



CITY COUNCIL REGULAR MEETING

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

Thursday, August 01, 2024

Regular Meeting 6:00 PM

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 will not be allowed to provide verbal comment during the meeting if attending via Zoom. The public can submit comments in writing for City Council consideration by commenting via the Q&A function in the Zoom platform or by sending comments to the Administrative Services Director/City Clerk at mSwanson@clearlake.ca.us. To give the City Council adequate time to review your comments, you must submit your written emailed 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:

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clearlakeca.zoom.us/j/85002576666?pwd=bzd3dRlbBXeBCaMPBabZn1TAfOOCNe.1>

Passcode: 718587

Or One tap mobile:

+16694449171,,8500257666# US

+17207072699,,8500257666# US (Denver)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 444 9171 or +1 720 707 2699 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 719 359 4580 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799

Webinar ID: 850 0257 6666

International numbers available: <https://clearlakeca.zoom.us/j/kc8yCpXaMm>

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. 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 invocational 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.*

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

E. PRESENTATIONS

1. Presentation by Gina Lyle-Griffin with the Health and Social Policy Institute on Second and Third-hand Smoke and Aerosol Impacts on Health in Multi-Unit Housing

F. 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.

G. 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.

2. Authorization of Additional Expenditures Under Existing Professional Services Contract with Downey Brand for Legal Services
Recommended Action: Authorize an Additional \$250,000 in expenditures under the Downey Brand contract for a new total of \$750,000

3. Warrants
Recommended Action: Receive and file

4. Second Reading and Adoption of Ordinance No. 270-2024, An Ordinance of the City Council of the City of Clearlake Amending Section 2-3.7 of Chapter 2 of the Clearlake Municipal Code Regarding the Position of City Manager
Recommended Action: Hold second reading, read by title only, waive further reading and adopt ordinance

5. Minutes
Recommended Action: Receive and file

6. Approve Amendment to Professional Services Agreement with Lucy & Company for Public Relations and Communication Services.
Recommended Action: Approve Contract Amendment for up to \$187,500 over one year.

7. Approval of Adjustment of the Police Lieutenant Position Salary Range from Range 64 to Range 71; Resolution No. 2024-33
Recommended Action: Adopt resolution

H. PUBLIC HEARING

8. Public Hearing to Consider Adoption of Resolution 2024-33 Authorizing the Conversion of Pine Street to a One-Way Street.
Recommended Action: Adopt Resolution 2024-33, Authorizing the Conversion of Pine Street to a One-Way Street.

I. BUSINESS

9. Discussion of Water Related Issues in the City
Recommended Action: Direction to Staff

10. Discussion Regarding a Potential Ballot Measure to Support Recreational Activities

Recommended Action: Direction to Staff

11. Discussion Regarding Events at City Facilities

Recommended Action: Direction to Staff

12. Consideration of Designation of Voting Delegates and Alternate(s) For the League of California Cities Annual Conference in October

Recommended Action: Designate one voting delegate and up to two alternates

J. CITY MANAGER AND COUNCILMEMBER REPORTS

K. FUTURE AGENDA ITEMS

L. ADJOURNMENT

POSTED: July 29, 2024

BY:



Melissa Swanson, Administrative Services Director/City Clerk

Second and Third-hand Smoke & Aerosol Impacts on Health

Multi Unit Housing Policies in California



roles in prevention of toxic exposure to second and thirdhand smoke and aerosol



Secondhand smoke and the **harmful** chemicals in it are known causes of **Sudden Infant Death Syndrome**, **RESPIRATORY INFECTIONS**, **ear infections**, and **asthma attacks** in infants and children.

They are also known causes of **HEART DISEASE**, **stroke**, and **lung cancer** in adult nonsmokers.

Did you know that **any** amount of **secondhand smoke can be harmful?**

- 41,000 non-smokers die from secondhand smoke each year in the U.S.¹
- It is especially dangerous for children and can cause permanent damage to growing lungs¹
- Marijuana secondhand smoke is harmful just like cigarette smoke²
- Vaping produces tiny droplets of harmful chemicals including lead. It is not harmless water vapor³

What is Thirdhand Smoke?

Thirdhand smoke is a **toxic residue** that builds up on surfaces and furnishings when someone smokes indoors⁵

Children and pets are most likely to suffer from the effects of thirdhand smoke⁶

Where are People Exposed to Second and Third-Hand Smoke the

Most ?

→ SIDEWALKS

→ HOME

→ SHOPPING AREAS ⁴

Children and pets are most susceptible to touching, coming in contact with, or mouthing items in the environment that have smoke or aerosol residues

WHAT PRODUCTS CONTRIBUTE TO THIRDDHAND SMOKE?



Cigarettes



Vapes



Hookah



Cigars



Pipes



Cannabis

Little Hands Touch **EVERYTHING.**



THIRDHANDSMOKE.ORG

THIRDHAND
SMOKEResource Center

HOUSING & DISPARITIES IN SECOND HAND SMOKE EXPOSURE

32% of Californians live in multi-unit housing

(i.e., 11.8 million people)

**44%-46% of non-smokers in multi unit housing
in CA are exposed.**

**Exposure to tobacco smoke, e-cigarette aerosol, and
marijuana smoke **increased** between 2016-2018.**

Disproportionate number of underrepresented groups ⁶

- **46.8% were lower income or under the poverty line**
- **21.4% had less than HS diploma**
- **23.4 were uninsured**
- **Adult smoking rate was more prevalent in MUH (17.5%)**



Up to 65% of the air in an apartment can come from other units in the building

Smoke can enter through vents, electrical outlets, windows, and even tiny cracks in walls⁷

SHARE WALLS NOT SMOKE

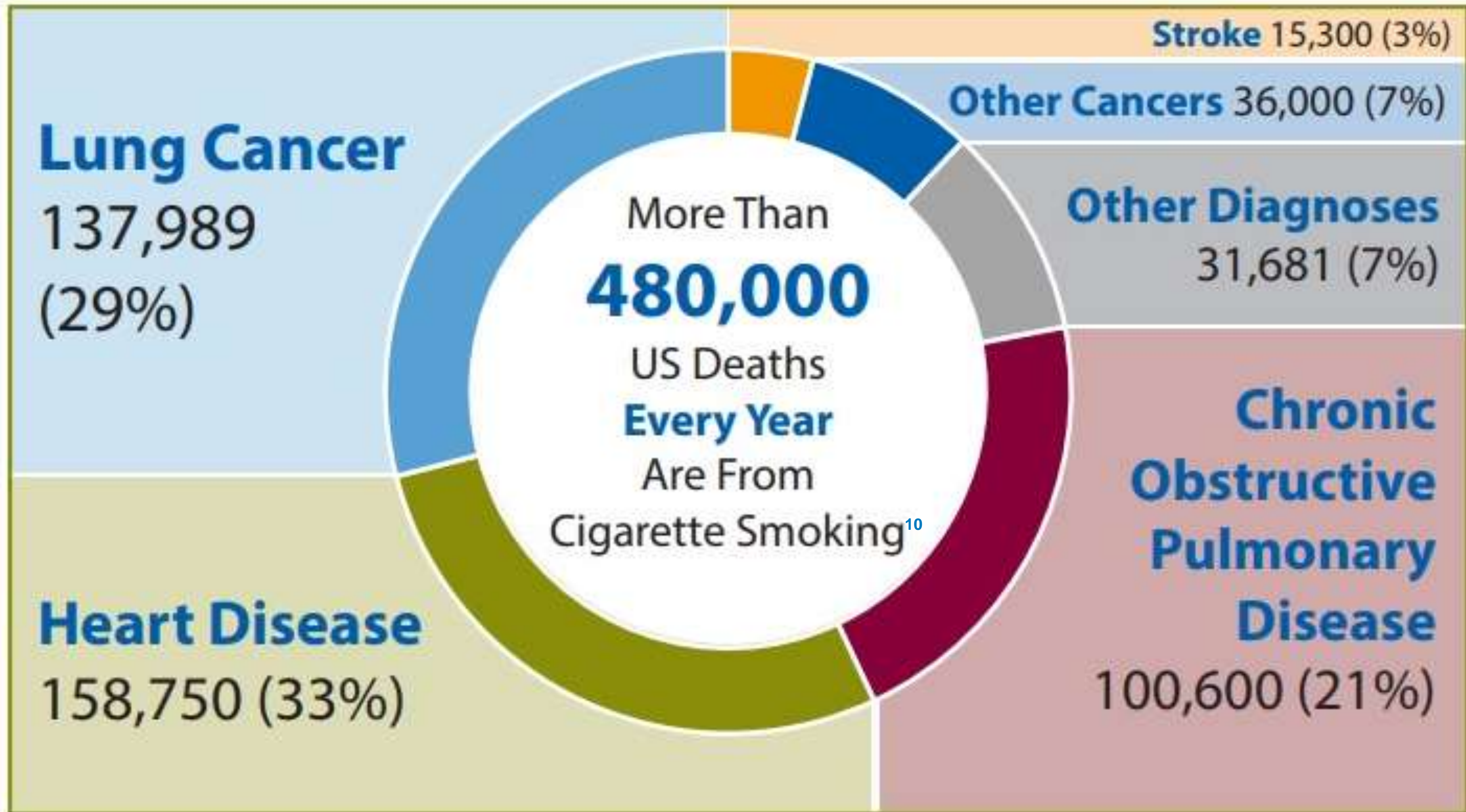
Almost 40% of nonsmokers living in rental housing are exposed to secondhand smoke.⁸



How does smoking and its definition relate to 2nd & 3rd hand smoke?

California law defines “smoking” as inhaling, **exhaling**, **burning**, or carrying any lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. This includes the use of an electronic smoking device ⁹

Public Health Significance



As of April 1, 2024

84 California municipalities have enacted an ordinance at the city or county level that prohibits smoking in private units of rental multi-unit housing properties

7 COUNTIES

Alameda Contra Costa Marin San Mateo Sonoma Santa Clara Del Norte

84 MUNICIPALITIES

Windsor Santa Rosa Richmond Fresno Rohnert Park Benicia San Rafael Petaluma

These policies represent over 6,000,000 Californians-approximately 15% of the state population

Of these municipalities, 77 have laws that prohibit smoking in 100% of private units of both rental and owner-occupied multi-unit housing properties.¹¹

Funding for **Health And Social Policy Institute's** **Communities Addressing Nicotine program provided by:**

This project is funded by the State of California-Tobacco Tax of 2016, known as Proposition 56

This program operates under the
California Tobacco Prevention Program
CTPP,
which is a division of the.....

California Department of Public Health
CDPH



Citations

¹Sources: Andrea, SL, et al. Attitudes, Experiences, and Acceptance of Smoke-Free Policies Among US Multiunit Housing Residents. *American Journal of Public Health*, 102.10 (2012): 1868-71. U.S. Department of Health and Human Services. The Health Consequences of Smoking—50 Years of Progress. 2014. U.S. Department of Health and Human Services. The Health Consequences of Involuntary Exposure to Tobacco Smoke. 2006. California Department of Public Health. Thirdhand Smoke. 2017

²Graves, BM, et al. (2020). Comprehensive characterization of mainstream marijuana and tobacco smoke. *Scientific Reports*, 10(1), 7160. <https://doi.org/10.1038/s41598-020-63120-6>

³National Academies of Sciences, Engineering, and Medicine. (2018). Public Health Consequences of E-Cigarettes

⁴2019 Online California Adult Tobacco Survey, Wave 1 and 2

⁵Chambers C, Sung HY, Max W. Home Exposure to Secondhand Smoke among People Living in Multiunit Housing and Single Family Housing: A Study of California Adults, 2003-2012. *J Urban Health*.2015;92(2):279–290. doi:10.1007/s11524-014-9919-y

⁶Chambers C, Sung HY, Max W. Home Exposure to Secondhand Smoke among People Living in Multiunit Housing and Single Family Housing: A Study of California Adults, 2003-2012. *J Urban Health*.2015;92(2):279–290. doi:10.1007/s11524-014-9919-y

⁷Center for Energy and Environment. (2004). Reduction of Environmental Tobacco Smoke Transfer in Minnesota Multifamily Buildings Using Air Sealing and Ventilation Treatments

⁸ Snyder, K., et al. (2016). Smokefree multiunit housing: a review of the scientific literature. *Tobacco Control*, 25(1), 9–20.

⁹ Section 22950.5(c), in California Business and Professions Code

¹⁰ https://www.cdc.gov/tobacco/data_statistics/fact_sheets/fast_facts/index.htm

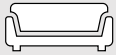
¹¹ American Nonsmokers' Rights Foundation. © Copyright 1998 – 2024 American Nonsmokers' Rights Foundation/© 2024, California Department of Public Health

What is it?

Thirdhand smoke (THS) is the leftover residue that stays in a room or vehicle after a tobacco product has been used



THS contains nicotine and other chemicals. It can stick to walls, furniture, carpeting, dust, clothing, hair, toys, and other surfaces



THS can mix with other common indoor air-pollutants to create cancer-causing compounds



People are exposed to THS when they touch contaminated surfaces or breathe air in a room where smoking or vaping has occurred



THS is a danger to children



Everyone is vulnerable to THS, including



pregnant women



people with breathing or cardiovascular problems



the elderly



pets

The Facts:



There is no safe level of exposure to tobacco smoke



THS contains more than 250 chemicals



Children are exposed to THS when they crawl, put hands or toys in their mouth, or are held by adults



THS is present in homes and cars where people have smoked or vaped, even if you can't smell it



Tobacco smoke can stain walls and floors, and the smell can remain in dry wall, insulation, and other building materials



You can't prevent THS by smoking or vaping in another room, in front of an open window, or using a fan



Pets are also at risk because the chemicals from smoke stay in their fur or feathers

How to Protect against Thirdhand Smoke



Do not allow smoking or e-cigarette use in your home or car, even when children aren't present



Do not allow smoking or e-cigarette use near you, your children, or your pets

The only way to completely protect against thirdhand smoke is to quit smoking



Talk with your child's pediatrician about ways to keep your child safe from thirdhand smoke



People living in multi-unit housing deserve to be healthy and smokefree.



Breathing secondhand smoke can lead to serious health problems.

Adults: Heart disease, stroke, and lung cancer

Children & Babies: Sudden Infant Death Syndrome (SIDS), severe asthma attacks, ear infections, and lung problems

Pets: Cancer and respiratory infections



8 out of 10 residents in multi-unit housing choose to **make their homes smokefree**. However, they may still be exposed to secondhand smoke in and around their home.

- + Smoke can drift from one unit into another under doorways, through ventilation systems, and even electrical outlets.
- + Smoke can drift into homes from patios and balconies.
- + Residents may be exposed to secondhand smoke in parking lots, stairwells, and pools.

Secondhand smoke kills **41,000 nonsmokers** a year.

The **World Health Organization** has stated that 100% smokefree policies are the only way to entirely protect multi-unit housing residents from harmful exposure to secondhand smoke.

Join the growing number of community members and lawmakers who support smokefree multi-unit housing rules.

What is Thirdhand Smoke?

Thirdhand smoke is a **toxic residue** that builds up on surfaces and furnishings when someone smokes indoors.

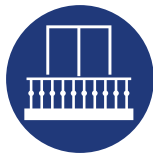
Children and pets are **most likely to suffer** from the effects of thirdhand smoke.




Smokefree multi-unit housing policies protect tenants.

Strong smokefree policies prohibit smoking anywhere on the property including:

- + Inside units
- + On balconies and/or patios
- + Outdoor common areas such as pools, parking lots, and stairwells



Benefits for both residents and property owners:

- + Since most people don't smoke, there is **market demand** for smokefree housing
- + **Reduced turnover costs** — smoking units are much more expensive to clean and tend to remain on the market longer 
- + **Lower fire risk** and related insurance costs
- + Smokefree environments encourage people who smoke to quit or attempt to quit

For more information and help creating smokefree multi-unit housing rules in your community:

Public Health Law Center
(651) 290-7506
www.publichealthlawcenter.org

Gina Lyle-Griffin local contact information
Project Liaison
Health And Social Policy Institute (HASPI)
Communities Addressing Nicotine (CAN)
haspiglg@gmail.com



Sources:

Andrea, SL, et al. Attitudes, Experiences, and Acceptance of Smoke-Free Policies Among US Multiunit Housing Residents. *American Journal of Public Health*, 102.10 (2012): 1868-71.

U.S. Department of Health and Human Services. *The Health Consequences of Smoking—50 Years of Progress*. 2014.

U.S. Department of Health and Human Services. *The Health Consequences of Involuntary Exposure to Tobacco Smoke*. 2006.

California Department of Public Health. *Thirdhand Smoke*. 2017.

U.S. Food and Drug Administration. *Be Smoke-free and Help Your Pets Live Longer, Healthier Lives*. 2017. www.fda.gov/animal-veterinary/animal-health-literacy/be-smoke-free-and-help-your-pets-live-longer-healthier-lives. [Accessed 8/2020].

World Health Organization. *WHO Report on the Global Tobacco Epidemic 2009*. 2009

U.S. Laws for 100% Smokefree Multi-Unit Housing

April 1, 2024

This list represents communities with laws that regulate smoking in **private units** of multi-unit housing.

As of April 1, **84 municipalities** have enacted a law at the city or county level that prohibits smoking in **100% of private units** of rental multi-unit housing properties. Of these municipalities, **77** have laws that prohibits smoking in **100% of private units** of both rental **and** owner-occupied multi-unit housing properties. The vast majority of the laws—72 municipalities—apply to properties with 2 or more units.

For public housing policies, see [U.S. Public Housing Authority Policies Restricting or Prohibiting Smoking](#).

See Definitions and Explanatory Notes starting on page 4.

Visit our smokefree multi-unit housing page at no-smoke.org/at-risk-places/homes/ for more information.

Municipalities with Laws for 100% Smokefree Multi-Unit Housing:

This table represents communities that have **municipal laws** at the city or county level that prohibit smoking in **100% of private units** of all specified types of multi-unit housing. These laws apply to both privately-owned and publicly-owned multi-unit residences, as well as all existing and future buildings, and do not permit current residents to continue smoking in the building (i.e. no “grandfather” clause). Most, but not all, municipal laws include condominiums and other owner-occupied properties.

Municipalities marked with # require multi-unit buildings to be 100% smokefree when the law is in full effect as of the listed Final Effective Date. Municipalities marked **Some** under “% of Units Currently Smokefree” will be 100% when the law is in full effect.

Municipality	State	% of Units Currently Smokefree	Final Effective Date	Minimum Number of Units	Includes Patio/Balcony	Includes Condos
1. Alameda	CA	100%	1/1/2013	2	Yes	Yes
2. Alameda County^	CA	100%	7/1/2022	2	Yes	Yes
3. Albany	CA	100%	3/24/2018	2	Yes	Yes
4. American Canyon	CA	100%	6/15/2023	2	Yes	Yes
5. Bell Gardens	CA	100%	6/1/2021	3	Yes	Yes
6. Belmont	CA	100%	1/8/2009	2	Yes	Yes
7. Belvedere	CA	100%	11/9/2017	2	Yes	Yes
8. Benicia	CA	100%	9/2/2020	2	Yes	Yes
9. Berkeley	CA	100%	5/1/2014	2	Yes	Yes
10. Beverley Hills	CA	100%	1/1/2019	2	Yes	Yes
11. Brisbane	CA	100%	6/3/2017	2	Yes	Yes
12. Buena Park	CA	Some	8/10/2023	2	Yes	Yes
13. Burlingame	CA	100%	2/13/2016	2	Yes	Yes
14. Clayton	CA	100%	5/1/2019	2	Yes	Yes
15. Compton	CA	100%	1/1/2013	3	Yes	Yes
16. Concord	CA	100%	1/1/2021	2	Yes	Yes
17. Contra Costa County^	CA	100%	7/1/2019	2	Yes	Yes

Municipality	State	% of Units Currently Smokefree	Final Effective Date	Minimum Number of Units	Includes Patio/Balcony	Includes Condos
18. Corte Madera	CA	100%	6/17/2022	2	Yes	Yes
19. Cotati	CA	100%	1/1/2017	2	Yes	Yes
20. Crescent City	CA	100%	1/1/2022	2	Yes	Yes
21. Cudahy	CA	100%	1/3/2020	2	Yes	Yes
22. Culver City	CA	100%	5/26/2016	2	Yes	Yes
23. Cupertino	CA	100%	10/1/2021	2	Yes	Yes
24. Daly City	CA	100%	1/21/2014	2	Yes	No
25. Danville	CA	100%	5/1/2016	3	Yes	Yes
26. El Cerrito	CA	100%	10/1/2015	2	Yes	Yes
27. El Monte	CA	100%	8/19/2017	3	Yes	Yes
28. Emeryville	CA	100%	7/1/2019	2	N/S	Yes
29. Fairfax	CA	100%	1/1/2023	2	Yes	Yes
30. Firebaugh	CA	100%	7/1/2019	2	Yes	Yes
31. Foster City	CA	100%	11/5/2015	N/S	Yes	Yes
32. Fresno	CA	100%	1/1/2022	2	No	No
33. Guadalupe	CA	100%	8/27/2020	2	Yes	Yes
34. Half Moon Bay	CA	100%	1/15/2020	2	Yes	Yes
35. Healdsburg	CA	100%	5/6/2020	2	N/S	Yes
36. Hercules	CA	100%	6/13/2020	10	Yes	Yes
37. Huntington Park	CA	100%	7/1/2013	2	Yes	Yes
38. Larkspur	CA	100%	9/17/2022	2	Yes	Yes
39. Los Gatos	CA	100%	6/25/2017	2	Yes	No
40. Manhattan Beach	CA	100%	5/5/2017	3	Yes	Yes
41. Marin County^	CA	100%	10/14/2021	2	Yes	Yes
42. Mill Valley	CA	100%	11/18/2016	2	Yes	Yes
43. Millbrae	CA	100%	1/1/2020	2	Yes	Yes
44. Milpitas	CA	100%	1/1/2022	2	Yes	Yes
45. Monte Sereno	CA	100%	10/1/2020	2	Yes	Yes
46. Moorpark	CA	100%	2/1/2019	2	Yes	No
47. Morro Bay	CA	100%	8/1/2020	2	Yes	Yes
48. Mountain View	CA	100%	1/1/2022	3	Yes	Yes
49. Novato	CA	100%	1/1/2018	2	Yes	Yes
50. Pacific Grove	CA	100%	10/1/2021	2	Yes	Yes
51. Pacifica	CA	100%	10/9/2020	2	Yes	Yes
52. Palo Alto	CA	100%	1/1/2018	2	Yes	Yes
53. Pasadena	CA	100%	1/1/2013	2	Yes	Yes
54. Petaluma	CA	100%	1/1/2014	2	Yes	Yes
55. Pinole	CA	100%	10/18/2019	2	Yes	Yes
56. Pleasanton	CA	100%	7/1/2022	2	Yes	No
57. Rancho Cordova	CA	100%	11/4/2021	2	N/S	Yes
58. Redwood City	CA	100%	1/1/2019	2	Yes	Yes
59. Richmond	CA	100%	1/1/2011	2	Yes	Yes
60. Rohnert Park	CA	100%	4/23/2018	2	Yes	Yes
61. Ross	CA	100%	2/9/2020	2	Yes	Yes
62. San Anselmo	CA	100%	1/8/2016	2	Yes	Yes
63. San Bruno	CA	100%	2/22/2018	2	Yes	Yes
64. San Carlos	CA	100%	7/8/2020	2	Yes	Yes
65. San Mateo	CA	100%	11/14/2015	2	Yes	Yes

Municipality	State	% of Units Currently Smokefree	Final Effective Date	Minimum Number of Units	Includes Patio/Balcony	Includes Condos
66. San Mateo County^	CA	100%	2/4/2016	2	Yes	Yes
67. San Pablo	CA	100%	7/1/2021	2	Yes	No
68. San Rafael	CA	100%	11/14/2013	3	Yes	Yes
69. Santa Clara	CA	100%	8/1/2019	2	Yes	Yes
70. Santa Clara County^	CA	100%	2/9/2012	2	Yes	Yes
71. Santa Rosa	CA	100%	8/7/2016	2	Yes	Yes
72. Saratoga	CA	100%	9/16/2016	4	Yes	Yes
73. Sausalito#	CA	Some	5/31/2024	2	Yes	Yes
74. Sebastopol	CA	100%	11/2/2011	2	Yes	Yes
75. Sierra Madre#	CA	Some	10/1/2024	4	No	Yes
76. Sonoma	CA	100%	12/12/2016	2	Yes	Yes
77. Sonoma County^	CA	100%	1/12/2013	2	Yes	Yes
78. South San Francisco	CA	100%	11/9/2017	2	N/S	Yes
79. Sunnyvale	CA	100%	9/23/2016	2	Yes	Yes
80. Tiburon	CA	100%	10/16/2018	4	Yes	Yes
81. Union City	CA	100%	2/23/2012	2	Yes	No
82. Vallejo	CA	100%	9/21/2022	2	Yes	Yes
83. Walnut Creek	CA	100%	1/30/2014	2	Yes	Yes
84. Windsor	CA	100%	8/15/2017	2	Yes	Yes

^ = In California, county laws only cover unincorporated areas of the county, and do not cover cities in the county. Cities located within the county need to adopt their own local laws.

Municipalities with Laws that Partially Restrict Smoking in Multi-Unit Housing:

This table represents communities that have **municipal laws** at the city or county level that **restrict smoking in some private units** of multi-unit housing, but do not require multi-unit buildings to be 100% smokefree.

The trend is now for communities to adopt laws that require multi-unit properties to be 100% smokefree, as listed in the chart above. It is not recommended that communities adopt the types of partial laws represented in the chart below.

Municipalities marked **Some** under “All Units Currently Smokefree?” have some buildings that are required to be 100% smokefree. Often, these laws prohibit smoking in all newly occupied buildings or newly leased units, but either do not address smoking in existing buildings or only apply to a certain percent of units in existing buildings.

Municipalities marked **No** under “All Units Currently Smokefree?” have no buildings required to be 100% smokefree now or in the future. These laws may apply to only a certain percent of units in existing and future buildings, or permit current residents to continue smoking in the building indefinitely (a “grandfather” clause).

Additionally, communities not represented on this list may have local laws that do not address smoking in private units, but restrict smoking in multi-unit housing to a lesser extent, such as by prohibiting smoking in indoor common areas or only on patios and balconies.

Municipality	State	All Units Currently Smokefree?	Min. % of Units Currently Smokefree	Initial Effective Date	Final Effective Date	Min. # of Units	Includes Condos
1. Baldwin Park	CA	Some	100% new/ 80% existing	6/21/2012	12/2/2014	2	Yes
2. Burbank	CA	No	N/S	5/1/2011	5/1/2011	N/S	Yes
3. Calabasas	CA	No	80%	1/1/2012	Not Specified	2	No
4. Dublin	CA	No	75%	1/1/2011	1/1/2013	16	N/S
5. Fremont	CA	Some	100% new/ 0% existing	2/1/2017	Not Specified	2	Yes
6. Glendale	CA	Some	100% new/ 0% existing	6/27/2013	Not Specified	2	Yes
7. Jurupa Valley	CA	Some	100% new/ designated existing units	3/6/2021	Not Specified	3	No
8. Lafayette	CA	Some	100% new/ 0% existing	2/10/2014	Not Specified	3	Yes
9. Loma Linda	CA	No	70%	1/1/2012	Not Specified	2	No
10. Oakley	CA	No	100% new/ 0% existing	3/13/2014	4/1/2014	2	Yes
11. Pleasant Hill	CA	Some	100% new/ 50% existing	5/5/2010	Not Specified	4	No
12. Riverside	CA	No	100% new/ 0% existing	7/28/2022	7/28/2022	2	No
13. Santa Monica	CA	Some	100% new/ designated existing units	5/21/2013	Not Specified	N/S	Yes
14. South Pasadena	CA	Some	100% new/ 80% existing	3/3/2011	Not Specified	2	Yes
15. Temecula	CA	No	25%	12/7/2007	6/7/2012	10	N/S
16. West Hollywood	CA	Some	100% new/ 0% existing	5/19/2021	7/15/2021	3	Yes

Definitions and Explanatory Notes:

Communities on the two charts of municipal laws adopted a municipal ordinance to regulate smoking in all (first chart) or some (second chart) types of multi-unit housing.

= Law requires multi-unit buildings to be 100% smokefree when the law is fully in effect on the stated Final Effective Date, but currently the law provides partial coverage.

^ = In California, county laws only cover unincorporated areas of the county, and do not cover cities in the county. Cities located within the county need to adopt their own local laws.

Minimum Percent of Units Currently Smokefree:

The percent of specified multi-unit housing that is currently required to be smokefree:

100%: All units in specified multi-unit housing must be smokefree.

Another stated %: The stated percent of units in specified multi-unit housing must be smokefree.

N/S = Not Specified: The law does not specify the percent of units currently required to be smokefree or the percent of units currently required to be smokefree cannot be determined by how the law is written, such as: applying only to new multi-unit buildings but not to existing multi-unit buildings or designating a certain percentage of units as nonsmoking or limiting smoking to certain buildings or permitting current residents to continue to smoke indefinitely.

Initial Effective Date:

The date when some multi-unit housing must be 100% smokefree. For example, Baldwin Park, CA (marked as Some for *All Units Currently Smokefree*) requires that all newly occupied buildings must be 100% smokefree as of 6/21/2012, which is the Initial Effective Date. Baldwin Park also requires that at least 80% of units in all existing buildings be smokefree. Because existing buildings may never be fully smokefree, the Final Effective Date is “Not Specified.”

Final Effective Date:

For communities marked as Yes or Some for All Units Currently Smokefree, the Final Effective Date is when all buildings must be 100% smokefree. For communities marked as No for All Units Currently Smokefree, the Final Effective Date is when the strongest provisions of the law goes into effect.

Not Specified:

The law does not specify when all multi-unit buildings must be completely smokefree, due to provisions such as: law permits current residents to continue smoking indefinitely **or** law applies only to newly constructed buildings **or** law applies only to a certain percent of existing units.

ANR Foundation is actively collecting additional laws. **If you know of local laws that you think should be included on the list**, or want to inquire about additional information on particular laws, please contact the ANR Foundation at info@no-smoke.org or 510-841-3032.

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[LS-41]

ORDINANCE NO. 2017-311

**AN ORDINANCE OF THE TOWN OF WINDSOR
AMENDING TITLE III, CHAPTER 20 OF THE TOWN OF WINDSOR CODE TO
PROHIBIT SMOKING IN MULTI-UNIT BUILDINGS AND COMMON AREAS**

WHEREAS, the California Constitution, Article XI, Section 7, provides cities with the authority to enact ordinances to protect the health, safety, and welfare of their citizens; and

WHEREAS, numerous studies have found that smoking is a major contributor to indoor air pollution; and

WHEREAS, reliable studies, including those by the Surgeon General of the United States, have shown that breathing sidestream or secondhand smoke is a significant health hazard, particularly to elderly people, individuals with cardiovascular disease, and individuals with impaired respiratory function, asthmatics and those with obstructive airway disease; and

WHEREAS, health hazards induced by breathing sidestream or secondhand smoke include lung cancer, respiratory infection, decreased exercise tolerance, decreased respiratory function, bronchoconstriction and bronchospasm; and

WHEREAS, nonsmokers with allergies, respiratory diseases and those who suffer other ill effects of breathing sidestream or secondhand smoke may experience loss of job productivity or may be forced to take periodic sick leave because of adverse reactions to the same; and

WHEREAS, persons, including tenants in multi-unit buildings, have a right to a smoke-free environment if they desire; and

WHEREAS, the Town Council of the Town of Windsor finds that prohibiting smoking in multi-unit residential buildings is necessary to protect the public health, safety, and welfare against smoking and secondhand smoke.

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF WINDSOR DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Section 3-20-110 of the Town of Windsor Municipal Code entitled "Definitions" is hereby amended as follows:

- a. *Business* means any sole proprietorship, partnership, joint venture, corporation, association, or other entity formed for profit-making purposes or that has an employee, as defined in this section.
- b. *Common area* means every enclosed area or unenclosed area of a multi-unit building that residents of more than one (1) unit of that multi-unit building are entitled to enter or use, including but not limited to halls, paths, walkways, lobbies, courtyards, elevators, stairwells, community rooms, playgrounds, gym facilities, swimming pools, parking

garages, parking lots, shared restrooms, shared laundry rooms, common cooking areas and shared eating areas.

- c. *Electronic smoking device* means an electronic and/or battery-operated device, which can provide an inhalable dose of nicotine, cannabis, whether recreational or medical, or other substances by delivering a vaporized solution. "Electronic smoking device" includes any such electronic smoking device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.
- d. *Employee* means any person who is employed; retained as an independent contractor by an employer, as defined in this section; or any person who volunteers his or her services for an employer, association, nonprofit or volunteer entity.
- e. *Employer* means any person, partnership, corporation, association, nonprofit or other entity who employs or retains the services of one (1) or more persons or supervises volunteers.
- f. *Enclosed area* means all space between a floor and ceiling where the space is closed in on all sides by solid walls or windows that extend from the floor to the ceiling. An enclosed area may have openings for ingress and egress, such as doorways or passageways.
- g. *Existing unit* means any unit that is not a new unit.
- h. *Landlord* means any person who owns property rented for residential use, any person who lets residential property, and any person who manages such property, except that "Landlord" does not include a master tenant who sublets a unit as long as the master tenant sublets only a single unit of a multi-unit building.
- i. *Multi-unit building* means residential property containing two or more units with one or more shared walls, floors or ceilings, including but not limited to apartments, residential cooperatives, residential condominiums, duplexes, residential care facilities for seniors licensed by the State of California and other attached housing. "Multi-unit building" does not include:
 - 1. A hotel or motel;
 - 2. A mobile home park;
 - 3. A campground;
 - 4. A single-family detached residence;
 - 5. A single-family home with an attached or detached second dwelling unit as defined by Government Code Section 65852.2 when permitted pursuant to local ordinance and/or applicable state law.
- j. *New unit* means a multi-unit building that is issued a certificate of occupancy or final inspection on or after June 16, 2017, and a unit that is leased or rented for the first time on or after June 16, 2017.

- k. *Nonprofit entity* means any entity that meets the requirements of California Corporations Code Section 5003 as well as any corporation, unincorporated association or other entity created for charitable, religious, philanthropic, educational, political, social or similar purposes, the net proceeds of which are committed to the promotion of the objectives or purposes of the entity and not to private gain. A public agency is not a nonprofit within the meaning of this section.

- l. *Outdoor dining area* means any outdoor area available to or customarily used by the general public, which is designed, established, or regularly used for consuming food or drink.

- m. *Playground* means any park designed in part to be used by children that has play or sports equipment installed or has been designated or landscaped for play or sports activities, or any similar facility located on public or private school grounds, or on Town grounds.

- n. *Reasonable distance* means a distance that ensures that occupants of an area in which smoking is prohibited are not exposed to secondhand smoke created by smokers outside the area. The distance shall be a minimum of twenty-five (25) horizontal feet.

- o. *Recreational area* means any area owned and operated by the Town and open to the general public for recreational purposes, including gardens, the Town Green, playgrounds, and picnic and barbeque areas, sporting facilities, including bleachers, dugouts, balls fields, tennis courts, swimming pools and surrounding areas, walking, running, biking and nature trails.

- p. *Smoking* means inhaling or exhaling from, or possessing, a lighted pipe, lighted cigar, operating electronic smoking device, or lighted cigarette of any kind, or the lighting of a pipe, cigar, electronic smoking device, or cigarette of any kind, including but not limited to, tobacco, cannabis, or any other weed or plant.

- q. *Unenclosed area* means any area that is not an enclosed area.

- r. *Unit* means a residential personal dwelling space, even where lacking cooking facilities or private plumbing facilities, and includes any associated exclusive use enclosed area or unenclosed area, such as, for example, a private balcony, garage, carport, porch, deck, or patio.

SECTION 2. Section 3-20-115 of the Town of Windsor Municipal Code entitled “Prohibition on Smoking” is hereby amended as follows:

- a. Smoking shall be prohibited in the following places within the Town of Windsor except in such places in which smoking is already prohibited by State or Federal law in which case the State or Federal law applies:
 - 1. Recreational area;

2. Playground;
3. Outdoor dining area;
4. Multi-unit building and common areas.

SECTION 3. Section 3-20-120 of the Town of Windsor Municipal Code entitled “Reasonable Distance Required - 20 Horizontal Feet” is hereby amended as follows:

3-20-120 - Reasonable Distance Required – 25 Horizontal Feet.

- a. Smoking shall be prohibited within a reasonable distance from any entrance, opening, crack, or vent of a business and multi-unit building, except while actively passing on the way to another destination and without entering or crossing any area which smoking is prohibited.

SECTION 4. Section 3-20-125 of the Town of Windsor Municipal Code entitled “Duty of Employer, Business, or Nonprofit Entity” is hereby amended as follows:

3-20-125 – Duty of Employer, Business, Nonprofit Entity, or Landlord.

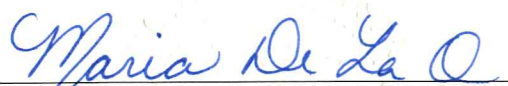
- a. No employer, business, nonprofit entity, or landlord shall knowingly or intentionally permit smoking in an area which is under the employer's, business', nonprofit entity's, or landlord's control and in which smoking is prohibited.
- b. No employer, business, nonprofit entity, or landlord shall knowingly or intentionally permit the presence or placement of ash receptacles, such as, without limitation, ash trays or ash cans, within an area which is under the employer's, business', nonprofit entity's, or landlord's control and in which smoking is prohibited, including, without limitation, inside the perimeter of any reasonable distance required by this chapter.
- c. Notwithstanding any other provision of this chapter, any employer, business, nonprofit entity, landlord, or other person who controls any area may declare that any part of such area in which smoking would otherwise be permitted is a nonsmoking area.
- d. Every landlord of a multi-unit building, as defined in this chapter, in order to demonstrate compliance with the applicable provisions in this chapter, shall at a minimum include in every lease or rental agreement a provision prohibiting any smoking within any such unit, including any exclusive use areas such as patios, balconies and porches, as well as in common areas and on the property, as a whole. Such provision, which may be incorporated by amendment to house rules applicable to the property, shall (1) state that any violation of the smoking prohibition by, through or under the control of tenant be construed as a material breach of the lease or rental agreement, and (2) be included in any rental or lease agreement at the soonest date possible for those units already in existence and occupied pursuant to a lease other than a month-to-month lease as of the effective date of the ordinance. Units rented or leased on a month-to-month basis, and owner-occupied multi-unit building residences, shall be converted to nonsmoking no later than 60 days from the effective date of this ordinance.

- e. Compliance with the requirement set forth in (d.) above shall not excuse the landlord of a multi-unit building from taking appropriate steps to ensure tenant compliance with this chapter. Landlord shall be prepared to respond to and address complaints from other tenants on the property of violations of the smoking prohibitions.
- f. For purposes of this section, appropriate steps shall include the following:
 - 1. Posting signs in compliance with the requirements of this chapter.
 - 2. Sending every tenant written information on an annual basis for the first three years following the adoption of this ordinance about the requirements of this chapter, to include no smoking requirements and the location, if any, of a designated smoking area on the property.
 - 3. Notifying each tenant who is the subject of a smoking complaint of the requirements of this chapter as well as the fact that a complaint was lodged against the tenant and encouraging compliance.
- g. So long as Landlord can demonstrate that it has implemented all of the appropriate steps towards compliance with this ordinance, Landlord shall not be found in violation of the ordinance.

PASSED, APPROVED, AND ADOPTED this 17th day of May 2017, by the following vote:

AYES: COUNCILMEMBERS MILLAN, OKREPKIE, SALMON,
AND MAYOR FUDGE
NOES: VICE MAYOR FOPPOLI
ABSTAIN: NONE
ABSENT: NONE


 DEBORA FUDGE, MAYOR

ATTEST:

 MARIA DE LA O, TOWN CLERK

Tips for Housing Providers: Talking with Residents about Your Building's Smokefree Policy

A key part of adopting a smokefree building policy is communicating with residents and engaging them in a conversation about what a smokefree building means for them. Here are some ways that building owners and managers can communicate with residents about why your building is going smokefree and how it is beneficial to them.

Open Communication:

- Communicate with residents **early and often** about the policy. Ask for resident input from the start since the policy change directly affects their lives.
- **Ask for resident input** before the policy is implemented to give residents an opportunity to voice their opinions. Conduct a resident survey by putting an anonymous survey in each mailbox. Their responses can help you address concerns and questions before the policy goes into effect. Sample surveys are available in our [Resources & Tools for Smokefree Multi-Unit Housing](#).
- **Use a positive message** about why the smokefree policy is being adopted, which can help residents understand and accept the new policy, which in turn can help increase compliance down the road.
- **Send a letter** to each unit when the policy is adopted to let residents know what the new rule means, how they can comply, where they can get help to quit smoking, and who to call to ask questions. Sample letters are in our [Resources & Tools for Smokefree Multi-Unit Housing](#).
- **Post flyers** in the lobby and on each floor to remind people of the upcoming change: "For the health of our residents, our building is going smokefree on [date]. Learn more at a meeting on [date]."
- **Use all lines of communication.** Put a reminder in upcoming notices or mailings, mention it at resident council meetings, put up a poster in the laundry room, etc.
- **Encourage questions** from residents about their concerns. Honest conversations with residents can help them feel more comfortable and less anxious about the policy change.
- **Host a meeting** for residents. Meetings are a critical part of implementing the policy. Talk with residents about the policy, how it will improve health and safety, how they can get support if they want to quit smoking, how complaints and violations will be addressed, and encourage them to ask questions. Hearing about concerns can also help staff plan better and address hot topics to make the transition easier and improve compliance.
- **Explain scope of policy.** Your policy should cover all lit tobacco products, including hookahs. Also, clarify if the policy prohibits the use of [electronic smoking devices](#) (vaping). Likewise, be clear about whether your policy prohibits smoking [marijuana](#). Marijuana



use is prohibited in all federally funded housing, including public housing. Your policy can prohibit smoking and vaping marijuana, even in states that have legalized medical or recreational use. ANRF recommends including electronic smoking devices and marijuana in all smokefree policies because they release unhealthy pollutants into the air that pose health risks for other residents.

- **Work together** with management, maintenance staff, resident councils, resident services, social services, visiting nurses, local public health groups, and others who can help educate residents about the policy, and lend support to people who have concerns or are having trouble with compliance.

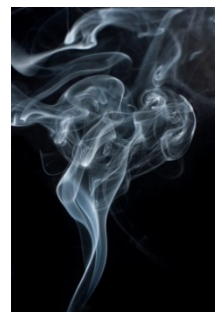
Resident Champions:

- **Look for resident champions** to help you spread the word about the smokefree policy. Who is the person in your building who knows everyone, has the respect of their neighbors, and knows what's going on with everyone? Ask the resident council for recommendations. People who like living in a smokefree building—or are excited for the building to go smokefree—might be great champions.
- **How can champions be helpful?**
 - **Their opinions matter.** Champions can help spread the word about the policy through their social circles.
 - Ask champions to **share what a smokefree building means** to them. They might say: “I have asthma and I can breathe better now that there’s no smoke coming into my apartment,” or “I’ve been meaning to quit smoking and this is a good reason to try again.”
 - **Create an informational flyer** that features quotes. It’s great to include photos too! You can post the flyer in the building or put in mailboxes.
 - Ask your champion to **share their story at a resident meeting**. Residents talking about why smokefree is important to them can personalize the issue and build support among neighbors.
 - Champions **help encourage compliance** by reminding others that smoking is not allowed inside and where they can go outside to smoke. Neighbors are a key part of good compliance. A word from a respected neighbor about keeping the air clean for everyone can carry a lot of weight.



Talking about the dangers of secondhand smoke:

- Educate residents about how secondhand smoke is harmful. Remind them that the building is going smokefree because of the health concerns and fire risk.
- There's no safe level of secondhand smoke exposure. Even breathing a small amount of smoke, or breathing smoke only once in a while, can be harmful to health.
- Secondhand smoke can drift through buildings and enter common areas and other people's units. Smoke drifts through doors, windows, halls, and ventilation ducts, and through gaps around outlets and fixtures.
- Our building is smokefree because the only way to protect health is not to allow smoking indoors.
- Taking the smoke outside keeps the air healthier and the building cleaner. There is less damage to the building from smoke, burns, and fire.



- Everyone has the right to breathe smokefree air at home. No one should get sick from breathing someone else's smoke.
- Smoking in home increases the risk of fire. Fires caused by cigarettes are the leading cause of residential fire deaths in the U.S.
- Let residents know how they can anonymously report a suspected violation. Remind them that it's safe and important to tell staff or management about violations to this health and safety policy.



Talking about the benefits of a smokefree building:

- **Let residents know that smokefree buildings:**
 - Reduce secondhand smoke exposure
 - Improve health
 - Improve air quality
 - Help people quit smoking
 - Reduce the risk of fires
 - Make it easier to breathe
 - Are healthier for children
 - Are healthier for pets
 - Reduce damage
 - Smell fresher and stay cleaner
- **Our building is going smokefree so that everyone has a healthier and cleaner living environment.**
- **Smokefree buildings keep kids healthier.** Secondhand smoke causes many health and development problems for babies and children, including more frequent and severe asthma attacks, respiratory infections, ear infections, sudden infant death syndrome (SIDS), and behavioral problems.
- **Smokefree buildings help older residents stay healthier.** Seniors are more likely to have health issues that are made worse by breathing secondhand smoke, like COPD, heart disease, emphysema, diabetes. Even in healthy adults, secondhand smoke increases the risk of heart attack and stroke.
- **Smokefree buildings keep your pets healthier.** Did you know that pets can get sick from breathing secondhand smoke and licking tobacco residue off their fur?



Talking with residents who smoke:

- It is important to **avoid stigmatizing residents who smoke** by connecting them with smoking cessation opportunities and services. This can help residents feel supported as they approach the transition to living in a smokefree building, which may feel intimidating and frustrating.
- Remind residents that **no one needs to quit smoking** and **no one needs to move out**. People simply need to go outdoors to smoke.
- Let them know this policy is **not against them personally**, it's about the smoke. The smoke is the problem because it harms the health of neighbors, creates a fire risk, and damages the building.
- Tell residents—and staff—about local **smoking cessation support** options that are available in case they want help quitting smoking or cutting down how much they smoke. A new smokefree building is the perfect time to quit! Some cessation programs offer on-site classes which might be of interest to residents.



- See if residents are interested in a **peer support network** or on-site cessation class. Neighbors can be a good support for each other as they figure out the best ways to take their smoking outside and consider cutting down or quitting.
- Work with cessation resources to offer free or reduced-price **cessation aids**, such as a month’s supply of nicotine replacement patches or gum. This may be motivating for residents who want to comply with the policy while addressing nighttime cravings.
- **Smokefree policies are not discriminatory.** Residents might ask if it is discriminatory against smokers to have a smokefree policy. It is legal to regulate where smoking is allowed because there is no constitutional “right to smoke” and people who smoke are not a protected class. Housing providers have the right to set reasonable health and safety rules to protect the property and residents.
- **Reasonable accommodation.** Residents with disabilities can request a reasonable accommodation related to policies and rules. However, in HUD-funded buildings, a reasonable accommodation for people who smoke cannot include smoking indoors. Any accommodation for smokers must be “in compliance with the requirements of the [Public Housing Agency]’s smoke-free policies.” See HUD’s [implementation guidance memo](#) for more information about accommodations in public housing.
- **Work through challenges with residents.** Some buildings create a designated outdoor smoking location that is located away from doors and windows. Work together to find a **convenient outdoor location** to smoke. Could a person with limited mobility **move to a first floor unit** or one that is close to a door/elevator to make it easier to get outside? Some residents who smoke have used a **nicotine replacement patch** during the night so that they do not have to go outside.
- Connect residents who smoke with **resident services** or other social services to develop a plan to manage their smoking and still be in compliance with the policy.
- **Listen and engage people** who are most impacted by the smokefree policy. Ask what they need. Residents and resident councils can help guide staff to good solutions that support them while also meeting the goals of the policy.



A thoughtful implementation and compliance process that involves frequent and open communication with residents can help all residents breathe easier while also helping to support residents who smoke.

More information is available on our [Homes](#) page or by [contacting us](#) or phoning 510-841-3032.

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Going Smoke-Free: A Guide for Landlords

Sample Letter Notifying Tenants of Lease and Rule Change

Resident
123 Main Street
City, State 01234

Dear Resident:

The decision has been made for this property to become smoke free, including all apartments. The only way to prevent smoke from seeping into common areas and the apartments of nonsmokers is to prohibit smoking entirely in and around the building.

The adverse health effects of secondhand smoke are well documented. A smoke free property will help protect the health of residents and their families. To the residents who smoke, you are welcome to continue living in the building, as long as you refrain from smoking while on the property.

The rule change will occur *when leases are renewed*. As new residents move in and current residents renew their leases, the no smoking rule will become effective for their apartments. This means that during the next year, some residents might not be prohibited from smoking inside their apartments, not until their leases are renewed. I ask for your cooperation as I phase in the new rule. (Please note that I reserve the right to prohibit smoking immediately.)

In addition, effective immediately, smoking is prohibited in all common areas of the building, including but not limited to, hallways, stairways, foyers, common rooms and facilities, fire escapes, decks, patios, exterior landings, front steps, entrance ways, basements, storage areas and other building facilities. Smoking means the inhaling, exhaling, breathing, carrying, or possession of any lighted cigarette, cigar, pipe, other product containing any amount of tobacco, or other similar lighted product.

Please inform your guests that smoking is prohibited. You will be held responsible, if your guest violates the no smoking rule.

I sincerely hope that all residents, even those who smoke, will continue to enjoy living in the building. I embrace this small change as an opportunity to ensure that the building is a healthier and cleaner place for all residents and guests.

Sincerely,

Landlord

The Massachusetts Smoke-Free Housing Project
An Initiative of the Public Health Advocacy Institute
Funded by the Massachusetts Department of Public Health



makesmokinghistory.org

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Authorization of Additional Expenditures Under Existing Professional Services Contract with Downey Brand for Legal Services	MEETING DATE: Aug. 1, 2024
SUBMITTED BY: Alan Flora, City Manager	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

Approve contract for legal services for representation.

BACKGROUND/DISCUSSION:

In 2023 the City Manager executed a contract with Downey Brand to provide legal services, primarily related to the recent onslaught by the Koi Nation to challenge all economic development projects in the City of Clearlake. Three total cases have been filed against the city on various projects, with the City’s victory on the 18th Avenue project currently on appeal. Downey Brand is also representing the City on water related litigation matters.

In October 2023 the Council approved a total of \$500,000 for legal expenses and staff are recommending an additional \$250,000 be authorized at this time.

FISCAL IMPACT

Staff request approval of an additional \$250,000 for contract legal services.

OPTIONS:

1. Authorize an additional \$250,000 in expenditures under the Downey Brand contract for a new total of \$750,000
2. Other direction

FISCAL IMPACT:

None \$250,000 Budgeted Item? Yes No

Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$

Affected fund(s): General Fund Measure P Fund Measure V Fund Other: 240 Capital Project Funds

Comments: Legal fees are being paid from City funds allocated to each project.

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

Attachments:



Clearlake, CA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
VEN01510	4LEAF, INC.	07/17/2024	Regular	0.00	20,195.20	17205
000591	ACTION SANITARY	07/17/2024	Regular	0.00	739.50	17206
VEN01414	ADAM HERNANDEZ	07/17/2024	Regular	0.00	36.45	17207
001911	ADAMS ASHBY GROUP INC	07/17/2024	Regular	0.00	7,067.50	17208
001506	ADELINE LEYBA	07/17/2024	Regular	0.00	300.00	17209
001138	ADVENTIST HEALTH	07/17/2024	Regular	0.00	103.00	17210
001423	ALLIANT INSURANCE SERVICES, IN	07/17/2024	Regular	0.00	297.00	17211
VEN01205	AMANDA LEE NOBRIGA	07/17/2024	Regular	0.00	24.00	17212
001397	AT&T CALNET 3	07/17/2024	Regular	0.00	29.12	17213
001397	AT&T CALNET 3	07/17/2024	Regular	0.00	29.12	17214
001397	AT&T CALNET 3	07/17/2024	Regular	0.00	29.12	17215
001397	AT&T CALNET 3	07/17/2024	Regular	0.00	29.12	17216
001397	AT&T CALNET 3	07/17/2024	Regular	0.00	29.12	17217
001418	B & G TIRES OF CLEARLAKE	07/17/2024	Regular	0.00	210.00	17218
VEN01351	BKF ENGINEERS	07/17/2024	Regular	0.00	9,861.00	17219
002162	CALIFORNIA ENGINEERING	07/17/2024	Regular	0.00	72,469.43	17220
VEN01419	CALIFORNIA PARK & RECREATION SC	07/17/2024	Regular	0.00	600.00	17221
000902	CALIFORNIA SURVEYING - DRAFTING	07/17/2024	Regular	0.00	326.25	17222
VEN01524	CASEY DOSS- DOSS ENTERPRISES	07/17/2024	Regular	0.00	1,500.00	17223
VEN01440	CITIZENS CARING FOR CLEARLAKE	07/17/2024	Regular	0.00	11,804.72	17224
002083	COUNTY OF LAKE WATER RESOURCE	07/17/2024	Regular	0.00	347.72	17225
000447	CREATIVE FORMS & CONCEPTS	07/17/2024	Regular	0.00	578.97	17226
002392	DE LAGE LANDEN PUBLIC FINANCE	07/17/2024	Regular	0.00	1,462.90	17227
000165	DELL MARKETING L.P.	07/17/2024	Regular	0.00	992.17	17228
000160	DEPT OF JUSTICE	07/17/2024	Regular	0.00	683.00	17229
VEN01229	DONALD BAZE	07/17/2024	Regular	0.00	374.28	17230
000073	EASTLAKE SANITARY LANDFILL	07/17/2024	Regular	0.00	58.77	17231
002240	ELIZABETH KELLY	07/17/2024	Regular	0.00	200.00	17232
001199	EUREKA OXYGEN CO	07/17/2024	Regular	0.00	95.34	17233
VEN01108	FAWN CHRISTINE WILLIAMS	07/17/2024	Regular	0.00	75.00	17234
VEN01536	FLAGSTAR PUBLIC FUNDING CORP.	07/17/2024	Regular	0.00	79,183.84	17235
001732	GARY PRICE CONSULTING SERVICES	07/17/2024	Regular	0.00	6,823.25	17236
VEN01468	GEI CONSULTANTS INC	07/17/2024	Regular	0.00	7,740.00	17237
000096	GOLDEN STATE WATER COMPANY	07/17/2024	Regular	0.00	2,325.05	17238
000096	GOLDEN STATE WATER COMPANY	07/17/2024	Regular	0.00	39.27	17239
000797	GRANITE CONSTRUCTION	07/17/2024	Regular	0.00	4,687.26	17240
002065	HERC RENTALS INC	07/17/2024	Regular	0.00	152.16	17241
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	117.06	17242
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	4,336.15	17243
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	60.36	17244
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	363.55	17245
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	63.55	17246
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	131.22	17247
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	298.91	17248
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	159.42	17249
000121	HIGHLANDS WATER COMPANY	07/17/2024	Regular	0.00	161.03	17250
001554	HINDERLITER DELLAMAS & ASSOC.	07/17/2024	Regular	0.00	3,789.61	17251
VEN01394	HUNTERS SERVICES INC	07/17/2024	Regular	0.00	285.00	17252
000995	INTERNATIONAL CODE COUNCIL.INC	07/17/2024	Regular	0.00	44.00	17253
VEN01418	JACK SMALLEY	07/17/2024	Regular	0.00	75.00	17254
VEN01317	JACOB WHEELER	07/17/2024	Regular	0.00	400.00	17255
002274	JOHN R BENOIT	07/17/2024	Regular	0.00	8,286.48	17256
000108	LAKE COUNTY RECORD BEE	07/17/2024	Regular	0.00	913.39	17257
000158	LAKE COUNTY SPECIAL DISTRICTS	07/17/2024	Regular	0.00	265.10	17258

Check Register

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
002280	LAW OFFICES OF P SCOTT BROWNE	07/17/2024	Regular	0.00	2,219.32	17259
VEN01123	LOOMIS	07/17/2024	Regular	0.00	615.58	17260
VEN01515	LSW ARCHITECTS, P.C.	07/17/2024	Regular	0.00	33,000.00	17261
002176	MANAGEMENT CONNECTIONS	07/17/2024	Regular	0.00	1,600.95	17262
VEN01491	MEDEIROS EQUIPMENT LLC	07/17/2024	Regular	0.00	990.00	17263
VEN01344	MICHAEL PESONEN - COMFORTABLE	07/17/2024	Regular	0.00	400.00	17264
VEN01538	MICHAEL TAYLOR	07/17/2024	Regular	0.00	87.52	17265
001489	NAPA AUTO PARTS	07/17/2024	Regular	0.00	211.30	17266
VEN01191	NORTH BAY ANIMAL SERVICES	07/17/2024	Regular	0.00	31,250.00	17267
001392	OFFICE DEPOT	07/17/2024	Regular	0.00	382.83	17268
VEN01523	PEG TV	07/17/2024	Regular	0.00	200.00	17269
001843	PG&E CFM	07/17/2024	Regular	0.00	1,575.31	17270
001843	PG&E CFM	07/17/2024	Regular	0.00	23.82	17271
001843	PG&E CFM	07/17/2024	Regular	0.00	5,570.90	17272
	Void	07/17/2024	Regular	0.00	0.00	17273
001843	PG&E CFM	07/17/2024	Regular	0.00	23,290.77	17274
001843	PG&E CFM	07/17/2024	Regular	0.00	183.27	17275
001843	PG&E CFM	07/17/2024	Regular	0.00	1,418.49	17276
001843	PG&E CFM	07/17/2024	Regular	0.00	2,589.74	17277
VEN01371	R.E.Y. ENGINEERS, INC.	07/17/2024	Regular	0.00	130.00	17278
VEN01255	REDWOOD EMPIRE MUNICIPAL INSL	07/17/2024	Regular	0.00	173.24	17279
002215	ROBERT COKER	07/17/2024	Regular	0.00	75.00	17280
VEN01251	RYAN KIMBLE - KIMBLE'S CONSTRUC	07/17/2024	Regular	0.00	11,200.00	17281
VEN01064	SAMSARA NETWORKS INC	07/17/2024	Regular	0.00	16,920.97	17282
000676	SONOMA STATE UNIVERSITY	07/17/2024	Regular	0.00	75.00	17283
002000	SUB TERRA CONSULTING	07/17/2024	Regular	0.00	1,933.15	17284
VEN01526	TAYLOR ELISE WHITE	07/17/2024	Regular	0.00	120.00	17285
VEN01222	TERRY LEE STEWART	07/17/2024	Regular	0.00	75.00	17286
VEN01412	THE EIDAM CORPORATION - LUCY &	07/17/2024	Regular	0.00	58,225.15	17287
001934	TINA VIRAMONTES	07/17/2024	Regular	0.00	300.00	17288
000099	U.S. CELLULAR	07/17/2024	Regular	0.00	897.20	17289
001559	ULINE SHIPPING SUPPLIES	07/17/2024	Regular	0.00	222.06	17290
000085	VESTIS GROUP, INC. (F/K/A ARAMAR	07/17/2024	Regular	0.00	49.31	17291
VEN01401	VISHAL CORPORATION - BEST WESTE	07/17/2024	Regular	0.00	1,440.50	17292
001540	US BANK CORPORATE PMT. SYSTEM	06/14/2024	Bank Draft	0.00	7,860.40	DFT0003757
VEN01464	THE LINCOLN NATIONAL LIFE INSUR	06/27/2024	Bank Draft	0.00	782.08	DFT0003758

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	127	87	0.00	448,694.84
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	16	2	0.00	8,642.48
EFT's	0	0	0.00	0.00
Total	143	90	0.00	457,337.32

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	6/2024	8,642.48
999	Pooled Cash	7/2024	448,694.84
			<hr/>
			457,337.32



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Payable Detail by Section G, Item 3.

Packet: APPKT02984 - US BANK J.VALENCIA 5/22/24 DL

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shipping	Discount	Total
Payable Description	Bank Code				On Hold					

Vendor: [001540 - US BANK CORPORATE PMT. SYSTEM](#) Vendor Total: 2,260.40

[003559](#) Invoice 5/14/2024 5/14/2024 5/14/2024 5/14/2024 58.31 0.00 0.00 0.00 58.31
 WATER PACKS FOR CREW AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003736

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
WATER PACKS FOR CREW	NA	0.00	0.00	58.31	0.00	0.00	0.00	58.31

Distributions

Account Number	Account Name	Project Account Key	Amount	Percent
220-3065-600-235	SUPPLIES		58.31	100.00%

[313163](#) Invoice 5/14/2024 5/14/2024 5/14/2024 5/14/2024 31.25 0.00 0.00 0.00 31.25
 2 STROKE OIL FOR SMALL ENGINES AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003740

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
2 STROKE OIL FOR SMALL ENGINES	NA	0.00	0.00	31.25	0.00	0.00	0.00	31.25

Distributions

Account Number	Account Name	Project Account Key	Amount	Percent
200-3040-600-235	SUPPLIES		31.25	100.00%

[3205370](#) Invoice 5/14/2024 5/14/2024 5/14/2024 5/14/2024 92.11 0.00 0.00 0.00 92.11
 SUPPLIES FOR P-10 TOOLBOX AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003738

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
SUPPLIES FOR P-10 TOOLBOX	NA	0.00	0.00	92.11	0.00	0.00	0.00	92.11

Distributions

Account Number	Account Name	Project Account Key	Amount	Percent
200-3040-600-227	MAINTENANCE-RIGHT OF WAY		92.11	100.00%

[C87273/1](#) Invoice 5/14/2024 5/14/2024 5/14/2024 5/14/2024 500.00 0.00 0.00 0.00 500.00
 STIHL TRIMMER AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003739

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
STIHL TRIMMER	NA	0.00	0.00	500.00	0.00	0.00	0.00	500.00

Distributions

Account Number	Account Name	Project Account Key	Amount	Percent
200-3040-600-334	SMALL TOOLS		500.00	100.00%

[F39081/3](#) Invoice 4/25/2024 4/25/2024 4/25/2024 4/25/2024 74.96 0.00 0.00 0.00 74.96
 SUPPLIES AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003743

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
SUPPLIES	NA	0.00	0.00	74.96	0.00	0.00	0.00	74.96

Distributions

Account Number	Account Name	Project Account Key	Amount	Percent
200-3040-600-235	SUPPLIES		74.96	100.00%

[F39085/3](#) Invoice 4/25/2024 4/25/2024 4/25/2024 4/25/2024 77.13 0.00 0.00 0.00 77.13
 SUPPLIES FOR P-10AND YARD AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003744

Payable Register

Section G, Item 3.

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shipping		
Payable Description	Bank Code				On Hold					
Items										
Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total		
SUPPLIES FOR P-10AND YARD Distributions	NA	0.00	0.00	77.13	0.00	0.00	0.00	77.13		
Account Number	Account Name	Project Account Key	Amount	Percent						
200-3040-600-235	SUPPLIES		77.13	100.00%						
F43444/3	Invoice	5/1/2024	5/1/2024	5/1/2024	5/1/2024	43.88	0.00	0.00	0.00	43.88
SUPPLIES FOR P-10 TOOLBOX	AP - Accounts Payable				No	Payment Date: 6/14/2024		Bank Draft:		DFT0003742
Items										
Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total		
SUPPLIES FOR P-10 TOOLBOX Distributions	NA	0.00	0.00	43.88	0.00	0.00	0.00	43.88		
Account Number	Account Name	Project Account Key	Amount	Percent						
200-3040-600-235	SUPPLIES		43.88	100.00%						
F52739/3	Invoice	5/13/2024	5/13/2024	5/13/2024	5/13/2024	86.18	0.00	0.00	0.00	86.18
SUPPLIES FOR P-10 TOOLBOX	AP - Accounts Payable				No	Payment Date: 6/14/2024		Bank Draft:		DFT0003741
Items										
Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total		
SUPPLIES FOR P-10 TOOLBOX Distributions	NA	0.00	0.00	86.18	0.00	0.00	0.00	86.18		
Account Number	Account Name	Project Account Key	Amount	Percent						
200-3040-600-235	SUPPLIES		86.18	100.00%						
F53756/3	Invoice	5/14/2024	5/14/2024	5/14/2024	5/14/2024	15.19	0.00	0.00	0.00	15.19
SUPPLIES	AP - Accounts Payable				No	Payment Date: 6/14/2024		Bank Draft:		DFT0003737
Items										
Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total		
SUPPLIES Distributions	NA	0.00	0.00	15.19	0.00	0.00	0.00	15.19		
Account Number	Account Name	Project Account Key	Amount	Percent						
200-3040-600-235	SUPPLIES		15.19	100.00%						
F55929/3	Invoice	5/16/2024	5/16/2024	5/16/2024	5/16/2024	719.01	0.00	0.00	0.00	719.01
OLD 53 BRIDGE RAILS	AP - Accounts Payable				No	Payment Date: 6/14/2024		Bank Draft:		DFT0003735
Items										
Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total		
OLD 53 BRIDGE RAILS Distributions	NA	0.00	0.00	500.00	0.00	0.00	0.00	500.00		
Account Number	Account Name	Project Account Key	Amount	Percent						
200-3040-600-227	MAINTENANCE-RIGHT OF WAY		500.00	100.00%						
F58911/3	Invoice	5/20/2024	5/20/2024	5/20/2024	5/20/2024	17.25	0.00	0.00	0.00	17.25
WASHERS FOR BRIDGE BUILD	AP - Accounts Payable				No	Payment Date: 6/14/2024		Bank Draft:		DFT0003733
Items										
Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total		
WASHERS FOR BRIDGE BUILD Distributions	NA	0.00	0.00	17.25	0.00	0.00	0.00	17.25		
Account Number	Account Name	Project Account Key	Amount	Percent						
200-3040-600-227	MAINTENANCE-RIGHT OF WAY		17.25	100.00%						
F59174/3	Invoice	5/20/2024	5/20/2024	5/20/2024	5/20/2024	217.49	0.00	0.00	0.00	217.49
M18 IMPACT FOR P-10 TOOLBOX	AP - Accounts Payable				No	Payment Date: 6/14/2024		Bank Draft:		DFT0003734

Payable Register

Section G, Item 3.

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shipping	On Hold	
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Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
M18 IMPACT FOR P-10 TOOLBOX Distributions	NA	0.00	0.00	217.49	0.00	0.00	0.00	217.49

Account Number	Account Name	Project Account Key	Amount	Percent
200-3040-600-334	SMALL TOOLS		217.49	100.00%

168772/H	Invoice	4/24/2024	4/24/2024	4/24/2024	4/24/2024	327.64	0.00	0.00	0.00	327.64
SUPPLIES FOR VEGETATION CONTROL	AP - Accounts Payable				No	Payment Date: 6/14/2024		Bank Draft:		DFT0003745

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
SUPPLIES FOR VEGETATION CONTROL Distributions	NA	0.00	0.00	327.64	0.00	0.00	0.00	327.64

Account Number	Account Name	Project Account Key	Amount	Percent
220-3065-600-235	SUPPLIES		327.64	100.00%

Payable Summary

Type	Count	Gross	Tax	Shipping	Discount	Total	Manual Payment	Balance
Invoice	13	2,260.40	0.00	0.00	0.00	2,260.40	2,260.40	0.00
Grand Total:		2,260.40	0.00	0.00	0.00	2,260.40	2,260.40	0.00

Account Summary

<u>Account</u>	<u>Name</u>	<u>Amount</u>
200-3040-600-227	MAINTENANCE-RIGHT OF WAY	828.37
200-3040-600-235	SUPPLIES	328.59
200-3040-600-334	SMALL TOOLS	717.49
	Total:	1,874.45

<u>Account</u>	<u>Name</u>	<u>Amount</u>
220-3065-600-235	SUPPLIES	385.95
	Total:	385.95



Clearlake, CA

Check Register

Packet: APPKT03092 - 7/18/24 AP CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
001911	ADAMS ASHBY GROUP INC	07/18/2024	Regular	0.00	13,190.55	17293
002353	ALL IN ONE AUTO	07/18/2024	Regular	0.00	19,650.00	17294
001665	BRUNO SABATIER	07/18/2024	Regular	0.00	100.00	17295
002328	CALAFCO	07/18/2024	Regular	0.00	1,590.00	17296
000774	DEEP VALLEY SECURITY	07/18/2024	Regular	0.00	98.85	17297
002285	DELL FINANCIAL SERVICES LLC	07/18/2024	Regular	0.00	11,486.08	17298
001835	DIRK SLOOTEN	07/18/2024	Regular	0.00	100.00	17299
000004	EDWARD A ROBNEY JR	07/18/2024	Regular	0.00	100.00	17300
000851	ENTERPRISE TOWING	07/18/2024	Regular	0.00	150.00	17301
VEN01539	JESUS MEZA	07/18/2024	Regular	0.00	115.70	17302
001939	JIM SCHOLZ	07/18/2024	Regular	0.00	100.00	17303
VEN01537	KIRSTEN PRIEBE	07/18/2024	Regular	0.00	100.00	17304
000158	LAKE COUNTY SPECIAL DISTRICTS	07/18/2024	Regular	0.00	123.96	17305
VEN01344	MICHAEL PESONEN - COMFORTABLE	07/18/2024	Regular	0.00	2,705.00	17306
000583	RUSSELL PERDOCK	07/18/2024	Regular	0.00	100.00	17307
002273	STACEY MATTINA	07/18/2024	Regular	0.00	100.00	17308
002277	STANLEY A ARCHACKI	07/18/2024	Regular	0.00	100.00	17309

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	28	17	0.00	49,910.14
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	28	17	0.00	49,910.14

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	7/2024	49,910.14
			<hr/>
			49,910.14



Clearlake, CA

Check Register

Packet: APPKT03109 - 7/24/24 AP CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
001138	ADVENTIST HEALTH	07/24/2024	Regular	0.00	43.00	17310
VEN01542	ALAN WILLIAMS- COUNTERBALANCE	07/24/2024	Regular	0.00	2,000.00	17311
002328	CALAFCO	07/24/2024	Regular	0.00	795.00	17312
VEN01178	CALIFORNIA INTERGOVERNMENTAL	07/24/2024	Regular	0.00	72,368.55	17313
001645	CIVIC PLUS	07/24/2024	Regular	0.00	9,115.84	17314
000024	CLEARLAKE POLICE ASSOCIATION	07/24/2024	Regular	0.00	1,679.00	17315
001424	CLEARLAKE WASTE SOLUTIONS	07/24/2024	Regular	0.00	28,066.95	17316
000548	COMPUTER LOGISTICS	07/24/2024	Regular	0.00	2,596.94	17317
VEN01386	DOWNEY BRAND LLP	07/24/2024	Regular	0.00	188,352.46	17318
	Void	07/24/2024	Regular	0.00	0.00	17319
VEN01544	EIDE BAILLY LLP	07/24/2024	Regular	0.00	11,808.50	17320
000120	FED EX	07/24/2024	Regular	0.00	61.54	17321
VEN01317	JACOB WHEELER	07/24/2024	Regular	0.00	400.00	17322
001775	JONES & MAYER	07/24/2024	Regular	0.00	11,310.50	17323
VEN01218	KAREN K PAVONE	07/24/2024	Regular	0.00	836.80	17324
VEN01515	LSW ARCHITECTS, P.C.	07/24/2024	Regular	0.00	140,740.40	17325
VEN01240	MIDDLETOWN COPY & PRINT - JESSI	07/24/2024	Regular	0.00	64.35	17326
001489	NAPA AUTO PARTS	07/24/2024	Regular	0.00	31.46	17327
000009	OPERATING ENGINEERS LOCAL 3	07/24/2024	Regular	0.00	486.00	17328
VEN01523	PEG TV	07/24/2024	Regular	0.00	200.00	17329
VEN01543	REWORLD HOLDING CORPORATION	07/24/2024	Regular	0.00	613.00	17330
000708	VALIC LOCKBOX	07/24/2024	Regular	0.00	470.00	17331

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	43	21	0.00	472,040.29
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	43	22	0.00	472,040.29

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	7/2024	472,040.29
			<hr/>
			472,040.29



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Payable Detail by Section G, Item 3.

Payable Detail by Vendor Name

Packet: APPKT03093 - US BANK T.HOBBS 5/22/24 DL

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shipping	Discount	Total
Payable Description	Bank Code				On Hold					

Vendor: [001540 - US BANK CORPORATE PMT. SYSTEM](#) Vendor Total: 4,666.49

[2000119-12172800](#) Invoice 5/16/2024 5/16/2024 5/16/2024 5/16/2024 325.60 0.00 0.00 0.00 325.60
 ANNUAL PHOTOS AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003853

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
ANNUAL PHOTOS Distributions	NA	0.00	0.00	325.60	0.00	0.00	0.00	325.60

Account Number	Account Name	Project Account Key	Amount	Percent
100-2000-700-453	TRAVEL & TRAINING		325.60	100.00%

[206368](#) Invoice 5/9/2024 5/9/2024 5/9/2024 5/9/2024 367.87 0.00 0.00 0.00 367.87
 VEHICLE SAFE AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003855

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
VEHICLE SAFE Distributions	NA	0.00	0.00	367.87	0.00	0.00	0.00	367.87

Account Number	Account Name	Project Account Key	Amount	Percent
100-2000-800-884	EQUIPMENT / VEHICLE LEASE		367.87	100.00%

[27249349](#) Invoice 5/3/2024 5/3/2024 5/3/2024 5/3/2024 220.31 0.00 0.00 0.00 220.31
 LEADING EDGE TRAINING AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003856

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
LEADING EDGE TRAINING Distributions	NA	0.00	0.00	220.31	0.00	0.00	0.00	220.31

Account Number	Account Name	Project Account Key	Amount	Percent
100-1200-700-453	TRAVEL & TRAINING		220.31	100.00%

[272A9349/2](#) Invoice 7/1/2024 7/1/2024 7/1/2024 7/1/2024 3,529.69 0.00 0.00 0.00 3,529.69
 LEADING EDGE TRAINING AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003852

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
LEADING EDGE TRAINING Distributions	NA	0.00	0.00	3,529.69	0.00	0.00	0.00	3,529.69

Account Number	Account Name	Project Account Key	Amount	Percent
100-1200-700-453	TRAVEL & TRAINING		3,529.69	100.00%

[5/14/24](#) Invoice 5/14/2024 5/14/2024 5/14/2024 5/14/2024 143.62 0.00 0.00 0.00 143.62
 SUPPLIES AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003854

Items

Item Description	Commodity	Units	Price	Amount	Tax	Shipping	Discount	Total
SUPPLIES Distributions	NA	0.00	0.00	143.62	0.00	0.00	0.00	143.62

Account Number	Account Name	Project Account Key	Amount	Percent
100-2000-700-453	TRAVEL & TRAINING		143.62	100.00%

[807979-202404-1](#) Invoice 5/1/2024 5/1/2024 5/1/2024 5/1/2024 79.40 0.00 0.00 0.00 79.40
 MONTHLY SUBSCRIPTION AP - Accounts Payable No Payment Date: 6/14/2024 Bank Draft: DFT0003857

Payable Register

Payable #	Payable Type	Post Date	Payable Date	Due Date	Discount Date	Amount	Tax	Shippin	Section G, Item 3.
Payable Description	Bank Code				On Hold				
Item Description	Commodity		Units	Price	Amount	Tax	Shipping	Discount	Total
MONTHLY SUBSCRIPTION Distributions	NA		0.00	0.00	79.40	0.00	0.00	0.00	79.40
Account Number	Account Name		Project Account Key		Amount	Percent			
100-2000-750-561	CONTRACT SERVICES-MISC				79.40	100.00%			

Payable Summary

Type	Count	Gross	Tax	Shipping	Discount	Total	Manual Payment	Balance
Invoice	6	4,666.49	0.00	0.00	0.00	4,666.49	4,666.49	0.00
Grand Total:		4,666.49	0.00	0.00	0.00	4,666.49	4,666.49	0.00

Account Summary

<u>Account</u>	<u>Name</u>	<u>Amount</u>
100-1200-700-453	TRAVEL & TRAINING	3,750.00
100-2000-700-453	TRAVEL & TRAINING	469.22
100-2000-750-561	CONTRACT SERVICES-MISC	79.40
100-2000-800-884	EQUIPMENT / VEHICLE LEASE	367.87
	Total:	4,666.49

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Second Reading and Adoption of Ordinance No. 270-2024, An Ordinance of the City Council of the City of Clearlake Amending Section 2-3.7 of Chapter 2 of the Clearlake Municipal Code Regarding the Position of City Manager	MEETING DATE: July 18, 2024
SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is requested to consider the second reading and adoption of Ordinance No. 270-2024, which authorizes the City Manager to sign specific documents approved by the Council.

BACKGROUND/DISCUSSION:

An update to the Government Code, specifically Sections 40601 and 40602, has prompted the California Department of Housing and Community Development (HCD) to request an amendment to the Municipal Code. This amendment would allow the City Manager, in addition to the Mayor and Vice Mayor, to sign documents approved by the City Council. These documents may include warrants, contracts, conveyances, or any documents requiring the city seal, such as resolutions or ordinances.

Previously, the City Manager was authorized by a Council resolution to sign Community Development Block Grant (CDBG) documents, including applications and contracts. However, the Government Code currently specifies that only the Mayor and Vice Mayor have the authority to sign documents approved by the Council unless an ordinance authorizes another person or staff member. Therefore, HCD recommends adopting an ordinance to grant this authority to the City Manager.

OPTIONS:

1. Move to hold the second reading of the ordinance and adopt the ordinance.
2. Other direction

FISCAL IMPACT:

None \$ Budgeted Item? Yes No

Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$

Affected fund(s): General Fund Measure P Fund Measure V Fund Other:

Comments:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

SUGGESTED MOTIONS:

Move to hold the second reading of Ordinance No. 270-2024 and read it by title only, waive further reading and adopt the ordinance.

- Attachments:** 1) Ordinance No. 270-2024

CITY OF CLEARLAKE

ORDINANCE NO. 270-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
AMENDING SECTION 2-3.7 OF CHAPTER 2 OF THE
CITY OF CLEARLAKE MUNICIPAL CODE
REGARDING THE POSITION OF CITY MANAGER

THE CITY COUNCIL OF THE CITY OF CLEARLAKE DOES HEREBY ORDAIN
AS FOLLOWS:

Section 1. Clearlake Municipal Code Section 2-3.7 Powers and Duties of Chapter 2-3
CITY MANAGER is hereby amended to read as follows:

Chapter 2, Section 2-3.7 CITY MANAGER

2-3.7 Powers and Duties. The City Manager shall be the administrative head of the government of the City under the direction and control of the City Council, except as otherwise provided in this chapter, by law or by direction of the City Council. The City Manager shall be responsible for the efficient administration of all of the affairs of the City that are under his or her control. In addition to the general powers as administrative head, the City Manager shall have the following specific duties, responsibilities and powers:

- a) To enforce all laws and ordinances of the City and to see that all franchises, contracts, permits and privileges granted by the City Council are faithfully observed;
- b) To control, order and give directions to all department heads and to subordinate officers and employees of the City under his or her jurisdiction through their department heads;
- c) To appoint, promote, demote and remove all officers and employees of the City, excepting elective officers and the City Attorney;
- d) To establish an organizational structure of offices, departments, positions and units within the City as may be indicated in the interest of efficient, effective and economical conduct of the City's business;
- e) To recommend to the City Council the adoption of such ordinances and resolutions as deemed necessary or appropriate;
- f) To attend all meetings of the City Council or provide for a designated representative;
- g) To prepare and submit the proposed annual budget to the City Council for its approval;

- h) To be responsible for purchasing pursuant to the provisions of Chapter 3-4 of the Clearlake Municipal Code for all the departments of the City;
- i) To approve agreements for contractual services in accordance with administrative policies adopted by the City Council, or as defined in the Clearlake Municipal Code and which shall, among other things, establish the maximum compensation that may be provided for in an such agreement;
- j) To investigate, when necessary, the affairs of the City and any department or division thereof and any contract obligation of the City; further, it shall be the duty of the City Manager to investigate all complaints in relation to matters concerning the administration of the City government.
- k) To exercise general supervision over all public buildings, public parks and all other public properties which are under the control and jurisdiction of the City Council;
- l) To perform such other duties and exercise such other powers as may be delegated to the City Manager from time to time by ordinance or resolution or other official action of the City Council.
- m) Have the same authority as the mayor (as conveniences to the parties may dictate) to sign documents specified in Section 40602 of the Government Code of the state whenever such documents have been approved by the city council for execution by resolution, motion, minute order or other appropriate action**

Section 2. CEQA

The action being considered by the City Council is an administrative activity of government that will not result in a direct or indirect physical change in the environment. The City Council finds pursuant to the provisions of the California Environmental Quality Act (“CEQA”) (California Public Resources Code Section 21000 et seq.) and State CEQA Guidelines (Section 1500 et seq., Title 14 of the California Code of Regulations) and determines that this Ordinance is not a “project” pursuant to Public Resources Code Section 210065, and that it is exempt from the provisions of CEQA pursuant to Guidelines Sections 15061(b)(3) (because it can be seen with certainty that the adoption of this Ordinance will not have an effect on the environment) and 15321 (enforcement actions by regulatory agencies);

Section 3. CONFLICTS AND SEVERABILITY

All ordinances or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflicts and no further.

Section 4. EFFECTIVE DATE:

The effective date of this Ordinance is thirty (30) days after its adoption by the City Council.

Introduced and read at a regular meeting of the City Council of the City of Clearlake on the 18th day of July, 2024 and adopted at a regular meeting therefore held on the ____th day of _____, 2024.

AYES:

NOES:

ABSENT OR NOT VOTING:

David Claffey
Mayor

ATTEST:

Melissa Swanson
City Clerk



CITY COUNCIL REGULAR MEETING

Clearlake City Hall Council Chambers

14050 Olympic Dr, Clearlake, CA

Thursday, July 18, 2024

Regular Meeting 6:00 PM

MINUTES

A. ROLL CALL

PRESENT

Mayor David Claffey

Vice Mayor Joyce Overton

Council Member Russ Cremer

Council Member Russ Perdock

Council Member Dirk Slooten

B. PLEDGE OF ALLEGIANCE

C. INVOCATION/MOMENT OF SILENCE

D. ADOPTION OF THE AGENDA

Motion made by Council Member Slooten, Seconded by Council Member Cremer.

Voting Yea: Mayor Claffey, Vice Mayor Overton, Council Member Cremer, Council Member Perdock, Council Member Slooten

E. PRESENTATIONS

1. Presentation of July's Adoptable Dogs
2. Swearing In of New Police Department Employees
3. Presentation of the 2023 Annual Tourism Report
4. Presentation of a Proclamation Declaring July 2024 as Parks Make Life Better! Month

F. PUBLIC COMMENT

Alice Reece spoke against the City's lawsuit against Highlands Water Company. She also spoke against Highlands Food Park. She also spoke regarding the ongoing remodel of the Senior Center.

Frank Costner, general manager of Konocti County Water District, stated developers should pay for their own development improvements. He also stated that the water quality is getting worse

and suggested the Council form a committee on water quality. He further stated the City should focus on improving other areas before consolidation.

Leslie Sheridan spoke regarding an issue with her neighbor dealing drugs and creating a nuisance.

Marietta O'Conner spoke regarding the potholes on her street. She lives on Huron Avenue.

Stephanie Hummel spoke regarding getting the fog lines repainted near her home near the senior center.

Margaret Garcia spoke regarding the upcoming road work and the number of potholes and the lack of sidewalks. She lives on Uhl Avenue.

G. CONSENT AGENDA

Motion made by Council Member Perdock, Seconded by Council Member Slooten.

Voting Yea: Mayor Claffey, Vice Mayor Overton, Council Member Cremer, Council Member Perdock, Council Member Slooten

5. Authorization of an Amendment of Contract with Square Signs LLC for the Digital Marquee Signs Project
Recommended Action: Move to amend the contract with Square Signs LLC in the amount of \$48,583.75.
6. Consideration of Amendment to Agreement with OpenGov Inc. to Expand Services to Include OpenGov/ Cartegraph Suite
Recommended Action: Move to approve and authorize the City Manager to execute an amendment.
7. Warrants
Recommended Action: Receive and file
8. Continuation of Director of Emergency Services/City Manager Proclamation Declaring a Local Emergency for Winter Storms
Recommended Action: Continue declaration of emergency
9. Minutes of the June 12, 2024 Lake County Vector Control District Board Meeting
Recommended Action: Receive and file
10. Notice of Expiring Committee Appointments
11. Minutes
Recommended Action: Receive and file

H. BUSINESS

12. Discussion and Consideration of a Mitigation Fee Program on Behalf of the Lake County Fire Protection District

Recommended Action: Adopt Resolution 2024-14

City Manager Flora gave the staff report. Chief Sapeta gave information to the Council on behalf of the Lake County Fire Protection District.

Motion made by Council Member Slooten, Seconded by Council Member Perdock.

Voting Yea: Mayor Claffey, Vice Mayor Overton, Council Member Cremer, Council Member Perdock, Council Member Slooten

It was the consensus of the Council for the City to direct staff to draft an ordinance to have the City collect the fees, report annually to the Council, and to spend the fees collected by the City within the City's jurisdiction.

13. Consideration of a Memorandum of Understanding (MOU) with the Konocti Unified School District (KUSD) for a School Resource Officer

Recommended Action: Approve MOU and authorize City Manager to sign.

Chief Hobbs gave the staff report.

Motion made by Council Member Cremer, Seconded by Vice Mayor Overton.

Voting Yea: Mayor Claffey, Vice Mayor Overton, Council Member Cremer, Council Member Perdock, Council Member Slooten

14. Consideration of Updates to Management Classification and Benefits Plan and City Salary Schedule

Recommended Action: Approve 3% COLA for Employees Impacted by the Management Benefits Plan.

City Manager Flora gave the staff report.

Motion made by Council Member Perdock, Seconded by Council Member Cremer.

Voting Yea: Mayor Claffey, Vice Mayor Overton, Council Member Cremer, Council Member Perdock, Council Member Slooten

15. Consideration of Holding the First Reading of Ordinance No. 270-2024, An Ordinance of the City Council of the City of Clearlake Amending Section 2-3.7 of the Clearlake Municipal Code Authorizing the City Manager to Sign Documents as Specified in Government Code Section 40602

Recommended Action: Hold the first reading of the ordinance, read it by title only, waive further reading, and set second reading and adoption for the August 1st, 2024 meeting

Administrative Services Director Swanson gave the staff report.

Motion made by Council Member Cremer, Seconded by Council Member Slooten.
Voting Yea: Mayor Claffey, Vice Mayor Overton, Council Member Cremer, Council Member Perdock, Council Member Slooten

I. CITY MANAGER AND COUNCILMEMBER REPORTS

J. FUTURE AGENDA ITEMS

Vice Mayor Overton asked for and received consensus for a discussion on a tax measure for parks and recreation.

Mayor Claffey asked for and received consensus for a discussion on the fee structure for events.

K. CLOSED SESSION

(16) CONFERENCE WITH LEGAL COUNSEL – LIABILITY CLAIMS - Claimants: Gina Marie Doidge individually and on behalf of Isaiah Doidge, a minor; Agency Claimed Against: City of Clearlake

(17) CONFERENCE WITH LEGAL COUNSEL – LIABILITY CLAIMS - Claimant: Jeffrey Dryden; Agency Claimed Against: City of Clearlake

(18) Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6: Agency designated representatives: City Manager Flora, and Administrative Services Director Swanson; Employee Organization: Unrepresented Management Employees

(19) Conference with Legal Counsel: Existing Litigation: Pursuant to Government Code Section 54956.9(d)(1): Case No. CV425596: City of Clearlake v. Highlands Mutual Water Company, et al., Lake County Superior Court

(20) Conference with Legal Counsel: Existing Litigation: Pursuant to Government Code Section 54956.9(d)(1): Case No. A169438; Koi Nation of Northern California v. City of Clearlake, et al., California Court of Appeal

L. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

City Attorney Pucci announced the Council unanimously voted to reject the claims of Jeffrey Dryden and Gina Diodge and Isaiah Diodge.

M. ADJOURNMENT

The meeting was adjourned at 8:33 p.m.



Melissa Swanson, Administrative Services Director/City Clerk

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Amendment to Professional Services Agreement with Lucy & Company for Public Relations and Communications Services	MEETING DATE: Aug. 1, 2024
SUBMITTED BY: Alan Flora, City Manager	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

Approve contract for continued public relations and communications services.

BACKGROUND/DISCUSSION:

In 2023 the City executed a contract with Lucy & Company to provide public relations and communications services. This work has resulted in several new initiatives including the Clearlake Express newsletter.

The proposed one-year contract would be \$10,000/month with an additional allowance of \$67,500 for other additional costs such as meeting facilitation, graphic design, travel, printing, etc., to be approved by the City Manager prior to initiation.

OPTIONS:

1. Approve Contract Amendment for up to \$187,500 over one year
2. Provide Direction to Staff.

FISCAL IMPACT:

None \$187,500 Budgeted Item? Yes No

Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$

Affected fund(s): General Fund Measure P Fund Measure V Fund Other: Project Funds

Comments:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City

Goal #6: Update Policies and Procedures to Current Government Standards

Goal #7: Support Economic Development

Attachments:



STAFF REPORT	
SUBJECT: Approval of Adjustment of the Police Lieutenant Position Salary Range from Range 64 to Range 71; Resolution No. 2024-33	MEETING DATE: August 1, 2024
SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to approve an adjustment to the police lieutenant salary and update the FY 24/25 Salary Schedule accordingly.

BACKGROUND/DISCUSSION:

The existing salary structure does not sufficiently compensate for the duties and hazards inherent in the role of police lieutenant. To illustrate this point, staff worked on a brief salary comparison with surrounding agencies. On average, the police lieutenant position earned between ten and twenty percent less than other agencies, including the Lake County Sheriff’s Department Lieutenants, Lakeport Police Department, and Mendocino, Butte, and Nevada Counties. Furthermore, a salary compaction problem is emerging between the police lieutenant and Police Sergeant roles, leading to discontent and morale issues within the department.

Since 2019, the City Council and the Clearlake Middle Management Association (MMA) have negotiated cost-of-living adjustments, resulting in a salary increase of over forty-four percent for sergeants. In contrast, police lieutenants, who fall under the Management Benefit Plan, have seen a cost-of-living adjustment of only fifteen percent during the same period. This discrepancy has led to a compaction of the salary ranges between the sergeant and lieutenant positions. To illustrate, a sergeant at Step E would need to work a mere four hours of overtime in an 80-hour pay period to earn more than a lieutenant at the same Step E.

To alleviate some of the compaction, staff is recommending adjusting the police lieutenant Salary Range 17.5% from Range 64, \$104,724.15 - \$121,231.30, to Range 71, \$115,458.25 - \$144,322.81.

The approval of a salary increase for the police lieutenant position is a strategic investment in our Police Department’s future. It would not only help retain experienced personnel but also address the compaction issue, thereby improving morale and job satisfaction within the department. The proposed salary increase would have an impact on the city’s budget. However, the cost of losing experienced police lieutenants and the potential decrease in departmental effectiveness and morale could be significantly higher.

OPTIONS:

- 1. Move to adopt Resolution No. 2024-33
- 2. Other direction

FISCAL IMPACT:

None Yes: approx.\$60,000 Budgeted Item? Yes No
 Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$
 Affected fund(s): General Fund Measure P Fund Measure V Fund Other:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

SUGGESTED MOTIONS:

Move to adopt Resolution No. 2024-33.

- Attachments:**
 - 1) Resolution No. 2024-33
 - 2) Updated FY 24/25 Salary Schedule

RESOLUTION NO. 2024-33

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
APPROVING SALARY LEVEL ADJUSTMENT FOR THE POLICE
LIEUTENANT POSITION**

WHEREAS, the City has determined the salary range for lieutenant falls below comparable market range; and

WHEREAS, the Council has considered adjusting the salary range and the updated salary schedule for this position at a duly noticed public meeting.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clearlake that the salary adjustment for the police lieutenant position is hereby approved and the annual salary range for Police Lieutenant is hereby set as follows:

Police Lieutenant: Range 71, \$115,458.36 - \$140,340.36 annually, \$9,621.53 - \$11,695.03 monthly

PASSED AND ADOPTED on August 1, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor, City of Clearlake

ATTEST:

City Clerk, City of Clearlake

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Public Hearing to consider adoption of Resolution 2024-33 Authorizing the Conversion of Pine Street to a One-Way Street.	MEETING DATE: August 1, 2024
SUBMITTED BY: Adeline Leyba, Public Works Director	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to consider adopting Resolution 2024-33 authorizing the conversion of Pine Street to a one-way street.

BACKGROUND/DISCUSSION:

The purpose of this staff report is to present information and recommendations regarding the proposed conversion of Pine Street from Austin Rd. to Olympic Drive (northbound) to a one-way street. This public hearing is scheduled to solicit feedback from Council and provide transparency on the proposed changes. Currently, the area has high traffic and safety concerns. There have been numerous near misses with both vehicles and pedestrians.

- **Traffic Flow:** The proposed one-way conversion will improve the flow of traffic safety around Burns Valley Elementary School. Traffic will flow north beginning at Austin Rd., moving to Olympic Drive.
- **Pedestrian and Cyclist Safety:** This will improve pedestrian and cyclist safety, including proposed enhancements such as restriped bike lanes, striping of crosswalks for improved pedestrian crossings, and improved overall safety.
- **Parking and Access:** Parking will be redesigned to allow for some off-street parking and drop-off zones.

OPTIONS:

1. Adopt Resolution 2024-33
2. Provide Direction to Staff.

FISCAL IMPACT:

None Budgeted Item? Yes No
 Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$

Affected fund(s): General Fund Measure P Fund Measure V Fund Other:

Comments:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

SUGGESTED MOTIONS:

Adopt Resolution 2024-33

Attachments:

Resolution 2024-33

**CITY OF CLEARLAKE
RESOLUTION NO. 24-34**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
DESIGNATING CERTAIN STREETS "ONE-WAY" AND AUTHORIZING
PLACEMENT OF TRAFFIC CONTROL DEVICES (PINE STREET)**

WHEREAS, Pine Street from Austin Rd. to Olympic Drive is immediately adjacent to Burns Valley Elementary School and there have been numerous near misses with both vehicles and pedestrians and;

WHEREAS, it is necessary to convert said portion of Pine Street, as the area has high traffic and safety concerns and;

WHEREAS, the proposed one-way conversion will improve the flow of traffic safely around Burns Valley Elementary School and improve pedestrian and cyclist safety, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clearlake as follows:

Section 1. That portion of Pine Street between Austin Rd. and Olympic Drive is hereby designated "one-way" for northbound traffic only.

BE IT FURTHER RESOLVED that the Public Works Director is hereby directed and authorized to place traffic control signs as necessary to safely facilitate the flow of northbound traffic.

PASSED AND ADOPTED by the City Council of the City of Clearlake, County of Lake, State of California on this 1st day of August 2024 by the following vote:

AYES:

NOES:

ABSENT OR NOT VOTING:

Mayor, City of Clearlake

ATTEST:

Melissa Swanson, City Clerk

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Discussion Regarding a Ballot Measure to Support Recreation Opportunities	MEETING DATE: Aug. 1, 2024
SUBMITTED BY: Alan Flora, City Manager	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input checked="" type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

Discussion about possible future ballot measure to support recreational programs.

BACKGROUND/DISCUSSION:

On July 18th, at Vice Mayor Overton’s suggestion, the Council agreed to have an agenda item to discuss the possibility of a future ballot measure to support recreation programs in the City. This item will allow the Council to discuss the prospect and give direction to staff as appropriate.

OPTIONS:

- 1. Direction to staff
- 2. Other direction

FISCAL IMPACT:

None \$ Budgeted Item? Yes No
 Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$
 Affected fund(s): General Fund Measure P Fund Measure V Fund Other: Funds
 Comments:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake

- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

Attachments:

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Consideration of Designation of Voting Delegates and Alternate(s) For the League of California Cities Annual Conference in October	MEETING DATE: August 1, 2024
SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to designate a voting delegate and alternate voting delegate for the CalCities Conference in October.

BACKGROUND/DISCUSSION:

The League of California Cities’ Annual Conference is scheduled for October 16 - 18, 2024. The Conference is scheduled to held in person in Long Beach. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate. In the event that the designated voting delegate is unable to serve in that capacity, the Council may appoint up to two (2) alternates.

We have not yet received the information on the issues coming up for vote before the League delegates.

OPTIONS:

1. Move to appoint one Council Member and up to two alternates as voting delegates.
2. Other direction

FISCAL IMPACT:

None \$ Budgeted Item? Yes No
 Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$
 Affected fund(s): General Fund Measure P Fund Measure V Fund Other:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City

- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

SUGGESTED MOTIONS:

Move to designate _____ as voting delegate and _____ as alternate(s).

- Attachments:** 1) League of California Cities Voting Delegates Packet

Council Action Advised by September 25, 2024

DATE: Wednesday, July 10, 2024

TO: Mayors, Council Members, City Clerks, and City Managers

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference and Expo, Oct. 16-18, 2024
Long Beach Convention Center**

Every year, the League of California Cities convenes a member-driven General Assembly at the [Cal Cities Annual Conference and Expo](#). The General Assembly is an important opportunity where city officials can directly participate in the development of Cal Cities policy.

Taking place on Oct. 18, the General Assembly is comprised of voting delegates appointed by each member city; every city has one voting delegate. Your appointed voting delegate plays an important role during the General Assembly by representing your city and voting on resolutions.

To cast a vote during the General Assembly, your city must designate a voting delegate and up to two alternate voting delegates, one of whom may vote if the designated voting delegate is unable to serve in that capacity. Voting delegates may either be an elected or appointed official.

Action by Council Required. Consistent with Cal Cities bylaws, a city's voting delegate and up to two alternates must be designated by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

Following council action, please submit your city's delegates through [the online submission portal](#) by Wed., Sept. 25. When completing the Voting Delegate submission form, you will be asked to attest that council action was taken. You will need to be signed in to your My Cal Cities account when submitting the form.

Submitting your voting delegate form by the deadline will allow us time to establish voting delegate/alternate records prior to the conference and provide pre-conference communications with voting delegates.

Conference Registration Required. The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. Conference registration is open on the [Cal Cities](#) website.

For a city to cast a vote, one voter must be present at the General Assembly and in possession of the voting delegate card and voting tool. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the voting delegate desk. This will enable them to receive the special sticker on their name badges that will admit the voting delegate into the voting area during the General Assembly.

Please view Cal Cities' [event and meeting policy](#) in advance of the conference.

Transferring Voting Card to Non-Designated Individuals Not Allowed. The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the General Assembly, they may *not* transfer the voting card to another city official.

Seating Protocol during General Assembly. At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.

The voting delegate desk, located in the conference registration area of the Long Beach Convention Center in Long Beach, will be open at the following times: Wednesday, Oct. 16, 8:00 a.m.-6:00 p.m. and Thursday, Oct. 17, 7:30 a.m.-4:00 p.m. On Friday, Oct. 18, the voting delegate desk will be open at the General Assembly, starting at 7:30 a.m., but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for submitting your voting delegate and alternates by Wednesday, Sept. 25. If you have questions, please contact Zach Seals at zseals@calcities.org.

Attachments:

- General Assembly Voting Guidelines
- Information Sheet: Cal Cities Resolutions and the General Assembly



General Assembly Voting Guidelines

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to Cal Cities policy.
2. **Designating a City Voting Representative.** Prior to the Cal Cities Annual Conference and Expo, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the voting delegate form provided to the Cal Cities Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the voting delegate desk in the conference registration area. Voting delegates and alternates must sign in at the voting delegate desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the General Assembly.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the credentials committee at the voting delegate desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in their possession the city's voting card and voting tool; and be registered with the credentials committee. The voting card may be transferred freely between the voting delegate and alternates but may not be transferred to another city official who is neither a voting delegate nor alternate.
6. **Voting Area at General Assembly.** At the General Assembly, individuals with a voting card will sit in a designated area. Admission to the voting area will be limited to the individual in possession of the voting card and with a special sticker on their name badge identifying them as a voting delegate.
7. **Resolving Disputes.** In case of dispute, the credentials committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the General Assembly.

Developing League of California Cities policy is a dynamic process that engages a wide range of members to ensure Cal Cities represents cities with one voice. These policies directly guide Cal Cities' advocacy to promote local decision-making, and lobby against statewide policies that erode local control.

The resolutions process and General Assembly is one way that city officials can directly participate in the development of Cal Cities policy. If a resolution is approved at the General Assembly, it becomes official Cal Cities policy. Here's how resolutions and the General Assembly work.

Prior to the Annual Conference and Expo

General Resolutions



Sixty days before the Annual Conference and Expo, Cal Cities members may submit policy proposals on issues of importance

to cities. The resolution must have the concurrence of at least five additional member cities or individual members.



Policy Committees



The Cal Cities President assigns general resolutions to policy committees where members

review, debate, and recommend positions for each policy proposal. Recommendations are forwarded to the Resolutions Committee.



During the Annual Conference and Expo

Petitioned Resolutions



The petitioned resolution is an alternate method to introduce policy proposals during

the annual conference. The petition must be signed by voting delegates from 10% of member cities, and submitted to the Cal Cities President at least 24 hours before the beginning of the General Assembly.



Resolutions Committee



The Resolutions Committee considers all resolutions. General Resolutions approved¹ by either a policy committee

or the Resolutions Committee are next considered by the General Assembly. General resolutions not approved, or referred for further study by both a policy committee and the Resolutions Committee do not go to the General Assembly. All Petitioned Resolutions are considered by the General Assembly, unless disqualified.²



General Assembly



During the General Assembly, voting delegates debate and consider general and petitioned resolutions forwarded by the Resolutions Committee. Potential Cal Cities bylaws amendments are also considered at this meeting.

Who's who

Cal Cities policy development is a member-informed process, grounded in the voices and experiences of city officials throughout the state.

The **Resolutions Committee** includes representatives from each Cal Cities diversity caucus, regional division, municipal department, and policy committee, as well as individuals appointed by the Cal Cities president.

Voting delegates are appointed by each member city; every city has one voting delegate.

The **General Assembly** is a meeting of the collective body of all voting delegates—one from every member city.

Seven **policy committees** meet throughout the year to review and recommend positions to take on bills and regulatory proposals. Policy committees include members from each Cal Cities diversity caucus, regional division, and municipal department, as well as individuals appointed by the Cal Cities president.

¹ The Resolution Committee can amend a general resolution prior to sending it to the General Assembly.

² Petitioned Resolutions may be disqualified by the Resolutions Committee according to Cal Cities Bylaws Article VI, Sec. 5(f).