

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

TUESDAY, April 17, 2018

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Haydon in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Haydon, Vice Mayor Shuey and Councilmembers Catalano, Diaz and Pierce. Councilmembers absent: None. Staff present: City Manager Gary Napper, City Attorney Mala Subramanian, Community Development Director Mindy Gentry, and City Clerk/HR Manager Janet Brown.

Mayor Haydon announced local Boy Scout Troop 262, Mt. Diablo Silverado Council, will present the colors and lead the Pledge of Allegiance.

2. **PLEDGE OF ALLEGIANCE** – Led by Scouts from Troop 262, Mt. Diablo Silverado Council, Boy Scouts of America.

3. **CONSENT CALENDAR**

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to approve the Consent Calendar as submitted. (Passed; 5-0 vote).

- (a) Approved the minutes of the City Council’s regular meeting of April 3, 2018.
- (b) Approved the Financial Demands and Obligations of the City.
- (c) Adopted Resolution No. 13-2018 directing the preparation of an Engineer’s Report for calculation of the annual real property tax assessments in FY 2018-19 for the Diablo Estates at Clayton Benefit Assessment District (BAD).
- (d) Approved a 1-year single-bid award of contract to Waraner Brothers Tree Service in the amount of \$55,000 for performance of the City’s 2018 Annual Weed Abatement Program for fire hazards on City-owned properties and open space (funded by the Citywide Landscape Maintenance District, CFD 2007-1).

4. **RECOGNITIONS AND PRESENTATIONS**

- (a) Presentation of its Annual Report for 2017 by Joyce Atkinson, President of the Clayton Community Library Foundation.

Joyce Atkinson, immediate past President of the Clayton Library Foundation, presented the 2017 Annual Report of the Clayton Community Library Foundation highlighting: 4,034.25 hours of in-library service hours provided by volunteers for daily needs and special events, valued at \$114,814.75; Boy Scout Troop 484 assistance with physical tasks; Clayton Valley Garden Club maintenance of flower boxes and garden areas; the twenty-second Birthday Celebration of the Clayton Community Library; local second grade classes visited the library and 93 students received their first library cards; Clayton Community Library Foundation generated income of \$42,980.99 from a variety of sources in 2017; the Foundation provided a \$2,000.00 donation to the City to assist in

funding the extra Sunday operation hours of the Library paid by the City. Ms. Atkinson also introduced Jeanne Boyd, President of the Clayton Community Library Foundation.

Members of the City Council expressed their appreciation for the wonderful works by the Clayton Community Library Foundation supporting the operation and existence of the library.

- (b) Proclamation declaring the week of April 16 - 22, 2018 as “Clayton Community Library Volunteer Recognition Week,” and recognition of Clayton’s “Library Volunteers of the Year” for 2018.

Mayor Haydon read the Proclamation declaring the week of April 16 – 22, 2018 as “Clayton Community Library Volunteer Recognition Week” and presented it to Jeanne Boyd, Clayton Library Foundation President, who then thanked the City Council, community and volunteers for their continued support.

Mayor Keith Haydon and Jeanne Boyd Clayton Library Foundation President, assisted Mayor Haydon in the presentation of Certificates of Recognition to “Library Volunteers of the Year 2018” Joan Chesterman, Ray Dod and Elaine Grab (not present), honoring their many hours of service to the Clayton Community Library.

- (c) Kickoff of Clayton’s Certified Farmers’ Market for 2018
“Opening Day” is Saturday, May 12th
(9:00 am – 1:00 pm, each Saturday through September 22, in the Main Street public and KinderCare’s parking lots, except for the Saturdays July 14th, and September 1st when the Rib Cook-Off and Labor Day Derby are held.)
(Shawn Lipetzky, Regional Manager, Pacific Coast Farmers’ Market Association)

Shawn Lipetzky, Regional Manager, summarized a PowerPoint presentation its 2017 Pacific Coast Farmers’ Market Annual Report for Clayton’s certified farmers’ market and highlighted upcoming attractions for the 2018 season.

- (d) Presentation by the Mt. Diablo Silverado Council, Boy Scouts of America, regarding the status of Scouting in Clayton (Arnel Jaime, District Executive).

Several Boy Scouts from Troop 262, Mt. Diablo Silverado Council, provided verbal reports on the amount and extent of scouting within the city of Clayton. Various Scouts offered brief presentations about the history, ranks, activities and volunteer service hours provided by Scouts to the Clayton community. The City Council was presented with a plaque denoting 5,594 community hours expended on Eagle Scout and Service Projects for this community during 2014 - 2017.

5. REPORTS

- (a) Planning Commission – No meeting held.
- (b) Trails and Landscaping Committee – No meeting held.
- (c) City Manager/Staff – No report.
- (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Catalano indicated “No Report”.

Vice Mayor Shuey indicated “No Report”.

Councilmember Pierce attended six Metropolitan Transportation Committee meetings, the Contra Costa Transportation Authority Board meeting, the Regional Planning meeting, two Contra Costa Transportation Authority administrative committee meetings, and the Mayors Conference hosted by El Cerrito. Councilmember Pierce also noted Concerts in The Grove has sixteen (16) sponsors currently, consisting of local businesses and patrons. She also announced to raise a little more money, concert attendees can donate \$200.00 for the season and receive a hat to show their sponsorship at the upcoming concerts.

Mayor Haydon attended the East Contra Costa Habitat Conservancy in partnership with East Bay Regional Park District tour of Roddy Ranch, the County Connection Finance Subcommittee meeting, and attended the Clayton Community Library Foundation Used Book Sale.

Councilmember Diaz noted he attended Catholics at Work program featuring a presentation by Rev. Patrick J. Conroy, SJ also Chaplain to the U.S. House of Representatives, the Travis Credit Union “Free Shred” day, the Clayton Business and Community Association Art & Wine Festival committee meeting with the event scheduled for April 28 and 29.

Councilmember Pierce added she also attended a Regional Leadership class in San Ramon and provided details regarding the upcoming “Clayton Cleans Up!” event taking place on Saturday, April 21st from 9:00 am to Noon; meet in the City Hall courtyard for sign-ins, area assignments and trash bags. Councilmember Pierce advised there will be a social BBQ sponsored by the *Clayton Pioneer* at the conclusion of the event for the volunteers.

(e) Other – None.

6. **PUBLIC COMMENT ON NON - AGENDA ITEMS** – None.

7. **PUBLIC HEARINGS**

(a) Continued Public Hearing (from the March 20, 2018 City Council meeting) to consider the Introduction and First Reading of a proposed City-initiated Ordinance No. 481 amending Chapter 8.14 (Regulation of Smoking) of the *Clayton Municipal Code*. (Community Development Director)

Community Development Director Mindy Gentry advised this item is revisiting the ordinance to amend the smoking regulations. During the March 20th City Council meeting the City Council expressed concerns the proposed amendments could have unintended consequences of severely restricting smoking in the Town Center; and clarifications to definitions of a bar and a dining area, as well as multi-unit residence were needed. As requested by Councilmember Pierce, City staff has prepared a map showing the prohibited areas in the ordinance presented at the March 20th Public Hearing: leaving private property, parking lots (excluding KinderCare), empty lots and single family homes, the only place where smoking would be permitted. Due to the

proposed smoking restrictions in the Town Center having unintended consequence of being restrictive, staff developed three options for City Council consideration:

1. Adopt the Ordinance as currently drafted, which includes a variety of changes that were addressed at the meeting of March 20th:
 - A. Clarifying that “dining area” does not include a “bar”.
 - B. Specifying a “multi-unit residence” includes a townhome.
 - C. Widening the scope of who is responsible for designating a smoking area.
 - D. Inclusion of specific locations where smoking would be permissible.
 - E. Adding a violation of any cannabis uses be charged as an infraction in compliance with State law.

The benefit of the proposed ordinance would be the reduction of secondhand smoke exposure, thereby improving public health. The drawback would be the placement of burden onto business and property owners regarding whether or not they want to permit smokers on their property and/or establish a designated smoking area for smokers that may or may not patronize their business.

2. Modify the Ordinance to exempt public sidewalks except for a 25 foot buffer around The Grove park.

The benefit would be a provision of a public space where smokers can locate. The drawback would be exposure to secondhand smoke for pedestrians and consumers as well as youth walking/biking into the Town Center from Mt. Diablo Elementary School or other trails.

3. Allow smoking to occur on public property in a specifically designated area defined by the City Council at a future date. Staff determined the most probable location as a portion of the Clayton Corral.

The benefit would be limiting or eliminating exposure to secondhand smoke; thereby improving public health as well as not exposing pedestrians or consumers within the Town Center as well as the youth passing through. The drawback providing only limited public locations for smoking.

Ms. Gentry stated the City received a letter that identified concerns about maintaining the right to smoke in townhomes. The City Council did not direct staff to incorporate any of those concerns, which were also voiced at the March 20th Public Hearing, into the proposed Ordinance. Therefore staff’s position remains the same due to the possibility of secondhand smoke still infringing on others. However, staff has provided a clarification in the proposed Ordinance to include townhomes as well as adding any units that share a common wall within the definition of a multi-unit residence.

Councilmember Pierce inquired if options could be combined to some extent? Ms. Gentry advised the council can combine options.

Councilmember Pierce inquired on option 3, an area was outlined in blue in the Clayton Corral and asked why not make Black Diamond Plaza eligible as a smoking area? Ms. Gentry advised that could be a possibility, however there is a walkway to the downtown area and there are trails and picnic tables directly adjacent to Black Diamond Plaza.

Councilmember Pierce was thinking of that area in particular during the Concerts as it is a simple walk across Marsh Creek Road; generally the restrooms are located in the lower corner next to a trail. It seems the more convenient the smoking area is located

especially during the Concerts, and some people are already smoking in that area which is a little more attractive with a place to sit and not banishing them to the weeds. Maybe that area is less restrictive at least during the Concerts. Councilmember Pierce believes if the area is not that simple, there will be a lot of complaints and violations. She also understands during the Art & Wine Festival that is an area of packaged food/beverage sales leaving virtually no area to smoke. Councilmember Pierce suggested combining option 1 with option 3 designating a smoking area. Ms. Gentry confirmed option 3 assumes the designation of a smoking area.

Mayor Haydon advised he also interpreted a combination of options are available and can be slightly modified. Ms. Gentry confirmed the ordinance would stay as it currently proposed with insertion of the language within the ordinance depending on the option selected by the City Council including limitation of times and events.

Councilmember Diaz noted his concerns about the Black Diamond Plaza/Corral area, where concerts attendees that smoke would be forced to cross the street on Marsh Creek Road, and asked if there will be a crossing guard available based on the amount of traffic that goes through that intersection. Councilmember Diaz noted he has observed only 6-8 concert attendees go over by a tree during the concerts to smoke with the smoke generally blowing across the street and not into the crowd. He has also seen others smoke on Center Street near the parking spaces. Is there a way to make/designate an area around The Grove park as a smoking area during the Concerts? Ms. Gentry advised that City Council could take such action, however the proposed ordinance includes a 25 foot buffer, as smoke typically travels 23 feet, a 25 foot buffer is a threshold that would allow an area clear of any smoke.

Councilmember Catalano requested clarification on unenclosed dining areas and explain areas such as Moresi's and Skipolini's? Ms. Gentry advised smoking would be prohibited at Moresi's, Skipolioni's and Ed's Mudville, however smoking would be allowed at the Clayton Club.

Mayor Haydon opened the Public Hearing.

William Colin, representing the Contra Costa Tobacco Prevention Coalition, wanted to thank the City Council for its consideration of a proposed ordinance reducing secondhand smoke. He further noted that there has been research indicating secondhand smoke has been classified as a toxic air contaminant by the California Air Resource Board with no safe level of exposure even an occasional cigarette or exposure by secondhand smoke is harmful. Mr. Colin suggested the addition of new devices like "jewel type" vaping devices which targets the young community; even school teachers cannot detect those types of devices as students can easily hide and they do not smoke. Mr. Colin explained that these devices do contain a lot of chemicals that can be harmful and hazardous to people. Mr. Colin noted approximately 90% of Contra Costa County residents do not smoke. Over 6,000 people die each year in Contra Costa County for smoking related disease, costing the County over \$343 billion not including second hand smoke.

Steve Barton, owner of the Clayton Club, indicated a need for an Ordinance that is clear and has easy enforcement. Mr. Barton is in support of option 2 that exempts sidewalks and provides some area downtown for smoking so it doesn't leave the Clayton Club the only place smoking is permitted. If they can't smoke walking down the sidewalk, they will step into one of the private properties and loiter. Mr. Barton is unable to permit loitering in his parking lot and supports an Ordinance that would provide greater exemptions and clearly direct those to a location that permits smoking and does not result in private property owners being impacted to try and enforce. Mr. Barton would also like to know his responsibility with active versus passive enforcement: Can he can

put signs up and advise where smoking is allowed? Does the ordinance assume that the business owner would have to run people off if smoking is occurring on the sidewalk in front of his building? Is it assumed that the back parking lot also needs to be monitored to determine if an infraction is taking place? Mr. Barton hopes that he could post signs that prescribe what the ordinance reads are simple and clear to his patrons that would be sufficient, as he does not want to interpret the rule for them.

Dan Peddycord, Public Health Director for Contra Costa County, wanted to thank the Council in considering options to strengthen the City of Clayton's smoking ordinance and prohibitions. This last March the County adopted its own multi-use residence ban on smoking to include townhomes and condominiums. Earlier in the year, the County addressed 14 separate issues related to smoking, such as banning the sale of tobacco in pharmacies, putting a cap to the number of tobacco retailers, banning flavored tobacco and many of the new emerging tobacco products that have come onto the market for sale. The tobacco industry is working overtime to figure out ways to go around state and local policies. It is really through the work and efforts of the cities and counties around the nation that today we can say cancers related to tobacco are going down." Tobacco is still the number one leading preventable cause of death. Tobacco is not easy to quit, and is extremely addictive. Mr. Peddycord noted he doesn't think smokers like smoking. Statistics show over 70% of smokers wish they never started with 90% saying they do not want their children to smoke. Smokers recognize the harms of smoking, but because of the nicotine in smoking products, it is one of the planets most addictive products we allow humans to use. That's why cities and counties are passing ordinances like this. Regardless of the Councils decision, regardless of the options chosen, it is a step in the right direction.

Howard Geller noted the options presented need a lot of work with consideration to the business' that are downtown struggling, to the festivals that bring tens of thousands of people to the community, to the downtown Concerts that attract thousands of people every other week in the Summer. If the area at the Corral became the designated smoking area, it happens to be the same place the porta-potties are placed for the Concert season and doesn't think that is a good area for smoking. Mr. Geller noted he is at the concerts all the time and often has difficulty trying to educate the public on various park rules as he is not a police officer with a badge or gun. Rules are always trying to be enforced that are unenforceable and it is unknown if there have been complaints presented to the city in regards to smoking in the downtown. It seems that rules are created without any consideration of who and how to enforce, and suggested this be thought out and made clear and easy to implement.

With no other public members wishing to comment, Mayor Haydon then closed the Public Hearing.

Vice Mayor Shuey clarified in addition to the Clayton Club, other areas in the downtown include Moresi's, Ed's Mudville, La Vernada and other restaurants that can chose to designate a smoking area? Ms. Gentry advised the designated areas at each of those locations would be the parking lot, only if the business wanted to so designate.

Vice Mayor Shuey agrees with those who are sensitive to smoke, especially during the Concerts, however does not find it a problem. He would like to start with the least intrusive option, as our police are already extended to more important things then enforcing cigarettes. Vice Mayor Shuey stated he would like to allow smoking on the sidewalks, and see if that becomes a problem, as can always refine in the future if there is a problem.

Mayor Haydon clarified Option 2 seems to be the least intrusive including the addition to allow smoking on the sidewalks around The Grove park during concerts.

Councilmember Catalano prefers some regulations in a realistic way for those who smoke and wondered about the area near the tot lot located at The Grove park. If smoking is allowed on the sidewalk, is there any other reason why you couldn't smoke in the area next to the tot lot? Ms. Gentry advised State law is currently written that public sidewalks adjacent to tot lots or playgrounds are exempt; smoking could occur adjacent to the tot lot.

City Manager Gary Napper added the current City code does not allow smoking at public parks.

Councilmember Pierce added based on the comments made she is inclined to go with Option 2 and strike the area about The Grove park. In her experience she has not encountered any inconsiderate attendee of the events in the downtown, and they usually move to not infringe smoke onto others. Councilmember Pierce finds the cannabis smoke more offensive at the concerts and is concerned about the other devices where users have become addicted quickly. Ms. Gentry added there is a definition of electronic smoking devices and referred to 8.14.030 (g) also noting State law incorporated electronic smoking devices during a major overhaul of the tobacco legislation in 2016.

Councilmember Pierce understands the City of Concord and the City of Walnut Creek have banned smoking in their entire downtown, but Clayton is not Walnut Creek or Concord and do not have the foot traffic that they do. There is already enough to enforce during Clayton's events and do not have the resources to enforce an extensive area. Option 2 is the best choice with the addition of smoking allowed on the sidewalk around The Grove park.

Mayor Haydon clarified option 1 is to clean up the regulation based on previous council direction, option 2 allows smoking on the sidewalks and eliminates the 25' buffer around The Grove park; with the intention if smoking becomes an issue then the item can come back to the City Council for reconsideration.

Councilmember Diaz indicated he used to smoke and is concerned about secondhand smoke, however in the past 11 years of the Concerts in The Grove recalls receiving 1 compliant regarding smoking.

It was moved by Vice Mayor Shuey, seconded by Councilmember Pierce, to have the City Clerk read Ordinance No. 481, with amendment to allow smoking on public sidewalks and to remove the 25 foot buffer around The Grove park, by title and number only and waive further reading. (Passed; 5-0 vote).

The City Clerk read Ordinance No. 481 by title and number only.

It was moved by Councilmember Pierce, seconded by Vice Mayor Shuey, to approve Ordinance No. 481 for Introduction with the finding amending Chapter 8.14 (Regulation of Smoking) of the Clayton Municipal Code does not constitute a project under CEQA. (Passed; 5-0 vote).

8. ACTION ITEMS

- (a) Policy discussion and direction concerning whether to incorporate rental housing units/projects into the City's existing inclusionary housing law (ref. AB 1505).
(Community Development Director)

Community Development Director Mindy Gentry presented the staff report noting in August 2016 the City Council adopted an inclusionary housing Ordinance for home ownership and for-sale units only, with the current threshold requiring 10% of the units to be affordable for projects containing ten or more units. The Ordinance precluded rental units due to State law and the outcomes of two specific court cases, *Palmer/Sixth Street Properties v. Los Angeles* and *California Building Industry Association v. City of San Jose*. The *Palmer/Sixth Street Properties v. City of Los Angeles* determined cities may no longer require developers to construct affordable housing units. The court had concluded inclusionary housing ordinances conflicted with and were preempted by vacancy decontrol provisions of the Costa-Hawkins Rental Housing Act; which allows residential landlords to set the initial rents. The *California Building Industry v. City of San Jose* resulted in a determination that inclusionary housing ordinances do not constitute an unjust taking of property. The court's decision allowed jurisdictions to adopt inclusionary housing ordinances but only for homeownership development projects due to the *Palmer v. City of Los Angeles* still being relevant.

Ms. Gentry stated on September 29, 2017 Governor Brown signed into law AB1505, also known as the "Palmer Fix". This law restores the authority to cities and counties to require the inclusion of affordable housing in new rental housing projects, thereby superseding the court decision in the Palmer case. AB1505 also requires alternative means of compliance such as off-site development, an in lieu fee, land dedication, acquisition or rehab of units.

Ms. Gentry noted the City's housing element contains a policy requiring projects with ten or more units to develop an affordable housing plan, requiring 10% or more of the units to be built or created as affordable housing. To promote the goal of actively supporting and participating in the provision of housing for all economic segments, the City Council adopted the current inclusionary housing ordinance, which facilitates the fulfillment of one of the city's housing elements implementation measures. In light of the City previously adopting an inclusionary housing ordinance in compliance with the Housing Element and the passage of AB1505, it raises a policy question: Does the City Council wish to expand the City's Inclusionary Housing Ordinance to incorporate new rental housing projects as allowed for by AB1505? If so, would this apply to all rental housing units as defined by HCD, including assisted living units?

Ms. Gentry identified proposed projects that would be immediately impacted should the City Council include assisted living units: Clayton Senior Housing project on old Marsh Creek/High Street, and Grand Oak Assisted Living Facility and Memory Care project on Main Street. The Clayton Senior Housing project has been deemed complete by staff for processing, however, the project does not have vested rights, therefore the proposed Ordinance would be applicable to the project. This project is requesting a 35% Density Bonus as allowed under State law and Clayton Municipal Code; with seven units dedicated to very-low income households. In *Latinos Unidos v. County of Napa* it clarified jurisdictions are required to count the units granted under the Density Bonus to also be counted toward the inclusionary housing unit requirements. This means the Clayton Senior Housing project will be meeting the inclusionary housing requirements by default. The project proposing 7 very-low income units as required by the Density Bonus law and as the current inclusionary housing Ordinance is written, the project would be required to produce 5.9 units.

Ms. Gentry added unless directed differently by the City Council, the proposed inclusionary housing ordinance would include rental housing and apply to all housing types counted by HCD defined as a house, apartment, mobile home, a group of rooms, or a single room occupied as separate living quarters are those that live separately from any other individuals in the building and which have direct access from outside the building through a common wall. More specifically, HCDs counting of senior housing includes individual units that would allow eating and living separately from the broader community but does not include beds or quarters in an institution or hospital. For example and confirmed by HCD, assisted living units would count as housing units but the memory care units would not be included as those units do not have the amenities for separate eating and living, such as a kitchen area. This determination would have an impact on the proposed Grand Oak Assisted Living Facility and Memory Care on the city-owned parcel in the Town Center. Staff supports applying the HCD definition of "housing unit" due to the definition linkage with the City's RHNA numbers and by the State's ever-increasing prescriptive and aggressive stance on local governments to provide an adequate and affordable supply of housing. It should be noted AB1505 provides HCD the authority to review jurisdictions inclusionary housing ordinance, if the jurisdiction requires, as a condition of development, more than 15% of the total number of units to be affordable to households at 80% or less of the area median income. From staff's perspective, HCD's threshold is significant because it infers the economic feasibility for developers is manageable up to and around this threshold. Therefore, local developers have little substance to an assertion or claim of economic hardship to meet the City's current and proposed inclusionary housing requirements.

Ms. Gentry noted the City received a letter from the Building Industry Association encouraging Clayton to provide all residential developers a by-right in-lieu fee option and grandfather residential development projects currently in the city's application pipeline. Staff is recommending the City retain control over the provision of affordable housing units and decide if they should be constructed on-site or if an alternative such as a payment in-lieu-of fee would be appropriate. This would minimize the City collecting in-lieu fees, thereby removing the burden of constructing affordable housing from the city and placing it onto developers.

Mayor Haydon opened the item to public comments; no comments were offered.

Councilmember Catalano indicated Clayton is subject to RHNA requirements to produce a certain amount of affordable housing and housing element obligations. We support and participate in affordable housing production and it is a good reminder that when we talk about affordable housing that the levels of the area median income are helping teachers and public employees. By not doing this I think we are engineering the type of housing that is built in Clayton by steering toward rental housing away from ownership housing. As noted by Ms. Gentry, current projects are not going to have to do anything additional.

Councilmember Pierce added higher inclusionary standards really costs more for a developer as the cost of land, materials, the labor, is expensive and soon the majority of the housing is subsidized and drives up the median price. If Clayton had redevelopment funding and had another means it would be helpful, but Clayton does not. Councilmember Pierce wants to be as accommodating as possible, working with developers who are willing to come to Clayton. While Clayton needs more affordable housing, Clayton needs more housing overall in order to drive the price down. It seems that HCD has finally made the decision that assisted living units actually count. Ms. Gentry advised she personally called HCD to confirm that assisted living units do count.

Councilmember Pierce inquired if Clayton was able to count the units located in Diamond Terrace? Ms. Gentry advised the individual she spoke with if there is a separate eating and living area away from a common area then it counted.

Mayor Haydon understood this proposed ordinance will bring the city into compliance to include rentals and not have a negative impact on the proposed developments official submitted.

It was moved by Councilmember Pierce, seconded by Councilmember Catalano, to direct staff to initiate the process to modify the City's Inclusionary Housing Ordinance to incorporate rental housing for local application of the same standards required for homeownership projects, and apply it to all housing types as defined and counted by the State Department of Housing and Community Development. (Passed; 5-0 vote).

9. **COUNCIL ITEMS** – limited to requests and directives for future meetings.
None.

10. **CLOSED SESSION**

Mayor Haydon announced the City Council will adjourn into Closed Session for the following noticed items (8:47 pm):

- (a) *Government Code Section 54957.6*, Conference with Labor Negotiator
Instructions to City-designated labor negotiator: City Manager
Employee Organization: Clayton Police Officers' Association (CPOA)

Report out of Closed Session (9:18 p.m.)

Mayor Haydon reported the City Council received information from and provided direction to its labor negotiator. There is no public action to report.

11. **ADJOURNMENT**– on call by Mayor Haydon, the City Council adjourned its meeting at 9:18 p.m.

The next regularly scheduled meeting of the City Council will be May 1, 2018.

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Respectfully submitted,



Janet Brown, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL



Keith Haydon, Mayor

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