

The 2024 – 2025 Contra Costa County Civil Grand Jury

Clayton: Small City, Big Concerns Clayton City Council

Report 2505
May 16, 2025

Approved by the Grand Jury


Peter Appert

GRAND JURY FOREPERSON


Date

Accepted for Filing


Hon. Terri Mockler

JUDGE OF THE SUPERIOR COURT


Date



SUMMARY

The Contra Costa County Civil Grand Jury investigated the operations and procedures of the Clayton City Council.

Behind the suburban face of small-town Clayton lies a City Council mired by frequent staff turnover, recurring failure to follow its own guidelines, and resistance to a revenue solution to its recurring operational budget deficit.

The Grand Jury found the turnover among the professional staff of the City exceeded that of other cities in the County. Clayton had 12 City Managers over the period 2019-2024. In comparison, the Jury found that 15 of 19 cities in Contra Costa County had one or two city managers during the same operative period of time.

Prior to 2025, the Council did not follow its own guidelines in the selection of issues to be placed on the agenda for future meetings. Moreover, the agenda-setting committee tasked with choosing items operated in a manner inconsistent with the requirements of the Brown Act.

Currently, the Council does not entertain requests by members during public meetings for items to be added to a future meeting agenda. Requests can be made only in writing and the disposition of the requests is made public only once per quarter.

The City has run a deficit in its annual operating budget since 2021, relying on its reserve funds to balance the budget. Several City Managers over this time, with expertise in public finance, have encouraged the Council to take steps to reduce or eliminate the deficit. The Council has not taken action to increase revenue.

The Council has several committees, each of which focuses on a specific area of City affairs. Some are ad hoc committees with limited scope and duration while others are subject to Brown Act requirements. The Act requires that public comment be entertained on non-agenda items during regular meetings of a Brown Act committee. In 2024, such comment was allowed during just six of 24 Brown Act committee meetings.

While Council guidelines require that committees make routine reports to the Council of their activities, this requirement was not consistently observed.

Finally, committees scheduled 48% of their meetings as special meetings during 2024. The consequence of this pattern is that the minimum public notice of the meeting is reduced from 72 to 24 hours and the committee is not required to hear any public comment on non-agenda items, limiting public participation in those meetings.

BACKGROUND

Nestled in the foothills of the Bay Area's iconic Mount Diablo, the City of Clayton is an appealing suburban community. Smallest in population (approximately 11,000) among the County's nineteen cities, Clayton offers an array of ranch-style homes, some on large lots. There are no apartment buildings. A visitor to the downtown area would find an assortment of non-chain retail shops, a post office, small offices, and a liquor shop. These are complemented by a few established restaurants and a charming central park, which includes a gazebo. Walking trails are plentiful and a private country club with a highly rated golf course lies across the main road into town. A large shopping center and grocery store in nearby Concord are about a mile and a half away.

The City is governed by a five-member Council whose members are elected at large and serve four-year overlapping terms. At the final session of the preceding year, the Council votes to appoint a Mayor from among the five Council members. The Council holds public sessions twice each month. The proceedings are live streamed, and the recordings are archived. City staff is managed by a City Manager, chosen by the City Council, and serving at the Council's pleasure.

Examination of civic newspapers, websites and town surveys reveal that the citizens of Clayton are divided between those who cherish the town's quaint, unhurried character and those who would welcome change. The City Council reflects this same philosophical divide.

METHODOLOGY

The Grand Jury referred to various sources of information to conduct its investigation.

- Interviews with subject matter experts on the issues addressed in this report
- Documents from the City dealing with personnel and finances
- Review of the online audio/video archive of the Council's past meetings, including the Council meeting agendas and minutes
- Official City documents regarding established rules and procedures for the City Council; These included the "Council Guidelines and Procedures" and applicable Municipal Code sections

DISCUSSION

High Turnover in City Staff

Qualified, experienced employees are the motive force that drives effective government. Government at all levels—state, county or city—strives to find and retain these employees to ensure the smooth execution of its mission. Poor interaction between members of a city council and their staff can lead to staff departures which, in turn, may lead to greater costs and inefficiency, as discussed below.

The Civil Grand Jury examined the level of staff turnover in the government of the City of Clayton's government, specifically the positions of City Manager, Finance Director and Community Development Director.

Since 2019, Clayton has had 12 City Managers (which includes four permanent and eight acting or interim), eight Finance Directors/Managers, and five Community Development Directors. The following tables list the names and tenures of the staff members in these offices.

Clayton City Managers 2019-2024

The City Manager is the City's chief executive officer and is responsible for implementation and enforcement of all laws the City Council adopts. The Manager hires and supervises the work of City department heads. The following table lists every City Manager since 2019:

2019	Joe Sbranti (interim)
2020	Kiani Taumoepeau
2020	Laura Hoffmeister (acting)
2020	Fran Robustelli (interim)
2021-2023	Reina Schwartz
2023	Ron Bernal (interim)
2023-2024	Bret Prebula
2024	Amy Walcker (interim)
2024	Richard McEachin (interim)
2024	Adam Politzer (interim)
2024	Regina Rubier (interim)
2024-present	Kris Lofthus

One way to put Clayton's level of City Manager turnover in perspective is to compare Clayton to other cities in Contra Costa County. As shown in the chart below, Clayton's turnover rate of 12 is more than three times that of any other city except for Antioch. Six cities had one city manager during the entire period under study.



Clayton Finance Directors/Managers* 2019-2024

The Finance Director is responsible for accounting and financial reporting, budgeting, and cash management. The table below lists every Finance Director/Manager since 2019:

2019	Kevin Mizuno
2019	Debora Allen (interim)
2020	Paul Rodrigues
2021-2022	Katherine Korsak
2023	Angeline Loeffler
2023	Natish Sharma (consultant)
2023-2024	Prapti Aryal
2024--present	Regina Rubier
* Job title changed in 2020 from Finance Manager to Finance Director	

Clayton Community Development Directors 2019-2024

The Community Development Director is responsible for administering the City's General Plan, including both business and residential elements, issuance of building permits, and code enforcement. The table below lists every Community Development Director since 2019:

2019	Mindy Gentry
2019	David Woltering

2020	Matthew Freske
2021--June 2024	Dana Ayers
July – December 2024	vacant
2025 -- present	Farhad Mortazavi (interim)

The scope of each of these positions is broad and has consequences for many City functions. Frequent turnover in these positions has these results:

- Loss of institutional knowledge.
- Low morale. Office holders are dispirited by the loss of valued colleagues and disruption of normal workflow.
- Expense of recruitment. Finding and hiring replacement employees entails costs. As an example, \$26,575 was paid to Bob Murray Associates, an employment agency used by the City to recruit staff, in 2023 and 2024.

One consequence of Clayton's staff turnover is illustrated here. Following the departure of the City's Community Development Director in July 2024, the City did not hire a replacement until February 2025. One of the duties of the position is code enforcement, a responsibility that entails training and experience. The City eventually contracted with an outside professional to handle this function. The City paid 4 Leaf Inc., a contractor, \$226,823 between August 2024 and April 2025 for planning staff services. Instead of continuing the contract with 4 Leaf Inc., a new position of community development technician was approved in January 2025. This position will be responsible for code enforcement as well as many other duties. The salary range is \$61,000 to \$75,000. Had the city not experienced turnover in the City Community Development Director position, it could have saved between \$151,000 to \$165,000.

The turnover in the position of Community Development Director had additional consequences for the City. This department oversees the collection of business license fees. With this position vacant, the City hired a third party to ensure collection. The firm estimated that the City had been collecting the fees from no more than 1,100 of the 2,000 businesses in the City that should be paying them. As of March 2025, the City had not yet given approval for the collection work to be performed, owing to staff turnover. According to 2023-2024 Clayton Master Fee Schedule posted on the City website, the business initial registration fee is \$70. This implies lost revenue of \$63,000 as there are about 900 businesses that have yet to pay the fee.

Creation of City Council Agenda

Choosing Items for Consideration

The Brown Act (Government Code, Sections 54950-54963) ensures that the deliberations and actions of California public agencies are conducted openly. To comply with the Act's intent,

public agencies, including city councils, must inform the public in advance of their regular meetings with an agenda of what topics will be discussed. Such notice must be made at least 72 hours in advance of the meeting and the Council may not deliberate or take action on any matter not on the agenda.

As the statute requires, unless a matter is placed on the agenda, the Council may not consider it at a meeting. The Council has rules for how items may be placed on the agenda.

The Clayton City Council's Guidelines, I.1.a, for agenda formation as of May 2023 were as follows:

1. The City Manager and the City Clerk will prepare a draft agenda and review it with the Mayor for finalization.
2. Any member of the Council may request that an item be placed on a future agenda by contacting the Mayor or by making a request during the Council items section of the regular meeting agenda.
3. Councilmembers who request that an item be placed on a future agenda shall provide a written description to the City Manager and the Mayor for inclusion into a future agenda report. Staff does not prepare detailed reports until directed by the City Manager or the Council as whole.
4. It is the Mayor's discretion as to which regularly scheduled meeting the requested agenda item will appear, after consultation with the City Manager regarding availability of staff time to prepare necessary reports and the extent and number of items already scheduled for each upcoming Council meeting.

Contrary to these Guidelines, the Council did not place a requested item on the agenda. Pursuant to Guideline I.1.a, one council member proposed in open session in Fall 2023 that an agenda item for the Council to direct the City Attorney to conduct an investigation of whether the Council was overstepping its bounds and creating a hostile or toxic work environment. The Council member repeated this request over the course of 15 months of Council sessions without result. The Grand Jury also reviewed a written request to the Mayor, dated March 5, 2024, making the same request for placement on the agenda. The item never was placed on the agenda.

The Guideline was amended again at the Council's meeting of January 7, 2025. Previously, a Council member could ask that an item be added to the agenda by submitting a request to either the Mayor or City Manager or by making the request during a Council meeting. The new Guideline requires that both the Mayor and City Manager be contacted in writing. Per the new Guidelines, oral requests are no longer entertained during Council meetings. In addition, the new Guidelines provide that the Mayor has sole discretion to determine whether a requested agenda item will be included in a future agenda. Previously, the Mayor's discretion was limited as to which meeting the item would be placed.

Now, the City Manager reports pending agenda items quarterly at a City Council meeting. The consequence of these changes is that members of the public no longer know in real time which agenda items have been requested and then accepted or rejected until the City Manager makes the quarterly report.

Agenda Setting Committee Meeting

Starting in early 2024, the then-City Manager implemented a new policy for agenda formation that was at variance with the Guideline above. Under the policy revision, the agenda was formulated by a committee consisting of the City Manager, City Attorney, City Clerk, Vice Mayor and Mayor. This change in policy was not announced at a Council session, nor was the change in policy incorporated into the January 7, 2025, Guidelines.

The Council's agenda setting committee acted as a sub-committee of the Council. The committee consisted of two members of the council as well as other members of staff. The committee was not established for a limited term. It met each Wednesday following City Council meetings. It had ongoing jurisdiction over specific issues. For all of these reasons the Agenda Setting Committee was subject to the notice and public meeting provisions of the Brown Act.

The Agenda Setting Committee remained operational until January 9, 2025, when, without public announcement, the agenda-setting meeting was limited to the Mayor and City Manager.

Financial Management

Citizens Financial Sustainability Committee: Establishment and Staffing

In Fall 2022, the City Council voted to approve the formation of a Citizen Financial Sustainability Committee (Resolution 76-2022). The objective given to the committee was to advise the Budget and Audit and Council on ways to reduce the City's costs and/or raise revenue to address the City's financial challenges.

The committee was formulated to be non-political and to consist of five Clayton residents approved by the City Council. Members would serve two-year terms. Applicants had to possess experience in finance, budgeting, or operations. To ensure that key experience would be represented among committee members, each of the following areas of expertise were required:

- Experience in government accounting
- Experience in government finance or budgeting
- Experience in auditing

The City Council evaluated four candidates over a period of a year and a half starting in November 2022. In Spring 2023, two members were appointed to the committee. One of the

committee members selected had a background as a certified public accountant. The second had a background in portfolio management. Neither of the areas of expertise fulfill the requirement of a government accounting background as required by Resolution 76-2022, which established this committee.

It was not until April 2024 that a third member was appointed, making a quorum. The third member had experience as a certified financial planner. The committee first met in May 2024. The committee canceled its meeting in June but did meet in August and October 2024. None of the meetings were streamed nor were minutes posted on the website. The same was true when the committee met again in February 2025. In April 2025, the City Council heard a report of the committee's activities. The committee reported that they were still waiting for information from the City, that they were not certain of their mission and were not certain that the committee should exist. In any event, in that interval of time between the committee's first meeting and their April 2025 report, the Council never reviewed the performance of the Committee nor did the Committee report to the Council contrary to the Council's guideline (N.1.h) which states *"Council shall review the performance of citizen committees no less frequently than every six months."*

Council's Failure to Heed Expert Advice on Addressing Deficit

As illustrated by the table below and according to public records, Clayton has had annual budget deficits since at least 2021.

Clayton General Fund and Expenses

	FY '20	FY '21	FY '22	FY '23
Revenue	\$4,937,351	\$6,509,967	\$7,086,482	\$5,904,558
Expenses	\$5,170,437	\$6,590,189	\$6,810,784	\$6,015,046
Net Surplus (Deficit)	(\$233,086)	(\$80,222)	\$275,697	(\$146,483)

Although 2022-23 appears to reflect a surplus, the Clayton Annual Comprehensive Financial Report states, "Without considering the SLFRF (Coronavirus State and Local Fiscal Recovery Fund) revenue, the actual general fund expenditures for the fiscal year ending June 30, 2023, exceed the actual general fund revenue by \$183,633. This deficit signifies the operational loss for the year."

Review of the Clayton Five-Year Forecast shows continued projected deficits as illustrated in the chart below:

	FY '24	FY '25	FY '26	FY '27	FY '28
Revenue	\$5,411,412	\$5,467,530	\$5,619,336	\$5,776,321	\$5,989,209
Expense	\$5,651,412	\$6,028,710	\$6,191,647	\$6,572,344	\$6,815,079

Net Surplus (Deficit)	(\$240,000)	(\$561,181)	(\$572,311)	(\$796,023)	(\$875,870)
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The following statement is found in the Five-Year Forecast highlighting the need for increased revenues:

“The structural deficit with or without the capital allocations identified above is projected to exist over the life of the forecast. The inclusion of the allocations would only grow the projected deficit to over \$1 million in 2028. The City, through its recent efforts, has continued to minimize any unneeded expenses, or float in the operational budget. **If additional revenues are not achieved, the City would need to look to austerity measures to bring the budget back to structural balance** [emphasis added]. These austerity measures would not be removing any excess from the budget but rather a wholesale change in portions of the service delivery to the community. In the next section of this memo, the example of the level of reductions will be identified to allow City Council an understanding of the impact of service delivery to the community.”

Between 2022 and 2024, multiple City Managers with significant education and experience in public finance advised the Council to take steps toward seeking public approval of revenue enhancement measures, such as adding a parcel tax or levying additional sales tax. The Council was advised that the City could not cut expenses as a way out of the deficit.

As of June 30, 2023, Clayton reported an unassigned General Fund (reserve) balance of \$5,990,665.00. On March 5, 2024, the Council adopted a reserve policy to reduce its reserve to 40% of its General Fund expenses. In the course of its investigation, the Grand Jury confirmed that it is not advisable to rely on the unassigned General Fund balance to bridge the gap of a structurally deficit operating budget.

Since 2022, the Council has declined to take any revenue enhancement measures, saying it is waiting for direction from the Citizens Financial Sustainability Committee, but, as noted above, no such direction has been provided.

The Council’s Committees

Definitions and Statewide Laws

It is the usual practice of public legislative bodies to establish committees. This allows a smaller group of individuals to study a specific topic or area with a degree of focus that would be impractical for the full legislative body.

A committee of a legislative body in California is classified either as a committee subject to the Brown Act or an ad hoc committee. (In this report, a committee subject to the rules of the Brown Act will be referred to as a “Brown Act committee.”) The City Council has established seven committees.

There are four Brown Act committees:

- Budget and Audit
- City Sponsored Special Events
- Citizens Financial Sustainability
- Trails and Landscape

There are three committees that the Council refers to as ad hoc committees:

- Parking
- Clayton Business and Community Association (CBCA) Negotiation
- Governance (established February 2025, to organize a governance training workshop focusing on key topics critical to effective municipal operations)

The distinction between Brown Act and ad hoc committees is critical, as Brown Act committees must follow certain legal requirements. A Brown Act committee must do all of the following:

- Post an agenda for a regular meeting containing a brief description of each item to be addressed, at least 72 hours in advance.
- Make the meeting open to the public and hold the meeting within the body's geographic jurisdiction.
- Permit public comment on any agenda item. The public may comment on any other matters not on the agenda but limited to a time set aside for such non-agenda items.
- Limit council deliberations or actions only to those items on the agenda.

An ad hoc committee, by contrast, is not subject to the Brown Act if:

- It is composed of less than a majority of members of the legislative body;
- It is created for a limited or single purpose;
- It has a limited term and is dissolved upon completion of its charter; and
- The meeting schedule is not fixed by the legislative body.

Council-Specific Guidelines

In addition to the California requirements above, the Clayton City Council has established guidelines for the operation of its subcommittees (dated January 2025, Guidelines N.1 (a) - (i)).

1. Council Sub-Committees.

- a. Sub-committee areas belong to the Council as a whole; they are not seen as territorial.

- b. Sub-committees shall keep the rest of the Council fully informed. The rest of the Council is responsible for letting a sub-committee know if they want more information or to give input.
- c. Before sub-committees start moving in new directions, they will obtain direction from the rest of the Council.
- d. Sub-committee reports shall be submitted in writing to the City Clerk in order to be included in the next regular meeting agenda packet.
- e. Sub-committee memos will be sent on an interim basis to update other Council members on: i. Issues being discussed, ii. Options being considered, iii. Progress
- f. Appropriate reports will also be included in the City Manager's "Weekly Report."
- g. Councilmembers may contact Department Heads or the City Manager to be briefed on any sub-committee work.
- h. Council shall review the performance of citizen committees no less frequently than every six months.
- i. Sub-committees are task oriented with scheduled dates of completion.

The Grand Jury reviewed the City archive for recordings and materials related to the work of the Council's committees. Our findings are presented in five sections:

Ad hoc Committee Takes Action without Council Approval

An ad hoc committee may be formed only for the study of a specific topic. Once the matter has been deliberated and reported back to the Council, the committee is disbanded. By definition, there cannot be a standing ad hoc committee.

The formation of the CBCA negotiation committee is relevant. The CBCA is a private association, formed in 1984, that supports a range of programs in the community. A portion of their revenue is raised through festivals. A Master Use Agreement between the City and the CBCA governed the duties of both parties and associated fees. On March 7, 2023, following deliberation and public comment, the Council voted 3-1 to terminate the Master Use Agreement. Two members of the City Council were then appointed to serve as an ad hoc committee to enter into a new Master Use Agreement. No mention of this committee appears on the City's website.

Committees are not decision-making bodies. They have no authority to take actions on their own. They are tasked with gathering information, conducting deliberations, formulating and providing advice and recommendations to the Council. Only the Council may direct what action, if any, may be taken. The CBCA Negotiation committee provides an example of a committee taking action without approval from the Council.

Following the termination of the Master Use Agreement between the City and the CBCA in 2023, the City Council formed an ad hoc committee to negotiate a revised agreement. The committee did not publish any agendas or minutes of any meetings that took place. The CBCA presented a best and final offer to the committee. But the committee never informed the Council of the offer in order to receive direction on whether the offer should be accepted or rejected. The CBCA Negotiation committee rejected the offer and never informed the full Council of this action at a public session. This is a violation of the Council's Guidelines concerning the scope of committee actions. At the January 7, 2025, Council meeting where other committee assignments were made, no council members were assigned to the CBCA committee indicating that it no longer exists.

Committees Fail to Report Back to Council on Activities

Committees may not operate independently of the Council. As Council Guidelines N.1.(b) and (c) state:

“Sub-committees shall keep the rest of the Council fully informed. The rest of the Council is responsible for letting a sub-committee know if they want more information or to give input.”

and

“Before sub-committees start moving in new directions, they will obtain direction from the rest of the Council.”

The Grand Jury's review of meeting videos/minutes showed that on nine successive meetings of the full Council from February 6, 2024, through May 21, 2024, members of the City Sponsored Special Events Committee reported to the Council that they had attended the committee meeting, but there was nothing substantive to report even though a review of the City Sponsored Special Events Committee Events agenda during that period of time reflect various items were discussed.

In similar fashion, Council members reported they had participated in meeting(s) of the Parking and CBCA Negotiation Committees, but the committees provide no detail of those meetings. The Citizen Financial Sustainability Committee met three times in 2024. The committee made no report to the Council despite the requirement that they do so.

As noted, the CBCA Negotiation Committee did not report their progress to the Council as a whole. The only mentions of any negotiations are reported in Council meetings of March 15, 2023, and October 20, 2023. During those Council meetings members of the ad hoc committee simply reported that they attended meetings with the CBCA. There is no detail included about any offers made by either party. The Grand Jury found through its investigation that negotiations had taken place between the ad hoc committee and the CBCA via meetings and phone calls. These negotiations included proposals by the CBCA and subsequent rejection of the proposals by the negotiating committee. As required by the Council Guidelines, this information is required to be brought to a City Council meeting for discussion and further action.

Prior to the January 7, 2025, approval of the revised Guidelines, committee reports, even if sparse in content, were delivered to the Council orally near the end of meetings. The new Guidelines adopted on that date transition from oral reports to written form only. These written reports do not address the question of what was accomplished in these meetings. The transition to written reports only has not promoted compliance with the Guidelines nor provided transparency to the public.

Committee Meeting Minutes Not Consistently Posted

The Brown Act does not require that legislative bodies publish minutes of their meetings, but the Clayton Municipal Code (section 2.04.08.0) does require that minutes be taken. Clayton City Council committee meeting minutes sometimes are posted on the City website in a manner where they are easy to locate while at other times, they exist but are difficult to find.

The City's website contains a listing of all committee meetings held during each calendar year and indicates for each meeting if the agenda and minutes are available. As of December 17, 2024, there had been 25 meetings held across four committees during 2024. Minutes are available as a standalone document for only two of the 25 meetings. In many of these cases, minutes are attached to the agenda of the following meeting, but the practice is not consistent. The lack of consistency in reporting is demonstrated in the table below:

Committee	Meetings	Agendas	Minutes	Video
Budget & Audit	9	9	0	7
Special Events	11	11	2	0
Trails & Landscape	2	2	0	0
Financial Sustainability	3	3	0	0
Totals	25	25	2	7

Excessive Special Meetings

The Brown Act permits legislative bodies to hold special meetings subject to specific rules. The agenda must be publicly available no less than 24 hours in advance of the meeting and must clearly state what matters will be discussed. Only these specific agenda items may be discussed or acted upon during the special meeting. The meeting must be open to the public.

The following table of all committee meetings held during 2024 shows that 52% were held as special meetings:

Committee	All Meetings	Special Meetings
Budget & Audit	9	6

Special Events	11	4
Trails & Landscape	2	0
Financial Sustainability	3	3
Totals	25	13

A review of these meetings shows the only consistent fact is that they did not follow the committee's regular meeting schedule. That may seem harmless, but the end result is that the public is given only 24 hours advance notice with no opportunity for comment on non-agenda items.

Failure to agendize public comment on non-agenda items for regular meetings

Our investigation showed further that the Council does not consistently provide opportunity for public comment on non-agenda items during regular meetings of committees, as the Brown Act requires. In 2024, there were twelve regular meetings of the following committees (combined): Trails & Landscape, City Sponsored Special Events, Citizen Financial Sustainability and Budget & Audit. In only six of these 12 meetings was public comment on non-agenda items included in the agenda. The table below lists each committee, along with the number of meetings in which public comment on non-agenda items was included in the agenda over 2024:

Committee	Regular Meetings	Comment on Non-Agenda Items Agendized
Budget & Audit	3	1
Special Events	7	3
Trails & Landscape	2	2
Financial Sustainability	0	0
<u>Totals</u>	12	6

FINDINGS

F1: Since 2019, Clayton has had 12 City Managers, eight Finance Directors, and five Community Development Directors.

- F2: The level of turnover of City Managers in Clayton is greater than other cities in the County.
- F3: Prior to January 1, 2025, the City Council did not follow its established guidelines for inclusion of an agenda item despite requests over the course of 15 months by a council member to do so.
- F4: Prior to January 7, 2025, the public could learn of requests for agenda item inclusion in real time when proposed by council members in open session.
- F5: Subsequent to January 7, 2025, the public could learn of requests for agenda item inclusion only by an oral report of the City Manager made once per quarter.
- F6: Prior to January 9, 2025, there was a City Council agenda-setting committee meeting, held regularly with the Mayor and Vice-Mayor along with the City Manager, City Clerk, and City Attorney.
- F7: Committee meeting minutes are not consistently posted as a standalone document in the column provided on the City website.
- F8: In 2024, 52% (13 of 25) of committee meetings were scheduled as special meetings. Consequently, opportunity for public comment on non-agenda items was eliminated.
- F9: Regular meetings of committees do not consistently place on the agenda an opportunity for public comment on non-agenda items, which violates the Brown Act requirements.
- F10: The CBCA Negotiation Committee neither informed nor sought approval from the Council at a public meeting for actions taken, contrary to Council Guidelines.
- F11: Revenue shortfall has been identified and confirmed as an issue by several City Managers since 2022. However, while the Council has discussed the issue, it has taken no action to increase revenue.
- F12: The City Council did not follow the established requirements in Resolution 76-2022 for selecting members of the Citizens Financial Sustainability Committee.
- F13: Committees formed by the City Council are not authorized to take action (other than advice and recommendations) without the Council's approval.

RECOMMENDATIONS

- R1: By December 1, 2025, the City Council should consider adopting a new procedure for Council Members to request items be placed on future agendas.

- R2: By December 1, 2025, the City Council should consider directing the City Manager to maintain a written, on-going list—available for public view—of all items that have been requested for inclusion in the Council’s agenda and either the date on which the item will be agendized or the reasons for denial of inclusion.
- R3: By December 1, 2025, the City Council should consider directing all committees to post their minutes as a standalone document in the minutes column of the City website.
- R4: By December 1, 2025, the City Council should consider directing all Brown Act committees to place on the agenda the opportunity for public comment on non-agenda items for all regular scheduled meetings.
- R5: By December 1, 2025, the City Council should consider enforcing the Council Guidelines (City Council Guidelines and Procedures Section C.8.c) that committees come to the Council for approval of actions to be taken.
- R6: By December 1, 2025, the City Council should consider directing the City Manager to conduct a study of the causes of senior staff turnover.
- R7: By July 1, 2026, the City Council should consider ways to increase City revenue.
- R8: By December 1, 2025, the City Council should consider following Resolution 76-2022’s requirements for qualifications of members to serve on the Citizens Financial Sustainability Committee.

REQUEST FOR RESPONSES

Pursuant to California Penal Code Section 933(b) et seq. and California Penal Code Section 933.05, the 2024-2025 Contra Costa County Civil Grand Jury requests responses from the following governing bodies:

Responding Agency	Findings	Recommendations
City Council for the City of Clayton, California	F1-F13	R1-R8

These responses must be provided in the format and by the date set forth in the cover letter that accompanies this report. An electronic copy of these responses in the form of a Word document

should be sent by email to ctaadmin@contracosta.courts.ca.gov and a hard (paper) copy should be sent to:

Civil Grand Jury – Foreperson
725 Court Street
P.O. Box 431
Martinez, CA 94553-0091