



CITY COUNCIL REGULAR MEETING

Clearlake City Hall Council Chambers

14050 Olympic Dr, Clearlake, CA

Thursday, December 01, 2022

Closed Session 5:00 PM

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.

A. ROLL CALL

B. 5:00 PM CLOSED SESSION

- (1) Public Employee Appointment Pursuant to Government Code Section 54957
Title: Police Chief

Regular Meeting 6:00 PM

Zoom Link: <https://clearlakeca.zoom.us/j/84740363148>

C. PLEDGE OF ALLEGIANCE

D. INVOCATION/MOMENT OF SILENCE: *The City Council invites members of the clergy, as well as interested members of the public in the City of Clearlake, to voluntarily offer an invocation before the beginning of its meetings for the benefit and blessing of the City Council. This opportunity is voluntary and invocations are to be less than three minutes, offered in a solemn and respectful tone, and directed at the City Council. Invocational speakers who do not abide by these simple rules of respect and brevity shall be given a warning and/or not invited back to provide a subsequent invocation for a reasonable period of time, as determined appropriate by the City. This policy is not intended, and shall not be implemented or construed in any way, to affiliate the City Council with, nor express the City Council's preference for, any faith or religious denomination. Rather, this policy is intended to acknowledge and express the City Council's respect for the diversity of religious denominations and faith represented and practiced among the citizens of Clearlake. If a scheduled 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.*

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

F. PRESENTATIONS

2. Presentation of a Proclamation in Remembrance of Retired Judge Richard Freeborn
3. Presentation to City Employees and Volunteers in Recognition of Their Service
4. Presentation on Public Works Maintenance Projects

G. 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.*

H. 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.*

5. Adoption of the 2022 California Building Standard Codes (CBSC), the 2021 Uniform Swimming Pool, Spa/Hot Tub Codes, the 2021 Uniform Solar, Hydronics & Geothermal Codes, the 2021 International Building Codes (IBC); the 2021 International Residential Codes (IRC) and the 2021

International Fire Codes (IFC); Resolution No. 2022-69; Ordinance No. 267-2023
Recommended Action: Adopt Resolution 2022-69; hold first reading of Ordinance No. 267-2023 and set second reading and adoption for the January 5, 2023 meeting.

6. Authorization of Maintenance Worker III Position

Recommended Action: Move to approve the reorganization of a Maintenance Worker II position to a Maintenance Worker III.

7. Consider renaming Communications Officer job to Communications and Records Supervisor and adopting changes to the job description

Recommended Action: Adopt Resolution No 2022-67

8. Authorization for Purchase of K-Rails for the Public Works Yard

Recommended Action: Move to approve the purchase with Eiffel Trading in the amount of \$33,930.

9. Award of Contract for Electrical Services related to the Public Works Yard Project

Recommended Action: Move to approve the contract with DC Electric in the amount of \$59,715.00 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.

10. Consider Adoption of 2nd Amendment to the FY 2022-23 Budget (Resolution 2022-43)
Adjusting Appropriations and Transfers

Recommended Action: Adopt Resolution No. 2022-69

11. Consideration of Acceptance of the Property Located at 3332 6th Street Clearlake CA 95422

Recommended Action: Authorize City Manager to sign the Certificate of Acceptance.

12. Authorization of an Amendment of Contract with the Koi Nation for Tribal Monitoring
Contract on the Austin Park Splash Pad Project

Recommended Action: Move to amend the contract with the Koi Nation in the amount of \$5,000.

13. Approve Amendment to Regional Government Services Authority Consultant Contract

Recommended Action: Authorize the City Manager to Execute the Amendment

14. Minutes of the November Meeting

Recommended Action: Receive and file

15. Minutes of the October 12, 2022 Lake County Vector Control District Board Meeting

Recommended Action: Receive and file

16. Warrants

Recommended Action: Receive and file

17. Appointment of City Treasurer for the Unexpired Term Ending November 2026

Recommended Action: Appoint City Manager as Acting City Treasurer

- [18.](#) Adoption of the 2022 Conflict of Interest Code; Resolution No. 2022-71
Recommended Action: Adopt resolution
- [19.](#) Annual Calendar of Meetings for 2023
Recommended Action: Approve proposed calendar
- [20.](#) Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361
Recommended Action: Adopt Resolution
- [21.](#) Memo Regarding Holiday Closure of City Hall Administration Offices

I. PUBLIC HEARING

- [22.](#) Confirm assessment(s) in the total amount of \$29,383.90 for City funded abatements, in accordance with Clearlake Municipal Code Chapter 10

J. BUSINESS

- [23.](#) Discussion and Direction Regarding Legal Non-conforming Status of Residences in the Sulphur Fire Area
Recommended Action: Provide Direction to Staff Allowing the Community Development Director to review projects within the Sulphur Fire area for legal non-conforming status and approve permits consistent with previous development if they do not hinder the general health and welfare of the community.
- [24.](#) Consider Approving Resolution 2022-68 Which Extends the Term of the Existing Commercial Cannabis Development Agreements and Temporarily Reduces the Production Fee
Recommended Action: Adopt Resolution 2022-68
- [25.](#) Consideration of Resolution of Intent to Amend the Clearlake Sphere of Influence, Amend the Clearlake General Plan, Adopt Pre-Zoning Designations, Prepare an Environmental Analysis (CEQA Initial Study), and Initiate Lake LAFCO proceedings for the parcels located at 2050 and 2122 Ogulin Canyon Road, Assessor Parcel Numbers (APNs) 010-053-010-000 and 010-053-020-000; Resolution No. 2022-70
Recommended Action: Adopt Resolution

K. CITY MANAGER AND COUNCILMEMBER REPORTS

L. FUTURE AGENDA ITEMS

M. CLOSED SESSION

- (26)** Conference with Real Property Negotiators: Pursuant to Government Code Section 54956.8. Property Address: 6885 Old Highway 53, Clearlake; Agency Negotiation: City Manager Alan Flora; Under Negotiation: Price and terms of payment.

N. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

O. ADJOURNMENT

POSTED: November 23, 2022

BY:



Melissa Swanson, Administrative Services Director/City Clerk



City Council

STAFF REPORT	
SUBJECT: Adoption and Implementation of the 2022 California Building Standard Codes (CBSC) and by reference the 2021 Uniform Swimming Pool, Spa/Hot Tub Codes, the 2021 Uniform Solar, Hydronics & Geothermal Codes, the 2021 International Building Codes (IBC); 2021 International Residential Codes (IRC) and the 2021 International Fire Codes (IFC).	MEETING DATE: December 1, 2022
SUBMITTED BY: Mark Roberts – Community Development Department	
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::

The City Council is being asked to consider the acceptance and implementation of the 2022 California Building Standard Codes (CBSC), and adopting by reference the 2021 Uniform Swimming Pool, Spa/Hot Tub Codes, the 2021 Uniform Solar, Hydronics & Geothermal Codes, the 2021 International Building Codes (IBC); the 2021 International Residential Codes (IRC) and the 2021 International Fire Codes (IFC).

BACKGROUND/DISCUSSION:

The State of California mandates that the building and construction codes are updated every three (3) years in all cities and counties throughout the state. This is known as the tri-annual update. On June 30, 2022, the California Building Standards Commission (CBSC) adopted a complete set of new building codes based on the latest international and national standards/codes. The 2022 California Building Standard Codes will become effective statewide on January 1, 2023.

In accordance with the California Building Standards Commission Information Bulletin 22- 01 (*dated June 30, 2022*), all applications for building permits submitted on or after January 1, 2023, are subject to compliance with the 2022 California Building Standards Code. The 2019 California Building Standards Code remains in effect and applies to plans, specifications, and construction performed where the application for a building permit is received on or before December 30, 2022.

The CBSC is enforced by local governments through the building permit process. All construction in the State must comply with the CBSC, subject to any local modifications made to the CBSC by the city and/or county in which the construction is to occur. Modifications are allowed only to address local climatic, geological, or topographical conditions, and the local government must make express findings that such conditions justify its modifications.

The attached ordinance/resolution adopts the 2022 CBSC, and by reference the 2021 Uniform Pool, Spa/Hot Tub Codes, the 2021 Uniform Solar, Hydronics & Geothermal Codes, the 2021 International Building Codes (IBC); 2021 International Residential Codes (IRC) and the 2021 International Fire Codes (IFC). Said amendments will update Chapter IX (Building and Housing) of the Clearlake Municipal Code.

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (“CEQA”), this action is exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the proposed amendments to the Clearlake Municipal Code are a government administrative activity that will not result in direct or indirect physical changes to the environment

OPTIONS:

- 1. Move to Adopt Resolution 2022-69, A Resolution of the City Council of the City of Clearlake approving the acceptance and implementation as described in Ordinance No. 267-2023.
- 2. Move to Deny Resolution 2022-69 and direct staff to prepare appropriate findings.
- 3. Move to continue the item and provide alternate 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**

- Attachments:**
 - 1) Resolution 2022-69
 - 2) Ordinance No. 267-2023

RESOLUTION No. 2022-69

**A Resolution of the City Council City of Clearlake, State of California
Adopting Amendments, Deletions and Additions to Chapter IX (Building & Housing)
Of the Clearlake Municipal Code**

WHEREAS, the **2022 California Building Standards Codes (CBC) with Title 24**, is hereby adopted by the City of Clearlake and incorporated by reference into the City of Clearlake Municipal Code., as amended by this chapter. The adoption of the codes includes, but is not limited to:

- *2022 California Building Standards Codes - Volumes 1 and 2 of the California Code of Regulations.*
- *2022 California Commercial and Residential Building Standard Codes*
- *2022 California Electrical Standard Codes of the California Code of Regulations*
- *2022 California Mechanical Standard Codes of the California Code of Regulations*
- *2022 California Plumbing Standard Codes of the California Code of Regulations*
- *2022California Energy Standard Codes of the California Code of Regulations*
- *2022 California Fire Code of the California Code of Regulations*
- *2022 California Existing Building Standard Code of the California Code of Regulations.*
- *2022 California Historical Building Standard Codes*
- *2022 California Green Building Standard Codes*
- *2022 California Existing Building Standard Codes*
- *2022 California Referenced Standards Codes*

WHEREAS, the 2021 International Building Codes (IBC), is hereby adopted by the City of Clearlake and incorporated by reference into the City of Clearlake Municipal Code as amended by this chapter, and;

WHEREAS, the 2021 International Residential Codes (IRC) is hereby adopted by the City of Clearlake and incorporated by reference into the City of Clearlake Municipal Code as amended by this chapter, and;

WHEREAS, the 2021 International Fire Codes (IFC), is hereby adopted by the City of Clearlake and incorporated by reference into the City of Clearlake Municipal Code as amended by this chapter, and;

WHEREAS, the 2021 Uniform Swimming Pool, Spa/Hot Tub Codes, is hereby adopted by the City of Clearlake and incorporated by reference into the City of Clearlake Municipal Code as amended by this chapter, and;

WHEREAS, the 2021 Uniform Solar, Hydronics and Geothermal Codes, is hereby adopted by the City of Clearlake and incorporated by reference into the City of Clearlake Municipal Code., as amended by this chapter, and;

WHEREAS, California Health and Safety Code seeks to have uniform building standards in substantially the same format throughout the state; and;

WHEREAS, the City of Clearlake, (“City”) is authorized by Health and Safety Code Sections 13869.7, 17922, 17958, 17958.5, 17958.7, and 18941.5 to impose modifications on the California Fire and Building Standards/Codes, providing such modifications that are more stringent than state standards provided the modifications are reasonably necessary” to protect the health, welfare and safety of the residents of the City “because of local climatic, geological or topographical conditions”; and

WHEREAS, Pursuant to the California Environmental Quality Act (“CEQA”), this action is exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the purposed amendments to the Clearlake Municipal Code are a government administrative activity that will not result in direct or indirect physical changes to the environment

WHEREAS, the above adopted codes go into effect on January **1st, 2023**. There is at least one (1) copy of said Building Standard Codes at the City to be used by City Personnel; and/or for examination by the public, and;

NOW, THEREFORE, BE IT RESOLVED by the City of Clearlake – City Council of the City of Clearlake is hereby adopted the codes noted above.

PASSED AND ADOPTED ON THIS 1st DAY OF DECEMBER 2022 BY THE FOLLOWING VOTE:

City of Clearlake – Mayor Slooten

ATTEST: _____
City of Clearlake Clerk/Deputy Clerk

ORDINANCE NO. 267-2023

AN ORDINANCE AMENDING SECTION 9-1.4, SUBSECTIONS (A); (B); (C); (D); (E); AND (F) OF CHAPTER 9 OF THE CLEARLAKE MUNICIPAL CODE ADOPTING THE 2022 CALIFORNIA BUILDING STANDARDS CODES; AND BY REFERENCE THE 2021 INTERNATIONAL BUILDING CODES (IBC); 2021 INTERNATIONAL RESIDENTIAL CODES (IRC); THE 2021 UNIFORM SWIMMING POOL, SPA/HOT TUB CODES AND THE 2021 UNIFORM SOLAR, HYDRONICS AND GEOTHERMAL CODES.

WHEREAS, the State of California revises its building standards on a triennial basis. The building standards are intended to regulate and govern the conditions and maintenance of all property, buildings, and structures by providing standards for supplied utilities, facilities, and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupancy and use; and;

WHEREAS, the construction of residential, commercial, and other buildings in California is regulated by Title 24 of the California Code of Regulations, also known as the California Building Standards Code (“CBSC”). These regulations establish construction standards to protect the public welfare and provide uniformity in building laws. State law requires that the Building Codes be updated every three years, and;

WHEREAS, the City desires to update its Municipal Code Chapter IX, Section 9-1.4, Subsections (A); (B); (C); (D); (E); and (F) to adopt by reference the most recent versions of the codes and;

WHEREAS, this Ordinance is exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the proposed amendments to the Clearlake Municipal Code are a government administrative activity that will not result in direct or indirect physical changes to the environment.

The City Council of the City of Clearlake, State of California does hereby ordain as follows:

SECTION ONE. FINDINGS

- A. The purpose of this Ordinance is to protect the health, safety, and welfare of the residents of the City by ensuring proper building and related codes are adopted and enforced by the City.
- B. CEQA COMPLIANCE: The proposed amendments in this Ordinance are exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the proposed amendments to the Clearlake Municipal Code are a government administrative activity that will not result in direct or indirect physical changes to the environment.

SECTION TWO.

Subsections (A); (B); (C); (D); (E); and (F) of Section 9-1.4 of Chapter 9 of the Clearlake Municipal is hereby amended to read as follows: Items “G” and “H” remain.

"9-1.4 California Building Standards Code-Adopted.

- A. The 2022 California Building Standard Codes is hereby adopted by the City of Clearlake and incorporated by reference into the City of Clearlake Municipal Code, as amended by this chapter. The 2019 California Building Standards Code includes, but is not limited to, the following:
 - 1. 2022 California Building Standards Codes -Volumes 1 and 2 of the California Code of Regulations Title 24 Part 2.
 - 2. 2022 California Building Standards Codes of the California Code of Regulations Title 24 Part 3.
 - 3. 2022 California Building Standards Codes of the California Code of Regulations Title 24 Part 4.
 - 4. 2022 California Building Standards Codes of the California Code of Regulations Title 24 Part 5.
 - 5. 2022 California Building Standards Codes of the California Code of Regulations Title 24 Part 6.
 - 6. 2022 California Fire Code of the California Code of Regulations Title 24 Part 9.
 - 7. 2022 California Existing Building Code of the California Code of Regulations Title 24 Part

- B. The City hereby adopts and enforces Chapter I Division II and Section 3412.2 of the 2022 California Building Code. There is at least one copy of said code on file in the office of the building official for use and examination by the public.

- C. The City hereby adopts and enforces the 2021 Uniform Swimming Pool, Spa and Hot Tub Codes as published by the International Association of Plumbing and Mechanical Officials incorporated by reference into the City of Clearlake Municipal Code.

- D. The City hereby adopts and enforces the 2021 International Existing Building Codes as published by the International Code Council incorporated by reference into the City of Clearlake Municipal Code.

- E. The City hereby adopts and enforces the 2021 International Fire Codes as published by the International Code Council incorporated by reference into the City of Clearlake Municipal Code.

- F. The City hereby adopts and enforces the 2021 Uniform Solar, Hydronics and Geothermal Codes published by the International Association of Plumbing and Mechanical Officials incorporated by reference into the City of Clearlake Municipal Code.

SECTION THREE. SEVERABILITY.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION FOUR. EXECUTION.

The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

Passed and adopted this 1st day of December 2022 by the following vote:

AYES:

NOES

ABSENT:

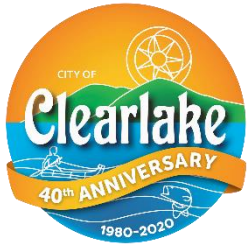
Dirk Slooten – Mayor City of Clearlake

ATTEST:

Clerk – City of Clearlake

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Authorization of Maintenance Worker III Position	MEETING DATE: December 1, 2022
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 approve reorganization of a Maintenance Worker II position to a Maintenance Worker III position.

BACKGROUND/DISCUSSION:

To maximize efficiencies and provide the best public service, from time to time it is necessary to review best practices and current workforce strategies. To this end, staff has restructured the Parks crew to strengthen the team and develop continuity in leadership. In doing so, it is recommended your Council approve the reorganization of the Parks crew to allow for a Maintenance Worker III position. Currently, the Parks crew consists of three Maintenance Worker II positions and one Senior Maintenance Worker position, with one Maintenance Worker II position acting in a special duty Lead position.

Opportunity for advancement within the department is vital to recruitment and retention. Staff is recommending that a position be reorganized to a Maintenance Worker III. The current salary range for this position is \$3,586.75-\$4,359.71 per month. This position would be filled by a current employee through an internal recruitment.

OPTIONS:

1. Move to approve the Maintenance Worker III position.
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:

1. Move to approve the Maintenance Worker III position.

Attachments:

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Authorization of Revised Job Description for Communications and Records Supervisor; Adopt Resolution # 2022-67	MEETING DATE: December 1, 2022
SUBMITTED BY: Andrew White, Police Chief	
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 rename the Communications Officer job to Communications and Records Supervisor and adopt changes to the job description and requirements.

BACKGROUND/DISCUSSION:

The supervisor of the Communications and Records division in the police department retired in August 2022. The position was referred to as the Records/Communication Officer position. In reviewing City records, the closest job specification found was the Communications Officer, however, the job duties and requirements are not consistent with the scope of responsibilities that have operationally been part of the job.

Staff is recommending the following changes to the job description:

1. Rename to Communications and Records Supervisor to reflect the core responsibilities of the position and better reflect the supervisory role of the position. This title is also consistent with terminology used in the profession, which assists in recruitment and in any future classification and compensation survey.
2. Remove references related to property and evidence duties. That role is handled by the Support Services Technician.
3. Updated definition that accurately reflects the duties and responsibilities of the job.
4. Increase experience to include four years instead of three years of dispatching experience in a law enforcement agency, one year of experience as a training officer or lead dispatcher and preferred experience managing police records.
5. Add education to include preferred 60 units of college work.
6. Add possession of POST Basic Dispatcher Certificate with Intermediate Dispatcher Certificate preferred.

OPTIONS:

1. Move to adopt Resolution No. 2022-67

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: The position is already budgeted.

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:

1. Adopt Resolution 2022-67: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE RENAMING THE COMMUNICATIONS OFFICER JOB DESCRIPTION TO COMMUNICATIONS AND RECORDS SUPERVISOR AND ADOPTING REVISIONS THERETO

- Attachments:**
- 1) Resolution No. 2022-67
 - 2) Exhibit A: Job Description
 - 3) Job Description – Red Lined

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
RENAMING THE COMMUNICATIONS OFFICER JOB DESCRIPTION TO COMMUNICATIONS AND
RECORDS SUPERVISOR AND ADOPTING REVISIONS THERETO**

WHEREAS, the City Council desires to change the title of the Communications Officer job description to Communications and Records Supervisor and adopt changes to the job description to reflect the current scope and duties of the position.

NOW, THEREFORE BE IT RESOLVED that the Communications Officer job description is renamed to Communications and Records Supervisor and the revised description in Exhibit A attached hereto is approved; and

BE IT FURTHER RESOLVED, that the Salary Schedule shall be updated to change the title of Records/Communications Officer to Communications and Records Supervisor.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk

Mayor

CITY OF CLEARLAKE
COMMUNICATIONS AND RECORDS SUPERVISOR

DEFINITION

To plan, schedule, assign and review the work of dispatch and records operations within the Police Department; participates in the performance of routine and complex public safety dispatching tasks; receives and transmits telephone and voice radio messages; coordinate, direct, and perform technical duties associated with the communications and records functions; perform related duties as assigned..

SUPERVISION EXERCISED

Receives general supervision from the chief of police or their designee. Receives direction from watch commanders and works with them to accomplish the police purpose. Oversees, coordinates and supervises personnel in the Communications and Records Division.

EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES

IN ADDITION TO THE DUTIES OF A DISPATCHER AND POLICE CLERK:

Plans, organizes, assigns, supervises and reviews the work of assigned staff involved in dispatch and records activities.

Evaluates employee performance, counsels employees and effectively recommends initial disciplinary action; assists in selection and promotion.

Organizes and assigns work, sets priorities and follows up to ensure coordination and completion of assigned work.

Coordinate, schedule and conduct meetings with dispatcher/clerks.

Plan, coordinate and conducts training and professional development of subordinate and line staff as necessary or directed.

Serve as the day to day liaison for dispatch, records and property/evidence needs of the police department.

Maintain and modify policies and procedures of the dispatch center, records and property/evidence as required.

Monitor and analyze shift and daily reports of the various assigned areas.

Compile statistical data and prepare periodic reports for use by command staff.

City of Clearlake
Communications and Records Supervisor

Control, purge and backup functions of computer programs, purge and control records as required, receive, store and control property/evidence as determined by law.

Monitor equipment and coordinate repairs of telephones, radio and computers.

Respond to the more difficult customer relations situations arising out of dispatch and records. Respond to emergency situations which may arise in the communications center, records or property/evidence.

Must be proficient in the duties set forth in the City of Clearlake’s definition of dispatcher/clerk.

Establish, maintain, and foster positive, harmonious working relationships with those contacted in the course of work.

Records technical functions include:

Serves as the Custodian of Records for the Police Department.

Assists in planning, developing and implementing departmental procedures.

Reviews and accepts incoming warrants, subpoena duces tecum, legal process’s and makes court appearances as needed.

Maintains security and control of records, supervises processing of police reports such as crime, arrest, accident reports needed by the public or other persons or agencies and collects monetary fees for this service.

Conducts audits of all systems and processes as necessary.

Process and monitor CCW applications and permits, bingo license, and varied permits and regulatory process’.

Applies laws, court decisions, rules and regulations on use and confidentiality of police records.

Assists in the development and implementation of departmental policies and procedures.

Coordinates activities with other departmental personnel and the public.

OTHER JOB RELATED DUTIES

City of Clearlake
Communications and Records Supervisor

Perform related duties and responsibilities as required.

JOB RELATED AND ESSENTIAL QUALIFICATIONS

Coordinate a police records management system, plan, organize, supervise, train and work with others, read and interpret laws, rules and regulations on records management, communicate effectively orally and in writing, work cooperatively with other agencies and the public, compile and maintain complex extensive records and prepare reports, evaluate personnel issues and problems and make recommendations to resolve them, use computer terminals and employ techniques of data entry and retrieval for police records administration.

Be knowledgeable and have the technical skills to function as a dispatcher/clerk with skills for coordinating and instructing others in this task. Be familiar and proficient with leads and other equipment commonly utilized in dispatch.

Be capable of learning legal guidelines pertaining to the maintenance and control of property/evidence, effectively account for police property and evidence, organize and maintain a control system, work independently in disposing of property according to defined guidelines and laws. Develop a computerized system of property/evidence control.

Experience and Training Guidelines:

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience:

Four years of public safety emergency dispatching experience in a law enforcement agency.

At least one year of experience as a training officer or lead dispatcher.

Experience with the maintenance of police records is preferred, but not required.

Education:

Equivalent to completion of the twelfth grade supplemented by any course work related to the position advertised. Sixty (60) units of college work at an accredited institution is preferred.

License or Certificate:

Must possess and maintain a valid class C California Drivers License.

Possession of a POST Basic Dispatcher Certificate.

Possession of a POST Intermediate Dispatcher Certificate is preferred.

Special Requirements:

Essential duties require the following physical abilities and work environment:

All applicants must be able to perform the essential job functions of the position, have the ability to work in an office environment, read detailed printed material, understand normal spoken conversations, communicate clearly, perform repetitive typing, travel independently to locations outside of the work site and to work shifts.

Must have the ability and skill to operate contemporary computers and programs.

Effective Date: December 2, 2022

CITY OF CLEARLAKE

COMMUNICATIONS AND RECORDS COORDINATOR SUPERVISOR

DEFINITION

To plan, schedule, assign and review the work of dispatch and records operations within the Police Department; participates in the performance of routine and complex public safety dispatching tasks; receives and transmits telephone and voice radio messages; To coordinate, direct, and perform technical duties associated with the communications and records functions; perform related duties as assigned.~~section, records and the property/evidence function.~~

SUPERVISION EXERCISED

Receives general supervision from the ~~services division commander~~ chief of police or their designee. Receives direction from watch commanders and works with them to accomplish the police purpose. Oversees ~~and~~, coordinates and supervises personnel in ~~communications/records and property/evidence~~ the Communications and Records Division.

EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES

IN ADDITION TO THE DUTIES OF A DISPATCHER AND POLICE CLERK:

Plans, organizes, assigns, supervises and reviews the work of assigned staff involved in dispatch and records activities.

~~May exercise functional and technical supervision over less experienced staff.~~

Evaluates employee performance, counsels employees and effectively recommends initial disciplinary action; assists in selection and promotion.

Organizes and assigns work, sets priorities and follows up to ensure coordination and completion of assigned work.

Coordinate, schedule and conduct meetings with dispatcher/clerks ~~and property/evidence staff~~.

Plan, coordinate and conducts training and professional development of subordinate and line staff as necessary or directed.

Serve as the day to day liaison for dispatch, records and property/evidence needs of the police department.

Maintain and modify policies and procedures of the dispatch center, records and property/evidence as required.

Monitor and analyze shift and daily reports of the various assigned areas.

City of Clearlake
Communications and Records Supervisor
Coordinator

Compile statistical data and prepare periodic reports for use by command staff.

Control, purge and backup functions of computer programs, purge and control records as required, receive, store and control property/evidence as determined by law.

Monitor equipment and coordinate repairs of telephones, radio and computers.

Respond to the more difficult customer relations situations arising out of dispatch ~~and~~, records ~~and property/evidence~~.

Respond to emergency situations which may arise in the communications center, records or property/evidence.

Must be proficient in the duties set forth in the City of Clearlake's definition of dispatcher/clerk.

Establish, maintain, and foster positive, harmonious working relationships with those contacted in the course of work.

EXAMPLES OF IMPORTANT AND ESSENTIAL DUTIES

Property/Evidence technical functions include:

~~Book, process, store, record and maintain police property and evidence. Maintain the integrity of chain of possession.~~

~~Deliver evidence for criminalistic examination and court presentation as necessary.~~

~~Release property and evidence to proper owners making necessary entries into the automated property system.~~

~~Develop, maintain and modify inventory and security procedures of police property, evidence and supplies.~~

~~Periodic disposal of weapons, narcotics and other property as provided by law and prepare associated reports or make automated entries.~~

~~Communicate with courts on case status and evidence and perform court liaison functions.~~

City of Clearlake
Communications and Records Supervisor
Coordinator

Records technical functions include:

Serves as the Custodian of Records for the Police Department.

Assists in planning, developing and implementing departmental procedures.

Reviews and accepts incoming warrants, subpoena duces tecum, legal process's and makes court appearances as needed.

Maintains security and control of records, supervises processing of police reports such as crime, arrest, accident reports needed by the public or other persons or agencies and collects monetary fees for this service.

Conducts audits of all systems and processes as necessary.

Process and monitor CCW applications and permits, bingo license, and varied permits and regulatory process'.

Applies laws, court decisions, rules and regulations on use and confidentiality of police records.

Assists in the development and implementation of departmental policies and procedures.

Coordinates activities with other departmental personnel and the public.

OTHER JOB RELATED DUTIES

Perform related duties and responsibilities as required.

JOB RELATED AND ESSENTIAL QUALIFICATIONS

Coordinate a police records management system, plan, organize, supervise, train and work with others, read and interpret laws, rules and regulations on records management, communicate effectively orally and in writing, work cooperatively with other agencies and the public, compile and maintain complex extensive records and prepare reports, evaluate personnel issues and problems and make recommendations to resolve them, use computer terminals and employ techniques of data entry and retrieval for police records administration.

City of Clearlake

Communications and Records Supervisor

Coordinator

Be knowledgeable and have the technical skills to function as a dispatcher/clerk with skills for coordinating and instructing others in this task. Be familiar and proficient with leads and other equipment commonly utilized in dispatch.

Be capable of learning legal guidelines pertaining to the maintenance and control of property/evidence, effectively account for police property and evidence, organize and maintain a control system, work independently in disposing of property according to defined guidelines and laws. Develop a computerized system of property/evidence control.

City of Clearlake
Communications and Records Supervisor
Coordinator

City of Clearlake
Communications Coordinator

Experience and Training Guidelines:

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience:

~~Three-Four~~ years of public safety emergency dispatching experience in a law enforcement agency.

At least one year of experience as a training officer or lead dispatcher.

~~experience using electronic equipment, skills developed as a dispatcher/clerk in handling the records function, training as it relates to the position.~~ Experience with the maintenance of police records is preferred, but not required.

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Education:

Equivalent to completion of the twelfth grade supplemented by any course work related to the position advertised. Sixty (60) units of college work at an accredited institution is preferred.

License or Certificate:

Must possess and maintain a valid class C California Drivers License.

~~Certificate of completion of the P.O.S.T. Public Safety Dispatcher Technical Course or equivalent.~~ Possession of a POST Basic Dispatcher Certificate.

Possession of a POST Intermediate Dispatcher Certificate is preferred.

Special Requirements:

Essential duties require the following physical abilities and work environment:

All applicants must be able to perform the essential job functions of the position, have the ability to work in an office environment, read detailed printed material, understand normal spoken conversations, communicate clearly, perform repetitive typing, travel independently to locations outside of the work site and to work shifts.

City of Clearlake
Communications and Records Supervisor
Coordinator

Must have the ability and skill to operate contemporary computers and programs.

Effective Date: ~~June 20, 1997~~ December 2, 2022

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Authorization for Purchase of K-Rails for the Public Works Yard	MEETING DATE: December 1, 2022
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 approve the purchase of K-Rails from Eiffel Trading in the amount of \$35,000.

BACKGROUND/DISCUSSION:

The city is looking to replace K-Rails at the new Public Works yard. The previous k-rails that existed were needed at another location to assist Code Enforcement in abatement efforts. The cost for the new k-rails is \$33,930, which includes shipping.

OPTIONS:

- 1. Move to approve the purchase of the equipment in the amount of \$33,930
- 2. Other direction

FISCAL IMPACT:

None \$33,930 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: 240-4225-850-887

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 approve the purchase with Eiffel Trading in the amount of \$33,930.

Attachments:

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Award of Contract for Electrical Services related to the Public Works Yard Project	MEETING DATE: December 1, 2022
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 approve a contract with DC Electric for \$59,715.00 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.

BACKGROUND/DISCUSSION:

The City requested proposals for electrical services for the Public Works Yard Project using the informal bidding process in the Clearlake Municipal Code. These services include the installation of a new temporary pole and panel, new service conductors from the pole to the new office trailer, provide and install wire for the gate motor as well as mount and wire the new streetlight poles on existing foundations. One proposal was received:

DC Electric - \$59,715.00

The proposal exceeded the \$25,000 informal bidding threshold, however the contractor is consistently lower with proposals than other contractors and has an excellent track record of working on City projects. Staff recommends awarding the contract as presented after waiving any further requirements for public bidding.

OPTIONS:

1. Move to waive further requirements for public bidding and approve the contract with DC Electric in the amount of \$59,715.00 along with up to 10% for additional unforeseen contract amendments.
2. Other direction

FISCAL IMPACT:

None \$59,715.00 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: 240-4095-850-887

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 approve the contract with DC Electric in the amount of \$59,715.00 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.

Attachments:

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Adoption of 2nd Amendment to the FY 2022-23 Budget (Resolution 2022-43) Adjusting Appropriations and Transfers, Resolution No. 2022-69	MEETING DATE: December 1, 2022
SUBMITTED BY: Kathy Wells, Finance Director PREPARED BY: Andrew White, Police Chief	
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 adopt the 2nd Amendment to the FY 2023 budget to adjust appropriations and transfers.

BACKGROUND/DISCUSSION:

Following the adoption of the FY 2023 budget, staff has identified some adjustments that need to be made with respect to appropriations and transfers across funds. The adjustments include those to support the debt service payments and reserve for the Measure V debt financing program as well as adjustments in the Capital Projects fund based on actual and anticipated expenditures and revenue.

OPTIONS:

1. Move to adopt Resolution No. 2022-69
2. Provide direction to staff.

FISCAL IMPACT:

None See attached. Budgeted Item? Yes No

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

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

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:

1. Adopt Resolution 2022-69: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE ADOPTING THE 2ND AMENDMENT TO THE FY 2022-23 BUDGET (RESOLUTION NO. 2022-43)

- Attachments:** 1) Resolution No. 2022-69

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
ADOPTING THE 2ND AMENDMENT TO THE FY 2022-23 BUDGET (RESOLUTION NO. 2022-43)**

WHEREAS, the City Council desires to adjust the FY 2022-23 budget, effective July 1, 2022, nunc pro tunc.

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

Section 1. The FY 2022-23 Budget, adopted via Resolution 2022-43, is amended as shown in the attached Exhibit A, incorporated herein by reference.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____

City Clerk

Mayor

Row Labels	Sum of Original	Sum of Adjustment	Sum of Amended
100	\$ 325,979.00	\$ 8,333,557.30	\$ 8,659,536.30
Expense	\$ -	\$ 8,314,611.30	\$ 8,314,611.30
100-0000-970-999-GF TF OUT TO CAP PROJ	\$ -	\$ 8,314,611.30	\$ 8,314,611.30
Revenue	\$ 325,979.00	\$ 18,946.00	\$ 344,925.00
100-450-900-GEN FUND TF IN	\$ 325,979.00	\$ 18,946.00	\$ 344,925.00
200	\$ 57,764.00	\$ 40,395.00	\$ 98,159.00
Expense	\$ 57,764.00	\$ 40,395.00	\$ 98,159.00
200-3040-970-999-GAS TAX TF OUT	\$ 57,764.00	\$ (16,955.00)	\$ 40,809.00
200-3040-800-681-GAS TAX EQUIPMENT	\$ -	\$ 57,350.00	\$ 57,350.00
220	\$ 2,000,000.00	\$ 215,957.44	\$ 2,215,957.44
Expense	\$ 2,000,000.00	\$ 215,957.44	\$ 2,215,957.44
220-3065-950-774-DEBT SERVICE	\$ 500,000.00	\$ (500,000.00)	\$ -
220-3065-950-775-DEBT SERVICE RESERVE	\$ -	\$ 278,750.00	\$ 278,750.00
220-3065-950-888-INTEREST PAID		\$ 437,383.92	\$ 437,383.92
220-3065-950-889-PRINCIPAL PAID		\$ 1,050,435.52	\$ 1,050,435.52
220-3065-970-999-TRANSFERS OUT TO OTHER FUNDS	\$ 1,500,000.00	\$ (1,050,612.00)	\$ 449,388.00
221	\$ -	\$ 1,471,586.32	\$ 1,471,586.32
Expense	\$ -	\$ 1,471,586.32	\$ 1,471,586.32
221-3066-970-999-TRANSFERS OUT TO OTHER FUNDS	\$ -	\$ 1,471,586.32	\$ 1,471,586.32
240	\$ 34,718,876.98	\$ 3,717,832.51	\$ 38,436,763.49
Expense	\$ 14,591,294.98	\$ 2,823,005.89	\$ 17,414,300.87
240-4095-850-887-CORP YARD	\$ 85,244.22	\$ 525,755.78	\$ 611,000.00
240-4175-850-887-SULPHUR FIRE	\$ 1,000,000.00	\$ (535,000.00)	\$ 465,000.00
240-4180-850-887-SENIOR CENTER CV-1	\$ 507,098.00	\$ (400,866.00)	\$ 106,232.00
240-4181-850-887-SENIOR CENTER CV-2/CV-3	\$ -	\$ 444,964.00	\$ 444,964.00
240-4190-850-887-AIRPORT ROAD PROJ	\$ 6,853,952.76	\$ 1,004,047.24	\$ 7,858,000.00
240-4195-850-887-2021 MEAS V ROAD PROJS	\$ 1,760,000.00	\$ 897,930.32	\$ 2,657,930.32
240-4195-850-887-CAP PROJ MEAS V ROAD PROJ	\$ 1,760,000.00	\$ (1,115,000.00)	\$ 645,000.00
240-4196-850-887-2ND AND MODOC	\$ -	\$ 1,023,044.00	\$ 1,023,044.00
240-4202-850-887-AUSTIN PARK SPLASH PAD	\$ 375,000.00	\$ 153,000.00	\$ 528,000.00
240-4203-850-887-AUSTIN BEACH BUBBLE CURTAIN	\$ -	\$ 177,952.00	\$ 177,952.00
240-4217-850-887-YOUTH CENTER RENOV	\$ -	\$ 150,231.99	\$ 150,231.99
240-4225-850-887-BV SPORTS COMPLEX	\$ 2,250,000.00	\$ 496,946.56	\$ 2,746,946.56
Revenue	\$ 20,127,582.00	\$ 894,826.62	\$ 21,022,462.62
240-406-848-OTHER GRANTS	\$ 1,544,000.00	\$ (1,344,000.00)	\$ 200,000.00
240-406-897-LOCAL SOURCES	\$ 200,000.00	\$ 1,950,000.00	\$ 2,150,000.00
240-410-865-DAM RD EXTENSION	\$ 997,000.00	\$ (28,000.00)	\$ 969,000.00
240-410-870-CDBG GRANTS	\$ 2,236,582.00	\$ 2,009,098.00	\$ 4,245,734.00
240-410-875-PER CAPITA PARK GRANT REVENUE	\$ -	\$ 177,952.00	\$ 177,952.00
240-450-900-TRANSFERS IN	\$ 15,150,000.00	\$ (1,870,223.38)	\$ 13,279,776.62
262	\$ -	\$ 3,652,191.00	\$ 3,652,191.00
Expense	\$ -	\$ 3,652,191.00	\$ 3,652,191.00
262-0000-970-999-ARPA TF OUT	\$ -	\$ 3,652,191.00	\$ 3,652,191.00
356	\$ -	\$ 19,500.00	\$ 19,500.00
Expense	\$ -	\$ 19,500.00	\$ 19,500.00
356-0000-970-999-CLEAN CA GRANT ADMIN TF OUT TO GF	\$ -	\$ 19,500.00	\$ 19,500.00
Grand Total	\$ 37,102,619.98	\$ 17,451,019.57	\$ 54,553,693.55

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Consideration of Acceptance of the Property Located at 3332 6 th Street Clearlake Ca 95422	MEETING DATE: December 1, 2022
SUBMITTED BY: Tina Viramontes – Recreation and Events Coordinator	
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 accept the property located at 3332 6th Street and authorize City Manager to sign the Certificate of Acceptance.

BACKGROUND/DISCUSSION:

The owners of the property located at 3332 6th Street have offered to donate the property to the City of Clearlake. This parcel was presented to the Clearlake Planning Commission to verify the donation is consistent with the General Plan. If approved by Council, the City would then intend to offer the property to a qualifying purchaser to build a new construction home.

OPTIONS:

1. Move to approve the acceptance of the property located at 3332 6th Street and allow the City Manager to sign the Certificate of Acceptance.
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 approve the acceptance of the property located at 3332 6th Street and authorize the City Manager to sign the Certificate of Acceptance.

- Attachments:**
 1. Parcel information for the property located at 3332 6th Street
 2. Parcel map of the property location.
 3. Certificate of Acceptance



5 Property Address: 3332 SIXTH ST CLEARLAKE CA 95422

Ownership

County: **LAKE, CA**
 Assessor: **RICHARD FORD, ASSESSOR**
 Parcel # (APN): **038-292-150-000**
 Parcel Status: **ACTIVE**
 Owner Name: **PAYETTE JULIE**
 Mailing Address: **12175 SHENANDOAH RD MIDDLETOWN CA 95461**
 Legal Description:

Assessment

Total Value: \$3,000	Use Code: 5110	Use Type: RESIDENTIAL
Land Value: \$3,000	Tax Rate Area: 002-091	PQ Zoning Type: Residential
Impr Value:	Year Assd: 2022	PQ Zoning Code: R1
Other Value:	Property Tax: \$82.10	Census Tract: 7.04/1
% Improved: 0%	Delinquent Yr:	Price/SqFt:
Exempt Amt:	HO Exempt: N	

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	03/03/2006	01/14/1998		03/03/2006
Document Number:	2006R0005401	1998R0000534		2006R0005401
Document Type:	GRANT DEED			
Transfer Amount:	\$12,000			
Seller (Grantor):	HART ANNETTE L			

Property Characteristics

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres: 0.110	Spaces:	Site Influence:
Lot SqFt: 4,791	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		



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Map data ©2022 Imagery ©2022 Maxar Technologies 10 m

CERTIFICATE OF ACCEPTANCE

Pursuant to Government Code 27281

This is to certify that the interest in real property conveyed by the Grant Deed dated September 17, 2022 from Julie Payette to the City of Clearlake, a political corporation and/or governmental agency is hereby accepted by order of the City Council of the City of Clearlake on December 1, 2022, and the grantee consents to recordation thereof by its duly authorized officer.

DATED:12/01/2022

CITY OF CLEARLAKE

Alan Flora
City Manager

By: _____
Alan Flora

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Authorization of an Amendment of contract with Koi Nation for Tribal Monitoring Contract on the Austin Park Splash Pad Project	MEETING DATE: December 1, 2022
SUBMITTED BY: Adeline Brown, 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 approve an amendment to the current contract with the Koi Nation for \$5,000.00

BACKGROUND/DISCUSSION:

The City negotiated a contract with the Koi Nation for tribal monitoring on the Austin Pad Splash Pad Project. Due to the length of the project, extended need to have tribal monitoring was needed from the Koi Nation. The cost for the additional work is \$5,000.

OPTIONS:

1. Move to amend the contract with Koi Nation in the amount of \$5,000.
2. Other direction

FISCAL IMPACT:

None \$5,000 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: 240-4202-850-887
 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 amend the contract with the Koi Nation in the amount of \$5,000.00

Attachments:

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Amendment to Regional Government Services Authority Consultant Contract	MEETING DATE: December 1, 2022
SUBMITTED BY: Kathy Wells, Finance 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 Authorize the City Manager to execute the 5th amendment to the agreement with Regional Government Services Authority, to increase the contract by \$50,000 and the not to exceed contract amount to \$225,000.

BACKGROUND/DISCUSSION:

The City entered into an agreement with Regional Government Services Authority on April 15th, 2020. The contract is being increased to cover expenses from finalizing the 20/21 audit and preparation for the 21/22 audit.

OPTIONS:

- 1. Move to authorize City Manager to execute an amendment
- 2. Other direction

FISCAL IMPACT:

None \$50,000 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:

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 authorize City Manager to execute an amendment.

Attachments: RGS Contract Amendment



SERVING PUBLIC AGENCIES SINCE 2002

AMENDMENT NO. 5 TO MANAGEMENT AND ADMINISTRATIVE SERVICES AGREEMENT

This fifth amendment to the Management and Administrative Services Agreement between the CITY OF CLEARLAKE ("Agency") and Regional Government Services Authority, hereinafter called "RGS" is made and entered into this 5th day of January 2022.

RECITALS

The Agency and RGS entered into an Agreement for services dated April 13, 2020. This Amendment is entered into with reference to the following facts and circumstances:

- A. The not to exceed (NTE) is increased \$25,000, to a revised total of \$200,000.
B. Exhibit B, Scope of Services, is amended to include the additional service as noted below in Attachment 1.5.
C. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Additional Services Amendment to be executed on the date first above written by their respective officers duly authorized in that behalf.

Dated: _____

Dated: _____

Agency

RGS

Alan Flora, City Manager

Richard H. Averett, Executive Director

CITY OF CLEARLAKE

Amendment #5 – Agreement dated 4/13/2020

ATTACHMENT 1.5

Subject to the terms and conditions of the Agreement, RGS shall assign RGS employee(s) to provide consulting services to the City of Clearlake which may require performing any or all of the functions described below:

Provide project related services on an as needed basis, with appropriate invoices for services provided. Services may be within any of the RGS service areas, including but not limited to:

- Project Management for the FY 2022 Audit
- Consult with City Finance Manager as requested
- Coaching, Mentoring, Advising City-Finance staff
- Facilitating finance processes in accordance with best practices

RGS employees will:

- Be reasonably available to perform the services during the normal work week.
- Meet regularly and as often as necessary for the purpose of consulting about the scope of work performed with the appropriate Agency project manager and with the RGS Advisor(s).
- Perform other duties as are consistent with the services described herein and assigned or approved by the RGS lead advisor.
- Perform services at a location deemed as appropriate by the RGS lead advisor and RGS employee providing such services.



CITY COUNCIL REGULAR MEETING
Clearlake City Hall Council Chambers
14050 Olympic Dr, Clearlake, CA
Thursday, November 03, 2022
Regular Meeting 6:00 PM

MINUTES

A. ROLL CALL

- PRESENT
- Mayor Dirk Slooten
- Vice Mayor Russ Perdock
- Council Member David Claffey
- Council Member Russ Cremer
- Council Member Joyce Overton

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.)*

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

E. PRESENTATIONS

1. Presentation of November's Adoptable Dogs
2. Presentation of Certificate of Appreciation to Halloween Event Volunteers

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.*

Bruno Sabatier spoke regarding the sewer pump station near Main Street Grill.

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.*

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

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

3. Authorization of Road Closures for the December 3, 2022 Christmas Parade; Resolution No. 2022-62
Recommended Action: Adopt Resolution and authorize road closure
4. Award of Contracts for HVAC and Plumbing On-Call and Emergency Services
Recommended Action: Award contracts and authorize the City Manager to sign
5. Warrants
Recommended Action: Receive and file
6. Authorization of an Amendment to the Clearlake Municipal Employees Association (CMEA) Memorandum of Understanding (MOU) to Modify the Uniform Voucher Program to a Uniform Reimbursement
Recommended Action: Authorize the City Manager to sign CMEA MOU Amendment #1
7. Minutes of the August, September and October Meetings
Recommended Action: Receive and file
8. Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361
Recommended Action: Adopt Resolution

H. BUSINESS

- 9. Consideration of Adoption of Resolution 2022-61 Authorizing the Application and Adopting the PLHA Plan for the Permanent Local Housing Allocation Program
Recommended Action: Adopt Resolution 2022-61

City Manager Flora gave the staff report.

Motion by Council Member Cremer, Seconded by Council Member Claffey.

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

- 10. Discussion and Consideration of an Agreement(s) Between the City of Clearlake, Lake County Economic Development Corporation, and Clear Lake Chamber of Commerce for Use of the Clearlake Visitor Center Facility
Recommended Action: Approve Agreement(s) and Authorize the City Manager to Make Minor Adjustments as Necessary.

City Manager Flora gave the staff report.

Motion made by Council Member Claffey, Seconded by Council Member Overton.

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

- 11. Discussion and Consideration of Providing City Financing to Complete the 36th Avenue Road and Storm Drainage Construction Project
Recommended Action: Authorize the City Manager to Develop and Execute a Loan Agreement for Completion of the 36th Avenue Road Project

City Manager Flora gave the staff report.

Vice Mayor Perdock recused himself from this item due to a financial conflict. He left the room at 6:32 p.m.

Council Member Claffey took over as Chair of the meeting.

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

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

Voting Abstaining: Vice Mayor Perdock.

Vice Mayor Perdock returned to the dais at 6:57 p.m.

- 12. Consideration of a 5-Year Agreement with Axon Enterprise Inc. for 30 Body Worn Cameras and Digital Evidence Management
Recommended Action: Adopt Resolution No. 2022-63, a resolution authorizing the Chief of Police to enter into a 5 year-lease with Axon Enterprise for body worn cameras and digital evidence management system.

Acting Lieutenant Peterson gave the staff report.

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

- 13. Discussion and Direction to Staff Regarding the Appointment of a City Treasurer
Recommended Action: Discuss and give direction to staff

Director Swanson gave the staff report.

It was the consensus of the Council to consider appointing the City Manager as Acting City Treasurer at the December meeting.

I. CITY MANAGER AND COUNCILMEMBER REPORTS

J. FUTURE AGENDA ITEMS

City Manager Flora asked for and received a consensus to bring an item to discuss rebuilding homes in the Sulphur Fire footprint and the exemption process for rebuilding them to current code limitations.

K. CLOSED SESSION

(14) Conference with Real Property Negotiators: Pursuant to Government Code Section 54956.8.
Property Address: 6885 Old Highway 53, Clearlake; Agency Negotiation: City Manager Alan Flora; Under Negotiation: Price and terms of payment.

L. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

There was no action taken in closed session.

M. ADJOURNMENT

The meeting was adjourned at 8:05 p.m.

BY:



Melissa Swanson, Administrative Services Director/City Clerk



CITY COUNCIL SPECIAL MEETING

Clearlake City Hall Council Chambers

14050 Olympic Dr, Clearlake, CA

Thursday, November 17, 2022

Closed Session 3:00 PM

MINUTES

A. ROLL CALL

PRESENT

Mayor Dirk Slooten

Vice Mayor Russ Perdock

Council Member David Claffey

Council Member Russ Cremer

Council Member Joyce Overton

B. PLEDGE OF ALLEGIANCE

C. CLOSED SESSION

- (1) Public Employee Appointment Pursuant to Government Code Section 54957
Title: Police Chief

D. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

There was no action taken in closed session.

E. ADJOURNMENT

The meeting was adjourned at 4:30 p.m.

BY:

A handwritten signature in blue ink that reads "Melissa Swanson".

Melissa Swanson, Administrative Services Director/City Clerk

MINUTES OF PREVIOUS MEETING

October 12, 2022

The regular monthly meeting of the Board of Trustees of the Lake County Vector Control District was called to order at 1:37 P.M. by Secretary Nagy.

Board Present: Rob Bostock, Chuck Leonard, Ron Nagy, and George Spurr.

Absent: President Curt Giambruno was absent (excused).

District Personnel: Jamesina J. Scott, Ph.D., District Manager and Research Director.

Guests: Mr. Austris Rungis of Industrial Employers Distributors Association (IEDA, attending the Closed Session remotely via Zoom).

Citizen's Input: None.

Agenda Additions and/or Deletions: None.

Convene to Closed Session at 1:37 P.M.

Closed Session

Conference with Labor Negotiators, pursuant to Government Code 54957.6 for the purpose of reviewing its position and instructing the LCVCD's designated representatives: Jamesina J. Scott (District Manager) and Austris Rungis (IEDA).

Convene to Open Session at 2:33 P.M.

Report from Closed Session

No reportable actions were taken.

Mr. Rungis left the meeting at 2:33 P.M.

Approve Minutes of September 14, 2022 Regular Meeting with Corrections to the Check Numbers to Include Checks 21196-21212 Making the Total Expenditures for September 2022 \$124,011.21

Mr. Bostock moved to approve the Board Minutes of September 14, 2022 with corrections. Mr. Spurr seconded the motion. Motion carried with a vote of 4 in favor (Bostock, Leonard, Nagy, Spurr) and one absent (Giambruno).

Research Report

Dr. Scott reported on arbovirus virus activity. West Nile virus (WNV) activity has been detected in seven mosquito samples in Lake County. In addition, three sentinel chickens from the Upper Lake flock tested positive for West Nile virus as well as two dead birds.

For the rest of California, eighty-one human cases of WNV illness have been reported this year as well as 166 WNV-positive dead birds, 2,925 WNV-positive mosquito samples, 11 horses, and 123 WNV-positive sentinel chickens.

Six human cases of St. Louis encephalitis (SLE) virus have been reported in California this year. In addition, 131 SLEV-positive mosquito samples have been reported from nine counties.

Dr. Scott reported on adult biting fly activity. The District set 100 carbon dioxide baited traps in various locations around the county in September. The most abundant mosquito species was *Anopheles franciscanus* followed by *Culex tarsalis*. Large numbers of *Culicoides* spp. (biting black gnats) were collected as well.

The resting boxes in Upper Lake were sampled in September. Low numbers of mosquitoes were collected, including *Culex thriambus*, *Culiseta incidens*, and *Culex tarsalis*.

The New Jersey Light Traps set in Clearlake and Upper Lake were sampled in September. Low numbers of *Anopheles franciscanus* and *Culex tarsalis* were collected, as well as one *Culex erythrothorax* and one *Anopheles freeborni*.

Dr. Scott reported on tick testing. Eighteen *Ixodes pacificus* ticks that were removed from Lake County residents were submitted to the Sonoma County Public Health Laboratory for testing for Lyme disease. One sample was positive and the remaining samples were negative.

Dr. Scott reported on the Clear Lake Gnat, Chironominae, and Tanypodinae Surveillance in Clear Lake. *Chaoborus astictopus* (Clear Lake gnat)

numbers increased from zero larvae per dredge in August to 1.61 larvae per dredge in September. Chironominae numbers declined from 48.96 larvae per dredge in August to 3.18 larvae per dredge in September. The number of Tanypodinae larvae collected decreased from 23.93 larvae per dredge in August to 1.07 larvae in September.

Operation Report

For the month of September, 1.85 inches of rain were recorded at the District. The total rainfall for the season is 21.47 inches.

The level of Clear Lake was at -1.86 feet on the Rumsey Gauge as of September 1, and declined to -2.19 feet by September 30.

The Vector Control Technicians responded to 32 service requests in September, including four yellowjacket requests.

Vector Control Terry Sanderson announced his retirement will be effective October 21, 2022. He had planned to retire April 1, but delayed his retirement due to uncertainty about continued access to health coverage. The District is in negotiations to restore health coverage through the OE Health and Welfare Trust Fund.

The District issued a media release on September 12 about a mosquito control application made in the Clearlake Keys using an unmanned aerial vehicle (UAV or “drone”). Articles appeared in the Lake County News the Lake County Record Bee.

Vector Control Technician Sandi Courcier attended the second class in the Lake County AgVenture 2022 Program in September.

The District’s conference room was used by the Konocti Christian Academy for a meeting in September.

Dr. Scott attended the Society for Vector Ecology’s 8th International Congress on September 19-23 in Honolulu, HI.

Approve Fiscal Year 2021/2022 Prop. 4 Compliance Resolution No. 22-07

Mr. Leonard moved to approve the 2021/2022 Prop. 4 Compliance Resolution No. 22-07. Mr. Bostock seconded the motion. The resolution was approved with a roll call vote as follows: Motion carried with a vote of 4 in

favor (Bostock, Leonard, Nagy, Spurr), none against, and one absent (Giambruno)

Approve Checks for the Month of October 2022

Mr. Nagy moved to approve payments for the month of October 2022 in the amount of \$97,950.83. Mr. Leonard seconded the motion. Motion carried with a vote of 4 in favor (Bostock, Leonard, Nagy, Spurr) and one absent (Giambruno).

Other Business

No other business was discussed.

Announcement of Next Regular Board Meeting

The next regular meeting of the Board will be at 1:30 PM on November 9, 2022 at the Lake County Vector Control District Office, 410 Esplanade Lakeport, CA 95453.

There being no other business to discuss, Mr. Spurr moved to adjourn the meeting. Mr. Bostock seconded the motion. Motion carried with a vote of 4 in favor (Bostock, Leonard, Nagy, Spurr) and one absent (Giambruno). The meeting was adjourned by Secretary Nagy at 3:03 PM.

Respectfully submitted,

Ronald Nagy
Secretary



Clearlake, CA

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	11/03/2022	Regular	0.00	920.00	13666
000085	ARAMARK UNIFORM SERVICES	11/03/2022	Regular	0.00	98.62	13667
002162	CALIFORNIA ENGINEERING	11/03/2022	Regular	0.00	11,350.92	13668
2404	CALTRONICS	11/03/2022	Regular	0.00	109.65	13669
VEN01312	CAPITOL BARRICADE, INC.	11/03/2022	Regular	0.00	2,163.40	13670
001293	CDW GOVERNMENT	11/03/2022	Regular	0.00	15,033.24	13671
000024	CLEARLAKE POLICE ASSOCIATION	11/03/2022	Regular	0.00	1,375.00	13672
000548	COMPUTER LOGISTICS	11/03/2022	Regular	0.00	390.00	13673
VEN01122	DOCUSIGN INC.	11/03/2022	Regular	0.00	6,520.00	13674
VEN01200	ERIC R OGRAM	11/03/2022	Regular	0.00	150.00	13675
VEN01239	FELIPE FERNANDEZ	11/03/2022	Regular	0.00	120.00	13676
001949	ICE WATER DISTRIBUTORS INC	11/03/2022	Regular	0.00	82.50	13677
000215	LAKE COUNTY FIRE PROTECTION	11/03/2022	Regular	0.00	175.00	13678
VEN01314	LIVE OAK ASSOCIATED, INC	11/03/2022	Regular	0.00	775.00	13679
VEN01346	MATHEW S. STEVENSON - STEVENSON	11/03/2022	Regular	0.00	987.45	13680
VEN01344	MICHAEL PESONEN - COMFORTABLE L	11/03/2022	Regular	0.00	1,710.00	13681
VEN01240	MIDDLETOWN COPY & PRINT - JESSICA	11/03/2022	Regular	0.00	58.99	13682
001489	NAPA AUTO PARTS	11/03/2022	Regular	0.00	0.24	13683
000026	NATIONWIDE RETIREMENT SOLUTION	11/03/2022	Regular	0.00	1,150.00	13684
VEN01055	NORCAL KENWORTH ANDERSON	11/03/2022	Regular	0.00	1,943.43	13685
001392	OFFICE DEPOT	11/03/2022	Regular	0.00	238.33	13686
000027	OPERATING ENGINEERS PUBLIC EMP	11/03/2022	Regular	0.00	67,087.00	13687
000711	PURCHASE POWER	11/03/2022	Regular	0.00	1,099.58	13688
001857	RANEY PLANNING & MANAGEMENT	11/03/2022	Regular	0.00	9,422.72	13689
002031	REDWOOD COAST PETROLEUM & NO	11/03/2022	Regular	0.00	1,335.43	13690
VEN01064	SAMSARA NETWORKS INC	11/03/2022	Regular	0.00	9,504.77	13691
000211	THOMAS ASSOCIATES	11/03/2022	Regular	0.00	1,900.00	13692
001540	US BANK CORPORATE PMT. SYSTEM	11/03/2022	Regular	0.00	20,045.80	13693
	Void	11/03/2022	Regular	0.00	0.00	13694
	Void	11/03/2022	Regular	0.00	0.00	13695
	Void	11/03/2022	Regular	0.00	0.00	13696
	Void	11/03/2022	Regular	0.00	0.00	13697
	Void	11/03/2022	Regular	0.00	0.00	13698
	Void	11/03/2022	Regular	0.00	0.00	13699
	Void	11/03/2022	Regular	0.00	0.00	13700
000708	VALIC LOCKBOX	11/03/2022	Regular	0.00	395.00	13701

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	146	29	0.00	156,142.07
Manual Checks	0	0	0.00	0.00
Voided Checks	0	7	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	146	36	0.00	156,142.07

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	11/2022	156,142.07
			<u>156,142.07</u>



Clearlake, CA

Section H, Item 16.

Check Register

Packet: APPKT01767 - 11/9/22 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						
000591	ACTION SANITARY	11/09/2022	Regular	0.00	495.13	13702
001138	ADVENTIST HEALTH	11/09/2022	Regular	0.00	1,000.00	13703
001138	ADVENTIST HEALTH	11/09/2022	Regular	0.00	129.45	13704
VEN01157	AMAZING KIND CARPET CLEANING	11/09/2022	Regular	0.00	700.00	13705
000085	ARAMARK UNIFORM SERVICES	11/09/2022	Regular	0.00	49.31	13706
2418	BICOASTAL MEDIA, LLC	11/09/2022	Regular	0.00	815.00	13707
000068	BOB'S JANITORIAL	11/09/2022	Regular	0.00	93.31	13708
VEN01247	BORDIN SEMMER LLP	11/09/2022	Regular	0.00	17,497.50	13709
002162	CALIFORNIA ENGINEERING	11/09/2022	Regular	0.00	79,421.90	13710
2404	CALTRONICS	11/09/2022	Regular	0.00	453.42	13711
000451	CLEARLAKE LAVA	11/09/2022	Regular	0.00	107.25	13712
002370	CODE PUBLISHING CO	11/09/2022	Regular	0.00	536.10	13713
000194	DEPARTMENT OF TRANSPORTATION	11/09/2022	Regular	0.00	6,959.68	13714
VEN01313	DOOLITTLE HOLDINGS, LLC	11/09/2022	Regular	0.00	44,896.52	13715
000625	FIRST AMERICAN TITLE COMPANY	11/09/2022	Regular	0.00	111,767.94	13716
000797	GRANITE CONSTRUCTION	11/09/2022	Regular	0.00	51,235.04	13717
001402	GREEN VALLEY CONSULTING	11/09/2022	Regular	0.00	3,795.00	13718
VEN01280	HABEMATOLEL POMO OF UPPERLAKE	11/09/2022	Regular	0.00	3,600.00	13719
000121	HIGHLANDS WATER COMPANY	11/09/2022	Regular	0.00	8,058.35	13720
VEN01348	JUAN GARCIA	11/09/2022	Regular	0.00	1,000.00	13721
002269	LAKE COUNTY CHAMBER	11/09/2022	Regular	0.00	25.00	13722
000215	LAKE COUNTY FIRE PROTECTION	11/09/2022	Regular	0.00	175.00	13723
000108	LAKE COUNTY RECORD BEE	11/09/2022	Regular	0.00	372.14	13724
VEN01349	LATINOS UNITED OF LAKE COUNTY	11/09/2022	Regular	0.00	1,000.00	13725
000113	LEAGUE OF CALIF CITIES	11/09/2022	Regular	0.00	75.00	13726
001489	NAPA AUTO PARTS	11/09/2022	Regular	0.00	203.27	13727
001392	OFFICE DEPOT	11/09/2022	Regular	0.00	297.01	13728
001843	PG&E CFM	11/09/2022	Regular	0.00	667.19	13729
002061	PLEXUS GLOBAL LLC	11/09/2022	Regular	0.00	27.75	13730
002031	REDWOOD COAST PETROLEUM & NOF	11/09/2022	Regular	0.00	1,453.13	13731
VEN01336	SSA LANDSCAPE ARCHITECTS, INC.	11/09/2022	Regular	0.00	1,583.00	13732
002343	TYLER VEACH	11/09/2022	Regular	0.00	120.00	13733

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	56	32	0.00	338,609.39
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
	56	32	0.00	338,609.39

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	11/2022	338,609.39
			<u>338,609.39</u>



Clearlake, CA

Section H, Item 16.

Check Register

Packet: APPKT01770 - 11/10/22 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						
002254	AMERICAN PACE SETTER SYSTEMS	11/10/2022	Regular	0.00	372.25	13734
VEN01353	COLLEGE OF THE SISKIYOU	11/10/2022	Regular	0.00	6,395.00	13735
000160	DEPT OF JUSTICE	11/10/2022	Regular	0.00	100.00	13736
VEN01123	LOOMIS	11/10/2022	Regular	0.00	585.64	13737
001924	MICHAEL PERREAULT	11/10/2022	Regular	0.00	600.00	13738
002352	REDWOOD FORD	11/10/2022	Regular	0.00	2,065.20	13739
VEN01226	SPEAKWRITE LLC	11/10/2022	Regular	0.00	321.56	13740
VEN01279	TOP SHOT RENTALS LLC	11/10/2022	Regular	0.00	9,710.75	13741
002212	XBYTE TECHNOLOGIES INC	11/10/2022	Regular	0.00	9,332.00	13742

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	9	9	0.00	29,482.40
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
	9	9	0.00	29,482.40

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	11/2022	29,482.40
			<hr/>
			29,482.40



Clearlake, CA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
000591	ACTION SANITARY	11/17/2022	Regular	0.00	594.63	13743
VEN01157	AMAZING KIND CARPET CLEANING	11/17/2022	Regular	0.00	1,330.00	13744
000101	AMERIGAS	11/17/2022	Regular	0.00	2,410.00	13745
000085	ARAMARK UNIFORM SERVICES	11/17/2022	Regular	0.00	49.31	13746
001397	AT&T CALNET 3	11/17/2022	Regular	0.00	23.43	13747
001397	AT&T CALNET 3	11/17/2022	Regular	0.00	23.46	13748
001397	AT&T CALNET 3	11/17/2022	Regular	0.00	23.43	13749
VEN01345	BARCODES ACQUISITIONS, INC - ALPH.	11/17/2022	Regular	0.00	168.57	13750
VEN01351	BKF ENGINEERS	11/17/2022	Regular	0.00	114,004.67	13751
000068	BOB'S JANITORIAL	11/17/2022	Regular	0.00	163.10	13752
001665	BRUNO SABATIER	11/17/2022	Regular	0.00	100.00	13753
001864	BUSINESS DESIGN SERVICES -ROBERT	11/17/2022	Regular	0.00	2,092.50	13754
002227	CALIFORNIA SURVEYING	11/17/2022	Regular	0.00	1,434.02	13755
002133	CHRIS KELLEHER	11/17/2022	Regular	0.00	500.00	13756
000024	CLEARLAKE POLICE ASSOCIATION	11/17/2022	Regular	0.00	1,375.00	13757
002291	CRAFCO INC	11/17/2022	Regular	0.00	11,784.15	13758
002285	DELL FINANCIAL SERVICES LLC	11/17/2022	Regular	0.00	1,255.20	13759
000073	EASTLAKE SANITARY LANDFILL	11/17/2022	Regular	0.00	261.40	13760
000004	EDWARD A ROBEY JR	11/17/2022	Regular	0.00	460.97	13761
001199	EUREKA OXYGEN CO	11/17/2022	Regular	0.00	429.38	13762
001939	JIM SCHOLZ	11/17/2022	Regular	0.00	100.00	13763
001775	JONES & MAYER	11/17/2022	Regular	0.00	31,462.99	13764
002276	JOSE L SIMON III	11/17/2022	Regular	0.00	100.00	13765
000108	LAKE COUNTY RECORD BEE	11/17/2022	Regular	0.00	139.00	13766
2415	LAKE COUNTY RURAL ARTS INITIATIVE	11/17/2022	Regular	0.00	100,000.00	13767
2415	LAKE COUNTY RURAL ARTS INITIATIVE	11/17/2022	Regular	0.00	101,200.00	13768
002280	LAW OFFICES OF P SCOTT BROWNE	11/17/2022	Regular	0.00	3,791.57	13769
VEN01048	Minnesota Life Insurance	11/17/2022	Regular	0.00	842.46	13770
000026	NATIONWIDE RETIREMENT SOLUTION	11/17/2022	Regular	0.00	1,150.00	13771
001392	OFFICE DEPOT	11/17/2022	Regular	0.00	133.14	13772
000009	OPERATING ENGINEERS LOCAL 3	11/17/2022	Regular	0.00	700.00	13773
001843	PG&E CFM	11/17/2022	Regular	0.00	187.29	13774
001538	REGIONAL GOVERNMENT SERVICES	11/17/2022	Regular	0.00	3,107.71	13775
002273	STACEY MATTINA	11/17/2022	Regular	0.00	100.00	13776
002277	STANLEY A ARCHACKI	11/17/2022	Regular	0.00	100.00	13777
002275	SUZANNE LYONS	11/17/2022	Regular	0.00	100.00	13778
VEN01355	TRENTON REID	11/17/2022	Regular	0.00	1,000.00	13779
000708	VALIC LOCKBOX	11/17/2022	Regular	0.00	395.00	13780
2417	VAN LANT & FANKHANEL, LLP	11/17/2022	Regular	0.00	12,500.00	13781

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	67	39	0.00	395,592.38
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
	67	39	0.00	395,592.38

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	11/2022	395,592.38
			<hr/>
			395,592.38

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Appointment of City Treasurer for the Unexpired Term Ending November 2026	MEETING DATE: December 1, 2022
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 appoint the City Manager as Acting City Treasurer to Fulfill the Unexpired Term Ending November 2026

BACKGROUND/DISCUSSION:

The City Treasurer performs the duties described in both the Government Code and the Clearlake Municipal Code. In short, the City Treasurer is responsible for reports and accounting of all receipts, disbursements, and fund balances, and complying with all laws governing the deposit and securing of public funds.

There were no qualified candidates for City Treasurer during the November 2022 election. In the absence of a duly elected City Treasurer, according to the Clearlake Municipal Code Section 2-5.3, the City Manager is automatically appointed to fill the vacancy temporarily. The Council should then appoint an Acting City Treasurer to fill the vacancy for the remainder of the term. Staff is recommending Council appoint the City Manager as such.

Because the City Manager is already a paid City employee and this appointment is not anticipated to impact his current workload, there is no financial impact to the City.

OPTIONS:

- 1. Move to appoint the City Manager as Acting City Treasurer.
- 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

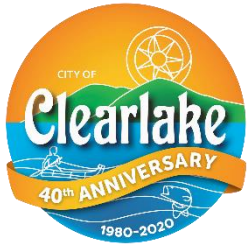
SUGGESTED MOTIONS:

Move to appoint the City Manager as Acting City Treasurer to fulfill the unexpired term ending November 2026.

Attachments:

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Adoption of the 2022 Conflict of Interest Code; Resolution No. 2022-71	MEETING DATE: December 1, 2022
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 adopt Resolution No. 2022-71 adopting the 2022 Conflict of Interest Code.

BACKGROUND/DISCUSSION:

The amended Conflict of Interest Code is attached. The changes are redlined and include the addition of new positions and elimination of unbudgeted/eliminated positions and committees. Notification was sent to filers and proposed filers 45 days prior to adoption. Staff did not receive any comments on the proposed changes.

The Code will be in effect 30 days after adoption. All filers who were already designated in the Conflict of Interest Code will continue to file annual statements as previously due by April 1 of each year. New filers will have 30 days to file an Assuming Office Statement.

OPTIONS:

- 1. Move to adopt Resolution No. 2022-71
- 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 adopt Resolution No. 2022-71

- Attachments:** 1) Redlined Conflict of Interest Code

RESOLUTION NO. 2022-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the Legislature of the State of California enacted the Political Reform Act of 1974, Government Code Section 81000, et seq. (the "Act"), which contains provisions relating to conflicts of interest which potentially affect all officers, employees and consultants of the City of Clearlake (the "City"), and which requires all public agencies to adopt and promulgate a conflict of interest code; and

WHEREAS, the City Council adopted a Conflict of Interest Code which was amended on December 17, 2020; and

WHEREAS, subsequent changed circumstances within the City have made it advisable and necessary pursuant to Sections 87306 and 87307 of the Act to amend and update the Code; and

WHEREAS, the potential penalties for violation of the provisions of the Act are substantial and may include criminal and civil liability, as well as equitable relief which could result in the City being restrained or prevented from acting in cases where the provisions of the Act may have been violated; and

WHEREAS, a public meeting was held upon the proposed amended Code at a regular meeting of the City Council on December 1, 2022, at which all present were given an opportunity to be heard on the proposed amended Appendix.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Clearlake that the City Council does hereby approve and adopt the proposed amended Conflict of Interest Code, a copy of which is attached hereto and shall be on file with the City Clerk and available to the public for inspection and copying;

BE IT FURTHER RESOLVED that the said amended Conflict of Interest Code shall become effective thirty (30) days after the date of its adoption and approval.

PASSED AND ADOPTED on December 1, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor, City of Clearlake

ATTEST:

City Clerk, City of Clearlake

CONFLICT OF INTEREST CODE
OF THE
CITY OF CLEARLAKE

The following Conflict of Interest Code of the City of Clearlake
was adopted by Resolution No. ~~2020-61~~2022-71 of the City
Council on ~~December 17, 2020~~December 1, 2022

CONFLICT OF INTEREST CODE
OF THE
CITY OF CLEARLAKE

(ADOPTED ~~DECEMBER 17, 2020~~ DECEMBER 1, 2022)

The Political Reform Act (Government Code Section 81000, *et seq.*) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730) which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency’s code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to its duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. The three components of the Code are:

- (a) Terms of the Code. Appendix A is the most current version of FPPC Regulation 18730, Provisions of Conflict of Interest Codes.
- (b) Designated Positions. The persons holding positions listed in Appendix B are designated employees who shall file Form 700 Statement of Economic Interests.
- (c) Disclosure Categories. The persons holding positions listed in Appendix B shall file schedules as provided in Appendix C.

All Officials required to submit a statement of economic interests shall file their statements with the City Clerk as the City’s Filing Officer. The Filing Officer shall make and retain a copy of all statements filed by the Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, and forward the originals of such statements to the Fair Political Practices Commission. The Filing Officer will make all retained statements available for public inspection and reproduction (Gov. Code Section 81008).

APPENDIX A

1 Amend 2 Cal. Code Regs., Section 18730 to read:

2 **§ 18730. Provisions of Conflict of Interest Codes.**

3 (a) Incorporation by reference of the terms of this regulation along with the designation
4 of employees and the formulation of disclosure categories in the Appendix referred to below
5 constitute the adoption and promulgation of a conflict of interest code within the meaning of
6 Section 87300 or the amendment of a conflict of interest code within the meaning of Section
7 87306 if the terms of this regulation are substituted for terms of a conflict of interest code
8 already in effect. A code so amended or adopted and promulgated requires the reporting of
9 reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7
10 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest
11 code are in addition to other requirements of the Political Reform Act, such as the general
12 prohibition against conflicts of interest contained in Section 87100, and to other state or local
13 laws pertaining to conflicts of interest.

14 (b) The terms of a conflict of interest code amended or adopted and promulgated pursuant
15 to this regulation are as follows:

16 (1) Section 1. Definitions.

17 The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political
18 Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or
19 regulations, are incorporated by reference into this conflict of interest code.

20 (2) Section 2. Designated Employees.

21 The persons holding positions listed in the Appendix are designated employees. It has
22 been determined that these persons make or participate in the making of decisions which may
23 foreseeably have a material effect on economic interests.

1 (3) Section 3. Disclosure Categories.

2 This code does not establish any disclosure obligation for those designated employees
3 who are also specified in Section 87200 if they are designated in this code in that same capacity
4 or if the geographical jurisdiction of this agency is the same as or is wholly included within the
5 jurisdiction in which those persons must report their economic interests pursuant to article 2 of
6 chapter 7 of the Political Reform Act, Sections 87200, et seq.

7 In addition, this code does not establish any disclosure obligation for any designated employees
8 who are designated in a conflict of interest code for another agency, if all of the following apply:

9 (A) The geographical jurisdiction of this agency is the same as or is wholly included
10 within the jurisdiction of the other agency;

11 (B) The disclosure assigned in the code of the other agency is the same as that required
12 under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

13 (C) The filing officer is the same for both agencies. ¹

14 Such persons are covered by this code for disqualification purposes only. With respect to
15 all other designated employees, the disclosure categories set forth in the Appendix specify which
16 kinds of economic interests are reportable. Such a designated employee shall disclose in ~~his or~~
17 ~~her~~ the employee's statement of economic interests those economic interests ~~he or she~~ the
18 employee has which are of the kind described in the disclosure categories to which ~~he or she~~ the
19 employee is assigned in the Appendix. It has been determined that the economic interests set
20 forth in a designated employee's disclosure categories are the kinds of economic interests which
21 ~~he or she~~ the employee foreseeably can affect materially through the conduct of ~~his or her~~ the
22 employee's office.

23 (4) Section 4. Statements of Economic Interests: Place of Filing.

1 The code reviewing body shall instruct all designated employees within its code to file
2 statements of economic interests with the agency or with the code reviewing body, as provided
3 by the code reviewing body in the agency's conflict of interest code.²

4 (5) Section 5. Statements of Economic Interests: Time of Filing.

5 (A) Initial Statements. All designated employees employed by the agency on the effective
6 date of this code, as originally adopted, promulgated and approved by the code reviewing body,
7 shall file statements within 30 days after the effective date of this code. Thereafter, each person
8 already in a position when it is designated by an amendment to this code shall file an initial
9 statement within 30 days after the effective date of the amendment.

10 (B) Assuming Office Statements. All persons assuming designated positions after the
11 effective date of this code shall file statements within 30 days after assuming the designated
12 positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

13 (C) Annual Statements. All designated employees shall file statements no later than April

14 1. If a person reports for military service as defined in the Servicemember's Civil Relief
15 Act, the deadline for the annual statement of economic interests is 30 days following ~~his or her~~
16 the person's return to office, provided the person, or someone authorized to represent the
17 person's interests, notifies the filing officer in writing prior to the applicable filing deadline that
18 ~~he or she~~ the person is subject to that federal statute and is unable to meet the applicable
19 deadline, and provides the filing officer verification of ~~his or her~~ the person's military status.

20 (D) Leaving Office Statements. All persons who leave designated positions shall file
21 statements within 30 days after leaving office.

22 (5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

1 Any person who resigns within 12 months of initial appointment, or within 30 days of the date of
2 notice provided by the filing officer to file an assuming office statement, is not deemed to have
3 assumed office or left office, provided ~~he or she~~ the person did not make or participate in the
4 making of, or use ~~his or her~~ the person's position to influence any decision and did not receive or
5 become entitled to receive any form of payment as a result of ~~his or her~~ the person's
6 appointment. Such persons shall not file either an assuming or leaving office statement.

7 (A) Any person who resigns a position within 30 days of the date of a notice from the
8 filing officer shall do both of the following:

9 (1) File a written resignation with the appointing power; and

10 (2) File a written statement with the filing officer declaring under penalty of perjury that
11 during the period between appointment and resignation ~~he or she~~ the person did not make,
12 participate in the making, or use the position to influence any decision of the agency or receive,
13 or become entitled to receive, any form of payment by virtue of being appointed to the position.

14 (6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

15 (A) Contents of Initial Statements.

16 Initial statements shall disclose any reportable investments, interests in real property and
17 business positions held on the effective date of the code and income received during the 12
18 months prior to the effective date of the code.

19 (B) Contents of Assuming Office Statements.

20 Assuming office statements shall disclose any reportable investments, interests in real
21 property and business positions held on the date of assuming office or, if subject to State Senate
22 confirmation or appointment, on the date of nomination, and income received during the 12

1 months prior to the date of assuming office or the date of being appointed or nominated,
2 respectively.

3 (C) Contents of Annual Statements. Annual statements shall disclose any reportable
4 investments, interests in real property, income and business positions held or received during the
5 previous calendar year provided, however, that the period covered by an employee's first annual
6 statement shall begin on the effective date of the code or the date of assuming office whichever
7 is later, or for a board or commission member subject to Section 87302.6, the day after the
8 closing date of the most recent statement filed by the member pursuant to Regulation 18754.

9 (D) Contents of Leaving Office Statements.
10 Leaving office statements shall disclose reportable investments, interests in real property, income
11 and business positions held or received during the period between the closing date of the last
12 statement filed and the date of leaving office.

13 (7) Section 7. Manner of Reporting.
14 Statements of economic interests shall be made on forms prescribed by the Fair Political
15 Practices Commission and supplied by the agency, and shall contain the following information:

16 (A) Investment and Real Property Disclosure.
17 When an investment or an interest in real property ³ is required to be reported, ⁴ the statement
18 shall contain the following:

- 19 1. A statement of the nature of the investment or interest;
- 20 2. The name of the business entity in which each investment is held, and a general
21 description of the business activity in which the business entity is engaged;
- 22 3. The address or other precise location of the real property;

1 4. A statement whether the fair market value of the investment or interest in real property
2 equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

3 (B) Personal Income Disclosure. When personal income is required to be reported,⁵ the
4 statement shall contain:

5 1. The name and address of each source of income aggregating \$500 or more in value, or
6 \$50 or more in value if the income was a gift, and a general description of the business activity,
7 if any, of each source;

8 2. A statement whether the aggregate value of income from each source, or in the case of
9 a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater
10 than \$10,000, or greater than \$100,000;

11 3. A description of the consideration, if any, for which the income was received;

12 4. In the case of a gift, the name, address and business activity of the donor and any
13 intermediary through which the gift was made; a description of the gift; the amount or value of
14 the gift; and the date on which the gift was received;

15 5. In the case of a loan, the annual interest rate and the security, if any, given for the loan
16 and the term of the loan.

17 (C) Business Entity Income Disclosure. When income of a business entity, including
18 income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

19 1. The name, address, and a general description of the business activity of the business
20 entity;

21 2. The name of every person from whom the business entity received payments if the
22 filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

1 (D) Business Position Disclosure. When business positions are required to be reported, a
2 designated employee shall list the name and address of each business entity in which ~~he or she~~
3 the employee is a director, officer, partner, trustee, employee, or in which ~~he or she~~ the employee
4 holds any position of management, a description of the business activity in which the business
5 entity is engaged, and the designated employee's position with the business entity.

6 (E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving
7 office statement, if an investment or an interest in real property was partially or wholly acquired
8 or disposed of during the period covered by the statement, the statement shall contain the date of
9 acquisition or disposal.

10 (8) Section 8. Prohibition on Receipt of Honoraria.

11 (A) No member of a state board or commission, and no designated employee of a state or
12 local government agency, shall accept any honorarium from any source, if the member or
13 employee would be required to report the receipt of income or gifts from that source on ~~his or her~~
14 the member's or employee's statement of economic interests.

15 (B) This section shall not apply to any part-time member of the governing board of any
16 public institution of higher education, unless the member is also an elected official.

17 (C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this
18 section.

19 (D) This section shall not limit or prohibit payments, advances, or reimbursements for
20 travel and related lodging and subsistence authorized by Section 89506.

21 (8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$520.

22 (A) No member of a state board or commission, and no designated employee of a state or
23 local government agency, shall accept gifts with a total value of more than \$520 in a calendar

1 year from any single source, if the member or employee would be required to report the receipt
2 of income or gifts from that source on ~~his or her~~ the member's or employee's statement of
3 economic interests.

4 (B) This section shall not apply to any part-time member of the governing board of any
5 public institution of higher education, unless the member is also an elected official.

6 (C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this
7 section.

8 (8.2) Section 8.2. Loans to Public Officials.

9 (A) No elected officer of a state or local government agency shall, from the date of ~~his or~~
10 ~~her~~ the election to office through the date that ~~he or she~~ the officer vacates office, receive a
11 personal loan from any officer, employee, member, or consultant of the state or local government
12 agency in which the elected officer holds office or over which the elected officer's agency has
13 direction and control.

14 (B) No public official who is exempt from the state civil service system pursuant to
15 subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while
16 he or she holds office, receive a personal loan from any officer, employee, member, or consultant
17 of the state or local government agency in which the public official holds office or over which
18 the public official's agency has direction and control. This subdivision shall not apply to loans
19 made to a public official whose duties are solely secretarial, clerical, or manual.

20 (C) No elected officer of a state or local government agency shall, from the date of ~~his or~~
21 ~~her~~ the election to office through the date that ~~he or she~~ the officer vacates office, receive a
22 personal loan from any person who has a contract with the state or local government agency to
23 which that elected officer has been elected or over which that elected officer's agency has

1 direction and control. This subdivision shall not apply to loans made by banks or other financial
2 institutions or to any indebtedness created as part of a retail installment or credit card transaction,
3 if the loan is made or the indebtedness created in the lender's regular course of business on terms
4 available to members of the public without regard to the elected officer's official status.

5 (D) No public official who is exempt from the state civil service system pursuant to
6 subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while
7 ~~he or she~~ the official holds office, receive a personal loan from any person who has a contract
8 with the state or local government agency to which that elected officer has been elected or over
9 which that elected officer's agency has direction and control. This subdivision shall not apply to
10 loans made by banks or other financial institutions or to any indebtedness created as part of a
11 retail installment or credit card transaction, if the loan is made or the indebtedness created in the
12 lender's regular course of business on terms available to members of the public without regard to
13 the elected officer's official status. This subdivision shall not apply to loans made to a public
14 official whose duties are solely secretarial, clerical, or manual.

15 (E) This section shall not apply to the following:

16 1. Loans made to the campaign committee of an elected officer or candidate for elective
17 office.

18 2. Loans made by a public official's spouse, child, parent, grandparent, grandchild,
19 brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first
20 cousin, or the spouse of any such persons, provided that the person making the loan is not acting
21 as an agent or intermediary for any person not otherwise exempted under this section.

22 3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

23 4. Loans made, or offered in writing, before January 1, 1998.

1 (8.3) Section 8.3. Loan Terms.

2 (A) Except as set forth in subdivision (B), no elected officer of a state or local
3 government agency shall, from the date of ~~his or her~~ the officer's election to office through the
4 date ~~he or she~~ the officer vacates office, receive a personal loan of \$500 or more, except when
5 the loan is in writing and clearly states the terms of the loan, including the parties to the loan
6 agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments
7 shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

8 (B) This section shall not apply to the following types of loans:

9 1. Loans made to the campaign committee of the elected officer.

10 2. Loans made to the elected officer by his or her spouse, child, parent, grandparent,
11 grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt,
12 uncle, or first cousin, or the spouse of any such person, provided that the person making the loan
13 is not acting as an agent or intermediary for any person not otherwise exempted under this
14 section.

15 3. Loans made, or offered in writing, before January 1, 1998.

16 (C) Nothing in this section shall exempt any person from any other provision of Title 9 of
17 the Government Code.

18 (8.4) Section 8.4. Personal Loans.

19 (A) Except as set forth in subdivision (B), a personal loan received by any designated
20 employee shall become a gift to the designated employee for the purposes of this section in the
21 following circumstances:

22 1. If the loan has a defined date or dates for repayment, when the statute of limitations for
23 filing an action for default has expired.

1 2. If the loan has no defined date or dates for repayment, when one year has elapsed from
2 the later of the following:

- 3 a. The date the loan was made.
- 4 b. The date the last payment of \$100 or more was made on the loan.
- 5 c. The date upon which the debtor has made payments on the loan aggregating to less
6 than \$250 during the previous 12 months.

7 (B) This section shall not apply to the following types of loans:

- 8 1. A loan made to the campaign committee of an elected officer or a candidate for
9 elective office.
- 10 2. A loan that would otherwise not be a gift as defined in this title.
- 11 3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which
12 the creditor has taken reasonable action to collect the balance due.
- 13 4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which
14 the creditor, based on reasonable business considerations, has not undertaken collection action.
15 Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this
16 paragraph has the burden of proving that the decision for not taking collection action was based
17 on reasonable business considerations.
- 18 5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately
19 discharged in bankruptcy.

20 (C) Nothing in this section shall exempt any person from any other provisions of Title 9
21 of the Government Code.

22 (9) Section 9. Disqualification.

1 No designated employee shall make, participate in making, or in any way attempt to use
2 ~~his or her~~ the employee's official position to influence the making of any governmental decision
3 which ~~he or she~~ the employee knows or has reason to know will have a reasonably foreseeable
4 material financial effect, distinguishable from its effect on the public generally, on the official or
5 a member of ~~his or her~~ the official's immediate family or on:

6 (A) Any business entity in which the designated employee has a direct or indirect
7 investment worth \$2,000 or more;

8 (B) Any real property in which the designated employee has a direct or indirect interest
9 worth \$2,000 or more;

10 (C) Any source of income, other than gifts and other than loans by a commercial lending
11 institution in the regular course of business on terms available to the public without regard to
12 official status, aggregating \$500 or more in value provided to, received by or promised to the
13 designated employee within 12 months prior to the time when the decision is made;

14 (D) Any business entity in which the designated employee is a director, officer, partner,
15 trustee, employee, or holds any position of management; or

16 (E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating
17 \$500 or more provided to, received by, or promised to the designated employee within 12
18 months prior to the time when the decision is made.

19 (9.3) Section 9.3. Legally Required Participation.

20 No designated employee shall be prevented from making or participating in the making
21 of any decision to the extent ~~his or her~~ the employee's participation is legally required for the
22 decision to be made. The fact that the vote of a designated employee who is on a voting body is

1 needed to break a tie does not make ~~his or her~~ the employees' participation legally required for
2 purposes of this section.

3 (9.5) Section 9.5. Disqualification of State Officers and Employees.

4 In addition to the general disqualification provisions of section 9, no state administrative
5 official shall make, participate in making, or use ~~his or her~~ the official's ~~official~~ position to
6 influence any governmental decision directly relating to any contract where the state
7 administrative official knows or has reason to know that any party to the contract is a person
8 with whom the state administrative official, or any member of ~~his or her~~ the official's immediate
9 family has, within 12 months prior to the time when the official action is to be taken:

10 (A) Engaged in a business transaction or transactions on terms not available to members
11 of the public, regarding any investment or interest in real property; or

12 (B) Engaged in a business transaction or transactions on terms not available to members
13 of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

14 (10) Section 10. Disclosure of Disqualifying Interest.

15 When a designated employee determines that ~~he or she~~ the employee should not make a
16 governmental decision because ~~he or she~~ the employee has a disqualifying interest in it, the
17 determination not to act may be accompanied by disclosure of the disqualifying interest.

18 (11) Section 11. Assistance of the Commission and Counsel.

19 Any designated employee who is unsure of ~~his or her~~ the duties under this code may request
20 assistance from the Fair Political Practices Commission pursuant to Section 83114 and
21 Regulations 18329 and 18329.5 or from the attorney for ~~his or her~~ the employee's agency,
22 provided that nothing in this section requires the attorney for the agency to issue any formal or
23 informal opinion.

1 (12) Section 12. Violations.

2 This code has the force and effect of law. Designated employees violating any provision
3 of this code are subject to the administrative, criminal and civil sanctions provided in the
4 Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a
5 violation of the disqualification provisions of this code or of Section 87100 or 87450 has
6 occurred may be set aside as void pursuant to Section 91003.

7 _____

8 ¹ Designated employees who are required to file statements of economic interests under
9 any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may
10 expand their statement of economic interests to cover reportable interests in both jurisdictions,
11 and file copies of this expanded statement with both entities in lieu of filing separate and distinct
12 statements, provided that each copy of such expanded statement filed in place of an original is
13 signed and verified by the designated employee as if it were an original. See Section 81004.

14 ² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in
15 agencies who make and retain copies of statements and forward the originals to the filing officer.

16 ³ For the purpose of disclosure only (not disqualification), an interest in real property
17 does not include the principal residence of the filer.

18 ⁴ Investments and interests in real property which have a fair market value of less than
19 \$2,000 are not investments and interests in real property within the meaning of the Political
20 Reform Act. However, investments or interests in real property of an individual include those
21 held by the individual's spouse and dependent children as well as a pro rata share of any
22 investment or interest in real property of any business entity or trust in which the individual,

1 spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10
2 percent or greater.

3 ⁵ A designated employee's income includes ~~his or her~~ the employee's community
4 property interest in the income of ~~his or her~~ the employee's spouse but does not include salary or
5 reimbursement for expenses received from a state, local or federal government agency.

6 ⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of
7 the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In
8 addition, the disclosure of persons who are clients or customers of a business entity is required
9 only if the clients or customers are within one of the disclosure categories of the filer.

10 Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-
11 87302, 89501, 89502 and 89503, Government Code.

APPENDIX B

CONFLICT OF INTEREST CODE OF THE CITY OF CLEARLAKE

ADOPTED ~~DECEMBER 17, 2020~~ DECEMBER 1, 2022

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and all Other City Officials who manage public investments as defined by 2 Cal. Code of Regs. § 18701 (b), are NOT subject to the City’s Code but are subject to the disclosure requirements of the Act. (Government Code Section 87200 et seq.) [Regs. § 18730 (b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the position listed below is an official who manages public investments¹. This position is listed here for informational purposes only.

Director of Finance

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED EMPLOYEES</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Assistant City Manager	1, 2
Police Chief	1, 2
Police Captain	2, 3, 6, 7
Police Lieutenant	2, 3, 6, 7
Director of Public Works	1, 2
Deputy Director of Public Works/City Engineer	1, 2
Administrative Services Director/City Clerk	1, 2
<u>Public Works Construction Project Manager</u>	<u>5, 6, 7</u>
Public Works- Superintendent	5, 6, 7
Senior Planner	1, 2
Associate Planner	1, 2
Assistant Planner	2, 3, 6, 7

¹ Individuals holding one of the above-listed positions may contact the FPPC for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The FPPC makes the final determination whether a position is covered by §87200.

Code Enforcement Supervisor/Building Inspector	2, 3, 6, 7
Building Inspector	2, 3, 6, 7
Code Enforcement Officer	2, 7
<u>Recreation and Events Coordinator</u>	<u>1</u>
Deputy City Clerk/Facilities Coordinator	1

**MEMBERS OF BOARDS,
COMMITTEES AND
COMMISSIONS**

Loan Review Committee	1, 2
-----------------------	------

**DESIGNATED EMPLOYEES’
TITLE OR FUNCTION**

Consultant²

² Consultants shall be included in the list of Designated Employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation: The City Manager may determine in writing that a particular consultant, although a “designated position” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this Section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The City Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX C

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of investments, business entities, sources of income, or real property which the Designated Employee must disclose for each disclosure category to which he or she has been assigned.

Category 1: All investments and business positions in business entities, and sources of income, that are located in, do business in, or own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of the City.

Category 3: All investments and business positions in, and sources of income from, business entities that are engaged in land development, construction, or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and business positions in, and sources of income from, business entities that are banking, savings and loan, or other financial institutions.

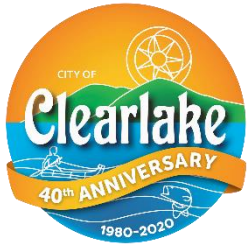
Category 5: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles, or equipment of a type purchased or leased by the City.

Category 6: All investments and business positions in, and sources of income from, business entities that provide services, supplies, materials, machinery, vehicles, or equipment of a type purchased or leased by the Designated Employee’s Department.

Category 7: All investments and business positions in, and sources of income from, business entities subject to the regulatory, permit, or licensing authority of the Designated Employee’s Department.

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Annual Calendar of Meetings for 2023	MEETING DATE: December 2, 2021
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 the proposed 2023 City Council meeting calendar.

BACKGROUND/DISCUSSION:

The proposed meeting schedule for 2023 is attached. In addition to the proposed regular meeting schedule, your Council may schedule additional special meetings and workshops with proper Brown Act noticing.

OPTIONS:

1. Move to approve the proposed 2023 City Council meeting calendar.
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 approve the 2023 City Council meeting calendar

Section H, Item 19.

Attachments: 1) Proposed meeting calendar

January 2023

January 2023							February 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	1	2	3	4
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28				
29	30	31											

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jan 1, 23	2	3	4	5 6:00pm Council Meeting	6	7
8	9	10	11	12	13	14
15	16	17	18	19 6:00pm Council Meeting	20	21
22	23	24	25	26	27	28
29	30	31	Feb 1	2	3	4

February 2023

February 2023							March 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4				1	2	3	4
5	6	7	8	9	10	11	5	6	7	8	9	10	11
12	13	14	15	16	17	18	12	13	14	15	16	17	18
19	20	21	22	23	24	25	19	20	21	22	23	24	25
26	27	28					26	27	28	29	30	31	

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jan 29	30	31	Feb 1	2 6:00pm Council Meeting	3	4
5	6	7	8	9	10	11
12	13	14	15	16 6:00pm Council Meeting	17	18
19	20	21	22	23	24	25
26	27	28	Mar 1	2	3	4

March 2023

March 2023							April 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Feb 26	27	28	Mar 1	2 6:00pm Council Meeting	3	4
5	6	7	8	9	10	11
12	13	14	15	16 6:00pm Council Meeting	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	Apr 1

April 2023

April 2023							May 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 26	27	28	29	30	31	Apr 1
2	3	4	5	6 6:00pm Council Meeting	7	8
9	10	11	12	13	14	15
16	17	18	19	20 6:00pm Council Meeting	21	22
23	24	25	26	27	28	29
30	May 1	2	3	4	5	6

May 2023

May 2023							June 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	4	5	6	7	1	2	3
14	8	9	10	11	12	13	11	12	13	14	15	16	17
21	15	16	17	18	19	20	18	19	20	21	22	23	24
28	22	23	24	25	26	27	25	26	27	28	29	30	

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Apr 30	May 1	2	3	4 6:00pm Council Meeting	5	6
7	8	9	10	11	12	13
14	15	16	17	18 6:00pm Council Meeting	19	20
21	22	23	24	25	26	27
28	29	30	31	Jun 1	2	3

June 2023

June 2023							July 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3							1
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
May 28	29	30	31	Jun 1 6:00pm Council Meeting	2	3
4	5	6	7	8	9	10
11	12	13	14	15 6:00pm Council Meeting	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	Jul 1

July 2023

July 2023							August 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jun 25	26	27	28	29	30	Jul 1
2	3	4	5	6 6:00pm Council Meeting	7	8
9	10	11	12	13	14	15
16	17	18	19	20 6:00pm Council Meeting	21	22
23	24	25	26	27	28	29
30	31	Aug 1	2	3	4	5

August 2023

August 2023							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5	3	4	5	6	7	1	2
13	14	8	9	10	11	12	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jul 30	31	Aug 1	2	3 6:00pm Council Meeting	4	5
6	7	8	9	10	11	12
13	14	15	16	17 6:00pm Council Meeting	18	19
20	21	22	23	24	25	26
27	28	29	30	31	Sep 1	2

September 2023

September 2023							October 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2	1	2	3	4	5	6	7
3	4	5	6	7	8	9	8	9	10	11	12	13	14
10	11	12	13	14	15	16	15	16	17	18	19	20	21
17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 27	28	29	30	31	Sep 1	2
3	4	5	6	7 6:00pm Council Meeting	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October 2023

October 2023							November						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	1	2	3	4
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30		
29	30	31											

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Oct 1	2	3	4	5 6:00pm Council Meeting	6	7
8	9	10	11	12	13	14
15	16	17	18	19 6:00pm Council Meeting	20	21
22	23	24	25	26	27	28
29	30	31	Nov 1	2	3	4

November 2023

November 2023							December 2023						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Oct 29	30	31	Nov 1	2 6:00pm Council Meeting	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	Dec 1	2

December 2023

December 2023						January 2024							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30	31			
31													

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 26	27	28	29	30	Dec 1	2
3	4	5	6	7 6:00pm Council Meeting	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	Jan 1, 24	2	3	4	5	6

CITY OF CLEARLAKE

City Council



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. 2022-72

RESOLUTION NO. 2022-72

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 December, 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: Memo Regarding Holiday Closure of City Hall Administration Office	MEETING DATE: December 1, 2022
SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk	
PURPOSE OF REPORT: <input checked="" type="checkbox"/> Information only <input type="checkbox"/> Discussion <input type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:
 Report for information only. No action by the Council is necessary.

BACKGROUND/DISCUSSION:
 For your Council’s information:

City Hall Administration offices, including Building, Planning, Administrative Services and Finance Departments, will be closed for the holidays December 26th, 2022 through January 1st, 2023.

The Administration offices will reopen on Monday, January 2nd.

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:



CITY OF CLEARLAKE

City Council

STAFF REPORT	
SUBJECT: Confirm assessment(s) in the total amount of \$29,383.90 for City funded abatements, in accordance with Clearlake Municipal Code Chapter 10	MEETING DATE: 12/01/2022
SUBMITTED BY: Lee Lambert- Code Enforcement Supervisor	
PURPOSE OF REPORT ___ Information Only ___ Discussion <u> X </u> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

1. The City Council is being asked to Adopt Resolution No. 2022-65: Resolution of the City Council of the City of Clearlake confirming Special Assessment(s) for the abatement of real properties and approve lien(s) against real properties in accordance with Chapter 10 of the Clearlake Municipal Code

BACKGROUND/DISCUSSION: The purpose of this hearing is to consider and act upon any and all protest(s) of proposed assessment(s) for recovery of the costs of abatement(s) of real property. Upon due consideration of the evidence and testimony submitted by staff and the property owner(s), the Council may:

1. Grant the protest and revise the Resolution to remove the assessment(s); or
2. Deny the protest and confirm the assessment(s) as proposed; or
3. Modify (reduce) the amounts of assessment(s) and revise the Resolution to reflect the modified assessment(s).

The following is a summary identifying subject property(s), property owner(s) and the proposed assessment(s):

1. Location: 14095 Villa Way Clearlake, CA 95422 A.P.N.# 039-266-070
 Owner: Palermo Drive LLC
 Action(s): City funded abatement of real property.
 Abatement Assessment: \$14,740.00
2. Location: 14101 Villa Way Clearlake, CA 95422 A.P.N.# 039-266-300
 Owner: Limtiaco, Anthony
 Action(s): City funded abatement of real property.
 Abatement Assessment: \$13,540.00
3. Location: 14775 Highlands Way Clearlake, CA 95422 A.P.N.# 039-302-040

Owner: Willis, Frank L

Action(s): City funded abatement of real property.

Abatement Assessment: \$1,103.90

All abatement expenses, or portions thereof, which remain unpaid after confirmation of assessment by the City Council shall become a lien against the subject property to the City of Clearlake and may become a special assessment on the Tax Roll. The City of Clearlake shall be named in the lien document, as party to receive notice of any and all payoff demands and / or other notices relating to the liens.

- ✓ Property owners were advised of all violations which existed on their properties and given ample time to reach full voluntary compliance.
- ✓ Inspection and Abatement Warrants were issued by a judge of the Lake County Superior Court for 14095 Villa Way and 14101 Villa Way. Said warrants were posted on each property for a minimum of 24 hours prior to execution and abatement.
- ✓ An Order to Summary Abate was issued by Alan Flora, the City Manager for the City of Clearlake, to abate the health and safety hazards at 14775 Highlands Way, which were an immediate risk to the health and safety of the community.
- ✓ Abatements were completed on each property, as described above.
- ✓ Property owners were issued an invoice for all abatement expenses due to the abatement of each said property. Property owners failed to submit payment.

OPTIONS:

Move to confirm all assessments as proposed and to read said Resolution by title only. A roll call vote shall follow the reading of said Resolution. Attached is the proposed Resolution confirming assessments, statement of expenses for the proposed assessments and supporting evidence.

FISCAL IMPACT:

None \$ 29,383.90 Budgeted Item? Yes No

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

Affected fund(s): General Fund Measure P Fund Measure V Fund Other: [redacted].

Comments: Granting protests will result in a negative impact due to the City not being reimbursed for abatement expenses already incurred.

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:

- 1. Move to Adopt Resolution No. 2022-65: Resolution of the City Council of the City of Clearlake confirming Special Assessment(s) for the abatement of real properties and approve lien(s) against real properties in accordance with Chapter 10 of the Clearlake Municipal Code.

- Attachments:**
- 1) Resolution # 2022-65
 - 2) Evidence

RESOLUTION NO. 2022-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE CONFIRMING SPECIAL ASSESSMENTS AND APPROVING LIENS AGAINST REAL PROPERTIES LOCATED AT 14095 VILLA WAY, 14101 VILLA WAY AND 14775 HIGHLANDS WAY FOR THE COSTS OF ABATEMENTS IN ACCORDANCE WITH CHAPTER 10 OF THE CLEARLAKE MUNICIPAL CODE

WHEREAS, the City of Clearlake has adopted Chapter 10 of the Clearlake Municipal Code establishing procedures for the abatement and recovery of costs of real property located within the City of Clearlake; and

WHEREAS, the City of Clearlake has complied with the procedure as set forth in said code(s); and

WHEREAS, the City Council has heard and acted on all protests at a Public Hearing held on December 01, 2022.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Clearlake that the assessments for abatement costs as set forth in Exhibit "A" are hereby declared special assessments and are hereby made a lien upon the described real properties pursuant to the Clearlake Municipal Code, Chapter 10 and Government Code, Section 39501 through 39588 inclusive and;

All abatement expenses, or portions thereof, which remain unpaid after confirmation of assessment by the City Council shall become a lien against the subject property to the City of Clearlake and may become a special assessment on the Tax Roll. The City of Clearlake shall be named in the lien document, as party to receive notice of any and all payoff demands and / or other notices relating to the liens.

BE IT FURTHER RESOLVED that the City Clerk of the City of Clearlake is hereby directed to deliver to the County Assessor, County Auditor, County Tax Collector and County Recorder the confirmed assessments to be entered on the County Tax Roll opposite each parcel of land.

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

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

ATTEST:

City Clerk

Mayor, City of Clearlake

EXHIBIT A

- 1. Location: 14095 Villa Way Clearlake, CA 95422 A.P.N.# 039-266-070
Owner: Palermo Drive LLC
Action(s): City funded abatement of real property.
Abatement Assessment: \$14,740.00

- 2. Location: 14101 Villa Way Clearlake, CA 95422 A.P.N.# 039-266-300
Owner: Limtiaco, Anthony
Action(s): City funded abatement of real property.
Abatement Assessment: \$13,540.00

- 3. Location: 14775 Highlands Way Clearlake, CA 95422 A.P.N.# 039-302-040
Owner: Willis, Frank L
Action(s): City funded abatement of real property.
Abatement Assessment: \$1,103.90

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Discussion and Direction Regarding Legal Non--conforming Status of Residences in the Sulphur Fire Area	MEETING DATE: Dec. 1, 2022
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:

The City Council is being asked to consider direction regarding the extension of the Community Development Director’s authority to waive certain zoning requirements for homes in the Sulphur Fire area.

BACKGROUND/DISCUSSION:

Over 150 homes were lost in the City of Clearlake as a result of the Sulphur Fire in 2017. Rebuilding has been slow. This is the result of a variety of factors, but largely center around underinsurance, high cost of construction, and delays in the payment of settlement funds from PG&E.

Many of the properties in this area of the City do not meet current zoning requirements. The area was developed before modern zoning and the properties are considered legal non-conforming. The zoning ordinance allows a legal non-conforming use to be replaced within six months of a disasters such as the Sulphur Fire, but if a permit is granted after six months, it must meet current regulations. In response to this the City allowed up to nine months, and granted a one-time six month extension to legal non-conforming status, for a total of 15 months.

Some insurance companies have been slow to pay and only just recently have property owners received any significant funds from the PG&E settlement. We are getting additional interest in being allowed to build back homes consistent with what was initially on the property.

Is the Council interested in authorizing the Community Development Director to extend this interpretation, on a case-by-case basis, for an additional period in order to facilitate the rebuilding of homes within the fire area?

OPTIONS:

1. Provide Direction to Staff Allowing the Community Development Director to review projects within the Sulphur Fire area for legal non-conforming status and approve permits consistent

with previous development if they do not hinder the general health and welfare of the community.

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: This could facilitate a number of additional home starts that would be unlikely under existing regulations. If so this would result in an increase in permit revenue and the eventual increase in property tax revenue for local agencies.

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:

Attachment: Zoning Interpretation #15 – Replacing Destroyed Houses from the Sulphur Fire

INTERPRETATION NO. 15

DATE: December 21, 2017

PREPARED BY: Gary Price, Contract Planner

SUBJECT: Replacing Destroyed Houses from Sulfur Fire

INTERPRETATION/PROCEDURE: The City suffered several house losses from the Sulfur Fire in October, 2017. These losses involved extensive damage to over one hundred houses requiring them to be completely demolished. As part of the requirements for demolition, clearances must be obtained from the City. Zoning Clearances from the Planning Director must be obtained before these houses can be rebuilt. Many of the destroyed houses are considered non-conforming structures since they may not comply with minimum building setback, size, off-street parking, design, and/or coverage requirements of the Zoning Code. Most properties impacted from the Fire are zoned either R-1, Low Density Residential or RR, Rural Residential. Some of the zoning performance standards that may apply to rebuilding of single family homes are as follows:

I RR and R-1 Zones (Both Zones):

- a. Maximum height of thirty-five (35') feet.
- b. Minimum twenty (20) foot front yard setback.
- c. Minimum five (5) foot side yard setback except feet except on a corner lot where the street side yard shall have a setback of ten (10') feet. Garages or carports having access from the street side yard of a corner lot shall be located and oriented so as to provide a minimum driveway length of twenty (20') feet from the street right-of-way.
R-1 has some additional exceptions noted below.
- d. Rear Yard: Ten (10') feet except as otherwise specified there shall be no rear yard set back on property that abuts Clear Lake. (Cache Creek Setback does not apply to Sulphur Fire Area).
- e. Two (2) off-street parking spaces per dwelling unit. Second Residential Units: One (1) space per dwelling unit. The required parking area is prohibited from being located within the required front yard and street side yard areas. Covered or uncovered parking shall be provided in accordance with the residential housing standards of the base district. Tandem parking spaces are permitted. The driveway shall be a minimum length of twenty (20') feet, so as to provide for the temporary parking of vehicles free and clear of the street right-of-way.
- f. All dwelling units shall be at least fifteen (15') feet in diameter or width (excluding eaves).
- g. All dwellings shall be at least seven hundred twenty (720) square feet in gross floor area.

II. RR, Rural Residential Zones (Exclusive of R-1):

- a. No minimum building coverage standards apply.

III. R-1, Low Density Residential Zones (Exclusive of RR):

- a. Side yard of Five (5') feet except 1) a zero side yard is allowed when two (2) units are constructed simultaneously with a common wall and their opposite side yards each have a minimum setback distance of ten (10') feet and 2) Three (3') foot interior side yard requirement for unenclosed and uncovered porches, decks, stairs and similar structures.
- b. The building coverage for each lot shall not exceed sixty (60%) percent, except in the case of a two-story building in which case, when it shall not exceed fifty (50%) percent.

In accordance with Section 18-4.10 of the Zoning Code regarding non-conforming structures, if the residential structure (is considered a conforming residential use) was built in such a way that does not comply with these above referenced standards, the structures can be reconstructed as they were originally constructed if a building permit is issued for the building within nine (9) months after the date demolition and hazard mitigation clearances are issued by the City subject to a no-cost zoning review by the Planning Director. Upon receipt of a written request by the property owner for an extension of this time (submitted prior to the initial 9 month expiration) the Planning Director may approve a one- time extension of up to six months if there are overriding circumstances, such as insurance problems or financing issues. Upon expiration of this time period all future site development must comply with the Zoning Code in effect at the time a development request is made on the property.

When the Planning Director reviews the zoning clearance, he/she will review the building replacement to meet the intent of compliance with various residential building standards identified in Section 18-5.10 of the Zoning Code as follows (subject to compliance with other related City public Health and Safety requirements of the Building Official):

- a. House should be attached to a permanent continuous concrete or masonry perimeter foundations, or to permanent foundation systems pursuant to Health and Safety Code Section 18551. Where permanent foundation systems are used, dwelling units should be provided with continuous six (6") inch wide concrete or masonry perimeter curb walls extending from a minimum of three (3") inches below grade to a minimum of six (6") inches above grade. The under floor areas of dwelling units requiring curb walls should be enclosed with siding material matching the dwelling and shall be ventilated by openings of not less than one (1) square foot for each one hundred fifty (150) square feet of under floor area.
- b. If replaced with manufactured home, skirting materials should have the same or similar appearance as the siding. Materials prohibited from use as skirting are: lattice work, unpainted wood or plywood, metal not having factory applied color coatings, Styrofoam, plastic, and corrugated fiberglass or metal.
- c. If replaced with manufactured home, skirting should extend to the ground level except that non-pressure treated wood siding cannot extend closer than six (6") inches to the

- ground and shall be connected to the ground by a concrete or pressure treated wood perimeter sill.
- d. All units should be designed so that exterior walls look like wood, stucco, or masonry regardless of their actual composition.
 - e. All roofing materials should be designed to look like composition roofing, tile, shakes, shingles, or tar and gravel; or architectural metal roof sheathing with factory applied color coatings.
 - f. Residential siding should extend to the ground level (wood excluded) except that when a solid concrete or masonry perimeter foundation or curb wall is used, then siding need only extend one and one-half (1 1/2") inches below the top of the foundation or curb wall.
 - g. The slope of the main roof should not be less than two (2") inches vertical rise for each twelve (12") inches of horizontal run.
 - h. All units should have a perimeter roof overhang on all sides extending not less than one (1') foot measured from the vertical side of the home, not including rain gutters.
 - i. Where any accessory structure is attached to the main structure, the roof overhang requirement at the point of attachment.
 - j. Permanent stairs should be installed for all exterior door openings.
 - k. Tow bars and wheels of any house should be removed when a mobile home or manufactured home is installed.
 - l. All driveways and parking aprons in front of residences or garages should be surfaced with asphaltic concrete or concrete.
 - m. All houses should have address signs.

Other consideration of the Zoning Clearance: The Planning Director, on a case by case basis, may allow for other exceptions to minimum zoning standards as follows:

- n. Covered parking requirements may be waived.
- l. Exact building setbacks from the previous building footprint can be varied when logical as long as the new footprint does not further reduce the typical requirement. For example, if the building was originally constructed with a front yard of ten feet and the minimum setback is 20 feet, the new building footprint should not extend beyond ten feet.
- o. Minor enlargements (less than 10% increase to previous building area) when they are a logical extension to the building. Enlargements to the building that exceed 10% of the previous building should comply with minimum zoning standards.
- p. Replacement with a mobilehome, as defined by the Zoning Code, shall be prohibited.
- q. Replacement with a new manufactured house is allowed. Replacement with a used manufactured house will be considered depending on its age and condition.

Temporary Living Facilities: The Building Official may approve temporary, on-site living facilities, such as a travel trailer or recreation vehicle, when an application for a residential building permit has been submitted for construction of the new residence based on the following circumstances:

1. The temporary living facilities are safe for occupancy.

2. They are located off the street and will not conflict with project construction.
3. They are owner-occupied by fire victims.
4. They will be permanently removed upon occupancy of the main house once completed.
5. Exception may be granted by the City Manager to 3 and 4 above for FEMA Mobile Housing Unit or by posting a financial security approved by the Finance Director for the cost of removal of the temporary living facility and agreement that the temporary living facility will be removed within nine months of the request.



STAFF REPORT	
SUBJECT: Consider approving Resolution 2022-68 which extends the term of the existing commercial cannabis development agreements and temporarily reduces the production fee	MEETING DATE: Dec. 1, 2022
SUBMITTED BY: Alan Flora, City Manager, and Ryan Jones, City Attorney	
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:

The City Council is being asked to consider approving a resolution which would extend the term of the existing commercial cannabis development agreements by seven years and will temporarily reduce the production fee from 5% to 1% during CY 2023.

BACKGROUND/DISCUSSION:

Over the past several years, the City has developed a process for regulating commercial cannabis operations. The City has modified its ordinances relative to commercial cannabis in order to adjust to best practices and changes in the industry and community needs.

Pursuant to Clearlake Municipal Code Section 5.25.030, before a cannabis business facility may operate, it must first obtain both a regulatory permit and a development agreement. The available types of cannabis businesses in the City include cultivation, manufacturing, distribution, dispensaries, testing laboratories, and micro-businesses. Currently, nine commercial cannabis businesses have a regulatory permit and development agreement with the City, for a total of 27 permits in the City. The reason that there are more permits than operators is that some businesses have multiple permits for different types of commercial cannabis activities. For example, cultivation and manufacturing require two separate permits.

Pursuant to Section 3.2 in each of the development agreements, which are identical for each business, it provides that the agreements are valid for a term of three years, which can be extended for seven additional years by resolution of the City Council provided there is a finding that the businesses are not in default of their agreement and the business is compatible with the community. Staff finds that all of the businesses meet those standards, and are worthy of the extension. The extension would be for seven years from the date the initial three-year term of the development agreement expires.

In addition to extending the agreements, staff believes that a temporary reduction in the production fee, as outlined in Section 4.3 of the agreement, is appropriate. The production fee is currently set at 5% of gross sales of operations. It is staff’s opinion that the rate is high as compared to other

jurisdictions and is pricing out cannabis businesses in light of other taxing requirements on the industry. Accordingly, the attached Resolution proposes to temporarily reduce the production fee from 5% to 1% for Calendar Year 2023, at which point it will return to 5%, unless a new rate is approved. Please note that the City’s facility fee as outlined in Section 4.5 of the development agreements will remain at \$2 per gross square foot of the project facility.

The City would intend to work with permitted cannabis businesses during calendar year 2023 and develop a new fee structure that is sustainable.

OPTIONS:

- 1. Move to adopt the attached Resolution
- 2. Consider modifications to the Resolution and approve a modified resolution
- 3. Other direction

FISCAL IMPACT:

None \$ Budgeted Item? Yes No

The modification of the production could result in less revenues to the City, but there is also the potential that lowering the rate could increase overall production. This is part of the reason why staff wants to do a temporary lowering of the rate to monitor how it impacts revenues.

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:

- Attachment:** 1) Resolution No. 2022-68

RESOLUTION NO. 2022-68

A RESOLUTION OF THE CITY OF CLEARLAKE EXTENDING THE TERM OF ALL CURRENT COMMERCIAL CANNABIS DEVELOPMENT AGREEMENTS BY SEVEN YEARS AND TEMPORARILY REDUCING THE PRODUCTION FEE FROM 5% TO 1% FOR CY 2023

WHEREAS, the City has developed a process for regulating commercial cannabis operations. The City has modified its ordinances relative to commercial cannabis in order to adjust to best practices and changes in the industry and community needs.

WHEREAS, pursuant to Clearlake Municipal Code Section 5.25.030, before a cannabis business facility may operate, it must first obtain both a regulatory permit and a development agreement. The available types of cannabis businesses in the City include cultivation, manufacturing, distribution, dispensaries, testing laboratories, and micro-businesses.

WHEREAS, there are currently nine commercial cannabis businesses which have a regulatory permit and development agreement with the City, for a total of 27 permits in the City.

WHEREAS, those business are:

- Clearlake Harvest Company (5 permits), located at 2250 Ogulin Canyon Road
- Ogulin Holdings LLC (4 permits), located at 2185 Ogulin Canyon Road
- Gold Country Growers (2 permits), located at 14935 Olympic Drive
- Grass Valley Hydro Garden (1 permit), located at 2395 Ogulin Canyon Road
- Cannabis Hub (3 permits), located at 16520 Dam Road
- Clearlake Growth Fund 1, (3 permits), located at 2395 Ogulin Canyon Road
- Clearlake Ventures LLC (1 permit), located at 2395 Ogulin Canyon Road
- Green Grow Solutions (3 permits), located at 2560 Highway 53
- Fuego (5 permits), located at 14915 & 14935 Olympic Drive

WHEREAS, pursuant to Section 3.2 in each of the respective development agreements, the agreements are valid for a term of three years, and can be extended for seven additional years by resolution of the City Council provided there is a finding that the businesses are not in default of their agreement and the business are compatible with the community.

WHEREAS, the businesses listed above are not in default of their development agreements and are compatible with the community, and therefore are worthy of their extensions. The extension would be for seven years from the date the initial three-year term of the development agreement expires.

WHEREAS, a temporary reduction in the production fee, as outlined in Section 4.3 of the respective development agreements is appropriate. The production fee is currently set at 5% of gross sales of operations. The rate is high as compared to other jurisdictions and is pricing out cannabis businesses in light of other taxing requirements on the industry.

WHEREAS, this Resolution will temporarily reduce the production fee from 5% to 1% for Calendar Year 2023, at which point it will return to 5%, unless a new rate is approved. The City’s facility fee as outlined in Section 4.5 of the development agreements will remain at \$2 per gross square foot of the project facility.

NOW THEREFORE BE IT RESOLVED that the City of Clearlake hereby extends the term of all current Development Agreements for the nine commercial cannabis listed in the whereas clause above for seven additional years from the date the Agreement expires, and the Council finds that all nine business are not in default of their Development Agreements and are compatible with the community. Moreover, there is a temporary reduction in the production fee in the development agreements from 5% to 1% for Calendar Year 2023 (January 1, 2023 – December 31, 2023), at which point it will return to 5%, unless a new rate is approved.

PASSED AND ADOPTED on this 1st day of December 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

Dirk Slooten, MAYOR

ATTEST:

Melissa Swanson, City Clerk



STAFF REPORT	
SUBJECT: Resolution to initiate annexation proceedings for the land at 2050 and 2122 Ogulin Canyon Road.	MEETING DATE: 12-1-22
SUBMITTED BY: City Manager Alan Flora	
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 and adopt the Resolution of Intent to amend the Clearlake Sphere of Influence, amend the Clearlake General Plan, adopt Pre-Zoning Designations, prepare an environmental analysis (CEQA Initial Study), and initiate Lake LAFCO proceedings for the parcels located at 2050 and 2122 Ogulin Canyon Road, Clearlake, CA 95422 further described as Assessor parcel Numbers (APNs) 010-053-010-000 and 010-053-020-000.

BACKGROUND/DISCUSSION

On July 21, 2022, the City Council considered a request from the property owners of 2050 and 2122 Ogulin Canyon Road for annexation of the land to the City of Clearlake and to designate the zoning Industrial and/or Mixed Use. There was City Council consensus to proceed with the required actions. The land is within the Clearlake Planning Area and Area of Concern and must be in Clearlake Sphere of Influence (SOI) and Pre-Zoned for an annexation to move forward. The General Plan designations for the two parcels must also be considered. The proposed Resolution of Intent outlines the required City actions and directs City staff to proceed with implementation.

ENVIRONMENTAL DETERMINATION:

The City of Clearlake is designated as the California Environmental Quality Act (CEQA) Lead Agency and will prepare an environmental analysis (CEQA Initial Study) in accordance with the CEQA for consideration. A Mitigated Negative Declaration is anticipated.

OPTIONS:

1. Move to Adopt Resolution 2022-70 A Resolution of the City Council of the City of Clearlake approving the acceptance and implementation as described in Resolution 2022-70.
2. Move to Deny Resolution 2022-70 and direct staff to prepare appropriate findings.
3. Move to continue the item and provide alternate direction to staff.

RECOMMEND MOTIONS:

- Move adopt Resolution 2022-70 to amend the Clearlake Sphere of Influence, amend the Clearlake Plan, adopt Pre-zoning, prepare the environmental analysis (CEQA - Initial Study), and initiate Lake LAFCO proceedings for the land located at 2050 and 2122 Ogulin Canyon Road, Clearlake, CA 95422 further described as Assessor parcel Numbers (APNs) 010-053-010-000 and 010-053-020-000.

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

Attachments: 1) **Resolution 2022-70**

Resolution No. CC 2022-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE INITIATING ACTION TO AMEND THE CLEARLAKE SPHERE OF INFLUENCE, AMEND THE CLEARLAKE GENERAL PLAN, ADOPT PRE-ZONING DESIGNATION(S), CONDUCT AN ENVIRONMENTAL REVIEW (CEQA – INITIAL STUDY), AND INITIATE LAKE LAFCO PROCEEDINGS FOR THE PURPOSE OF ANNEXING +/- 302.45 ACRES OF LAND LOCATED AT 2050 AND 2122 OGULIN CANYON ROAD, FURTHER DESCRIBED AS ASSESSOR PARCEL NUMBERS (APNS) 010-053-01 AND 010-053-02.

WHEREAS, on *July 21, 2022*, the Clearlake City Council considered input from the property owners of 2050 and 2122 Ogulin Canyon Road requesting annexation to the City of Clearlake. The intent of this request was to ask the City Council to apply to Lake LAFCO for annexation, bringing the land into the Clearlake City Limits, with a Land Use Designation (zoning) of Industrial and/or Mixed Use, and,

WHEREAS, the subject land is +/- 302.45 acres, comprised of two parcels – APN’s 010-053-01 (145.8 acres) and APN 010-053-02 (156.6 acres). The land is northeast of the City of Clearlake on Ogulin Canyon Road about one (1) mile east of Hwy 53. The western property line of Parcel APN 010-053-01 is contiguous to the existing Clearlake City Limits and existing Industrial Zoning, and,

WHEREAS, the subject land is within the City of Clearlake Planning Area and Area of Concern (Figures 1.2 and 1.3 of the Clearlake General Plan), but is not within the official Clearlake Sphere of Influence (SOI) and has not been provided with a Clearlake General Plan designation or a Pre-Zoning designation, and,

WHEREAS, for an annexation to move forward, the City of Clearlake must consider and adopt Clearlake General Plan and Pre-Zoning designations for the two parcels. These actions are subject to CEQA environmental requirements, with the City of Clearlake designated as the Lead Agency.

Findings

1. In accordance with the Clearlake General Plan, annexation of the two parcels (APN’s 010-053-01 - 145.8 acres and APN 010-053-02 - 156.6 acres) will substantially increase the inventory and supply of land for industrial uses/services and mixed uses in Clearlake.
2. Industrial Zoning provides areas for industrial types of activities including manufacturing, assembly, or packaging products. The City has adopted performance standards to allow for more intense industrial activities and to protect Clearlake residents and the environment.
3. Mixed Use Zoning allows for a mix of residential and nonresidential uses, such as commercial uses, on the same site where mixed-use development would otherwise be optional and is intended to allow greater flexibility of development alternatives in appropriate areas of the City.
4. The Clearlake Zoning Ordinance indicates that mixed-use projects can combine residential with nonresidential uses in the same building or building site area as a means to create an active street life, enhance the vitality of businesses and reduce the need for automobile travel, provide a meaningful blend of residential and nonresidential uses that enhance and build upon the City’s commercial base, provide additional housing options for people, including, but not limited to, young professionals and older people who want to live near their workplace and/or near retail

and other nonresidential uses; encourage consolidation of small parcels into viable, block-size mixed-use development in designated areas, ensure on-site compatibility of residential and nonresidential uses, and ensure compatibility of mixed-use projects with surrounding uses and development patterns.

5. Following City approval of the General Plan and Pre-Zoning designations for the subject land, Resolution of application for annexation and amendment of the Clearlake Sphere of Influence will be filed with Lake LAFCO..
6. City staff will meet with the LAKE LAFCO Executive Officer to establish the requirements for processing of the Annexation and Sphere of Influence Amendment, and open negotiations with Lake County to develop a proposed tax sharing agreement.
7. The California Cortese-Knox Act is the framework within which proposed city annexation, incorporation, consolidation, and special district formation are considered. The Cortese-Knox Act establishes the Local Agency Formation Commission (LAFCO) with the authority to review, approve, or deny proposals for boundary changes and incorporation for cities, counties and special districts. LAFCO consists of elected officials from the county, local cities, special districts, and a member of the general public. LAFCO’s largest planning task is the establishment of “spheres of influence” for various government bodies within its jurisdictions. A sphere of influence is defined as “a plan for the probable physical boundaries and service area of a local agency as determined by the Commission (LAFCO)”.
8. Lake LAFCO, the agency which has jurisdiction over Clearlake, adopted a Clearlake Sphere of Influence (SOI) in 1987 that included approximately 7,310 acres of unincorporated land (Lake LAFCO, 1987). The SOI was later amended. Land uses within the unincorporated area of the SOI are predominately undeveloped, vacant and open lands (Lake LAFCO, 1987). A plan for providing public service and facilities, including police, fire, roads, water, sewer, and administrative services is required to accommodate the area within Clearlake’s SOI.
9. The Area Planning Council (APC) created the Lake County 2030 Regional Blueprint Plan. This plan presents a vision through the year 2030. The plan provides a framework for regional planning and coordination of policy on land use, transportation, water, and energy among others. Main principles of the plan include the environment, agriculture, growth and development, economy, public infrastructure, public services, recreational resources, and cultural resources. This helped to set a precedent for the City of Clearlake 2040 General Plan. The Preferred Growth Scenario includes the following themes:
 - Balance between rural and community development
 - Balance between infill and new development
 - Balance between jobs and housing growth
 - Balance in the type of new housing built
 - Balance in the modes of transportation City of Clearlake Plans and Regulations City of Clearlake 2040 General Plan

10. The Clearlake General Plan provides guidance on how land uses should be developed in order to contribute to the overall character of the city. All Cities and Counties are required by the California Government Code to adopt “a comprehensive, long-term plan” (§65300). Each general plan must cover a local jurisdiction’s entire planning area, and address issues associated with a city’s or county’s development. Under State law, the City’s General Plan is the primary document with which a city’s other plans and policies must be consistent.
11. The Clearlake General Plan includes many Goals, Objectives, Policies, and Programs that support annexation, growth, and future land development (bullet points below). The policies and guidance of the Land Use Element, together with the Future Land Use and Growth Plan, will aid the decisions of the Planning Commission and City Council. To ensure the outcomes envisioned and expressed by the General Plan, it is important to follow the guiding principles and policies set forth in the Land Use Element and the remaining elements of the plan. Significant land use decisions are required including those that affect the City’s corporate boundaries (within the City’s Sphere of Influence), such as a determination of consistency of zone change requests, requests for service or infrastructure extensions, review of tentative maps, or amendments to the implementing regulations, among many others (refer to Figure 3.1).

As articulated during the General Plan public participation phase, there was an emphasis to focus growth into nine key growth areas, which became the Preferred Growth Scenario (Refer to Figure 3.2 of the General Plan): • Austin Park • Olympic Drive Corridor (from Austin Park to State Route 53) • Lakeshore Drive Corridor (from Old Highway 53 to Austin Park) • Gateway at State Route 53 intersect with Lakeshore Drive • The Avenues • Regional Shopping Center (Wal-Mart/Airport Area) • Ogulin Canyon Industrial Center (northeastern corner of the City) • Agricultural Area • Southeast Clearlake Specific Plan

The Future Land Use and Growth Plan is an important planning tool for the City to manage the type, pattern, and scale of future development. The plan is to be used to guide decisions relating to zone change requests. The plan will also be used to determine the requisite transportation improvements and capacity requirements for the water and wastewater systems and other public facility and service provisions.

- Objective LU 3.1 Concentrate growth in focus areas.
- Policy LU 3.1.1 Focus strategic residential growth in key areas.
- Objective LU 1.1 – Maintain an appropriate mix of Land Uses.
- Policy LU 1.1.1: The City should grow contiguously to manage the efficiency of public services and municipal infrastructure provision, to maintain a compact and well-defined community form, and to oblige its fiscal responsibility.
- Policy LU 1.1.3: Future development and redevelopment should be planned and implemented with appreciation for the physical environment and natural features of the community and with recognition of potential physical constraints to ensure appropriate siting of various types of development.
- Objective 4.4 - Establish commercial uses that serve isolated neighborhoods.

- Policy 4.4.1: Allow appropriate neighborhood scale commercial uses that better serve residents' daily needs.
 - Program 4.4.1.1: Smaller-scale commercial development shall be accommodated at selected locations within or at the edge of residential neighborhoods to address retail and personal service needs of nearby residents in a convenient and accessible manner, subject to restrictions and performance standards to ensure a compatible character.
 - Goal LU 5 – Compatible Land Uses
 - Objective LU 5.2: Locate commercial development to complement neighboring land uses.
 - Policy LU 5.2.1: Promote expansion of light industrial activity.
 - Program LU 5.2.1.1: Update the zoning map to expand more opportunities for light industrial uses within the Ogulin Canyon Industrial Area.
 - Goal LU 6 - Easy access to daily needs and services
 - Objective LU 6.1 - A vibrant and compatible mix of uses.
 - Policy LU 6.1.1: Residential-serving commercial uses should be in close proximity to residential areas.
 - Objective ED 2.1: Develop a diverse economic base including a range of manufacturing, retail, service, and knowledge-based professional activities.
 - Policy ED 2.1.1: The City should approve development proposals suitable for business districts with specific functional uses including office, commercial, retail, and applicable industry.
 - Program ED 2.1.1.2: The City should allow for light industry and other related compatible uses along State Route 53.
 - Program ED 2.1.1.3: The City should maintain agricultural uses along State Route 53 to cultivate grape growing and wine supporting establishments that generate employment and tourism.
 - Policy ED 2.1.2: The City shall support a healthy mix of businesses.
 - Objective ED 2.3 - Develop an Economic Development Strategy.
 - Policy ED 2.3.1 : The City should evaluate opportunities for business assistance and incentives to attract healthy businesses.
12. The Clearlake Municipal Code (Zoning Ordinance) regulates land use within the City. The purpose of the Zoning Ordinance is to “preserve and promote substantial advancement of legitimate interest of public health, safety and welfare of the City of Clearlake and to facilitate growth and expansion of the City in a precise and orderly manner” (Clearlake Municipal Code). More specifically, the adoption of the Zoning Ordinance is set to achieve the following objectives:
- Assure that the public and private lands are ultimately used for purposes which are appropriate and most beneficial for the citizens of the City while maintaining economically viable uses of these lands.

- Implement goals, policies and map of the General Plan.
 - Assure the appropriate location of community facilities and institutions.
 - Promote a safe, effective traffic circulation system.
 - Require adequate off-street parking and loading facilities.
 - Maintain appropriate setback distances to assure proper spacing between buildings (Clearlake Municipal Code, 1988).
13. The Clearlake Vision Task Force was created to develop a framework to assist in the development of the General Plan. The Report of the Clearlake Vision Task Force was published in 2007. The Clearlake Vision Task Force envisioned specific areas for development. These areas included Highway 53 in the vicinity of Ogulin Canyon and Old Highway 53: The Task Force recommended that this area be developed to serve as an employment center for low intensity, low impact uses that include office or light manufacturing.

NOW THEREFORE, IT IS THE INTENTION OF THE CLEARLAKE CITY COUNCIL TO AMEND THE CLEARLAKE SPHERE OF INFLUENCE, AMEND THE CLEARLAKE GENERAL PLAN, ADOPT PRE-ZONING DESIGNATION(S), CONDUCT CEQA ENVIRONMENTAL REVIEW, AND INITIATE LAKE LAFCO PROCEEDINGS FOR THE PURPOSE OF ANNEXING 302.45 ACRES OF LAND LOCATED AT 2050 AND 2122 OGULIN CANYON ROAD.

CLEARLAKE CITY STAFF IS HEREBY DIRECTED TO:

1. Prepare, consider, and present recommendations to the Clearlake Planning Commission and City Council to adopt a Clearlake General Plan Amendment(s), Sphere of Influence Amendment, Pre-Zoning, and a CEQA Initial Study for the two parcels, and to designate them as Industrial and/or Mixed Use.
2. Following City action on the General Plan, SOI, and Pre-Zoning, prepare and file an application with the Lake LAFCO by Resolution of Application from the City.
3. Prior to filing the annexation application, City staff is directed to take all necessary actions including meeting with the LAFCO Executive Officer to establish the requirements for processing, and meeting with Lake County staff to develop a proposed tax sharing agreement.
4. NOW, THEREFORE, BE IT RESOLVED by the City of Clearlake – City Council of the City of Clearlake is hereby adopted the codes noted above.

PASSED AND ADOPTED ON THIS 1st DAY OF DECEMBER 2022 BY THE FOLLOWING VOTE:

City of Clearlake – Mayor Slooten

ATTEST: _____

City of Clearlake Clerk/Deputy Clerk