



CITY COUNCIL REGULAR MEETING

Clearlake City Hall Council Chambers

14050 Olympic Dr, Clearlake, CA

Thursday, September 01, 2022

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 can submit comments and questions in writing for City Council consideration by sending them to the Administrative Services Director/City Clerk at mswanson@clearlake.ca.us. To give the City Council adequate time to review your questions and comments, please submit your written comments prior to 4:00 p.m. on the day of the meeting.

AGENDA

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

AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

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

AGENDA REPORTS

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

Zoom Link: <https://clearlakeca.zoom.us/j/82179823775>

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 mwsanson@clearlake.ca.us.

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

E. PRESENTATIONS

1. Presentation of a Proclamation Declaring September 2022 as Senior Center Month
2. Update on Recreation and Events

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.*

3. Second reading of Ordinance No. 266-2022 Amending Chapter 2, Section 2-7 of the Clearlake Municipal Code Relating to Traffic Engineer and City Engineer
Recommended Action: Hold second reading of Ordinance No. 266-2022: AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-7 OF THE CLEARLAKE MUNICIPAL CODE RELATED TO TRAFFIC ENGINEER / CITY ENGINEER, read by title only and adopt ordinance
4. Warrants
Recommended Action: Receive and file
5. Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361
Recommended Action: Adopt Resolution

- 6. Adoption of First Amendment to the FY 2022/23 Budget to Appropriate Funds for Design and Road Paving Services; Resolution No. 2022-55
Recommended Action: Adopt resolution

H. CITY MANAGER AND COUNCILMEMBER REPORTS

I. FUTURE AGENDA ITEMS

J. CLOSED SESSION

- (7) Conference with Real Property Negotiators: Pursuant to Government Code Section 54956.8.
Property Address: 6828 Old Highway 53, Clearlake; Agency Negotiation: City Manager Alan Flora; Under Negotiation: Price and terms of payment.

K. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

L. ADJOURNMENT

POSTED: August 29, 2022

BY:



Melissa Swanson, Administrative Services Director/City Clerk



Senior Center Month September 2022

WHEREAS, older Americans are significant members of our society, investing their wisdom and experience to help enrich and better the lives of younger Americans; and

WHEREAS, the Highlands Senior Service Center has acted as a catalyst for mobilizing the creativity, energy, vitality and commitment of the older residents of Clearlake and Lake County; and

WHEREAS, through a wide array of services, programs and activities, the Highlands Senior Service Center empowers older adults to contribute to their own health and well-being and the well-being of their fellow citizens of all ages; and

WHEREAS, the Highlands Senior Service Center affirms the dignity, self-worth and independence of older persons by facilitating their decisions and actions; tapping their experiences, skills and knowledge, and enabling their continued contributions to the community; and

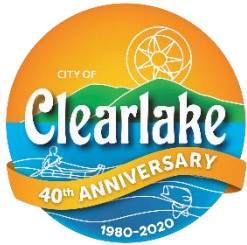
NOW, THEREFORE, BE IT PROCLAIMED that the Clearlake City Council does hereby call upon all citizens to recognize the special contributions of the Highlands Senior Service Center participants and the special efforts of the staff and volunteers who work every day to enhance the well-being of the older adults of our community.

Dated this 1st day of September, 2022

Dirk Slooten, Mayor

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Second reading Ordinance No. 266-2022 Amending Chapter 2, Section 2-7 of the Clearlake Municipal Code Relating to Traffic Engineer and City Engineer	MEETING DATE: August 18, 2022
SUBMITTED BY: Ryan Jones, City Attorney	
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:

City Council is being asked to consider introducing and holding a second reading of an ordinance amending the Traffic Engineer section of the City’s municipal code.

BACKGROUND/DISCUSSION:

Staff commonly audits the Clearlake Municipal Code and looks for provisions that are need of updating based on best practices and compliance with the current law. Section 2-7 has not been updated since 2012, and should be modified so as to align with current and best practices in the City. First, the City does not currently employ or contract with a designated “Traffic Engineer.” Instead, the City utilizes the services of a City Engineer, whose duties include the oversight of traffic. In light of the City migrating from a Traffic Engineer to City Engineer model, the proposed ordinance reflects that change.

The ordinance provides that the City Manager shall appoint a City Engineer, who may either serve as an employee of the City or an independent contractor. The duties and qualifications of the City Engineer are outlined in this ordinance and are consistent with industry standards, which includes the City Engineer being a license professional engineer in the State of California, and must have experience in public works.

The City Engineer, pursuant to this ordinance, will provide traffic duties for the City. Traffic duties include the determination of the installation and proper timing and maintenance of traffic control devices and signals, and will investigate the traffic to develop ways to improve traffic conditions. The City Engineer would have the authority to determine the need for road signage in the City, and set parking regulations.

Environmental Considerations: Adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

OPTIONS:

- 1. Hold the second reading, and adopt ordinance
- 2. Give 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:

Hold the second reading of Ordinance No. 266-2022: AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-7 OF THE CLEARLAKE MUNICIPAL CODE RELATED TO TRAFFIC ENGINEER / CITY ENGINEER, read by title only and adopt.

ATTACHMENT:

- 1. Ordinance No. 266-2022

ORDINANCE NO. 266-2022

**AN ORDINANCE AMENDING CHAPTER 2, SECTION 2-7 OF THE CLEARLAKE MUNICIPAL CODE
RELATED TO TRAFFIC ENGINEER / CITY ENGINEER**

WHEREAS, the Office of the Traffic Engineer is obsolete in that this function is currently served by the City Engineer;

WHEREAS, in order to update the Municipal Code so that it is consistent with current practice, the section related to the Traffic Engineer will be repealed and replaced with a City Engineer section; and

NOW, THEREFORE, the City Council of the City of Clearlake, State of California does ordain as follows:

SECTION 1. FINDINGS.

- A. The above recitals are declared to be true and correct findings of the City Council of the City of Clearlake.

SECTION 2.

Chapter 2, Section 2-7, is hereby repealed as replaced as follows:

Section 2-7 City Engineer

2-7.1

Established; Appointment; Compensation.

The City Engineer shall be appointed by the City Manager, and may be removed by the City Manager. The City Engineer may, in the discretion of the City Manager and with consultation from the City Council, be either a City employee or an independent contractor. The compensation will either be set by contract with the City Engineer is an independent contractor, or by salary schedule if the individual is a City employee.

2-7.2

Duties and Qualifications.

The City Engineer shall be a licensed professional engineer registered in the State of California, and shall be experienced in public works. The City Engineer shall provide professional engineering services defined by law, ordinance, resolution, standards of the engineering profession and guidance of the Council through the City Manager. The City Engineer shall provide engineering services to the City, which may be include duties related to traffic.

2-7.3

Traffic Duties.

It shall be the general duty of the City Engineer to determine the installation and proper timing and maintenance of traffic control devices and signals, to conduct investigations of traffic conditions and to cooperate with other City officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this City. Whenever, by the provisions of this section, a power is granted to the City Engineer or a duty imposed upon him or her, the power may be exercised or the duty performed by a deputy or by a person authorized in writing by the City Engineer.

2-7.3

Stop Signs, Yield Signs, No Turn Signs.

Whenever the City Engineer shall determine a need for boulevard stop signs, “yield” signs, “no left turn” or “no right turn” signs, or any other traffic control devices which impose a mandatory duty upon motorists, he or she shall prepare a written authorization of such installations and designations.

2-7.4

Caution or Warning Signs.

Whenever the City Engineer shall determine that caution or warning signs or devices should be installed on any City street, he shall cause such installation to be done, provided that there are sufficient funds appropriated and available for the purpose.

2-7.5

Parking Regulations.

Whenever the City Engineer shall determine a need for any parking regulations, including but not limited to, “no parking” zones, time limit parking zones, diagonal parking zones, bus stops, taxi stands, or other special parking restrictions, he shall prepare and present such authorization as required by State law.

2-7.6

Violation and Penalty.

The failure of any person to observe and obey any traffic control device installed pursuant to subsection 2-8.3, shall be cited and punished as a violation of the Vehicle Code of the State of California.

SECTION 2. Severability: Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other

provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

SECTION 3. CEQA. The adoption of this Ordinance is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 4. Effective Date. This ordinance shall take effect thirty (30) days after adoption as provided by Government Code section 36937.

SECTION 5. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting the entire text.

INTRODUCED and first read at a regular meeting of the City Council on the ___ day of ___, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

FINAL PASSAGE AND ADOPTION by the City Council of Clearlake occurred at a meeting thereof held on the ___ day of _____, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Dirk Sooten, Mayor

ATTEST:

Melissa Swanson, City Clerk
City of Clearlake



Clearlake, CA

Section G, Item 4.

Check Register

Packet: APPKT01572 - 8/24/22 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	08/24/2022	Regular	0.00	231.05	13178
VEN01187	AMERICAN INDUSTRIAL EQUIPMENT, I	08/24/2022	Regular	0.00	5,260.88	13179
001397	AT&T CALNET 3	08/24/2022	Regular	0.00	50.44	13180
001397	AT&T CALNET 3	08/24/2022	Regular	0.00	208.47	13181
001397	AT&T CALNET 3	08/24/2022	Regular	0.00	26.06	13182
001397	AT&T CALNET 3	08/24/2022	Regular	0.00	622.50	13183
001397	AT&T CALNET 3	08/24/2022	Regular	0.00	174.76	13184
001397	AT&T CALNET 3	08/24/2022	Regular	0.00	65.31	13185
000068	BOB'S JANITORIAL	08/24/2022	Regular	0.00	35.89	13186
VEN01247	BORDIN SEMMER LLP	08/24/2022	Regular	0.00	4,187.09	13187
001811	CALIFORNIA EXTERMINATORS ALLIA	08/24/2022	Regular	0.00	100.00	13188
VEN01178	CALIFORNIA INTERGOVERNMENTAL R	08/24/2022	Regular	0.00	184.60	13189
000024	CLEARLAKE POLICE ASSOCIATION	08/24/2022	Regular	0.00	1,500.00	13190
001424	CLEARLAKE WASTE SOLUTIONS	08/24/2022	Regular	0.00	106.00	13191
000548	COMPUTER LOGISTICS	08/24/2022	Regular	0.00	506.25	13192
002392	DE LAGE LANDEN PUBLIC FINANCE	08/24/2022	Regular	0.00	829.68	13193
002285	DELL FINANCIAL SERVICES LLC	08/24/2022	Regular	0.00	2,118.42	13194
VEN01241	E4 UTILITY DESIGN	08/24/2022	Regular	0.00	3,025.00	13195
000073	EASTLAKE SANITARY LANDFILL	08/24/2022	Regular	0.00	58.98	13196
002185	FAHRENHEIT HEATING & AIR	08/24/2022	Regular	0.00	750.00	13197
000096	GOLDEN STATE WATER COMPANY	08/24/2022	Regular	0.00	351.45	13198
001554	HINDERLITER DELLAMAS & ASSOC.	08/24/2022	Regular	0.00	1,538.64	13199
002336	JUSTIN STURGILL	08/24/2022	Regular	0.00	399.00	13200
000108	LAKE COUNTY RECORD BEE	08/24/2022	Regular	0.00	346.50	13201
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	255.94	13202
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	275.16	13203
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	119.84	13204
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	621.28	13205
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	275.16	13206
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	17.74	13207
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	337.06	13208
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	137.58	13209
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	85.80	13210
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	119.84	13211
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	119.84	13212
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	137.58	13213
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	17.74	13214
000158	LAKE COUNTY SPECIAL DISTRICTS	08/24/2022	Regular	0.00	17.74	13215
001995	LANGUAGE TESTING INTERNATIONAL	08/24/2022	Regular	0.00	511.00	13216
VEN01240	MIDDLETOWN COPY & PRINT - JESSICA	08/24/2022	Regular	0.00	58.99	13217
VEN01048	Minnesota Life Insurance	08/24/2022	Regular	0.00	823.46	13218
000026	NATIONWIDE RETIREMENT SOLUTION	08/24/2022	Regular	0.00	1,150.00	13219
001392	OFFICE DEPOT	08/24/2022	Regular	0.00	200.63	13220
000009	OPERATING ENGINEERS LOCAL 3	08/24/2022	Regular	0.00	700.00	13221
001483	PETERSON CAT	08/24/2022	Regular	0.00	3,927.01	13222
001843	PG&E CFM	08/24/2022	Regular	0.00	52.22	13223
001857	RANEY PLANNING & MANAGEMENT	08/24/2022	Regular	0.00	785.00	13224
002031	REDWOOD COAST PETROLEUM & NOF	08/24/2022	Regular	0.00	1,193.15	13225
000676	SONOMA STATE UNIVERSITY	08/24/2022	Regular	0.00	75.00	13226
002000	SUB TERRA CONSULTING	08/24/2022	Regular	0.00	3,446.80	13227
000099	U.S. CELLULAR	08/24/2022	Regular	0.00	488.05	13228
001540	US BANK CORPORATE PMT. SYSTEM	08/24/2022	Regular	0.00	4,108.38	13229

Check Register

Packet: APPKT01572

Section G, Item 4.

Vendor Number
000708

Vendor Name
VALIC LOCKBOX

Payment Date
08/24/2022

Payment Type
Regular

Discount Amount
0.00

Payment Amount
395.00

Number
13230

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	81	53	0.00	43,129.96
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
	81	53	0.00	43,129.96

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	8/2022	43,129.96
			<hr/>
			43,129.96



STAFF REPORT	
SUBJECT: Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361	
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 authorize the City Clerk to implement and utilize teleconference accessibility to conduct public meetings pursuant to Assembly Bill 361 (Stats. 2021, ch. 165).

BACKGROUND/DISCUSSION:

On Friday, September 17, 2021, the Governor signed AB 361. Because the bill contained urgency findings, the law is now in effect. AB 361 allows local agencies to continue to conduct remote (“Zoom”) meetings during a declared state of emergency, provided local agencies comply with specified requirements. Absent this legislation, local agencies would have had to return to traditional meetings beginning on October 1, 2021.

Starting October 1, and running through the end of 2023, to participate in remote meetings, public agencies must comply with the requirements of new subsection (e) of Government Code section 54953.

The Council passed Resolution No. 2021-48 on October 7, 2021, which made the necessary findings for all subordinate legislative bodies of the City, such as the Planning Commission, so these bodies can also continue to meet remotely.

Subsequent Remote Meetings

Any time after the first remote meeting of the legislative body, it can meet remotely if both of the following apply:

1. State/local emergency/social distancing. Either:
 - a. “a state of emergency remains active” or
 - b. “state or local officials have imposed or recommended measures to promote social distancing” and
2. 30 days. Within the last 30 days (which vote may occur at that meeting) the legislative body has made the following findings by majority vote “(A) The legislative body has reconsidered the circumstances of the state of emergency. (B) Any of the following circumstances exist (i) The state of emergency continues to directly impact the ability of the members to meet safely in person. (ii) State or local officials continue to impose or recommend measures to promote social distancing.”

OPTIONS:

1. Move to adopt the attached resolution to allow ongoing teleconferencing of public meetings
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 ACTIONS:

1. Adopt Resolution making the necessary findings to continue to hold remote meetings as required by AB 361.

Attachments: 1) Resolution No. 2022-54

RESOLUTION NO. 2022-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
MAKING THE LEGALLY REQUIRED FINDINGS TO CONTINUE TO
AUTHORIZE THE CONDUCT OF REMOTE “TELEPHONIC” MEETINGS
DURING THE STATE OF EMERGENCY

WHEREAS, on March 4, 2020, pursuant to California Gov. Code Section 8625, the Governor declared a state of emergency stemming from the COVID-19 pandemic (“Emergency”); and

WHEREAS, on September 17, 2021, Governor Newsom signed AB 361, which bill went into immediate effect as urgency legislation; and

WHEREAS, AB 361 added subsection (e) to Government Code Section 54953 to authorize legislative bodies to conduct remote meetings provided the legislative body makes specified findings; and

WHEREAS, as of September 19, 2021, the COVID-19 pandemic has killed more than 67,612 Californians; and

WHEREAS, social distancing measures decrease the chance of spread of COVID-19; and

WHEREAS, this legislative body previously adopted a resolution to authorize this legislative body and all other subordinate legislative bodies of the City to conduct remote “telephonic” meetings; and

WHEREAS, Government Code 54953(e)(3) authorizes legislative bodies of the City to continue to conduct remote “telephonic” meetings provided that the City has timely made the findings specified therein.

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

1. This legislative body declares that it has reconsidered the circumstances of the state of emergency declared by the Governor and at least one of the following is true: (a) the state of emergency, continues to directly impact the ability of the members of this legislative body and all subordinate legislative bodies of the City to meet safely in person; and/or (2) state or local officials continue to impose or recommend measures to promote social distancing.

PASSED, APPROVED AND ADOPTED this 1st day of September, 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

Dirk Slooten, Mayor

ATTEST:

Melissa Swanson, City Clerk

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Adoption of 1 st Amendment to the FY 2022-23 Budget to appropriate funds for design and road paving services	MEETING DATE: September 1, 2022
SUBMITTED BY: Kelcey Young, Director of Finance	
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 an adjustment to the FY 2022-23 Budget to appropriate One Million Dollars (\$1,000,000.00) in funds procured from debt financing for design services to start design and preparation for the Measure V Road projects.

BACKGROUND/DISCUSSION:

The City of Clearlake approved in debt financing for the Measure V Road projects on April 21, 2022. Debt Financing Funds of \$14.755 million were received on June 22, 2022.

On June 16, 2022, the City Council adopted the FY 2022-23 budget. At that time the debt financing had not closed, and staff stated that they would come back to Council to appropriate funds. Based on a review by staff, the amount mentioned above should allow for design and preliminary costs.

FISCAL IMPACT:

None \$1,000,000.00 Budgeted Item? Yes No
 Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$1,000,000.00
 Affected fund(s): General Fund Measure P Fund Measure V Fund Other: 221
 Comments: No net impact as increased expenses are being covered by increased revenues.

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 the resolution.

- Attachments:** 1) Resolution No. 2022-55 ADOPTION OF 1st AMENDMENT TO THE FY 2022-23 BUDGET (RESOLUTION 2022-43)

RESOLUTION NO. 2022-55

**ADOPTION OF 1st AMENDMENT TO THE FY 2022-23 BUDGET (RESOLUTION 2022-43)
 APPROPRIATING FUNDS FOR DESIGN SERVICES FOR MEASURE V PROJECTS USING DEBT FINANCING**

WHEREAS, the City Council desires to appropriate funding from debt financing to Consultant Services for design services.

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

Section 1. The FY 2022-23 Budget, adopted via Resolution 2022-33, is amended as follows:

Appropriations Adjustment							
Fund	Fund Name	Department	Account	Description	FY 22-23 Budget	Adjustment	FY 22-23 Amended Budget
221	Measure V Debt Financing	Public Works	221-3065-750-560	Consultant Services	\$ -	\$ 1,000,000.00	\$ 1,000,000.00
Revenue							
Fund	Fund Name		Account	Description	FY 22-23 Budget	Adjustment	FY 22-23 Amended Budget
221	Measure V Debt Financing	NA	221-481-925	Proceeds of Debt	\$ -	\$ 1,000,000.00	\$ 1,000,000.00

PASSED AND ADOPTED by the City Council of the City of Clearlake, County of Lake, State of California, on this 1st day of September 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____

City Clerk

Mayor