



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, March 17, 2020

7:00 P.M.

*3rd Floor Conference Room, Clayton City Hall
6000 Heritage Trail, Clayton, CA 94517*

Mayor: Julie K. Pierce

Vice Mayor: Jeff Wan

Council Members

Tuija Catalano

Jim Diaz

Carl Wolfe

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review in City Hall located at 6000 Heritage Trail and on the City's Website at least 72 hours prior to the Council meeting.
- 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.ci.clayton.ca.us
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda will be made available for public inspection in the City Clerk's office located at 6000 Heritage Trail during normal business hours.
- 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) 673-7304.

*** CITY COUNCIL ***
March 17, 2020

1. **CALL TO ORDER AND ROLL CALL** – Mayor Pierce.

2. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.

3. **CONSENT CALENDAR**

Consent Calendar items are typically routine in nature and are considered for approval by one single motion of the City Council. Members of the Council, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question, discussion or alternative action may request so through the Mayor.

(a) Approve the minutes of the City Council’s regular meeting of March 3, 2020.
(City Clerk) ([View Here](#))

(b) Approve the Financial Demands and Obligations of the City. (Finance)
([View Here](#))

(c) Consider Approving the Letter of Support Asking the California State University System to locate a New and Larger Cal State Campus Within the Concord Naval Weapons Station Project. (City Manager) ([View Here](#))

(d) Public Records Retention Schedule Amendment- Update Police Department.
(Assistant to the City Manager) ([View Here](#))

(e) Adopt the 2019 General Plan Implementation and Housing Element Annual Progress Report. (Interim Community Development Director) ([View Here](#))

4. **RECOGNITIONS AND PRESENTATIONS** –None.

5. **REPORTS**

(a) Planning Commission – Planning Commissioner Terri Denslow.

(b) Trails and Landscaping Committee – No meeting held.

(c) City Manager/Staff

(d) City Council - Reports from Council liaisons to Regional Committees,
Commissions and Boards.

(e) Other

6. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To facilitate the recordation of comments, it is requested each speaker complete a speaker card available on the Lobby table and submit it in advance to the City Clerk. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. When one's name is called or you are recognized by the Mayor as wishing to speak, the speaker should approach the public podium and adhere to the time limit. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

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

7. PUBLIC HEARINGS – None.

8. ACTION ITEMS – None.

9. COUNCIL ITEMS – limited to Council requests and directives for future meetings.

10. CLOSED SESSION – None.

11. ADJOURNMENT

The next regularly scheduled meeting of the City Council will be April 7, 2020.

#

MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL

TUESDAY, March 3, 2020

1. **CALL TO ORDER & ROLL CALL** – The meeting was called to order at 7:00 p.m. by Mayor Pierce in Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, CA. Councilmembers present: Mayor Pierce, Vice Mayor Wan and Councilmembers Catalano, Diaz and Wolfe. Councilmembers absent: None. Staff present: City Manager Ikani Taumoepeau, City Attorney Mala Subramanian, Police Chief Elise Warren, Interim Community Development Director Dana Ayers, and City Clerk/HR Manager Janet Calderon.

2. **PLEDGE OF ALLEGIANCE** – led by Mayor Pierce.

3. **CONSENT CALENDAR**

Councilmember Catalano advised there is a typo in the February 19, 2020 minutes should read “Regional or State Agencies”.

It was moved by Councilmember Diaz, seconded by Councilmember Catalano, to approve the Consent Calendar as amended. (Passed; 5-0 vote).

 - (a) Approved the minutes of the City Council’s regular meeting of February 18, 2020 and City Council’s special meeting of February 19, 2020.
 - (b) Approved Financial Demands and Obligations of the City.

4. **RECOGNITIONS AND PRESENTATIONS** – None.

5. **REPORTS**
 - (a) Planning Commission – No meeting held.
 - (b) Trails and Landscaping Committee – No meeting held.
 - (c) City Manager/Staff –

City Manager Taumoepeau advised last Wednesday at Oakhurst Country Club there was an irrigation water leak reported by Police staff. Maintenance staff reported to the scene to assist. He also provided an update on the Downtown Planter Box project expected to be completed prior to the upcoming Art & Wine Festival. Mr. Taumoepeau concluded his report noting the Maintenance staff has been assisting with the preparation of the upcoming Clayton Community Library birthday celebration.
 - (d) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Diaz attended the vigil and funeral mass of former Police Sergeant Tim O'Hara, was a judge at the Clayton Club's 20th Annual Chili Cook-Off, attended the Clayton Business and Community Association general membership meeting, met with the City Manager, and Clayton Business and Community Association Art & Wine Committee meeting.

Councilmember Wolfe attended the Council Strategic Goal Setting Session, met with Planning Commissioner Cloven, met and emailed constituents, attended the Clayton Business and Community Association general membership meeting, met with the City Manager, and announced the upcoming Clayton Community Library birthday celebration taking place March 7.

Vice Mayor Wan attended the Library Foundation meeting announcing the upcoming Clayton Community Library birthday celebration and Used Book Sale taking place April 3 to April 5, advised two Boy Scouts from Troop 317 were in attendance this evening earning a merit badge, advised he received a letter from Marcie Longchamps who no longer feels safe attending the City Council meetings, and received a letter from Mr. Jordan requesting his recusal from the City Council meeting, where Vice Mayor Wan declined Mr. Jordan's request.

Mayor Pierce added that the City Attorney weighed in on Mr. Jordan's request of Vice Mayor Wan's recusal and agreed he didn't have a conflict.

Councilmember Catalano attended the East Contra Costa County Habitat Conservancy Board meeting and announced the Clayton Business and Community Association Scholarship Program for students whom reside in Clayton noting the deadline to submit applications is March 28, 2020.

Mayor Pierce did not provide a report.

(e) Other – None.

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

7. **PUBLIC HEARINGS**

(a) Public Hearing to Consider Appeals of the Approval by the Planning Commission of an Infill Exemption in Accordance with the California Environmental Quality Act (CEQA) for The Olivia on Marsh Creek, an 81-Unit Senior Rental Housing Development (ENV-01-17), and an Appeal of the No Decision Action by the Planning Commission of the Affordable Housing Density Bonus Application, Site Plan Review Permit, and Tree Removal Permit (DBA-01-19, SPR-04-17, TRP-24-17).

Councilmember Catalano disclosed ex parte communications with the parties.

Interim Community Development Director Dana Ayers presented the staff report.

City Attorney Subramanian presented a report on the California Density Bonus Laws.

Staff responded to clarifying questions of Council regarding California Density Bonus Laws.

Dan Hummer provided Randy Toch Attorney his time to speak. Mr. Toch noted the Density Bonus was not approved at the Planning Commission. He advised in order to reduce the number of required parking spaces from 180 to 117 the Developer would need to demonstrate the identifiable and actual cost reductions that go with reducing the number of parking spaces. Mr. Toch read an excerpt from Association of Environmental Professionals 2019 regarding case a Parking Environmental effect, *"The Court found parking impacts were not subject to CEQA review because this is an infill project near a high quality transit station. Public Resources Code Section 21099 specifically exempts parking impacts from CEQA review under those circumstances, the court noted there is some disagreement among the courts on the issue on whether parking is a CEQA impact, but concluded this did not matter in light of the clear application of 21099 to that project on that transit site."* Mr. Toch also referred to the Housing Element Implementation Project Initial Environmental Study/Mitigated Negative Declaration February 2012 states, *"all of the six project sites contain mature trees removal of which will conflict with local policies. The proposed project does not include direct development of the subject properties however future development of the subject properties could result in adverse impacts to trees. The City's tree protection ordinance requires submission of tree protection plan for trees greater than six inches in diameter which are located within 50 feet of a construction zone."* Mr. Toch also stated, *"The development of the six project sites in accordance with the proposed Multifamily High Density General Plan Land Use designation would change the existing visual settings from primarily vacant land and large lot single-family residential to urban areas consisting of multi-family high density residential developments."* Mr. Toch advised the project does not meet the streamline review and is not categorically exempt. He urged the City Council to reject the appeal of the Developer.

Irina Liskovich expressed her concerns of privacy as the proposed project will allow the occupants the ability to look down into backyards and bedroom windows. Since December this project has been proposed restricted to 55+ occupants who will likely use public transportation, however it is not a requirement. She also advised the proposed project is too big for the lot. She advised an attorney was consulted for a second opinion. Ms. Liskovich urged the City Council to deny this project.

Kent Ipsen expressed his concerns of the project being too big for the parcel. Mr. Ipsen noted on January 26 a document was recorded showing Mr. Jordan the owner of Mr. Hoyer's property which allows approximately 40 more units per parcel making the project 6 acres, which does not qualify as an infill project. He requested the City Council realize the project is really 170 units.

Bill Jordan advised Mr. Steve Velyvis with Burke, Williams, and Sorensen, LLP will speak again this evening. Mr. Velyvis spoke about the density bonus law and housing accountability act, CEQA In-Fill Exemption and Attorney Toch's letter. He noted the project is consistent with the Clayton General Plan, Clayton Housing Element, Town Center Specific Plan, and Clayton Municipal Code Section 17.28 and 17.20. He further noted concessions must be granted if they provide cost reduction necessary to provide affordable housing units and waivers of development standards must be granted if the standards would physically preclude development at permitted density. He also spoke about the CEQA In-fill Exemption which met all of the requirements. Mr. Velyvis also referred to claims in Attorney Toch's letter without merit pertaining to being inconsistent with General Plan and Zoning, Density Bonus ignores Inclusionary Housing, Parking Concession not proven to result in cost reduction, project doesn't satisfy Site Plan factors, and CEQA in-fill exemption inappropriate. Mr. Velyvis concluded by requesting the City Council to support

staffs recommendation by denying CEQA appeals and affirm the Planning Commissions determination that the project is categorically exempt from CEQA under Class 32 in-fill exemption, grant applicant's appeal and approve Affordable Housing Density Bonus Application, Site Plan Review Permit and Tree Removal Permit.

Mayor Pierce requested clarification on "Piecemealing".

Sarah Owsowitz of Counsel of Best Best & Krieger, advised the term "Piecemealing" is derived from case law when a project has been spilt in two, to minimize environmental impacts when projects evaluated separately may have a less than significant impact, but when reviewed together may result in a significant impact.

Mr. Toch added *"public resources 21159.27 prohibitions against piecemealing to qualify for exemptions - a project may not be divided into smaller projects to qualify for one or more exemptions pursuant to this article."*

Mayor Pierce opened matter for public comments.

Jim Louchis expressed support for the project and would consider moving into one of the units. Mr. Louchis supports property owner's rights to build. He noted the development is in the County Connection Route 10 transit corridor.

Brian Buddell expressed his opposition to this project based on the potential piecemealing based on the purchase of adjacent property.

Robert Brenneman yielded his time.

Dana Pinaula expressed her concerns regarding State mandates, traffic and parking impacts, and expected Condo conversions with no age restrictions.

Sonja Trauss YIMBY law, supports this project as it will help with the Bay Area housing shortage. She feels it will be illegal to deny this project.

Adam Harris understands the controversy on this project.

Mike James spoke about what community is and asked the community not to hate each other. He feels Clayton needs this type of housing to better Clayton.

Ed Moresi expressed his concerns of the height of the proposed project and parking issues.

Dee Vieira expressed her support of the project. She requested staff to confirm if the project will be age restricted.

Pete Laurence expressed his support of the project and read a portion of an article from *The Times*, March 27, 2011, *"The hidden treasure has caught the attention of national media, with Money Magazine ranking it number 87 out of 100 top cities in the country to live in 2009 – and Walking Magazine listing it as one of the top five for its size and trails."*

Christine Muller expressed her concerns of the project as it is too big for the area. She would like the City to re-examine the traffic impact for quality of life.

Mayor Pierce closed public comment.

Following questions and deliberation by the City Council.

It was moved by Councilmember Catalano, seconded by Councilmember Wolfe, to adopt Resolution No. 06-2020 Denying the Appeals and Upholding the Planning Commission’s Approval of an Infill Exemption in Accordance with the California Environmental Quality Act (CEQA) for the Olivia on Marsh Creek, an 81-Unit Senior Rental Housing Development (ENV-01-17). (Approved, 3-2 vote; Diaz and Wan, no)

It was moved by Councilmember Catalano, seconded by Mayor Pierce, to adopt Resolution No. 07-2020 Granting the Appeal and Approving the Affordable Housing Density Bonus Application (DBA-01-19), Site Plan Review (SPR-04-17), and Tree Removal Permit (TRP-24-17) for the Olivia on Marsh Creek Senior Housing Project. (Approved, 3-2 vote; Diaz and Wan, no)

8. **ACTION ITEMS** – None.

9. **COUNCIL ITEMS**

Councilmember Wolfe requested the possibility of displaying the “Pride Celebration” Flag in the City during the month of June and look at neighboring cities for their policies.

Councilmember Catalano advised she is also interested.

10. **CLOSED SESSION** – None.

11. **ADJOURNMENT**– on call by Mayor Pierce, the City Council adjourned its meeting at 11:47 p.m.

The next regularly scheduled meeting of the City Council will be March 17, 2020.

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Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Julie Pierce, Mayor

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STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JENNIFER GIANTVALLEY, ACCOUNTING TECHNICIAN

DATE: 03/17/2020

SUBJECT: FINANCIAL DEMANDS AND OBLIGATIONS OF THE CITY

RECOMMENDATION:

It is recommended the City Council, by minute motion, approve the financial demands and obligations of the City for the purchase of services and goods in the ordinary course of operations.

Attached Report	Purpose	Date	Amount
Open Invoice Report	Accounts Payable	3/10/2020	\$ 243,533.33
Cash Requirements Report	Payroll, Taxes	3/11/2020	73,547.53
	Total Required		<u>\$ 317,080.86</u>

Attachments:

1. Open Invoice Report, dated 3/10/20 (5 pages)
2. Cash Requirements report PPE 3/8/20 (1 page)

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Ace Sierra Tow								
Ace Sierra Tow	2/23/2020	2/23/2020	59456	Tire change veh #1741	\$25.00	\$0.00		\$25.00
				<i>Totals for Ace Sierra Tow</i>	<u>\$25.00</u>	<u>\$0.00</u>		<u>\$25.00</u>
Advanced Elevator Solutions, Inc								
Advanced Elevator Solutions, Inc	3/1/2020	3/1/2020	38795	Elevator service March 2020	\$124.00	\$0.00		\$124.00
				<i>Totals for Advanced Elevator Solutions, Inc</i>	<u>\$124.00</u>	<u>\$0.00</u>		<u>\$124.00</u>
All City Management Services, Inc.								
All City Management Services, Inc.	2/26/2020	2/26/2020	67027	School crossing guard svcs 2/9-2/22/20	\$922.32	\$0.00		\$922.32
				<i>Totals for All City Management Services, Inc.</i>	<u>\$922.32</u>	<u>\$0.00</u>		<u>\$922.32</u>
ALTEC Industries, Inc.								
ALTEC Industries, Inc.	2/10/2020	2/10/2020	505375282	Service to '99 Bucket Truck	\$919.77	\$0.00		\$919.77
				<i>Totals for ALTEC Industries, Inc.</i>	<u>\$919.77</u>	<u>\$0.00</u>		<u>\$919.77</u>
American Fidelity Assurance Company								
American Fidelity Assurance Company	3/6/2020	3/6/2020	2064979	FSA PPE 3/8/20	\$83.07	\$0.00		\$83.07
				<i>Totals for American Fidelity Assurance Company</i>	<u>\$83.07</u>	<u>\$0.00</u>		<u>\$83.07</u>
Bay Area Barricade Serv.								
Bay Area Barricade Serv.	2/24/2020	2/24/2020	10581	Traffic signs for Old Marsh Creek Rd	\$2,738.46	\$0.00		\$2,738.46
Bay Area Barricade Serv.	3/5/2020	3/5/2020	11030	Ped barricade & sign	\$639.45	\$0.00		\$639.45
				<i>Totals for Bay Area Barricade Serv.</i>	<u>\$3,377.91</u>	<u>\$0.00</u>		<u>\$3,377.91</u>
Bay Area News Group								
Bay Area News Group	1/31/2020	1/31/2020	1236429	Legal ad January 2020	\$251.12	\$0.00		\$251.12
				<i>Totals for Bay Area News Group</i>	<u>\$251.12</u>	<u>\$0.00</u>		<u>\$251.12</u>
Berlogar Stevens & Associates Inc.								
Berlogar Stevens & Associates Inc.	1/31/2020	1/31/2020	230351	Geotech Eng Consult 1/5/20-2/1/20	\$284.58	\$0.00		\$284.58
				<i>Totals for Berlogar Stevens & Associates Inc.</i>	<u>\$284.58</u>	<u>\$0.00</u>		<u>\$284.58</u>
CA Department of Justice								
CA Department of Justice	3/3/2020	3/3/2020	440186	Pre-employment fingerprinting	\$96.00	\$0.00		\$96.00
				<i>Totals for CA Department of Justice</i>	<u>\$96.00</u>	<u>\$0.00</u>		<u>\$96.00</u>
CalPERS Retirement								
CalPERS Retirement	3/9/2020	3/9/2020	030820	Retirement PPE 3/8/20	\$15,541.39	\$0.00		\$15,541.39
				<i>Totals for CalPERS Retirement</i>	<u>\$15,541.39</u>	<u>\$0.00</u>		<u>\$15,541.39</u>
Caltronics Business Systems, Inc								
Caltronics Business Systems, Inc	2/24/2020	2/24/2020	2984247	Copier usage 1/30/20-2/28/20	\$515.42	\$0.00		\$515.42
				<i>Totals for Caltronics Business Systems, Inc</i>	<u>\$515.42</u>	<u>\$0.00</u>		<u>\$515.42</u>

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
CERCO Analytical, Inc.								
CERCO Analytical, Inc.	12/16/2019	12/16/2019	1912095	Well testing-semi-annual	\$680.00	\$0.00		\$680.00
				<i>Totals for CERCO Analytical, Inc.</i>	<u>\$680.00</u>	<u>\$0.00</u>		<u>\$680.00</u>
Cintas Corporation								
Cintas Corporation	2/27/2020	2/27/2020	4043866263	PW uniforms through 2/27/20	\$49.44	\$0.00		\$49.44
Cintas Corporation	2/13/2020	2/13/2020	4042622240	PW uniforms through 2/13/20	\$48.88	\$0.00		\$48.88
Cintas Corporation	3/5/2020	3/5/2020	4044509293	PW uniforms through 3/5/20	\$49.44	\$0.00		\$49.44
				<i>Totals for Cintas Corporation</i>	<u>\$147.76</u>	<u>\$0.00</u>		<u>\$147.76</u>
City of Antioch								
City of Antioch	2/27/2020	2/27/2020	22720	Service to veh #1735	\$1,236.70	\$0.00		\$1,236.70
				<i>Totals for City of Antioch</i>	<u>\$1,236.70</u>	<u>\$0.00</u>		<u>\$1,236.70</u>
City of Concord								
City of Concord	2/28/2020	2/28/2020	82943	Dispatch services April 2020	\$23,256.11	\$0.00		\$23,256.11
				<i>Totals for City of Concord</i>	<u>\$23,256.11</u>	<u>\$0.00</u>		<u>\$23,256.11</u>
Clean Street								
Clean Street	2/29/2020	2/29/2020	96680	Street sweeping February 2020	\$4,500.00	\$0.00		\$4,500.00
				<i>Totals for Clean Street</i>	<u>\$4,500.00</u>	<u>\$0.00</u>		<u>\$4,500.00</u>
CME Lighting Supply, Inc								
CME Lighting Supply, Inc	2/19/2020	2/19/2020	237869	Street light lamps	\$429.61	\$0.00		\$429.61
				<i>Totals for CME Lighting Supply, Inc</i>	<u>\$429.61</u>	<u>\$0.00</u>		<u>\$429.61</u>
Comcast Business (PD)								
Comcast Business (PD)	3/1/2020	3/1/2020	96559644	PD Internet February 20	\$913.70	\$0.00		\$913.70
				<i>Totals for Comcast Business (PD)</i>	<u>\$913.70</u>	<u>\$0.00</u>		<u>\$913.70</u>
Comcast Business								
Comcast Business	3/5/2020	3/5/2020	030520	Internet 3/10/20-4/9/20	\$386.09	\$0.00		\$386.09
				<i>Totals for Comcast Business</i>	<u>\$386.09</u>	<u>\$0.00</u>		<u>\$386.09</u>
Concord Uniforms								
Concord Uniforms	2/14/2020	2/14/2020	16573	PD armor vest	\$1,054.82	\$0.00		\$1,054.82
				<i>Totals for Concord Uniforms</i>	<u>\$1,054.82</u>	<u>\$0.00</u>		<u>\$1,054.82</u>
Contra Costa County - Office of the Sheriff								
Contra Costa County - Office of the She	2/13/2020	2/13/2020	CLPD-2001	Toxicology January 20	\$830.00	\$0.00		\$830.00
				<i>Totals for Contra Costa County - Office of the Sherif.</i>	<u>\$830.00</u>	<u>\$0.00</u>		<u>\$830.00</u>
Contra Costa County Public Works Dept								
Contra Costa County Public Works Dept	2/18/2020	2/18/2020	702953	Traffic signal maintenance January 20	\$2,283.25	\$0.00		\$2,283.25
				<i>Totals for Contra Costa County Public Works Dept.</i>	<u>\$2,283.25</u>	<u>\$0.00</u>		<u>\$2,283.25</u>

City of Clayton Open Invoice Report Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Cropper Accountancy Corp								
Cropper Accountancy Corp	11/29/2019	11/29/2019	1773	Financial Audit FY 19, Measure J reporting	\$11,000.00	\$0.00		\$11,000.00
				<i>Totals for Cropper Accountancy Corp</i>	<u>\$11,000.00</u>	<u>\$0.00</u>		<u>\$11,000.00</u>
De Lage Landen Financial Services, Inc.								
De Lage Landen Financial Services, Inc.	4/15/2020	3/2/2020	67111036	Copier contract 3/15/20-4/14/20	\$304.59	\$0.00		\$304.59
				<i>Totals for De Lage Landen Financial Services, Inc.</i>	<u>\$304.59</u>	<u>\$0.00</u>		<u>\$304.59</u>
Digital Services								
Digital Services	2/3/2020	2/3/2020	11530	IT services 1/9/20-2/3/20	\$1,144.32	\$0.00		\$1,144.32
Digital Services	3/9/2020	3/9/2020	11563	IT services 2/4/20-3/5/20	\$2,230.30	\$0.00		\$2,230.30
				<i>Totals for Digital Services</i>	<u>\$3,374.62</u>	<u>\$0.00</u>		<u>\$3,374.62</u>
Shelly Goodrich								
Shelly Goodrich	3/9/2020	3/9/2020	030820	Deposit refund	\$500.00	\$0.00		\$500.00
				<i>Totals for Shelly Goodrich</i>	<u>\$500.00</u>	<u>\$0.00</u>		<u>\$500.00</u>
ICMA Retirement Corporation								
ICMA Retirement Corporation	3/9/2020	3/9/2020	030820	457 plan contributions PPE 3/8/20	\$1,300.00	\$0.00		\$1,300.00
				<i>Totals for ICMA Retirement Corporation</i>	<u>\$1,300.00</u>	<u>\$0.00</u>		<u>\$1,300.00</u>
Ken Joiret								
Ken Joiret	2/28/2020	2/28/2020	040220	Sound for Mayor's Conference	\$300.00	\$0.00		\$300.00
				<i>Totals for Ken Joiret</i>	<u>\$300.00</u>	<u>\$0.00</u>		<u>\$300.00</u>
Kerex Engineering, Inc								
Kerex Engineering, Inc	3/3/2020	3/3/2020	43345	Progress pmt #2, Lighting/landscape Planters	\$65,101.13	\$0.00		\$65,101.13
Kerex Engineering, Inc	2/10/2020	2/10/2020	10455-1	Progress pmt #1, Main St Planters	\$61,503.00	\$0.00		\$61,503.00
				<i>Totals for Kerex Engineering, Inc</i>	<u>\$126,604.13</u>	<u>\$0.00</u>		<u>\$126,604.13</u>
LarryLogic Productions								
LarryLogic Productions	3/4/2020	3/4/2020	1874	City council meeting production 3/3/20	\$750.00	\$0.00		\$750.00
				<i>Totals for LarryLogic Productions</i>	<u>\$750.00</u>	<u>\$0.00</u>		<u>\$750.00</u>
Michael Baker International, Inc								
Michael Baker International, Inc	2/17/2020	2/17/2020	1074880	Planning svcs through 2/2/20	\$4,200.00	\$0.00		\$4,200.00
Michael Baker International, Inc	3/4/2020	3/4/2020	1076785	Planning svcs through 3/1/20	\$5,344.07	\$0.00		\$5,344.07
Michael Baker International, Inc	2/11/2020	2/11/2020	1074433	Planning svcs through 2/2/20	\$2,100.00	\$0.00		\$2,100.00
				<i>Totals for Michael Baker International, Inc</i>	<u>\$11,644.07</u>	<u>\$0.00</u>		<u>\$11,644.07</u>
MPA								
MPA	3/10/2020	3/10/2020	March2020	Life/LTD March 2020	\$2,108.09	\$0.00		\$2,108.09
				<i>Totals for MPA.</i>	<u>\$2,108.09</u>	<u>\$0.00</u>		<u>\$2,108.09</u>
Nationwide								

City of Clayton

Open Invoice Report

Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
Nationwide	3/9/2020	3/9/2020	030820	457 Plan contribution PPE 3/8/20	\$500.00	\$0.00		\$500.00
				<i>Totals for Nationwide</i>	\$500.00	\$0.00		\$500.00
Occupational Health Centers of California								
Occupational Health Centers of Califor	3/3/2020	3/3/2020	67288798	Pre-employment exam	\$236.50	\$0.00		\$236.50
Occupational Health Centers of Califor	2/13/2020	2/13/2020	67138521	Pre-employment exam	\$236.50	\$0.00		\$236.50
				<i>Totals for Occupational Health Centers of California</i>	\$473.00	\$0.00		\$473.00
Marjorie Padilla								
Marjorie Padilla	3/9/2020	3/9/2020	EH112319	Deposit refund	\$500.00	\$0.00		\$500.00
				<i>Totals for Marjorie Padilla</i>	\$500.00	\$0.00		\$500.00
Paychex								
Paychex	3/11/2020	3/11/2020	2020030901	Payroll fees PPE 3/8/20	\$212.30	\$0.00		\$212.30
Paychex	2/26/2020	2/26/2020	2020022501	Payroll corrections PPE 2/23/20	\$163.04	\$0.00		\$163.04
				<i>Totals for Paychex</i>	\$375.34	\$0.00		\$375.34
Pond M Solutions								
Pond M Solutions	2/26/2020	2/26/2020	640	Fountain maintenance January 20	\$650.00	\$0.00		\$650.00
Pond M Solutions	2/26/2020	2/26/2020	641	Fountain maintenance February 20	\$650.00	\$0.00		\$650.00
				<i>Totals for Pond M Solutions</i>	\$1,300.00	\$0.00		\$1,300.00
Rex Lock & Safe, Inc.								
Rex Lock & Safe, Inc.	2/12/2020	2/12/2020	126162	Keys made	\$23.65	\$0.00		\$23.65
				<i>Totals for Rex Lock & Safe, Inc.</i>	\$23.65	\$0.00		\$23.65
Riso Products of Sacramento								
Riso Products of Sacramento	3/4/2020	3/4/2020	205692	Copier lease pmt 36 of 60	\$106.09	\$0.00		\$106.09
Riso Products of Sacramento	2/27/2020	2/27/2020	205472	Copier lease pmt 34 of 60	\$106.09	\$0.00		\$106.09
Riso Products of Sacramento	2/27/2020	2/27/2020	205482	Copier lease pmt 35 of 60	\$106.09	\$0.00		\$106.09
				<i>Totals for Riso Products of Sacramento</i>	\$318.27	\$0.00		\$318.27
Sprint Comm (PD)								
Sprint Comm (PD)	2/29/2020	2/29/2020	703335311-219	Cell phones 2/26/20-2/25/20	\$715.92	\$0.00		\$715.92
				<i>Totals for Sprint Comm (PD)</i>	\$715.92	\$0.00		\$715.92
Staples Business Credit								
Staples Business Credit	2/25/2020	2/25/2020	1627958983	Office supplies February 20	\$204.88	\$0.00		\$204.88
				<i>Totals for Staples Business Credit</i>	\$204.88	\$0.00		\$204.88
Stericycle Inc								
Stericycle Inc	3/1/2020	3/1/2020	3005008832	Medical waste disposal	\$83.37	\$0.00		\$83.37
				<i>Totals for Stericycle Inc</i>	\$83.37	\$0.00		\$83.37
The Bayshore Consulting Group, Inc								

City of Clayton
Open Invoice Report
 Obligations

Vendor Name	Due Date	Invoice Date	Invoice Number	Invoice Description	Invoice Balance	Potential Discount	Discount Expires On	Net Amount Due
The Bayshore Consulting Group, Inc	3/2/2020	3/2/2020	314	Finance consulting	\$135.00	\$0.00		\$135.00
				<i>Totals for The Bayshore Consulting Group, Inc</i>	<i>\$135.00</i>	<i>\$0.00</i>		<i>\$135.00</i>
TRC Environmental Corporation								
TRC Environmental Corporation	2/27/2020	2/27/2020	403883	Planning svcs through 2/21/20	\$7,204.75	\$0.00		\$7,204.75
				<i>Totals for TRC Environmental Corporation</i>	<i>\$7,204.75</i>	<i>\$0.00</i>		<i>\$7,204.75</i>
Turf Star, Inc.								
Turf Star, Inc.	2/24/2020	2/24/2020	618098-00	Lawn care machinery parts	\$1,490.12	\$0.00		\$1,490.12
				<i>Totals for Turf Star, Inc.</i>	<i>\$1,490.12</i>	<i>\$0.00</i>		<i>\$1,490.12</i>
US Bank - Corp Pmt System CalCard								
US Bank - Corp Pmt System CalCard	3/11/2020	2/24/2020	Stmt end 2/24/20	CalCard Stmt end 2/24/20	\$12,903.92	\$0.00		\$12,903.92
				<i>Totals for US Bank - Corp Pmt System CalCard</i>	<i>\$12,903.92</i>	<i>\$0.00</i>		<i>\$12,903.92</i>
Workers.com								
Workers.com	2/28/2020	2/28/2020	127244	Seasonal workers week end 2/23/20	\$516.60	\$0.00		\$516.60
Workers.com	2/21/2020	2/21/2020	127183	Seasonal workers week end 2/16/20	\$861.00	\$0.00		\$861.00
				<i>Totals for Workers.com</i>	<i>\$1,377.60</i>	<i>\$0.00</i>		<i>\$1,377.60</i>
Zee Medical Company								
Zee Medical Company	2/28/2020	2/28/2020	724605800	Organize, restock first aid cabinet	\$183.39	\$0.00		\$183.39
				<i>Totals for Zee Medical Company</i>	<i>\$183.39</i>	<i>\$0.00</i>		<i>\$183.39</i>
GRAND TOTALS:					\$243,533.33	\$0.00		\$243,533.33

CASH REQUIREMENTS

CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR ELECTRONIC FUNDS TRANSFERS (EFT) FOR CHECK DATE 03/11/20: \$73,547.53

TRANSACTION SUMMARY

SUMMARY BY TRANSACTION TYPE -	TOTAL ELECTRONIC FUNDS TRANSFER (EFT)	73,547.53
	CASH REQUIRED FOR NEGOTIABLE CHECKS &/OR EFT	73,547.53
	TOTAL REMAINING DEDUCTIONS / WITHHOLDINGS / LIABILITIES	11,859.30
	CASH REQUIRED FOR CHECK DATE 03/11/20	85,406.83

TRANSACTION DETAIL

ELECTRONIC FUNDS TRANSFER - *Your financial institution will initiate transfer to Paychex at or after 12:01 A.M. on transaction date.*

<u>TRANS. DATE</u>	<u>BANK NAME</u>	<u>ACCOUNT NUMBER</u>	<u>PRODUCT</u>	<u>DESCRIPTION</u>		BANK DRAFT AMOUNTS & OTHER TOTALS
03/10/20	BANK OF AMERICA, NA	xxxxxx4799	Direct Deposit	Net Pay Allocations	57,280.53	
03/10/20	BANK OF AMERICA, NA	xxxxxx4799	Direct Deposit	Deductions with Direct Deposit	603.50	57,884.03
03/10/20	BANK OF AMERICA, NA	xxxxxx4799	Readychex®	Check Amounts	2,346.47	2,346.47
03/10/20	BANK OF AMERICA, NA	xxxxxx4799	Garnishment	Employee Deductions	75.00	75.00
				EFT FOR 03/10/20		60,305.50
03/11/20	BANK OF AMERICA, NA	xxxxxx4799	Taxpay®	Employee Withholdings		
				Social Security	171.68	
				Medicare	1,163.30	
				Fed Income Tax	7,486.70	
				CA Income Tax	2,893.37	
				Total Withholdings	11,715.05	
				Employer Liabilities		
				Social Security	171.69	
				Medicare	1,163.28	
				Fed Unemploy	30.32	
				CA Unemploy	156.64	
				CA Emp Train	5.05	
				Total Liabilities	1,526.98	13,242.03
				EFT FOR 03/11/20		13,242.03
				TOTAL EFT		73,547.53



AGENDA REPORT

TO: Honorable Mayor and Councilmembers

FROM: Ikani Taumoepeau, City Manager

DATE: March 17, 2020

SUBJECT: Consider Approving the Letter of Support Asking the California State University System to locate a New and Larger Cal State Campus Within the Concord Naval Weapons Station Project.

RECOMMENDATION

Consider approving the letter of support asking the California State University system to locate a new and larger Cal State campus within the Concord Naval Weapons Station Project.

BACKGROUND

Contra Costa County is the largest county in the state without a four-year public university. Residents that cannot afford to move elsewhere for college would benefit from an option closer to home.

Establishing an independent CSU campus in Concord would bring world-class higher education to the doorsteps of Clayton residents and making the dream of a college education more accessible and attainable.

On March 5, 2020, the Mayors in Contra Costa County unanimously approved a letter of support asking the California State University system to locate a new and larger Cal State Campus in Concord. All Mayors and cities of Contra Costa County were invited to present their City Council with a letter of support for the project.

FISCAL IMPACT

None.

Attachments: - Letter of Support



COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 969-8181

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
JULIE PIERCE, MAYOR
JEFF WAN, VICE MAYOR
TUIJA CATALANO, COUNCILMEMBER
JIM DIAZ, COUNCILMEMBER
CARL C.W. WOLFE, COUNCILMEMBER

March 17, 2020

Dr. Timothy P. White
Chancellor, The California State University
Office of the Chancellor
401 Golden Shore
Long Beach, CA 90802

Dear Dr. White:

We the City Council of the City of Clayton are writing to endorse additional State investment to expand California State University East Bay's presence in this county in order to create successful four year degree opportunities for our communities. We represent a million residents, who in order to access public higher education have to leave the County to obtain a bachelor or advanced degree. The current satellite campus in Concord offers outstanding programs; however, the site is physically constrained and students must travel to the main campus in Hayward to complete their degree requirements or leave the area entirely.

The City of Concord has been working diligently with the Navy, its master developer, and local regulatory agencies to redevelop the former Concord Naval Weapons Station. Of the 2,500 acres designated for development, approximately 120 acres have been identified to support a campus of higher education, which in conjunction with the existing CSU East Bay administration could dramatically increase access to public education

Leveraging public-private partnerships will be critical to maximizing our public resources, and we stand ready to support the City of Concord and our regional educational partners, including CSU East Bay, in the development of the Concord Campus District.

Thank you for your consideration,

Julie Pierce
Mayor, City of Clayton

Cc: Governor Gavin Newsom
Senator Steven M. Glazer
Assemblymember Timothy S. Grayson
Guy Bjerke, Concord Naval Base Reuse Director
CSU Capacity Assessment Team via csucapacitystudy@gmail.com



STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Laura Hoffmeister, Asst. to the City Manager

DATE: March 17, 2020

SUBJECT: Adopt the Public Records Retention Schedule Amendment - Update Police Department

RECOMMENDATION

Staff recommends the City Council adopt the Resolution approving amendments to the public records retention schedule for the City of Clayton Police Department.

BACKGROUND

At its July 1, 2003 meeting, the City Council adopted Resolution No. 33-2003, enacting a Public Records Retention Schedule for the City of Clayton. Revision to this Records Retention Schedule was approved by the City Council on April 5, 2016, Resolution 18-2016, adding the Police Department Schedule.

Staff periodically reviews the schedule and identified updates that are needed to comply with changes in laws and other clarifications for the disposition of certain documents. Staff has identified two areas that need updating for the Police Department:

- Add residential permit parking
- Add/modify police audio/ video recordings.

The attached updated Clayton Police Department Public Records Retention Schedule was reviewed by the Police Chief and City Attorney. Attachment 2 shows the proposed changes.

The non-Police Department City Records Retention schedule is still being worked on, and will be presented to the City Council at a future meeting.

FISCAL IMPACT

There is no additional cost associated with amending the public records retention schedule. Storage cost for audio/video are already included as part of the audio/video equipment vendor contract as part of the Police Department budget.

Subject:
Date:
Page 2 of 2

- Attachments:
1. Resolution (1 pg.)
 2. Exhibit "A" Clayton Police Department Records Retention Schedule (10 pp.)

RESOLUTION NO. ____-2020

**A RESOLUTION AMENDING AND APPROVING THE CLAYTON POLICE DEPARTMENT
PUBLIC RECORDS RETENTION SCHEDULE**

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

WHEREAS, a public records retention schedule is an important component of a good public records management program and public records transparency; and

WHEREAS, the destruction of certain public records is allowed and authorized by state law in Government Code Sections 34090 et seq; and

WHEREAS, a public records retention schedule provides benefits such as reducing the cost of records storage, reducing duplications, reducing administrative costs, improving information retrieval, and protecting and preserving records that are vital to the ongoing business of a city and access by the public; and

WHEREAS, the City Council adopted a public records retention schedule by Resolution No. 33-2003 on July 1, 2003, and amended it by Resolution No. 18-2016 on April 5, 2016, to add the Police Department; and

WHEREAS, since the last amendment there have been changes to State law regarding Police Records retention, and need to add and clarify the disposition of certain public documents.

WHEREAS, by adoption of this amended Police Department Records Retention Schedule, the City Council continues to authorize appropriate city staff to maintain and destroy records in accordance with the Retention Schedule, subject to consultation or written approval of the City Attorney as may be necessary.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clayton, California does hereby adopt an amended Clayton Police Department Public Records Retention Schedule a true and correct copy attached hereto as "Exhibit A" and incorporated herein as if fully set forth.

Adopted by the City Council of the City of Clayton, California at a regular public meeting held on March 17, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Julie Pierce, Mayor

ATTEST:

Janet Calderon, City Clerk

**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
Accident Reports – Traffic Collisions (Not Fatal)	3 years	GC §34090, VC §2547, PC §802
Accident Reports – Traffic Collisions (Fatal)	Permanent	PC §§187, 800 et seq., Sec. of State Guidelines
Alarm Registration (Ord. 270; Reso. No. 48-2003)	Current + 2 years	GC §34090; Alarm registration forms, records of payment of fees, etc.
Alcohol Beverage Control Licensing Files/Correspondence	2 years + current year	GC §34090
Arrest Warrants	Same period as records in underlying case; If no underlying case, keep 1 years from date of issue	GC §68152(c)(12) [Court Records Retention]
Background Files – Employees	Termination + 5 years	Part of personnel file records; for peace officers, retention is 5 years (Op. Atty. Gen. No. 99-1111 [May 2, 2000]); for other Police Department staff, retention is 3 years. GC 12946, 29 CFR 516.5; LC 1174
Background Files – Unsuccessful Applicants	5 years	Eligibility Lists are 1 year and can be extended 1 year; EEOC / FLSA / ADEA (Age) requires 3 years; State Law requires 2 – 3 years; 29 CFR 1627.3, 8 CCR §11040 (7)(C); GC §§12946, 34090
Background Files – Volunteers and Reservists	Termination + 5 years	Retained for administrative value; See comments/references above for Background Files-Employees

Abbreviations: CCP – Code of Civil Procedure; EVC – Evidence Code; GC – Government Code; H&S – Health & Safety Code; PC – Penal Code; VC – Vehicle Code

Notes: Litigation, complaints, subpoenas, Public Records Act requests, or claims filed against the City suspend normal retention periods. Outstanding warrants issued suspend normal retention until warrant is cleared or recalled.

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**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
Bicycle licenses	Current + 2 years	Bicycle licenses issued by Police Dept.; GC §34090
Citations: Administrative	Current + 3 years	Time period for prosecution is up to 3 years; GC §34090, PC §802
Citations - Correctible	Current + 2 years	GC §34090; Moving citations
Citations: Notice to Appear (Blue) Infraction, Misdemeanor, Traffic , (Except Marijuana cites)	Current + 3 years	Statute of Limitations is up to 3 years; Also See Crime Reports; GC §34090, PC §802
Citations: Parking	Current + 2 years	GC §34090
Concealed Weapons Permits (CCW)	Expiration + 2 years	DOJ manages the sale and transfer of firearms; most agencies retain for 2 years; GC §34090.
Confidential Informant Files	Until terminated + 10 years	Sec. of State Local Government Records Management Guidelines recommends 10 year retention after termination/closure of file
Court Orders: Restraining Order/ TRO/ Child Custody	Until order has expired + 2 years	Copies (Superior Court is Office of Record); GC §34090
Crime Reports: "Detention Only" Retainable Arrests	Current + 2 years	Provided there are no outstanding warrants, deaths, and it is not classified under PC §800 or § 290 ; Statute of Limitations is 2 years; Destroy records of juvenile offenders re: marijuana after age 18; H&S §11361.5; GC §34090, PC §802, PC §§187, 800 et seq.
Crime Reports: Bodies – Natural Death, Released by Coroner	Current + 2 years	GC §34090
Crime Reports: Infractions, Misdemeanors (Except Marijuana less than 28.5 grams), Lost/Stolen Property (No Serialized Property or NCIC Entry), Suspicious Circumstances.	Current + 3 years	Provided there are no outstanding warrants, deaths, and it is not classified under PC §800 or § 290; Statute of Limitations is 2 years; Destroy records of juvenile offenders re: marijuana after age 18; H&S §11361.5; GC §34090, PC §802

Abbreviations: CCP – Code of Civil Procedure; EVC – Evidence Code; GC – Government Code; H&S – Health & Safety Code; PC – Penal Code; VC – Vehicle Code

Notes: Litigation, complaints, subpoenas, Public Records Act requests, or claims filed against the City suspend normal retention periods. Outstanding warrants issued suspend normal retention until warrant is cleared or recalled.

**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
Crime Reports: Felonies Except Homicide, Juvenile, Child Abuse, or Sexual Assault	10 years	Provided that there are no outstanding warrants, deaths, and it is not classified under PC §800 or §290 and H&S §11850; Statute of Limitations is up to 6 years; Other cities show 3 – 10 years retention; PC § 800 et seq.
Crime Reports: Felonies Reduced To Misdemeanor	Current + 3 years	PC § 802 et seq.
Crime Reports: Felonies Homicide, Falsification of Public Records, Kidnapping, Unsolved Child or Elder Abuse, Sexual Assault and Neglect, Misuse of Public Funds, Train-wrecking, Treason, Suicide. (Crimes subject to Death Penalty or without Statute of Limitations)	Permanent	PC §§261, 286, 288, 288a, 288.5, 289, 289.5, and 799
Crime Reports: Marijuana Citations or Reports (less than 28.5 grams)	Date of Arrest + 2 years	GC §34090, H&S §11361.5; Destroy records of juvenile offenders re: marijuana after age 18
Crime Reports: Sealed Juvenile Cases	Sealing Date + 5 years	Statute of Limitations runs up to age of majority + 8 years; Sealing for Juveniles and Wards of the Court retained for 5 years; CCP §§340.1; GC §34090; W&I §781(d)
Crime Reports: Sealed Criminal Records	Sealing Date + 5 years	Keep for same time period as juvenile cases; W&I §781(d)
Crime Reports: Stolen Vehicles, No Conviction	Until Recovered (Minimum 2 years)	GC §34090
Crime Reports: Weapons, Lost / Stolen Property (Serialized or Property Entered into NCIC)	Until Recovered (Minimum 2 years)	GC §34090

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**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
Crime Reports: Evidence Report	Same as Criminal Report Retention	Takes retention period for the criminal report which applies. Statute of Limitations is 1 year for property seized by officers; CCP §340(d); GC §34090
Criminal Offender Record Information Requests	Current + 3 years	PC §11078; 11 CCR 707(c) – Records of release of criminal offender record information to other agencies
Daily Activity Reports, Logs	Current + 2 years	GC §34090
Department of Justice (DOJ) Validation Lists	Current + 2 years	Information received by DOJ; GC §34090
Dispatch cards	Current + 2 years	GC §34090
False Alarm Tracking Reports	Current + 2 years	Records for billing False Alarm fees; GC §34090
Field interview cards	Current + 2 years	GC §34090
Grant Administration Records	Current + 2 years	GC §34090
Grievances	Final disposition of complaint + 2 years	All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; GC §§12946, 34090
Guns: Dealers Record of Sale	2 years	PC §26705; GC 34090 (State Guidelines recommends 6 years retention)
Incident Reports: Non-Criminal, Civil Problems, Letters Received, Injured Person/ Overdose / Attempted Suicide (NOT Resulting in Death)	2 years	Also see Crime Reports; GC §34090
Incident Reports: Found Property/Safekeeping Reports	Current + 3 years	If artifact over \$10,000, artifact is permanent – Statute of Limitations is up to 3 years (recovery from seized property by police is 1 year); CCP §338(c), 340(d), 341(a); GC §34090
Incident Report: 5150 WIC (With 72 Hour Holds)	Current + 2 years	GC §34090

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**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
Internal Investigations --- Disciplinary matters; Citizen complaints (any other type of investigation into officers or employees conduct)	Final Disposition + 5 years	All State and Federal laws require retention until final disposition of formal complaint; State requires 2 years after action is taken; Statute of Limitations is 4 years for misconduct; For citizen complaints against police personnel, retention is 5 years; EVC §1045; GC §§12946, 34090, PC §§801.5, 803(c), 832.5
Internal Investigations: Officer- Involved Shootings / Shooting Review	Final Disposition + 25 years	Consistent with IA and Statewide Guidelines; GC §34090
Marked & Unmarked Vehicle (DMV) Files	Current + 2 years	GC §34090
Misc. Reports – Non-criminal	Current + 2 years	GC §34090
Misc. Reports: Polygraph-VSA, Rape Exam, Children's, Assessment Center, Blood Toxicology, Crime Lab, CAL-ID	Same as Crime Report Retention	Follow retention period for the related crime report
Neighborhood Watch Program	Current + 2 years	GC §34090; Records of NW meetings, home security checks, etc.
Operational Plans	Current + 2 years	GC §34090

Abbreviations: CCP – Code of Civil Procedure; EVC – Evidence Code; GC – Government Code; H&S – Health & Safety Code; PC – Penal Code; VC – Vehicle Code

Notes: Litigation, complaints, subpoenas, Public Records Act requests, or claims filed against the City suspend normal retention periods. Outstanding warrants issued suspend normal retention until warrant is cleared or recalled.

**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
<u>Parking – Residential Permits</u>	<u>Current + 2 years</u>	<u>Parking permits issued by Police Dept.: GC §34090</u>
Parking --- RV Permits	Current + 2 years	Temporary parking permits issued by Police Dept. for RVs; GC §34090
Parking Tickets (Citations)	Current + 2 years	GC §34090
Patrol Notices	Current + 2 years	GC § 34090
Pawn Slips/Secondhand Dealer Transaction Records	2 years	Non-records used for investigations; Originals entered into the State Automated Property System; most agencies retain for 2 years; GC §34090
Permits Issued by Police (i.e., Dance, Entertainment, Pawn, Secondhand Dealer, Massage, Security Guard)	Expiration + 2 years	GC §34090
Property & Evidence Management Files, Property Tags, Disposition	Subject to Retention Period of Crime Report	Follow retention period for the related crime/arrest report. GC §34090
Property Registration: Abandoned Property, Rental Housing Inspection.	Expiration + 2 years	GC §34090
Published Policies & Procedures, Administrative Directives	Current + 2 years	State law requires minimum 2 year retention; GC §34090
Reports: Missing Person & Runaway (Returned/Case Cleared)	Current + 3 years	Also see Crime Reports; GC §34090

Abbreviations: CCP – Code of Civil Procedure; EVC – Evidence Code; GC – Government Code; H&S – Health & Safety Code; PC – Penal Code; VC – Vehicle Code

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**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
Reports: Missing Person & Runaway (Unresolved)	Indefinitely, Until Located	Department Preference; Also see Crime Reports; GC §34090
Reports: Vehicles Stored or Impounded with Traffic Citation Only, VITEP or 30-Day (except Criminal Reports or Arrest)	2 years	Vehicle Code requires only 1 year from commencement of storage for tow yard operators - VC §10650(c); GC §34090
Reports: Vehicles Stored or Impounded, VITEP or 30-Day (with Crime Report or Arrest Report)	(Crime/Arrest Report Retention)	Follow retention period for the related crime/arrest report. Vehicle Code requires only 1 year from commencement of storage for tow yard operators - VC §10650(c); GC §34090
Recordings: Dispatch Radio- 911 Phone Audio	100 days	City-wide retention policy; GC §§34090, 34090.6 (phone recordings – 100 days retention)
Recordings: Station Surveillance Video	1 year	City-wide retention policy; GC §§34090, 34090.6 (routine monitoring – 1 year retention)
Recordings: Station Business Phone Audio	100 days	City-wide retention policy; GC §§34090, 34090.6 (phone recordings – 100 days retention)

Abbreviations: CCP – Code of Civil Procedure; EVC – Evidence Code; GC – Government Code; H&S – Health & Safety Code; PC – Penal Code; VC – Vehicle Code

Notes: Litigation, complaints, subpoenas, Public Records Act requests, or claims filed against the City suspend normal retention periods. Outstanding warrants issued suspend normal retention until warrant is cleared or recalled.

**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
<u>Recordings: Non-Evidentiary Value Recordings – Body-worn camera (BWC) video and/or audio data, as well as dash cam video and/or audio recordings captured by peace officers.</u>	<u>60 days</u>	<u>PC §832.18(b)(5)(A) – Video and audio data that has no evidentiary value is data that does not aid in the investigation or prosecution of an incident.¹</u>
Recordings: Officer Belt Audio	100 days <u>2 years</u>	City-wide retention policy; GC §§34090, 34090.6; <u>PC §832.18(b)(5)(B)</u> <u>(May need to be retained longer, to match the retention period for the incident report for which the recording applies and/or for retaining evidence for use in potential criminal prosecution. PC §832.18(c)(1).)</u>
Recordings: Officer Worn Video	1-year <u>2 years</u>	City-wide retention policy; GC §§34090, 34090.6; <u>PC §832.18(b)(5)(B)</u> <u>(May need to be retained longer, to match the retention period for the incident report for which the recording applies and/or for retaining evidence for use in potential criminal prosecution. PC §832.18(c)(1).)</u>

¹ Non-evidentiary “refers to data that does not necessarily have value to aid in an investigation or prosecution, such as data of an incident or encounter that does not lead to an arrest or citation, or data of general activities the officer might perform while on duty.” (PC §832.18(c)(2).) Non-evidentiary video and audio recordings are to be retained for a minimum of 60 days from the date of the incident at which point the recording may be destroyed. (PC §832.18(b)(5)(A).) The Police Chief will have the discretion to decide whether to retain non-evidentiary data longer than 60 days if the Chief feels it is necessary to address a possible citizen complaint, or preserve transparency. (PC §832.18(b)(5)(A).)

Abbreviations: CCP – Code of Civil Procedure; EVC – Evidence Code; GC – Government Code; H&S – Health & Safety Code; PC – Penal Code; VC – Vehicle Code

Notes: Litigation, complaints, subpoenas, Public Records Act requests, or claims filed against the City suspend normal retention periods. Outstanding warrants issued suspend normal retention until warrant is cleared or recalled.

**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
Recordings: Patrol Unit Video	4-year <u>2 years</u>	<u>City-wide retention policy; GC §§34090, 34090.6; PC §832.18(b)(5)(B)</u> <u>(May need to be retained longer, to match the retention period for the incident report for which the recording applies and/or for retaining evidence for use in potential criminal prosecution. PC §832.18(c)(1).)</u>
Recordings: TASER Video (weapons attached video)	4-year <u>2 years</u>	<u>City-wide retention policy; GC §§34090, 34090.6; PC §832.18(b)(5)(B)</u> <u>(May need to be retained longer, to match the retention period for the incident report for which the recording applies and/or for retaining evidence for use in potential criminal prosecution. PC §832.18(c)(1).)</u>
<u>Recordings: Records or Logs of Access/Deletion of Data From Officer Worn Cameras</u>	<u>Permanent</u>	<u>PC §832.18(b)(5)(E)</u>
Recordings: Community Surveillance Video	1 year	City-wide retention policy; GC §§34090, 34090.6
Registrants: HS11590 Controlled Substances	5 years	GC §34090, H&S §11594
Registrants: PC 290 Sex Offender Registration	Until Registrant is deceased	DOJ guidelines: registrant is deceased or records are sealed pursuant to W&I §781 (for juvenile registrant)
Registrants: PC 457.1 Arson Registration	Current + 5 years (adults); until age 25 for juveniles	Adult offenders must register for 5 years; juvenile offenders must register until age 25 or the records are sealed per W&I §781

Abbreviations: CCP – Code of Civil Procedure; EVC – Evidence Code; GC – Government Code; H&S – Health & Safety Code; PC – Penal Code; VC – Vehicle Code

Notes: Litigation, complaints, subpoenas, Public Records Act requests, or claims filed against the City suspend normal retention periods. Outstanding warrants issued suspend normal retention until warrant is cleared or recalled.

**CLAYTON POLICE DEPARTMENT
RECORDS RETENTION SCHEDULE**

Record Description/Title	Minimum Legal Retention	Comments/References/Legal Authority
Search Warrants	[See Comments]	GC §68152(13) [Court Records Retention] Check retention period for underlying case records; Capital felony (death sentence) – permanent retention; For other cases, retain for same retention period as underlying case; If there is no underlying case, retain for 5 years from date of issue
Speedometer Calibration Files	Current + 2 years	GC §34090
Suspect Fingerprinting	Current + 2 years	Transmitted to DOJ; GC §34090
Training Courses: Firearms and Field	Termination + 3 years	EEOC/FLSA/ADEA (Age) requires 3 years retention for records re: promotion, demotion, transfer, selection or discharge; State Law requires 2 –3 years; 29 CFR 1627.3(b)(ii), GC§§12946, 34090
Unclaimed Property Auction Records	Final sale/disposition + 2 years	GC §34090; May include records related to www.propertyroom.com
Use of Force Reports, TASER use reports	Final disposition + 5 years	Statute of Limitations is 4 years for misconduct; For citizen complaints against police personnel, retention is 5 years
Vacation House Watch Program	Current + 2 years	GC §34090; Request forms, correspondence, etc.
Volunteers in Police Services (VIPS)	Current + 2 years	VIPS applications, correspondence, etc.; GC §34090
Work Schedules, Shift Assignments	2 years	EEOC's basic requirement is 1 year after action; Bureau of National Affairs recommends 2 years for work schedules; Time sheets are required for 2 years; 29 CFR 516.6(1), 29 CFR 1602.14; GC §34090

Abbreviations: CCP – Code of Civil Procedure; EVC – Evidence Code; GC – Government Code; H&S – Health & Safety Code; PC – Penal Code; VC – Vehicle Code

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AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: DANA AYERS, INTERIM COMMUNITY DEVELOPMENT DIRECTOR

DATE: MARCH 17, 2020

SUBJECT: ADOPT THE 2019 GENERAL PLAN IMPLEMENTATION AND HOUSING ELEMENT ANNUAL PROGRESS REPORT

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution approving the City's 2019 Housing Element Annual Progress Report (APR) and summary of actions related to implementation of other General Plan policies, and direct staff to file the attached Resolution and APR with the State Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR).

BACKGROUND

Government Code Section 65400 requires each governing body (City Council or Board of Supervisors) to prepare an annual report on the status and progress in implementing the jurisdiction's General Plan and its Housing Element using forms and definitions adopted by the HCD.

HCD uses the APR as a tool to facilitate implementation of a community's Housing Element as well as for the tracking and monitoring of progress in addressing statewide housing needs and goals. Jurisdictions must report the number of residential units in all development applications, the number of housing units approved or entitled, and the number of final inspections or certificates of occupancy granted for the reporting calendar year.

The APR includes information on a jurisdiction's progress toward addressing its Regional Housing Needs Allocation (RHNA), including the number of housing units permitted by income level (number of building permits issued), the status of programs in the Housing element, and efforts to remove government constraints. HCD also uses the submittal of the report as one of its threshold requirements for local public agencies to qualify for certain State grants or program funds.

This Agenda Letter and the attached Resolution also summarize actions taken by the City during the calendar year 2019 with respect to other policies in the Community Design and Community Facilities Elements of the General Plan.

DISCUSSION

This report for the City of Clayton covers the calendar year between January 1 and December 31, 2019. In that timeframe, the Council considered various actions that relate to adopted General Plan and Housing Element policies.

On May 7, 2019, the Council adopted regulations for wireless communications towers in public rights-of-way. These regulations established terms for such facilities but also in part authorize the Council to impose design standards, consistent with the intent of Community Design Policy 5c calling for evaluation of the effects of development on scenic qualities of the Clayton area. In compliance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit, the Council in April also authorized funding for a Green Infrastructure Plan to support stormwater quality and management efforts, consistent with the intent of Community Facilities Policy 1b.

The 2019 calendar year was the City's fifth full year of the current 2015-2023 Housing Element cycle, and the City has taken various steps during these four years to implement the approved programs of the adopted and HCD-certified 2015-2023 Housing Element. The City's 2015-2023 Housing Element contains 25 Implementation Measures or programs with an associated timeframe for the City to put these Implementation Measures into effect during the eight-year Housing Element cycle. Many of the 25 Implementation Measures are ongoing or annual efforts undertaken by staff; however, some of the implementation measures require action from the City Council.

In a study session held in April, the Council considered standards for accessory dwelling units, consistent with Housing Element Policy I.3 ("The City shall encourage the development of second dwelling units on new and existing single-family-zoned lots.") At the Council's discretion, those discussions could continue into the current reporting year. In January 2019, the Council adopted Ordinance No. 484 which imposed on rental housing the same inclusionary requirements as were previously imposed on ownership housing, consistent with Housing Element Implementation Measure I.2.1 and in accordance with the provisions of Assembly Bill 1505. One remaining task requiring feedback from the City Council will be the consideration of the establishment of a green building program beyond the requirements of the CalGreen Tier 1 standards (Implementation Measure V.1.2).

The APR for calendar year 2019 reflects no housing development application were submitted and "deemed complete," no building permits were issued for new housing units, and no final inspections or certificates of occupancy were issued during this reporting period. The data reported in the APR is provided to HCD for informational purposes only and does not affect certification status of the Housing Element for the current cycle.

FISCAL IMPACTS

There are nominal costs related to staff time and printing costs associated with the filing of this report.

ATTACHMENTS

- A. Resolution Approving the 2019 General Plan Implementation Summary and Housing Element Annual Progress Report

ATTACHMENT 1

RESOLUTION NO. ____-2020

**A RESOLUTION APPROVING THE CITY OF CLAYTON 2019 GENERAL PLAN
IMPLEMENTATION SUMMARY AND HOUSING ELEMENT ANNUAL PROGRESS
REPORT**

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

WHEREAS, Government Code Section 65400 requires the City Council of Clayton, California, to prepare an annual report on its status and progress in implementing the City's General Plan and its Housing Element using forms and definitions adopted by the California Department of Housing and Community Development (HCD); and

WHEREAS, during the reporting period of January 1 through December 31, 2019, the City Council considered various actions that relate to adopted General Plan policies, including regulations for wireless communications towers in public rights-of-way, which regulations established terms for such facilities but also in part authorize the Council to impose design standards, consistent with the intent of Community Design Policy 5c calling for evaluation of the effects of development on scenic qualities of the Clayton area; and authorization of funding for a Green Infrastructure Plan to support stormwater quality and management efforts, in compliance with the Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit and consistent with the intent of Community Facilities Policy 1b; and

WHEREAS, the proposed 2019 Housing Element Annual Progress Report includes information on the City of Clayton's progress in addressing its assigned Regional Housing Needs Allocation, including the total number of housing units submitted as part of a development application, the number of housing units entitled, the number of housing units by income level issued a building permit, the status of programs in the Housing Element, and efforts to remove government constraints for the reporting period; and

WHEREAS, the 2019 calendar year was the City's fifth full year of the current 2015-2023 Housing Element cycle, and the City has taken various steps during these four years to implement the majority of the approved programs of the adopted and HCD-certified 2015-2023 Housing Element, including consideration of standards for accessory dwelling units, consistent with Housing Element Policy I.3; and adoption of Ordinance No. 484 which applied to rental housing the same inclusionary requirements as were previously imposed on ownership housing, consistent with Housing Element Implementation Measure I.2.1 and in accordance with the provisions of Assembly Bill 1505; and

WHEREAS, at a public meeting held on March 17, 2020, the Clayton City Council considered the City's proposed Housing Element Annual Progress Report for 2019, including the Agenda Report and all other public comments and discussion thereon, and determined the Annual Progress Report was correct and factual and therefore satisfactory for approval by Resolution, said Resolution to become effective immediately upon its passage and adoption.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Clayton, California, does hereby approve its 2019 Housing Element Annual Progress Report, a copy of which is attached hereto labeled as Attachment A and incorporated herein as if fully set forth, and does herewith authorize it to be submitted with this Resolution to the State of California Department of Housing and Community Development and the Governor's Office of Planning and Research.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California, at a regular public meeting thereof held on the 17th day of March 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

JULIE PIERCE, Mayor

ATTEST:

Janet Calderon, City Clerk

Jurisdiction	Clayton	
Reporting Year	2019	(Jan. 1 - Dec. 31)

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
 (CCR Title 25 §6202)

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
 Please contact HCD if your data is different than the material supplied here

Table B													
Regional Housing Needs Allocation Progress													
Permitted Units Issued by Affordability													
		1	2									3	4
Income Level		RHNA Allocation by Income Level	2015	2016	2017	2018	2019	2020	2021	2022	2023	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	51											51
	Non-Deed Restricted												
Low	Deed Restricted	25										2	23
	Non-Deed Restricted			1	1								
Moderate	Deed Restricted	31											31
	Non-Deed Restricted												
Above Moderate		34			8							8	26
Total RHNA		141											
Total Units				1	9							10	131

Note: units serving extremely low-income households are included in the very low-income permitted units totals
 Cells in grey contain auto-calculation formulas

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction	Clayton		
Reporting Year	2019	(Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report			
Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
Implementation Measure I.1.1	To ensure adequate available sites to meet the City's RHNA, the City will maintain an inventory of sites available and appropriate for residential development for households at all income levels	31-Dec-23	The City continues to maintain adequate sites available and appropriate for residential development for households at all income levels.
Implementation Measure I.1.2	The City will amend the Multi-Family High Density (MHD) General Plan land use designation or otherwise amend the General Plan and/or Zoning Ordinance as needed to meet state requirements specific to sites rezoned to accommodate the City's lower-income RHNA from the 2007-2014 planning period, specifically to allow multi-family housing by-right on these sites at a minimum density of 20 units per acre.	31-Jan-16	The City Council approved a General Plan amendment on July 19, 2016, changing the allowable density in Multi-Family High Density (MHD) from 15.1 to 20 units per acre. On August 16, 2016, the City Council passed and adopted an Ordinance requiring multifamily housing types to meet the minimum density limits as set forth in the General Plan. The above was the last action required by the City to meet state law (Gov Code Section 65583.2(h) and (i)).
Implementation Measure I.2.1	For residential projects of 10 or more units, developers will be required to develop an Affordable Housing Plan that requires a 10% minimum of the units to be built or create as affordable housing units.	31-Dec-23	On August 16, 2016, the City Council passed and adopted an Inclusionary Housing Ordinance, which provided the details of the Affordable Housing Plan as identified in Implementation Measure I.2.1. This Ordinance requires that 10% of the units for ownership residential projects containing 10 or more units to be established as affordable housing units. On January 15, 2019, the City Council passed an Ordinance to apply the same inclusionary housing requirements to rental housing projects as allowed for by Assembly Bill 1505.
Implementation Measure I.3.1	The City Shall continue to promote the development of second dwelling units and will aim to approve two second dwelling units a year.	31-Dec-23	The City continues to promote second dwelling units (accessory dwelling units) and provides informational handouts.

Implementation Measure I.4.1	To encourage development of mixed-use projects in Town Center, the City has adopted the Specific Plan which details policy direction, standards, and guidelines that encourage mixed-use and second-story residential. The City will promote development opportunities in the Town Center. The City will facilitate the development of at least one-mixed use project within the planning period.	31-Dec-23	The City continues to promote and encourage mixed-use development in the Town Center through the availability of the Specific Plan and discussions with potential developers. The Town Center Specific Plan is available at City offices as well as on the City's website.
Implementation Measure II.1.1	Work with housing providers to address special housing needs for seniors, large families, female-headed households, single-parent households with children, persons with disabilities and development disabilities, farmworkers, and homeless individuals and families. The City will aim to work with housing providers on at least one project serving a special needs group during the planning period.	31-Dec-23	The City continues to discuss special needs populations with housing providers.
Implementation Measure II.1.2	The City shall amend the Zoning Ordinance to specifically allow employee housing for six or fewer residents as a permitted use in residential zoning districts.	31-Dec-15	On August 16, 2016, the City Council adopted an Ordinance specifically allowing employee housing for six or fewer residents as a permitted use in residential zoning districts, in compliance with Health and Safety Code Section 17021.5.
Implementation Measure II.1.3	The City shall amend the Zoning Ordinance to allow transitional and supportive housing in the LC (Limited Commercial) zoning district as a residential use subject only to the requirements of other residential uses in this district in compliance with Senate Bill 2 (2007).	One to two years after HE adoption	On August 16, 2016, the City Council adopted an Ordinance allowing transitional and supportive housing in the LC zoning district subject only the requirements of other residential uses in this district.
Implementation Measure II.2.1	The City shall authorize regulatory incentives and concessions for development projects that include extremely low-, very low- and low-income households and special needs groups including disabled and developmentally disabled persons. These incentives and concessions include flexibility in development standards, reduction or deferral of certain development fees, priority application processing, and density bonus. The City will aim to facilitate the development of at least one affordable or special needs project during the planning period.	31-Dec-23	The City's Zoning Ordinance allows for flexibility in standards as well as a density bonus for affordable housing developments. The City will also continue to consider regulatory incentives and concessions such as a reduction or deferral in certain development fees and priority application processing. An affordable or special needs project was under review but was not entitled or built during this reporting year (2019).

Implementation Measure II.2.2	The City shall monitor the impact of development fees and consider waiving or deferring fees for affordable housing projects, if and when funding is available.	31-Dec-23	The City continues to monitor the impact of development fees and will consider waiving or deferring fees if there is funding available.
Implementation Measure III.1.1	The City shall continue to refer interested persons to the Contra Costa County's Mortgage Credit Certificate Program, the Mortgage Revenue Bond Program, and the Owner-Occupied Housing Rehabilitation Program. The City will continue to disseminate information regarding Contra Costa Housing Authority's Lower-Income Rental Assistance Program and Aftercare Certificates as information becomes available.	31-Dec-23	The City continues to promote assistance for first-time homebuyers and lower-income renters by referring inquiries to County programs and by disseminating information as it becomes available.
Implementation Measure III.1.2	The City shall seek funding to develop and implement a down payment assistance program for first-time homebuyers by working with the County or by developing its own program that can be used with the Mortgage Credit Certificate Program, new inclusionary units or alone.	31-Dec-15	The City explored funding sources such as CalHome and HOME and did not find any funding sources available for this use. The City will continue to seek funding in order to implement a down payment assistance program for first time homebuyers.
Implementation Measure III.1.3	The City shall review potential funding opportunities through the County HOME program and apply for funding for applicable projects when development opportunities arise.	31-Dec-23	The City does not have any eligible projects.
Implementation Measure III.2.1	The City will continue to maintain and annually update the inventory of affordable housing projects and identify those that may be at risk of converting to market rate in the future.	31-Dec-23	The City continues to maintain and annually update the inventory of affordable housing, which includes the timeframe of affordability expiration. Annual reports from the privately-owned affordable housing units are required to be submitted to the City.
Implementation Measure IV.1.1	The City shall review its Zoning Ordinance, policies, and practices to ensure compliance with fair housing laws.	31-Dec-23	The City continually reviews its Zoning Ordinance, policies and practices to ensure compliance with fair housing laws. The City performs updates and amendments when necessary to ensure compliance.
Implementation Measure IV.2.1	The City will provide information on proposed affordable housing projects to the public through the City's public hearing process in the form of study sessions, public hearings, and public meetings.	31-Dec-23	The City ensures the public is notified of any City hearings on development projects, including affordable housing projects. For any such hearings, notice would be placed on community boards within the City, published in the local newspaper of general circulation (East Bay Times), and mailed by first class mail to owners of property within a 300-foot radius of the proposed project site.
Implementation Measure IV.3.1	The City shall continue to distribute public information brochures on reasonable accommodations for disabled persons and enforcement programs of the California Fair Employment and Housing Council.	31-Dec-23	The City currently distributes and will continue to distribute public information brochures on reasonable accommodation for disabled persons and enforcement programs.

Jurisdiction	Clayton	
Reporting Year	2019	(Jan. 1 - Dec. 31)

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		0

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Housing Applications Summary	
Total Housing Applications Submitted:	0
Number of Proposed Units in All Applications Received:	0
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions	
Number of Applications for Streamlining	0
Number of Streamlining Applications Approved	0
Total Developments Approved with Streamlining	0
Total Units Constructed with Streamlining	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0
Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Cells in grey contain auto-calculation formulas