



## CITY COUNCIL REGULAR MEETING

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

Thursday, August 04, 2022

Regular Meeting 6:00 PM

---

The City Council meetings are viewable in person in the Council Chambers, via livestreaming on the City's YouTube Channel ([https://www.youtube.com/channel/UCTyifT\\_nKS-3woxEu1ilBXA](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](mailto:mswanson@clearlake.ca.us). To give the City Council adequate time to review your questions and comments, please submit your written comments prior to 4:00 p.m. on the day of the meeting.

---

### AGENDA

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

#### AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

If you need disability related modification, including auxiliary aids or services, to participate in this meeting, please contact Melissa Swanson, Administrative Services Director/City Clerk at the Clearlake City Hall, 14050 Olympic Drive, Clearlake, California 95422, phone (707) 994-8201, ext 106, or via email at [mswanson@clearlake.ca.us](mailto: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](http://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](http://www.clearlake.ca.us).

**Zoom Link:** <https://clearlakeca.zoom.us/j/87188407783>

#### 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](mailto:mswanson@clearlake.ca.us).*

- D. ADOPTION OF THE AGENDA** *(This is the time for agenda modifications.)*
- E. 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.*
- F. 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.*
1. Authorization for Purchase of an Equipment Trailer  
Recommended Action: Move to approve the purchase with Felling Trailers in the amount of \$49,778.16
  2. Authorization for Payment of Expansion Fees for a Water Tie-in Related to the Austin Park Splash Pad Project  
Recommended Action: Move to approve the payment of fees to Highlands Water in the amount of \$31,675.00
  3. Second reading of Ordinance No. 265-2022 Amending Chapter 10, Section 10-3.5 of the Clearlake Municipal Code Relating to Appealing Abatement Orders to the City Council  
Recommended Action: Hold second reading of Ordinance No. 265-2022, an ordinance amending the section of the Clearlake Municipal Code related to Appeal of Abatement Orders to the City Council, read it by title only, waive further reading, and adopt ordinance
  4. Continuation of Declaration of Local Emergency Issued on August 23, 2021 and Ratified by Council Action on September 16, 2021  
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days

- 5. Continuation of Declaration of Local Emergency Issued on August 18, 2021 and Ratified by Council Action on August 19, 2021  
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days
  
- 6. Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361  
Recommended Action: Adopt Resolution
  
- 7. Warrants  
Recommended Action: Receive and file
  
- 8. Minutes of the June and July Meetings  
Recommended Action: Receive and file

**G. CITY MANAGER AND COUNCILMEMBER REPORTS**

**H. FUTURE AGENDA ITEMS**

**I. CLOSED SESSION**

- 9. 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
  
- 10. Conference with Legal Counsel: Anticipated Litigation Pursuant to Government Code Section 54956(d)(4): One (1) Potential Case

**J. ADJOURNMENT**

POSTED: August 1, 2022

BY:



Melissa Swanson, Administrative Services Director/City Clerk

# CITY OF CLEARLAKE

City Council



<b>STAFF REPORT</b>	
<b>SUBJECT:</b> Authorization for Purchase of an Equipment Trailer	<b>MEETING DATE:</b> August 4, 2022
<b>SUBMITTED BY:</b> Adeline Brown, Construction Project Manager	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

**WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:**

The City Council is being asked to approve the purchase of an equipment trailer from Felling Trailers in the amount of \$49,778.06

**BACKGROUND/DISCUSSION:**

The City is need of an equipment trailer and has solicited quotes for a base trailer and deck. The trailer would be a direct purchase from Felling Trailers, who is vendor of Sourcewell, who is an already approved state contract vendor.

The cost for the equipment trailer is \$49,778.16. Council has approved the allocation of up to \$175,000 for equipment.

**OPTIONS:**

1. Move to approve the purchase of the equipment in the amount of \$49,778.16.
2. Other direction

**FISCAL IMPACT:**

None  \$49,778.16 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 purchase with Felling Trailers in the amount of \$49,778.16

**Attachments:**

# CITY OF CLEARLAKE

City Council



<b>STAFF REPORT</b>	
<b>SUBJECT:</b> Authorization for payment of expansion fees for a water tie-in related to the Austin Park Splash Pad Project	<b>MEETING DATE:</b> August 4, 2022
<b>SUBMITTED BY:</b> Adeline Brown, Construction Project Manager	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

**WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:**

The City Council is being asked to approve the payment of expansion fees to Highlands Water to tie into an existing valve for new service at Austin Park in the amount of \$31,675.00

**BACKGROUND/DISCUSSION:**

The City has contracted to build a Splash Pad at Austin Park and has a need to tie into an existing valve for new service that is related to the installation and construction of the pad.

The cost of the tie-in and expansion fees to Highlands Water is \$31,675.00.

**OPTIONS:**

- 1. Move to approve the payment of fees in the amount of \$31,675.00
- 2. Other direction

**FISCAL IMPACT:**

None  \$31,675.00 Budgeted Item?  Yes  No

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

Affected fund(s):  General Fund  Measure P Fund  Measure V Fund  Other: 240-4202-850-887

Comments:

**STRATEGIC PLAN IMPACT:**

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

Goal #7: Support Economic Development

**SUGGESTED MOTIONS:**

Move to approve the payment of fees to Highlands Water in the amount of \$31,675.00

**Attachments:**

# CITY OF CLEARLAKE

City Council



<b>STAFF REPORT</b>	
<b>SUBJECT:</b> Second reading Ordinance No. 265-2022 Amending Chapter 10, Section 10-3.5 of the Clearlake Municipal Code Relating to Appealing Abatement Orders to the City Council	<b>MEETING DATE:</b> August 4, 2022
<b>SUBMITTED BY:</b> Ryan Jones, City Attorney	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

**WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:**

City Council is being asked to consider holding a second reading of and adopt an ordinance amending the section of the Clearlake Municipal Code related to Appeal of Abatement Orders to the City Council. These minor amendments will improve the procedures for appeal hearings consistent with best practices.

**BACKGROUND/DISCUSSION:**

On occasion, the City Council will serve as the appellate body for appeals of abatement orders, pursuant to Section 10-3.5 of the Clearlake Municipal Code. In conducting these appeals, it has come to staff’s attention that procedural elements of the appeal hearing can be improved. This code amendment would implement those improvements. The proposed modifications are not intended to create any substantive due process changes for the appellant. Instead, this amendment will streamline the language in the code section such that the procedures are more easily followed by both the appellant and the City. In addition, this ordinance would require a person submitting an appeal to first file an appeal fee, which the amount would be set by separate resolution.

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

**OPTIONS:**

1. Hold the second reading and adopt ordinance
2. Give alternate direction to staff



**FISCAL IMPACT:**

None  Budgeted Item?  Yes  No

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

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

Comments:

**STRATEGIC PLAN IMPACT:**

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

**SUGGESTED MOTIONS:**

Move to hold second reading of Ordinance No. 265-2022: AN ORDINANCE AMENDING CHAPTER 10, SECTION 10-3-5 OF THE CLEARLAKE MUNICIPAL CODE RELATED TO APPEALING ABATEMENT ORDERS TO THE CITY COUNCIL, read by title only and adopt ordinance.

**ATTACHMENT:**

1. Ordinance No. 265-2022

**ORDINANCE NO. 265-2022**

**AN ORDINANCE AMENDING CHAPTER 10, SECTION 10-3.5 OF THE CLEARLAKE MUNICIPAL CODE  
RELATED TO APPEALING ABATEMENT ORDERS TO THE CITY COUNCIL**

**WHEREAS**, the City Council desires to update procedures related to appealing abatement orders to the City Council;

**WHEREAS**, Section 10-3.5 needs to be amended to clarify the procedures that govern appeals to the City Council of abatement orders; and

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

**SECTION 1. FINDINGS.**

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

**SECTION 2.**

Chapter 10, Section 10-3.5, is hereby repealed as replaced as follows:

**10-3.5 Appeal to City Council.**

a. The Hearing Officer’s order may be appealed to the City Council by filing an appeal with the City Clerk within seven (7) days of the date of service of the Hearing Officer’s decision. The appeal shall contain:

- 1. A specific identification of the subject property;
- 2. The names and addresses of all appellants;
- 3. A statement of appellant’s legal interest in the subject property;
- 4. A statement in ordinary and concise language of the specific order or action protested and the grounds for appeal, together with all material facts in support thereof;
- 5. The date and signature of all appellants; and
- 6. The verification of all appellants as to the truth of the matters stated in the appeal, signed under penalty of perjury.
- 7. The appeal shall be accompanied by the fee required for the taking of any such appeal, which fee shall be set by City Council resolution. The City Council shall have the discretion to waive or modify the appeal fee if the responsible person demonstrates that no public nuisance existed at the time the notice to abate was issued.

b. As soon as practicable after receiving the appeal, the City Clerk shall set a date for the City Council to hear the appeal which date shall be no less than seven (7) days nor more than thirty (30) days from the date the appeal was filed. The City Clerk shall give each appellant written notice of the time and the place of the hearing at least five (5) days prior to the date of the hearing, either by causing a copy of the notice to be delivered to the appellant personally or by mailing a copy thereof (if the notice is mailed, City shall provide appellant an additional five calendar days of notice before the date of the hearing),

postage prepaid, addressed to the appellant at the address shown on the appeal. Continuances of the hearing may be granted by the City Council on request of the owner for good cause shown, or on the City Council's own motion.

c. If the City Council finds from the relevant evidence that a public nuisance exists and the notice of abatement was in conformance with the provisions of this chapter, it shall require the responsible person to comply with the order of abatement within thirty (30) calendar days after the date of mailing of the City Council's decision to the responsible person, unless a longer period of time to abate the nuisance is specifically authorized by the City Council.

d. The following will apply to the hearing procedure before the City Council:

1. At the time and place set for the appeal, the City Council shall hold a de novo hearing and shall afford the appellant and other interested parties a reasonable opportunity to be heard in connection therewith.

2. To allow appellants the opportunity to fully present their arguments, the formal rules of evidence shall not apply and all relevant evidence may be considered. However, the City Council has the discretion to exclude irrelevant evidence, i.e., evidence that does not pertain to the issue(s) on appeal. The City Council also has the discretion to exclude evidence it deems unnecessarily repetitive.

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

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

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

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

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

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
**Dirk Slooten, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Melissa Swanson, City Clerk**  
**City of Clearlake**

# CITY OF CLEARLAKE

City Council



<b>STAFF REPORT</b>	
<b>SUBJECT:</b> Continuation of Director of Emergency Services/City Manager Order (Directive #CACHE-01) Restricting Access to Specified Areas as a Result of Cache Fire	
<b>SUBMITTED BY:</b> Alan D. Flora, City Manager	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

**WHAT IS BEING ASKED OF THE CITY COUNCIL:**

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

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

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

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

**OPTIONS:**

- 1. Continue to ratify order.

**FISCAL IMPACT:**

None     Budgeted Item?     Yes     No

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

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

Comments:

**STRATEGIC PLAN IMPACT:**

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

**SUGGESTED MOTIONS:**

- Attachments:**

# CITY OF CLEARLAKE

City Council



<b>STAFF REPORT</b>	
<b>SUBJECT:</b> Continuation of Declaration of Local Emergency Issued on August 18, 2021 and Ratified by Council Action August 19, 2021	
<b>SUBMITTED BY:</b> Melissa Swanson, Administrative Services Director/City Clerk	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

**WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:**

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

**BACKGROUND/DISCUSSION:**

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

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

According to California Government Code Section 8630:

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

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

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

**OPTIONS:**

1. Move to continue the Proclamation of Emergency ratified in Resolution No. 2021-44 and review the status of the Proclamation again within 60 days
2. Other direction

**FISCAL IMPACT:**

None       \$      Budgeted Item?    Yes    No

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

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

Comments: There is potential for recovery of costs by the City due to the declared state of emergency.

**STRATEGIC PLAN IMPACT:**

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

**SUGGESTED MOTIONS:**

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





<b>STAFF REPORT</b>	
<b>SUBJECT:</b> Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361	
<b>SUBMITTED BY:</b> Melissa Swanson, Administrative Services Director/City Clerk	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

**WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:**

The City Council is being asked to authorize the City Clerk to implement and utilize teleconference accessibility to conduct public meetings pursuant to Assembly Bill 361 (Stats. 2021, ch. 165).

**BACKGROUND/DISCUSSION:**

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

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

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

**Subsequent Remote Meetings**

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

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

**OPTIONS:**

1. Move to adopt the attached resolution to allow ongoing teleconferencing of public meetings
2. Other direction

**FISCAL IMPACT:**

None       \$      Budgeted Item?  Yes  No

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

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

**STRATEGIC PLAN IMPACT:**

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

**SUGGESTED ACTIONS:**

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

- Attachments:**      1) Resolution No. 2022-49

## RESOLUTION NO. 2022-49

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

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

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

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

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

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

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

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

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

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

PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of August, 2022 by the following roll call vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Dirk Slooten, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Swanson, City Clerk



Clearlake, CA

Section F, Item 7.

Check Register

Packet: APPKT01496 - 7/21/22 AP CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP-Accounts Payable</b>						
002319	ALAN FLORA	07/21/2022	Regular	0.00	510.62	12959
VEN01302	AMAZON CAPITAL SERVICES, INC	07/21/2022	Regular	0.00	597.93	12960
000101	AMERIGAS	07/21/2022	Regular	0.00	1,525.32	12961
000085	ARAMARK UNIFORM SERVICES	07/21/2022	Regular	0.00	49.31	12962
001397	AT&T CALNET 3	07/21/2022	Regular	0.00	22.43	12963
001397	AT&T CALNET 3	07/21/2022	Regular	0.00	22.62	12964
001397	AT&T CALNET 3	07/21/2022	Regular	0.00	22.43	12965
000068	BOB'S JANITORIAL	07/21/2022	Regular	0.00	475.12	12966
002162	CALIFORNIA ENGINEERING	07/21/2022	Regular	0.00	7,851.87	12967
001811	CALIFORNIA EXTERMINATORS ALLIA	07/21/2022	Regular	0.00	100.00	12968
VEN01178	CALIFORNIA INTERGOVERNMENTAL R	07/21/2022	Regular	0.00	3,225.96	12969
2404	CALTRONICS	07/21/2022	Regular	0.00	651.31	12970
002370	CODE PUBLISHING CO	07/21/2022	Regular	0.00	323.10	12971
000548	COMPUTER LOGISTICS	07/21/2022	Regular	0.00	3,588.11	12972
000585	COUNTY OF LAKE COMMUNITY DEVEL	07/21/2022	Regular	0.00	17.50	12973
000237	DEPT OF CONSERVATION	07/21/2022	Regular	0.00	6,901.92	12974
VEN01241	E4 UTILITY DESIGN	07/21/2022	Regular	0.00	2,900.00	12975
000073	EASTLAKE SANITARY LANDFILL	07/21/2022	Regular	0.00	107.17	12976
000120	FED EX	07/21/2022	Regular	0.00	21.31	12977
001845	FOODS ETC	07/21/2022	Regular	0.00	280.38	12978
000121	HIGHLANDS WATER COMPANY	07/21/2022	Regular	0.00	1,096.11	12979
000304	KONOCTI COUNTY WATER DISTRICT	07/21/2022	Regular	0.00	60.00	12980
000108	LAKE COUNTY RECORD BEE	07/21/2022	Regular	0.00	995.55	12981
VEN01240	MIDDLETOWN COPY & PRINT - JESSICA	07/21/2022	Regular	0.00	248.82	12982
001489	NAPA AUTO PARTS	07/21/2022	Regular	0.00	200.61	12983
001392	OFFICE DEPOT	07/21/2022	Regular	0.00	65.41	12984
001483	PETERSON CAT	07/21/2022	Regular	0.00	3,477.99	12985
001843	PG&E CFM	07/21/2022	Regular	0.00	4,641.99	12986
	**Void**	07/21/2022	Regular	0.00	0.00	12987
002374	PREDATOR PEST & WEED	07/21/2022	Regular	0.00	200.00	12988
000711	PURCHASE POWER	07/21/2022	Regular	0.00	520.99	12989
001857	RANEY PLANNING & MANAGEMENT	07/21/2022	Regular	0.00	1,557.85	12990
002031	REDWOOD COAST FUELS	07/21/2022	Regular	0.00	1,721.87	12991
VEN01260	RESOURCE ENVIRONMENTAL, INC.	07/21/2022	Regular	0.00	18,990.15	12992
VEN01063	SIGNATURE PUBLIC FUNDING	07/21/2022	Regular	0.00	78,663.60	12993
000676	SONOMA STATE UNIVERSITY	07/21/2022	Regular	0.00	75.00	12994
VEN01309	STACEY YOUNG - BADASS BLT'S & MOI	07/21/2022	Regular	0.00	148.88	12995
VEN01216	THE CYPRESS COMPANIES, LLC	07/21/2022	Regular	0.00	8,700.00	12996
001934	TINA VIRAMONTES	07/21/2022	Regular	0.00	25.00	12997
VEN01308	VELJKO POPOVIC	07/21/2022	Regular	0.00	3,500.00	12998

Check Register

Packet: APPKT01496-

Section F, Item 7.

<b>Vendor Number</b>	<b>Vendor Name</b>	<b>Payment Date</b>	<b>Payment Type</b>	<b>Discount Amount</b>	<b>Payment Amount</b>	<b>Number</b>
VEN01221	WINE COUNTRY VENTURES, INC	07/21/2022	Regular	0.00	1,190.00	12999

Bank Code AP Summary

<b>Payment Type</b>	<b>Payable Count</b>	<b>Payment Count</b>	<b>Discount</b>	<b>Payment</b>
Regular Checks	65	40	0.00	155,274.23
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>65</b>	<b>41</b>	<b>0.00</b>	<b>155,274.23</b>

### Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	7/2022	155,274.23
			<hr/>
			<b>155,274.23</b>



Clearlake, CA

Section F, Item 7.

Check Register

Packet: APPKT01515 - 7/28/22 AP CHECK RUN CM

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP-Accounts Payable</b>						
VEN01168	ADAM J GIORDANO	07/28/2022	Regular	0.00	400.00	13000
000085	ARAMARK UNIFORM SERVICES	07/28/2022	Regular	0.00	49.31	13001
001435	ARGONAUT CONSTRUCTORS	07/28/2022	Regular	0.00	176,856.04	13002
001418	B & G TIRES OF CLEARLAKE	07/28/2022	Regular	0.00	60.00	13003
001665	BRUNO SABATIER	07/28/2022	Regular	0.00	100.00	13004
002328	CALAFCO	07/28/2022	Regular	0.00	3,232.00	13005
002162	CALIFORNIA ENGINEERING	07/28/2022	Regular	0.00	29,547.01	13006
VEN01178	CALIFORNIA INTERGOVERNMENTAL R	07/28/2022	Regular	0.00	48,394.51	13007
000914	CATERPILLAR FINANCIAL SERVICES	07/28/2022	Regular	0.00	109.84	13008
000794	CHERNOH EXCAVATING INC	07/28/2022	Regular	0.00	1,240.00	13009
000024	CLEARLAKE POLICE ASSOCIATION	07/28/2022	Regular	0.00	1,437.50	13010
001424	CLEARLAKE WASTE SOLUTIONS	07/28/2022	Regular	0.00	26,382.08	13011
001835	DIRK SLOOTEN	07/28/2022	Regular	0.00	100.00	13012
VEN01126	ECORP CONSULTING, INC	07/28/2022	Regular	0.00	541.25	13013
000004	EDWARD A ROBEY JR	07/28/2022	Regular	0.00	100.00	13014
002110	ELEM INDIAN COLONY	07/28/2022	Regular	0.00	975.00	13015
2411	ERIN MCCARRICK	07/28/2022	Regular	0.00	75.00	13016
001199	EUREKA OXYGEN CO	07/28/2022	Regular	0.00	42.34	13017
VEN01108	FAWN CHRISTINE WILLIAMS	07/28/2022	Regular	0.00	75.00	13018
001271	FRANCHISE TAX BOARD	07/28/2022	Regular	0.00	471.28	13019
000797	GRANITE CONSTRUCTION	07/28/2022	Regular	0.00	99,750.00	13020
VEN01099	GRANT MANAGEMENT ASSOCIATES	07/28/2022	Regular	0.00	390.00	13021
001729	HD EXCAVATING	07/28/2022	Regular	0.00	1,200.00	13022
VEN01317	JACOB WHEELER	07/28/2022	Regular	0.00	400.00	13023
VEN01317	JACOB WHEELER	07/28/2022	Regular	0.00	400.00	13024
002274	JOHN R BENOIT	07/28/2022	Regular	0.00	6,242.67	13025
002276	JOSE L SIMON III	07/28/2022	Regular	0.00	100.00	13026
002269	LAKE COUNTY CHAMBER	07/28/2022	Regular	0.00	5,000.00	13027
000108	LAKE COUNTY RECORD BEE	07/28/2022	Regular	0.00	191.87	13028
VEN01079	LAM PRINTING	07/28/2022	Regular	0.00	754.73	13029
002286	LISA WILSON	07/28/2022	Regular	0.00	75.00	13030
VEN01314	LIVE OAK ASSOCIATED, INC	07/28/2022	Regular	0.00	2,063.75	13031
002169	LOS CARNEROS INVESTIGATIVE SVC	07/28/2022	Regular	0.00	900.00	13032
001251	MARK A CLEMENTI PHD	07/28/2022	Regular	0.00	774.00	13033
VEN01048	Minnesota Life Insurance	07/28/2022	Regular	0.00	842.46	13034
001489	NAPA AUTO PARTS	07/28/2022	Regular	0.00	1,089.00	13035
000026	NATIONWIDE RETIREMENT SOLUTION	07/28/2022	Regular	0.00	1,520.08	13036
001392	OFFICE DEPOT	07/28/2022	Regular	0.00	113.64	13037
000009	OPERATING ENGINEERS LOCAL 3	07/28/2022	Regular	0.00	700.00	13038
VEN01098	PAVEMENT COATINGS CO.	07/28/2022	Regular	0.00	5,853.75	13039
002031	REDWOOD COAST FUELS	07/28/2022	Regular	0.00	855.41	13040
002215	ROBERT COKER	07/28/2022	Regular	0.00	75.00	13041
VEN01171	SKIP'S MUSIC INC.	07/28/2022	Regular	0.00	500.00	13042
001876	SYAR INDUSTRIES INC	07/28/2022	Regular	0.00	3,982.99	13043
VEN01222	TERRY LEE STEWART	07/28/2022	Regular	0.00	75.00	13044
002375	THOMAS DEWALT	07/28/2022	Regular	0.00	1,000.00	13045
VEN01310	TIM BIASOTTI - BARBEQUE BY BIASOT	07/28/2022	Regular	0.00	1,875.94	13046
000708	VALIC LOCKBOX	07/28/2022	Regular	0.00	395.00	13047
002264	WEX BANK	07/28/2022	Regular	0.00	13,234.88	13048



Check Register

Packet: APPKT01515-7

Section F, Item 7.

<b>Vendor Number</b> VEN01300	<b>Vendor Name</b> TIME ACCESS SYSTEMS INC.	<b>Payment Date</b> 07/28/2022	<b>Payment Type</b> Bank Draft	<b>Discount Amount</b> 0.00	<b>Payment Amount</b> 11,724.88	<b>Number</b> DFT0001629
----------------------------------	--	-----------------------------------	-----------------------------------	--------------------------------	------------------------------------	-----------------------------

Bank Code AP Summary

<b>Payment Type</b>	<b>Payable Count</b>	<b>Payment Count</b>	<b>Discount</b>	<b>Payment</b>
Regular Checks	65	49	0.00	440,543.33
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	1	1	0.00	11,724.88
EFT's	0	0	0.00	0.00
	<b>66</b>	<b>50</b>	<b>0.00</b>	<b>452,268.21</b>

### Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	7/2022	452,268.21
			<hr/>
			<b>452,268.21</b>



## CITY COUNCIL REGULAR MEETING

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

Thursday, June 02, 2022

Regular Meeting 6:00 PM

---

### MINUTES

Zoom Link: <https://clearlakeca.zoom.us/j/82980577088>

#### A. ROLL CALL

PRESENT

Mayor Dirk Slooten

Vice Mayor Russ Perdock

Council Member David Claffey

Council Member Russ Cremer

Council Member Joyce Overton

#### B. PLEDGE OF ALLEGIANCE

#### C. INVOCATION/MOMENT OF SILENCE

#### D. ADOPTION OF THE AGENDA

Item #1 will be rescheduled for next meeting.

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

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

#### E. PRESENTATIONS

1. Presentation by CalOES on the Cache Fire Recovery

This item was continued to the June 16, 2022 meeting.

2. Presentation Regarding the Lake County Clean Water Program and Storm Water Management in Lake County
3. Presentation of a Proclamation Declaring June 2022 as LGBTQIA+ Pride Month

#### F. PUBLIC COMMENT

Willie Long spoke on bike lanes on Dam Road and on Phillips. He stated there are sight restrictions at 42nd and Phillips.

Judy Barnes and Barbara Christwitz submitted Public Comment Cards regarding shopping carts but left before Public Comment.

Susei Hidebrecht spoke regarding stray dogs killing cats on her street.

Mark Scott with North Bay Animal Control Services spoke regarding this issue and reported that they are acting on the reports.

## **G. CONSENT AGENDA**

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

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

4. Meeting Minutes from April 21, 2022  
Recommended Action: Receive and file
5. Second Reading and Adoption of Ordinance No. 262-2022,  
Recommended Action: Hold second reading, read by title only, waive further reading and adopt ordinance
6. Continuation of Declaration of Local Emergency Issued on August 23, 2021 and Ratified by Council Action on September 16, 2021  
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days
7. Adoption of 7th Amendment to the FY 2021-22 Budget to appropriate funds for design and planning services; Resolution No. 2022-32  
Recommended Action: Adopt resolution
8. Second reading Ordinance No. 262-2022 Adding Chapter 11-6 of the Clearlake Municipal Code Establishing Edible Food Recovery Regulations in Accordance with SB 1383  
Recommended Action: Move to waive full reading of the ordinance, read by title only Ordinance No. 262-2022, which amends the Clearlake Municipal Code by establishing regulations related to the establishment of an edible food recovery program, and adopt ordinance
9. Warrants  
Recommended Action: Receive and file
10. Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361  
Recommended Action: Adopt Resolution

- 11. Authorization of Execution of the Clean California Restricted Grant Agreement; Resolution No. 2022-33  
Recommended Action: Adopt resolution
- 12. Authorization of Amendment to the Operating Engineers Public Trust Agreement  
Recommended Action: Authorize the City Manager to sign the amendment
- 13. Amendment to California Engineering Company, Inc. Engineering Consultant Contract  
Recommended Action: Authorize City Manager to sign amendment

**H. BUSINESS**

- 14. Confirm assessment(s) in the total amount of \$76,959.16 for City funded abatements, in accordance with Clearlake Municipal Code Chapter 10

Code Enforcement Supervisor Lambert gave the staff report.

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

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

- 15. To hear and act upon an appeal of an Order to Abate for 16036 14<sup>th</sup> Avenue, in accordance with Clearlake Municipal Code Chapter 18, Articles 41 and 42.

Code Enforcement Officer Steve Felder gave the staff report.

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

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

- 16. Purchase of an eCitation Solution from Tyler Technologies  
Recommended Action: Adopt Resolution No. 2022-31, authorizing the Chief of Police to enter into a contract with Tyler Technologies, Inc. for the purchase of an eCitation solution.

Chief White gave the staff report.

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

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

- 17. Consideration of Adoption of Resolution No. 2022-35 Calling For and Giving Notice of the General Municipal Election  
Recommended Action: Adopt resolution

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

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

**I. CITY MANAGER AND COUNCILMEMBER REPORTS**

**J. FUTURE AGENDA ITEMS**

**K. CLOSED SESSION**

(18) Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6: Agency designated representatives: City Manager Flora, Finance Director Young, Administrative Services Director Swanson; Employee Organization: Clearlake Municipal Employee Association; Clearlake Police Officers Association

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

Direction was given to staff during closed session.

**M. ADJOURNMENT**

Adjournment at 7:38 p.m.

BY:



Melissa Swanson, Administrative Services Director/City Clerk



## CITY COUNCIL REGULAR MEETING

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

Thursday, June 16, 2022

Regular Meeting 6:00 PM

---

### MINUTES

Zoom Link: <https://clearlakeca.zoom.us/j/87415877504>

#### A. ROLL CALL

PRESENT

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

#### B. BUSINESS

1. FY 2022/23 Budget Workshop

Finance Director Young gave an overview of the FY 22/23 Proposed Budget.

#### C. PLEDGE OF ALLEGIANCE

#### D. INVOCATION/MOMENT OF SILENCE

#### E. ADOPTION OF THE AGENDA

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

#### F. PRESENTATIONS

2. Presentation of June's Adoptable Dogs
3. Presentation by CalOES on the 2021 Cache Fire Recovery
4. Presentation by Water Resources of the Cache Fire Post-Fire Monitoring Results

5. Presentation By Anderson Marsh Interpretive Association on the Planting of Valley Oak Trees at Anderson Marsh

## G. PUBLIC COMMENT

Deb Sally spoke regarding the Oak Tree Mitigation Plan. She also spoke regarding animal control services.

Rodney (unknown last name) spoke regarding his property within the Cache Fire footprint and the effect of the proposed road closures on his property.

## H. CONSENT AGENDA

Items #9 and #10 were removed.

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

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

6. Consideration of Resolution No. 2022-36, A Resolution of the City of Clearlake, approving a temporary street closure for the Annual 4th of July Parade and festivities on July 2, 2022.  
Recommended Action: Move to approve Resolution No. 2022-36 for the temporary road closure on July 2, 2022.
7. Amendment to the Contract with BPR Consulting Group for building inspection services  
Recommended Action: Authorize amendment in an amount not to exceed \$50,000 and authorize the City Manager to sign
8. Authorization of an Amendment of Contract for Construction Administrative Services for the Sulphur Fire Roadway Improvement Project  
Recommended Action: Move to amend the contract with Green Valley for a not-to-exceed amount of \$135,000.00.
9. Award of contract for demolition of structure(s) and abatement of property located at 14101 Villa Way Clearlake, CA 95422
10. Award of contract for demolition of structure(s) and abatement of property located at 14095 Villa Way Clearlake, CA 95422
11. Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361  
Recommended Action: Adopt Resolution
12. Continuation of Declaration of Local Emergency Issued on August 23, 2021 and Ratified by Council Action on September 16, 2021  
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days



13. Continuation of Declaration of Local Emergency Issued on August 18, 2021 and Ratified by Council Action on August 19, 2021  
Recommended Action: By motion keep declaration of emergency active and set next review in sixty days
14. Warrants  
Recommended Action: Receive and file
15. Minutes of the May 11, 2022 Lake County Vector Control District Board Meeting  
Recommended Action: Receive and file
16. Review of Conflict of Interest Code  
Recommended Action: Authorize the City Manager to review the Conflict of Interest Code
17. Authorization of an Amendment of budget for the 2021 Measure V Improvement Project  
Recommended Action: Authorize amendment to the contract in the amount of \$104,000.00

## I. PUBLIC HEARING

18. Public Hearing to Consider An 18-month Closure of Multiple Dirt Roads in the Area of the Cache Fire, and Park St from Sonoma to Oregon; Resolution No. 2022-39  
Recommended Action: Adopt Resolution and authorize City staff to take the actions to secure the area

City Manager Flora gave the staff report.

Vice Mayor Perdock opened the Public Hearing at 7:10 p.m.

Nicole Cook spoke against the item.

David Ferrell spoke in favor of the item but spoke against his property being fined for abatement issues.

Kelly Wood spoke against the item.

City Manager Flora read emailed comment by Paul Pastorino which were questions answered by staff.

Public Hearing was closed at 7:30 p.m.

Consensus of the Council to direct staff to provide information on the process on the City's website and Notices Of Violation as feasible.

Motion to adopt resolution made by Council Member Cremer, Seconded by Council Member Claffey.

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

- 19. Adoption of Appropriations Limit (Gann Limit) for Fiscal Year 2022-23 and designating the formula to be used for calculation of same  
Recommended Action: Adopt Resolution No. 2022-42

City Manager Flora and Finance Director Young gave the staff report.

Mayor Slooten opened the Public Hearing at 7:25 p.m.

There were no comments.

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

- 20. Adoption of the City of Clearlake's Budget for Fiscal Year 2022-23  
Recommended Action: Adopt Resolution No. 2022-43

City Manager Flora and Finance Director Young gave the staff report.

Mayor Slooten opened the Public Hearing at 7:32 p.m.

There were no comments.

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

**J. BUSINESS**

- 21. Consideration of a Contract with North Bay Animal Services for Animal Care & Control Services  
Recommended Action: Authorize the City Manager to execute a contract with NBAS for Animal Care & Control Services for a term of 10 years.

Chief White gave the staff report.

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

- 22. Consideration of a Memorandum of Understanding between the City of Clearlake and the Clearlake Municipal Employees Association for the Period of July 1, 2022 through June 30, 2025  
Recommended Action: Adopt Memorandum of Understanding between the City of Clearlake and Clearlake Miscellaneous Employees Association and authorize the City Manager to sign

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

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

23. Consideration of a Memorandum of Understanding between the City of Clearlake and the Clearlake Police Officers Association for the period of July 1, 2022 through June 30, 2024  
Recommended Action: Adopt Memorandum of Understanding between the City of Clearlake and the Clearlake Police Officers Association and authorize the City Manager to sign

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

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

24. Lease w/Dell Financial Services for Computer Workstations for the Police Department  
Recommended Action: Adopt Resolution No. 2022-38, authorizing the Chief of Police to enter into a lease with Dell Financial Services for computer workstation replacements.

Chief White gave the staff report.

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

25. Ordinance Amending the Clearlake Municipal Code Relating to Traffic and Parking Regulations; Ordinance No. 263-2022  
Recommended Action: Introduce ordinance, conduct first reading, read by title only, and set second reading and adoption.

Chief White gave the staff report.

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

26. Authorization of Job Descriptions and/or Placement into Salary Schedule for Certain Administrative Positions; Resolution No. 2022-42  
Recommended Action: Adopt resolution and authorize positions for the 2022/23 Fiscal Year budget

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

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

**K. CITY MANAGER AND COUNCILMEMBER REPORTS**

**L. FUTURE AGENDA ITEMS**

**M. ADJOURNMENT**

The meeting was adjourned at 9:00 p.m.

BY:



Melissa Swanson, Administrative Services Director/City Clerk



## CITY COUNCIL REGULAR MEETING

Clearlake City Hall Council Chambers

14050 Olympic Dr, Clearlake, CA

Thursday, July 21, 2022

Regular Meeting 6:00 PM

---

### MINUTES

Zoom Link: <https://clearlakeca.zoom.us/j/84738292742>

#### A. ROLL CALL

PRESENT

Mayor Dirk Slooten

Vice Mayor Russ Perdock

Council Member David Claffey

Council Member Russ Cremer

Council Member Joyce Overton

#### B. PLEDGE OF ALLEGIANCE

#### C. INVOCATION/MOMENT OF SILENCE

#### D. ADOPTION OF THE AGENDA

Motion made by Council Member Cremer.

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

#### E. PRESENTATIONS

1. Presentation of July's Adoptable Dogs

#### F. PUBLIC COMMENT

A citizen spoke regarding the odor of the lake and asked if any research has been done to eliminate the odor. She also spoke regarding water trucks filling their trucks with water from the lake.

#### G. CONSENT AGENDA

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

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

Cremer, Council Member Overton

2. Minutes of the June 8, 2022 Lake County Vector Control District Board Meeting  
Recommended Action: Receive and file
3. Warrants  
Recommended Action: Receive and file
4. Adoption of Development Agreement, DA 2022-01 for a Commercial Cannabis Operation located at 2250 Ogulin Canyon Road, further described as Assessor Parcel Number 010-044-19.  
Recommended Action: Hold second reading of Ordinance # 264-2022, read by title only, waive further reading and adopt ordinance
5. Second reading Ordinance No. 263-2022 Amending Chapter 8, Section 8-6 of the Clearlake Municipal Code Relating to Traffic and Parking Regulations  
Recommended Action: Hold second reading of Ordinance No. 263-2022, read by title only, waive further reading and adopt

#### **H. PUBLIC HEARING**

6. Public Hearing to Consider Adoption of Resolution No. 2022-48 Approving the Fiscal Year 2022-23 Fee Schedule  
Recommended Action: Hold Public Hearing, hear public comments and adopt resolution

Finance Director Young gave the staff report.

Mayor Slooten opened the Public Hearing at 6:30 p.m.

Bruno Sabatier asked questions of staff.

Dave Hughes spoke on the use permit process and against raising the use permit fees.

The Public Hearing was closed at 6:38 p.m.

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

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

#### **I. BUSINESS**

7. Consideration of Request for the City of Clearlake to Initiate an Annexation Process for Approximately 300 acres at 2050 & 2122 Ogulin Canyon Road, Clearlake  
Recommended Action: Provide Direction to Staff

City Manager Flora gave the staff report.

Richard Knoll spoke on behalf of the requestors. Brian Pensack, property owner, spoke on the request.

Direction to staff: Cremer, Overton, Claffey, Perdock, Slooten in favor of initiating annexation process.

- 8. Consideration of City of Clearlake 17-CDBG-DR-MHP Contract Amendment and adding additional 18-CDBG-DR-MHP Phase II Funds to City Contract  
Recommended Action: Adopt Resolution 2022-47

City Manager Flora gave the staff report.

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

- 9. Consideration of Agreement with the City of Lakeport for Supplemental Law Enforcement Services  
Recommended Action: Authorize the Police Chief to Sign the Agreement

Chief White gave the staff report. He announced minor modifications to the agreement surrounding worker's compensation and CalPERS reimbursements.

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

- 10. Introduction and first reading of Ordinance No. 265-2022 Amending Chapter 10, Section 10-3.5 of the Clearlake Municipal Code Relating to Appealing Abatement Orders to the City Council  
Recommended Action: Hold first reading of Ordinance No. 265-2022, an ordinance amending the section of the Clearlake Municipal Code related to Appeal of Abatement Orders to the City Council, read it by title only, waive further reading, and set second reading for the August 4, 2022 meeting

City Attorney Jones gave the staff report.

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

**J. CITY MANAGER AND COUNCILMEMBER REPORTS**

**K. FUTURE AGENDA ITEMS**

**L. CLOSED SESSION**

- (11) 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
- (12) Conference with Legal Counsel: Anticipated Litigation Pursuant to Government Code Section 54956.9(b): One (1) Potential Case

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

City Attorney Jones announced there was no action taken in closed session.

**N. ADJOURNMENT**

The meeting was adjourned at 8:26 p.m.

BY:



Melissa Swanson, Administrative Services Director/City Clerk





## CITY COUNCIL SPECIAL MEETING

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

Thursday, June 02, 2022

Special Meeting 3:00 PM

---

### MINUTES

Zoom Link: <https://clearlakeca.zoom.us/j/88364271899>

#### A. ROLL CALL

PRESENT

Mayor Dirk Slooten

Vice Mayor Russ Perdock

Council Member David Claffey

Council Member Russ Cremer

Council Member Joyce Overton

#### B. PLEDGE OF ALLEGIANCE

#### C. PUBLIC HEARING

1. Consideration of an appeal of the City of Clearlake Hearing Officer's order, denying an appeal of an Order to Abate for the property located at 14525 Lakeshore Drive, in accordance with Clearlake Municipal Code Chapter 10

City Attorney Pucci went over the appeal procedures.

Appellant Shekar was present and asked for a continuance of the Public Hearing.

Consensus to hold the Public Hearing as noticed.

Code Enforcement Supervisor Lambert was given an affirmation and gave the staff report. Appellant Shekar objected to the photos in the staff report, stating the photos are not of the current state of the building. Council heard the objection. Code Enforcement Supervisor Lambert then continued his staff report. Photos of the building were submitted and reviewed by Mr. Lambert.

Roopa Shekar submitted photos to the Council. City Attorney Pucci explained procedures of the hearing in regards to Ms. Shekar's new evidence. Ms. Shekar was given an affirmation and gave her testimony.

Elizabeth Larson asked questions of the Council that were referred to staff and City Manager Flora answered. Ms. Shekar objected to City Manager Flora's answer that she has not

contracted with a general contractor. City Attorney Pucci restated the Council is to hear the appeal of City Manager Flora's decision.

There were no further public comments.

Ms. Shekar stated that she has not been given enough time to properly restore the building.

City Manager Flora stated a correction to Ms. Shekar's testimony that he gave her 14 days to find a contractor.

The Council then deliberated.

Ms. Shekar closed by asking for additional time to get plans complete and building permits in place.

City Attorney Palmer gave a closing statement asking the Council to uphold the decision of City Manager Flora.

Motion by Council Member Overton, Seconded by Council Member Cremer to deny the appeal and affirm the hearing officers decision of May 9, 2022 upholding the order to abate and finding that the abatement is necessary due to the public nuisance that exists on the property.

Motion passed 5-0 with further direction to staff to set an Aug 1st deadline to have formal engineered and city approved plans for the complete rehabilitation of the structure. With further directives that the resolution of final decision include the August 1st deadline as well as an order that all other property maintenance related violations be abated immediately.

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

**D. ADJOURNMENT**

The meeting was adjourned at 4:26 p.m.

BY:



Melissa Swanson, Administrative Services Director/City Clerk



## CITY COUNCIL REGULAR MEETING

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

Thursday, July 07, 2022

Regular Meeting 6:00 PM

---

### MINUTES

#### A. CLOSED SESSION

- (1) Conference with Legal Counsel: Existing Litigation Pursuant to Government Code Section 54956.9: Name of Case: City of Clearlake v. Sunshine Properties LLC (14630 Olympic Drive, Clearlake CA 95422), Case Number CV422746, Lake County Superior Court
- (2) 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
- (3) Conference with Labor Negotiators: Pursuant to Government Code Section 54957.6: Agency designated representatives: City Manager Flora; Employee Organization: Unrepresented Management Employees
- (4) Conference with Legal Counsel: Anticipated Litigation Pursuant to Government Code Section 54956.9(b): Two (2) Potential Cases

#### B. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

City Attorney Jones stated there was no action taken in closed session.

**Zoom Link:** <https://clearlakeca.zoom.us/j/84997130847>

#### C. ROLL CALL

#### D. PLEDGE OF ALLEGIANCE

#### E. INVOCATION/MOMENT OF SILENCE

#### F. ADOPTION OF THE AGENDA

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

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

**G. PRESENTATIONS****H. PUBLIC COMMENT**

Councilmember Cremer asked for the Council to recognize Firefighters Appreciation Week.

**I. CONSENT AGENDA**

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

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

## 5. Warrants

Recommended Action: Receive and file

## 6. Continuation of Declaration of Local Emergency Issued on August 23, 2021 and Ratified by Council Action on September 16, 2021

Recommended Action: By motion keep declaration of emergency active and set next review in sixty days

## 7. Continuation of Declaration of Local Emergency Issued on August 18, 2021 and Ratified by Council Action on August 19, 2021

Recommended Action: By motion keep declaration of emergency active and set next review in sixty days

## 8. Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361

Recommended Action: Adopt Resolution

## 9. Minutes of the April and May Meetings

Recommended Action: Receive and file

## 10. Notification of Expiring Committee Appointments

Recommended Action: Receive and file

Mayor Slooten noted a correction to the Mayor's Appointments to add that Councilmember Perdock is a member to the APC.

**J. PUBLIC HEARING**

## 11. Consideration of the partial abandonment of Spruce Avenue and Armijo Avenue North of 18th Avenue.

Recommended Action: Adopt Resolution # 2022-45

City Manager Flora gave the staff report.

Mayor Slooten opened the public hearing at 6:17 p.m. There were no public comments.

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

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

12. Public Hearing to Consider Development Agreement, DA 2022-01 for a Commercial Cannabis Operation located at 2250 Ogulin Canyon Road, further described as Assessor Parcel Number 010-044-19.

Recommended Action: Hold first reading of Ordinance # 264-2022, read by title only, waive further reading and set second reading for July 21, 2022

City Manager Flora gave the staff report.

Mayor Slooten opened the public hearing at 6:19 p.m. There were no public comments.

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

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

#### **K. BUSINESS**

13. Discussion Regarding Mandatory Water Allocations and other Drought Mitigation Measures  
Recommended Action: Direction to Staff.

City Manager Flora gave the staff report.

Keith Ahart with Golden State Water Company was present to discuss drought mitigation measures. Frank Costner with Konocti County Water District was also present to discuss drought mitigation measures.

There were no actions taken by Council on this item.

14. Re-introduction for first reading Ordinance No. 263-2022 Amending Chapter 8, Section 8-6 of the Clearlake Municipal Code Relating to Traffic and Parking Regulations

Recommended Action: Hold first reading of Ordinance No. 263-2022, read by title only, waive further reading and set second reading and adoption for July 21, 2022

City Attorney Jones gave the staff report.

15. Consideration of Approval of Lakeshore Drive Design with BKF Engineering

Recommended Action: Authorize the City Manager to execute a contract with BKF Engineering for Phase One and Two of Lakeshore Drive Design not-to-exceed \$450,000

Finance Director Young gave the staff report.

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

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

Cremer, Council Member Overton

16. Consideration and Approval of On Call Consultant Contracts

Recommended Action: Authorize City Manager to execute nine (9) on-call consulting contracts for a not-to-exceed amount of \$200,000 per contract

Finance Director Young gave the staff report.

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

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

17. Award of Contract for the 2022 Chip Seal Project

Recommended Action: Move to approve the contract and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.

Contract City Engineer Swartz gave the staff report.

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

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

18. Consideration of Updates to Management Classification and Benefits Plan

Recommended Action: Adopt Updates to the Management Classification and Benefits Plan

City Manager Flora gave the staff report. It was moved for 6% for COLA to bring it even with the other bargaining units.

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

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

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

Recommended Action: Move to appoint one Council Member and up to two alternates as voting delegates

Administrative Services Director/City Clerk Swanson gave the staff report. Cremer with Perdock alt and Claffey 2nd alt;

Motion made by Vice Mayor Perdock, Seconded by Mayor Slooten.

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

**L. CITY MANAGER AND COUNCILMEMBER REPORTS**

**M. FUTURE AGENDA ITEMS**

**N. ADJOURNMENT**

The meeting was adjourned at 7:40 p.m.

BY:

A handwritten signature in blue ink that reads "Melissa Swanson". The signature is written in a cursive, flowing style.

Melissa Swanson, Administrative Services Director/City Clerk