



CITY COUNCIL REGULAR MEETING

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

Thursday, November 04, 2021

Regular Meeting 6:00 PM

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

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

AGENDA

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

AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

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

AGENDA REPORTS

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

Zoom Link: <https://clearlakeca.zoom.us/j/86482765483>

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

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

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

E. PRESENTATIONS

1. Presentation of November's Adoptable Dogs

F. PUBLIC COMMENT: *This is the time for any member of the public to address the City Council on any matter not on the agenda that is within the subject matter jurisdiction of the City. **The Brown Act, with limited exceptions, does not allow the Council or staff to discuss issues brought forth under Public Comment.** The Council cannot take action on non-agenda items. Concerns may be referred to staff or placed on the next available agenda. Please note that comments from the public will also be taken on each agenda item. Comments shall be limited to three (3) minutes per person.*

G. CONSENT AGENDA: *All items listed under the Consent Agenda are considered to be routine in nature and will be approved by one motion. There will be no separate discussion of these items unless a member of the Council requests otherwise, or if staff has requested a change under Adoption of the Agenda, in which case the item will be removed for separate consideration. Any item so removed will be taken up following the motion to approve the Consent Agenda.*

2. Approval of a Temporary Road Closure for the Annual Christmas Drive - Thru Dinner;
Resolution No. 2021-56
Recommended Action: Adopt Resolution

3. Warrants
Recommended Action: Receive and file

4. Authorization to Execute an Amendment to the agreement with Adams Ashby Group to increase the not to exceed contract amount to \$150,000, extend the Contract to July 2022, and to further define the scope of services to include additional assistance in managing the City's CDBG and other State and Federally Funded grants
Recommended Action: Authorize City Manager to execute amendment

5. Continuation of Declaration of Local Emergency Issued on March 14, 2020 and Ratified by Council Action on March 19, 2020
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days
6. Continuation of Declaration of Local Emergency Issued on August 18, 2021 and Ratified by Council Action on August 19, 2021
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days
7. Continuation of Declaration of Local Emergency Issued on August 23, 2021 and Ratified by Council Action on September 16, 2021
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days
8. Continuation of Declaration of Local Emergency Issued on October 9, 2017 and Ratified by Council Action October 12, 2017
Recommended Action: By motion keep declaration of emergency active and set next review in 30 days
9. Minutes of the October Meetings
Recommended Action: Receive and File
10. Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361
Recommended Action: Adopt Resolution

H. BUSINESS

11. Update and Discussion on the Cache Fire
Recommended Action: Provide Direction to Staff
12. Consideration of Appointment to the Vacant Marketing Committee Seat
Recommended Action: Interview applicants and by motion appoint member
13. Consideration of Appointment of a Planning Commissioner to Fill an Unexpired Term Ending in March 2025
Recommended Action: Interview applicants and appoint one applicant to the vacant seat
14. Discussion and Direction Regarding Regulation of Syringe Services and Drug Smoking Supply Distribution Program in Clearlake
15. Discussion and Possible Action Regarding the Redistricting Process
Recommended Action: Provide Direction to Staff

I. CITY MANAGER AND COUNCILMEMBER REPORTS

J. FUTURE AGENDA ITEMS

K. CLOSED SESSION

- (16) Conference with Real Property Negotiators: Pursuant to Government Code Section 54956.8. Property Addresses: 6452 Francisco and 6461 Manzanita, Clearlake; Agency Negotiation: City Manager Alan Flora; Negotiating Parties: Edwin Jinks; Under Negotiation: Price and terms of payment
- (17) Conference with Legal Counsel- Existing Litigation: Pursuant to Government Code Section 54956.9: Case No. CV-421149; Name of Case: City of Clearlake v. County of Lake, a political subdivision of the State of California; Board of Supervisors of the County of Lake, a public body of the County of Lake; Barbara C. Ringen, in her official capacity as the Treasurer-Tax Collector of the County of Lake; and Does 1 through 30, inclusive

L. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION**M. ADJOURNMENT**

POSTED: October 29, 2021

BY:



Melissa Swanson, Administrative Services Director/City Clerk



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Consideration of Resolution No 2021-56, A Resolution of the City of Clearlake, approving a temporary street closure for the Annual Rotary of Clearlake- Christmas Drive-Thru Dinner

MEETING DATE:
November 4,
2021

SUBMITTED BY: Tina Viramontes – Facilities Coordinator/Deputy City Clerk

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to approve the temporary street closure for the Annual Rotary of Clearlake Christmas Drive - Thru Dinner on December 11, 2021.

BACKGROUND/DISCUSSION:

The Rotary of Clearlake has requested a temporary road closure for the Annual Christmas Drive - Thru Dinner to be held on December 11, 2021, from 9am -4pm. During this event the Rotary of Clearlake provides nearly 1000 meals, flu shots and some dental care to the community.

The Rotary Club has requested the following roads for the closure:

- A) Olympic Drive at Uhl Avenue.
- B) Uhl Avenue at Austin Road.
- C) Olympic Drive at Pine Avenue.
- D) Pine Avenue at Austin Road.

OPTIONS:

1. Move to approve the acceptance of Resolution No. 2021-56 and approve the temporary street closure.
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 Resolution 2021-56 and approve the temporary road closure for the Rotary of Clearlake's Annual Christmas Drive -Thru Dinner.

- ☒ **Attachments:**
- 1) Resolution No. 2021-56
 - 2) Event Map

RESOLUTION NO. 2021-56
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
AUTHORIZING TEMPORARY CLOSURE OF A PORTION OF UHL AVENUE AND PINE AVENUE FOR
THE PURPOSE OF CONDUCTING THE ANNUAL ROTARY OF CLEARLAKE CHRISTMAS DRIVE
THRU DINNER ON DECEMBER 11, 2021

WHEREAS, the Rotary of Clearlake has requested permission from the City Council to temporarily close a portion of Uhl Avenue and Pine Avenue in the City of Clearlake on December 11, 2021, for the purpose of conducting the Annual Christmas Drive Thru Dinner event, and related activities; and

WHEREAS, the City Council of the City of Clearlake deems such closure necessary for the safety of persons using that portion of Uhl Avenue and Pine Avenue for said activities pursuant to Section 21101(2) (C), (E), (e) of the Vehicle Code; and

NOW, THEREFORE, the City Council of the City of Clearlake hereby authorizes the temporary street closure of a portion of Uhl Avenue and Pine Avenue as follows between the hours of 9am and 4pm on December 11, 2021:

- A) Olympic Drive at Uhl Avenue.
- B) Uhl Avenue at Austin Road.
- C) Olympic Drive at Pine Avenue.
- D) Pine Avenue at Austin Road.

PASSED AND ADOPTED on November 4, 2021, by the following vote:

AYES:

NOES:

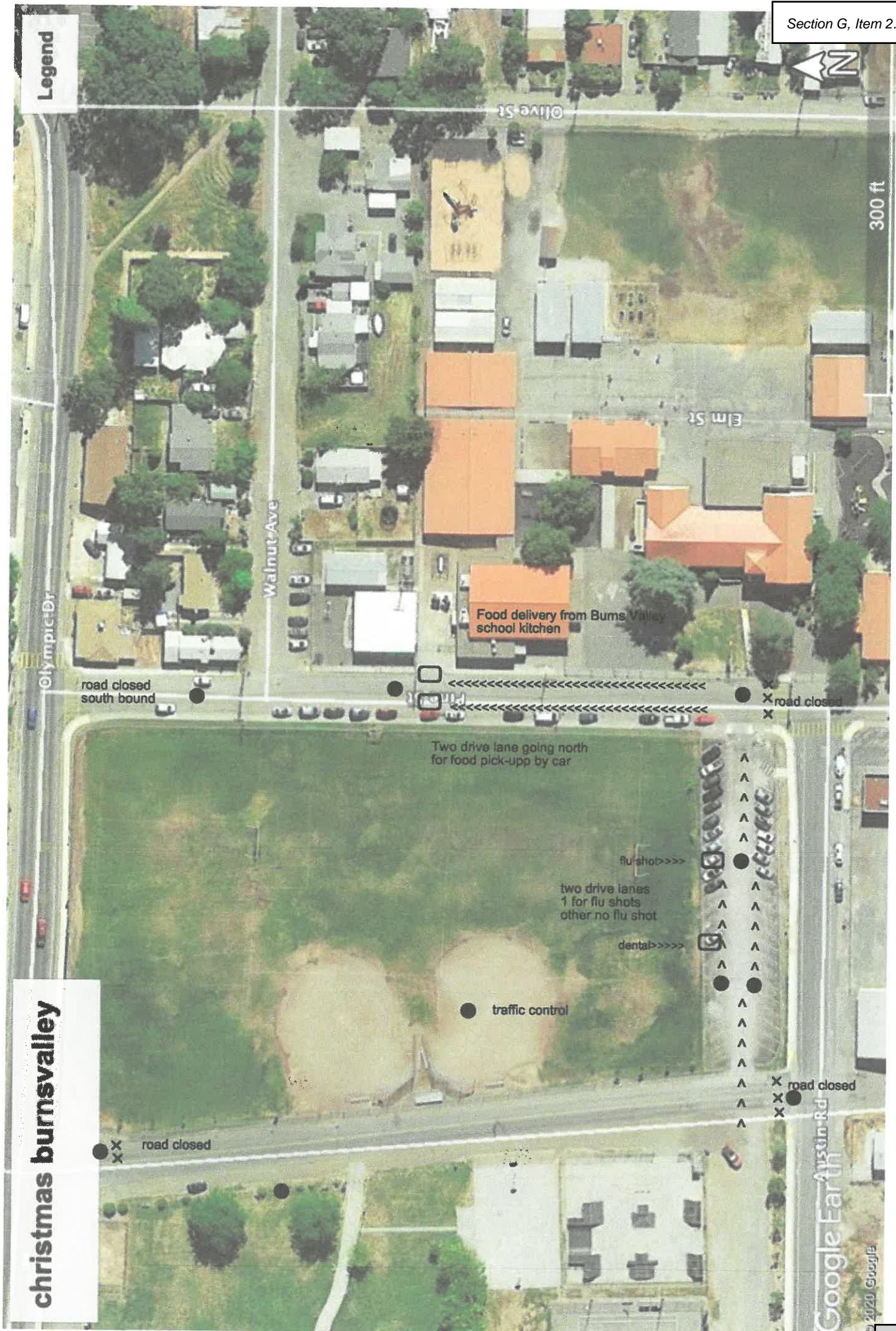
ABSTAIN:

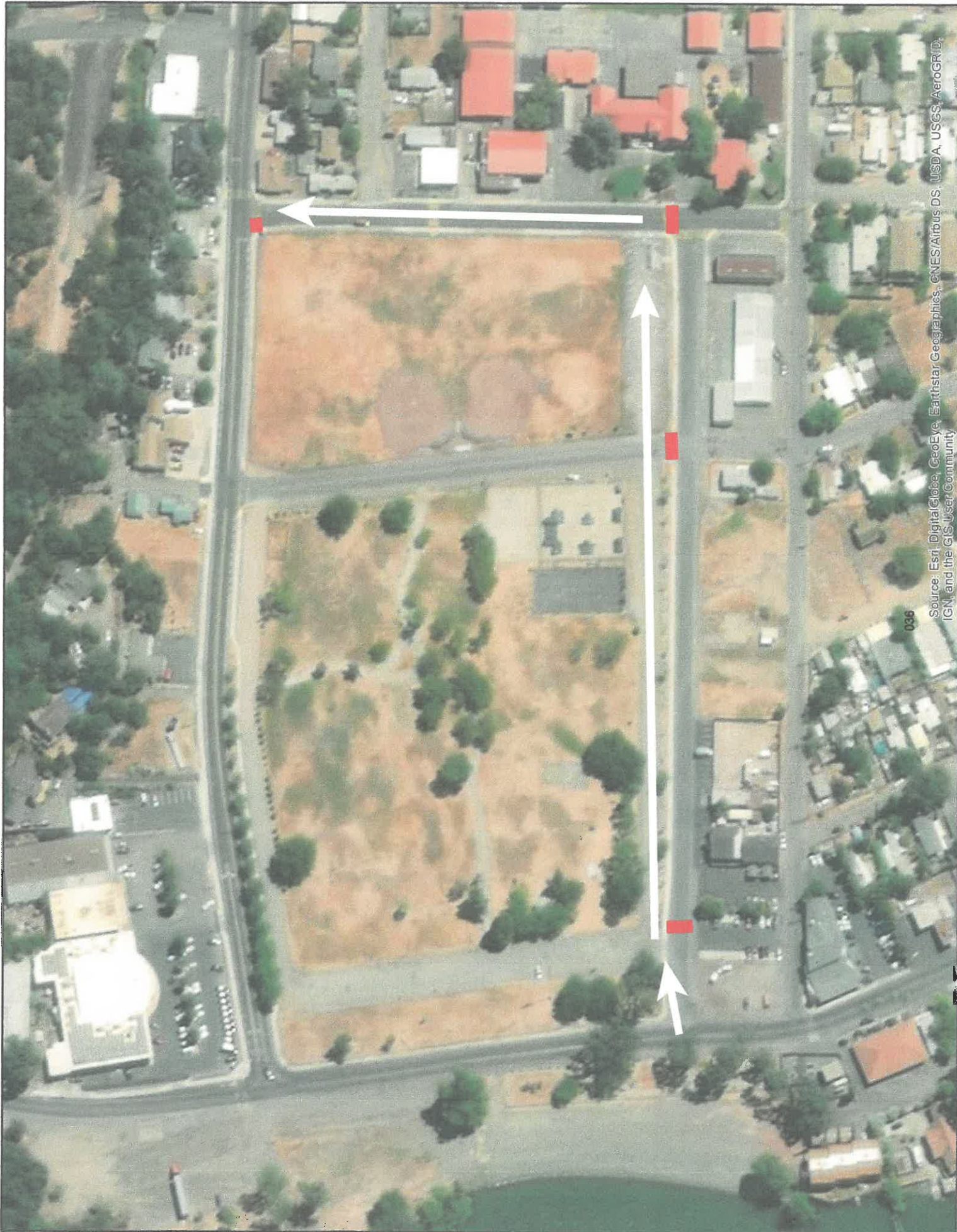
ABSENT:

Mayor, City of Clearlake

ATTEST:

City Clerk, City of Clearlake





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Clearlake, CA

Section G, Item 3.

Check Register

Packet: APPKT00891 - 10/21/21 AP Check Run PD AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
000218	CLEARLAKE VETERINARY CLINIC	10/21/2021	Regular	0.00	427.96	11461
002327	DEBRA SALLY D.V.M.	10/21/2021	Regular	0.00	450.00	11462
000774	DEEP VALLEY SECURITY	10/21/2021	Regular	0.00	82.90	11463
000120	FED EX	10/21/2021	Regular	0.00	52.06	11464
000241	GALL'S LLC	10/21/2021	Regular	0.00	764.12	11465
001954	KOEFRAN	10/21/2021	Regular	0.00	250.00	11466
VEN01123	LOOMIS	10/21/2021	Regular	0.00	487.15	11467
VEN01191	NORTH BAY ANIMAL SERVICES	10/21/2021	Regular	0.00	5,753.00	11468
001392	OFFICE DEPOT	10/21/2021	Regular	0.00	302.58	11469
001536	PRECISION WIRELESS SERVICES	10/21/2021	Regular	0.00	4,461.62	11470
001559	ULINE SHIPPING SUPPLIES	10/21/2021	Regular	0.00	129.18	11471
001723	VALLEY TOXICOLOGY SERVICE	10/21/2021	Regular	0.00	170.00	11472
002069	WATER'S EDGE CLEANERS	10/21/2021	Regular	0.00	114.00	11473

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	19	13	0.00	13,444.57
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
	19	13	0.00	13,444.57

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	10/2021	13,444.57
			<u>13,444.57</u>



Clearlake, CA

Section G, Item 3.

Check Register

Packet: APPKT00889 - 10/21/21 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						
000101	AMERIGAS	10/21/2021	Regular	0.00	2,300.74	11423
VEN01207	ANKROM MOISAN ASSOCIATED ARCHI	10/21/2021	Regular	0.00	18,104.00	11424
000085	ARAMARK UNIFORM SERVICES	10/21/2021	Regular	0.00	98.62	11425
001397	AT&T CALNET 3	10/21/2021	Regular	0.00	23.40	11426
001397	AT&T CALNET 3	10/21/2021	Regular	0.00	23.44	11427
001397	AT&T CALNET 3	10/21/2021	Regular	0.00	23.40	11428
000068	BOB'S JANITORIAL	10/21/2021	Regular	0.00	264.25	11429
2404	CALTRONICS	10/21/2021	Regular	0.00	559.69	11430
001293	CDW GOVERNMENT	10/21/2021	Regular	0.00	18,047.66	11431
000024	CLEARLAKE POLICE ASSOCIATION	10/21/2021	Regular	0.00	1,437.50	11432
000548	COMPUTER LOGISTICS	10/21/2021	Regular	0.00	450.00	11433
VEN01198	CONRAD L WHITE	10/21/2021	Regular	0.00	6,642.00	11434
002217	CSAC EXCESS INS AUTHORITY	10/21/2021	Regular	0.00	372.30	11435
001296	DIRECT IMAGE PRINTING	10/21/2021	Regular	0.00	31.55	11436
000073	EASTLAKE SANITARY LANDFILL	10/21/2021	Regular	0.00	88.76	11437
VEN01126	ECORP CONSULTING, INC	10/21/2021	Regular	0.00	11,466.65	11438
000625	FIRST AMERICAN TITLE COMPANY	10/21/2021	Regular	0.00	1,000.00	11439
000797	GRANITE CONSTRUCTION	10/21/2021	Regular	0.00	127,329.74	11440
001402	GREEN VALLEY CONSULTING	10/21/2021	Regular	0.00	1,777.50	11441
001775	JONES & MAYER	10/21/2021	Regular	0.00	13,689.66	11442
001598	KONOCITES	10/21/2021	Regular	0.00	1,300.00	11443
000158	LAKE COUNTY SPECIAL DISTRICTS	10/21/2021	Regular	0.00	114.06	11444
VEN01209	LANO EQUIPMENT	10/21/2021	Regular	0.00	4,050.00	11445
VEN01202	LISA R BELVAIL COWDREY &/OR CHRIS	10/21/2021	Regular	0.00	2,297.74	11446
002252	MORTGAGE LENDER SERVICES INC	10/21/2021	Regular	0.00	2,263.79	11447
000026	NATIONWIDE RETIREMENT SOLUTION	10/21/2021	Regular	0.00	1,320.08	11448
002161	NHA ADVISORS	10/21/2021	Regular	0.00	2,750.00	11449
001392	OFFICE DEPOT	10/21/2021	Regular	0.00	142.18	11450
VEN01210	ONE SHOT MINING COMPANY, LLC	10/21/2021	Regular	0.00	570,000.00	11451
000009	OPERATING ENGINEERS LOCAL 3	10/21/2021	Regular	0.00	624.00	11452
001889	PERFORMANCE MECHANICAL	10/21/2021	Regular	0.00	914.00	11453
001843	PG&E CFM	10/21/2021	Regular	0.00	679.28	11454
002031	REDWOOD COAST FUELS	10/21/2021	Regular	0.00	2,093.28	11455
001876	SYAR INDUSTRIES INC	10/21/2021	Regular	0.00	5,947.28	11456
000099	U.S. CELLULAR	10/21/2021	Regular	0.00	477.41	11457
001540	US BANK CORPORATE PMT. SYSTEM	10/21/2021	Regular	0.00	1,687.20	11458
000708	VALIC LOCKBOX	10/21/2021	Regular	0.00	695.00	11459
000138	ZUMAR INDUSTRIES	10/21/2021	Regular	0.00	2,355.13	11460

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	61	38	0.00	803,441.29
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
	61	38	0.00	803,441.29

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	10/2021	803,441.29
			<u>803,441.29</u>



Clearlake, CA

Section G, Item 3.

Check Register

Packet: APPKT00906 - 10/28/21 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						
001397	AT&T CALNET 3	10/28/2021	Regular	0.00	355.22	11504
000861	BIG O TIRES	10/28/2021	Regular	0.00	198.36	11505
002162	CALIFORNIA ENGINEERING	10/28/2021	Regular	0.00	11,466.65	11506
002370	CODE PUBLISHING CO	10/28/2021	Regular	0.00	7,153.65	11507
002246	DAVIS FABRICATION INC	10/28/2021	Regular	0.00	696.80	11508
VEN01200	ERIC R OGRAM	10/28/2021	Regular	0.00	26.10	11509
001199	EUREKA OXYGEN CO	10/28/2021	Regular	0.00	284.34	11510
000096	GOLDEN STATE WATER COMPANY	10/28/2021	Regular	0.00	30.43	11511
VEN01202	LISA R BELVAIL COWDREY &/OR CHRIS	10/28/2021	Regular	0.00	3,446.61	11512
000793	MEDIACOM	10/28/2021	Regular	0.00	800.00	11513
001511	PARCELQUEST	10/28/2021	Regular	0.00	5,075.00	11514
002264	WEX BANK	10/28/2021	Regular	0.00	8,866.72	11515

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	12	12	0.00	38,399.88
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
	12	12	0.00	38,399.88

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	10/2021	38,399.88
			<u>38,399.88</u>

CITY OF CLEARLAKE

City Council



STAFF REPORT

SUBJECT: Amendment to Adams Ashby Consultant Contract**MEETING DATE:** November 4, 2021**SUBMITTED BY:** Director of Finance, Kelcey Young**PURPOSE OF REPORT:** ☐ Information only ☐ Discussion ☒ Action Item**WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:**

The City Council is being asked to Authorize the City Manager to execute an amendment to the agreement with Adam's Ashby Group, to increase the not to exceed contract amount to \$150,000, extend the Contract to July 2022, and to further define the scope of services to include additional assistance in managing the City's Community Development Block Grant (CDBG) and other State and Federally Funded grants.

BACKGROUND/DISCUSSION:

The City submitted a Request for Proposals (RFP) in June 2019 and Adams Ashby was selected as the Consultant by a single bid award process for \$34,884.00. Due to the applying for additional grants, and being awarded additional grant funds, the need for Adams Ashby's Services has increased. At the time of the RFP the City had been awarded \$500,000 in CDBG funds, but now has been awarded approximately \$20 million through the program. The contract increase will be paid for out of current grant funds as part of the administrative costs.

OPTIONS:

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

FISCAL IMPACT:
☐ None ☒ \$115, 116 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:**
- 1)
 - 2)



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Continuation of Declaration of Local Emergency Issued on March 14, 2020 and Ratified by Council Action March 19, 2020

MEETING DATE:
August 5, 2021

SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to keep declaration of emergency active and set next review in sixty days.

BACKGROUND/DISCUSSION:

On March 13, 2020 City Manager Flora, as the Director of Emergency Services for the City of Clearlake, declared in the attached Proclamation by the Director of Emergency Services Declaring a Local Emergency due to the state and federal declaration of the COVID-19/Coronavirus pandemic:

“That conditions of disaster or extreme peril to the safety of the persons and property have within the City that are likely to be beyond the control of the services, personnel, equipment, and facilities of the City”

According to California Government Code Section 8630:

- (a) A local emergency may be proclaimed only by the governing body of a city, county, or city and county, or by an official designated by ordinance adopted by that governing body.
- (b) Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body.
- (c) The governing body shall review the need for continuing the local emergency at least once every 30 days until the governing body terminates the local emergency.
- (d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

On March 19th, 2020, the Council ratified the Proclamation of the Local Emergency by a Resolution No. 2020-10. The Council must continue the Proclamation every 60 days or terminate the local emergency.

It is recommended that the City Council again continue the Proclamation of Emergency ratified in Resolution No. 2020-10 and review the status of the Proclamation again within 60 days.

OPTIONS:

1. Move to continue the Proclamation of Emergency ratified in Resolution No. 2020-10 and review the status of the Proclamation again within 60 days
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: There is potential for recovery of costs by the City due to the declared state of emergency.

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 continue the Proclamation of Emergency ratified in Resolution No. 2020-10 and review the status of the Proclamation again within 60 days.

- ☐ **Attachments:**
- 1)
 - 2)



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Continuation of Declaration of Local Emergency Issued on August 18, 2021 and Ratified by Council Action August 19, 2021

MEETING DATE:
August 5, 2021

SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to keep declaration of emergency active and set next review in sixty days.

BACKGROUND/DISCUSSION:

On August 18, 2021 City Manager Flora, as the Director of Emergency Services for the City of Clearlake, declared a Local Emergency due to the Cache Fire:

“A local emergency exists based on the existence of conditions of disaster or of extreme peril to the safety of persons and property”

According to California Government Code Section 8630:

- (a) A local emergency may be proclaimed only by the governing body of a city, county, or city and county, or by an official designated by ordinance adopted by that governing body.
- (b) Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body.
- (c) The governing body shall review the need for continuing the local emergency at least once every 30 days until the governing body terminates the local emergency.
- (d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

On August 19, 2021, the Council ratified the Proclamation of the Local Emergency by adoption of Resolution No. 2021-44. The Council must continue the Proclamation every 60 days or terminate the local emergency.

It is recommended that the City Council again continue the Proclamation of Emergency Resolution No. 2021-44 and review the status of the Proclamation again within 60 days.

OPTIONS:

1. Move to continue the Proclamation of Emergency ratified in Resolution No. 2021-44 and review the status of the Proclamation again within 60 days
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: There is potential for recovery of costs by the City due to the declared state of emergency.

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 continue the Proclamation of Emergency ratified in Resolution No. 2020-10 and review the status of the Proclamation again within 60 days.



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Continuation of Director of Emergency Services/City Manager Order (Directive #CACHE-01) Restricting Access to Specified Areas as a Result of Cache Fire

SUBMITTED BY: Alan D. Flora, City Manager

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL:

On August 18, 2021 The Director of Emergency Services/City Manager issue a Proclamation of Local Emergency due to the Cache Fire, which was ratified by the City Council on August 19, 2021.

On August 23, 2021 the roadblocks into the fire area were lifted and unauthorized access to the Cache Fire impacted properties became a concern. Based on this concern and the need for law enforcement to have the appropriate tools to prohibit and take action against illegal activity in the area, the City Manager issued a directive restricting access to specified areas as a result of the Cache Fire.

Pursuant to Section 2-11.6.a.6.a of the Clearlake Municipal Code, the Director is empowered to make and issue rules and regulation on matters reasonably related to the protection of life and property as affected by such emergency; provide, however such rules and regulations must be confirmed at the earliest practical time by the City Council.

Staff believes there is still a need to restrict unauthorized access to the areas under the Cache Fire Directive #1 and it is in the best interests of the City to have the Council ratify and continue this order until the state of emergency can be lifted.

OPTIONS:

1. Continue to ratify order.

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:

☐ **Attachments:**



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Continuation of Declaration of Local Emergency Issued on October 9, 2017 and Ratified by Council Action October 12, 2017

MEETING DATE:

SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to keep declaration of emergency active and set next review in 30 days

BACKGROUND/DISCUSSION:

On October 9th, 2017, former City Manager Folsom, as the Director of Emergency Services for the City of Clearlake, declared in a Proclamation by the Director of Emergency Services Declaring a Local Emergency:

“That conditions of extreme peril to the safety of the persons and property have arisen within the City of Clearlake caused by the wildfire on October 9th, 2017.”

According to California Government Code Section 8630:

- (a) A local emergency may be proclaimed only by the governing body of a city, county, or city and county, or by an official designated by ordinance adopted by that governing body.
- (b) Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body.
- (c) The governing body shall review the need for continuing the local emergency at least once every 30 days until the governing body terminates the local emergency.
- (d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

On October 12th the Council ratified the Proclamation of the Local Emergency by adoption of Resolution No. 2017-78. The Council must continue the Proclamation every 30 days or terminate the local emergency.

It is recommended that the City Council again continue the Proclamation of Emergency ratified in Resolution No. 2017-78 and review the status of the Proclamation again within 30 days.

OPTIONS:

1. Move to continue the Proclamation of Emergency ratified in Resolution No. 2017-78 and review the status of the Proclamation again within 30 days.
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: There is potential for recovery of costs by the City due to the declared state of emergency.

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 continue the Proclamation of Emergency ratified in Resolution No. 2017-78 and review the status of the Proclamation again within 30 days.

- ☐ **Attachments:** 1)
- 2)



CITY COUNCIL REGULAR MEETING

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

Thursday, October 07, 2021

Regular Meeting 6:00 PM

MINUTES

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. INVOCATION/MOMENT OF SILENCE

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

There were no changes to the agenda.

E. PRESENTATIONS

1. Presentation by Chief White Swearing In New and Promoted Employees
2. Proclamation Declaring October 2021 as Domestic Violence Awareness Month
3. Proclamation Declaring October 2021 as Breast Cancer Awareness Month

F. PUBLIC COMMENT

There was no public comment.

G. CONSENT AGENDA

There were no changes to the Consent Calendar.

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

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

4. Consideration of Acceptance of the property located at 16502 5th Avenue.
Recommended Action: Move to approve the acceptance of the property located at 16502 5th Avenue.
5. Ratification of Director of Emergency Services/City Manager Order (Directive #CACHE-01)
Restricting Access to Specified Areas as a Result of Cache Fire.
Recommended Action: Ratify order

6. Minutes of the August and September Meetings
Recommended Action: Receive and file
7. Authorization of a Senior Account Clerk Position; Resolution No. 2021-50
Recommended Action: Authorize position and adopt resolution
8. Continuation of Declaration of Local Emergency Issued on March 14, 2020 and Ratified by Council Action on March 19, 2020
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days
9. Continuation of Declaration of Local Emergency Issued on October 9, 2017 and Ratified by Council Action October 12, 2017
Recommended Action: By motion keep declaration of emergency active and set next review in 30 days
10. Warrants
Recommended Action: Receive and file
11. Adoption of the 2nd Amendment to the FY 2021-22 Budget (Resolution No. 2021-33); Resolution No. 2021-51
Recommended Action: Adopt resolution

H. BUSINESS

12. Update and Discussion on the Cache Fire
Recommended Action: Provide Direction to Staff.

There was no action taken on this item.

13. Discussion and Possible Action Regarding Purchase of Property Located at 6388 Vallejo Avenue, Clearlake (APN 042-122-21)
Recommended Action: Authorize the City Manager to execute a purchase agreement and other documents as necessary to complete the purchase of property located at 6388 Vallejo Avenue, Clearlake.

City Manager Flora gave the staff report.

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

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

14. Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361
Recommended Action: Authorize the City Clerk to implement and utilize teleconference accessibility to conduct public meetings pursuant to Assembly Bill 361; Resolutions 2021-48 and 2021-49

Administrative Services Director/City Clerk Swanson gave the staff report.

Resolution No. 2021-48: 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

Resolution No. 2021-49: 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

I. CITY MANAGER AND COUNCILMEMBER REPORTS

J. FUTURE AGENDA ITEMS

K. CLOSED SESSION

(15) Conference with Real Property Negotiators: Pursuant to Government Code Section 54956.8.
Property Address: 16080 Dam Road, Clearlake; Agency Negotiation: City Manager Alan Flora;
Negotiating Party: Cache Creek Partners; Under Negotiation: Price and terms of payment.

L. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

There was no action taken by Council in Closed Session.

M. ADJOURNMENT

The meeting was adjourned at 7:45 p.m.

BY:



Melissa Swanson, Administrative Services Director/City Clerk



CITY COUNCIL REGULAR MEETING

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

Thursday, October 21, 2021

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:

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

Council removed item #16 Closed Session from the agenda.

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

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

E. PRESENTATIONS

1. Presentation of October's Adoptable Dogs

F. PUBLIC COMMENT:

Barbara Christwitz submitted a comment regarding public dumping.

G. CONSENT AGENDA:

Motion made by Vice Mayor Perdock, Seconded by Council Member Claffey.

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

2. Consideration of Acceptance of the Property located at 13696 Santa Clara Avenue.
Recommended Action: Move to approve the acceptance of the property located at 13696 Santa Clara Avenue and authorize the City Manager to sign the Certificate of Acceptance.
3. Consideration of Acceptance of the Property located at 15789 25th Avenue.
Recommended Action: Move to approve the acceptance of the of the property located at 15789 25th Avenue and authorize the City Manager to sign the Certificate of Acceptance.
4. Warrants
Recommended Action: Receive and file
5. Consideration of Resolution No. 2021-53, A Resolution of the City Council of the City of Clearlake Approving a Temporary Street Closure for the Annual Trunk or Treat
Recommended Action: Approve Resolution No. 2021-53
6. Lake County Vector Control District Board Minutes of September 8, 2021
Recommended Action: Review and file
7. Approval of Resolution 2021-52 adoption of the 3rd Amendment to the FY 2021 Budget(resolution 2021-33) appropriating revenue from the CDBG DR Multifamily Housing Program in the amount of \$1,157.983.00 in Federal Grant Dollars to be allocated to Fund 354
Recommended Action: Adopt resolution
8. Measure V Oversight Committee Resolution No. OC 2021-01
Recommended Action: Review and file
9. Authorization of an Agreement for the City Hall Breakroom
Recommended Action: Authorize City Manager to enter into a contract with Lucky Construction for the City Hall Breakroom Remodel and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments

H. PUBLIC HEARING

10. Public Hearing to Consider Approving the Issuance of Bonds by the California Statewide Communities Development Authority for the Clearlake Apartments
Recommended Action: Conduct Hearing and adopt Resolution 2021-54 approving issuance of tax-exempt bonds

Administrative Services Director Swanson gave the staff report. James Hamill with the California Statewide Communities Development Authority was available for questions.

Public Hearing was opened and closed without public comment.

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

I. BUSINESS**11. Award of Contract for the Waterpark Demolition Project**

Recommended Action: Authorize City Manager to enter into a contract with Resource Environmental for the Waterpark Demolition Project in the amount of \$239,800.00 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.

Public Works Director Goodman 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

12. Award of contract for Abandoned Vehicle Abatement Program towing, storing, dismantling and disposal services.

Recommended Action: Authorize city manager to execute contract.

Lee Lambert - Code Enforcement Supervisor gave the Staff Report.

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

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

13. Update and Discussion on the Cache Fire

Recommended Action: Provide Direction to Staff

Finance Director Young gave Staff Report. No action taken by Council.

14. Discussion and Possible Action Regarding the Lake County Board of Supervisors Redistricting Process

Recommended Action: Provide Direction to Staff

City Manager Flora gave Staff Report

It was the consensus of the Council to support 3 supervisors for the City of Clearlake and to appoint Mayor Slooten and Councilmember Cremer to attend the Board of Supervisors November 2, 2021 meeting and report back at the November 4, 2021 City Council Meeting

15. Discussion and Possible Action Regarding a Storage Facility for Disaster Supplies

Recommended Action: Provide Direction to Staff

Councilmember Cremer spoke about the facility.

Council directed staff to move forward.

J. CITY MANAGER AND COUNCILMEMBER REPORTS

K. FUTURE AGENDA ITEMS

Mayor Slooten asked for and received consensus of the Council to add an update on the Sunflower Building and the cottages next to the Sunflower Building to a future agenda.

L. CLOSED SESSION

(16) Conference with Legal Counsel- Existing Litigation: Pursuant to Government Code Section 54956.9: Case No. CV-421149; Name of Case: City of Clearlake v. County of Lake, a political subdivision of the State of California; Board of Supervisors of the County of Lake, a public body of the County of Lake; Barbara C. Ringen, in her official capacity as the Treasurer-Tax Collector of the County of Lake; and Does 1 through 30, inclusive

There was no closed session.

M. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

N. ADJOURNMENT

Meeting was adjourned at 7:30pm.

BY:

Tina Viramontes

Facilities Coordinator/Deputy City Clerk



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: ☐ Information only ☐ Discussion ☒ 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. 2021-57

RESOLUTION NO. 2021-57

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 4th day of November, 2021 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: Update and Discussion on the Cache Fire

MEETING DATE: Nov. 4, 2021

SUBMITTED BY: Alan D. Flora, City Manager

PURPOSE OF REPORT: ☐ Information only ☒ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL:

The City Council is being asked to discuss response to the Cache Fire and provide possible direction as needed.

BACKGROUND/DISCUSSION:

On August 18th the Cache Fire erupted within the City boundary, destroying 57 homes, 81 outbuildings and various other property. On August 19th the City Council Ratified the City Manager/Emergency Services Director's State of Emergency and request for a state declaration and aid. On August 24th the County Board of Supervisors ratified the Public Health Emergency and declared a County state of emergency as a result of the Cache Fire.

While no state or federal declarations or significant aid have yet been approved, we are working with various state agencies and our legislative representatives to respond to the immediate need for housing, and cleanup as we prepared for rebuilding. This item is to provide an update to the Council and community on the current status of various aspects of the recovery efforts from the Cache Fire and to facilitate discussion and possible direction to staff as needed.

OPTIONS:

1. Provide Direction to Staff.

FISCAL IMPACT:

☐ None ☐ \$ Budgeted Item? ☐ Yes ☐ No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

- ☒ Goal #4: Improve the Image of Clearlake
- ☒ Goal #5: Ensure Fiscal Sustainability of City
- ☐ Goal #6: Update Policies and Procedures to Current Government Standards
- ☐ Goal #7: Support Economic Development

Section H, Item 11.

SUGGESTED MOTIONS:

☐ **Attachments:**



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Consideration of Marketing Committee Appointment to One Vacant Seat

MEETING DATE:
November 4,
2021

SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to appoint a member of the Clearlake Marketing Committee.

BACKGROUND/DISCUSSION:

Former Marketing Committee Member Susan Bloomquist resigned from the Committee in August. Staff advertised for the vacant seat and received one applications as of October 28th, Michael McKeown. In addition to the received application, there may be additional applicants or a nomination from the floor at the meeting. Terms on the Committee are for no specified limit and continue at the Council's discretion.

Staff recommends reviewing the application, interviewing the applicant(s), and appointing one applicant to the vacant Marketing Committee seat.

OPTIONS:

1. Move to appoint Michael McKeown to the Marketing Committee
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 (Name of Person) to the Marketing Committee.

- ☒ **Attachments:** 1) Marketing Committee Application of Michael McKeown



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

Committee Member Application

Please return the completed application to the City Clerk at the above address

Please be advised that the information on this form is a public record subject to disclosure upon request under the California Public Records Act.

Name: MICHAEL MCKEOWN

Telephone: (Home) _____ (Work) _____ (Cell) 707-337-9410

Email: MICHAEL@WINECOUNTRYWEBSERVICES.COM

Street Address: 3591 MOUNTAIN VIEW ST. CLEARLAKE CA
95422

Mailing Address: _____

Occupation: SELF EMPLOYED BUSINESS OWNER

Employer: SELF

Registered Voter? ☒ Yes ☐ No

Please provide a brief statement regarding what skills you would bring to the Committee if appointed:

WEB TECHNOLOGIES, MARKETING

Please provide a brief summary of your education and work experience:

A.S. DEGREE, ENGINEERING, WEB. I HAVE

CHARGED LARGE EVENTS (RELAY FOR LIFE NAPA),

I HAVE BEEN IN CHARGE OF ORGANIZATIONS (MASONS, CLUBS)



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Consideration of Appointment of a Planning Commissioner to Fill an Unexpired Term Ending in March 2025

MEETING DATE:
November 4, 2021

SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk

PURPOSE OF REPORT: ☐ Information only ☐ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to hold interviews of applicants and by motion, appoint one Planning Commissioner for the term ending March 2025

BACKGROUND/DISCUSSION:

Planning Commission Chair Kathryn Davis resigned from the Planning Commission in September.

Staff advertised and accepted applications for the vacant seat, including contacting prior applicants on file. Administrative Services Director/City Clerk Swanson received three timely applications for the vacant seat: However, one applicant rescinded their application prior to the meeting.

On November 2nd, staff received an additional application from Terry Stewart, which has been added to the agenda packet.

It is staff's recommendation to interview all applicants. The new Planning Commissioner would then be appointed by motion and majority vote of the Council to hold office for the term which ends in March 2025.

OPTIONS:

1. Move to appoint one applicant to the vacant planning commission term ending March 2025.
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 _____ to the vacant Planning Commission seat for the term ending March 2025.

- ☒ **Attachments:** 1)Applications for Planning Commission



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

Committee/Commission Member Application

Please return the completed application to the City Clerk at the above address

Please be advised that the information on this form is a public record subject to disclosure upon request under the California Public Records Act.

Name: Jim Scholz

Telephone: (Home) _____ (Work) _____ (Cell) 350-3978

Email: jimscholz44@gmail.com

Street Address: 3801 Laddell Ave.

Mailing Address: P.O. Box 2037 Clearlake, CA. 95422

Occupation: Retired

Employer: Self - Clearlake Upholstery 32 yrs.

Registered Voter? ☒ Yes ☐ No

Please provide a brief statement regarding what skills you would bring to the Committee if appointed:

I've Always been concerned for our city.
I ran for City Council in 2010.
I started a Redevelopment Project for my
Street in 2018. I have volunteered at the
Clearlake Chamber + Visitor Center for 2 1/2 yrs.

Please provide a brief summary of your education and work experience:

3 yrs. of college - Self employed
at Clearlake Upholstery for 32 yrs.

Name of City Commissions/Committees
On Which You Have Served

No. of Years Position(s) Held

<u>Clearlake Vision Committee</u>	<u>3</u>	<u>Member</u>
<u>Clearlake Redevelopment</u> <u>Committee</u>	<u>3</u>	<u>Member</u>

Name of County Commissions/Committees
On Which You Have Served

No. of Years Position(s) Held

<u>Redbud Healthcare District</u>	<u>2</u>	<u>Member</u>
<u>Local Agency Foundation Com.</u> <u>(LAFCO)</u>	<u>1 1/2</u>	<u>Commissioner</u>

Can you attend daytime meetings (8:00 A.M. – 5:00 P.M.)

☒ Yes ☐ No

Can you attend evening meetings (After 5:00 P.M.)

☒ Yes ☐ No

A résumé reflecting experience, community activities, or other qualifications not listed above may be attached in order to assist the Council in evaluating your application (OPTIONAL).

For further information contact Melissa Swanson, City Clerk at 994-8201 Ext. 106 or mswanson@clearlake.ca.us.

I HEREBY CERTIFY UNDER PENALTY OF DISQUALIFICATION AND TERMINATION THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature: James E. Scholz Date: 9-29-21

FOR OFFICE USE ONLY

Received

By:

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 **SEP 29 2021**
CITY OF CLEARLAKE

RECEIVED



CITY OF CLEARLAKE

City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

Pla Commission
Section H, Item 13.

Committee/Commission Member Application

Please return the completed application to the City Clerk at the above address

Please be advised that the information on this form is a public record subject to disclosure upon request under the California Public Records Act.

Name: Thomas Burnett

Telephone: (Home) 707 8376761 (Work) _____ (Cell) 7078376761

Email: thomas@ironcitysystems.com

Street Address: 4037 Crandall Avenue

Mailing Address: P.O. BOX 3496

Occupation: Operations

Employer: Akwaaba LLC

Registered Voter? ☒ Yes ☐ No

Please provide a brief statement regarding what skills you would bring to the Committee if appointed:

I will bring enthusiasm for Lake County growth and development and the distribution of opportunities

I will bring my communication skills, both written and oral as well as my ability to listen

Please provide a brief summary of your education and work experience:

Education: Fort Lewis College, Durango Colorado Degree: Bachelor of Arts Achievements: 4 Year Letterman and Residence Assistant (RA)

Over 20 years in Information Systems and Technology with experience in Operations and Logistics as an analyst and coordinator.

Name of City Commissions/Committees
On Which You Have Served

No. of Years Position(s) Held

_____	_____	_____
_____	_____	_____
_____	_____	_____

Name of County Commissions/Committees
On Which You Have Served

No. of Years Position(s) Held

_____	_____	_____
_____	_____	_____
_____	_____	_____

Can you attend daytime meetings (8:00 A.M. – 5:00 P.M.) ☒ Yes ☐ No

Can you attend evening meetings (After 5:00 P.M.) ☒ Yes ☐ No

A résumé reflecting experience, community activities, or other qualifications not listed above may be attached in order to assist the Council in evaluating your application (OPTIONAL).

For further information contact Melissa Swanson, City Clerk at 994-8201 Ext. 106 or mswanson@clearlake.ca.us.

I HEREBY CERTIFY UNDER PENALTY OF DISQUALIFICATION AND TERMINATION THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature:  _____ Date: 10-18-2021

FOR OFFICE USE ONLY

Received _____ By: _____



City of Clearlake

14050 Olympic Drive, Clearlake, California 95422
(707) 994-8201 Fax (707) 995-2653

Section H, Item 13.

City of Clearlake Planning Commission Application

Please return the completed application to the City Clerk at the above address by
November 4, 2021 at 5:00 P.M.

Please be advised that the information on this form is a public record subject to disclosure upon request under the California Public Records Act.

Name: TERRY L. STEWART

Telephone: (Home) N/A (Work) N/A (Cell) 707-350-2372

Email: TERRY.L.STEWART@YAHOO.COM

Street Address: 14100 OLYMPIC DR., CLEARLAKE, CA. 95422

Mailing Address: SAME

Occupation: LANDLORD, OWNER DISCOUNT SHADES & BLINDS

Employer: SELF

Please provide a brief statement regarding what skills you would bring to the Planning Commission if appointed:

LIFELONG RESIDENT AND LOCAL BUSINESS OWNER OVER
42 YEARS, FIREMAN WITH LOCAL DIST FROM 1970-1989. PRESIDENT
OF CLEARLAKE SPORTSMANS' CLUB 1983-1995. PRESIDENT OF CLK.
CHAMBER OF COMMERCE 1991-92 ROTARY CLUB OF CLK 2002 TO PRESENT.

Please provide a brief summary of your education and work experience:

GRADUATED LOWER LAKE HIGH SCHOOL 1968. BECAME A
LICENSED CONTRACTOR (C-15) IN 1979. OWNED & OPERATED
FLOOR TOWN 1980-2000. 2000 TO PRESENT: LOCAL LANDLORD
OF MULTIPLE RENTALS, & OWNER/OPERATOR DISCOUNT SHADES &
BLINDS.

No. of Years	Position(s) Held
1990-1992	President, American Society of Mechanical Engineers
1992-1994	Vice President, American Society of Mechanical Engineers
1994-1996	President, American Society of Mechanical Engineers
1996-1998	Vice President, American Society of Mechanical Engineers
1998-2000	President, American Society of Mechanical Engineers
2000-2002	Vice President, American Society of Mechanical Engineers
2002-2004	President, American Society of Mechanical Engineers
2004-2006	Vice President, American Society of Mechanical Engineers
2006-2008	President, American Society of Mechanical Engineers
2008-2010	Vice President, American Society of Mechanical Engineers
2010-2012	President, American Society of Mechanical Engineers
2012-2014	Vice President, American Society of Mechanical Engineers
2014-2016	President, American Society of Mechanical Engineers
2016-2018	Vice President, American Society of Mechanical Engineers
2018-2020	President, American Society of Mechanical Engineers
2020-2022	Vice President, American Society of Mechanical Engineers
2022-2024	President, American Society of Mechanical Engineers

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CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Discussion and Direction Regarding Regulation of Syringe Services and Drug Smoking Supply Distribution Program in Clearlake

MEETING DATE: 11/4/2021

SUBMITTED BY: Andrew White, Chief of Police

PURPOSE OF REPORT: ☐ Information only ☒ Discussion ☒ Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to provide direction to staff regarding the operation of Syringe Services Programs (SSPs), which have expanded to the distribution of drug smoking pipes and paraphernalia, in the City of Clearlake.

BACKGROUND/DISCUSSION:

Late last year, the police department sought feedback on a proposed renewal of the SSP authorization for Community Outreach Matters (COM) in the city by the California Department of Public Health (CDPH). Concerns raised by the community included the impact on our neighborhoods, issues regarding the sites, our youth, and an increase in discarded needles despite the intent to be an “exchange”.

This feedback was shared with the CDPH along with a request for the applicant to better address the disposal issues, reduce the distribution sites and engage with service providers like The Hope Center. The city additionally inquired with CDPH regarding whether an environmental impact report was done pursuant to the California Environmental Quality Act (CEQA). COM was ultimately not reauthorized by CDPH and ceased operation in April 2021. A recent change in state law exempted these programs from environmental review, however, during the legislative process, a provision to exempt the providing of these services from being deemed a public nuisance was removed from the final legislation.

Last week we learned that Any Positive Change (APC) was conducting syringe exchange operations in the City of Clearlake and that their operation expanded to include the distribution of glass smoking pipes for drugs, including methamphetamine.

Staff contacted CDPH to inquire regarding the status of APC with respect to the city. Staff learned that APC is not a state SSP, but rather operates under authorization granted by the Lake County Board of Supervisors (Exhibit A – LCBOS Resolution 2018-42). Thus, there was no engagement from CDPH with the city or our community regarding APC typical with a CDPH SSP.

The city obtained a copy of the enabling resolution for a needle exchange from the Lake County Board of Supervisors (2008-42). The authorization refers specifically to a clean needle and syringe exchange program. The resolution requires an annual report regarding the status of the program, including statistics on blood-borne infections associated with needle sharing activity and an opportunity for public comment, including from law

enforcement, so that potential adverse impacts on the public welfare are addressed and mitigated. agenda search, an update was last presented on March 6, 2018. The update focused on the needle exchange as well as naloxone, which is now widely carried by law enforcement personnel in Lake County for responding to drug overdoses.

Expansion of Safe Smoking Supplies

In January 2020, the CDPH expanded the supplies made available for syringe exchange programs to include “glass pipes, foil and copper wire filters, among other materials” as a harm reduction service. These items support the smoking of methamphetamine, crack cocaine and heroin.

According to material provided by CDPH, they have determined these drug supplies may help individuals avoid initiating injection drug use and may allow people who inject drugs to transition from injection to safer modes of administration. They also believe these “safer smoking supplies” may reduce the risk of respiratory infections and injuries from damaged pipes. The material provided offered no information regarding the potential harm to the public by the increased prevalence of these supplies. The availability of drug ingestion supplies from CDPH varies based on their funding.

CDPH explained that California Health and Safety Code § 121349.1 exempts syringe service program staff, volunteers and participants from prosecution for the possession of “safer smoking materials”, including the pipes and related paraphernalia, from any authorized syringe service program in California.

According to data provided from Any Positive Change to the city, they received a large number of pipes at the end of fiscal year 2020/21 from the California Clearinghouse. They indicated prior to glassware dispensing, they averaged 6,500-8,000 syringes. After dispensing glassware, they indicate their dispensing dropped to 3,000-4,000. Data has not been provided regarding the impacts on the program with respect to reducing communicable diseases in the local community nor any local, evidence-based studies conducted over the relatively long term of operation of the original needle exchange as it relates to the communicable disease outcome.

Community Input

The Police Department published information regarding this latest development on social media. To date, the article has reached over 41,000 people, had over 18,000 engagements and received over 600 comments. There were a variety of concerns raised as well as information provided from proponents of the program regarding a community benefit. Resoundingly, significant concerns were expressed, including feedback from persons who have recovered from addiction, regarding the harms this expansion can cause. Numerous comments indicated a desire for community members to be able to voice their concerns at a City Council or Board of Supervisors meeting.

Board of Supervisors

As of the writing of this report, it is staff’s understanding that the Board of Supervisors will be taking this item up at their next meeting. It is anticipated they will consider a moratorium and/or amendments to their existing program operation and add to the authorization framework to amongst other things, ensure community feedback is considered with respect to these operations as well as city approval for operations occurring in the city limits. At the time of the Council Meeting, staff will update the Council regarding any action or inaction by the Board regarding this.

Authorization in the City

The property owner where APC was conducting their exchange in the city limits severed the relationship and APC’s activities are now occurring in the unincorporated areas of the county. Although the county did establish a needle exchange program, the resolution would cover only the unincorporated areas of the county. With

respect to the City, Health and Safety Code §121349 provides that an SSP may be established within action of the City Council or by direct authorization by the CDPH. As discussed earlier, with the non-renewal of COM's SSP, there are no CDPH authorized SSPs approved for operation in the city and the City Council has not authorized an SSP under the authority of §121349.

If APC desired to operate in the City of Clearlake's jurisdictional boundaries, they could seek authorization for such a program through CDPH. In that case, consistent with the law, staff would anticipate an interactive, consultative based process with opportunity for public comment and engagement, consistent with what was experienced with COM's process. Alternatively, they could ask the City Council to authorize an SSP program, in which case staff would need to develop a program framework, policies and procedures, reporting and appropriate oversight. Staff does not recommend the City Council pursue establishing an SSP under its authority given CDPH's existing program framework.

OPTIONS:

Staff is seeking direction from the City Council on a path forward. Staff is offering the following options, but also believes that public comment at this meeting along with deliberations by the City Council may reveal other options.

1. The Council may decide to not take any legislative action. As discussed, there are no SSPs authorized to operate in the city limits and APC ceased their operation due to loss of the distribution site. If an application for an SSP to operate in Clearlake was submitted to CDPH, the Council could consider action at that time. One consideration, however, is that CDPH would not be bound to accept any of the feedback. Based on prior experience, issues may arise around where distribution sites would be located, including potentially near sensitive areas including, but not limited to, schools, parks and playgrounds. If the Council decided to take legislative action, an emergency ordinance would need to be implemented.
2. The Council may direct staff to prepare an ordinance regarding SSPs with respect to public nuisance provisions and land use. The City possesses inherent authority, through the Council, to declare actions and activities as public nuisances. The City has the authority to make and enforcement police, sanitary and other ordinances and regulations, and to enact regulations regarding land use to protect the public health, safety, peace, comfort and general welfare.

Cities across California have enacted ordinances regarding SSPs. The Cities of Biggs, Chico, Marysville, Oroville, Paradise, Santa Ana, Wheatland, Yuba City and Sutter County are a sampling of jurisdictions that have enacted complete bans on SSPs. The Cities of Costa Mesa and Anaheim enacted moratoriums followed by permanent bans.

- a. *Ban*: Enact a ban on needle exchange operations within the City based on land use and public nuisance findings regarding the deleterious effects on the community at large.
- b. *Moratorium*: Enact a moratorium to provide an opportunity to further study the issue and craft regulations that consider all sides of the issue and provide opportunities to address and mitigate concerns regarding the programs.
- c. *Regulatory*: Enact an ordinance containing regulatory framework regarding SSP operation within the city. Additional research from the City Attorney would be required to determine the scope of this type of an ordinance. Presumably, the ordinance would focus on land use related issues such as establishing restrictions regarding the operation locations of SSPs.

Additionally, although Health and Safety Code §121349.1 prohibits *criminal prosecution* regarding the possession, furnishing or transfer of items provided under the SSP, the Council

could enact regulations related to these items subject to an administrative citation (criminal violation).

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:

N/A

BOARD OF SUPERVISORS, COUNTY OF LAKE STATE OF CALIFORNIA

RESOLUTION NO: 2008-42

RESOLUTION AUTHORIZING SUPPORT OF ASSEMBLY BILL 547 (AB 547), A SYRINGE EXCHANGE PROJECT TO COMBAT THE SPREAD OF HIV AND BLOOD-BORNE HEPATITIS INFECTIONS

WHEREAS, as of 2001, an estimated 600,000 Californians were infected with Hepatitis C attributable to the sharing of contaminated syringes and over one thousand Californians are infected with HIV through syringe sharing each year. Numerous studies concur that improved syringe access reduces the rate of HIV transmission, without increasing the rates of drug use, drug injection, or crime.

WHEREAS, the rapidly spreading acquired immunodeficiency syndrome (AIDS) epidemic, and the more recent spread of blood-borne hepatitis, pose an unprecedented public health crisis in California, and threaten, in one way or another, the life and health of every Californian; and

WHEREAS, injection drug users are the second largest group at risk of becoming infected with the human immunodeficiency virus (HIV) and developing AIDS, and they are the primary source of heterosexual, female, and perinatal transmission in California, the United States, and Europe; and

WHEREAS, according to the State Office of AIDS, injection drug use has emerged as one of the most prevalent risk factors for new AIDS cases in California; and

WHEREAS, studies indicate that the lack of sterile needles available on the streets, and the existence of laws restricting needle availability promote needle sharing, and consequently the spread of HIV among injection drug users. The sharing of contaminated needles is the primary means of HIV transmission within the injection drug user population; and

WHEREAS, Assembly Bill 547 (2005) authorized local cities and counties to have a clean needle and syringe exchange project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Lake authorizes a clean needle and syringe exchange program; and

BE IT FURTHER RESOLVED by the Board of Supervisors of the County of Lake as follows: That the Lake County Health Officer shall present an annual report at a meeting of the Board of Supervisors detailing the status of syringe exchange programs including, but not limited to, relevant statistics on blood-borne infections associated with needle sharing activity and public funding of such programs. Members of the public, local public health officials and law

enforcement shall be given the opportunity to comment on the syringe exchange program at that time to ensure that any potential adverse impacts on the public welfare are addressed and mitigated. A copy of this resolution shall be delivered to the Auditor-Controller, Tax Collector and Health Services Department.

This resolution was passed and adopted the 26th day of February, 2008 by the following vote:

AYES: Supervisors Smith, Rushing, Brown and Robey

NOES: None

ABSENT OR NOT VOTING: Supervisor Farrington (absent)

ATTEST: Kelly F. Cox
Clerk of the Board of Supervisors

COUNTY OF LAKE

Ed Robey
Chairman, Board of Supervisors

BY: Burgin Hunt

APPROVED AS TO FORM:
ANITA L. GRANT, COUNTY COUNSEL

BY: Anita L. Grant



SMOKING SUPPLIES FOR HARM REDUCTION

Injection drug use is associated with disease transmission, injury, and substantial morbidity, mortality, and high costs to the health care system in California. Many drugs that are commonly injected – including heroin, fentanyl, and methamphetamine – may also be smoked or snorted, which is a significantly less risky mode of administration for people who are unwilling or unable to stop using drugs.

California Law and Safer Smoking Supplies

In 2018, California [Health and Safety Code section 121349.1](#) was amended in order to expand the scope of materials that may be made available for public health purposes by syringe services programs (SSPs). The law provides that staff, volunteers and program participants,

“shall not be subject to criminal prosecution for possession of needles or syringes or any materials deemed by a local or state health department to be necessary to prevent the spread of communicable diseases, or to prevent drug overdose, injury, or disability acquired from an authorized needle and syringe exchange project entity.”

Further, Health and Safety Code section 120780.2 permits the distribution of “other supplies” to syringe exchange programs.

“In order to reduce the spread of HIV, hepatitis C, and other potentially deadly blood-borne pathogens, the State Department of Public Health may purchase sterile hypodermic needles and syringes, and other supplies, for distribution to syringe exchange programs authorized pursuant to law (emphasis added).”

The California Department of Public Health (CDPH), Office of AIDS (OA) has determined that safer smoking materials, provided in a harm reduction context alongside health education and other care, may help individuals avoid initiation of injection drug use, and may allow people who inject drugs to transition from injection to safer modes of administration. In addition, availability of safer smoking supplies may reduce the risk of respiratory infections including influenza and tuberculosis, and injuries such as cuts and burns from using damaged pipes. Safer smoking supplies were made available through the CDPH/OA Syringe Supplies Clearinghouse to authorized syringe services programs (SSPs) beginning in January 2020.

People may lawfully obtain and possess safer smoking materials from [any authorized SSP in California](#). State law does not require SSP participants to have a program identification card or receipt for safer smoking supplies materials distributed by an SSP, and SSP participants may lawfully obtain supplies from SSPs located in jurisdictions other than where they live.

What Non-Injection Drug Using Supplies Does CDPH/OA Provide to SSPs?

Safer smoking materials made available through the CDPH/OA Syringe Supplies Clearinghouse may include glass pipes, foil, copper wire filters, and other materials, subject to change based on availability and funding. For more information on supplies currently offered by the Clearinghouse, contact SSPinfo@cdph.ca.gov.

EVIDENCE FOR PROVIDING SAFER SMOKING SUPPLIES TO REDUCE DRUG-RELATED HARM

Non-Injection Routes of Drug Administration are Less Dangerous Injecting more frequently is associated with a greater risk of blood-borne pathogen transmission.¹ Hepatitis C virus (HCV) transmission particularly affects young people who use drugs,² who may be at greater risk of infection because of different drug use patterns and less access to prevention services than older people.^{3,4,5}

A person's overall drug-related risk is lowered every time they choose to smoke instead of inject. Studies have found that participants who inject drugs are often willing to switch to smoking or other modes of administration when feasible^{6,7} and that non-injection routes of administration may pose less risk of overdose.^{8,9} Many of the harms of injection drug use, such as endocarditis, skin infections, and vein damage, are injection-specific.¹⁰ In addition to being harmful to individual health, endocarditis, HIV, and HCV are expensive to treat, and place a considerable economic burden on the public health system^{11,12} For example, the lifetime cost of treating the approximately 200 injection drug use-related HIV infections that occur in California each year is approximately \$90 million In 2018 California set aside \$70 million with a goal of treating HCV in about 2,000 people that year alone.¹³

Sharing Smoking or Snorting Supplies May Transmit Disease HCV has been found on used pipes,¹⁴ and sharing non-injection drug using equipment is associated with HCV infection.¹⁵ Pipe sharing has also been implicated in outbreaks of other diseases, such as tuberculosis.^{16,17} As with the risk of other respiratory infections, access to non-injection drug use materials may reduce sharing and the consequent risk of COVID-19 infection: while not yet studied with regard to illicit drugs, the sharing of tobacco cigarettes could be implicated in COVID-19 transmission through salivary droplets.¹⁸

Lack of access to new pipes is the primary reason drug smokers share pipes and use damaged pipes.¹⁹ People who smoke drugs may also resort to altering and using objects such as soda cans as make-shift pipes. This may introduce additional harmful chemicals from any printing or lining that may be on or in the can.²⁰ Providing pipes to people who use drugs leads to decreased risks from sharing pipes, using damaged pipes and improvising other objects as pipes.^{21,22}

Increasing Mortality Related to Methamphetamine and Cocaine There is an urgent need to better engage people who smoke or snort drugs, especially methamphetamine users, in harm reduction services and related care. California has experienced a

significant and alarming increase in deaths related to amphetamines and cocaine in recent years. According to CDPH's drug poisoning surveillance program,²³ in 2018 slightly more people died from amphetamine-related poisonings* (2,316) than opioid overdose (2,311). Additionally, 33.4% of all opioid overdose deaths also involved amphetamines. Between 2014 and 2018, the California rate of drug poisoning deaths involving amphetamines increased by 99.6%, and African American, Latinx, and Asian-American people had greater rates of drug poisoning deaths than white people.

People who Smoke Drugs Need Access to Harm Reduction Services Making pipes and other non-injection drug using supplies available through SSPs can serve as an engagement strategy and bring harm reduction services to people who use drugs, but do not inject. There is a marked decrease of reported drug-related health problems among people who obtain new pipes through SSPs²⁴ and SSPs serve as a point of entry to other services, including linkage to care and treatment services.²⁵

Offering new, non-injection drug using supplies for people who use drugs but who have not previously injected strengthens prevention interventions, including behavioral interventions that are effective in preventing initiation into injection²⁶.

Studies have found that SSP participants are more likely to use a condom than non-participant drug users.²⁷ Crack cocaine and methamphetamine use are associated with risky sexual behavior;^{28,29} and SSPs are well-equipped to provide information and education on reducing risky sexual behavior.

Conclusion

Distribution of non-injection drug using equipment is an accepted harm reduction practice. Access to new smoke pipes can lead to the reduction of injection incidents among people who inject drugs, which increases their personal protective behaviors. Expanding harm reduction services beyond people who inject drugs is an effective strategy to address our opioid and methamphetamine overdose epidemic. It provides equitable access to care and treatment services, regardless the mode of drug consumption.

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* Presumed to be predominately related to illicit methamphetamine.

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CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Discussion and Possible Action Regarding Lake County's Supervisorial Redistricting Process and Additional Input to the California Redistricting Commission	MEETING DATE: Nov. 4, 2021
SUBMITTED BY: Alan D. 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:

The City Council has previously discussed both Lake County's Supervisorial Redistricting Process the California Redistricting Commissions Process for Congressional, Assembly and State Senate Redistricting. The Council is being asked if they want to provide additional input on either process.

As a result of the 2020 Census most political boundaries must be redrawn to adjust districts based on population. This process has been significantly slowed due to the Census being conducted during the global COVID pandemic. In November 2008, California voters passed the Voters FIRST Act, authorizing the creation of the Independent Citizens Redistricting Commission to draw new district lines, taking the job out of the hands of the California Legislature and transferring it to the citizens. In 2010, the VOTERS FIRST Act for Congress added the responsibility of drawing Congressional districts to the Commission.

Supervisorial Districts

At the October 21st meeting the City Council appointed Mayor Slooten to engage directly in the Board of Supervisors process for redefining supervisorial districts. Councilmember Cremer was appointed as an alternate to the Mayor. The Board's next public meeting on redistricting will be on November 2nd, so the Mayor will report back to the Council on the progress at that meeting. The County has created five options to discuss on November 2nd, which can be found here.

<https://gispublic.co.lake.ca.us/portal/apps/MapSeries/index.html?appid=ee10c2cbd3c44cdabaeb03ff0c142ea3>

Additional resources on Supervisorial Redistricting and the upcoming meeting schedule can be found here.

http://www.lakecountyca.gov/Government/Boards/Board_of_Supervisors/Redistricting.htm

California Redistricting Commission

The Council sent correspondence regarding the redistricting process to the Commission September 22nd. Earlier this week the Commission released "visualizations" showing significant shifts in district boundaries. The current visualization are available for review here. <https://www.wedrawthelinesca.org/visualizations> The Board of Supervisors submitted a letter opposing the draft visualizations (attached). The Commission is holding multiple meetings per week to discuss and allow public input. The public is also encouraged to provide input through this link. <https://airtable.com/shrQDD2ta2emnSzzO> The Council should consider whether to support, oppose or provide other input regarding the proposed district boundaries.

OPTIONS:

1. Provide Direction to Staff.

FISCAL IMPACT:

☒ None ☐ \$ Budgeted Item? ☐ Yes ☐ No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

SUGGESTED MOTIONS:

☒ **Attachments:**

#1: City Council Redistricting Resolution

#2: Board of Supervisors Oppose Letter

RESOLUTION NO. 2021-47

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
URGING THE CALIFORNIA CITIZENS REDISTRICTING COMMISSION TO
COMBINE ALL OF LAKE COUNTY WITHIN THE SAME UNITED STATES
CONGRESSIONAL DISTRICT AND TO KEEP ALL OF LAKE COUNTY WITHIN
THE SAME STATE SENATE AND ASSEMBLY DISTRICTS**

WHEREAS, as a result of the passage of Proposition 20 by California voters in 2010, the California Citizens Redistricting Commission is responsible to establish new District boundaries based on information gathered through the decennial Census; and

WHEREAS, Lake County was split into two Congressional Districts after the 2010 Census, with Lakeport, Kelseyville and the southern part of the County included in the 5th Congressional District with portions of Napa and Sonoma Counties; and Clearlake and the northern part of the County included in the 3rd Congressional District with all or portions of Colusa, Glenn, Solano, Sutter, Yolo, and Yuba Counties; and

WHEREAS, the current 5th Congressional District wraps around the City of Clearlake on three sides, but does not include the City; and

WHEREAS, the criteria of the Commission state, “*Districts must respect the boundaries of cities, counties, neighborhoods and communities of interest, and minimize their division, to the extent possible*”; and

WHEREAS, the criteria of the Commission state, “*Districts should be geographically compact, that is, have a fairly regular shape*”; and

WHEREAS, Lake County qualifies as a community of interest based on the definition in the California Constitution, “*A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process.*”; and

WHEREAS, the criteria of the Commission and intent of the California Constitution are best accomplished by ensuring the entirety of Lake County is represented in each district rather than being segregated; and

WHEREAS, Lake County is geographically distinct and includes natural features that have created a well-defined and largely homogenous community within its borders; and

WHEREAS, Lake County, and particularly the City of Clearlake, is a region rich in Native American history and accompanying cultural resources. Keeping this region connected under a unified Congressional District will help protect and advocate for their interests; and

WHEREAS, Lake County shares many interests with Napa and Sonoma Counties, including similar agricultural, geothermal and tourism industries, and regional watersheds and water rights; and

WHEREAS, State Senate and Assembly Districts both incorporate all of Lake County as one unit and include all or portions of both Napa and Sonoma County;

WHEREAS, these points of common interest provide strong ties both within Lake County and with our southern neighbors, and long-term relationships among our three counties, making common, effective, and fair representation and advocacy in a shared Congressional District with the entirety of Lake County truly critical.

NOW, THEREFORE, BE IT RESOLVED:

The City Council of the City of Clearlake strongly urges the California Citizens Redistricting Commission to rejoin all of Lake County with our neighbors in Napa and Sonoma County within the same United States Congressional District, and to keep all of Lake County within our current State Senate and Assembly Districts, to provide the most logical, efficient and effective representation possible.

PASSED AND ADOPTED on September 16, 2021 by the following vote:

- AYES: Mayor Slooten, Vice Mayor Perdock, Councilmembers Overton, Cremer and Claffey
NOES: None
ABSTAIN: None
ABSENT: None



Mayor, City of Clearlake

ATTEST:


City Clerk, City of Clearlake





**COUNTY OF LAKE
BOARD OF SUPERVISORS**
Courthouse - 255 North Forbes Street
Lakeport, California 95453
TELEPHONE (707) 263-2368
FAX (707) 263-2207

Moke Simon – District 1 Section H, Item 15.
Bruno Sabatier – District 2
Eddie Crandell – District 3
Tina Scott – District 4
Jessica Pyska – District 5

October 26, 2021

Citizens Redistricting Commission
721 Capitol Mall, Suite 260
Sacramento, CA 95814

RE: OPPOSE Placement of Lake County in Visual Congressional District North Coast and Changes to State Senate and Assembly Visualizations

Dear Commissioners:

Our Board is very discouraged to learn Lake County has been included in "Visual Congressional District North Coast" in your Commission's recently published Visualizations, demonstrating hypothetical District-based boundaries.

As you are aware, proposed changes would align all of Lake County with Sonoma, Mendocino, Humboldt, Del Norte and Trinity Counties, as well as a portion of Siskiyou County, for federal representation. Further, proposed boundaries would make dramatic changes to Lake County's State level representation. The total loss of present alignments (Assembly, Senate and Congressional, alike) would be a great disservice to Lake County at what is a critical time.

You will recall, our Board previously submitted a Resolution, filed September 28, impressing on your Commission the vital import of rejoining all of Lake County in the same United States Congressional District with *both* of our neighboring Counties to the South, Napa and Sonoma County. Your proposed visualizations are directly contrary to Lake County's expressed input. We request you re-review that Resolution and reflect our input in your map.

As you will be aware, the agriculture and tourism industries are key facets of the Lake County economy. The southern portions of Lake County offer natural extensions of the cultural and Agritourism-focused opportunities of Sonoma County and the Napa Valley. We want to build on these synergies, and opportunities for Economic Development are enhanced by our sharing common representation. The majority of workforce-engaged residents of Lake County also travel out of the area for work; many to Napa and Sonoma Counties.

Sharing State *and* Federal level representation with both Napa and Sonoma Counties has been of great benefit to Lake County. Our Board does not appreciate what compels your Commission to change these alignments, and we very strongly urge you to reconsider. Aligning Lake County with both of our southern neighbors is crucial to our long-term recovery from repeated disasters and building the brightest possible future for all of our residents. You have noted these Visualizations are not final maps, and there is plenty of time to make adjustments, as requested.

Respectfully,


COUNTY OF LAKE



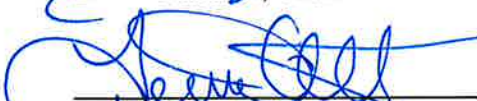
Bruno Sabatier, Chair




Moke Simon, District 1



Eddie Crandell, District 3



Tina Scott, District 4



Jessica Pyska, District 5