

**WHEREAS**, this District known as the "Citywide Landscape Maintenance District" was authorized by voters for a time period of ten (10) years to expire in 2007 unless otherwise approved or re-authorized by another affirmative vote of the local electorate; and

**WHEREAS**, in December 2003 the Clayton City Council created an ad-hoc citizens' advisory committee (Blue Ribbon Committee) of fifteen (15) members for *"... the express purpose of developing and recommending to the City Council a strategic plan to guide the Citywide Landscape Maintenance District functions in the remaining four (4) years of its inaugural existence and to recommend modifications and/or options to sustain and enhance the District's operations presently and in preparation for voter reauthorization..."* of the District; and

**WHEREAS**, the Blue Ribbon Landscape Committee did subsequently tender a written Strategic Plan to the City Council in January 2005 that culminated in the submittal of Measure "M" to the local electorate on the November 2005 ballot for renewal of the District for an additional fifteen (15) years at an increased per parcel special tax rate; and

**WHEREAS**, city voters rejected Measure "M" in 2005 yet the Citywide Landscape Maintenance District remained in purpose until July 2007 and its operations and functions can still benefit from citizens' perspectives, critiques and input concerning its current standard of maintenance, improvement and reauthorization status; and

**WHEREAS**, with its assigned mission accomplished the ad-hoc Blue Ribbon Landscape Committee was disbanded the City Council in favor of establishing a permanent citizens' advisory committee to advise the City Council and City staff on matters related to the operation of the 1997 Citywide Landscape Maintenance District; and

**WHEREAS**, on February 21, 2006 the City Council of Clayton, California established a permanent citizens advisory committee for the 1997 Citywide Landscape Maintenance District with a membership of up to fifteen (15) members appointed by the City Council and to be known as the "Trails and Landscaping Committee"; and

**WHEREAS**, on February 21, 2006, the City Council designated that the Trails and Landscaping Committee will serve in an advisory capacity to the City Council on matters related to the operation and renewal of the 1997 Citywide Landscape Maintenance District; and

**WHEREAS**, said citizens committee met regularly during 2006 and into 2007 reviewing matters related to priorities, public outreach, maintenance standards, citizen complaints, and related operations of the Landscape Maintenance District and did recommend to the City Council a ballot measure for replacement of the expiring 1997 District; and

**WHEREAS**, on February 20, 2007, a proposed local ballot measure (Measure "B") a replacement Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2017), recommended by the Trails and Landscaping Committee (Citizens Committee), was approved by the City Council to be placed before the Clayton electorate on the June 5, 2007 election; and

**WHEREAS**, on June 5, 2007, Measure "B" was approved by an 83% affirmative vote and provisions of the replacement Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2017); and

**WHEREAS**, on August 7, 2007 the City Council modified the numerical membership of the established City Council appointed Trails and Landscape Committee, from up to 15 members, to up to eleven (11) citizen members, to have it continue to serve as the citizens oversight committee for the Citywide Landscape Maintenance District (CFD 2007-1) as stated in the ballot measure Argument in Favor of Measure "B": to advise the City Council and staff concerning the Landscape Maintenance Districts annual budget, and provide a public forum for citizens' concerns, recommend priorities to address District resource deficiencies and monitor these critical landscape services that are funded through this special district tax; and

**WHEREAS**, on March 15, 2011 the City Council, by request of the Trails and Landscape Committee, modified the overlapping two-year term of office ending date for members of the Trails and Landscape Committee (The Citizens' Oversight Committee) to the Citywide Landscape Maintenance District (CFD 2007-1) from June 30<sup>th</sup> to December 31; and

**WHEREAS**, on March 1, 2016 a proposed local ballot measure (Measure "H") a continuation of the Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2027), continuing the same tax rate and methodology and included the continuation of the Citizens Oversight Committee, recommended by the Trails and Landscaping Committee (Citizens Oversight Committee), was approved by the City Council to be placed before the Clayton electorate for election on June 7, 2017 for voter consideration; and

**WHEREAS**, on June 7, 2016 Measure "H" was approved by 79% affirmative vote for the continuation of the "Citywide Landscape Maintenance District" CFD 2007-1, for a time period of ten (10) years to expire in 2027 unless otherwise approved or re-authorized by another affirmative vote of the local electorate, and included the continuation of the Citizens Oversight Committee; and

**WHEREAS**, on January 16, 2018, at the request of the TLC and City staff, the City Council provided clarification as to the scope and responsibilities of the Trails and Landscape Committee as it relates to oversight of the Landscape Maintenance District and directed staff to prepare this information in written form by Resolution for City Council review and approval; and

**WHEREAS**, at its February 6, 2018 public meeting the City Council did review, consider and approve Resolution 02-2018 "Affirming and Clarifying the Duties and Responsibilities of the 'Trails and Landscape Committee' which serves as the Citizen Oversight Committee for the Citywide Landscape Maintenance District"; and

**WHEREAS**, at its January 21, 2020 meeting the City Council agreed to review the Duties and Responsibilities of the Trails and Landscape Committee at a future meeting; and

**WHEREAS**, at its February 18, 2020 meeting, the City Council directed staff to consolidate the prior resolutions regarding the establishment, roles and responsibilities of the Trails and Landscape Committee which serves as the Citizen Oversight Committee CFD 2007-1, and approved an Ad Hoc Committee, (comprised of Vice Mayor Wan and Councilmember Catalano) to work with City staff to review recommend a final draft for the City Council consideration at a future public meeting; and

**NOW, THEREFORE, BE IT RESOLVED** at its May 19, 2020 public meeting the City Council did review, consider and approve the attached Exhibit A, Membership, Duties and Responsibilities of the 'Trails and Landscape Committee' which serves as the Citizen Oversight Committee for the Citywide Landscape Maintenance District [CFD 2007- 1]", and that of City Council and City Staff".

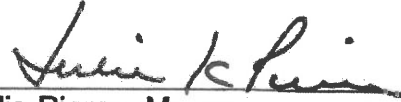
**NOW, FURTHER BE IT RESOLVED** that this Resolution shall supersede prior Resolution No. 08-2006; Resolution No. 38-2007; Resolution No. 04-2011; and Resolution No. 02-2018.

**PASSED, APPROVED AND ADOPTED** by the City Council of Clayton, California at a regular public meeting thereof held on the 19<sup>th</sup> day of May, 2020 by the following vote:

<b>AYES:</b>	Mayor Pierce, Vice Mayor Wan, Councilmembers Catalano, Diaz, and Wolfe.
<b>NOES:</b>	None.
<b>ABSENT:</b>	None.
<b>ABSTAIN:</b>	None.

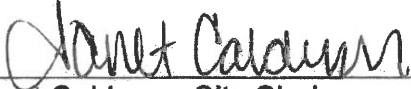


THE CITY COUNCIL OF CLAYTON, CA



Julie Pierce, Mayor

ATTEST:



Janet Calderon, City Clerk

**MEMBERSHIP AND RESPONSIBILITIES OF THE  
"TRAILS AND LANDSCAPING COMMITTEE"  
WHICH SERVES AS THE CITIZENS OVERSIGHT COMMITTEE FOR THE  
CITYWIDE LANDSCAPE MAINTENANCE DISTRICT CFD 2007- 1;  
AND THAT OF THE CITY COUNCIL AND CITY STAFF**

**Background:**

In 1997 the voters of Clayton, California approved the formation of Community Facilities District 1997-1 Measure "E" to provide special parcel tax revenues for the maintenance of public roadway landscaping, open space and trail system improvements within the City of Clayton. (This measure replaced two separate districts (the Oakhurst Landscape Assessment District, and the Clayton Landscape District, and added other parcels not previously covered by these two Districts Tax districts). Revenue generated from Measure E was used exclusively for the District only.

This District known as the "Citywide Landscape Maintenance District" (LMD) was authorized by voters for a time period of ten (10) years to expire in 2007 unless otherwise approved or re-authorized by another affirmative vote of the local electorate. On June 5, 2007, Measure "B" a replacement Citywide Landscape Maintenance District (CFD 2007-1) for a period of ten (10) years (July 2007 through June 2017) was passed (83%) by the voters at a special municipal election.

On August 7, 2007 the Clayton City Council established the Trails and Landscape Committee to be comprised of up to eleven (11) citizen members, appointed by the City Council, as the citizens oversight committee for the City wide Landscape Maintenance District (CFD 2007-1). The continued use of a citizens committee was included in the ballot measure Argument in Favor of Measure "B": *to advise the City Council and staff concerning the Landscape Maintenance Districts annual budget, and provide a public forum for citizens' concerns, recommend priorities to address District resource deficiencies and monitor these critical landscape services that are funded through this special district tax;*

On June 7, 2017 the voters approved (79%) an extension (Measure "H") of the "Citywide Landscape Maintenance District" CFD 2007-1, for a time period of ten (10) years to expire in 2027 unless otherwise approved or re-authorized by another affirmative vote of the local electorate, and included the continuation of the Citizens Oversight Committee.

**What is the District:**

The District covers 2 million square feet of roadway landscape area; 40,700 sq feet of lawns and flowerbeds; apx. 3,000 city trees; 515 acres of open space; 7 miles of creekside trails; 20 miles of open space trails; apx. 50 street islands and medians.

**District Standards:**

Standards for the District include: mandatory firebreaks one time per year; weeds trimmed along major trails and creeks twice a year; trees trimmed for safety purposes; irrigation breaks repaired as necessary; public roadway landscaping trimmed twice a year; landscape areas fertilized one a year as necessary.



### **Citizens Oversight Committee:**

Measure H established the continuation of the Citizens' Oversight Committee. The Citizens Oversight Committee is called the Trails and Landscape Committee "Committee". The Committee is an advisory committee to the City Council and City Staff related to matters involving the Citywide Landscape Maintenance District" CFD 2007-1.

### **A. Purpose of the Committee:**

1. The Committee serves in an advisory body to the City staff and the City Council on matters relating to the Citywide Landscape Maintenance District CFD 2007-1 ("District"), (public roadway landscaping, open space weed abatement Clayton Fountain and trail system and their related infrastructure – it does not include parks).

### **B. Committee Membership size:**

1. The Committee is comprised of up to eleven (11) citizen members, appointed by the City Council.
2. The Vice Mayor shall serve as the City Council ex-officio liaison (non-voting member) to the Committee. A City Council Alternate shall also be recommended by the Mayor and confirmed by the City Council.

### **C. Term of Office:**

1. Term of office for Committee members (not ex-officio members) shall be for overlapping two calendar year terms, regardless of when appointed during the 2-year period, appointment terms end December 31<sup>st</sup>.
2. There are no term limits for the Committee members.
3. Committee members shall be considered for reappointment to a new 2-year term if they submit new application.

### **D. Committee Meetings:**

1. The Committee meets as needed, typically three times a year, and is subject the public meeting laws (Brown Act). [late May/early June: draft Budget review/CPI review; Feb/March: mid-year budget review; Oct/Nov: prior Fiscal Year review / Committee Annual Report].
2. Meeting dates and time are determined by staff in consultation with the Committee members to ensure quorum.
3. Agendas and meeting materials are publicly available and the public may comment at the meetings in accordance with the Brown Act.
4. Ad-Hoc committee(s) may be established as determined by the Committee in accordance with the Brown Act and within the scope of the responsibilities of the Committee.
5. A quorum of the Committee is a simple majority of the appointed members.

#### **E. Responsibilities of the Committee:**

1. Preparation of Annual Report in accordance with the Brown Act.
  - a. The Committee shall review the fiscal year end actual revenues collected and actual expenses of the District to determine and verify the funds received from the special parcel tax have been used for District purposes, as called for in Measure "H".
  - b. The Committee shall prepare a public Annual Report to the City Council regarding the prior Fiscal Year activities, maintenance and financial status of the "District" and verify the funds received from the special parcel tax have been used for "District" purposes.
  - c. The Annual Report format and information shall be determined by the Committee and written by the Committee. The Committee may request relevant information and clarification from City staff to facilitate preparation of the Annual Report.
2. Consider and make recommendations to the City Council for the renewal or extension of the Citywide Landscape Maintenance District by the local electorate prior to the District's scheduled expiration in July 2027.
3. The Committee may review and may make recommended suggestions to staff and the City Council regarding the conditions, operations, proposed projects and prioritization, of the landscape, trails and open space annually as part of the fiscal year and/or mid-year budget process.
4. The Committee shall review the staff prepared draft fiscal year budget and mid-year budget review for the "District. (Staff note: this
5. The Committee may review the Annual staff recommended CPI adjustment to the special parcel tax levy pursuant to Measure "H" and make recommendation to City Council.
6. The Committee may make suggestions to staff and the City Council concerning the care, maintenance, repair, replacement and improvement of the "District's" assets and infrastructure.
7. The Committee may seek and consider Clayton citizen and Clayton business person suggestions and/or input regarding the operations and maintenance of the "District".
8. The Committee may suggest future agenda items within the scope of the responsibilities of the Committee as needed and determined by the Committee.
9. The Committee shall review, accept or modify the draft minutes prior to action by the Committee.
10. The Committee shall select a Chair and Vice Chair as needed.

11. A Committee member may provide oral public update report at City Council meetings on topics covered at the prior Committee meeting.
12. Perform other such responsibilities or duties as may be assigned from time to time by the City Council.

**G. City Staff Responsibilities:**

1. Set meeting dates and time in consultation with the Committee members to ensure quorum.
2. Committee Agenda preparation including: Identifying agenda items, posting agendas and preparation of staff reports and drafting of minutes.
3. Receive input from Committee members on agenda items and for future agenda topics that are within the scope of the Committees responsibilities and duties.
4. Provide staffing and support services appropriate to the Committee, and schedule Committee meetings as necessary to assist in and facilitate the Committee's deliberations and fulfillment of its assigned duties and responsibilities.
5. Consult with the Chair, on a draft agenda prior to finalization.
6. Provide appropriate available background information, and/or documents to the Committee as requested for their independent Annual Report preparation.
7. Provide periodic status reports for the Committee meeting of "District" activities and projects.
8. Prepare draft Annual District budget, with staff recommendations on revenues and expenditures, for the Committee to review at their meeting, subject to a quorum of the Committee being available, prior to City Council meeting packet completion.
9. Provide mid-year "District" budget information for the Committee to review at their meeting, subject to a quorum of the Committee being available, prior to City Council meeting packet completion.
10. Receive suggestions from the Committee and public regarding the "District"
11. Respond to Committee questions and requests for information within the scope of the Committees responsibilities and duties.
12. Respond to citizen questions or requests for information related to the District and District Activities.

13. In collaboration with the Committee, receive suggestions and recommendations from the Committee regarding the conditions of the landscape, trails and open space proposed operations and proposed projects. Staff shall have discretion as to appropriate follow up on recommendations and comments received by the Committee.
14. Implementation of adopted budget, including determination of priorities, review and/or recommending contracts, specifications, construction plan review, defining the scope of a project, project implementation, project scheduling and project management.
15. After budget adoption, the implementation of spending priorities, schedule implementation, project implementation details or financing plans.
16. Perform other such duties as may be assigned from time to time by the City Council.

#### **H. City Council Responsibilities:**

1. Annually the Mayor shall appoint the Vice Mayor as the ex-officio Councilmember Liaison and recommend an Alternate ex-officio Councilmember Liaison to the Committee. The appointments shall be confirmed by the City Council.
2. The Ex-Officio is a non-voting member of the Committee, but may provide input to discussion from a Council perspective and can report out at City Council meeting the discussion and or recommendations of the Committee.
3. The City Council may receive recommendations and suggestions from City Staff and the Committee, consider the information and make decision or provide direction as appropriate.
4. The City Council shall receive the Committee's Annual Report at a public meeting (this can be a consent calendar item) regarding the prior Fiscal Year activities, maintenance and financial status of the "District", and verifies the funds received from the special parcel tax have been used for "District" purposes.

# Memo



Agenda Date: 3/7/22

Agenda Item: 5a+b

**To:** Trails and Landscape Committee members  
**From:** Laura Hoffmeister, Asst. to the City Manager

**Re:** Selection process and duties of the TLC Chair and Vice Chair - determination of term length

---

## Background:

The TLC Chair and Vice Chair terms were determined by the TLC to be for a one year time frame concluding December 31, coinciding with the members terms appointments. The TLC can also change the term of the Chair and Vice Chair to a period longer than one year, such as two years. This was done prior periods as the committee meets typically about four times a year.

The TLC may select any of its members to serve as Chair and Vice Chair the term would be through the term the TLC members agree upon. The Vice Chair serves as Chair in absence of the Chair. The Duties of these are listed below.

## Procedure for Selecting Chair and Vice Chair :

Because there currently is not a Chair or Vice Chair at the meeting on the agenda item, the Asst. to the City Manager will ask for nomination/volunteers for the Chair position. Once an agreed upon chair is identified either by nomination/volunteering staff will call for a vote for the Chair. The nominee with the most votes, provided it is a majority of the votes, will become the Chair. If there is not a majority of votes then the top voted nominees will be re-voted until a nominee received a majority of votes.

The selected Chair will then call for nomination/volunteers for the Vice Chair. Once all nominations are identified then the Chair will call for a vote for the Vice Chair. The nominee with the most votes, provided it is a majority of the votes, will become the Vice Chair. If there is not a majority of votes then the top voted nominees will be re-voted until a nominee received a majority of votes.

## Duties:

### **Chair:**

The Chairs duties include chairing the TLC meetings.

Calling each item on the agenda, ask for staff to present report; ensure all members have opportunity to ask questions/comments; ask for any public comment on the agenda items; close public comment; ask if any further questions/discussion by members; then ask for a motion on the item, ask for a second, then call for the vote "all those in favor say aye"; "opposed say no." Roll call vote is needed for teleconference zoom meetings.

State if the motion has passed or failed.

After the TLC has approved, signing the minutes of the meetings that staff has prepared.

Signing any other letters or items that may require the Chairs signature related to TLC matters, and preparing the Chairs message for inclusion in the TLC Annual Report.

### **Vice Chair:**

The Vice Chair handles the above duties of the Chair in absence of the Chair.



Agenda Date: 3/7/22

Agenda Item: 7a

## TRAILS & LANDSCAPING MAINTENANCE DISTRICT

### ACTIVITY REPORT

4/2/2021 to 3/2/2022

- Shrub trimming was completed on Oakhurst Drive, Clayton Road, Old Marsh Creek road, Marsh Creek Road, Keller Ridge Drive Eagle Peak drive.
- Irrigation mainlines were repaired on Oakhurst Drive, Clayton Road.
- Wood chips were placed in the median on Clayton Road to help keep weeds under control and also to help the soil retain moisture.
- The Clayton water feature vault flooded due to a main line break and equipment was damaged, the necessary repairs were made and the fountain is in working order again. A small retaining wall will be constructed to keep future water from going into the vault.
- Trees were trimmed on Oakhurst Drive, Clayton Road, old Marsh Creek Road and Marsh Creek Road.
- Trails were inspected on a monthly basis for obstructing brush.
- Fencing was repaired on the Cardinet trail in three different places.
- Graffiti has been removed in several different places along the trail and in the creek tunnels. The cities creeks were cleaned and debris was removed so the creeks can flow during heavy rains.
- The maintenance Division kept four seasonal employee's for the duration of the winter due to Covid-19, normally we lay off seasonal employee's during the winter time and bring back in the spring when the work load increases.



Agenda Date: 3/7/22

Agenda Item: 7b



## Memo

**To:** Trail and Landscape Committee  
**From:** Maintenance Supervisor, Jim Warburton  
**Date:** March 7, 2022  
**Re:** Landscape Maintenance District Project Updates

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- Clayton Rd. Median replanting improvement (4 Median sections \$150,000)  
---On Hold due to continuing extreme drought conditions (\$150,000)
- LMD 2021-22 Irrigation Control upgrades/replacement (apx. 6 remaining \$90,000)  
---In process
- Native Planting project in open space to reduce invasive - First year pilot project of 10 acres (Envirotech outside contractor \$12,500)  
---In process
- Lift and trim tree canopy's between Keller Ridge/Blue Oak open space for fire prevention (every 10 years on average \$100,000)  
--- Completed
- The Peacock Creek Trail repairs/ renovation (\$100,000)  
--- delayed due to limited staff availability
- Repaving of asphalt trail from Cardinet Trail up adjacent to Golf Course (11<sup>th</sup> Fairway) to Oakhurst Blvd. (\$185,000 estimate only)  
--- This is being coordinated by City Engineer with street repaving project delayed to summer/fall 2022
- Repair degraded asphalt trail entry at end of O'Hara temporary repair was made  
--- Permanent repair will be coordinated by City Engineer with street repaving project delayed to summer/fall 2022.

Citywide Landscape Maintenance District – Fund No. 210  
(from adopted City Budget FY 20-21)

Agenda Date: 3/7/22

Agenda Item: 8a

In June 2007, Clayton voters approved a replacement real property special tax to continue funding the operation and maintenance of its citywide public landscaped areas. This voter action created the City of Clayton Landscape Maintenance Community Facilities District 2007-1 (LMD). This annual special parcel tax is restricted to landscape costs associated with: arterial and specified roadway medians and parkways, the trails system, the annual open space non-native (exotic) invasive weed abatement in city-owned open space of the area hills, the annual open space and trails weed abatement for fire and public safety, landscape and turf irrigation and the monthly maintenance and special occasion/holiday operation of the "Clayton Fountain". Operations for the LMD are separately accounted for by the City in a restricted-use special revenue fund.

Measure B, the 2007 ballot measure, expired June 30, 2017. Given this was the only source of funds for the maintenance and operation of the LMD, in order continue this sole funding a special parcel tax, "Measure H" was placed before the voters on the June 7, 2016 ballot needing two-thirds (66.67%) voter approval. In June 2016, the voters overwhelmingly elected (77.1% positive vote) to extend the LMD special parcel tax for an additional ten (10) years.

Maintenance of City parks is not included as an authorized expenditure under the LMD Act; park maintenance obligations fall to the City's General Fund. *Citywide public landscaping services have always been funded by a special parcel tax levied on private properties throughout the City.* The LMD has now completed its third year of operation under Measure H. The LMD has a City Council-appointed Trails and Landscaping Citizens' Oversight Committee (TLC) that meets periodically to ensure the promised maintenance standards and efficiencies are achieved and reviews the budget ensuring these special-purpose tax revenues are used for their intended purpose as established under the previous ballot measure for the LMD. Unfortunately due to temporarily vacancies on the TLC that were recently appointed, and limited staffing during the FY 20-21 budget process, there was not the ability to conduct a Trails and Landscape Committee meeting prior to the budget adoption. Staff will regroup with the TLC and then forward their review and any additional or modified recommendations when completed to the City Council. If needed the City Council could then take any action to make budget amendments to the LMD.

Pursuant to the terms of voter-approved Measure H, the special parcel tax rate may be modified annually by the change in the consumer price index (CPI) as published by the U.S. Bureau of Labor and Statistics from April to April for this geographic region (San Francisco-Oakland-Hayward, CA). In no event shall the special parcel tax rate be increased by more than three percent (3.0%) annually. Given the local CPI change (from April 2018 to April 2019) was 1.1%, the LMD'S projected revenues are proposed to be increased by 1.1% to a total of \$1,168,107 for FY 2020-21. This results in a modest increase to LMD special parcel tax revenues of \$12,709 over the prior year's adopted budget. The capped CPI growth adjustment will result in an increase of \$2.92 per residential parcel over the prior year rate (last year's single family rate was \$263.54) for this FY with the CPI adjustment factor the new single-family parcel rate will be \$266.46; and for commercial \$266.46 per acre or fraction thereof).

Over the past ten years, from FY 2007-08 through FY 2019-20, it is estimated the LMD will have used approximately \$2 million of these special parcel tax funds for public landscape and irrigation and trail system improvements. When including additional LMD improvement projects planned for FY 2020-21, the LMD will have invested over \$2.4 million into landscape-related capital improvements in addition to maintaining current landscaping. The prior year's City Council adopted budget included the Downtown Planters (Main Street) replacement project at an estimated total cost for \$245,157. This project is expected to be completed by June 30, 2020.

For FY 2020-21, the LMD has budgeted to fund the following landscape maintenance improvement projects:

<u>Project Description</u>	<u>Amount</u>	<u>Project ID</u>
Clayton Road Median Improvements	112,000	LMD 2019-5
Replace Irrigation Control	30,000	LMD 2020-1
Replace Irrigation Control (two of them)	60,000	LMD 2021-1
Repave/Repair/Crack Seal Trails	175,000	7306
Arterial Tree Trimming	100,000	7440
<b>Total</b>	<b>477,000</b>	

The proposed LMD budget is a balanced operational budget, responsibly utilizing fund balance to undertake non-recurring capital improvement projects. This practice is consistent with prior year budgets as the LMD is pay-as-you-go for such improvements, responsibly drawing on fund balance as needed. Proposed appropriations of the budget are annually adjusted for anticipated water and electrical utility rate increases as well as for fuel, fertilizer, water, etc.

Over the past year the LMD has generated a modest reserve balance to allow the consideration of the aforementioned non-operational landscaping improvement projects to be undertaken. Although the proposed budget anticipates an ending fund balance reserve of \$557,131 by the close of FY 2020-21, staff is not proposing additional capital projects beyond those listed in order to allow time to complete these budgeted projects and to have sufficient funds for normal operational cash flow purposes.

An enormous impact on LMD operations from FY 2012-13 through FY 2016-17 was the declared drought conditions and the severe water conservation reductions imposed by Contra Costa Water District (CCWD) as directed by the Governor's Executive Order Emergency declaration. While homeowners were placed under a 25% reduction plan, city and commercial irrigation water consumers were set at a massive 45% mandatory water reduction order. With irrigation cutbacks of that magnitude, the City Council ordered the LMD to suspend irrigation water to turf and bushes, reserving restricted water supplies to irrigate public trees. This action plan negatively impacted much of the water intensive landscape in order to sustain the more valuable plants and mature signature trees in the LMD. Capital improvement projects engaged during the extended drought timeframe were hardscape-only oriented.

Although the State of California and CCWD relaxed water restrictions, allowing additional outdoor water irrigation uses than in the recent years, there are still reductions needed to balance against recent water rate increases. Water districts were required by case law to change billing rate structures to incorporate greater costs for service areas with greater water delivery demands (i.e. higher elevations requiring more energy for delivery). Clayton's geographic location resulted in a rate tier increase by CCWD in January 2020 of apx. 6%. The proposed budget for LMD water irrigation supply service incorporates a large projected water cost increase of \$40,500 over the prior year budgeted figure, bringing the total budgeted water supply expenditure to \$242,800. In addition to rate increases, the growth in the water services line item over the last two years also reflects the normalization of water irrigation costs back to predrought periods.

Personnel services for this labor-intensive work effort account for 30.78% of the LMD budget in FY 2020-21 (\$520,712). Whenever possible, less complex tasks within the LMD are assigned to in-house part-time or contract temporary seasonal personnel, which allows full-time permanent City maintenance personnel to focus their efforts on tasks requiring journeyman-level experience (i.e. irrigation line and system repairs). The LMD has only one full time dedicated staff person of the six (6) permanent Maintenance Department personnel.

As approved by Measure H voters, the LMD'S budget includes a recurring line item (account 7316) for the purchase of replacement plants, budgeted at \$20,000. The LMD further contributes an annual allocation to the City's Capital Equipment Replacement Fund (CERF) for its shared cost of utilizing City Maintenance Department vehicles for LMD operations budgeted at \$30,000 in FY 2020-21. A relatively nominal amount of \$39,190 (3.30% of annual LMD revenue) is transferred to the City's General Fund to help defray the LMD's share of administrative support and overhead incurred by the City (i.e. telephones, payroll processing, accounts payable, management, compliance, legal, etc.).

With all of these actions, the LMD's ending fund balance on June 30, 2021 is projected to be \$557,131. The LMD's healthy reserve position is evidence the City does not siphon "surplus" monies into its General Fund but uses the special parcel tax revenues for its intended voter-approved purposes. Its monetary existence allows the LMD to re-examine priorities to replace landscape lost (including adding in more hardscape treatments) from the necessary extreme water conservation measures resulting from drought conditions.

***Citywide Landscape Maintenance District – Fund No. 210******(From adopted City Budget FY 21-22)***

In June 2007, Clayton voters approved a replacement real property special tax to continue funding the operation and maintenance of its citywide public landscaped areas. This voter action created the City of Clayton Landscape Maintenance Community Facilities District 2007-1 (LMD). This annual special parcel tax is restricted to landscape costs associated with: arterial and specified roadway medians and parkways, the trails system, the annual open space non-native (exotic) invasive weed abatement in city-owned open space of the area hills, the annual open space and trails maintenance including weed abatement for fire and public safety, landscape and turf irrigation and the monthly maintenance and special occasion/holiday operation of the “Clayton Fountain”. Operations for the LMD are separately accounted for by the City in a restricted-use special revenue fund.

Measure B, the 2007 ballot measure, expired June 30, 2017. Given this was the only source of funds for the maintenance and operation of the LMD, in order continue this sole funding a special parcel tax, “Measure H” was placed before the voters on the June 7, 2016 ballot needing two-thirds (66.67%) voter approval. In June 2016, the voters overwhelmingly approved (77.1% positive vote) to extend the LMD special parcel tax for an additional ten (10) years.

Maintenance of City parks is not included as an authorized expenditure under the LMD Act; park maintenance obligations fall to the City’s General Fund. The LMD has now completed its fourth year of operation under Measure H. The LMD has a City Council-appointed Trails and Landscaping Citizens’ Oversight Committee (TLC) that meets periodically to ensure these special-purpose tax revenues are used for their intended purpose as established under the previous ballot measure for the LMD. Unfortunately, due to limited staffing during the FY 2021/22 budget process, there was not the ability to schedule a Trails and Landscape Committee meeting prior to the budget preparation and adoption for City Council. Staff will meet with the TLC and then forward their review and any additional or modified recommendations to the City Council. Thereafter, if needed the City Council could then take any action to make budget amendments to the LMD.

Pursuant to the terms of voter-approved Measure H, the special parcel tax rate may be modified annually by the change in the consumer price index (CPI) as published by the U.S. Bureau of Labor and Statistics from April to April for this geographic region (San Francisco-Oakland-Hayward, CA). In no event shall the special parcel tax rate be increased by more than three percent (3.0%) annually. Given the local CPI change (from April 2020 to April 2021) was 3.8%, the LMD’S projected revenues are adopted to be increased by 3.0% to a total of \$1,204,857 for FY 2021/22. This results in a modest

increase to LMD special parcel tax revenues of \$35,093 over the prior year's adopted budget. The capped CPI growth adjustment will result in an increase of \$7.98 per residential parcel over the prior year rate (last year's single-family rate was \$266.46; including the CPI adjustment factor the new single-family parcel rate will be \$274.44).

Over the past ten years, from FY 2007/08 through FY 2019/20, it is estimated the LMD will have used approximately \$2 million of these special parcel tax funds for public landscape and irrigation and trail system improvements. When including additional LMD improvement projects planned for FY 2021/22, the LMD will have invested over \$2.5 million into various capital improvements in addition to maintaining current landscaping. The prior approved Downtown Planters (Main Street) replacement project was completed in November of 2020 for a total cost of \$281,622.

For FY 2021/22, the LMD budgeted to fund the following landscape maintenance improvement projects:

<u>Project Description</u>	<u>Amount</u>	<u>Project ID</u>
Cardinet trail section repave	\$185,000	7306
Trail reconstruct end of Peacock Ck	\$100,000	7306
Replace Irrigation Control (6 of them)	\$ 90,000	LMD 2021-2
Repave/Repair/Crack Seal Trails	\$ 30,000	7306
Native open pace planting pilot project	\$ 12,500	7520
Trim up trees btwn Blue Oak/Keller	\$100,000	LMD 2021-2
<u>Tree Trimming streets/trails</u>	<u>\$300,000</u>	<u>7440</u>
Total	\$817,500	

Due to drought conditions replanting projects are not adopted that would require additional water. Therefore it is planned to focus on trails maintenance, tree trimming, (along arterials and open space areas), and irrigation control replacement (the later providing better irrigation water management).

The adopted LMD budget is a balanced operational budget, responsibly utilizing fund balance to undertake non-recurring capital improvement projects. This practice is consistent with prior year budgets as the LMD is pay-as-you-go for such improvements, responsibly drawing on fund balance as needed. Adopted appropriations of the budget are annually adjusted for anticipated water and electrical utility rate increases as well as for fuel, fertilizer, water, etc.

Over the past year the LMD has generated a modest reserve balance to allow the consideration of the aforementioned non-operational landscaping improvement projects to be undertaken. Although the adopted budget anticipates an ending fund balance reserve of \$117,933 by the close of FY 2021/22, staff is not proposing additional



capital projects beyond those listed in order to allow time to complete these budgeted projects and to have sufficient funds for normal operational cash flow purposes.

An enormous impact on LMD operations from FY 2012/13 through FY 2016/17 was the declared drought conditions and the severe water conservation reductions imposed by Contra Costa Water District (CCWD) as directed by the Governor's Executive Order Emergency declaration, resulting in a 45% mandatory water reduction order. With irrigation cutbacks of that magnitude, the City Council ordered the LMD to suspend irrigation water to turf and bushes, reserving restricted water supplies to irrigate public trees. This action plan negatively impacted much of the water intensive landscape in order to sustain the more valuable plants and mature signature trees in the LMD. Capital improvement projects completed during the extended drought timeframe were hardscape-only oriented. There have only been two sections of a Clayton Road median replanted since the prior drought.

Although the State of California and CCWD returned to unrestricted water conditions over the last few years, the State is currently in drought conditions again, with Contra Costa listed as Exceptional Drought, the highest category. Although CCWD has not mandated cutbacks yet, they have asked for voluntary reductions. Additionally, it is forecasted that the dry conditions will likely continue into next year. It is conceivable that we will have an insufficient rainy season to establish new plantings. Therefore, no new replanting projects are being adopted as it would require additional water to establish from irrigation and/or a normal "rainy" season. Water districts were required by case law to change billing rate structures to incorporate greater costs for service areas with greater water delivery demands (i.e. higher elevations requiring more energy for delivery). Clayton's geographic location resulted in a rate tier increase by CCWD in January 2021 of 3.75%. The adopted budget for the LMD includes the increased water costs with the adjusted rate estimated expenditure of \$240,000.

Personnel services for this labor-intensive work effort account for 25% of the LMD budget in FY 2021/22 (\$520,712). Whenever possible, less complex tasks within the LMD are assigned to in-house part-time or contract temporary seasonal personnel, which allows full-time permanent City maintenance personnel to focus their efforts on tasks requiring journeyman-level experience (i.e. irrigation line and system repairs). The LMD has only one full-time dedicated staff person of the six (6) permanent Maintenance Department personnel. During this past fiscal year (2020/21) the pandemic had unexpected impacts to the LMD operations. The ability to use part-time/seasonal contract personnel was not possible. In addition, a full time vacancy occurred with one of the staff resigning for an advanced position in a different agency. With limited resources and social distancing requirements - especially as related to persons in vehicles - staff prioritized trimming to keep walks and paths clear, and irrigation repairs. Other trimming and weeding along rights of ways and medians

were postponed or delayed until more recently. Staff is hopeful as the public health conditions improve overall temporary seasonal workers will be available to assist in the LMD.

As approved by Measure H voters, the LMD's budget includes a recurring line item for the purchase of replacement plants, budgeted at \$20,000. However, it is likely with drought conditions this expenditure will not occur. The LMD further contributes an annual allocation to the City's Capital Equipment Replacement Fund (CERF) for its shared cost of utilizing City Maintenance Department vehicles for LMD operations budgeted at \$30,000 in FY 2021/22. A relatively nominal amount of \$40,679 (3.3% of annual LMD revenue) is transferred to the City's General Fund to help defray the LMD's share of administrative support and overhead incurred by the City (i.e. telephones, payroll processing, accounts payable, management, compliance, legal, etc.).

With all of these actions, the LMD's ending fund balance on June 30, 2022 is projected to be **\$117,933**. The LMD's reserve position is evidence the City does not siphon "surplus" monies into its General Fund but uses the special parcel tax revenues for its intended voter-approved purposes. Its monetary existence allows the LMD to re-evaluate priorities in the future to replace landscape lost (including adding in more hardscape treatments) from the water conservation measures resulting from drought conditions.

City of Clayton								
Landscape Maintenance District Fund 210 (CFD 2007-1)								
Adopted Budget FY 21-22								
Account	Account	2019/20	2020/21	2020-21	percent	2021/22	2021/22	percent
Number	Name	Actual	Adopted	Actual		Adopted	YTD	
			Budget			Budget	July 1- Dec 31 2021	
7111	Salaries/Regular	218,753	228,746	243,827	107%	237,756	178,115	75%
7112	Temporary Help	3,757	22,793	6,987	31%	20,665	-	
7113	Overtime	1,075	2,000	1,907	95%	2,000	220	11%
7218	LTD/STD Insurance	2,379	2,292	2,382	104%	2,061	1,123	54%
7220	PERS Retirement - Normal Cost	19,565	21,486	23,147	108%	21,966	13,752	63%
7221	PERS Retirement - Unfunded Liability	32,190	22,418	26,422	118%	29,540	19,654	67%
7231	Workers Comp Insurance	15,715	12,199	10,484	86%	9,587	8,677	91%
7232	Unemployment Insurance	1,291	2,090	-		4,464	-	
7233	FICA Taxes	3,694	5,089	4,258	84%	5,057	2,592	51%
7246	Benefit Insurance	33,613	41,588	43,315	104%	43,013	27,063	63%
7301	Recruitment/Pre-employment	-	-	-		250	-	
7306	Trail Fixture Repairs/Replacement	54	175,000	178		320,000	-	
7307	Irrigation Supplies and Materials	10,869	-	-		10,000	2,592	26%
7308	Weed Abatement Supplies and Materials	10,003	-	-		20,000	95	
7309	Plant Nutrition Supplies and Materials	1,177	-	-		10,000	-	
7311	General Supplies	5,808	45,000	8,222	18%	14,300	1,200	8%
7316	Replacement Plants (Shrubs, Trees, etc.)	-	20,000	2,822	14%	20,000	-	
7335	Gas & Electric Service	28,672	34,400	26,995	78%	50,000	16,067	32%
7338	Water Service	233,372	242,800	223,936	92%	240,000	146,832	61%
7340	Traffic Safety Supplies	2,817	-	292		1,000	1,159	116%
7341	Buildings/Grounds Maintenance	13,243	17,000	38,149	224%	36,910	10,888	29%
7342	Machinery/Equipment Maint.	7,867	17,000	13,793	81%	21,050	1,360	6%
7343	Vehicle Maintenance	16,480	24,000	9,482	40%	15,000	12,629	84%
7344	Vehicle Gas, Oil, and Supplies	7,957	18,000	12,374	69%	14,000	9,226	66%
7381	Property Tax Admin Cost	3,740	4,000	3,740	94%	4,100	2,057	50%
7382	Election Services	-	-	-		-	-	
7389	Miscellaneous	-	-	-		-	-	
7411	Professional Services (Legal)	-	-	-		-	-	
7419	Other Prof. Services	5,934	7,000	6,198	89%	7,100	3,413	48%
7429	Animal/ Pest Control Services	608	5,000	4,653	93%	15,000	3,000	20%
7435	Contract Seasonal Labor	85,413	160,000	98,742	62%	160,000	81,805	51%
7440	Tree Trimming Services	62,738	100,000	101,100	101%	300,000	44,100	15%
7445	Weed Abatement Services	172,429	166,586	120,990	73%	201,230	32,300	16%
7486	CERF Charges/Depreciation	30,000	30,000	30,000	100%	30,000	-	
7520	Project/Program costs	291,958	222,000	53,813	24%	204,500	26,300	13%
7615	Property Taxes	2,961	3,000	2,994	100%	3,030	3,083	102%
8101	Fund Admin - Transfer to GF	38,760	39,190	39,190	100%	40,679	-	
8111	Transfer to CIP Fund	-	-	-		-	-	
8113	Transfer to Stormwater Fund	1,090	1,130	1,130	100%	1,130	-	
	Total Expenditures	1,365,982	1,691,807	1,161,519	69%	2,115,389	649,301	31%
4604	Clayton LMD Special Parcel Tax	1,156,944	1,168,107	1,169,764	100%	1,204,857	665,169	55%
5601	Interest	22,510	24,000	26,584	106%	15,000	2,484	17%
5606	Unrealized Inv Gain/Loss	21,675	-	(12,530)		-	-	
5702	Donations/Contributions	1,804	-	-		-	-	
	Total Revenue	1,202,933	1,192,107	1,183,819		1,219,857	665,169	55%
	Increase (Decrease) in Fund Balance	(163,049)	(499,700)	22,300		(895,532)		
	Beginning Fund Balance	1,226,636	1,056,841	1,063,587		1,013,464	1,085,887	
	Ending Fund Balance	1,063,587	557,141	1,085,887		117,932		

Account Number	Account Name	2019/20 Actual	2020/21 Adopted Budget	2020-21 Actual	percent	2021/22 Adopted Budget	2021/22 YTD July 1- Dec 31 2021	percent
7306	<b><u>Trail Fixture Repairs/Replacement</u></b>							
	Bay Area Barric - Trail Sign	54		178				
	Trail Repairs		5,000			5,000		
	trail cardinet along 11th faiway Repave to Oakhurst Blvd		150,000			185,000		
	Crack Sealing		20,000			30,000		
	Repair/Redo Trail behind end of Peacock Creek					100,000		
	Total 7306	54	175,000	178		320,000		
7307	<b><u>Irrigation Supplies &amp; Materials</u></b>							
	Nutrien Ag Solu - Irrigation Supplies	949				10,000		
	Site One Landsc - Irrigation Parts & Control Repair	3,700						
	US Bank Cal Card - Irrigation Supplies	6,220						
	Total 7307	10,869	-	-		10,000		
7308	<b><u>Weed Abatement Supplies &amp; Materials</u></b>							
	Nutrien Ag Solutions -	9,921				20,000		
	Bay Area Barric - Storage Area Sign	82						
	Total 7308	10,003	-	-		20,000		
7309	<b><u>Plant Nutrition Supplies &amp; Materials</u></b>							
	Nutrien Ag Solu - Fertilizer	831				10,000		
	Site-One Landscape	346						
	Total 7309	1,177	-	-		10,000		
7311	<b><u>General Supplies</u></b>							
	Bay Area Barricade (Work signs, etc.)	119		46		1,500		
	Cole Supply	454		55		500		
	Concord Garden	104		-		-		
	Nutrien Ag	208		1,724		2,300		
	Plant Nutrients - Topsoil (Contra Costa Topsoil, etc.)			-				
	Plant Nutrients - Fertilizer			-				
	Grainger (Work safety equipment)			-				
	Weed Control (Nutrien AG, etc.)			-				
	Irrigation supplies (Calcard - US Bank)			2,903				
	Ross Recreation (Trash receiptal/benches)			-				
	Turf Star - Irrigation Supplies			-				
	Site One Landscape (Irrigation)	231		-				
	Zee Medical Supply			-				
	Misc Supplies (Calcard - US Bank)	4,692	45,000	3,494		10,000		
	Total 7311	5,808	45,000	8,222		14,300		
7341	<b><u>Building/Grounds Maintenance</u></b>							
	Martell Water Systems (Well pump repairs)	250	5,000	250		5,000		
	Misc Supplies (Calcard - US Bank)	1,587	-	2,756		5,000		
	Pond M Solutions (\$650x12 water feature maintenance)	7,150	8,000	9,100		8,210		
	Pond M Solutions (extra repairs)	2,036	2,000	3,570		4,000		
	Spraytec Maintenance (wastewater)		2,000					
	Nutri Ag			12,212				
	Bay Area Barric	49						
	Contra Costa Tractor	275						
	Dillon Elec - Landscape Lighting Repairs	1,378		855		2,000		
	Site One Landscape nutrient	220		86				
	Site One irrigation parts	298		5,925				
	Mt. Diablo Lands - Sand			671		700		
	Terracare (planter box repair Center St)			650				
	Irrigation control location services contractor					10,000		
	Evans & Son ret wall cap repair			1,970		2,000		
	Wally's Rental			104				
	Total 7341	13,243	17,000	38,149		36,910		



Account Number	Account Name	2019/20 Actual	2020/21 Adopted Budget	2020-21 Actual	percent	2021/22 Adopted Budget	2021/22 YTD July 1- Dec 31 2021	percent
7342	<b>Machinery/Equipment Maintenance</b>							
	Conc Garden Equip Maintenance & Supplies	-	4,000	502		4,000		
	Concord Trailer World		1,000			1,000		
	Contra Costa Tractor	1,388	2,000	2,426		2,000		
	LEHR install light bar skip loader	470						
	Swenson's Mobile Service - Lawnmower service		3,000			3,000		
	US Bank (Calcard) - Machinery/Equipment Maint.	5,989	7,000	3,066		7,000		
	Big O - Flat Repair	20						
	Bay Area Barricade			304		-		
	Champion Spray		-	676		1,000		
	Dillon Electric			730		1,000		
	Martell Water well Service					1,200		
	Performance Trailer			1,104		600		
	Sonsray Marchine forklift tractor parts			1,106				
	Swensons Mobiel polaris repairs			1,366				
	Spraytec wash rack service/repairs			2,513		250		
	<b>Total 7342</b>	<b>7,867</b>	<b>17,000</b>	<b>13,793</b>		<b>21,050</b>		
	difference (sb 0)	-	-	-		-		
7419	<b>Other Professional Services</b>							
	CCC Fire Protection - Operation Permit	-	1,000	-		1,000		
	EBRCSA-Radio Mtn PW radio's	1,400	1,400	1,306		1,400		
	NBS Asment Dist Admin Fees+Del letters	4,517	4,600	4,702		4,700		
	Cal Card US Bank	17						
	Engineering Services			190				
	<b>Total 7419</b>	<b>5,934</b>	<b>7,000</b>	<b>6,198</b>		<b>7,100</b>		
7445	<b>Weed Abatement Services</b>							
	Envirotech Enterprises (non-native invasive weed abatement - Oakhurst Mitigation EIR)	100,800	68,400	56,250		71,000		
	Warner Bros - Peacock Cr Drainage Ditches	8,775				30,000		
	Weed Abatement - Rows/Medians		30,000			30,000		
	Warner Bros Svc 1 x per yr+2 x trails (Fire Protection)	62,854	68,186	64,740		70,230		
	<b>Total 7445</b>	<b>172,429</b>	<b>166,586</b>	<b>120,990</b>		<b>201,230</b>		
7520	<b>Project/Program costs</b>							
	Sub Division/City Entry Signs (contingency)		-	1,517		2,000		
	LMD2015-1 - Downtown Planters (\$35,000 increased to \$300,000)	259,517	-	22,105		-		
	LMD 2019-4 - Expanded irrigation controller replacement (\$50,000)	2,444	20,000	20,000		-		
	LMD 2019-5 - Clayton Rd. Median Improvement (\$75,000/4 Medians) hold due to drought		112,000			-		
	LMD 2020-1 (2020 Irrigation Controller Upgrade x2)	29,997	30,000	9,130				
	US Bank (Calcard) -			1,061				
	LMD 2021-1 (2020 Irrigation Control Upgrade controllers		60,000					
	LMD 2021-22 Irrigation Control upgrades - 6 remaining					90,000		
	Irrigation Computer Replacement					-		
	Native Planting Project					12,500		
	Lift/Trim Tree Canopies - Keller Rdg/Blue Oak					100,000		
			-	-		-		
	<b>Total 7520</b>	<b>291,958</b>	<b>222,000</b>	<b>53,813</b>		<b>204,500</b>		

Replacement Projects/Major Maintenance Landscape Maintenance District (Measure B 2007-08 through 2016-17; Measure H 2017-18 through 2026-27)	amount -apx.	year -apx
<b>Completed:</b>		
<b>Landscaping</b>		
mediain tree replacement clayton road mitchell cyn to Atchinson stage (14 sycamore trees) donations paid for these	\$ 2,500	2008
Oakhurst Drive decorative pavers in narrow median noses, redo irrigation and replanting	\$ 70,000	2010
Clayton Water Feature replanting/redo irrigation	\$ 114,000	2010
Marsh Creek Circle landscape berm mitigation irrigation upgrades replanting	\$ 19,400	2011
Clayton Road median (Oakhurst to Mitchell Cyn) and retaining wall from CVS to Daffodil Hill irrigation installation and new landscaping	\$ 328,011	2012
Daffodil Hill new irrigation and new planting (\$27,500 donated by CBCA)	\$ 29,000	2012
Tree Trimming City Wide - Account 7440 (\$20,000 annually, 2010-2015; \$29,300 in FY 16/17; \$50,205 in 2017/18; \$27,995 in 2018/19; \$62,738 in 2019/20; \$100,000 in 2020/21)	\$ 390,238	2010-2020/21
Peacock Creek Dr. Median Tree replacment (partial cost of LMD remainder from traffic accident/insurance recovery fund)	\$ 2,000	2016
Keller Ridge Drive street tree replacements	\$ 58,670	2016
Peacock Creek entry sign replanting project	\$ 11,100	2016
Jeffrey Ranch/Caulfield Ct island replant/hardscape	\$ 3,273	2018
Replant and irrigation on Clayton Road median near Lydia Lane (Clayton Rd Median Improvment LMD 2019-5)	\$ 19,000	2018/19
General plant replating (Account 7316)	\$ 2,517	2017/18
general various replacement planting (Account 7316)	\$ 15,932	2018/19
general varoius replacement planting	\$ 3,000	2020/21
downtown Main St planter boxes	\$ 323,000	2019/20
<b>subtotal \$1,391,641</b>		
<b>Trails:</b>		
Peacock Creek install new headboards, apply new 1/4 x dust gravel and compact, install waterboard weir drainage	\$ 20,000	2008
Upper Easley - Bruce Lee - Trail from old Marsh Ck to Center Street ; and Lower Easley - El Molino- from old Marsh Ck rd to Weatherly_	\$ 60,000	2013
trail crack sealing/repair	\$ 10,000	2013
Lower Easley old Marsh Ck to Village Oaks	\$ 30,000	2015
Mt Diablo Elem School Hill Trail	\$ 19,800	2015
pedestrial Trail Bridge surface replacement	\$ 79,000	2015
Cardinet Trail erosion repair	\$ 75,000	2016
Cardient asphalt Trail Repair Asphalt behind Westwood (LMD 2018-1)	\$ 28,334	2017/18
extra Clearing dead brush (LMD 2019-3)	\$ 10,000	2019/20
<b>subtotal \$ 332,134</b>		
<b>Other:</b>		
Purchase New Irrigation Control Vehicle (Capital Equipment and Replacment Fund)	\$ 35,000	2007/08
open space tree canopy trim and lifting	\$ 30,000	2012/13-15
Purchase new Tractor \$75,000 (with 50% from LMD)	\$ 37,500	2016
Master Remote Computer Controller for all Irrigation Systems	\$ 30,000	2012/13
replace irrigation system central control field panel	\$ 20,000	2016
replace irrigation system central control field panel	\$ 20,000	2017
replace irrigation system central control field panel (Account 7520)	\$ 27,514	2017/18
replace irrigation system central control field panel (Account 7520)	\$ 18,672	2018/19
Euclyptus tree removal in various open space	\$ 187,672	2018/19
replace irrigation system central control field panel (LMD 2019-4)	\$ 30,000	2018/19
replace irrigation system central control field panel (LMD 2020-1)	\$ 30,000	2020/21
replace Irrigation computer and upgrade to software	\$ 1,381	2020/21
Replace subdivision entry sign (Peacock Creek)	\$ 1,516	2020/21
Repair to maint equip. spray wash rack (33% from LMD)	\$ 2,513	2020/21
attachment forklift for tractor	\$ 1,106	2020/21
<b>subtotal \$ 472,874</b>		
<b>Adopt a Trail (from donations only) project suspended by TLC in July 2017/other misc donations</b>		
trail sponsorship signs and plaques (incl posts/signs and installation)	\$ 3,827	2009
installation of new uplights and electrical at oak trees - cardinet trail east side of library	\$ 4,400	2011/12
installation of two new doggie mit/trash stations at trails El Molino/Marsh Creek and Cardinet Trail/Lydia (CBCA donation)	\$ 1,800	2019/20
<b>subtotal \$ 10,027</b>		
<b>To Be done FY 21/22</b>		
Trail repave from bridge by end of Mitchell Cyn up along 11th fairway to Oakhurst Blvd across from Yolanda	\$ 185,000	2021/22
Repair/ Redo Trail at end of Peacock Creek	\$ 100,000	2021/22
crack sealing various paved trails	\$ 30,000	2021/22
Tree Trimming (Account 7440)	\$ 300,000	2021/22
Lift Tree canopies in open space between Keller Ridge and Blue Oak	\$ 100,000	2021/22
Replace six irrigation controllers	\$ 90,000	2021/22
Pilot native planting project in open space	\$ 12,500	2021/22
<b>subtotal \$817,500</b>	\$ 817,500	
replace subdivision/city entry sign if needed (contingency)		\$ 2,000
replant and redo irrigation 2 medians (4 island sections) on Clayton Road (estimate (2021) city/seasonal staff \$120,000)		project postponed
various subdivision entry redesign relandscape including hardscape (est. \$300,000 in 2015 rev est. in 2017 over \$500,000 not incl field survey or const plans)	\$ -	project postponed
<b>total reinvestment to Landscape Maintenance District through 6/30/21</b>	<b>\$ 2,206,676</b>	
<b>total additional reinvestment planned through 2021/22</b>	<b>\$ 817,500</b>	
<b>total est reinvestment through 6/30/2022</b>	<b>\$ 3,024,176</b>	

Landscape Maintenance District Levy History		CFD 2007-1 (approved Measure B Nov 2007 for 10 yrs 2007/08-2016/17; renewed Measure H by voters for 2017/18-2026/27 )														
		Measure B										Measure H				
	close out of old CFD	start new CFD														
Year		2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
levy amount (per res parcel and non res per acre or fraction thereof)		\$ 196.76	\$ 202.44	\$ 204.06	\$ 207.56	\$ 213.42	\$ 217.86	\$ 223.04	\$ 229.29	\$ 234.84	\$ 241.18	\$ 248.42	\$ 255.86	\$ 263.54	\$ 266.46	\$ 274.46
actual cpi																
cpi amount increase		n/a	2.88%	0.8%	1.72%	2.82%	2.08%	2.38%	2.78%	2.44%	2.70%	3.78%	3.22%	4.01%	1.1%	3.80%
			n/a	2.88%	0.8%	1.72%	2.82%	2.08%	2.38%	2.44%	2.70%	3.00%	3.00%	3.00%	1.1%	3.00%
\$ amount increase			n/a \$ 5.68	\$ 1.62	\$ 3.50	\$ 5.86	\$ 4.44	\$ 5.18	\$ 6.22	\$ 5.58	\$ 6.34	\$ 7.24	\$ 7.44	\$ 7.68	\$ 2.92	\$ 8.00
note: levy limited to annual increase of CPI not to exceed 3%																



Agenda Date: 3/7/22

Agenda Item: 8c

## Memo

**To:** Trails and Landscape Committee members  
**From:** Laura Hoffmeister, Asst. to the City Manager  
**Meeting Date:** March 7, 2022  
**Re:** Annual Report Ad Hoc Committee

One of the duties of the TLC is to prepare an annual fiscal year end report regarding the Landscape Maintenance District the funds collected and funds expended and independently validate or verify that the funds collected and spent were for LMD activities as approved by Measure H.

The report is started after the City Finance Manager has completed the FY end closing which is usually in fall Sept/Oct. This year with new staff the process started later and just completed. The Report is then submitted to the City Council for receipt and filing.

The Annual Report has been drafted by and Ad Hoc Subcommittee and its format developed by the Committee has been fairly consistent over the past years. The Annual Report however can be any format, as it is an independently prepared report by the TLC acting as the Citizens Oversight Committee of Measure H. Past Annual Reports are posted on the City Web site under the Trails and Landscaping Committee.

The Ad-Hoc Committee is comprised of less than a quorum (nor more than 4) and may meet at their own convenience and location of their choosing and also communicate electronically and by phone and are not subject to the Brown Act. Typically the Chair has been one of the Ad Hoc members but it is not required, The Ad Hoc subcommittee can any consistent of any consistent members less than a quorum, in this case no more than four can serve on the Ad Hoc Subcommittee.

At the minimum the document is to review and report on the revenue and expenditures of the special tax, and verify the funds were received and were spent in accordance with the special tax measure. Staff is available to provide appropriate information the Ad Hoc Committee feels that it would need in order to prepare its Annual Report. For reference prior year's Annual Reports can be viewed on the City Web site ([www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)) under the Government tab, then Trails and Landscape Committee - Annual Reports.

The Committee would obtain fiscal year FY 2020/21 financial closing from the City staff. The Ad Hoc Committee would then draft a document for review and approval by the entire Trails and Landscape Committee at a public meeting usually in late fall/winter, depending on the timing. Because we are reactivating the TLC the above timing would be to convene a meeting as soon as the Ad Hoc has a draft report for review.

After the TLC approves the Annual Citizens Oversight Report it is present to the City Council for receipt, typically in October or November. Again once the entire Committee has approved it would then be sent to the City Council.

Recommendation: Select up to four member volunteers to serve as the Ad Hoc subcommittee for the preparation of the Annual Report for FY 2020/21.



## COMMITTEE ROSTER

### TRAILS AND LANDSCAPING COMMITTEE

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(term: Dec. 2021\* - December 2023)

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(term: Dec. 2021\* - December 2023)

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(term: December 2012\* - December 2023)

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(term: December 2021\* - December 2023)

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(term: December 2021\* - December 2023)

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(term: December 2021\* - December 2023)

\*denotes that actual appointment was delayed and made in March 2022

## CITY PERSONNEL

### City of Clayton Main Office number 673-7300

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Holly Tillman, Vice Mayor (Liaison)  
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