



CITY COUNCIL REGULAR MEETING

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

Thursday, October 21, 2021

Regular Meeting 6:00 PM

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

AMENDED 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/88291057019>

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 October'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. 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

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.
- [12.](#) Award of contract for Abandoned Vehicle Abatement Program towing, storing, dismantling and disposal services.
Recommended Action: Authorize city manager to execute contract.
- [13.](#) Update and Discussion on the Cache Fire
Recommended Action: Provide Direction to Staff
- [14.](#) Discussion and Possible Action Regarding the Lake County Board of Supervisors Redistricting Process
Recommended Action: Provide Direction to Staff
15. Discussion and Possible Action Regarding a Storage Facility for Disaster Supplies
Recommended Action: Provide Direction to Staff

J. CITY MANAGER AND COUNCILMEMBER REPORTS

K. FUTURE AGENDA ITEMS

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

M. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

N. ADJOURNMENT

POSTED: October 18, 2021

BY:



Melissa Swanson, Administrative Services Director/City Clerk



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Consideration of Acceptance of the Property Located at 13696 Santa Clara Avenue

MEETING DATE: October 21, 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 accept the property located at 15696 Santa Clara Avenue and authorize City Manager to sign the Certificate of Acceptance.

BACKGROUND/DISCUSSION:

The owners of the property located at 13696 Santa Clara Avenue have offered to donate the property to the City of Clearlake. If approved and accepted by the Clearlake City Council, this parcel would be presented to the Clearlake Planning Commission to verify the donation is consistent with the General Plan. The City would then intend to offer the property to a qualifying purchaser to build a new construction home.

Acceptance pending review by the Clearlake Planning Commission at the November 9, 2021, meeting.

OPTIONS:

1. Move to approve the acceptance of the property located at 13696 Santa Clara Avenue and allow the City Manager to sign the Certificate of Acceptance.
2. Other direction

FISCAL IMPACT:

☒ None ☐ Budgeted Item? ☐ Yes ☒ No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

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

SUGGESTED MOTIONS:

Move to approve the acceptance of the property located at 13696 Santa Clara Avenue and authorize the City Manager to sign the Certificate of Acceptance.

- ☒ **Attachments:**
1. Parcel information for the property located at 13696 Santa Clara Avenue
 2. Parcel map of the property location.
 3. Certificate of Acceptance



LIST 1
DETAIL

Section G, Item 2.

☒ 1 Property Address: 13696 SANTA CLARA AVE CLEARLAKE CA 95422-9104

Ownership

County: **LAKE, CA**
 Assessor: **RICHARD FORD, ASSESSOR**
 Parcel # (APN): **037-382-470-000**
 Parcel Status: **ACTIVE**
 Owner Name: **RYAN MICHAEL J**
 Mailing Address: **P O BOX 87 CORNING CA 96021**
 Legal Description:

Assessment

Total Value:	\$8,489	Use Code:	5110	Use Type:	RESIDENTIAL
Land Value:	\$8,489	Tax Rate Area:	002-092	Zoning:	
Impr Value:		Year Assd:	2021	Census Tract:	7.04/1
Other Value:		Property Tax:	\$144.36	Price/SqFt:	
% Improved:	0%	Delinquent Yr:			
Exempt Amt:		HO Exempt:	N		

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	01/04/2008	02/28/1995		01/04/2008
Document Number:	2008R0000278	1995R0002855		2008R0000278
Document Type:	GRANT DEED			
Transfer Amount:	\$4,000	\$2,500		
Seller (Grantor):	YATES BRYAN			

Property Characteristics

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



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CERTIFICATE OF ACCEPTANCE

Pursuant to Government Code 27281

This is to certify that the interest in real property conveyed by the Quit Claim Deed dated 8/17/2021 from Michael J. Ryan and Christine A. Ryan to the City of Clearlake, a political corporation and/or governmental agency is hereby accepted by order of the City Council of the City of Clearlake on October 21, 2021, and the grantee consents to recordation thereof by its duly authorized officer.

DATED:

CITY OF CLEARLAKE

Alan Flora
City Manager

By: _____
Alan Flora



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Consideration of Acceptance of the Property Located at 15789 25th Avenue

MEETING DATE: October 21, 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 accept the property located at 15789 25th Avenue and authorize City Manager to sign the Certificate of Acceptance.

BACKGROUND/DISCUSSION:

The two Trustees for the property located at 15789 25th Avenue have offered to donate the property to the City of Clearlake. If approved and accepted by the Clearlake City Council, this parcel would be presented to the Clearlake Planning Commission to verify the donation is consistent with the General Plan. The City would then intend to offer the property to a qualifying purchaser to build a new construction home.

Acceptance pending review by the Clearlake Planning Commission at the October 26, 2021, Move to approve the acceptance of the property located meeting.

OPTIONS:

1. Move to approve the acceptance of the property located at 15789 25th Avenue and authorize the City Manager to sign the Certificate of Acceptance.
2. Other direction

FISCAL IMPACT:

☒ None ☐ Budgeted Item? ☐ Yes ☒ No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

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

SUGGESTED MOTIONS:

Move to approve the acceptance of the property located at 15789 25th Avenue and authorize the City Manager to sign the Certificate of Acceptance.

- ☒ **Attachments:**
1. Parcel information for the property located at 15789 25th Avenue
 2. Parcel map of the property location.
 3. Certificate of Acceptance



LIST 1
DETAIL

☒ 1 Property Address: 15789 25TH AVE CLEARLAKE CA 95422

Ownership

County: **LAKE, CA**
 Assessor: **RICHARD FORD, ASSESSOR**
 Parcel # (APN): **042-161-010-000**
 Parcel Status: **ACTIVE**
 Owner Name: **GOLDSTEIN BETTY R & FAIRMAN ALICE R TRUSTEE**
 Mailing Address: **219 N KENTER AVE LOS ANGELES CA 90049**
 Legal Description:

Assessment

Total Value:	\$2,507	Use Code:	5110	Use Type:	RESIDENTIAL
Land Value:	\$2,507	Tax Rate Area:	002-035	Zoning:	
Impr Value:		Year Assd:	2020	Census Tract:	7.02/2
Other Value:		Property Tax:	\$106.72	Price/SqFt:	
% Improved:	0%	Delinquent Yr:			
Exempt Amt:		HO Exempt:	N		

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:	05/12/1977			03/11/2019
Document Number:	1977R0877604			2019002791
Document Type:				
Transfer Amount:	\$1,500			
Seller (Grantor):	KLUBNIKIN, BILL JOHNS			

Property Characteristics

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



Section G, Item 3.



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CERTIFICATE OF ACCEPTANCE

Pursuant to Government Code 27281

This is to certify that the interest in real property conveyed by the Quit Claim Deed dated 7/6/2021 from Betty R. Goldstein and Alice R. Fairman Co-Trustees of the Manuel C. Rodriguez and Consuelo R. Rodriguez Intervivos Trust Agreement to the City of Clearlake, a political corporation and/or governmental agency is hereby accepted by order of the City Council of the City of Clearlake on October 21, 2021, and the grantee consents to recordation thereof by its duly authorized officer.

DATED:

CITY OF CLEARLAKE

Alan Flora
City Manager

By: _____
Alan Flora



Clearlake, CA

Section G, Item 4.

Check Register

Packet: APPKT00871 - 10/7/21 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						
VEN01085	ACC BUSINESS	10/07/2021	Regular	0.00	603.58	11388
000591	ACTION SANITARY	10/07/2021	Regular	0.00	476.33	11389
000085	ARAMARK UNIFORM SERVICES	10/07/2021	Regular	0.00	98.62	11390
001397	AT&T CALNET 3	10/07/2021	Regular	0.00	355.22	11391
001413	CAL BUILDING STANDARDS COM	10/07/2021	Regular	0.00	124.20	11392
001811	CALIFORNIA EXTERMINATORS ALLIA	10/07/2021	Regular	0.00	400.00	11393
2404	CALTRONICS	10/07/2021	Regular	0.00	20.33	11394
000024	CLEARLAKE POLICE ASSOCIATION	10/07/2021	Regular	0.00	1,437.50	11395
001424	CLEARLAKE WASTE SOLUTIONS.	10/07/2021	Regular	0.00	14,567.90	11396
002392	DE LAGE LANDEN PUBLIC FINANCE	10/07/2021	Regular	0.00	829.68	11397
VEN01206	DEPARTMENT OF RESOURCES RECYCLI	10/07/2021	Regular	0.00	3,486.40	11398
000237	DEPT OF CONSERVATION	10/07/2021	Regular	0.00	254.22	11399
VEN01126	ECORP CONSULTING, INC	10/07/2021	Regular	0.00	18,115.61	11400
001732	GARY PRICE CONSULTING SERVICES	10/07/2021	Regular	0.00	9,135.00	11401
000096	GOLDEN STATE WATER COMPANY	10/07/2021	Regular	0.00	30.43	11402
VEN01188	GREAT BASIN LIGHTING, INC	10/07/2021	Regular	0.00	19,690.49	11403
002065	HERC RENTALS INC	10/07/2021	Regular	0.00	8,083.29	11404
000121	HIGHLANDS WATER COMPANY	10/07/2021	Regular	0.00	9,098.63	11405
001949	ICE WATER DISTRIBUTORS INC	10/07/2021	Regular	0.00	210.00	11406
002274	JOHN R BENOIT	10/07/2021	Regular	0.00	6,003.39	11407
000158	LAKE COUNTY SPECIAL DISTRICTS	10/07/2021	Regular	0.00	228.12	11408
002280	LAW OFFICES OF P SCOTT BROWNE	10/07/2021	Regular	0.00	1,837.00	11409
000793	MEDIACOM	10/07/2021	Regular	0.00	800.00	11410
001489	NAPA AUTO PARTS	10/07/2021	Regular	0.00	29.74	11411
000026	NATIONWIDE RETIREMENT SOLUTION	10/07/2021	Regular	0.00	1,320.08	11412
001392	OFFICE DEPOT	10/07/2021	Regular	0.00	102.88	11413
000608	PACIFIC GAS & ELECTRIC CO.	10/07/2021	Regular	0.00	52.25	11414
000711	PURCHASE POWER	10/07/2021	Regular	0.00	1,020.99	11415
002031	REDWOOD COAST FUELS	10/07/2021	Regular	0.00	1,247.76	11416
001540	US BANK CORPORATE PMT. SYSTEM	10/07/2021	Regular	0.00	5,219.17	11417
	Void	10/07/2021	Regular	0.00	0.00	11418
	Void	10/07/2021	Regular	0.00	0.00	11419
	Void	10/07/2021	Regular	0.00	0.00	11420
000708	VALIC LOCKBOX	10/07/2021	Regular	0.00	695.00	11421

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	103	31	0.00	105,573.81
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	103	34	0.00	105,573.81

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	10/2021	105,573.81
			<u>105,573.81</u>



Clearlake, CA

Check Register

Packet: APPKT00874 - 10/12/21 Health Insurance Payment AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
000027	OPERATING ENGINEERS PUBLIC EMP	10/12/2021	Regular	0.00	68,721.00	11422

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	4	1	0.00	68,721.00
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
	4	1	0.00	68,721.00

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	10/2021	68,721.00
			68,721.00



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Consideration of Resolution No 2021-55, A Resolution of the City of Clearlake, approving a temporary street closure for the Annual Trunk of Treat on October 31, 2021.

MEETING DATE:
October 21, 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 Trunk or Treat.

BACKGROUND/DISCUSSION:

The Highlands Senior Service Center has requested a temporary road closure for the Annual Trunk or Treat on October 31, 2021. This is an annual event in which residents decorate the trunks of their vehicles and hand out candy to the children of our community. Last year over 1000 children and teenagers attended. The applicant is requesting the street closure as follows:

- A) Uhl Avenue between Austin Road and Olympic Drive between the hours of 2:00pm and 8:00pm.

OPTIONS:

1. Move to approve the acceptance of Resolution No. 2021-55 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 2021-55 and approve the temporary road closure for the Trunk or Treat Event.

- ☒ **Attachments:**
- 1) Resolution No. 2021-55
 - 2) Event Map

RESOLUTION NO. 2021-55
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
AUTHORIZING TEMPORARY CLOSURE OF A PORTION OF UHL AVENUE FOR THE PURPOSE OF
CONDUCTING THE ANNUAL TRUNK OR TREAT ON OCTOBER 31, 2021

WHEREAS, the Highlands Senior Service Center has requested permission from the City Council to temporarily close a portion of Uhl Avenue in the City of Clearlake on October 31, 2021 for the purpose of conducting the Annual Trunk or Treat 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 Lakeshore Drive 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 as follows:

Uhl Avenue between Olympic Drive and Austin Road from 2:00 p.m. to 8:00 p.m. on October 31, 2021.

PASSED AND ADOPTED on October 21, 2021 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Mayor, City of Clearlake

ATTEST:

City Clerk, City of Clearlake



MINUTES OF PREVIOUS MEETING

September 8, 2021

The regular monthly meeting of the Board of Trustees of the Lake County Vector Control District was called to order at 1:32 P.M. by President Giambruno.

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

Absent: None.

District Personnel: Jamesina J. Scott, Ph.D., District Manager and Research Director, Ms. Jacinda Franusich, Office Manager.

Guests: None.

Citizen's Input: None.

Agenda Additions and/or Deletions: None.

Mr. Spurr moved to approve the Board Minutes of August 11, 2021 with a correction to the check numbers to include checks 20329-20345 making the total expenditures for August 2021 \$95,740.50. Mr. Nagy seconded the motion. Motion carried unanimously.

Research Report

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

For the rest of California, twenty-six human cases of WNV illness have been reported from twelve counties, 155 positive dead birds from sixteen counties, 1,482 positive mosquito samples from twenty-four counties, and forty-three positive sentinel chickens from nine counties have been reported this year.

Nineteen mosquito samples from three California counties have tested positive for St. Louis encephalitis (SLE) virus.

In the rest of the United States, forty states have reported WNV activity in mosquitoes, birds, sentinel chickens, or humans this year.

Dr. Scott reported on adult biting fly activity. The District set carbon dioxide baited traps in various locations around the county in August. The most abundant mosquito species was *Culex tarsalis*. Large numbers of biting black gnats were collected as well.

The resting boxes in Kelseyville and Upper Lake were sampled in August. Among the mosquito species collected were *Culex tarsalis*, and *Anopheles freeborni*.

Dr. Scott reported on tick testing. Twenty-five *Ixodes pacificus* ticks that were removed from Lake County residents were submitted to the Sonoma County Public Health Laboratory for testing for Lyme disease. One sample was in poor condition and was not tested all the other samples were negative.

Lake checks were not completed in August as the boat was undergoing repairs.

Operation Report

For the month of August, no rain was recorded at the District. The total rainfall for the season is 11.26 inches.

The level of Clear Lake was at -0.98 feet on the Rumsey Gauge as of August 1, and declined to -1.60 feet by August 31.

The Vector Control Technicians responded to 31 service requests in August, including ten yellowjacket requests.

The District conducted its annual yellowjacket nest removal and trapping at the Lake County Fairgrounds in advance of the Lake County Fair. Nineteen yellowjacket traps were set and six nests were located and treated.

This fall the District will take advantage of the low lake level to complete maintenance projects on the pier.

Dr. Scott has been working on the District's application for general plan and zoning changes. The City of Lakeport has requested that the District's

concept drawings be presented to the neighbors before the application is re-submitted.

Approve Checks for the Month of September 2021

Mr. Nagy moved to approve Check Nos. 20346–20386 for the month of September 2021 in the amount of \$45,526.57. Mr. Bostock seconded the motion. Motion carried unanimously.

Other Business

No other business was discussed.

Announcement of Next Regular Board Meeting

The next regular meeting of the Board will be at 1:30 PM on October 13, 2021 at the Lake County Vector Control District Office, 410 Esplanade Lakeport, CA 95453.

Mr. Spurr moved to adjourn the meeting. Mr. Nagy seconded the motion. The meeting was adjourned by President Giambruno at 2:01 PM.

Respectfully submitted,

Ronald Nagy
Secretary



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Adoption of 3rd Amendment of the FY 2021-22 Budget
(Resolution 2021-33); Resolution No. 2021-52

MEETING DATE:
10/21/2021

SUBMITTED BY: Kelcey Young, Director of Finance

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

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to consider adopting an adjustment to the FY 2021-22 Budget to appropriate additional revenue for specified purposes.

BACKGROUND/DISCUSSION:

The City of Clearlake received approval from HCD for the CDBG DR Multifamily Housing Program in the amount \$1,157,983.00 in anticipated reimbursable grant funds for the Multifamily Housing Program. The City plans to partner with other agencies for the development of additional CDBG Multifamily Housing Program projects.

Staff is requesting the Council amend the FY 21/22 budget to appropriate the funding for this project

OPTIONS:

1. Move to adopt Resolution No. 2021-52.
2. Other direction

FISCAL IMPACT:

☐ None ☒ \$1,157,983.00 Budgeted Item? ☐ Yes ☒ No

Budget Adjustment Needed? ☒ Yes ☐ No If yes, amount of appropriation increase: \$1,157,983.00

Affected fund(s): ☐ General Fund ☐ Measure P Fund ☐ Measure V Fund ☒ Other: 354

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 G, Item 7.

SUGGESTED MOTIONS:

Move to adopt Resolution No. 2021-52

- ☒ **Attachments:**
- 1) Resolution No. 2021-52
 - 2)

RESOLUTION NO. 2021-52

**ADOPTION OF 3rd AMENDMENT TO THE FY 2021-22 BUDGET (RESOLUTION 2021-33)
APPROPRIATING REVENUE FROM THE CDBG DR MULTIFAMILY HOUSING PROGRAM**

WHEREAS, the City Council desires to appropriate funding from the CDBG DR Multifamily Housing Program for multifamily housing projects.

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

Section 1. The FY 2021-22 Budget, adopted via Resolution 2021-33, is amended as follows:

Apropriations Adjustment						
Fund	Fund Name	Account	Description	FY21-22 Budget	Adjustment	FY 21-22 Amended Budget
354	CDBG MHP 17-18	354-2045-750-561	CDBG MHP 2017-2018 Expense Account	0	\$1,157,983.00	\$1,157,983.00
Revenue Adjustments						
Fund	Fund Name	Account	Decription	FY21-22 Budget	Adjustment	FY 21-22 Amended Budget
354	CDBG MHP 17-18	354-410-870	CDBG MHP 2017 Revenue Account	0	\$1,157,983.00	\$1,157,983.00

PASSED AND ADOPTED by the City Council of the City of Clearlake, County of Lake, State of California, on this 21st day of October 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk

Mayor



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Measure V Oversight Committee Resolution No. OC 2021-01

MEETING DATE:
October 21, 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 review and file the Measure V Oversight Committee Resolution No. OC 2021-01, A Resolution of the Measure V Oversight Committee of the City of Clearlake Declaring Compliance with Section 3-7.14 of Ordinance No. 189-2016.

BACKGROUND/DISCUSSION:

The Measure V Oversight Committee was created by ordinance in 2016 to ensure the City's compliance with the newly adopted Measure V transactions and use tax. The members are chosen by the Council and meet annually to review Measure V expenditures.

The Committee met on October 14th to review expenditures for FY 2020/21 and found the expenditures to be compliant with Ordinance No. 189-2016 (attached). The Committee was also updated on current and future Measure V projects. Following presentations by staff with a question-and-answer session, the Committee adopted Resolution No. OC 2021-01, certifying compliance. A recording of the meeting can be found on the City's YouTube Channel at: https://www.youtube.com/channel/UCTyifT_nKS-3woxEu1ilBXA

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: No action necessary. Receive and file only.

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

- ☒ **Attachments:**
- 1) Resolution No. OC 2021-01
 - 2) Ordinance No. 189-2016

CITY OF CLEARLAKE

ORDINANCE NO. 189-2016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
ADDING CHAPTER 3-7 TO THE CLEARLAKE MUNICIPAL CODE
RELATED TO A TRANSACTIONS AND USE TAX TO BE
ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

THE PEOPLE OF THE CITY OF CLEARLAKE, CALIFORNIA DO ORDAIN AS
FOLLOWS:

Section 1. Amendment. Chapter 3-7 entitled "City of Clearlake Road Maintenance and Improvement Transactions and Use Tax" is added to the City of Clearlake Municipal Code to read as follows:

3-7.1 **Title.** This ordinance shall be known as the City of Clearlake Improvement Transactions and Use Tax Ordinance. The City of Clearlake hereinafter shall be called "City." This ordinance shall be applicable in the incorporated territory of the City.

3-7.2 **Operative Date.** "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the Effective Date of this ordinance, the date of such effectiveness being as set forth below.

3-7.3. **Purpose.** This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

a. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation code and Section 7285.91 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance which shall be operative if a two-thirds (2/3) majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

b. A transactions and use tax for road maintenance and improvement requires a vote of the residents of the City, and two-thirds (2/3) of those voting on the tax must approve the tax in order for it to be implemented. In addition, this Ordinance, along with the Transactions and Use Tax Expenditure Plan ("Expenditure Plan") for use of the proceeds of the tax, which is attached to this Ordinance as Exhibit A, must be approved by two-thirds (2/3) of the City Council.

c. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

d. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefore that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from,

the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

e. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

3-7.4. **Contract with State.** Prior to the operative date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

3-7.5. **Transactions Tax Rate.** For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one percent (1 %) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

3-7.6 **Place of Sale.** For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

3-7.7 **Use Tax Rate.** An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one percent (1 %) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3-7.8 **Adoption of Provisions of State Law.** Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.

3-7.9 **Limitations on Adoption of State Law and Collection of Use Taxes.** In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

a. Wherever the State of California is named or referred to as the taxing authority, the name of this City shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, Victim Compensation and Government Claims Board, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

b. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

3-7.10. **Permit Not Required.** If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

3-7.11 **Exemptions and Exclusions.**

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

(1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which

the sale is made and directly and exclusively in the use of such aircraft as common carrier for persons or property under the authority of the laws of this State, the United States, or any foreign government.

(2) Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

b. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

(3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

(4) A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

(5) For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in this City of tangible personal property:

(1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

(2) Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

(3) If the purchaser is obligated to purchase the property for a fixed amount pursuant to a contract entered into prior to the operative date of this ordinance.

(4) If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

(5) For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

(6) Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.

(7) "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3-7.12 Amendments. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

3-7.13 Enjoining Collection Forbidden. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3-7.14 **Citizen Oversight Committee.** The City Council, by resolution, shall establish a five member Citizen Oversight Committee to meet annually to review expenditures and appropriations of the tax revenues to ensure that all such revenues are spent or appropriated for the purposes and uses set forth in the Expenditure Plan. Each member of the City Council shall appoint one member of the Committee who shall have a term coinciding with the term of the appointing Council member. Each Committee member shall be a resident of the City at the time of appointment and shall remain a resident of the City while serving on the Committee. The Mayor shall appoint the chairperson of the Committee subject to the approval of the majority of the Council. The Committee shall receive the assistance of City staff and shall undertake such additional duties as the Council may designate.

3-7.15 **Sunset.** The authority to levy the tax imposed by this Chapter 3-7 shall expire twenty years from the date of its Effective Date.

Section 2. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This Ordinance, if approved by the electorate of the City of Clearlake at the General Municipal Election of November 8, 2016 shall become effective immediately upon the declaration of the results of that election by the City Council of the City of Clearlake.

INTRODUCED by the City Council of the City of Clearlake at a regular meeting of the City Council held on the 26th day of May, 2016 and **PASSED AND ADOPTED** by the City Council at a regular meeting of the City Council on the 23rd day of June, 2016 by the following vote:

AYES: Mayor Perdock, Vice Mayor Fortino Dickson, Council Members Overton, Sabatier and Bennett
NOES: None
ABSENT OR NOT VOTING: None



Russell Perdock, Mayor

ATTEST: 

Melissa Swanson, City Clerk



CITY OF CLEARLAKE
Road Maintenance and Improvement
Transactions and Use Tax Expenditure Plan FOR
Anticipated One (1%) Percent
Transactions and use tax Revenue

The one (1%) percent transactions and use tax passed by the City of Clearlake voters will be dedicated to specific uses: road maintenance and improvement. The funds cannot, and will not, be used for any other purpose. One hundred percent (100%) of the revenues generated by the new tax will be allocated to road maintenance and improvement.

ROAD MAINTENANCE AND IMPROVEMENT

The City of Clearlake's street system consists of approximately 112 miles of streets and is composed of:

Asphalt Paved Streets	63 Miles
Unpaved Gravel or Dirt Streets	49 Miles

The majority of the street system was constructed to the standards and conditions of the 1930's and 40's and is unable to meet today's traffic demands. A pavement management study was completed for the City of Clearlake by Nichols Consulting Engineers in 2008 and updated in 2015. The report called the Pavement Management Program (PMP) indicates that Clearlake's streets have one of the lowest pavement condition index (PCI) rating of any city that they had evaluated. The average PCI for City streets was 38 on a 100-point scale. That is well below an F grade which is unacceptable.

The report further indicates that the City currently has a total deferred maintenance need of \$15.2M. That means the City needs to spend \$15,200,000 for the reconstruction and rehabilitation of its streets system in 2016 alone to bring it up to acceptable standards. The City currently expends approximately \$50,000 annually for repair and maintenance of its streets. At that funding level, the City can only patch some potholes and minimally re-grade a few gravel roads. Current funding does not allow for any major street repair or reconstruction. If the City's maintenance level remains at \$50,000, the PCI of 38 will drop even lower. In that case most of the City's paved streets will completely fail and require total reconstruction.

The PMP recommends the City of Clearlake budget \$740,000 annually over the next ten (10) years for asphalt pavement work, it would improve the City's overall PCI from 38 up to 60. In addition to improving the asphalt surfacing of the City's streets, there is a need to maintain and improve drainage, and city owned sidewalks which are an integral part of the street system.

The Pavement Management Program addresses the paved streets only and not the unpaved roads. A PCI rating does not apply to gravel/dirt roads. Many of these roads are in residential areas and have not received any maintenance for several years. Some are nearly impassable. These

conditions cause significant wear and tear on safety vehicles (Police and Fire) as well as to anyone who drives these roads. Grading contracts for these roads will significantly smooth travel in these areas. Obviously the improvements and maintenance needed on City streets far exceed the available revenues for these activities. The City remains committed to continued efforts to obtain Federal and State funding for street improvements. Without the one percent (1%) transactions and use tax revenue the City will be unable to accomplish its task to maintain the streets at an adequate level to serve the traveling public. It is estimated that a one percent (1%) special road transactions and use tax will produce \$1,600,000 in revenues annually. State law requires the City to prepare and adopt an expenditure plan describing the specific projects for which the revenues from the tax may be expended.

The City of Clearlake has prepared a proposed Road Maintenance and Improvement Transactions and Use Tax Expenditure Plan for the next twenty (20) years beginning in 2016 and going through 2036. The expenditure plan will be annually reviewed by the oversight committee and updates to the expenditure plan will be recommended by the Oversight Committee (with input from Public Works and the City Engineer) to the City Council who will make the final annual allocations.

Annual Expenditure Program 2016-2036	
Activity	Estimated Expenditure (% of tax proceeds)
Road Maintenance & Improvements • Annual grading and associated graveling on existing unpaved roads maintained by the City • Pothole and surface repair • Pavement dig outs & minor asphalt blankets • Drainage repairs/replacement • Minor chip seals • Crack filling • Shoulder restoration • Pavement grinding, removal & replacement • Chip seals, Micro-seals and other surface treatments • Storm Drain System improvements • Re-striping, painting and installation of pavement reflector markings • Maintenance of street signs • Asphalt pavement overlay and rehabilitation projects • Rock rip-rap protection • Bridge deck and railing replacement • Sidewalk restoration • Maintenance equipment lease, rental, or purchase • Sidewalk and bicycle facilities • Bridge replacement/rehabilitation • Road construction equipment rental, lease, purchase • Road construction equipment repair	95% % equivalent in \$ \$1,520,000
Matching Grant Funding • Grant matching funds for street improvement projects	5% % Equivalent in \$ \$80,000
Total	100% (Approx. \$1,600,000)

RESOLUTION NO. OC 2021-01

**A RESOLUTION OF THE MEASURE V OVERSIGHT COMMITTEE OF THE CITY OF CLEARLAKE
DECLARING COMPLIANCE WITH SECTION 3-7.14 OF ORDINANCE NO. 189-2016**

WHEREAS, it is the responsibility of the Measure V Oversight Committee to meet annually to review expenditures and appropriations of the tax revenues to ensure that all such revenues are spent or appropriated for the purposes and uses set forth in the Expenditure Plan; and

WHEREAS, the Oversight Committee held a public meeting on October 14, 2021 to review the revenues and expenditures incurred from July 1, 2020 through June 30, 2021; and

WHEREAS, the Oversight Committee reviewed the current plans for the expenditures of Measure V funds; and

NOW, THEREFORE BE IT RESOLVED that the Measure V Oversight Committee of the City of Clearlake that the expenditures and appropriations to date of Measure V tax revenues were spent or appropriated for the purposes and uses set forth in the Expenditure Plan as identified in Ordinance 189-2016.

PASSED AND ADOPTED on this 14th day of October 2021, by the following vote:

AYES: Chair Colbrandt, Members Silva, Almon, Sabatier and Scholz
NOES: None
ABSTAIN: None
ABSENT: None

ATTEST:



City Clerk



Chair Colbrandt



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Authorization of an Agreement for a Remodel of the City Hall Breakroom	MEETING DATE: October 21, 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 approve a contract with Lucky's Construction for \$98,685.00 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.

BACKGROUND/DISCUSSION:

The City Hall employee break room/kitchen area needs repairs and expansion. The furniture is in disrepair, the refrigerator is an older, secondhand model, the sink area leaks, and the original cabinets need replaced.

On August 19th, Council approved a contract with Lucky's Construction to complete the remodel work, which included expanding the kitchen, replacing flooring, ceiling repairs, and cabinet replacement. During the process, the contract was determined to be a public works project and work was halted. The project was then bid using the proper notification and advertisement.

the City advertised and requested proposals from several contractors within Lake County. The bid period closed October 11th and the City did not receive any bids.

After consultation with City Attorney Jones, staff contacted Lucky's Construction, who submitted an updated proposal for the work that is being requested in the break room/kitchen.

OPTIONS:

1. Move to approve the contract with Lucky's Construction in the amount of \$98,685.00
2. Other direction

FISCAL IMPACT:

☐ None ☒ \$98,685.00 Budgeted Item? ☒ Yes ☐ No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

SUGGESTED MOTIONS:

Move to approve the contract with Lucky's Construction in the amount of \$98,685.00

- ☐ **Attachments:**
 - 1) Written proposal from Lucky's Construction
 - 2) New proposed layout for break room/kitchen

Lucky's Construction

Contractors License #534010

Bond #100345028

P.O. Box 571

Nice, Ca. 95464

(707) 274-8846 Office

(707) 480-8758 Cell

10/21/2021

Tina Viramontes

Facilities Coordinator

Deputy City Clerk

14050 Olympic Drive Clearlake, Ca. 95422

(707) 994-8201 EXT. 131

Email tviramontes@clearlake.ca.us

This Proposal is for LUCKY'S CONSTRUCTION To Perform Labor in connection with Removal of 2 doors, replace with 2 new commercial doors, 1 metal exterior with emergency exit, 1 wood interior, both with trim.

Build 5 ft. wide wall on north side of break room.

Ceiling to be extended into new additional area 5ft. X 18ft. 6in. Replace all ceiling tiles and lighting.

Do plumbing necessary for break room remodel, sink and refrigerator.

Make all needed drywall repairs, texture, Prim and paint.

Vent kitchen stove exhaust fan outside.

Waste fees are to be included in this proposal but not to exceed one dump trailer load.

LUCKY'S CONSTRUCTION is also responsible for supplying all building materials needed to complete the described project.

The city of Clearlake will be responsible for all planing and permits.

Payment for this project will be dispersed upon the completion of each Phase with an initial deposit of 10% of overall Job Cost , due at signing.

10% Deposit: \$9,686

First draw: \$25,000

Second draw: ceiling tiles installed and dry wall repairs finished: \$20,000

Third draw: \$20,000

Final: \$23,999

Work to be completed in a timely manner, with quality workmanship, based on current codes applicable to this area and related to this project.

Job to be completed per approved plan.

****This estimate/proposal is based on preliminary plan and may be subject to**

change due to additional changes/requirements.

Work to be completed in approx. 60 days (depending on weather, and any other unforeseen circumstances.

****Any additional work, or unforeseen work that exceeds what is described in this proposal, will only be performed at Tina Viramontes Discretion, and will require a change order that is approved and signed by Alan Flora**

Total \$98,685.00

Agent signature

Date _____

Lucky's Construction

Date _____



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Approving the Issuance of Bonds by the California Statewide Communities Development Authority for the Clearlake Apartments; Resolution No. 2021-54

MEETING DATE:
October 21, 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 conduct a Tax Equity and Fiscal Responsibility Act (TEFRA) hearing and adopt a resolution approving the issuance of tax-exempt bonds not-to-exceed \$8,000,000 by the California Statewide Communities Development Authority (CSCDA) for the benefit of HPD Clearlake II, LP to provide financing for the acquisition and rehabilitation of a 72-unit multifamily rental housing project known as Clearlake Apartments.

BACKGROUND/DISCUSSION:

HPD Clearlake II, LP (the "Borrower") has requested that the CSCDA serve as the municipal issuer of tax-exempt multi-family housing revenue bonds in an aggregate principal amount not to exceed \$8,000,000 (the "Bonds"). The proceeds of the Bonds will be used for the purpose of making a loan to the Borrower, to enable the Borrower to finance the acquisition and rehabilitation of the Clearlake Apartments located at 7145 Old Highway 53, Clearlake, California (the "Project"), which will be owned by the Borrower. CSCDA issued Bonds for the Project in 2005. The current financing will allow for upgrades to the units, and extend the affordability covenants for another 55 years.

DISCUSSION:

In order for all or a portion of the Bonds to qualify as tax-exempt bonds, the City of Clearlake ("City") must conduct a public hearing (the "TEFRA Hearing") providing the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project. Adoption of the resolution is solely for the purposes of satisfying the requirements of the Tax Equity and Fiscal Responsibility Act (TEFRA), the Internal Revenue Code and the California Government Code Section 6500 (and following). Prior to such TEFRA Hearing, reasonable notice must be provided to the members of the community. Following the close of the TEFRA Hearing, an "applicable elected representative" of the governmental unit hosting the Project must provide its approval of the issuance of the Bonds for the financing of the Project. A public notice was published on October __, 2021 (Attachment 1).

CSCDA is a joint powers authority founded and sponsored by the League of California Cities ("CalCities") and the California State Association of Counties ("CSAC"). CSCDA was created by the CalCities and CSAC in 1988 to enable local government and eligible private entities access to low-cost, tax-exempt financing for projects that provide a tangible public benefit, contribute to social and economic growth and improve the overall quality of life in local communities throughout California. CSCDA is comprised of more than 530 members, including the

City of Clearlake who joined in 1993. CSCDA has issued more than \$65 billion through 1,600 plus funds since 1988.

BUDGET IMPACT:

There is no fiscal impact to the City. The Bonds will be issued as limited obligations of CSCDA, payable solely from revenues and receipts derived from a loan to be made by CSCDA to the Borrower with the Bond proceeds. The City bears no liability with respect to the issuance of the Bonds. Further, the City is not a party to any of the financing documents related to the Bond issuance and is not named in any of the disclosure documents describing the Bonds or the proposed financing.

OPTIONS:

Open the public hearing and provide the opportunity to speak in favor or against the use to tax-exempt bonds for the Project.

FISCAL IMPACT:

☒ None ☐ \$ Budgeted Item? ☐ Yes ☐ No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

SUGGESTED MOTIONS:

Move to adopt a resolution approving the issuance of tax-exempt bonds not-to-exceed \$8,000,000 by the California Statewide Communities Development Authority (CSCDA) for the benefit of HPD Clearlake II, LP to provide financing for the acquisition and rehabilitation of a 72-unit multifamily rental housing project known as Clearlake Apartments.

- ☒ **Attachments:**
- 1) Proof of publication
 - 2) Resolution

NOTICE OF PUBLIC HEARING
REGARDING ISSUANCE OF
MULTIFAMILY HOUSING REVENUE BONDS FOR
CLEARLAKE APARTMENTS

NOTICE IS HEREBY GIVEN that, at 6:00 p.m., or as soon thereafter as the matter can be heard, on Thursday, October 21, 2021, at the City Hall Council Chambers, 14050 Olympic Drive, Clearlake, California, the City Council of the City of Clearlake (the “City”) will conduct a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 (the “Code”), at which it will hear and consider information concerning a proposed plan of financing providing for the issuance by the California Statewide Communities Development Authority of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Code in one or more series issued from time to time, including bonds issued to refund such exempt facility bonds in one or more series from time to time, and at no time to exceed \$8,000,000 in outstanding aggregate principal amount, to finance or refinance the acquisition, rehabilitation and development of a multifamily rental housing project located at 7145 Old Highway 53, Clearlake, California. The facilities are to be owned by HPD Clearlake II LP (the “Borrower”) or a partnership of which Highland Property Development LLC (the “Developer”) or a related person to the Developer is the general partner (the “Project”).

Those wishing to comment on the proposed financing or refinancing and the nature and location of the Project may either appear in person at the public hearing or submit written comments, which must be received by the City prior to the hearing. Written comments should be sent to City of Clearlake at 14050 Olympic Drive, Clearlake, California 95422 Attention: Administrative Services Director/City Clerk or emailed to mswanson@clearlake.ca.us.

CITY CLERK
CITY OF CLEARLAKE

Dated: October 14, 2021

RESOLUTION NO. 2021-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE APPROVING THE ISSUANCE BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING REVENUE BONDS FOR THE CLEARLAKE APARTMENTS

WHEREAS, the California Statewide Communities Development Authority (the “Authority”) is authorized pursuant to the provisions of California Government Code Section 6500 et seq. and the terms of an Amended and Restated Joint Exercise of Powers Agreement, dated as of June 1, 1988 (the “Agreement”), among certain local agencies throughout the State of California, including the City of Clearlake (the “City”), to issue revenue bonds in accordance with Chapter 7 of Part 5 of Division 31 of the California Health and Safety Code for the purpose of financing multifamily rental housing projects; and

WHEREAS, HPD Clearlake II LP or a partnership of which Highland Property Development LLC (the “Developer”) or a related person to the Developer is the general partner, has requested that the Authority adopt a plan of financing providing for the issuance of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Internal Revenue Code of 1986 (the “Code”) in one or more series issued from time to time, including bonds issued to refund such exempt facility bonds in one or more series from time to time, and at no time to exceed \$8,000,000 in outstanding aggregate principal amount (the “Bonds”), to finance or refinance the acquisition, rehabilitation and development of a multifamily rental housing project located at 7145 Old Highway 53, Clearlake, California (the “Project”); and

WHEREAS, pursuant to Section 147(f) of the Code, prior to their issuance, the Bonds are required to be approved by the “applicable elected representative” of the governmental units on whose behalf such bonds are expected to be issued and by a governmental unit having jurisdiction over the entire area in which any facility financed by such bonds is to be located, after a public hearing held following reasonable public notice; and

WHEREAS, the members of this City Council (this “City Council”) are the applicable elected representatives of the City; and

WHEREAS, there has been published, at least 7 days prior to the date hereof, in a newspaper of general circulation within the City, a notice that a public hearing regarding the Bonds would be held on a date specified in such notice; and

WHEREAS, such public hearing was conducted on such date, at which time an opportunity was provided to interested parties to present arguments both for and against the issuance of the Bonds; and

WHEREAS, the Authority is also requesting that the City Council approve the issuance of any refunding bonds hereafter issued by the Authority for the purpose of refinancing the Bonds which financed the Project (the “Refunding Bonds”), but only in such cases where federal tax laws would not require additional consideration or approval by the City Council; and

WHEREAS, it is intended that this resolution shall constitute the approval of the issuance of the Bonds required by Section 147(f) of the Code and Section 9 of the Agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEARLAKE AS FOLLOWS:

Section 1. The above recitals are true and correct.

Section 2. The City Council hereby approves the issuance of the Bonds and the Refunding Bonds by the Authority. It is the purpose and intent of the City Council that this resolution constitute approval of the Bonds for the purposes of (a) Section 147(f) of the Code and (b) Section 9 of the Agreement.

Section 3. The officers of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this resolution and the financing approved hereby.

Section 4. This resolution shall take effect immediately upon its passage.

ADOPTED by the City Council of the City of Clearlake at a regular meeting of said Council held on the 21st day of October, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Mayor

City Clerk



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Award of Contract for the Waterpark Demolition Project

MEETING DATE: October 21, 2021

SUBMITTED BY: Adeline Brown, Engineer Tech

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 a contract with Resource Environmental for \$239,800.00.

BACKGROUND/DISCUSSION:

The City advertised a Notice Inviting Bids for the Waterpark Demolition Project on September 22, 2021. This project was advertised on the City website, advertised in the newspaper and sent to various Builders Exchange Plan rooms. The City opened bids on October 14, 2021 from the following contractors:

<u>Contractor</u>	<u>Total Bid</u>
Resource Environmental	\$239,800.00
Chernoh Excavating	\$496,464.00

OPTIONS:

1. Move to approve the contract with Resource Environmental in the amount of \$239,800.00.
2. Other direction

FISCAL IMPACT:

☐ None ☒ 239,800.00 Budgeted Item? ☒ Yes ☐ No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

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

SUGGESTED MOTIONS:

Move to approve the contract with Resource Environmental in the amount of \$239,800.00

☐ **Attachments:**



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Award of contract for Code Enforcement Abandoned Vehicle Abatement Program, to All In One Towing for towing, storage, dismantling and disposal services.

MEETING DATE: 10/21/2021

SUBMITTED BY: Lee Lambert- Code Enforcement Supervisor

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 a contract with All In One Towing for towing, storage, dismantling and disposal services related to the Code Enforcement Abandoned Vehicle Abatement Program. Staff recommends that City Council authorize the City Manager to execute said contract, bid amounts for FLAT FEE A, FLAT FEE E and FLAT FEE F and to exclude bid amounts FLAT FEE B, FLAT FEE C and FLAT FEE D from the contract.

BACKGROUND/DISCUSSION: The City had a contract with Enterprise Towing for vehicle tows under the Abandoned Vehicle Abatement Program. That contract expired on 04/27/2020.

On September 9, 2021, the City has advertised for bids for towing, storing, dismantling and disposal services solely related to the Abandoned Vehicle Abatement Program. On October 07, 2021 the city opened the bids, at which time staff determined the bid winner, All In One Towing. 2 bids were received in total, in which 1 was deemed "unresponsive."

Due to the fact that only 1 bid was submitted in compliance with the said requirements, staff contacted All In One to attempt to negotiate pricing. After negotiating, it was determined by staff that it was financially responsible to only accept contract items FLAT FEE A- towing, storing, dismantling and disposal of passenger vehicles and trucks, FLAT FEE E- difficult recovery fee and FLAT FEE F- removal of refuse, exceeding 1 cubic yard, from vehicles fee.

OPTIONS:

1. Move to authorize the City Manager to execute contract.
2. Move to deny the City Manager the authority to execute contract.
3. Direct staff to rebid for all services related to the Abandoned Vehicle Abatement Program.

FISCAL IMPACT:

☐ None ☒ Not to exceed \$100,000.00 Budgeted Item? ☒ Yes ☐ No

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

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

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 the City Manager to execute said contract, bid amounts for FLAT FEE A, FLAT FEE E and FLAT FEE F and to exclude bid amounts FLAT FEE B, FLAT FEE C and FLAT FEE D from the contract.

- ☒ **Attachments:** 1) Bid and Contract submitted by All In One Towing

CITY OF CLEARLAKE
NOTICE INVITING BIDS AND CONTRACT

NOTICE INVITING BIDS**Date Issued: September 23, 2021**

Bids covering the work described in this Notice Inviting Bids, Insurance Requirements, and Special Provisions entitled:
**CODE ENFORCEMENT ABANDONED VEHICLE ABATEMENT PROGRAM TOWING, STORAGE,
 DISMANTLING AND DISPOSAL SERVICES**

will be accepted at the City of Clearlake City Hall, 14050 Olympic Drive, Clearlake, CA 95422, until 2:00 PM local time on Thursday, October 7, 2021. Information may be obtained by calling (707) 994-8251 x309. Sealed bid shall be addressed to the above address and marked to show bidder's name, address, title of project and date of opening.

BID OR PROPOSAL (this section to be completed by bidder) **Date submitted:** _____

The undersigned agrees, if this bid is accepted within 30 days from the date of opening, to complete the work specified in strict accordance with the above identified documents and the attached contract provisions and special provisions for a three (3) year period beginning on the date of the Notice to Proceed, for the following amount for each vehicle towed:

- A. **FLAT FEE - Passenger Vehicle or Truck:** \$ 250⁰⁰
- B. **FLAT FEE - Semi Vehicle (excluding trailer) or Buses with more than 2 axles:** \$ 2800⁰⁰
- C. **FLAT FEE - Motor Homes or Travel Trailers:** \$ 3100⁰⁰
- D. **FLAT FEE - Vessel (with or without trailer):** \$ 900⁰⁰
- E. **FLAT FEE - Difficult Recovery (rate per hour in addition to flat fee):** \$ 250⁰⁰/hr.
Needs to include ^{added} to use heavy equipment to access
- F. **FLAT FEE - Removal of Refuse, Exceeding 1 Cubic Yard, from Vehicles (rate per cubic yard):** \$ 40

Bidder should note any limitations on providing tow and / or disposal services (e.g. vehicle weight, length, etc.). This includes all applicable taxes. The undersigned further agrees, for any contract award resulting from this bid, to furnish evidence of insurance as defined in Exhibit A.

*Insurance certificate w/ endorsements available
on request.*

Bidder's comments and exceptions:

Name and address of bidder: *(business Address)*

All In One Auto Repair & Towing
406 N. State St.
Ukiah, CA 95482

Phone No.: 707-468-0991

Signature of person authorized to sign

Donald Keith Hewett

Signer's name and title (type or print)

V9043418

License No.

91-1793779

Federal ID Number or Social Security Number

NOTICE OF AWARD (This section for City use only)**Date of Award:** _____

The above bid is accepted and the Contract is awarded to you.

By: _____

Title: _____

NOTICE TO PROCEED (This section for City use only)**Date of Notice:** _____

You are directed to proceed with the work upon receipt of this Award/Notice to Proceed.

By: _____

Title: _____

CONTRACT

1. **SCOPE OF SERVICES:** Contractor shall do all work, attend all meetings, and carry out all activities necessary to complete all services described in this document. This Contract and its exhibits, attached or incorporated by reference, shall be known as the "Contract Documents." The Contractor enters into this contract as an independent contractor and not as an employee of the City.
2. **TIME OF PERFORMANCE:** The services are to commence upon execution and receipt of this Contract and shall be completed in a prompt and timely manner in accordance with the conditions of the Contract.
3. **COMPENSATION:** Payments may be paid monthly upon completion of agreed-upon portions of the work. Invoices must be submitted to Code Enforcement Bureau Attn: Lee Lambert, 14050 Olympic Drive, Clearlake, CA 95422.
4. **TERMINATION:** This Contract may be terminated, without cause, at any time by the City upon ten days written notice. Contractor shall be compensated for all services provided for in the Contract to that date.
5. **CHANGES:** City or Contractor may request changes to the scope of services to be performed. Such changes must be authorized in advance by the City in writing. Mutually agreed to changes shall be incorporated in written amendments to this Contract.
6. **WARRANTY:** Contractor warrants that it has the expertise or has experts available to perform the services set forth in this Contract in a manner consistent with accepted standards of its profession. It warrants that it will perform said services in a legal manner in conformance with all applicable laws and guidelines.
7. **LAWS TO BE OBSERVED:** All services performed by Contractor shall be in accordance with all applicable City, State and Federal ordinances, laws, requirements, restrictions and licensing provisions as the same now exist or as they may be modified or adopted in the future.
8. **CERTIFICATE OF COMPLIANCE WITH LABOR CODE 3700:** Section 3700 of the Labor Code requires every employer to be insured against liability for workers compensation or to undertake self-insurance in accordance with the provisions of that code, and the Contractor will comply with such provisions before commencing with any work of this Contract.
9. **INTEREST IN CONTRACT:** Contractor covenants that neither it nor any of its employees has any interest in this Contract which would conflict in any manner or degree with the performance of its services hereunder.
10. **NEGLIGENCE:** Contractor shall be responsible for performing the work in a safe and skillful manner consistent with generally accepted standards, and shall be liable for its own negligence and the negligent acts of its employees. City shall have no right of control over the manner in which the work is done but only as to its outcome, and shall not be charged with the responsibility of preventing risk to any of Contractor's employees.
11. **INDEMNITY:** To the fullest extent permitted by law, Contractor shall hold harmless, defend and indemnify City and its officers, officials, employees and volunteers from and against all claims, damages, losses, and expenses including attorney fees arising out of the performance of the work described herein, caused in whole or in part by any negligent act or omission of the Contractor, any subcontractor, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, except where caused by the active negligence, sole negligence, or willful misconduct of the City. These defense and indemnity obligations shall survive the termination or completion of this agreement and are in addition to, and not limited by, the insurance obligations in the agreement.
12. **INSURANCE:** Contractor shall not commence with any work before obtaining, and shall maintain in force at all times during the term of this Contract, the policies of insurance as specified by the City as attached as Exhibit A and incorporated herein by this reference.
13. **MISCELLANEOUS PROVISIONS:**
 - a. Contractor shall not engage in unlawful employment discrimination.
 - b. This Contract and its exhibits constitute the entire agreement between the parties relative to the services herein and no modifications shall be effective unless and until such modification is in writing and signed by both parties.

SPECIAL PROVISIONS

A. SCOPE OF WORK

1. The bid amount listed in the Contract shall be for all direct and administrative costs for the towing, removal, storage, dismantling and disposal of vehicles in accordance with the Clearlake Municipal Code and the California Vehicle Code.
2.
 - A) FLAT FEE - Passenger Vehicle or Truck:** Any motor vehicle or part thereof, attached or not, including tires up to a maximum of seven (7) per vehicle or truck; and which contains 1 cubic yard or less of rubbish, trash, household garbage or other items not associated with the vehicle. This applies to all passenger vehicles or trucks.
 - B) FLAT FEE - Semi Vehicles (excluding trailer) or Buses with more than 2 axles:** Any motor vehicle or part thereof, attached or not, including tires up to a maximum of ten (10) per semi vehicle or bus; and which contains 1 cubic yard or less of rubbish, trash, household garbage or other items not associated with the vehicle. This applies to all semi vehicles and buses with more than 2 axles.
 - C) FLAT FEE - Motor Homes or Travel Trailers:** Any motor home or travel trailer or part thereof, attached or not, including tires up to a maximum of seven (7) per motor home or travel trailer; and which contains 1 cubic yard or less of rubbish, trash, household garbage or other items not associated with the vehicle.
 - D) FLAT FEE - Vessels (with or without trailer):** Any vessel, with or without a trailer, or part thereof, attached or not, including tires up to a maximum of five (5) per vessel trailer; and which contains 1 cubic yard or less of rubbish, trash, household garbage or other items not associated with the vehicle. This applies to all vessels, with or without a trailer.
 - E) FLAT FEE - Difficult Recovery:** The Code Enforcement Supervisor shall confirm the conditions meet the definitions of difficult recovery prior to authorizing charges under this provision. Example of difficult recovery may include, but is not limited to, vehicle down an embankment, not typically accessible due to ground conditions, other vehicles or obstructions in way, etc.
 - F) FLAT FEE- Removal of Refuse, Exceeding 1 Cubic Yard, from Vehicles:** Vehicles that contain more than one (1) cubic yard of refuse will be compensated, per vehicle and per cubic yard, at the listed bid price per cubic yard basis. The Code Enforcement Supervisor shall approve any additional compensation for the removal and disposal of any extraneous contents of negligible value, in excess of one (1) cubic yard, found within a vehicle to be removed by Contractor. Such extraneous contents may include, but is not limited to, additional tires, garbage, trash, hazardous materials, appliances and other refuse.
3. The Contractor shall be capable of providing abatement services on an on-call basis. There is no guarantee as to the annual contract amount in dollar amounts nor number of vehicles to be abated, as these amounts are dependent upon available City funding, staffing and the number of vehicles requiring abatement by the City.
4. Contractor shall submit to the Code Enforcement Bureau on a monthly basis a request for payment of services performed during the prior calendar month, including the number of vehicles processed under the Contract. For each vehicle processed, the Contractor shall specify in the request for payment, the vehicle description and the date and location of the service.
5. **Contractor shall tow, store, and have the abandoned vehicles dismantled. Vehicles may be stored at the contractor's property or taken directly to a vehicle dismantler. Vehicles may not be stored at a city property.**
6. Contractor shall keep accurate records and documentation, and file certain notifications pertaining to the vehicles abated under this contract as may be required by the City or State of California including, but not limited to, logs, journals, vehicle location, disposition of vehicles and billings.
7. In the case of a public safety issue, if a response cannot be met in a reasonable timeframe, the City has the right to request an alternate tow company.
8. The City may allow another contractor to fill in and assist with towing services at the bid winner rates as needed if the bid winner is unable to tow vehicles within a reasonable timeframe.

B. POINT OF CONTACT

The following City employees are involved in this project:

Contract Specialist:	Melissa Swanson	994-8201 x 106
Code Enforcement Supervisor:	Lee Lambert	994-8251 x 113
Code Enforcement Contact	Jan Brejska	994-8251 x 309

The Contractor's primary contact is the Code Enforcement Bureau.

C. INQUIRIES

Technical inquiries regarding any phase of this project shall be made to the Code Enforcement Supervisor.
All contract or insurance inquiries should be made to Melissa Swanson.

EXHIBIT A
CITY OF CLEARLAKE
INSURANCE REQUIREMENTS FOR THE
CODE ENFORCEMENT ABANDONED VEHICLE ABATEMENT PROGRAM TOWING,
STORAGE, DISMANTLING AND DISPOSAL SERVICES

Contractor shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain the insurance listed below. Coverage shall be at least as broad as Insurance Services Office (ISO) CG 00 01. Any requirement for insurance to be maintained after completion of the work shall survive this agreement.

A. Workers' Compensation & Employers Liability

- Workers' Compensation insurance with statutory limits as required by the Labor Code of the State of California.
- Employers Liability with limits of \$1,000,000 per Accident; \$1,000,000 Disease per employee; \$1,000,000 Disease per policy.
- Thirty (30) days' prior written notice of cancellation or material change must be provided to **the City of Clearlake**.
- The policy must include a written waiver of the insurer's right to subrogate against **the City of Clearlake**.
- Required Evidence of Coverage:
 1. Subrogation waiver endorsement; and
 2. Properly completed Certificate of Insurance.

B. General Liability

- Commercial General Liability Insurance no less broad than ISO form CG 00 01.
- Coverage shall be on a standard Occurrence form. Claims-Made forms are not acceptable without prior written consent from **the City of Clearlake**. Modified, limited or restricted Occurrence forms are not acceptable without prior written consent from **the City of Clearlake**.
- Minimum Limits: \$1,000,000 per Occurrence; \$2,000,000 General Aggregate; \$2,000,000 Products/Completed Operations Aggregate. The General Aggregate shall apply separately to each Project.
- Prior written consent is required if the insurance has a deductible or self-insured retention in excess of \$25,000.
- Coverage shall be continued for one (1) year after completion of the contract.
- **The City of Clearlake** must be an additional insured for liability arising out of ongoing and completed operations by or on behalf of the contractor. **The City of Clearlake** shall continue to be an additional insured for completed operations for (1) year after completion of the contract.
- The policy definition of "insured contract" shall include assumptions of liability arising out of both ongoing operations and the products-completed operations hazard ("f" definition of insured contract in ISO form CG 00 01, or equivalent).
- The insurance provided to **the City of Clearlake** as an additional insured must apply on a primary and non-contributory basis with respect to any insurance or self-insurance program maintained by **the City of Clearlake**.
- Thirty (30) days' prior written notice of cancellation or material change must be provided to **the City of Clearlake**. The policy must cover inter-insured suits and include a "separation of Insureds" or "severability" clause which treats each insured separately.
- Required Evidence of Coverage:
 1. Copy of the additional insured endorsement or policy language granting additional insured status;
 2. Copy of the endorsement or policy language indicating that coverage applicable to **the City of Clearlake** is primary and non-contributory; and
 3. Properly completed Certificate of Insurance.

C. Automobile Liability

- Minimum Limit: \$1,000,000 combined single limit per accident.
- Coverage must apply to all owned, hired and non-owned vehicles.
- The policy must include an MCS 90 endorsement if required by the Department of Transportation under Motor Carrier Act of 1980.
- The policy must include a Pollution Liability endorsement (ISO form CA 99 48 or equivalent).
- The City of Clearlake must qualify as an insured.
- Required Evidence of Coverage:
 1. Copy of the endorsement or policy language indicating that the City of Clearlake is an insured;
 2. Copy of the MCS-90 endorsement if required;
 3. Copy of pollution liability endorsement; and
 4. Properly completed Certificate of Insurance.

D. Contractors Pollution Liability

- Minimum Limits: \$1,000,000 per Pollution Incident; \$1,000,000 Aggregate;
- Coverage shall apply to pollution incidents at or from any location at which Contractor is performing work under this agreement.
- The insurance shall be continued for two (2) years after completion of the contract.
- If the insurance is on a Claims-Made basis, the continuation coverage may be provided by: (a) renewal of the existing policy; (b) an extended reporting period endorsement; or (c) replacement insurance with a retroactive date no later than the commencement of the work.
- Required Evidence of Coverage:
 1. Properly completed Certificate of Insurance.

E. Standards for Insurance Companies

- Insurance policies must be issued by an insurer with an A.M. Best's rating of at least A:VII

F. Documentation

- The Certificate of Insurance must include the following reference: CODE ENFORCEMENT ABANDONED VEHICLE ABATEMENT PROGRAM TOWING, STORAGE, DISMANTLING AND DISPOSAL SERVICES
- The name and address for Additional Insured endorsements, Certificates of Insurance and Notice of Cancellation is: City of Clearlake, 14050 Olympic Drive, Clearlake CA 95422
- Current Evidence of Coverage must be provided for the entire required period of insurance.

Summary of Indemnity and Insurance Requirements:

Section I, Item 12.

1. This is a Summary of the Indemnity and Insurance requirements for Contractors providing services or supplies to the City of Clearlake. By agreeing to perform the work or submitting a proposal, you verify that you comply with and agree to be bound to these requirements. If any additional Contract documents are executed, the actual Indemnity language and Insurance requirements may include additional provisions as deemed appropriate by the City of Clearlake, and if a conflict occurs, the broader requirements shall prevail.
2. You should check with your insurance advisors to verify compliance and determine if additional coverage or limits may be needed to adequately insure your obligations under this agreement. These are the minimum required and do not in any way represent or imply that such coverage is sufficient to adequately cover the Contractor's liability under this agreement. The full coverage and limits of Insurance carried by or available to the Contractor shall be available to the City of Clearlake and these insurance requirements shall not in any way act to reduce coverage that is broader or includes higher limits than those required. The insurance obligations under this agreement shall be: 1- all the Insurance coverage and limits carried by or available to the Contractor; or 2- the minimum Insurance requirements shown in this agreement, whichever is greater. Any insurance proceeds in excess of the specified minimum limits and coverage required, which are applicable to a given loss, shall be available to the City of Clearlake.
3. Contractor shall furnish the City of Clearlake with original Certificates of Insurance including all required amendatory and Additional Insured endorsements (or copies of the applicable policy language effecting coverage required by this clause) as required in the applicable Agreement or Contract and a copy of the Declarations and Endorsement page of the CGL policy listing all policy endorsements to the City of Clearlake before work begins. The City of Clearlake reserves the right to require full-certified copies of all Insurance coverage and endorsements.

Indemnification

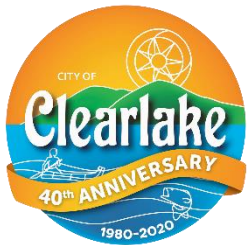
To the fullest extent permitted by law, Contractor shall hold harmless, defend at its own expense, and indemnify the City of Clearlake and its officers, employees, agents, and volunteers, against any and all liability, claims, losses, damages, or expenses, including reasonable attorney's fees, arising from all acts or omissions of Contractor or its officers, agents, or employees in rendering services under this contract; excluding, however, such liability, claims, losses, damages, or expenses arising from City's sole negligence or willful acts. These defense and indemnity obligations shall survive the termination or completion of this agreement and are in addition to, and not limited by, the insurance obligations in the agreement.

I have read and understand the above requirements and agree to be bound by them for any work performed for the City of Clearlake.

Authorized Signature



Date 10-6-21



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Update and Discussion on the Cache Fire

MEETING DATE: Oct. 21, 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:

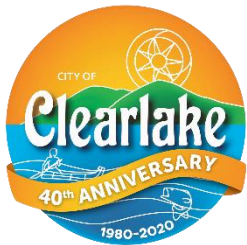
STRATEGIC PLAN IMPACT:

- ☒ 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

SUGGESTED MOTIONS:

☐ **Attachments:**



CITY OF CLEARLAKE

City Council

STAFF REPORT

SUBJECT: Discussion and Possible Action Regarding Lake County's Supervisorial Redistricting Process	MEETING DATE: Oct. 21, 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 Lake County's Redistricting Process and Provide Possible Direction to Staff.

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.

The Council has already discussed and took action submitting information to the Redistricting Commission regarding Congressional, State Senate and State Assembly District boundaries. The Lake County Board of Supervisors is currently considering changes to the five supervisorial district boundaries within Lake County. The Board is currently gathering public input on possible boundary changes. The next several weeks will be the Council and public's opportunity to provide input on the process.

More information on the process can be located here

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

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:**