



CITY COUNCIL REGULAR MEETING

Clearlake City Hall Council Chambers
14050 Olympic Dr, Clearlake, CA

Thursday, August 05, 2021

Closed Session 5:00 PM

Regular Meeting 6:00 PM

On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which allows Council Members to attend City Council meetings telephonically. On June 11, 2021, Governor Newsom extended this Order through September 30, 2021. Please be advised that some, or all, of the Clearlake City Council Members may attend this meeting telephonically.

The City Council meetings are viewable in person in the Council Chambers, via livestreaming on the City's YouTube Channel (https://www.youtube.com/channel/UCTyifT_nKS-3woxEu1ilBXA) or "Lake County PEG TV Live Stream" at <https://www.youtube.com/user/LakeCountyPegTV/featured> and the public may participate through Zoom at the link listed below. The public can submit comments and questions in writing for City Council consideration by sending them to the Administrative Services Director/City Clerk at mswanson@clearlake.ca.us. To give the City Council adequate time to review your questions and comments, please submit your written comments prior to 4:00 p.m. on the day of the meeting.

AGENDA

MEETING PROCEDURES: *All items on agenda will be open for public comments before final action is taken. Citizens wishing to introduce written material into the record at the public meeting on any item are requested to provide a copy of the written material to the Administrative Services Director/City Clerk prior to the meeting date so that the material may be distributed to the City Council prior to the meeting. Speakers must restrict comments to the item as it appears on the agenda and stay within a three minutes time limit. The Mayor has the discretion of limiting the total discussion time for an item.*

AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

If you need disability related modification, including auxiliary aids or services, to participate in this meeting, please contact Melissa Swanson, Administrative Services Director/City Clerk at the Clearlake City Hall, 14050 Olympic Drive, Clearlake, California 95422, phone (707) 994-8201, ext 106, or via email at mswanson@clearlake.ca.us at least 72 hours prior to the meeting, to allow time to provide for special accommodations.

AGENDA REPORTS

Staff reports for each agenda item are available for review at www.clearlake.ca.us. Any writings or documents pertaining to an open session item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection on the City's website at www.clearlake.ca.us.

Zoom Link: <https://clearlakeca.zoom.us/j/85087920433>

A. 5:00 PM CLOSED SESSION

1. Conference with Legal Counsel: Anticipated Litigation: Significant Exposure to litigation under Section 54956.9(d)(2): One Potential Case
2. Conference with Real Property Negotiators: Pursuant to Government Code Section 54956.8. Property Address: 6885 Old Highway 53, Clearlake; Agency Negotiation: City Manager Alan Flora; Negotiating Parties: Burbank Housing Corporation; Under Negotiation: Price and terms of payment.
3. Conference with Legal Counsel- Existing Litigation: Pursuant to Government Code Section 54956.9: Case No. CV-421149; Name of Case: City of Clearlake v. County of Lake, a political subdivision of the State of California; Board of Supervisors of the County of Lake, a public body of the County of Lake; Barbara C. Ringen, in her official capacity as the Treasurer-Tax Collector of the County of Lake; and Does 1 through 30, inclusive
4. Conference with Legal Counsel - Existing Litigation: Pursuant to Government Code Section 54956.9 - City of Clearlake vs. Amerisourcebergen Drug Corporation, et al. Case No. 1:20-cv-06212

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. INVOCATION/MOMENT OF SILENCE: *The City Council invites members of the clergy, as well as interested members of the public in the City of Clearlake, to voluntarily offer an invocation before the beginning of its meetings for the benefit and blessing of the City Council. This opportunity is voluntary and invocations are to be less than three minutes, offered in a solemn and respectful tone, and directed at the City Council. Invocational speakers who do not abide by these simple rules of respect and brevity shall be given a warning and/or not invited back to provide a subsequent invocation for a reasonable period of time, as determined appropriate by the City. This policy is not intended, and shall not be implemented or construed in any way, to affiliate the City Council with, nor express the City Council's preference for, any faith or religious denomination. Rather, this policy is intended to acknowledge and express the City Council's respect for the diversity of religious denominations and faith represented and practiced among the citizens of Clearlake. If a scheduled invitational speaker does not appear at the scheduled meeting, the Mayor will ask that the City Council observe a moment of silence in lieu of the invocation. More information about the City's invocation policy is available upon request by contacting the Administrative Services Director/City Clerk at (707) 994-8201x106 or via email at mswanson@clearlake.ca.us.*

E. ADOPTION OF THE AGENDA *(This is the time for agenda modifications.)*

F. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

G. PRESENTATIONS

5. Proclamation Promoting Tolerance, Respect, Equity and Inclusion
6. Presentation on the Progress of the City's 2021 Chip Seal Project

- H. **PUBLIC COMMENT:** *This is the time for any member of the public to address the City Council on any matter not on the agenda that is within the subject matter jurisdiction of the City. **The Brown Act, with limited exceptions, does not allow the Council or staff to discuss issues brought forth under Public Comment.** The Council cannot take action on non-agenda items. Concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on each agenda item. Comments shall be limited to three (3) minutes per person.*
- I. **CONSENT AGENDA:** *All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one motion. There will be no separate discussion of these items unless a member of the Council requests otherwise, or if staff has requested a change under Adoption of the Agenda, in which case the item will be removed for separate consideration. Any item so removed will be taken up following the motion to approve the Consent Agenda.*
7. Warrants
Recommended Action: Receive and file
8. Minutes of the June 9, 2021 Lake County Vector Control District Board Meeting
Recommended Action: Receive and file
9. Continuation of Declaration of Local Emergency Issued on March 14, 2020 and Ratified by Council Action on March 19, 2020
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days
10. Continuation of Declaration of Local Emergency Issued on October 9, 2017 and Ratified by Council Action October 12, 2017
Recommended Action: By motion keep declaration of emergency active and set next review in 30 days
- J. **BUSINESS**
11. Consideration of Joining the Joint Powers Authority of the Lake County Community Risk Reduction Authority
Recommended Action: Authorize the City Manager to Sign the Third Amendment to the Risk Reduction Authority JPA and Appoint a City Representative to the Board of Directors.
12. Consideration of Approval of Sale of Clearlake Waste Solutions to Waste Connections
Recommended Action: Adopt Resolution 2021-39 Approving the Sale of Clearlake Waste Solutions to Waste Connections.
13. Presentation and discussion regarding status of on-going Code Enforcement cases at 14541 and 14525 Lakeshore Drive
Recommended Action: Discuss with possible direction to staff.
14. Consideration of rejection of bids for the Sulphur Fire Roadway Disaster Repair Project
Recommended Action: Direct staff to reject all bids and authorize staff to rebid.

15. Authorizing the City Manager to Prepare and Submit Two Program Income Only Applications through the California Housing and Community Development CDBG Program
Recommended Action: Approve Resolution Nos. 2021-40 & 2021-41
16. Consideration of a Resolution Certifying Appointment of David Deakins as Building Inspector II is Necessary to Fill a Critically Needed Position, Requesting an Exception from CalPERS to the 180-Day Wait Period and Authorizing the City Manager to Appoint; Resolution No. 2021-
Recommended Action: Adopt Resolution 2021-31 and authorize the City Manager to appoint David Deakins upon approval from CalPERS
17. Revisions to Chapter 17 of the Clearlake Municipal Code
Recommended Action: Hold first reading of Ordinance No. 256-2021, An Amendment to Chapter 17 of the Clearlake Municipal Code Repealing and Replacing Floodplain Management regulations, read it by title only, waive further reading and set adoption for the August 19, 2021 meeting.

K. CITY MANAGER AND COUNCILMEMBER REPORTS

L. FUTURE AGENDA ITEMS

M. ADJOURNMENT

POSTED: August 2, 2021

BY:



Melissa Swanson, Administrative Services Director/City Clerk