



CITY COUNCIL/SUCCESSOR AGENCY REGULAR MEETING

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

Thursday, January 19, 2023

Regular Meeting 6:00 PM

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

AGENDA

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

AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

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

AGENDA REPORTS

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

Zoom Link: <https://clearlakeca.zoom.us/j/87046517637>

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. INVOCATION/MOMENT OF SILENCE: *The City Council invites members of the clergy, as well as interested members of the public in the City of Clearlake, to voluntarily offer an invocation before*

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

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

E. PRESENTATIONS

1. Presentation of January's Adoptable Dogs
2. Presentation of Certificates of Appreciation for Breakfast with Santa Volunteers

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

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

3. Authorization of an Amendment of Contract with REY Engineers for the Tree Streets Design Project
Recommended Action: Move to amend the contract with REY Engineers in the amount of \$158,175.00
4. Award of the Contract for the Youth Center Flooring to Bridges Construction.
Recommended Action: Approve contract with Bridges Construction and approve up to 10% additional for unforeseen contract amendments.

5. Continuation of Authorization to Implement and Utilize Teleconference Accessibility to Conduct Public Meetings Pursuant to Assembly Bill 361
Recommended Action: Adopt Resolution
6. Warrants
Recommended Action: Receive and file
7. Minutes of the December 14, 2022 Lake County Vector Control District Board Meeting
Recommended Action: Receive and file
8. Authorization of an Agreement with Studio W for City Hall Remodel Services for a Not-to-Exceed Amount of \$130,916
Recommended Action: Approve agreement and authorize City Manager to sign

H. BUSINESS

9. Update on the Lake County Recreation Task Force
Recommended Action: Receive Update
10. Adopt Resolution 2023-05 Granting the City Council's consent to the County of Lake to renew the Lake County Tourism Improvement District (LCTID) and include the City of Clearlake in the LCTID.
Recommended Action: Adopt Resolution 2023-05
11. Review and Approve the Submittal of the FY 23-24 ROPS for the period of July 1, 2023, through June 30, 2024
Recommended Action: Approve and Authorize Review with the County Board and for the Chair to sign the resolution

I. CITY MANAGER AND COUNCILMEMBER REPORTS

J. FUTURE AGENDA ITEMS

K. CLOSED SESSION

- (12)** Conference with Legal Counsel Pursuant to Government Code Section 54961: Liability Claims - Claimants: David and Kimberly Cavagna; Agency Claimed Against: City of Clearlake

L. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

M. ADJOURNMENT

POSTED: January 15, 2023

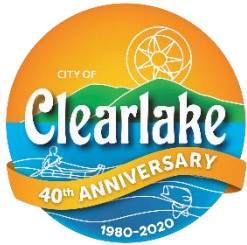
BY:

Melissa Swanson

Melissa Swanson, Administrative Services Director/City Clerk

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Authorization of an Amendment of Contract with REY Engineers for the Tree Streets Design Project	MEETING DATE: January 19, 2023
SUBMITTED BY: Adeline Brown, Public Works Director	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to approve an amendment to the current contract with REY Engineers for \$158,175.00.

BACKGROUND/DISCUSSION:

The City solicited proposals for on-call engineering services to provide various engineering services. Each individual contract has a clause containing a not-to-exceed \$200,000 amount. A proposal was received for the Tree Streets Improvement Project for design services in the amount of \$358,175.00. Any amounts exceeding \$200,000 are required to be authorized by a written amendment. In order to move forward with this contract, staff is requesting approval to authorize the additional amount of \$158,175.00.

OPTIONS:

1. Move to amend the contract with REY Engineers in the amount of \$158,175.00
2. Other direction

FISCAL IMPACT:

None \$158,175.00 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: 221-3066-750-560

Comments:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City

Goal #6: Update Policies and Procedures to Current Government Standards

Goal #7: Support Economic Development

SUGGESTED MOTIONS:

Move to amend the contract with REY Engineers in the amount of \$158,175.00

Attachments:

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Award of Contract for the Installation of the Youth Center Flooring	MEETING DATE: January 19, 2023
SUBMITTED BY: Tina Viramontes – Recreation and Events Coordinator	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to approve a contract for the Installation of the Youth Center Flooring and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.

BACKGROUND/DISCUSSION:

The City solicited proposals for the Installation of the Youth Center Flooring. This project includes Installation of Flooring at the Youth Center. Only one proposal was received from Bridges Construction in the amount of \$61,979.34.

OPTIONS:

1. Move to approve the contract with Bridges Construction in the amount of \$61,979.34 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.
2. Other direction

FISCAL IMPACT:

None Contract amount to be presented 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 Bridges Construction in the amount of \$61,979.34 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments.

Attachments:



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

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

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

BACKGROUND/DISCUSSION:

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

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

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

Subsequent Remote Meetings

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

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

OPTIONS:

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

FISCAL IMPACT:

None \$ Budgeted Item? Yes No

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

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

STRATEGIC PLAN IMPACT:

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

SUGGESTED ACTIONS:

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

- Attachments:** 1) Resolution No. 2023-06

RESOLUTION NO. 2023-06

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 19th day of January, 2023 by the following roll call vote:

AYES:

NOES:

ABSENT:

Russell Perdock, Mayor

ATTEST:

Melissa Swanson, City Clerk



Clearlake, CA

Packet: APPKT01894 - 1/12/23 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	01/12/2023	Regular	0.00	1,226.45	14036
000591	ACTION SANITARY	01/12/2023	Regular	0.00	195.75	14037
001138	ADVENTIST HEALTH	01/12/2023	Regular	0.00	462.10	14038
000101	AMERIGAS	01/12/2023	Regular	0.00	9,884.24	14039
000085	ARAMARK UNIFORM SERVICES	01/12/2023	Regular	0.00	49.31	14040
001397	AT&T CALNET 3	01/12/2023	Regular	0.00	24.18	14041
001397	AT&T CALNET 3	01/12/2023	Regular	0.00	24.04	14042
001397	AT&T CALNET 3	01/12/2023	Regular	0.00	24.04	14043
VEN01345	BARCODES ACQUISITIONS, INC - ALPH	01/12/2023	Regular	0.00	16.32	14044
000068	BOB'S JANITORIAL	01/12/2023	Regular	0.00	544.61	14045
001864	BUSINESS DESIGN SERVICES -ROBERT	01/12/2023	Regular	0.00	630.00	14046
VEN01107	CALIFORNIA LABOR LAW POSTER SERV	01/12/2023	Regular	0.00	99.50	14047
VEN01265	CANTEEN SERVICES OF UKIAH, INC	01/12/2023	Regular	0.00	76.00	14048
VEN01316	CHERNOH EXCAVATING, INC.	01/12/2023	Regular	0.00	80,355.00	14049
000024	CLEARLAKE POLICE ASSOCIATION	01/12/2023	Regular	0.00	1,562.50	14050
000160	DEPT OF JUSTICE	01/12/2023	Regular	0.00	315.00	14051
000073	EASTLAKE SANITARY LANDFILL	01/12/2023	Regular	0.00	1,445.63	14052
	Void	01/12/2023	Regular	0.00	0.00	14053
001199	EUREKA OXYGEN CO	01/12/2023	Regular	0.00	42.34	14054
000241	GALL'S LLC	01/12/2023	Regular	0.00	8.48	14055
002337	GLADWELL GOVERNMENTAL SERVICE	01/12/2023	Regular	0.00	350.00	14056
002065	HERC RENTALS INC	01/12/2023	Regular	0.00	2,773.09	14057
000121	HIGHLANDS WATER COMPANY	01/12/2023	Regular	0.00	1,992.56	14058
001949	ICE WATER DISTRIBUTORS INC	01/12/2023	Regular	0.00	33.50	14059
000108	LAKE COUNTY RECORD BEE	01/12/2023	Regular	0.00	206.61	14060
000158	LAKE COUNTY SPECIAL DISTRICTS	01/12/2023	Regular	0.00	119.84	14061
000116	LAKE COUNTY TAX COLLECTOR	01/12/2023	Regular	0.00	1,758.91	14062
VEN01240	MIDDLETOWN COPY & PRINT - JESSICA	01/12/2023	Regular	0.00	193.05	14063
001489	NAPA AUTO PARTS	01/12/2023	Regular	0.00	453.63	14064
000026	NATIONWIDE RETIREMENT SOLUTION	01/12/2023	Regular	0.00	1,150.00	14065
000027	OPERATING ENGINEERS PUBLIC EMP	01/12/2023	Regular	0.00	75,627.00	14066
000208	PEACE OFFICERS RESEARCH ASSOC	01/12/2023	Regular	0.00	225.00	14067
001843	PG&E CFM	01/12/2023	Regular	0.00	2,514.44	14068
002061	PLEXUS GLOBAL LLC	01/12/2023	Regular	0.00	151.00	14069
002031	REDWOOD COAST PETROLEUM & NOF	01/12/2023	Regular	0.00	303.72	14070
VEN01370	S. GEORGE GOSLING - DBA TABLETOP	01/12/2023	Regular	0.00	300.00	14071
001513	SAN DIEGO POLICE EQUIPMENT	01/12/2023	Regular	0.00	10,433.21	14072
000309	UCC RENTAL	01/12/2023	Regular	0.00	482.18	14073
001540	US BANK CORPORATE PMT. SYSTEM	01/12/2023	Regular	0.00	14,311.82	14074
	Void	01/12/2023	Regular	0.00	0.00	14075
	Void	01/12/2023	Regular	0.00	0.00	14076
	Void	01/12/2023	Regular	0.00	0.00	14077
000708	VALIC LOCKBOX	01/12/2023	Regular	0.00	395.00	14078

Check Register

Packet: APPKT01894

Section G, Item 6.

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
VEN01221	WINE COUNTRY VENTURES, INC	01/12/2023	Regular	0.00	1,190.00	14079

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	124	40	0.00	211,950.05
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	124	44	0.00	211,950.05

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	1/2023	211,950.05
			<hr/>
			211,950.05

MINUTES OF PREVIOUS MEETING

December 14, 2022

The regular monthly meeting of the Board of Trustees of the Lake County Vector Control District was called to order at 1:30 PM by President Giambruno.

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

Absent: None.

District Personnel: Jamesina J. Scott, Ph.D., District Manager and Research Director, and Ms. Jacinda Franusich, Office Manager, Mr. Brad Hayes, Vector Control Technician II, and Ms. Michelle Koschik, Vector Biologist.

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

Citizen's Input: Brad Hayes presented a letter to the Board of Trustees, signed by all District staff members represented in the collective bargaining unit, regarding the contract negotiation process and progress.

Mr. Hayes and Ms. Koschik left the meeting at 1:33 P.M.

Agenda Additions and/or Deletions: Mr. Bostock moved to add the approval of a budget transfer to the agenda. Mr. Nagy seconded the motion. Motion carried unanimously.

Convene to Closed Session at 1:35 P.M.

Closed Session

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

Convene to Open Session at 2:40 P.M.

Report from Close Session

No reportable actions were taken.

Mr. Rungis left the meeting at 2:40 P.M.

Approve Minutes of November 9, 2022 Regular Meeting with a Correction to the Check Numbers to Include Checks 21369-21383. Making the Total Expenditures for November 2022 \$126,439.47

Mr. Bostock moved to approve the Board Minutes of November 9, 2022 regular meeting with a correction to the check numbers to include checks 21369-21383 making the total expenditures for November 2022 \$126,439.47. Mr. Spurr seconded the motion. Motion carried unanimously.

Research Report

Dr. Scott reported on arbovirus activity. This year in Lake County, seven mosquito samples tested positive for West Nile virus (WNV), three sentinel chickens seroconverted for WNV, and two dead birds tested positive for West Nile virus.

In California, 155 cases of WNV illness have been reported in 2022. One hundred eighty-six dead birds from twenty-three counties were positive for WNV, and 3,165 mosquito samples were positive for WNV. In addition, 145 sentinel chickens seroconverted for WNV, and sixteen horses were reported positive for WNV in 2022.

Eleven human cases of St. Louis encephalitis virus (SLEV) have been reported from six California counties. In addition, 153 mosquito samples from ten counties tested positive for SLEV.

Dr. Scott reported on adult biting fly activity. No carbon dioxide-baited traps were set during November.

New Jersey light traps were set near Borax Lake and in the Reclamation near Upper Lake. A variety of mosquito species and biting black gnats were collected in low numbers.

Dr. Scott reported on tick testing. One tick has been submitted for identification and testing this season. It was negative for Lyme disease.

Dr. Scott reported on Clear Lake gnat, Chironominae, and Tanypodinae surveillance in Clear Lake. Clear Lake Gnat larval counts in the Upper Arm increased from 1.61 larvae per dredge in September to 2.82 larvae per dredge in November. Chironominae numbers increased from 3.18 larvae per dredge in September to 5.71 larvae per dredge in November. Tanypodinae numbers increased from 1.07 larvae per dredge in September to 1.50 larvae per dredge in November.

Operation Report

During November, 1.70 inches of rain were recorded in the District's rain gauge. The level of Clear Lake was at -2.59 feet on the Rumsey Gauge on November 1, and reached -2.61 feet by November 30.

One service request for yellowjackets was completed in November. In addition, 7 exposed septic tanks in the fire-affected areas of southern Lake County were inspected, with 5 that required treatment with a mosquito larvicide.

The District's conference room was used by the Konocti Christian Academy for meetings in November.

The District's outside auditor Zach Pehling conducted the District's annual financial audit on November 17. Mr. Pehling expects to present his report to the Board at its January 2023 meeting.

Vector Control Technician Sandi Courcier attended the fourth and final class in the Lake County AgVenture on November 4. It covered the olive industry in Lake County.

Dr. Scott attended the Mosquito and Vector Control Association of California (MVCAC) Fall Committee and Board Meeting on November 2-3 over Zoom.

Dr. Scott attended the Employer Risk Management Authority (ERMA) Board of Directors Meeting in Sacramento on November 7. Dr. Scott serves as the Vector Control Joint Powers Agency (VCJPA) Board Alternate.

On November 29, Dr. Scott attended a live web event about Nextdoor use by Special Districts. Nextdoor is a social media application that connects people from the same neighborhood. A public agencies account was

recently added, and the webinar explained how to create and maintain an account.

Dr. Scott participated in the Integrated Vector Management (IVM) committee for the MVCAC on November 30.

Board Consideration of Applying Vector Control Joint Powers Agency (VCJPA) Retrospective Adjustment Refund to Member Contingency Fund

After some discussion Mr. Nagy moved to have the District's VCJPA Retrospective Adjustment applied to its Member Contingency Fund. Mr. Bostock seconded the motion. Motion carried unanimously.

Approve Budget Transfer

Mr. Bostock moved to approve the budget transfer from 90-91 Contingencies in the amount of \$2,000.00, to 20-00 Memberships. Mr. Spurr seconded the motion. Motion carried unanimously.

Approve Checks for the Month of December 2022

Mr. Nagy moved to approve Check Nos. 21403–21442 for the month of December 2022 in the amount of \$90,407.94. Mr. Bostock seconded the motion. Motion carried unanimously.

Other Business

Dr. Scott informed the Board that Mr. Curt Giambruno, District Board President, was reappointed by the Clearlake City Council to another four-year term on the LCVCD Board. In addition, Dr. Scott mentioned that Board officer elections will be held at the January 2023 regular meeting.

Announcement of the Next Regular Board Meeting

The next regular meeting of the Board of Trustees of the Lake County Vector Control District will be at 1:30 P.M. on January 11, 2023 in the LCVCD Board Room, 410 Esplanade, Lakeport, CA 95453.

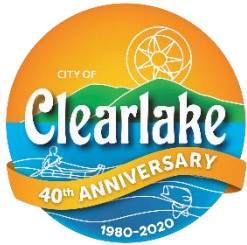
Mr. Nagy moved to adjourn the meeting. Mr. Spurr seconded the motion. There being no other business the meeting was adjourned by President Giambruno at 3:02 P.M.

Respectfully submitted,

Ronald Nagy
Secretary

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Authorization of an Agreement with Studio W for City Hall Remodel Services for a Not-to-Exceed Amount of \$130,916	MEETING DATE: January 19, 2023
SUBMITTED BY: Administrative Services Director/City Clerk Melissa Swanson	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to authorize the City Manager to execute an agreement with Studio W for professional design services related to the City Hall remodel project.

BACKGROUND/DISCUSSION:

Based on the on-call design services proposals your Council awarded in 2022, City staff requested a proposal for the upcoming City Hall remodel project from Studio W to prepare construction documents and assist with the construction process and procedures. Their proposal is attached.

The proposed contract would be a not-to-exceed contract for \$130,916

OPTIONS:

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

FISCAL IMPACT:

None not-to-exceed \$130,916 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: Capital Improvement 240 Fund

Comments:

STRATEGIC PLAN IMPACT:

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

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

SUGGESTED MOTIONS:

Move to authorize City Manager to execute an agreement.

- Attachments:** Studio W Proposal for City Hall Interior Remodel

November 16, 2022

Melissa Swanson
City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422
mwsanson@clearlake.ca.us

**RE: Services for City of Clearlake – City Hall Interior Remodel
Clearlake, California**

Dear Melissa,

We propose to provide the services for City of Clearlake – City Hall Interior Remodel as defined below, performed under the terms of our On-Call Professional Consulting Services Agreement.

Scope of Work:

- The existing City Hall building is approximately 7, 580 SF total.
- Studio W Architect’s plans will be based upon Space Plan has been completed by Business Design Services (BDS) dated September 30, 2022
- Interior Improvements only (non-structural)
- Construction Documents (Interior Remodel Plans)
 - We have floor plans in CAD, however there are no as-builts of existing structural system or MEP/Fire Alarm/Technology/Fire Sprinkler Systems, so afield investigation to document existing conditions will be required.
 - Time has been included for (1) site visit to conduct field investigation and then document the existing Mechanical, Electrical, Fire Alarm, Technology, Plumbing & Fire Sprinkler Systems
- City Building Department Approval
- Bidding Assistance: response to pre-bid questions
- Construction Phase Support: (1) site visit during construction by Architect and Engineer, (1) punch list review by Architect and Engineer; response to contractor RFI’s; review contractor submittals

Time and expense basis, not-to-exceed fees, including consultant fees and expenses:

- Construction Document & Building Department Approval: \$97,488
- Bid and Construction Phase Services: \$33,428

Project Team:

- Studio W Architects
- Consultants:
 - Salas O’Brien (SOBE): Mechanical, Electrical, Fire Alarm, Technology, Plumbing & Fire Sprinkler Systems
 - Byun & Associates: Architectural Specifications, Division 1 sections, Table of Contents, Project Manual Cover Page
- Consultants not included:

- Structural Engineer: assumes existing walls to be removed are non-structural; assumes no seismic upgrade is required
- Civil Engineer: assumes no exterior improvements
- Landscape Architect
- Cost Estimating

Deliverables: 50% CD's (PDF files of plans), 75% CD's (PDF file of plans and specs), 100% CD's (plans and specs in format required by plan review agency); City Building Department Approved plans and specs (PDF files)

The following documents are enclosed:

- Scope Exclusions
- Studio W Architects Fee and Expense Schedules (Attachments A and B)
- Fee Worksheets (Attachments C.1 and C.2): time and expense basis
- Salas O'Brien fee proposal dated 11/11/2022 with hourly rates

Please feel free to contact me with any questions you may have. We assume the City will issue a Purchase Order for this project.

Sincerely,

Studio W Architects



Brian Whitmore, AIA, LEED AP
President & CEO

cc: Rachel Clemente, AIA, LEED® AP, CDT, Design Leader, Associate
James E. Moore IV, Architect, LEED® AP, Chief Operating Officer
Studio W Marketing

Scope Exclusions:

- Hazmat Report
- Geotechnical Engineering
- Surveying: topographic and underground utility locator
- Structural Engineering, Civil Engineering, Landscape Architect
- Cost Estimating Services
- Division 0 / Contract Requirements specifications (to be provided by City)
- All services related to LEED
- Calgreen Commissioning
- Standby Emergency Power System Design
- Alternative Energy Source Design / Engineering
- Mitigation of existing non-complying Path or Travel or Parking elements
- Seismic or structural upgrades to existing structures or existing equipment anchorage
- Off-site improvements and off-site utilities
- Encroachment Permit Plans
- Agency Fees or Utility Company Fees
- Bid Set Printing or Construction Set Printing
- Testing and Inspections
- Abatement Monitoring Services
- Utility energy incentive or rebate applications
- Phased construction
- Record Drawings


 STUDIO W
ARCHITECTS

2022 FEE SCHEDULE

STAFF CATEGORY	HOURLY RATE
Principal Owner Architect	\$ 385
Principal Architect	\$ 320
Associate Principal or Senior Bond Program Manager	\$ 230
Senior Associate Client Leader	\$ 215
Associate Senior Project Manager	\$ 205
Associate Project Manager	\$ 205
Senior Architect or Senior Construction Administrator	\$ 180
Associate Design Leader	\$ 175
Senior Project Architect	\$ 165
Construction Administrator	\$ 165
Project Manager or Bond Program Manager	\$ 165
Project Architect	\$ 155
Senior Designer	\$ 155
Senior Job Captain	\$ 145
Job Captain	\$ 130
Project Admin V	\$ 120
Project Designer III	\$ 115
Project Designer II	\$ 105
Project Admin IV	\$ 105
Project Admin III	\$ 95
Project Designer I	\$ 90
Project Admin II	\$ 85
Project Admin I	\$ 75
Project Assistant	\$ 70
Intern	\$ 60
Project Consultants	Actual Fee + 15%


 STUDIO W
ARCHITECTS

2022 EXPENSE SCHEDULE

EXPENSE	COST
Color Prints 8-1/2 x 11	\$2.25/print
11 x 17	\$2.75/print
All other sizes	cost
Delivery (Other than mail)	cost
Facsimile	\$1.25
Large Scale Photocopy	cost
Lodging	cost
Meals	cost
Mileage (subject to adjustment to match IRS allowed amount)	\$0.625/mile
Permits and Fees	cost
Photocopy Black & White	\$0.10/page
Photo Development	cost
Plots	\$15.00/plot
Postage	cost
Reproduction	cost
Telephone	cost
Travel	cost
Other Direct Project Expense	cost

ABOVE EXPENSES ARE SUBJECT TO 15% SURCHARGE

Project expenses other than cost expenses are subject to change every January 1 of the Yew Year

STUDIO W ARCHITECTS

FEE

City of Clearlake - City Hall Interior Remodel (7,580 SF)

14050 Olympic Drive, Clearlake, CA 95433

Construction Documents - Agency Approval

TASK	Principal Owner Architect		Associate Principal Architect (QC Review)		Associate Design Leader		Project Designer III		Project Admin IV		Project Consultants		TOTAL										
	\$ 385.00 /hr		\$ 230.00 /hr		\$ 175.00 /hr		\$ 115.00 /hr		\$ 105.00 /hr		Actual Fee + 10%												
	NO. HOURS	TOTAL	NO. HOURS	TOTAL	NO. HOURS	TOTAL	NO. HOURS	TOTAL	NO. HOURS	TOTAL	PROPOSAL	TOTAL											
Project Administration	4	\$ 1,540.00		\$ -	2	\$ 350.00		\$ -	4	\$ 420.00			\$ 2,310										
Field Investigation		\$ -		\$ -	8	\$ 1,400.00	8	\$ 920.00		\$ -			\$ 2,320										
Online Meetings with Client (2)		\$ -		\$ -	3	\$ 525.00		\$ -		\$ -			\$ 525										
Construction Documents: prepare architectural and engineering plans		\$ -		\$ -	20	\$ 3,500.00	60	\$ 6,900.00		\$ -			\$ 10,400										
QA/QC		\$ -	3	\$ 690.00		\$ -	8	\$ 920.00		\$ -			\$ 1,610										
Coordination with Client Consultants (Interior Designer-Business Design Services)		\$ -		\$ -	8	\$ 1,400.00	8	\$ 920.00		\$ -			\$ 2,320										
Agency Approval: submit and gain City Building Dept. approvals		\$ -		\$ -	16	\$ 2,800.00	16	\$ 1,840.00		\$ -			\$ 4,640										
CONSULTANT FEES																							
Mechanical, Plumbing, Electrical, Fire Alarm, Technology Engineer + Fire Sprinkler Engineer: SOBE Proposal dated 11-11-2022											\$ 58,875.00	\$ 5,887.50	\$ 64,763										
Byun & Associates: Architectural Specifications, Division 1 sections, Table of Contents, Project manual Cover Page (\$180/hour x 20 hours)											\$ 3,600.00	\$ 360.00	\$ 3,960										
No Structural Engineer, Civil Engineer or Landscape Architect												\$ -	\$ -										
SUB TOTAL OF PROFESSIONAL FEES											4	\$ 1,540.00	3	\$ 690.00	57	\$ 9,975.00	100	\$ 11,500.00	4	\$ 420.00	\$ 62,475.00	\$ 6,247.50	\$ 92,848
Expenses														\$ 4,640									
TOTAL NOT-TO-EXCEED FEE														\$ 97,488									

STUDIO W ARCHITECTS

FEE

City of Clearlake - City Hall Interior Remodel (7,580 SF)

14050 Olympic Drive, Clearlake, CA 95433

Bid and Construction Phase Assistance

TASK	Principal Owner Architect		Associate Principal Architect (QC Review)		Associate Design Leader		Project Designer III		Project Admin IV		Project Consultants		TOTAL
	\$ 385.00 /hr		\$ 230.00 /hr		\$ 175.00 /hr		\$ 115.00 /hr		\$ 105.00 /hr		Actual Fee + 10%		
	NO. HOURS	TOTAL	NO. HOURS	TOTAL	NO. HOURS	TOTAL	NO. HOURS	TOTAL	NO. HOURS	TOTAL	PROPOSAL	TOTAL	
Bidding Assistance	1	\$ 385.00		\$ -	8	\$ 1,400.00	4	\$ 460.00	2	\$ 210.00			\$ 2,455
Construction Administration: Architectural submittal review, RFI responses, (1) site visit, (1) punch list review	1	\$ 385.00		\$ -	24	\$ 4,200.00	8	\$ 920.00	8	\$ 840.00			\$ 6,345
CONSULTANT FEES													
Mechanical, Plumbing, Electrical, Fire Alarm, Technology Engineer + Fire Sprinkler Engineer: SOBE Proposal dated 11-11-2022											\$ 19,625.00	\$ 1,962.50	\$ 21,588
No Structural Engineer, Civil Engineer or Landscape Architect												\$ -	\$ -
SUB TOTAL OF PROFESSIONAL FEES	2	\$ 770.00	0	\$ -	32	\$ 5,600.00	12	\$ 1,380.00	10	\$ 1,050.00	\$ 19,625.00	\$ 1,962.50	\$ 30,388
Expenses													\$ 3,040
TOTAL NOT-TO-EXCEED FEE													\$ 33,428

November 11, 2022

Ms. Rachel Clemente
Studio W Architects
1930 H Street
Sacramento, CA 95811

RE: Request for Proposal – Mechanical, Plumbing, Electrical and Fire Sprinkler Engineering Services for
City of Clearlake – City Hall Remodel
14050 Olympic Drive,
Clearlake, CA 95433

Dear Ms. Clemente:

Thank you for considering T-Squared Professional Engineers, Inc. dba SALAS O'BRIEN as consultants for the above project. Based on the emails received from you on 11/03/22 and 11/07/22, the following is a list of our proposed services along with the respective fees:

MECHANICAL:

50% Construction Documents (25%):	\$ 4,000
75% Construction Documents (25%):	\$ 4,000
100% Construction Documents: (20%)	\$ 3,200
Agency Review and Approval (5%):	\$ 800
Bidding (5%):	\$ 800
Construction Administration Phase (20%):	\$ 3,200

Sub Total:	\$ 16,000

PLUMBING:

50% Construction Documents (25%):	\$ 2,500
75% Construction Documents (25%):	\$ 2,500
100% Construction Documents: (20%)	\$ 2,000
Agency Review and Approval (5%):	\$ 500
Bidding (5%):	\$ 500
Construction Administration Phase (20%):	\$ 2,000

Sub Total:	\$ 10,000



ELECTRICAL, FIRE ALARM AND TECHNOLOGY:

50% Construction Documents (25%):	\$ 9,500
75% Construction Documents (25%):	\$ 9,500
100% Construction Documents: (20%)	\$ 7,600
Agency Review and Approval (5%):	\$ 1,900
Bidding (5%):	\$ 1,900
Construction Administration Phase (20%):	\$ 7,600

Sub Total:	\$ 38,000

FIRE SPRINKLER:

50% Construction Documents (25%):	\$ 3,625
75% Construction Documents (25%):	\$ 3,625
100% Construction Documents: (20%)	\$ 2,900
Agency Review and Approval (5%):	\$ 725
Bidding (5%):	\$ 725
Construction Administration Phase (20%):	\$ 2,900

Sub Total:	\$ 14,500

Grand Total:	\$ 78,500

Project Overview:

- Remodel of portion of existing City Hall approximately 3,900 square feet per files received on 11/03/2022.

The above fee includes the following:

- 1) Field investigation of existing conditions pertaining to the scope of work.
- 2) Mechanical design to include HVAC equipment specifications and layout, air distribution layout and design, and associated climate controls design.
- 3) Electrical design to include power distribution, including load calculations, panel schedules and single line diagram.
- 4) Low Voltage systems design to include telephone and telecommunications system design device, wiring, layout and diagrams.
- 5) Fire Alarm design service to include device layout, wiring diagram and voltage drop calculations required for plancheck submittal.
- 6) Plumbing design to include sewer, vent, water piping to all new fixtures, specification of new fixtures and equipment.
- 7) Fire Sprinkler system design includes fire riser, pipe sizing, layout, hydraulic calculations, and sprinkler head distribution.
- 8) Book Specifications in the same format as the Architect's format.
- 9) Title-24 Energy compliance calculations.
- 10) Maximum of 1 meeting-in-person at site and 2 Go-To meetings for coordination during design.
- 11) All review comments by the Owner, Architect, and Plan Check Authority.
- 12) Construction Administration services to include response to all vendors' questions during bid, response to RFI letters, review of shop submittals, 1 site visit and a final punch walk.



The above fee does not include the following:

- 1) Changes to plans after the 50% Construction Documents stage due to changes in requirements and/or cost saving measures.
- 2) BIM Modeling.
- 3) Photovoltaic and other alternative energy power system design and specifications.
- 4) Any Food Service Equipment selection, specification and layout.
- 5) Hood Suppression system design and specifications.
- 6) Any commissioning services.
- 7) Any CALCTP Acceptance Services.
- 8) Any certification of the installed lighting control system.
- 9) Electrical coordination study, lightning protection analysis, cathodic protection study and arc flash calculations.
- 10) Any testing services of any equipment.
- 11) Utility company coordination.
- 12) LEED administration or documentation.
- 13) Cost estimating.
- 14) Printing, plotting, reproductions.
- 15) Shipping and messenger service.

All documents produced by T-Squared Professional Engineers, Inc. dba Salas O'Brien, hereafter called the Consultant, under this agreement shall remain the property of the Consultant and may not be used by Studio W Architects, hereafter called the Client, or any other entities without the written consent of the Consultant. Our liability for professional acts, errors, and omissions is limited to the amount of this contract. The Client agrees to the fullest extent permitted by law to defend, indemnify, and hold harmless the Consultant, its officers, directors, employees, and sub consultants (collectively, Consultant) against all damages, liabilities, or costs including reasonable attorney's fees and defense costs, arising out of or in any way connected with the services performed under this agreement, except for the consultant's sole negligence. The Consultant is not responsible for any special, incidental, indirect, or consequential damages (including loss of profits) incurred by Client, or any other entity, as a result of the Consultant's performance or nonperformance of services. Said limitation shall apply regardless of the legal basis for the claim including but not limited to claims based on breach of contract, or professional or ordinary negligence. The Client and the Consultant agree that this agreement and any legal actions concerning its validity, interpretations, and performance shall be governed by the laws of the County of San Diego without regard to any conflict of the laws' provisions, which may apply the laws of other jurisdictions. It is further agreed that any legal action between the Client and the Consultant arising out of this Agreement or the performance of the services shall be brought in a court of competent jurisdiction in San Diego, California. Any claims or disputes made during design, construction, or post construction between the Client and Consultant shall be submitted to non-binding mediation. Client and Consultant agree that mediation will serve as the primary method of dispute resolution.

It is intended by the parties to this agreement that the consultant's services in connection with the project shall not subject the consultant's individual employees, officers, or directors to any personal legal exposure for the risks associated with this project. Therefore, notwithstanding anything to the contrary contained herein, the Client agrees that the Client's sole and exclusive remedy, and claim, demand, or suit shall be directed and/or asserted only against the Consultant, a California Corporation, and not against any of the Consultant's individual employees, officers, or directors.



In providing services under this agreement, the Consultant will endeavor to perform in a manner consistent with a degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. The provisions of this agreement shall survive the completion of services and the scope of services. Nothing contained in this Agreement shall create a contractual relationship or cause of action in favor of a third party against either the Client or the Consultant. The Consultant's services under this Agreement are being performed solely for the Client's benefit, and no other party or entity.

All work shall be performed pursuant to this agreement. If there are any revisions to the plans after working drawings are started, an increase in the scope, or extra work authorized, we would expect an additional fee based upon our hourly rate for the time required to complete the necessary revisions or additions. Our fee is based on the assumption that the design of this project will begin within ninety (90) days of date of this contract and will be complete within twenty-four (24) months of the date of this Contract; thereafter, any remaining fees will be subject to a normal increase in our billing rate.

If the Consultant for any reasons does not complete all the services contemplated by this agreement, the Consultant will not be responsible for the accuracy, completeness or workability of the contract documents prepared by the Consultant if used, changed or completed by the Client or by another party. Accordingly, the Client agrees, to the fullest extent permitted by law, to defend, indemnify and hold harmless the Consultant from any claim, liability, or cost (including reasonable attorneys' fees and defense cost) for injury or loss arising or allegedly arising from such use, completion or any unauthorized changes made by any party to any contract documents prepared by the Consultant.

Payment shall be a lump sum fee due based upon completion of the milestones indicated above. Early termination of this contract will result in a cancellation fee of 15% of the remainder of the contract agreement. All past due invoices beyond 60 days will incur a 1% per month service fee above the invoice amount. If this contract is acceptable to you, please sign in the space provided and return to our office. We must approve any requested changes in writing before proceeding. We will commence work upon your written approval.

Thank you again for your consideration. We look forward to working with you.

Energetically yours,



Ed David, PE
SVP, Senior Electrical Engineer

Approved by:

Signature

Name

Title

Date



2022 Standard Hourly Billing Rates

The following are our standard billing rates for additional services, change orders, and time and materials agreements:

Principal	\$ 275
Associate / Supervising Engineer	\$ 220
Commissioning Engineer	\$ 210
Project Engineer	\$ 200
Project Manager	\$ 190
Senior Designer	\$ 180
Designer	\$ 160
Commissioning Specialist	\$ 150
BIM / Revit	\$ 130
Drafter	\$ 120
Clerical	\$ 100





STAFF REPORT	
SUBJECT: Update on the Lake County Recreation Task Force	MEETING DATE: January 19, 2023
SUBMITTED BY: Alan D. Flora, City Manager	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to receive an update on the status of the Lake County Recreation Task Force (LCRTF), and discuss future appointment of JPA board membership.

BACKGROUND/DISCUSSION:

In 2019 a group of interested parties began meeting regularly to discuss the possibilities of improving recreational opportunities in Lakeport. Through the challenges posed by COVID 19, the group continued to meet virtually, and the interest expanded to include interested parties county-wide. This group has become the LCRTF

In October 2020, the City of Lakeport assisted the LCRTF in issuing a Request for Proposal (RFP) from qualified consulting firms to conduct and prepare a needs assessment and feasibility study so the LCRTF can determine whether to proceed with planning, funding and creating an indoor/outdoor Multi-generational Recreation Center or Centers.

The LCRTF worked with Studio W architects and their subconsultants for the better part of 18 months to complete two phases of a feasibility study that were previously presented to elected bodies in the county and the public. As a refresher, those studies are included as attachments to this staff report. The feasibility work included public input, site selection, development scope, conceptual design, programmatic options, capital and operating cost estimates, management structures and partnership opportunities.

On October 19, 2022, representatives from the City of Lakeport, City of Clearlake and the County of Lake met to receive a presentation from Jones Hall (Bond Counsel) and NHA (Municipal Advisor) on a plan to move the concept forward. That presentation has also been included as an attachment for reference. At that meeting a consensus was had to hire Jones Hall to assist the jurisdictions with the formation of a Joint Powers Authority (JPA) through a joint power’s agreement as well as support for soliciting polling and public research firms to conduct preliminary polling that will guide the next steps. FM3 was selected by a proposal review committee. The City of Lakeport has contracted Jones Hall and FM3 with cost sharing agreements with the City of Clearlake and the County of Lake.

A draft joint powers agreement is under review by the cities and county. The kickoff meeting polling consultants took place on Jan 6th, 2023. According to the timeline that the LCRTF is working under the joint powers agreement is scheduled to come before the elected bodies in February. If approved, the first meeting of the JPA board would meet in March to review results of the initial polling and make decisions on how to proceed.

The JPA, if approved, will have the powers of the member jurisdictions. To develop recreation and aquatics centers in our community will require capital and operational financing. LCRTF members have discussed a variety of ways to start to build the capital and operating financing stacks to ensure the completion and successful operation of facilities into the future. Member and partner contributions, state and federal requests, grants, donations, and joint use agreements are a few funding mechanisms necessary to the success of this project.

It is likely that even after a successful campaign to generate funding from the previously mentioned sources a funding gap will exist. An effective method to complete the capital and operational financing stacks would be for the JPA, using the member power, form a Community Facility District (CFD) and place a ballot measure for voter approval of a special tax that could pay for debt service on authorized bonds and operation costs associated with new recreation and aquatics facilities.

OPTIONS:

- 1. Receive update on the Recreation Task Force.
- 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:

None.

Attachments:

- 1. LCTF Feasibility Study Phase 1

2. LCRTF Feasibility Study Phase 2
3. Jones Hall JPA Presentation – October 2022

Lake County Recreation Task Force

RECREATION CENTER FEASIBILITY STUDY (PHASE 1)

JULY 2021

Prepared By:



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PARTNERS/TASK FORCE MEMBERS

LOCAL GOVERNMENT AGENCIES



City of Lakeport

Acting Government Agency over the City of Lakeport, CA

cityoflakeport.com

Contacts:

Kevin Ingram, City Manager

kingram@cityoflakeport.com

Doug Grider, Public Works Director

dgrider@cityoflakeport.com

Ron Ladd, Parks & Recreation Forman

rladd@cityoflakeport.com

Nicholas Walker, CPA, Director of Finance

nwalker@cityoflakeport.com

Mireya Turner, Council Member

mturner@cityoflakeport.com



Lake County

Acting Government Agency over Lake County, CA

lakecountyca.gov

Contacts:

Tina Scott, County Supervisor

(also former Lakeport USD Board Member)

tinascott@aol.com

Lars Ewing, Public Services Director

lars.ewing@lakecountyca.gov



City of Clearlake

Acting Government Agency over the City of Clearlake, CA

clearlake.ca.us

Contact:

Alan Flora, City Manager

aflora@clearlake.ca.us



Lake County Office of Education

Public County Office of Education serving the Lake County, CA region

lakecoe.org

Contact:

Brock Falkenberg, Superintendent of Schools

bfalkenberg@lakecoe.org

LOCAL SCHOOL DISTRICTS



Lakeport USD

Public K-12 School District serving the western
Clear Lake region
lakeport.k12.ca.us

Contacts:

Dan Buffalo, Board Member
danbuffalo@sbcglobal.net

Mathew Bullard, Superintendent
mbullard@lakeport.k12.ca.us

Dan Camacho, Facilities Director
danthewaterman@att.net



Konocti USD

Public K-12 School District serving the eastern
Clear Lake region
konoctiusd.org

Contact:

Becky Salato, Superintendent
becky.salato@konoctiusd.org



Upper Lake USD

Public K-12 School District serving the northern
Clear Lake region
ulusd.org

Contact:

Diane Plante, Board Member
dplante101@gmail.com



Mendocino College

Operates a public community college in
Ukiah, CA
mendocino.edu

Contact:

Tim Karas, President
tkaras@mendocino.edu



Woodland Community College

Operates a public community college in
Woodland, CA as part of the Yuba Community
College District
wcc.yccd.edu

Contact:

Cirilo Cortez, Dean
ccortez@yccd.edu

LOCAL COMMUNITY ORGANIZATIONS



First 5 Lake County

Builds Early Childhood Education Systems
firstfivelake.org

Contact:

Carla Ritz, Director
critz.first5@lakecountyca.gov



Lake Family Resource Center

Collaboration with Sutter Lakeside Hospital
to provide community benefit through
non-medical programs
lakefrc.org

Contact:

Lisa Morrow, Director
lisam@lakefrc.org



Lake County Channel Cats

Operates a regional swim team in the
Clear Lake region
facebook.com/LakeCountyChannelCats

Contact:

Jennifer Hanson, Member (also Lakeport USD
Board Member and Yuba CCD Staff Person)
jhanson@yccd.edu



Hope Rising

Organizer of Lake County leaders and systems
to improve health and wellness
hoperisinglc.org

Contact:

Faith Hornby, Director
faith@hoperisinglc.org

WESTSIDE COMMUNITY PARK

Westside Park Committee

Committee serving over Westside Park in
Lakeport, CA
westsidecommunitypark.org/

Contact:

Wayne Yahnke, West Side Park Committee
Member
konoctisoccerpresident@gmail.com



Redwood Community Services, Inc.

Organization dedicated to serving foster youth
redwoodcommunityservices.org

Contact:

Jolene Treadway, Lake County Director
treadwayj@redoowdcommunityservices.org

HEALTH CARE PROVIDERS



Sutter Health

Operates Sutter Lakeside Hospital locally
sutterhealth.org

Contact:

Rachel Walsh, Patient Access Manager
Walshr2@sutterhealth.org



Adventist Health Clear Lake

Operates Saint Helena Hospital Clear Lake locally
adventisthealth.org

Contact:

Rachelle Damiata, Grants & Community
Development Manager
damiatrd@ah.org



TRIBAL RESOURCES



Elem Indian Colony

Lower Lake, CA
elemindiancolony.org



Big Valley Band of Pomo Indians

Lakeport, CA
bvrancheria.com



KOI NATION

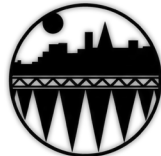
Koi Nation of Northern California

Clear Lake Area
koination.com



Habematolel Pomo of Upper Lake

Upper Lake, CA
hpultribe-nsn.gov



Scotts Valley Band of Pomo Indians

Lakeport, CA
svtribaltanf.org



Middletown Rancheria of Pomo Indians of California

Middletown, CA
middletownrancheria-nsn.gov



Robinson Rancheria

Nice, CA
rrrc.com

INTRODUCTION/MARKET ANALYSIS

PURPOSE OF THE PHASE 1 FEASIBILITY & MARKETABILITY OF THE FACILITY

Purpose

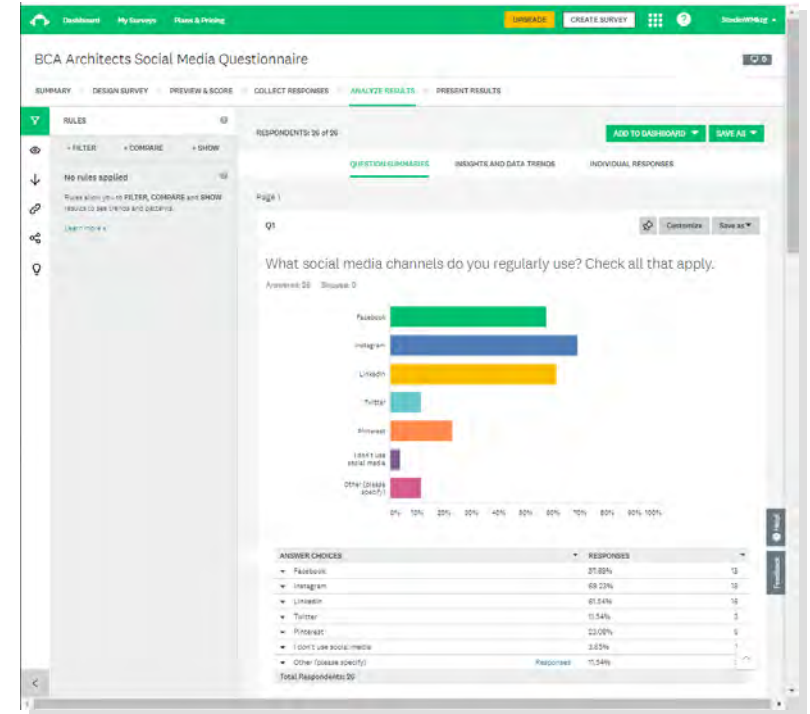
Lake County and the Cities of Lakeport and Clearlake serve the region surrounding Clear Lake in Northern California. Since their inception, these communities have served as both economic and recreation hubs for the Lake, providing numerous services, community support and leisure. With the exception of a community pool once housed at the high school in Lakeport, and privately-operated recreation facilities and pools like the facility at Quail Run, the communities lack municipal lead facilities for fitness, recreation and athletics with the exception of numerous parks, community centers and athletic fields.

On the surface, the need to provide a community pool facility for water safety and recreation as well as a recreation center (or multiple centers) is strong. The community lacks these amenities, and the need is high considering their proximity to the lake and the synergies associated with swimming, boating, fishing and other activities that demand water knowledge, safety and competition.

Market Analysis/Citizen Participation Plan

In the meetings conducted through the process of Phase 1, the Studio W Architects, Aquatic Design Group and Shellito Consulting team initially looked for like facilities to compare and contrast to the needs identified by the Lake County Recreation Task Force (LCRTF). With the exception of the high school pool facility (no longer in operation) and the Quail Run facility, there were no like facilities in the immediate vicinity of Clear Lake. While this presents an opportunity for the region, it also begs the question of need – is there enough interest to support a facility of this kind and properly maintain it based upon regular use? The simple answer to this question lies in a citizen participation plan. Our team recommends that the County, Cities of Lakeport and Clearlake, along with partners from the task force (local school districts, community organizations and health care providers), conduct an online survey utilizing their websites and social media outlets to pose the following questions:

- » **Is a recreation and pool facility necessary in the Clearlake region?**
- » **If a recreation and pool facility were considered, what amenities are most important?**
 - Multi-use gymnasium
 - Fitness center (cardio/weights)
 - Other athletic facilities (racquetball, billiards, etc.)
 - Training, yoga, Pilates, exercise, etc.
 - Recreational/competition pool
 - Activity pool (splash zone, sprayground, etc.)
- » **What would be your intended pattern of use?**
 - Year round
 - Seasonal
- » **At what price structure would you consider utilizing a facility of this kind?**
 - Daily rates
 - Annual/seasonal rates
- » **What other amenities would you like to see paired with a facility of this kind?**
 - Overflow parking for special events
 - Athletic fields
 - Community center/library/meeting space
 - Food service
 - Outdoor events (concert, farmer's market, etc.)



Our team would help facilitate the Citizen Participation Plan, including collating results and providing a synopsis. An example of results from a recent social media questionnaire is identified herein.

PROCESS

MEETINGS, TOURS & PRESENTATIONS

Meetings

As part of the Phase 1 Feasibility Study, the Studio W Architects, Aquatic Design Group and Shellito Consulting team set out to gather information from the Lake County Recreation Task Force (LCRTF) through a series of regularly scheduled meetings beginning on 3.24.2021 and occurring roughly every two weeks through the summer of 2021. The purpose of these meetings was to solicit information regarding the marketability, desired program, funding opportunities and likely site locations for the recreation and aquatics facility. Due to COVID restrictions, all meetings were held virtually via GoToMeeting.

Tours

In order for the Studio W Architects, Aquatic Design Group and Shellito Consulting team to better acquaint itself with the possible site locations, on 4.13.2021, members of each firm facilitated a tour of sites in the Lakeport and Clearlake communities, including available sites and pre-existing facilities. This tour was guided by members of the LCRTF, including the Cities of Lakeport and Clearlake as well as Lake County.

Presentations

It is anticipated that the content and findings of this Phase 1 report be presented to the LCRTF virtually as well as to the respective governing bodies for the Cities of Lakeport and Clearlake, as well as Lake County. Presentations are anticipated to begin occurring in June/July of 2021 such that feedback can be solicited and a final report published in conjunction with or ahead of the implementation of the Citizen Participation Plan.

PROGRAM NARRATIVE

PROGRAM OVERVIEW

The Lake County Recreation Task Force (LCRTF) is interested in developing a new recreation and aquatic facility to provide the communities of Lakeport, Clearlake and Lake County with modern recreational and aquatic amenities and programs.

Based on information gathered at the Task Force meetings, LCRTF aims to provide a recreational facility with the following amenities:

Conceptual Recreation Center Program

Building Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)	Notes
Entry/Reception	500	1	500	Inc. lobby area
Multi-use Court	6,200	1	6,200	84'x50' main court with cross courts (basketball/volleyball)
Racket Ball Court(s)	800	2	1,600	20'x40' court
Cardio/Weights Area	1,000	1	1,000	General exercise
Training Room(s)	600	3	1,800	Yoga, aerobics, etc.
Game Area	300	1	300	Multi-generational area
Restrooms	150	2	300	Men, women & staff
Locker Rooms	200	2	400	Inc. family changing areas
Custodial	60	2	120	Janitor storage, mop sink, etc.
Storage	100	4	400	Sports/rec equipment
Equipment	60	4	240	Fire, electrical, mechanical
Circulation	1,929	n/a	1,929	15% of overall area
Total Area Desired			14,789 SF	.34 acres

The LCRTF also aims to provide a new aquatic facility that can accommodate the following:

- » 6–8 lanes of 25–yard swimming with depths sufficient to support competitive swimming racing starts
- » Shallow water with adequate space for swim lessons, therapy classes, group exercise classes and general recreational swimming
- » A sprayground for added recreational play value

Suggested support amenities for a modern aquatic center include:

- » Locker/restrooms for male and female users
- » Two family/gender-neutral locker/restrooms
- » A central office with check-in and cash control
- » A separate guard/staff break room
- » A party/event wet/dry classroom

The above program and features have been conceptualized in four options, which will hereinafter be referred to as Options 1, 2, 3 and 4. The sprayground has been conceptualized as an addition to any of the options. Each option takes a slightly different approach and assumes differing costs. This document provides pool and sprayground layouts, program information and cost estimates in effort to help LCRTF make the best choice for future aquatic needs.

Option 1 Conceptual Aquatics Facility Program

Pool/Building/Site Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)	Notes
4,880 SF Pool	4,880	1	4,880	See ADG's Concept Design herein
Sprayground	2,000	1	2,000	See ADG's Concept Design herein
Bathhouse/Support Building	7,578	1	7,578	See ADG's Concept Design herein
Pool Deck Area	10,304	1	9,495	Inc. area for 5-tier movable bleachers
Total Area Desired			24,762 SF	.57 acres

Option 2 Conceptual Aquatics Facility Program

Pool/Building/Site Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)	Notes
5,737 SF Pool	5,737	1	5,737	See ADG's Concept Design herein
Sprayground	2,000	1	2,000	See ADG's Concept Design herein
Bathhouse/Support Building	7,753	1	7,753	See ADG's Concept Design herein
Pool Deck Area	8,297	1	8,297	Inc. area for 5-tier movable bleachers
Total Area Desired			23,787 SF	.55 acres

Option 3 Conceptual Aquatics Facility Program

Pool/Building/Site Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)	Notes
5,881 SF Pool	5,881	1	5,881	See ADG's Concept Design herein
Sprayground	2,000	1	2,000	See ADG's Concept Design herein
Bathhouse/Support Building	7,778	1	7,778	See ADG's Concept Design herein
Pool Deck Area	8,692	1	8,692	Inc. area for 5-tier movable bleachers
Total Area Desired			24,351 SF	.56 acres

Option 4 Conceptual Aquatics Facility Program

Pool/Building/Site Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)	Notes
3,575 SF Pool	3,575	1	3,575	See ADG's Concept Design herein
Sprayground	2,000	1	2,000	See ADG's Concept Design herein
Bathhouse/Support Building	7,200	1	7,200	See ADG's Concept Design herein
Pool Deck Area	7,009	1	7,009	Inc. area for 5-tier movable bleachers
Total Area Desired			19,784 SF	.45 acres

Furthermore, in order to support the recreation and aquatics center, site parking, drop off and circulation must be maintained to provide access and egress to the facilities. For special events, ideally overflow parking can be shared with other neighboring amenities through joint use.

Conceptual Site Program Options

Site Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)	Notes
Option 1 Parking (81 spaces)	28,350	1	28,530	Dictated by pool size, ADA drop off & circulation
Option 2 Parking (96 spaces)	33,600	1	33,600	Dictated by pool size, ADA drop off & circulation
Option 3 Parking (98 spaces)	34,300	1	34,300	Dictated by pool size, ADA drop off & circulation
Option 4 Parking (60 spaces)	21,000	1	21,000	Dictated by pool size, ADA drop off & circulation

Option 1 Total Building & Site Area: **1.56 acres**

Option 2 Total Building & Site Area: **1.66 acres**

Option 3 Total Building & Site Area: **1.68 acres**

Option 4 Total Building & Site Area: **1.27 acres**

*Does not include path of travel and landscape, assume approximately **1.5 - 2 acres** total for all options.

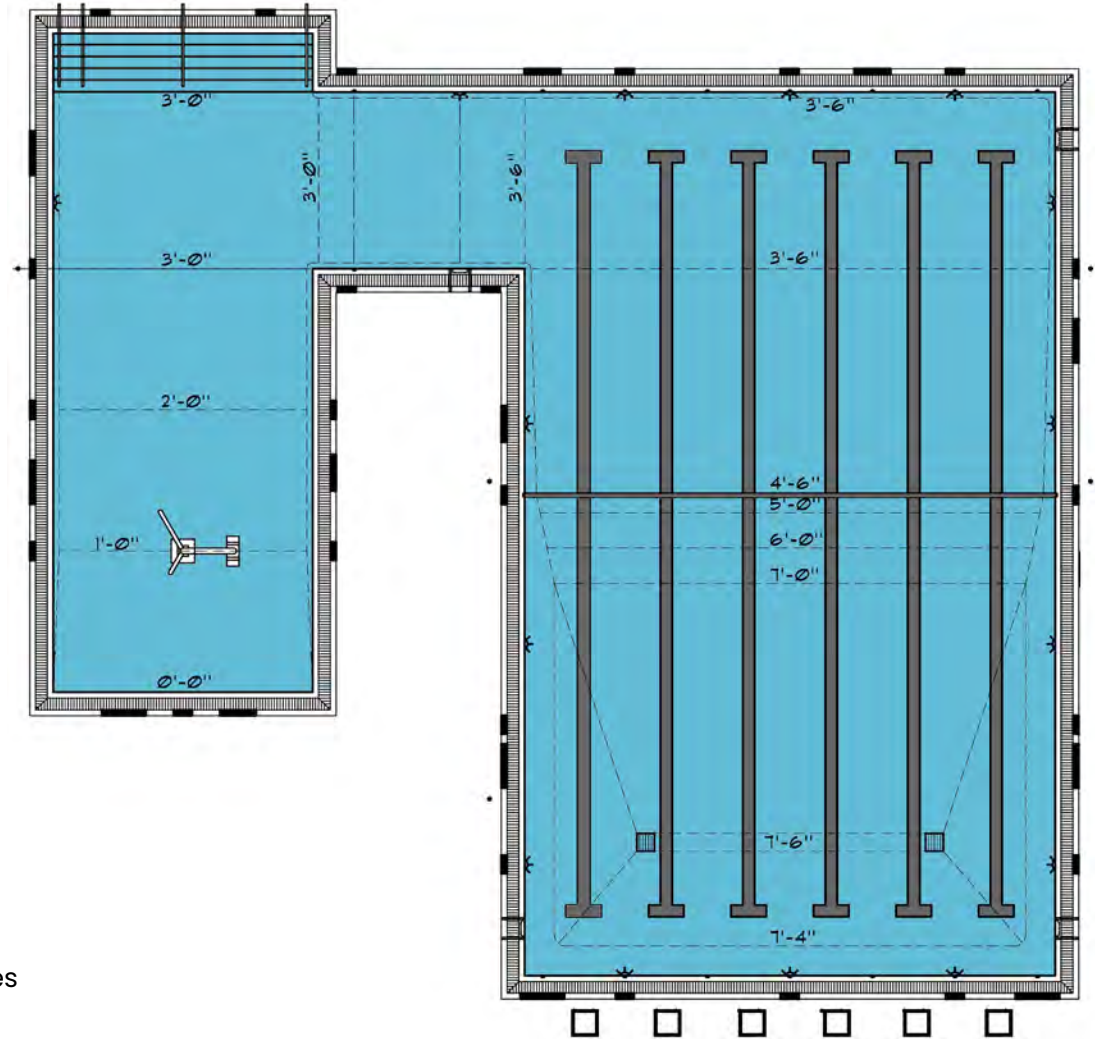
OPTION 1 DETAILS

Swimming Pool

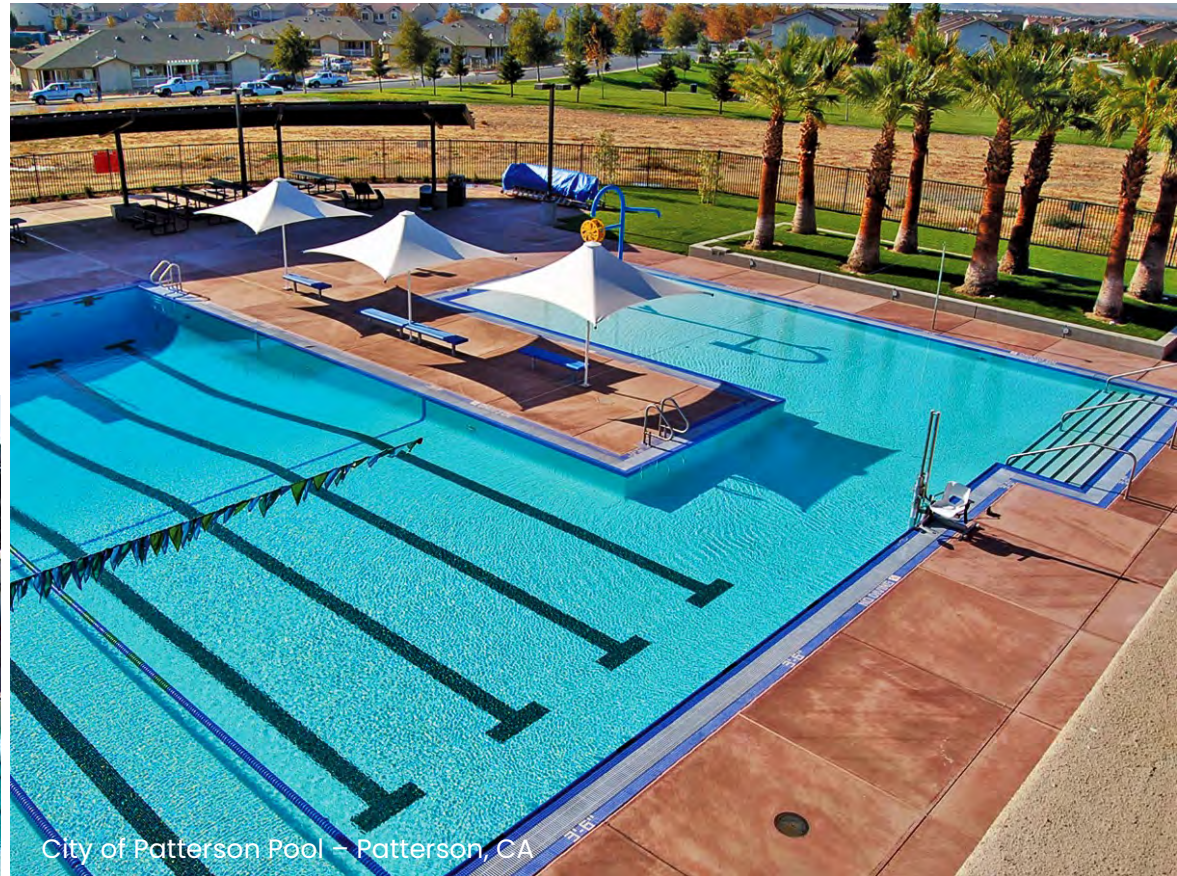
The **4,880 square foot pool** features a 75' long x 45' wide lap area with a teaching peninsula that separates the deeper lap area from the shallower water. These dimensions provide six 25-yard lanes with a 7'-6" deep end capable of accommodating competitive racing starts and 3,032 square feet of shallow water.

The pool features depths from 0'-0" to 7'-6" and a zero-depth entry and access stairs serving as an ADA compliant secondary means of access. The pool also features an ADA compliant lift for unassisted access capable of being permanently affixed to the pool deck. The pool has two distinct zones: a shallow water zone where the zero-depth entry and stairs enter the pool, and a lap area where competitive programs are held. The pool supports a 25-yard fixed goal recreational water polo field of play. Depths in the shallow zone range from 0'-0" to 3'-6". Depths in the lap area range from 3'-6" at the turning end to 7'-6" deep at the starting end. Typical programs that can be accommodated in this pool include:

- | | |
|--|-------------------------------|
| » Competitive Swimming | » Red Cross Training |
| » Fitness Swimming | » Public Safety Training |
| » Lap/Recreational Swimming | » Deep Water Therapy Programs |
| » Masters Swimming | » Fitness Classes |
| » Recreational Water Polo | » Small Group Classes |
| » Learn-to-Swim Programs | » Medium Group Classes |
| » Lifeguard and Swim Instructor Training | » Large Group Classes |



Competitive water polo is a program this pool will not support as it requires a large area dedicated to deep water. The pool is capable of supporting 36 swimmers practicing at one time assuming up to six swimmers per lane and 24 lap swimmers at one time assuming up to four swimmers per lane. The total capacity for the pool is 244 persons with a breakdown of 151 persons in shallow water and 93 persons in deep water.



City of Patterson Pool – Patterson, CA

For the purposes of our study, we have assumed a 20-foot band of concrete decking around the swimming pool. This makes the total pool and pool deck footprint 125' by 115' for a total area of 14,375 square feet or approximately .33 acres excluding support buildings, sidewalk paths of travel and parking.

Bathhouse/Support Building

California Building Code requires a public swimming pool have a minimum number of bathroom fixtures to support public use. The formula to determine the minimum number of bathroom fixtures is based upon the surface area of the swimming pool. Therefore, the larger the swimming pool the greater the number of bathroom fixtures. These bathrooms must be located within 300' of the swimming pool. Code requires minimum bathroom areas and mechanical equipment storage, but municipal pool operations require other spaces such as offices, lifeguard and staff areas. The following assumes a fully built-out building offering all desired spaces and necessary space for pool mechanical equipment. Based upon the assumptions of this new bathhouse/support building below we estimate the building to approximate 7,578 square feet. The current bathhouse square footage includes the following amenities to satisfy minimum California Building Code fixture counts and typical aquatic programming needs.

Description	Quantity		Square Footage
	Women's	Men's	
Toilets	3	3	120
Lavatories	2	2	40
Urinals	0	2	20
Showers	3	3	90
Lockers/Dressing	50	50	750
Subtotal			1,020 SF
Lobby	1		800
Entry Vestibule	1		200
Control Desk	1		200
Cash Control	1		100
Inclusive Changing Rooms	2		400
Operator's Office	1		150
Classroom/Team Meeting	1		800
Lifeguard/First Aid/Training	1		500
Timing Booth	1		300
Subtotal			3,450 SF
Indoor Pool Storage	1		200
Pool Mechanical Equipment Room	1		1200
Chemical Storage Rooms	2		128
Custodial	1		64
Subtotal			1,592 SF
Building Space- Gross Square Footage			7,578 SF

Utility & Chemical Expense Estimates

Option 1 pool's utility and chemical expenses, based on 350 days per year of operation and the assumed operating criteria, are shown in the following table.

Design Criteria:

- » Surface Area (square feet): 4,880
- » Minimum Depth (feet): 0.0
- » Maximum Depth (feet): 7.5
- » Volume (gallons): 157,036
- » Turnover (hours): 4
- » Circulation Flow Rate (gallons per minute): 654

Assumptions

1. Annual cost based upon 350 days of operation.
2. Analysis does not include maintenance/operations labor costs.
3. Water usage based upon 60" annual evaporative loss and filter backwash averaging once weekly.
4. Electrical usage based upon 18 hours per day operation.
5. Propane usage based upon air velocity of 5 feet per second, 82-degree water and 60-degree air temperature.
6. Chemical usage based upon maintaining 1.0 PPM chlorine and pH of 7.2-7.4.

Category	Average Daily Usage	Unit	Unit Price	Daily Cost	Annual Cost
Water	967.4	GAL	\$0.01	\$9.67	\$3,385.91
Sewer	467.4	GAL	\$0.01	\$4.67	\$1,635.79
Electricity	241.2	KWH	\$0.18	\$43.41	\$15,194.90
Propane	98.4	THRM	\$1.14	\$112.15	\$39,253.94
Sodium Hypochlorite	6.7	GAL	\$2.50	\$16.83	\$5,888.85
Muriatic Acid	1.7	GAL	\$3.00	\$5.05	\$1,766.66
TOTAL				\$191.79	\$67,126.04

Proforma Budget

The proforma budget below provides estimated capital costs for new construction of the Option 1 swimming pool with a bathhouse/support building and parking.

Summary

Option 1 was conceptualized around providing the minimum desired program, for both the swimming pool and bathhouse/support building.

Option 1 Highlights:

- » 4,880 SF swimming pool with six 25-yard lanes and a shallow area
- » 9,495 SF deck
- » 7,578 SF bathhouse/support building
- » 28,350 SF of parking (81 spaces)
- » 0.33-acre pool & deck footprint
- » 1.15-acre total site footprint (pool, deck, bathhouse/support building and parking)
- » \$67,126.04 annual pool utility/chemical expenses
- » \$9,588,871.75 estimated capital cost (pool and related site/bathhouse costs only in 2021 dollars)

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSIONS
1.0	CONSTRUCTION COSTS				
1.1	Mobilization	1	LS	\$ 50,000.00	\$ 50,000.00
1.2	Site Preparation/Demolition	1	LS	\$ 100,000.00	\$ 100,000.00
1.3	Utility Allowance	1	LS	\$ 100,000.00	\$ 100,000.00
1.4	Soil Preparation	1	LS	\$ 50,000.00	\$ 50,000.00
1.5	25-Yard Pool & Mech. Equip.	4,880	SF	\$ 215.00	\$ 1,049,200.00
1.6	25-Yard Pool Surge Tank	1	LS	\$ 40,000.00	\$ 40,000.00
1.7	Pool Decks	9,495	SF	\$ 45.00	\$ 427,275.00
1.8	Shade Structures	1	LS	\$ 100,000.00	\$ 100,000.00
1.9	Pool Area Fencing	365	LF	\$ 250.00	\$ 91,250.00
1.10	Site Lighting	1	LS	\$ 100,000.00	\$ 100,000.00
1.11	New Bathhouse/Mechanical Building	7,578	SF	\$ 500.00	\$ 3,789,000.00
1.12	Landscape/Site	1	LS	\$ 100,000.00	\$ 100,000.00
1.13	Parking Spaces	81	EA	\$ 3,000.00	\$ 243,000.00
1.14	TOTAL CONSTRUCTION COSTS				\$ 6,239,725.00
2.0	EQUIPMENT COSTS (FF&E)				
2.1	Deck Equipment	1	LS	\$ 57,510.00	\$ 57,510.00
2.2	Competitive Equipment	1	LS	\$ 240,000.00	\$ 240,000.00
2.3	Building FF&E	2%			\$ 75,780.00
2.4	TOTAL EQUIPMENT COSTS				\$ 373,290.00
3.0	SOFT COSTS				
3.1	General Contractor Mark-Up/Overhead	15%			\$ 991,952.25
3.2	Construction Contingency Costs	10%			\$ 661,301.50
3.3	Permits and Fees	5%			\$ 330,650.75
3.4	Time/Inflation Escalation Index (3 Years)	5%			\$ 991,952.25
3.5	TOTAL SOFT COSTS				\$ 2,975,856.75
4.0	TOTAL ESTIMATED PROJECT COST				\$ 9,588,871.75
5.0	TOTAL UTILITIES COST PER YEAR				\$ 67,126.04

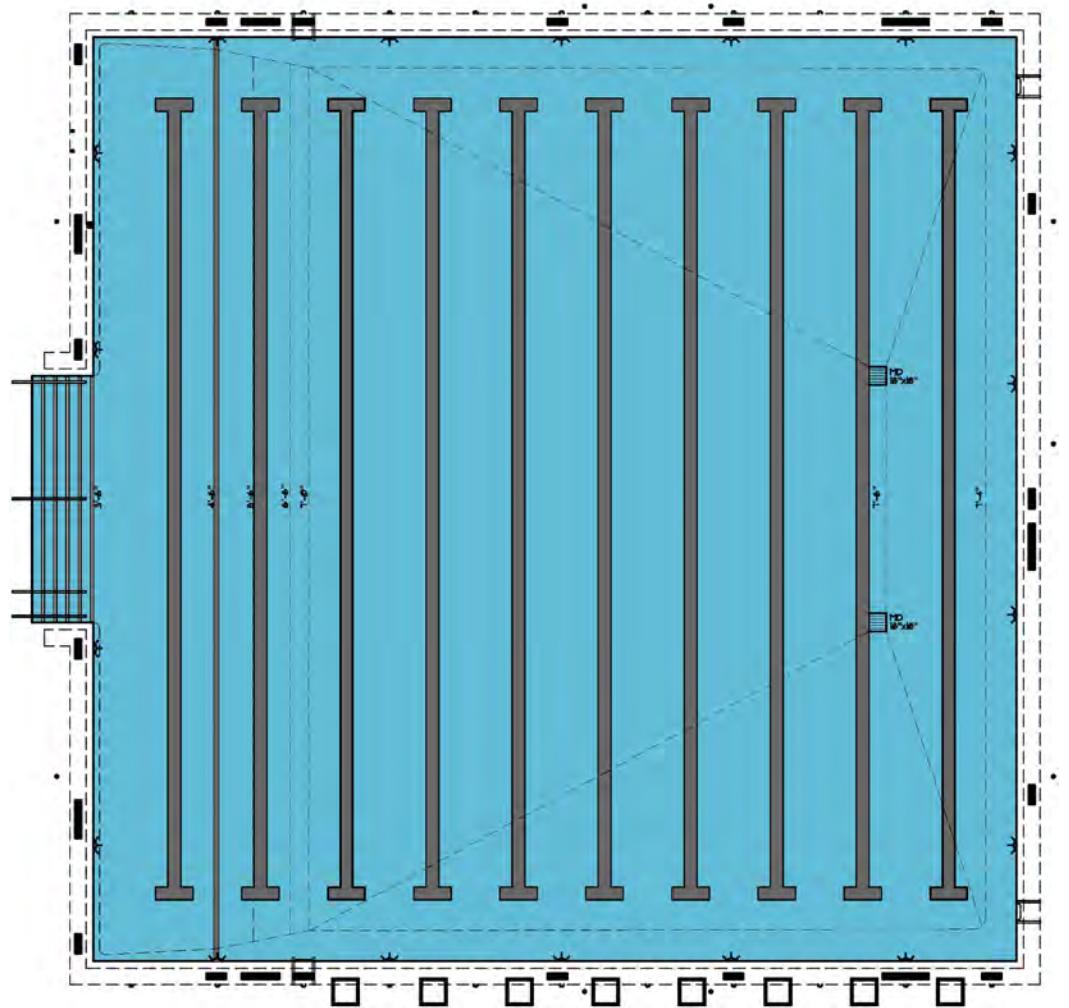
OPTION 2 DETAILS

Swimming Pool

The **5,737 square foot pool** is 75' long x 75' wide, providing a total of ten 25-yard lanes. Eight of the lanes are in deep water capable of accommodating competitive racing starts and a legal water polo field of play. The pool has 750 square feet of shallow water.

The pool features assumed depths from 3'-6" to 7'-6", which could be increased to a depth of 12'-0" if a diving board is desired. It has ADA compliant access stairs. The pool also features an ADA compliant lift for unassisted access capable of being permanently affixed to the pool deck. The pool has 10' of shallow water that slopes to deep water where competitive programs are held. The pool supports local swim meets and a 25-yard fixed goal water polo field of play. Typical programs that can be accommodated in this pool include:

- » Competitive Swimming
- » Fitness Swimming
- » Lap/Recreational Swimming
- » Masters Swimming
- » Competitive Water Polo
- » Recreational Water Polo
- » Learn-to-Swim Programs
- » Lifeguard and Swim Instructor Training
- » Red Cross Training
- » Public Safety Training
- » Deep Water Therapy Programs
- » Fitness Classes
- » Small Group Classes
- » Medium Group Classes
- » Large Group Classes



The pool is capable of supporting 60 swimmers practicing at one time assuming up to six swimmers per lane and 40-lap swimmers at one time assuming up to four swimmers per lane. The total capacity for the pool is 286 persons with a breakdown of 37 persons in shallow water and 249 persons in deep water.

For the purposes of our study, we have assumed a 20' band of concrete decking around the swimming pool. This makes the total pool and pool deck footprint 115' x 115' for a total area of 13,225 square feet or approximately .30 acres, excluding support buildings, sidewalk paths of travel and parking.



Gauche Park – Yuba City, CA

Bathhouse/Support Building

California Building Code requires a public swimming pool have a minimum number of bathroom fixtures to support public use. The formula to determine the minimum number of bathroom fixtures is based upon the surface area of the swimming pool. Therefore, the larger the swimming pool the greater the number of bathroom fixtures. These bathrooms must be located within 300' of the swimming pool. Code requires minimum bathroom areas and mechanical equipment storage, but municipal pool operations require other spaces such as offices, lifeguard and staff areas. The following assumes a fully built-out building offering all desired spaces and necessary space for pool mechanical equipment. Based upon the assumptions of this new bathhouse/support building below we estimate the building to approximate 7,753 square feet. The current bathhouse square footage includes the following amenities to satisfy minimum California Building Code fixture counts and typical aquatic programming needs.

Description	Quantity		Square Footage
	Women's	Men's	
Toilets	3	3	120
Lavatories	2	2	40
Urinals	0	3	30
Showers	4	4	120
Lockers/Dressing	50	50	750
Subtotal			1,060 SF
Lobby	1		800
Entry Vestibule	1		200
Control Desk	1		200
Cash Control	1		100
Inclusive Changing Rooms	2		400
Operator's Office	1		150
Classroom/Team Meeting	1		800
Lifeguard/First Aid/Training	1		500
Timing Booth	1		300
Subtotal			3,450 SF
Indoor Pool Storage	1		200
Pool Mechanical Equipment Room	1		1300
Chemical Storage Rooms	2		128
Custodial	1		64
Subtotal			1,692 SF
Building Space- Gross Square Footage			7,753 SF

Utility & Chemical Expense Estimates

Option 2 pool's utility and chemical expenses, based on 350 days per year of operation and the assumed operating criteria, are shown in the following table.

Design Criteria:

- » Surface Area (square feet): 5,737
- » Minimum Depth (feet): 3.5
- » Maximum Depth (feet): 7.5
- » Volume (gallons): 231,412
- » Turnover (hours): 6
- » Circulation Flow Rate (gallons per minute): 643

Assumptions

1. Annual cost based upon 350 days of operation.
2. Analysis does not include maintenance/operations labor costs.
3. Water usage based upon 60" annual evaporative loss and filter backwash averaging once weekly.
4. Electrical usage based upon 18 hours per day operation.
5. Propane usage based upon air velocity of 5 feet per second, 82-degree water and 60-degree air temperature.
6. Chemical usage based upon maintaining 1.0 PPM chlorine and pH of 7.2-7.4.

Category	Average Daily Usage	Unit	Unit Price	Daily Cost	Annual Cost
Water	1,047	GAL	\$0.01	\$10.47	\$3,664.49
Sewer	459.2	GAL	\$0.01	\$4.59	\$1,607.03
Electricity	236.9	KWH	\$0.18	\$42.65	\$14,927.71
Propane	115.7	THRM	\$1.14	\$131.85	\$46,147.51
Sodium Hypochlorite	9.9	GAL	\$2.50	\$24.79	\$8,677.95
Muriatic Acid	2.5	GAL	\$3.00	\$7.44	\$2,603.39
TOTAL				\$221.79	\$77,628.07

Proforma Budget

The proforma budget below provides estimated capital costs for new construction of the Option 2 swimming pool with a bathhouse/support building and parking.

Summary

Option 2 was conceptualized around providing the desired program for the swimming pool and the minimum desired program for the bathhouse/support building.

Option 2 Highlights:

- » 5,737 SF swimming pool with ten 25-yard lanes
- » Shallow water and deep water
- » 7,488 SF deck
- » 7,753 SF bathhouse/support building
- » 33,600 SF of parking (96 spaces)
- » 0.30-acre pool & deck footprint
- » 1.25-acre total site footprint (pool, deck, bathhouse/support building and parking)
- » \$77,628.07 annual pool utility/chemical expenses
- » \$9,967,959.75 estimated capital cost (pool and related site/bathhouse costs only in 2021 dollars)

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSIONS
1.0	CONSTRUCTION COSTS				
1.1	Mobilization	1	LS	\$ 50,000.00	\$ 50,000.00
1.2	Site Preparation/Demolition	1	LS	\$ 100,000.00	\$ 100,000.00
1.3	Utility Allowance	1	LS	\$ 100,000.00	\$ 100,000.00
1.4	Soil Preparation	1	LS	\$ 50,000.00	\$ 50,000.00
1.5	25-Yard Pool & Mech. Equip.	5,737	SF	\$ 215.00	\$ 1,233,455.00
1.6	25-Yard Pool Surge Tank	1	LS	\$ 40,000.00	\$ 40,000.00
1.7	Pool Decks	7,488	SF	\$ 45.00	\$ 336,960.00
1.8	Shade Structures	1	LS	\$ 100,000.00	\$ 100,000.00
1.9	Pool Area Fencing	351	LF	\$ 250.00	\$ 87,750.00
1.10	Site Lighting	1	LS	\$ 100,000.00	\$ 100,000.00
1.11	New Bathhouse/Mechanical Building	7,753	SF	\$ 500.00	\$ 3,876,500.00
1.12	Landscape/Site	1	LS	\$ 100,000.00	\$ 100,000.00
1.13	Parking Spaces	96	EA	\$ 3,000.00	\$ 288,000.00
1.14	TOTAL CONSTRUCTION COSTS				
					\$ 6,462,665.00
2.0	EQUIPMENT COSTS (FF&E)				
2.1	Deck Equipment	1	LS	\$ 83,260.00	\$ 83,260.00
2.2	Competitive Equipment	1	LS	\$ 251,000.00	\$ 251,000.00
2.3	Building FF&E	2%			\$ 77,530.00
2.4	TOTAL EQUIPMENT COSTS				
					\$ 411,790.00
3.0	SOFT COSTS				
3.1	General Contractor Mark-Up/Overhead	15%			\$ 1,031,168.25
3.2	Construction Contingency Costs	10%			\$ 687,445.50
3.3	Permits and Fees	5%			\$ 343,722.75
3.4	Time/Inflation Escalation Index (3 Years)	5%			\$ 1,031,168.25
3.5	TOTAL SOFT COSTS				
					\$ 3,093,504.75
4.0	TOTAL ESTIMATED PROJECT COST				
					\$ 9,967,959.75
5.0	TOTAL UTILITIES COST PER YEAR				
					\$ 77,628.07

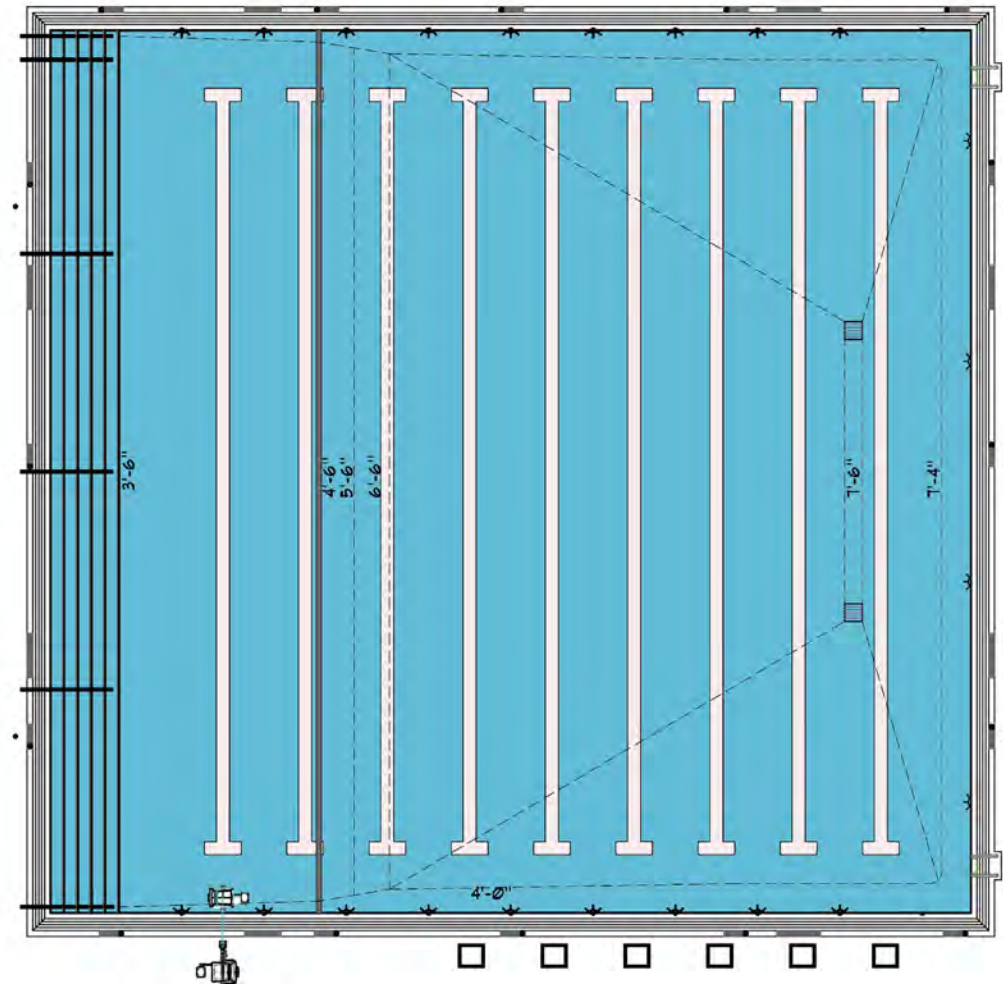
OPTION 3 DETAILS

Swimming Pool

The **5,881 square foot pool** is 78' long x 75' wide. These dimensions provide a total of nine 25-yard lanes with six of the lanes in deep water capable of accommodating competitive racing starts. The pool has 2,535 square feet of shallow water.

The pool features depths from 3'-6" to 7'-6" and has ADA compliant access stairs. The pool also features an ADA compliant lift for unassisted access capable of being permanently affixed to the pool deck. The pool has shallow water that slopes to deep water where competitive programs are held. The pool supports local swim meets and a 25-yard fixed goal water polo field of play. Typical programs that can be accommodated in this pool include:

- » Competitive Swimming
- » Fitness Swimming
- » Lap/Recreational Swimming
- » Masters Swimming
- » Competitive Water Polo
- » Recreational Water Polo
- » Learn-to-Swim Programs
- » Lifeguard and Swim Instructor Training
- » Red Cross Training
- » Public Safety Training
- » Deep Water Therapy Programs
- » Fitness Classes
- » Small Group Classes
- » Medium Group Classes
- » Large Group Classes



The pool is capable of supporting 54 swimmers practicing at one time assuming up to six swimmers per lane and 36 lap swimmers at one time assuming up to four swimmers per lane. The total capacity for the pool is 294 persons with a breakdown of 126 persons in shallow water and 168 persons in deep water.

For the purposes of our study, we have assumed a 20' band of concrete decking around the swimming pool. This makes the total pool and pool deck footprint 118' x 115' for a total area of 13,570 square feet or approximately .31 acres, excluding support buildings, sidewalk paths of travel and parking.



North Natomas Aquatics Complex & Community Center – Sacramento, CA

Bathhouse/Support Building

California Building Code requires a public swimming pool have a minimum number of bathroom fixtures to support public use. The formula to determine the minimum number of bathroom fixtures is based upon the surface area of the swimming pool. Therefore, the larger the swimming pool the greater the number of bathroom fixtures. These bathrooms must be located within 300' of the swimming pool. Code requires minimum bathroom areas and mechanical equipment storage, but municipal pool operations require other spaces such as offices, lifeguard and staff areas. The following assumes a fully built-out building offering all desired spaces and necessary space for pool mechanical equipment. Based upon the assumptions of this new bathhouse/support building below we estimate the building to approximate 7,778 square feet. The current bathhouse square footage includes the following amenities to satisfy minimum California Building Code fixture counts and typical aquatic programming needs.

Description	Quantity		Square Footage
	Women's	Men's	
Toilets	3	3	120
Lavatories	3	3	60
Urinals	0	3	30
Showers	4	4	120
Lockers/Dressing	50	50	750
Subtotal			1,080 SF
Lobby	1		800
Entry Vestibule	1		200
Control Desk	1		200
Cash Control	1		100
Inclusive Changing Rooms	2		400
Operator's Office	1		150
Classroom/Team Meeting	1		800
Lifeguard/First Aid/Training	1		500
Timing Booth	1		300
Subtotal			3,450 SF
Indoor Pool Storage	1		200
Pool Mechanical Equipment Room	1		1300
Chemical Storage Rooms	2		128
Custodial	1		64
Subtotal			1,692 SF
Building Space- Gross Square Footage			7,778 SF

Utility & Chemical Expense Estimates

Option 3 pool's utility and chemical expenses, based on 350 days per year of operation and the assumed operating criteria, are shown in the following table.

Design Criteria:

- » Surface Area (square feet): 5,881
- » Minimum Depth (feet): 3.5
- » Maximum Depth (feet): 7.5
- » Volume (gallons): 240,669
- » Turnover (hours): 6
- » Circulation Flow Rate (gallons per minute): 669

Assumptions

1. Annual cost based upon 350 days of operation.
2. Analysis does not include maintenance/operations labor costs.
3. Water usage based upon 60" annual evaporative loss and filter backwash averaging once weekly.
4. Electrical usage based upon 18 hours per day operation.
5. Propane usage based upon air velocity of 5 feet per second, 82-degree water and 60-degree air temperature.
6. Chemical usage based upon maintaining 1.0 PPM chlorine and pH of 7.2-7.4.

Category	Average Daily Usage	Unit	Unit Price	Daily Cost	Annual Cost
Water	1,080.1	GAL	\$0.01	\$10.80	\$3,780.42
Sewer	477.5	GAL	\$0.01	\$4.78	\$1,671.31
Electricity	246.4	KWH	\$0.18	\$44.36	\$15,524.85
Propane	118.6	THRM	\$1.14	\$135.16	\$47,305.82
Sodium Hypochlorite	10.3	GAL	\$2.50	\$25.79	\$9,025.09
Muriatic Acid	2.6	GAL	\$3.00	\$7.74	\$2,707.53
TOTAL				\$228.61	\$77,628.07

Proforma Budget

The proforma budget below provides estimated capital costs for new construction of the Option 3 swimming pool with a bathhouse/support building and parking.

Summary

Option 3 was conceptualized around providing the desired program for the swimming pool and the minimum desired program for the bathhouse/support building.

Option 3 Highlights:

- » 5,881 SF swimming pool with nine 25-yard lanes
- » Shallow water and deep water
- » 7,833 SF deck
- » 7,778 SF bathhouse/support building
- » 34,300 SF of parking (98 spaces)
- » 0.31-acre pool & deck footprint
- » 1.28-acre total site footprint (pool, deck, bathhouse/support building and parking)
- » \$80,015.01 annual pool utility/chemical expenses
- » \$10,050,588.00 estimated capital cost (pool and related site/bathhouse costs only in 2021 dollars)

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSIONS
1.0	CONSTRUCTION COSTS				
1.1	Mobilization	1	LS	\$ 50,000.00	\$ 50,000.00
1.2	Site Preparation/Demolition	1	LS	\$ 100,000.00	\$ 100,000.00
1.3	Utility Allowance	1	LS	\$ 100,000.00	\$ 100,000.00
1.4	Soil Preparation	1	LS	\$ 50,000.00	\$ 50,000.00
1.5	25-Yard Pool & Mech. Equip.	5,881	SF	\$ 215.00	\$ 1,264,415.00
1.6	25-Yard Pool Surge Tank	1	LS	\$ 40,000.00	\$ 40,000.00
1.7	Pool Decks	7,833	SF	\$ 45.00	\$ 352,485.00
1.8	Shade Structures	1	LS	\$ 100,000.00	\$ 100,000.00
1.9	Pool Area Fencing	365	LF	\$ 250.00	\$ 91,250.00
1.10	Site Lighting	1	LS	\$ 100,000.00	\$ 100,000.00
1.11	New Bathhouse/Mechanical Building	7,778	SF	\$ 500.00	\$ 3,889,000.00
1.12	Landscape/Site	1	LS	\$ 100,000.00	\$ 100,000.00
1.13	Parking Spaces	98	EA	\$ 3,000.00	\$ 294,000.00
1.14	TOTAL CONSTRUCTION COSTS				
					\$ 6,531,150.00
2.0	EQUIPMENT COSTS (FF&E)				
2.1	Deck Equipment	1	LS	\$ 82,510.00	\$ 82,510.00
2.2	Competitive Equipment	1	LS	\$ 240,000.00	\$ 240,000.00
2.3	Building FF&E	2%			\$ 77,780.00
2.4	TOTAL EQUIPMENT COSTS				
					\$ 400,290.00
3.0	SOFT COSTS				
3.1	General Contractor Mark-Up/Overhead	15%			\$ 1,039,716.00
3.2	Construction Contingency Costs	10%			\$ 693,144.00
3.3	Permits and Fees	5%			\$ 346,572.00
3.4	Time/Inflation Escalation Index (3 Years)	5%			\$ 1,039,716.00
3.5	TOTAL SOFT COSTS				
					\$ 3,119,148.00
4.0	TOTAL ESTIMATED PROJECT COST				
					\$ 10,050,588.00
5.0	TOTAL UTILITIES COST PER YEAR				
					\$ 80,015.01

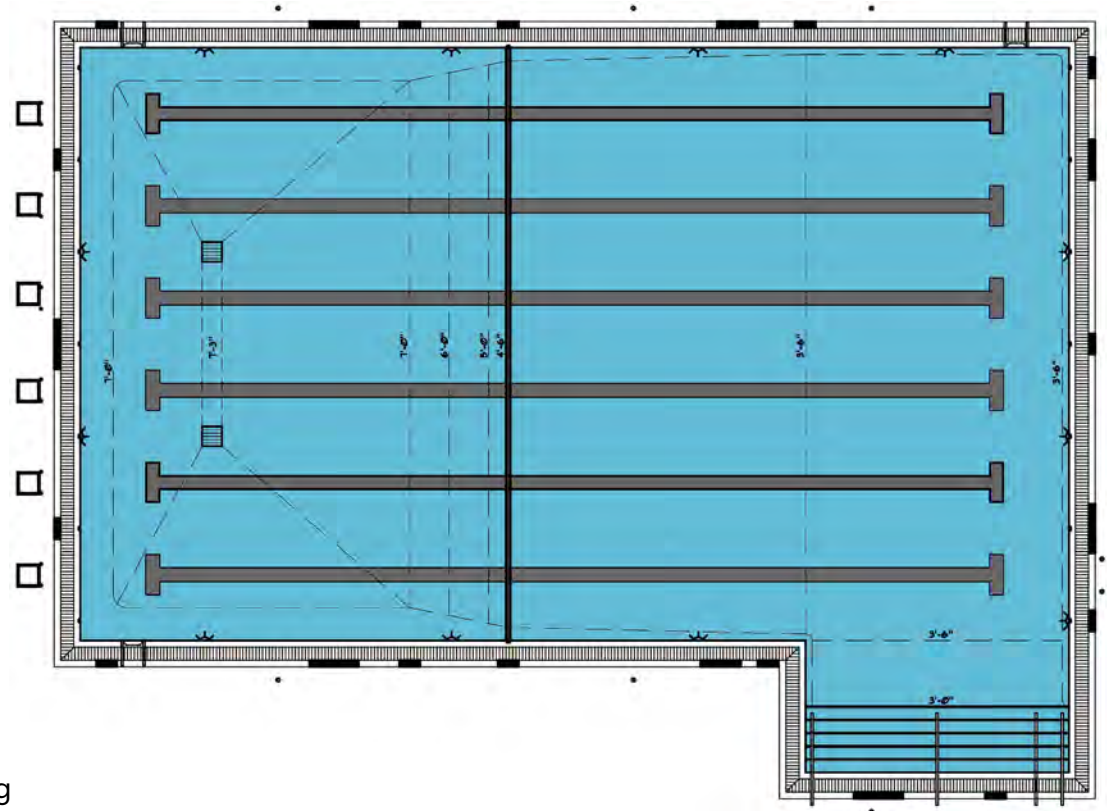
OPTION 4 DETAILS

Swimming Pool

The **3,575 square foot pool** is 75' long x 45' wide. These dimensions provide a total of six 25-yard lanes with all six of the lanes capable of accommodating competitive racing starts. The pool has 2,315 square feet of shallow water.

The pool features depths from 3'-6" to 7'-6" and has ADA compliant access stairs. The pool also features an ADA compliant lift for unassisted access capable of being permanently affixed to the pool deck. The pool has shallow water that slopes to deep water where competitive programs are held. The pool supports local swim meets and a 25-yard fixed goal recreational water polo field of play. Typical programs that can be accommodated in this pool include:

- » Competitive Swimming
- » Fitness Swimming
- » Lap/Recreational Swimming
- » Masters Swimming
- » Recreational Water Polo
- » Learn-to-Swim Programs
- » Lifeguard and Swim Instructor Training
- » Red Cross Training
- » Public Safety Training
- » Deep Water Therapy Programs
- » Fitness Classes
- » Small Group Classes
- » Medium Group Classes
- » Large Group Classes



Competitive water polo is a program this pool will not support as it requires a large area dedicated to deep water. The pool is capable of supporting 36 swimmers practicing at one time assuming up to six swimmers per lane and 24 lap swimmers at one time assuming up to four swimmers per lane. The total capacity for the pool is 178 persons with a breakdown of 115 persons in shallow water and 63 persons in deep water.

For the purposes of our study, we have assumed a 20' band of concrete decking around the swimming pool. This makes the total pool and pool deck footprint 115' x 85' for a total area of 9,977 square feet or approximately .22 acres, excluding support buildings, sidewalk paths of travel and parking. For the purposes of our study, we have assumed a 20' band of concrete decking around the swimming pool. This makes the total pool and pool deck footprint 118' x 115' for a total area of 13,570 square feet or approximately .31 acres, excluding support buildings, sidewalk paths of travel and parking.



Mayfair Park Pool – San Jose, CA

Bathhouse/Support Building

California Building Code requires a public swimming pool have a minimum number of bathroom fixtures to support public use. The formula to determine the minimum number of bathroom fixtures is based upon the surface area of the swimming pool. Therefore, the larger the swimming pool the greater the number of bathroom fixtures. These bathrooms must be located within 300' of the swimming pool. Code requires minimum bathroom areas and mechanical equipment storage, but municipal pool operations require other spaces such as offices, lifeguard and staff areas. The following assumes a fully built-out building offering all desired spaces and necessary space for pool mechanical equipment. Based upon the assumptions of this new bathhouse/support building below we estimate the building to approximate 7,240 square feet. The current bathhouse square footage includes the following amenities to satisfy minimum California Building Code fixture counts and typical aquatic programming needs.

Description	Quantity		Square Footage
	Women's	Men's	
Toilets	2	2	80
Lavatories	2	2	40
Urinals	0	2	20
Showers	2	2	60
Lockers/Dressing	50	50	750
Subtotal			950 SF
Lobby	1		800
Entry Vestibule	1		200
Control Desk	1		200
Cash Control	1		100
Inclusive Changing Rooms	2		400
Operator's Office	1		150
Classroom/Team Meeting	1		800
Lifeguard/First Aid/Training	1		500
Timing Booth	1		300
Subtotal			3,450 SF
Indoor Pool Storage	1		200
Pool Mechanical Equipment Room	1		1000
Chemical Storage Rooms	2		128
Custodial	1		64
Subtotal			1,392 SF
Building Space- Gross Square Footage			7,240 SF

Utility & Chemical Expense Estimates

Option 4 pool's utility and chemical expenses, based on 350 days per year of operation and the assumed operating criteria, are shown in the following table.

Design Criteria:

- » Surface Area (square feet): 3,575
- » Minimum Depth (feet): 3.5
- » Maximum Depth (feet): 7.5
- » Volume (gallons): 138,847
- » Turnover (hours): 6
- » Circulation Flow Rate (gallons per minute): 386

Assumptions

1. Annual cost based upon 350 days of operation.
2. Analysis does not include maintenance/operations labor costs.
3. Water usage based upon 60" annual evaporative loss and filter backwash averaging once weekly.
4. Electrical usage based upon 18 hours per day operation.
5. Propane usage based upon air velocity of 5 feet per second, 82-degree water and 60-degree air temperature.
6. Chemical usage based upon maintaining 1.0 PPM chlorine and pH of 7.2-7.4.

Category	Average Daily Usage	Unit	Unit Price	Daily Cost	Annual Cost
Water	641.8	GAL	\$0.01	\$6.42	\$2,246.32
Sewer	275.5	GAL	\$0.01	\$2.75	\$964.22
Electricity	142.2	KWH	\$0.18	\$25.59	\$8,956.61
Propane	72.1	THRM	\$1.14	\$82.16	\$28,756.73
Sodium Hypochlorite	6.0	GAL	\$2.50	\$14.88	\$5,206.76
Muriatic Acid	1.5	GAL	\$3.00	\$4.46	\$1,562.03
TOTAL				\$136.26	\$47,692.66

Proforma Budget

The proforma budget below provides estimated capital costs for new construction of the Option 4 swimming pool with a bathhouse/support building and parking.

Summary

Option 4 was conceptualized around providing the minimum desired program, for both the swimming pool and bathhouse/support building.

Option 4 Highlights:

- » 3,575 SF swimming pool with six 25-yard lanes
- » Shallow water and deep water
- » 6,200 SF deck
- » 7,240 SF bathhouse/support building
- » 21,000 SF of parking (60 spaces)
- » 0.22-acre pool & deck footprint
- » 0.87-acre total site footprint (pool, deck, bathhouse/support building and parking)
- » \$47,692.66 annual pool utility/chemical expenses
- » \$8,595,433.00 estimated capital cost (pool and related site/bathhouse costs only in 2021 dollars)

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSIONS
1.0	CONSTRUCTION COSTS				
1.1	Mobilization	1	LS	\$ 50,000.00	\$ 50,000.00
1.2	Site Preparation/Demolition	1	LS	\$ 100,000.00	\$ 100,000.00
1.3	Utility Allowance	1	LS	\$ 100,000.00	\$ 100,000.00
1.4	Soil Preparation	1	LS	\$ 50,000.00	\$ 50,000.00
1.5	25-Yard Pool & Mech. Equip.	3,575	SF	\$ 215.00	\$ 768,625.00
1.6	25-Meter Pool Surge Tank	1	LS	\$ 40,000.00	\$ 40,000.00
1.7	Pool Decks	6,200	SF	\$ 45.00	\$ 279,000.00
1.8	Shade Structures	1	LS	\$ 100,000.00	\$ 100,000.00
1.9	Pool Area Fencing	285	LF	\$ 250.00	\$ 71,250.00
1.10	Site Lighting	1	LS	\$ 100,000.00	\$ 100,000.00
1.11	New Bathhouse/Mechanical Building	7,240	SF	\$ 500.00	\$ 3,620,000.00
1.12	Landscape/Site	1	LS	\$ 100,000.00	\$ 100,000.00
1.13	Parking Spaces	60	EA	\$ 3,000.00	\$ 180,000.00
1.14	TOTAL CONSTRUCTION COSTS				\$ 5,558,875.00
2.0	EQUIPMENT COSTS (FF&E)				
2.1	Deck Equipment	1	LS	\$ 56,610.00	\$ 56,610.00
2.2	Competitive Equipment	1	LS	\$ 240,000.00	\$ 240,000.00
2.3	Building FF&E	2%			\$ 72,400.00
2.4	TOTAL EQUIPMENT COSTS				\$ 369,010.00
3.0	SOFT COSTS				
3.1	General Contractor Mark-Up/Overhead	15%			\$ 889,182.75
3.2	Construction Contingency Costs	10%			\$ 592,788.50
3.3	Permits and Fees	5%			\$ 296,394.25
3.4	Time/Inflation Escalation Index (3 Years)	5%			\$ 889,182.75
3.5	TOTAL SOFT COSTS				\$ 2,667,548.25
4.0	TOTAL ESTIMATED PROJECT COST				\$ 8,595,433.25
5.0	TOTAL UTILITIES COST PER YEAR				\$ 47,692.66

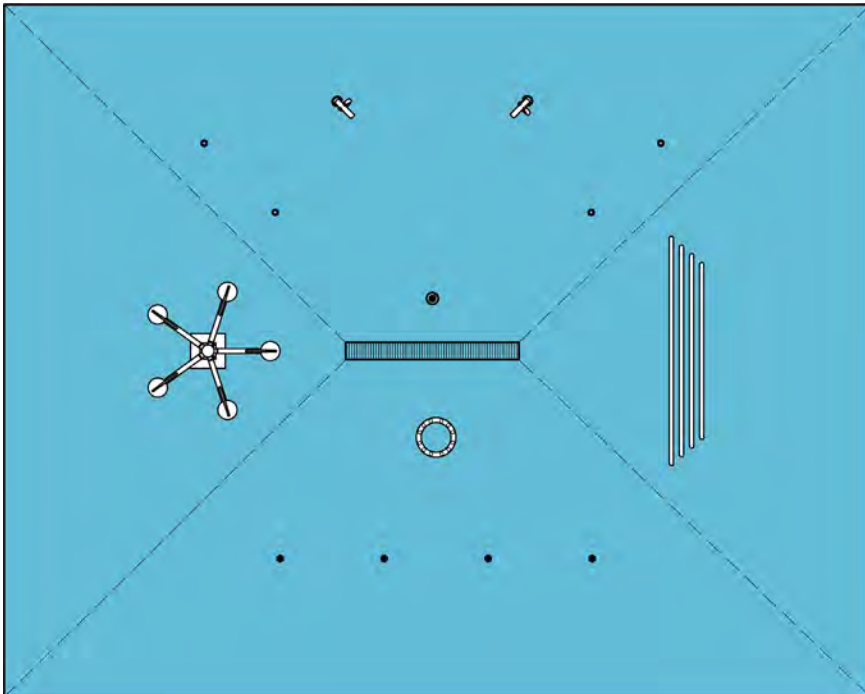
SPRAYGROUND DETAILS

Sprayground

The **2,000 square foot** recirculating sprayground is 50' long x 40' wide and has been conceptualized as an addition to any of the four swimming pool options. California Code requires an additional 4' of dry deck around the entire perimeter of the sprayground. The total capacity for the sprayground is 100 persons.

The recirculating sprayground, with interactive water features, can accommodate aquatic play for all ages or tailor to a specific age range. The City can identify the target sprayground user and influence the sprayground design choices accordingly. The sprayground can be designed to be universally accessible, if desired. Typical programs that can be accommodated in the sprayground include:

- » Open recreation
- » Rentals (ie. birthday parties, etc.)



Utility & Chemical Expense Estimates

The sprayground’s utility and chemical expenses, based on 350 days per year of operation and the assumed operating criteria, are shown in the following table.

Design Criteria:

- » Surface Area (square feet): 2,000
- » Minimum Depth (feet): 0.0
- » Maximum Depth (feet): 0.0
- » Volume (gallons): 4,000
- » Turnover (hours): 1
- » Circulation Flow Rate (gallons per minute): 67

Assumptions

1. Annual cost based upon 350 days of operation.
2. Analysis does not include maintenance/operations labor costs.
3. Water usage based upon 60” annual evaporative loss and filter backwash averaging once weekly.
4. Electrical usage based upon 18 hours per day operation.
5. Propane usage based upon air velocity of 5 feet per second, 82-degree water and 60-degree air temperature.
6. Chemical usage based upon maintaining 1.0 PPM chlorine and pH of 7.2-7.4.

Category	Average Daily Usage	Unit	Unit Price	Daily Cost	Annual Cost
Water	252.6	GAL	\$0.01	\$2.53	\$883.93
Sewer	47.6	GAL	\$0.01	\$0.48	\$166.67
Electricity, Circulation Pump	24.6	KWH	\$0.18	\$4.42	\$1,548.17
Electricity, Booster Pump	52.7	KWH	\$0.18	\$9.48	\$1,421.79
Sodium Hypochlorite	0.6	GAL	\$2.50	\$1.43	\$500.00
Muriatic Acid	0.1	GAL	\$3.00	\$0.43	\$150.00
TOTAL				\$18.76	\$4,670.55

Proforma Budget

The proforma budget below provides estimated capital costs for new construction of the sprayground.

Summary

The sprayground was conceptualized around providing the minimum desired program that provides additional recreational play value beyond that of a swimming pool.

Option 3 Highlights:

- » 2,000 SF sprayground
- » 809 SF deck
- » 2,809 SF total sprayground & deck footprint
- » \$4,670.55 annual sprayground utility/chemical expenses
- » \$748,787.25 estimated capital cost (pool and related site costs only in 2021 dollars)

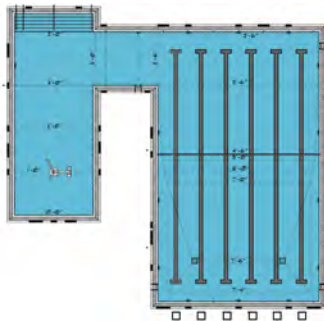
ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSIONS
1.0	CONSTRUCTION COSTS				
1.1	Mobilization	1	LS	\$ 50,000.00	\$ 50,000.00
1.2	Sprayground, Piping and Circulation Equip.	1	LS	\$ 250,000.00	\$ 250,000.00
1.3	Underground Surge Tank	1	LS	\$ 52,000.00	\$ 40,000.00
1.4	Pavement and Surfacing	2,809	SF	\$ 45.00	\$ 126,405.00
1.5	Site Features / Walls and Fencing	1	LS	\$ 25,000.00	\$ 25,000.00
1.6	Planting and Irrigation	1	LS	\$ 25,000.00	\$ 25,000.00
1.7	TOTAL CONSTRUCTION COSTS				\$ 516,405.00
2.0	EQUIPMENT COSTS (FF&E)				
2.1	Deck Equipment	0	LS		\$ -
2.2	Competitive Equipment	0	LS		\$ -
2.3	TOTAL EQUIPMENT COSTS				\$ -
3.0	SOFT COSTS				
3.1	General Contractor Mark-Up/Overhead	15%			\$ 77,460.75
3.2	Construction Contingency Costs	10%			\$ 51,640.50
3.3	Permits and Fees	5%			\$ 25,820.25
3.4	Time/Inflation Escalation Index (3 Years)	5%			\$ 77,460.75
3.5	TOTAL SOFT COSTS				\$ 232,382.25
4.0	TOTAL ESTIMATED PROJECT COST				\$ 748,787.25
5.0	TOTAL UTILITIES COST PER YEAR				\$ 4,670.55

CONCEPTUAL RANGE OF CAPITAL COSTS & COST RECOVERY

BENCHMARK OF RECREATION/AQUATICS CENTER CAPITAL COSTS

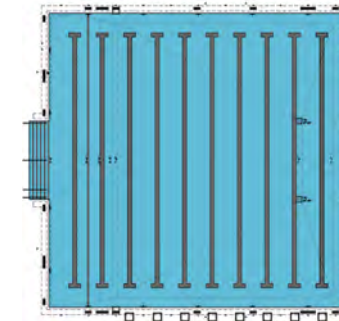
Option 1 (4,880 SF Pool)

Description	Area (SF)	Unit Cost (\$/SF)	Total Cost
Recreation Center	14,789	\$500	\$7,394,500
4,880 SF Pool	4,880	\$215	\$1,049,200
Sprayground	2,000	\$125	\$250,000
Bathhouse/Support Building	7,578	\$500	\$3,789,000
Pool Deck Area	10,304	\$45	\$463,680
Parking Area	28,350	\$25	\$708,750
Site/Pool Equipment	n/a	Lump Sum	\$375,000
Site Infrastructure	n/a	Lump Sum	\$500,000
Subtotal Construction Costs			\$14,530,130
Contingency (10%)			\$1,453,013
Escalation (4%/yr - 3 years)			\$1,917,977
Soft Costs (25%)			\$4,475,280
Total Estimated Capital Cost			\$22,376,400



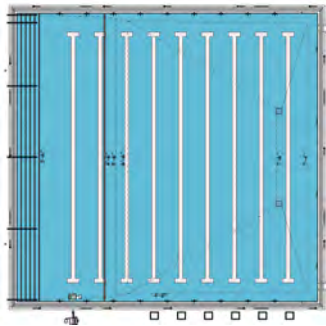
Option 2 (5,737 SF Pool)

Description	Area (SF)	Unit Cost (\$/SF)	Total Cost
Recreation Center	14,789	\$500	\$7,394,500
5,737 SF Pool	5,737	\$215	\$1,233,455
Sprayground	2,000	\$125	\$250,000
Bathhouse/Support Building	7,753	\$500	\$3,876,500
Pool Deck Area	7,488	\$45	\$336,960
Parking Area	33,600	\$25	\$840,000
Site/Pool Equipment	n/a	Lump Sum	\$375,000
Site Infrastructure	n/a	Lump Sum	\$500,000
Subtotal Construction Costs			\$14,806,415
Contingency (10%)			\$1,480,642
Escalation (4%/yr - 3 years)			\$1,954,447
Soft Costs (25%)			\$4,560,376
Total Estimated Capital Cost			\$22,801,879



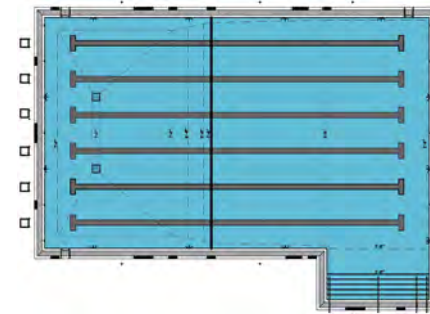
Option 3 (5,881 SF Pool)

Description	Area (SF)	Unit Cost (\$/SF)	Total Cost
Recreation Center	14,789	\$500	\$7,394,500
5,881 SF Pool	5,881	\$215	\$1,264,415
Sprayground	2,000	\$125	\$250,000
Bathhouse/Support Building	7,778	\$500	\$3,889,000
Pool Deck Area	7,833	\$45	\$352,485
Parking Area	34,300	\$25	\$857,500
Site/Pool Equipment	n/a	Lump Sum	\$375,000
Site Infrastructure	n/a	Lump Sum	\$500,000
Subtotal Construction Costs			\$14,882,900
Contingency (10%)			\$1,488,290
Escalation (4%/yr - 3 years)			\$1,964,543
Soft Costs (25%)			\$4,583,933
Total Estimated Capital Cost			\$22,919,666



Option 4 (3,575 SF Pool)

Description	Area (SF)	Unit Cost (\$/SF)	Total Cost
Recreation Center	14,789	\$500	\$7,394,500
5,737 SF Pool	3,575	\$215	\$768,625
Sprayground	2,000	\$125	\$250,000
Bathhouse/Support Building	7,240	\$500	\$3,620,000
Pool Deck Area	6,200	\$45	\$279,000
Parking Area	21,000	\$25	\$525,000
Site/Pool Equipment	n/a	Lump Sum	\$375,000
Site Infrastructure	n/a	Lump Sum	\$500,000
Subtotal Construction Costs			\$13,712,125
Contingency (10%)			\$1,371,213
Escalation (4%/yr - 3 years)			\$1,810,001
Soft Costs (25%)			\$4,223,335
Total Estimated Capital Cost			\$21,116,673



Total capital improvement costs for a new construction recreation and aquatics center range from **\$21.1M to \$22.3M** in "total cost" (construction and soft costs) depending on the size of the pool and related deck/bathhouse. This includes contingency (10%) and escalation to an assumed midpoint of construction of summer 2024.

Option 5 (Recreation Center Only)

Description	Area (SF)	Unit Cost (\$/SF)	Total Cost
Recreation Center	14,789	\$500	\$7,394,500
Parking Area	21,000	\$25	\$525,000
Site Infrastructure	n/a	Lump Sum	\$500,000
Subtotal Construction Costs			\$8,419,500
Contingency (10%)			\$841,950
Escalation (4%/yr - 3 years)			\$1,051,292
Soft Costs (25%)			\$2,104,875
Total Estimated Capital Cost			\$12,417,617



BENCHMARK OF RECREATION/AQUATICS CENTER OPERATING EXPENSES/REVENUE

The consultant team developed benchmark data on operating expenses and revenue of existing recreation centers. The benchmark data from the Mill Valley Community Center, CV Starr Community Center and Incline Village Recreation Center include expenses and revenue from both a center and indoor aquatic center. The Roseville Sports Center, the Agoura Hills & Calabasas Community Center and Red Morton Community Center in Redwood City include expenses and revenue for the center, but not a pool.

The recreation centers in this benchmark have similar facilities and building programs contemplated for the Lakeport Recreation Center. These program areas include gymnasium space, cardio and weight equipment rooms, multipurpose meeting rooms, dance/aerobic rooms, lobby areas, public counters and lobby areas, restrooms and changing facilities, storage and mechanical rooms. In some cases, the centers also have drop-in areas for teens and game rooms.

It is important to note that all of the recreation centers used in this benchmark study are larger than that contemplated for the Lakeport recreation center at approximately 15,000 square feet.

The expenses and revenue included in the benchmark are “as of” the date indicated in the tables. In some cases, the data for expenses and revenue are nearly 10 years old. However, percentage of cost recovery should be accurate today, although revenue and expense numbers would likely be higher due to inflation over time for salaries, materials and supplies. Additionally, the benchmark data assumes operations in a non-Covid year.

RECREATION CENTER OPERATIONAL BENCHMARKS						
Recreation Center	Building Size (SF)	Expense	Revenue	Funding Subsidy	Cost Recovery	Budget Date
Roseville Sports Center	23,000	\$818,535	\$710,127	\$108,408	87%	2018
Mill Valley Community Center & Indoor Pool	35,000	\$1,940,085	\$1,596,988 *	\$343,097	82%	2017
Agoura Hills & Calabasas Community Center	30,000	\$1,339,208	\$1,236,250	\$102,958	92%	2015
Incline Village Recreation Center & Indoor Pool	37,000	\$1,167,666	\$1,194,884	\$27,218	102%	2021
CV Starr Community Center & Indoor Pool	41,800	\$1,595,418	\$594,383	\$1,001,423 **	37%	2015
Red Morton Community Center	34,820	\$1,421,288	\$987,608	\$433,680	69%	2021
Average	33,603 SF	\$1,380,367	\$1,053,373	\$336,131	78%	-

* Mill Valley expenses and revenues includes fee-based recreation programs, but does not include rental expense & income
** CV Starr Community Center and Pool has dedicated funding subsidy of \$795,304 from the City of Fort Bragg via a ½ cent sales tax measure

REVENUE & OPERATIONAL ASSUMPTIONS

The recreation centers used in the operational benchmarks are operated in a manner to optimize utilization, revenue and cost recovery. All of these facilities include user fees for fitness and aquatics. These fees may include daily admission, multi-day punch cards, monthly dues and annual passes. Additionally, the programs, classes and activities offered at the recreation centers are designed to be either self-supporting or to generate income in excess of the direct operating costs of the activity. These programs typically include group exercise classes, dance, martial arts, spin cycle and various other fee based special interest classes. At recreation centers with gymnasiums, some youth and adult sports programs such as volleyball & basketball are offered with team or individual drop-in user fees. All of these facilities are open for rental to the public for meetings, receptions and other social gatherings such as banquets. Rental fees are established based on "market rate" for meeting spaces of similar size and quality.

Operational costs assume the use of both full-time salaried employees and part time/seasonal employees to supervise the staff and operate the center seven days per week, up to 14 hours per day. Full time staff would be salaried public employees with benefits. Part time staff would be hourly or seasonal employees working less than 1,000 hours per year. Maintenance and custodial services could be provided by public employees or by contract.

LAKEPORT RECREATION CENTER OPERATIONAL COSTS & REVENUE

Based on the size, facilities and program capabilities preliminarily developed for the Lakeport Recreation Center, it is feasible that the center could be operated in a manner that could offset most of its operating costs through user fees. Assuming the Lakeport Recreation Center was operated in similar fashion to the Roseville Sports Center, the Agoura Hills Calabasas CC and Red Morton CC, the Lakeport Recreation Center could potentially recover 65%-80% of its operating costs. This analysis is very preliminary and dependent on the final size and design of the Center, as well as an operating model designed to optimize use and revenue through fees, rental income and income generating programs and activities.

MANAGEMENT STRUCTURE/PARTNERSHIP OPPORTUNITIES

JOINT DEVELOPMENT & USE AGREEMENT

This model provides for joint development and operational funding from one or more agencies. Typically, the agency who is the owner of the land that the center and/or swimming pool will be built on will be the lead agency. The joint-use partner will have input on the design of the facility to ensure it meets the needs of the partnering agency as well as the “owner” of the property and the capital improvement on it. A joint development and use agreement will be entered into by both (or more) agencies that outlines their respective capital contribution to fund construction and ongoing annual funding for maintenance and operation. Additionally, the development and use agreement will outline terms and conditions for guaranteed use of the facility during specific days and times. Prior to commencing constructions, it is advisable for the prospective parties to the joint development and use agreement to agree to basic terms of use, financial contributions towards construction, annual contributions for basic maintenance and operation, and extraordinary contributions for capital outlay required for rehabilitation and replacement.

Case Study: Roseville Aquatics Complex



The City of Roseville and Roseville Joint Union High School District entered into a joint-development and joint-use agreement for the Roseville Aquatic Complex constructed at Mahany Park, which is a City-owned park site immediately adjacent to Woodcreek High School. Roseville JUHSD contributed \$1.2 million, with the overall construction cost of the 50-meter pool complex approximately \$4.5 million. The joint-use agreement provides the high school physical education and high school athletics teams in both water polo and swimming. The City and School District agreed to a \$600,000 “cash out” of ongoing maintenance contribution by the District and agreed to share extraordinary future capital expenditures for equipment, major facility infrastructure and building improvements on a proportional shared basis based on time of use.



Roseville Aquatics Complex

JOINT POWERS AUTHORITY (JPA)

Joint Powers Authorities are legally created entities that allow two or more public agencies to jointly exercise common powers. Forming such entities may not only provide a creative approach to the provision of public services, but also permit public agencies with the means to provide services more efficiently and in a cost-effective manner. The Joint Exercise of Powers Act (JEP Act), as codified in California Government Code section 6500, governs JPAs and restricts use to public agencies only.

The JEP Act authorizes two kinds of JPA arrangements. The first allows two or more public agencies to contract to jointly exercise common powers. The second allows two or more public agencies to form a separate legal entity. This new entity has independent

legal rights, including the ability to enter into contracts, hold property and sue or be sued. Forming a separate entity can be beneficial because the debts, liabilities and obligations of the JPA belong to that entity, not the contracting parties.

To enter into a JPA (either to jointly exercise common powers or to form a separate legal entity), the public agencies must enter into an agreement. This agreement must state both the powers of the JPA and the manner in which it will be exercised. The governing bodies of all the contracting public agencies must approve the agreement.



Agoura Hills/Calabasas Community Center



The Agoura Hills/Calabasas Community Center (AHCCC) is a state-of-the-art, 30,000 square foot facility that features: a gymnasium with tournament-level basketball, volleyball, badminton and pickleball courts; a full-service fitness studio with treadmills, elliptical machines, free weights and strength training machines; a dance & exercise studio, home to over 50 weekly group exercise classes, including muscle conditioning, yoga, Pilates, cycling and Zumba; a 35' realistic indoor rock climbing wall; a stunning banquet facility available for private rentals but also converts into multi-purpose rooms that are used for recreational classes, camps, programs & special events.

Funding for the \$4.5 million center came from a variety of sources. A 4.5-acre site was donated by Los Angeles County to the cities of Agoura Hills and Calabasas. Funding for the Center included \$1.4 million from each of the cities of Agoura Hills and Calabasas. This funding came from Proposition A, a State bond measure designed to give cities resources for parks and recreation. The Center also received \$1 million funding from the State of California. A Friends group helped solicit private funds from individuals and businesses, most notably a donation of \$100,000 from Country Wide Home Loans.

AHCCC is governed by a JPA Board of Directors which consists of seven voting members, and two non-voting student members. Authority members and alternate members are appointed by Agoura Hills and Calabasas City Councils, while the seventh member is reserved for the president of the Community Center Alliance. Two non-voting student board members are appointed annually by the JPA Board of Directors.

It is important to note that AHCCC is currently closed due to Covid 19 restrictions. During the temporary closure of AHCCC, the JPA Board of Directors, with the two cities and Center staff is currently working on a new business plan and restructure of the Center.



JOINT-USE AGREEMENT

This model provides for a joint-use and operating agreement between two or more agencies for ongoing maintenance and operation. In this model, the owner of the land is responsible for funding construction. The joint-use partner may or may not contribute funds for construction. Joint-use typically provides for an annual financial contribution towards maintenance and operation based on use of the facility. This financial contribution towards maintenance and operation is typically proportional to the use entitlements granted to the non-owner party.

C.V. Starr Community Center & Spath Aquatic Center



In 1978, using Park Bond Act monies, MCRPD obtained a five-acre parcel known as Green Memorial Field in central Fort Bragg. After years of fundraising and some major donations from local resident, Harry Spath, and the Starr Foundation, construction began in 2006. In 2008, the Starr Foundation provided a second grant of \$13 million to fund the remainder of the pool project. In 2009, the center opened to the public. It is home to two pools, fitness and dance rooms, conference rooms and the MCRPD business offices. The Starr Center's Sigrid and Harry Spath Aquatic Facility, named for the local couple who donated \$1 million to the effort, a hub for year-round exercise classes and swimming lessons. The facility contains a 25-yard-long, eight lane lap pool and a leisure pool with beach, spray features, lazy river and a large water slide. There is a group exercise room, spin room, cardio and fitness room and multipurpose room.

In 2012, the City of Fort Bragg partnered with MCRPD, and with the passage of Measure A, operation and maintenance was fully funded by the half-cent sales tax. The C.V. Starr Center is owned by the City of Fort Bragg and operated by the MCRPD in accordance with an operating agreement between the two entities. The District Administrator, an MCRPD employee who reports directly to the MCRPD Board, is responsible for day-to-day, and the MCRPD Board is responsible for key policy decisions. The Fort Bragg City Council adopts the annual operating budget for the Center and establishes the fee schedule. Together with the MCRPD, the City is responsible for ensuring that the center operates in a fiscally sustainable manner.

The City of Fort Bragg also receives teeter funds for the maintenance of the Starr Center. Fort Bragg receives all the teeter funds collected in the Fort Bragg School District area or 45% of the total teeter funds collected in all regions in MCRPD, whichever is greater. The City's share is remitted directly to Fort Bragg. This money is controlled by the City and is referred to as the enterprise fund. The enterprise fund pays 70% of the District Administrator's compensation. The remaining 30% is paid by MCRPD. There is one full-time recreational specialist serving all communities within MCRPD paid entirely from the MCRPD budget.

It is important to note that the C.V. Starr Community Center and Spath Aquatic Center has been closed due to Covid 19 restrictions but is planning to reopen late spring/early summer.



SPECIAL DISTRICT FOR RECREATION

Formed as an Independent Lead Agency

Special districts are local governments created by the people of a community to deliver specialized services essential to their health, safety, economy and well-being. A community forms a special district, which are political subdivisions established and authorized through a state's statutes, to provide specialized services that the local city or county do not provide. In most states, districts are created by public referendum, which includes petitions, hearings and a vote of the residents within the proposed new district's service area. Overseeing each special district is a board comprised of trustees, directors or commissioners elected by their constituents to govern the district operations. In certain circumstances, a city council or county executive board may appoint special district board members. Special districts are subject to the state's sunshine laws that apply to cities, counties and other forms of local government, as well as audits of district finances and regulatory compliance of its operations.

In California, the authority to establish a Special District for Recreation is provided for in CHAPTER 4 - Recreation and Park Districts, ARTICLE 1 - General Provisions, Section 5780 of the Public Resources Code and states, "The Legislature finds and declares that recreation, park and open-space facilities and services are important to improving and protecting the quality of life for all Californians. The Legislature further finds and declares that the provision of recreation, park, and open-space facilities and services are essential services which are important to the public peace, health and welfare of California residents." Local communities have provided these facilities and services through the creation and operation of recreation and park districts. For at least seven decades, state laws have authorized recreation districts to provide recreation programs, local parks and open spaces.

Recreation districts in California often serve incorporated cities and unincorporated areas of counties, providing parks, recreation facilities and programs that serve the cities and communities within its borders. In some cases, city or county recreation departments may overlap in providing parks, facilities and programs to joint residents.

It is very uncommon for a recreation district to be formed to provide a single facility, such as a recreation center or swimming pool. They are typically formed to address broad community needs. Forming a special district in California is an extensive and rigorous process that will involve application and approval of LAFCO and approval by the voters within the boundaries of proposed special district.



TDRPD Community Rec Center & Swimming Pool



The Truckee-Donner Recreation & Park District is a special district of Nevada County in the Sierra Nevada mountains of California. The District serves the Town of Truckee, the Tahoe Donner Homeowner Association and other unincorporated areas of Nevada County within its District boundaries. TDRPD has been providing recreation and park services for all members of its community since 1963 with a program participation rate of 75% amongst Truckee's 17,000 residents. TDRPD has a history of working with citizen groups to generate volunteers and funding for new facilities.

In 2009, the District opened its 45,000 square foot recreation center at a cost of \$18 million. Project was funded with a market loan. The Town of Truckee did not contribute any funds to the project nor does it contribute any money to the operation. The District pays debt service on a yearly basis for 30 years.

In 2016, the District opened its 25,000 square foot Community Swimming Pool at a cost of \$9 million, \$7 million under budget. The excess \$7 million was used for the construction of the pool. The District additionally raised \$2 million from a variety of sources. The Airport District contributed \$1 million to cover the cost of beefing up the roof in case of a plane crash. A private foundation donated \$500,000. The Town of Truckee waived traffic fees, as well as the Airport and School District which also waived fees. The Recreation and Park District did a "go fund me" campaign that raised approximately \$300,000 from community donations. The District was unsuccessful in passing Measure J, which was a funding bond measure for the Aquatic Center and Performing Arts Center. The measure narrowly failed in reaching the required 67% for passing with community support at 58%.



FUNDING OPPORTUNITIES

POTENTIAL FUNDING SOURCES (CURRENTLY OR REASONABLY AVAILABLE)

» **Lake County**

- General fund: \$150k +/- per year (for park improvements including occasional "one time" funds)
- Quimby: \$10k +/- per year
- State grants: varies

» **City of Lakeport**

- Potential future general fund commitments: unknown

» **Lakeport USD**

- Remaining Lakeport USD general obligation bond: \$500k +/-
- Lakeport USD property sale: \$650k +/-

» **City of Clearlake**

- General funds: \$3M +/- (for Burns Valley Park development)
- Infrastructure funding from neighboring housing development: \$2M +/-

» **Konocti USD**

- Remaining Konocti USD General Obligation Bond: \$2M +/-
- Remaining Rescue Act Funds: Unknown (District Received \$14M)

OTHER POTENTIAL SOURCES (FUTURE AVAILABILITY)

- » **Local (General Obligation) Bond:** Local municipalities such as public-school districts and special districts can offer a general obligation bond to voters in the district they serve. Typically, these occur on regular ballot years (next opportunity would be June of 2022) and are based on the property tax values realized in that district. Bond authority as dictated by the tax values is usually calculated each Fall with numerous consultants providing bond consulting throughout the State. An example includes **Lakeport USD General Obligation Bond (Measure T from November 2014)**.
 - **Pros:** can enable immediate funds (typically sold over multi-year series) to facilitate capital improvement; tax obligation for voters is relatively cost effective (\$35/\$100,000 assessment/year) with limited outlay from District to pursue bond
 - **Cons:** requires 55% (simple majority) vote by district participants, and may be affected by local politics/competing measures; may require partnership/joint use authority

- » **Property/Asset Sale(s):** Any municipality or private entity may consider surplus sale, bonding against the value of property or asset, or exchange for a value generating asset. Typically, a fully entitled property reduces risk for the buyer and increases value for the seller as opposed to an unentitled or “raw” property/asset sale. An example includes **Lakeport USD Property Sale**.
 - **Pros:** can enable immediate funds if escrow is reasonable; relatively low risk for unentitled (raw) land/asset sale
 - **Cons:** relatively high risk for entitled land/asset sale, may require long process or escrow; property/assets generally non-replaceable

- » **Tax Assessments**
- » **Development Funding**
- » **State Bond Funding (Proposition 68)**
- » **Federal Funding (American Recovery Act)**
- » **Joint Powers Agreement (JPA) Funding**

- » **Land Deed (Gift)**
- » **“One Time” Funding**
- » **Rural Recreation & Tourism Funding**
- » **Cannabis Industry Related Funding**

Depending on the source of funding, and its ability to provide initial or ongoing funds, would indicate whether or not the funding is more appropriate for capital improvements or operations/maintenance. Please refer to the benchmark for conceptual costs section of this report for range of anticipated capital and operational costs.

PROJECT LOCATION OPPORTUNITIES

SITE SELECTION FOR RECREATION & AQUATIC CENTERS

Community Parks

In evaluating optimal locations for building and operating either a recreation center or aquatic center, it is best to consider locating the facilities in larger community parks of 20+ acres or more. Community parks typically are designed to build facilities that serve the entire community or large areas of a city comprised of multiple neighborhoods. Typical community park amenities include baseball/softball complexes with multiple fields, multiple field soccer complexes, tennis complexes, large group picnic pavilions designed to seat 75-100 people, restroom facilities, large multi-age group playgrounds and other destination facilities. The typical “drive time” for visitors to community parks is 15-25 minutes, depending on the availability of these special purpose facilities.

Shared Parking Lots

One of the significant benefits of locating swimming pools and recreation centers in community park sites is the ability to develop and share large parking areas between the various park amenities. Parking lots large enough to serve sports field complexes, large group picnic areas, recreation centers and swimming pools often need to have parking capacity of 200+ cars.

Co-Locating Libraries, Centers, Schools & Pools

Co-locating recreation centers and swimming pools near public libraries, senior/community centers and middle or high schools is ideal. Recreation centers and swimming pools will often serve the same visitor base in relation to age groups and demographics. Co-locating optimizes ease of use from visitors. Additionally, synergy is created when visitors going to one place can discover and easily use another. This is especially important in generating revenue to offset operating costs. In designing parks with destination places that serve the community, design should triangulate those destinations to allow for each to support the other.

Recreation centers that have drop-in amenities such as game rooms, exercise equipment, multiple use floors for dance and aerobics, technology lab rooms and social space can be programmed and scheduled to serve multiple age groups. Additionally, co-locating recreation centers and swimming pools adjacent to existing libraries and senior/community center also has the advantage of sharing parking lots. Maintenance and custodial services are easier to coordinate between buildings and facilities.

Place Making Principles

According to the Project for Public Places (PPS.org), parks that have large community places located within them serve as the “front porches” of our cities and counties. Public places such as libraries, recreation centers, schools, pools and athletic fields are places where people interact with each other and their local government in a positive way. When community space and places work well, they serve as a stage for creating healthy and livable communities. What makes some places succeed while others fail? In evaluating thousands of public spaces around the world, PPS has found that the successful ones have four key qualities:

- » They are accessible – easy to get to and use.
- » There are lots of things to do once you get there.
- » They are sociable places that facilitate people interaction.
- » They are comfortable and have a good image.



POSSIBLE LOCATIONS



WESTSHORE SWIMMING POOL

250 Lange St, Lakeport, CA 95453
(Part of Clear Lake High School Campus)

Renovation Opportunity

The Westshore Swimming Pool site consists of property owned by Lakeport Unified School District, adjacent to Clear Lake High School and Terrace Middle School. The pool is currently non-operational and situated on a hillside with no accessible access to the school downslope. Property owned by the School District does extend to the west and includes land previously used for tennis with possible vehicle egress/access to the west. For consideration as a possible new Recreation and Aquatic Center site, it is likely that all facilities would require demo with possible reuse of the pool shell. Parking and access/egress would require extensive remodel and/or addition and building area for recreation would require siting.

Estimated Value:

Unknown



Pros:

- » Co-location on the Lakeport USD site could allow for ease of joint-use
- » Possible underground infrastructure and pool shell re-use

Cons:

- » Co-location also presents concerns for shared public and student use

Westshore Conditions



QUAIL RUN FITNESS CENTER

1279 Craig Ave, Lakeport, CA 95453

Renovation Opportunity

The Quail Run Fitness Center is a privately-operated fitness and aquatics facility nearby the Westside Community Park. The facility features an indoor and outdoor pool facility, racquetball courts and half basketball courts and general fitness/weight facilities. Parking area is substantial on the property, and it appears the property extends to the north on Craig Avenue (beyond a seasonal creek). Land to the immediate west is owned by the Lake Family Resource Center. The facility would require significant renovation/expansion to meet the needs of the LCRTF. As of the date of this report, it is understood that the owners of the facility may be open to a sale of the property.

Estimated Value:

\$2 million +



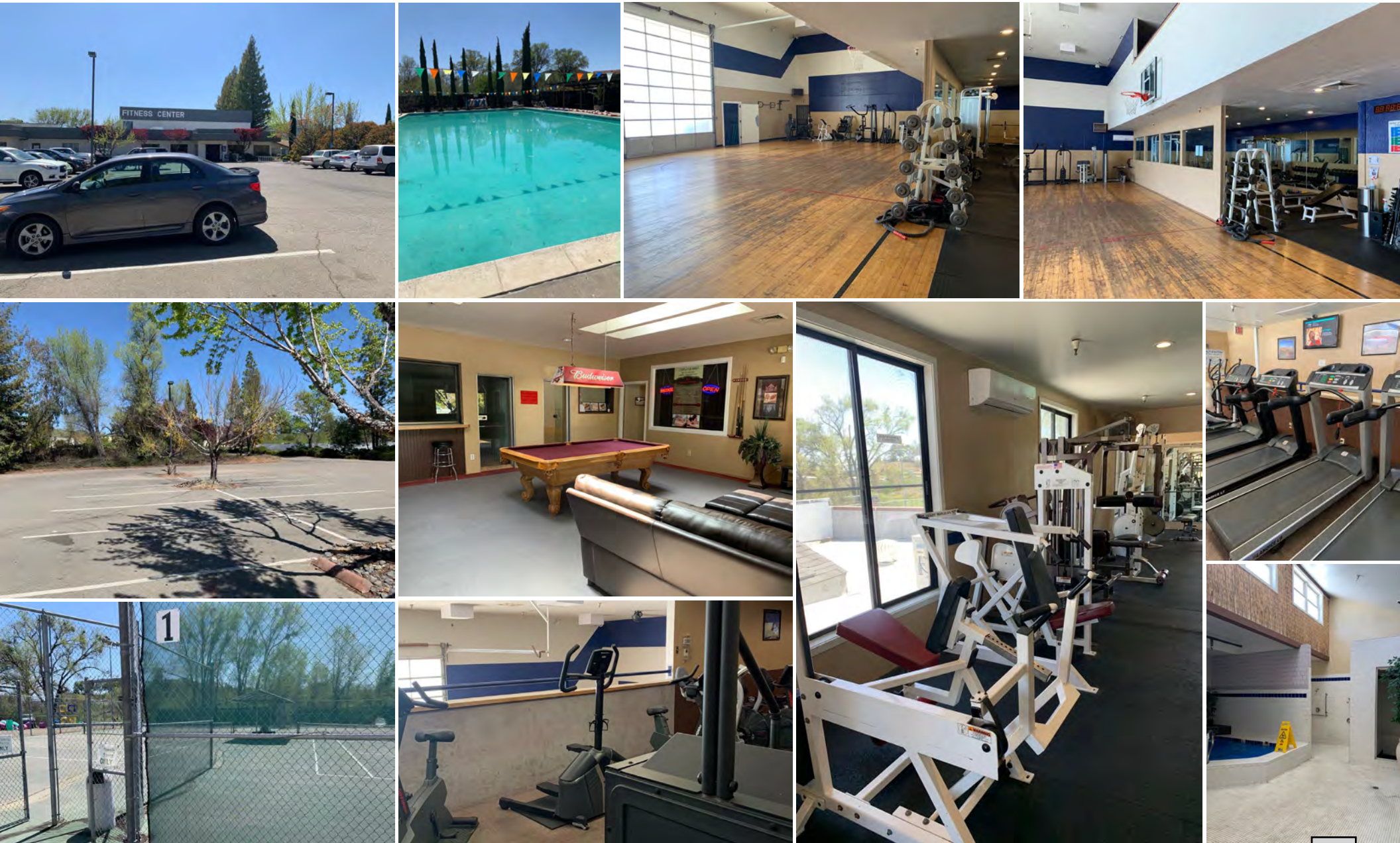
Pros:

- » Pre-existing facility and site allow for savings of capital costs through renovation/improvement
- » Proximity to the highway is ideal for public access
- » Proximity to the Westside Community Park is ideal for synergies among athletics and also access to overflow parking for special events (by possible pedestrian connection to the south)

Cons:

- » Extensive remodel would be required of the facility and site/pool(s) to facilitate LCRTF needs
- » Sale price may be cost prohibitive to capital cost outlay

Quail Run Conditions



WESTSIDE COMMUNITY PARK

1401 Westside Park Rd, Lakeport, CA 95453

New Construction Development Opportunity

The Westside Community Park is a public park facility in the City of Lakeport which offers a variety of public recreation and athletic amenities. This includes soccer and baseball fields as well as a dog park as part of the Phase 1 & 2 (eastern) development. The park encompasses several acres to the west and north of Westside Park Road, for which a master plan shows additional athletic fields and courts to eventually be developed. (Phase 3) Area to the southeast of Phase 3 development, closest to Westside Park Road, offers a relatively flat building area with access to utilities in the street and may be optimal for a future recreation and aquatic center build site.

Estimated Value:

Unknown



- » Already part of the City of Lakeport designated park area
- » Several synergies with park amenities as well as parking and utilities
- » Proximity to the Highway is ideal for public access

Cons:

- » Ground-up build requires significant capital cost investment

Westside Conditions



CITY OF CLEARLAKE "BURNS VALLEY PARK" DEVELOPMENT

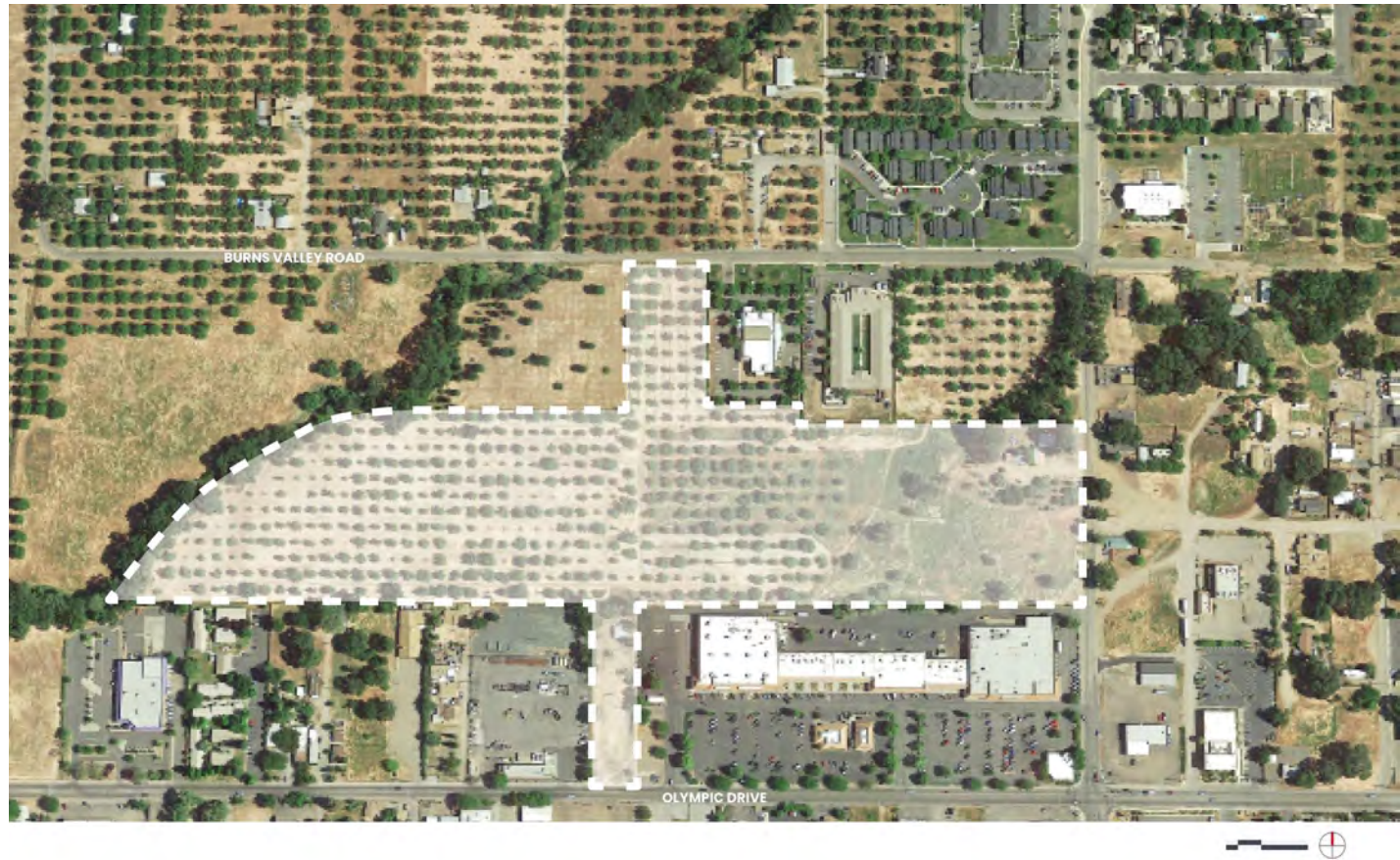
14885 Burns Valley Road,
Clearlake, CA 95422

New Construction Development Opportunity

The Burns Valley Park site is a site recently acquired by the City of Clear Lake for the purposes of developing athletic fields and outdoor amenity space. It is proximity to the City library to the North and a local senior center to the north east. Plans developed for the park site include soccer and baseball facilities as well as an outdoor events space. The site is flat and has optimum opportunities for development of a recreation center in the middle of the development, proximate to planned parking and the neighboring library.

Estimated Value

Unknown



Pros:

- » Already part of the City of Clearlake designated park area
- » Several synergies with park amenities as well as parking, utilities and the neighboring library and senior center
- » Proximity to Olympic Drive to the south is ideal for public access

Cons:

- » Ground-up build requires significant capital cost investment

Burns Valley Park Conditions



ADDITIONAL SITE CONSIDERATIONS

Vista Point - 818 Lakeport Blvd, Lakeport, CA 95453



KMART - 2019 S Main St, Lakeport, CA 95453



Renovation Opportunities

Due to the nature of these two properties being existing commercial centers, with no apparent synergies amongst other neighboring amenities, the consulting team felt that they were not viable options for the purposes of renovation to a new recreation and aquatics center. Refer to the following section regarding the desirability of recreation and other public amenities for more information. Furthermore, the costs required to adapt an existing commercial center, or tear down and rebuild, would be cost prohibitive by comparison to other sites considered in this report.

REPORT SUMMARY

To summarize our findings from the Phase 1 Feasibility Study of a Recreation and Aquatic Center, it is the opinion of the consulting team that there is marketability and need for such a resource in the Lake County region, given the participation of the task force, the interest from a variety of different partners and the lack of a facility of this kind in the vicinity. This is an indication that a resource of this kind has the potential to be successful in the region.

The program needs are well defined and project locations exist with both new construction and renovation opportunities. This enables the consulting team to identify potential costs for both capital and operational expenditures. What remains less defined are the management structure (who takes the lead) and the primary funding source (how will it be financed) in order to bring this facility to completion. The consultant recommends the County of Lake and Cities of Lakeport and Clearlake refine the potential sites to 1-2 options and consider embarking on **Phase 2**, where conceptual design and more detailed estimates for capital and operational expenditures would be developed. This would enable the Lake County Recreation Task Force (LTCRTF) to determine the amount of funding needed and what management structure (if any) ought to be undertaken.

LAKE COUNTY REGION

Phase 2 Recreation Center Feasibility Study



Presented by:



AGENDA

- » PROJECT LOCATION OPPORTUNITIES
- » COMMUNITY SURVEY RESULTS
- » CONCEPTUAL DESIGNS
- » CAPITAL COST ESTIMATES
- » OPERATIONAL COST ESTIMATES
- » RECOMMENDATIONS

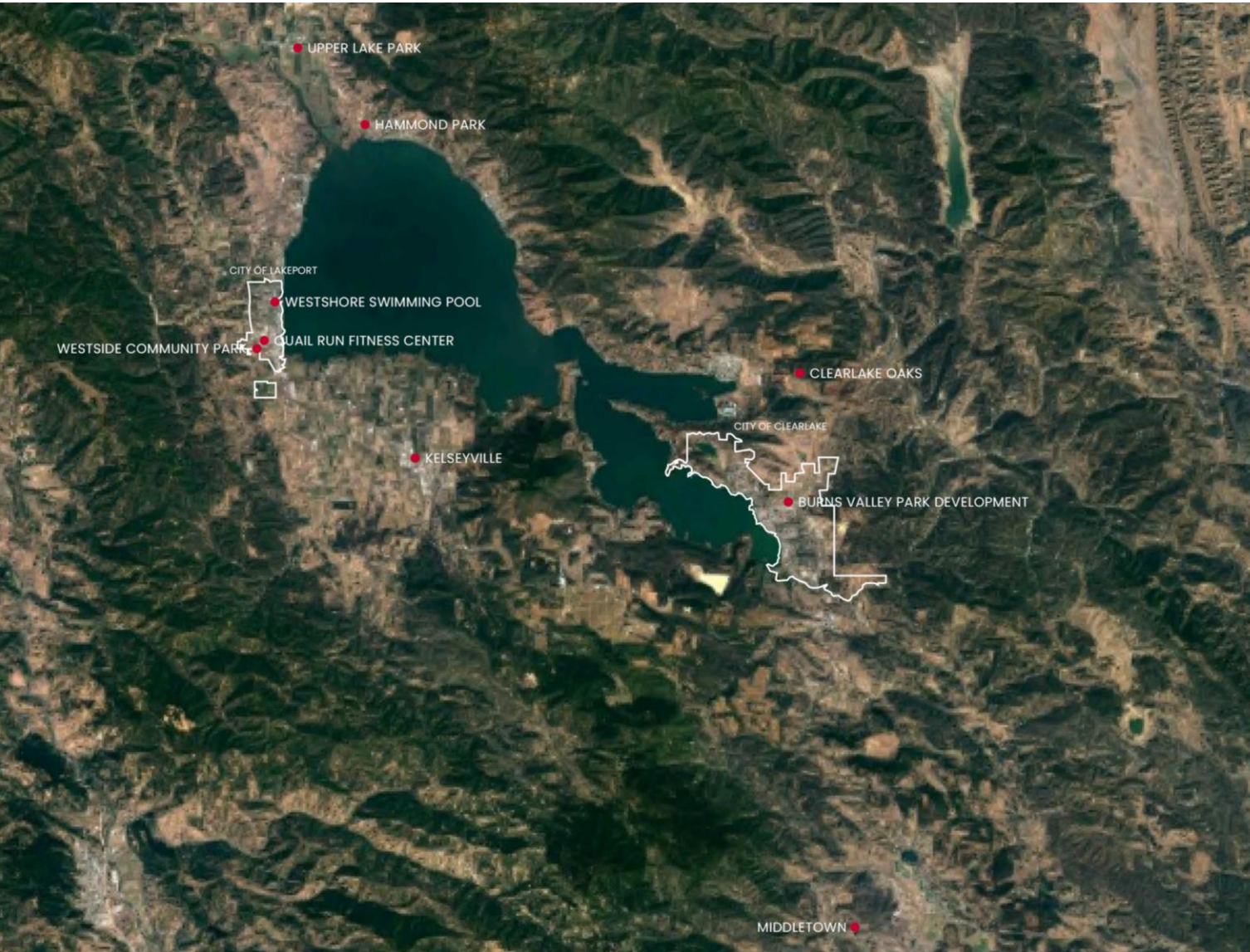


PROJECT LOCATION OPPORTUNITIES



PROJECT LOCATION OPPORTUNITIES

POSSIBLE LOCATIONS & SITE SELECTION CRITERIA



PHASE 1 RECAP

OPTION 1

**Westshore
Swimming Pool**
250 Lange Street,
Lakeport, CA

OPTION 2

**Quail Fun Fitness
Center**
1279 Craig Avenue,
Lakeport, CA

OPTION 3

**Westside
Community Park**
1401 Westside Park Road,
Lakeport, CA

OPTION 4

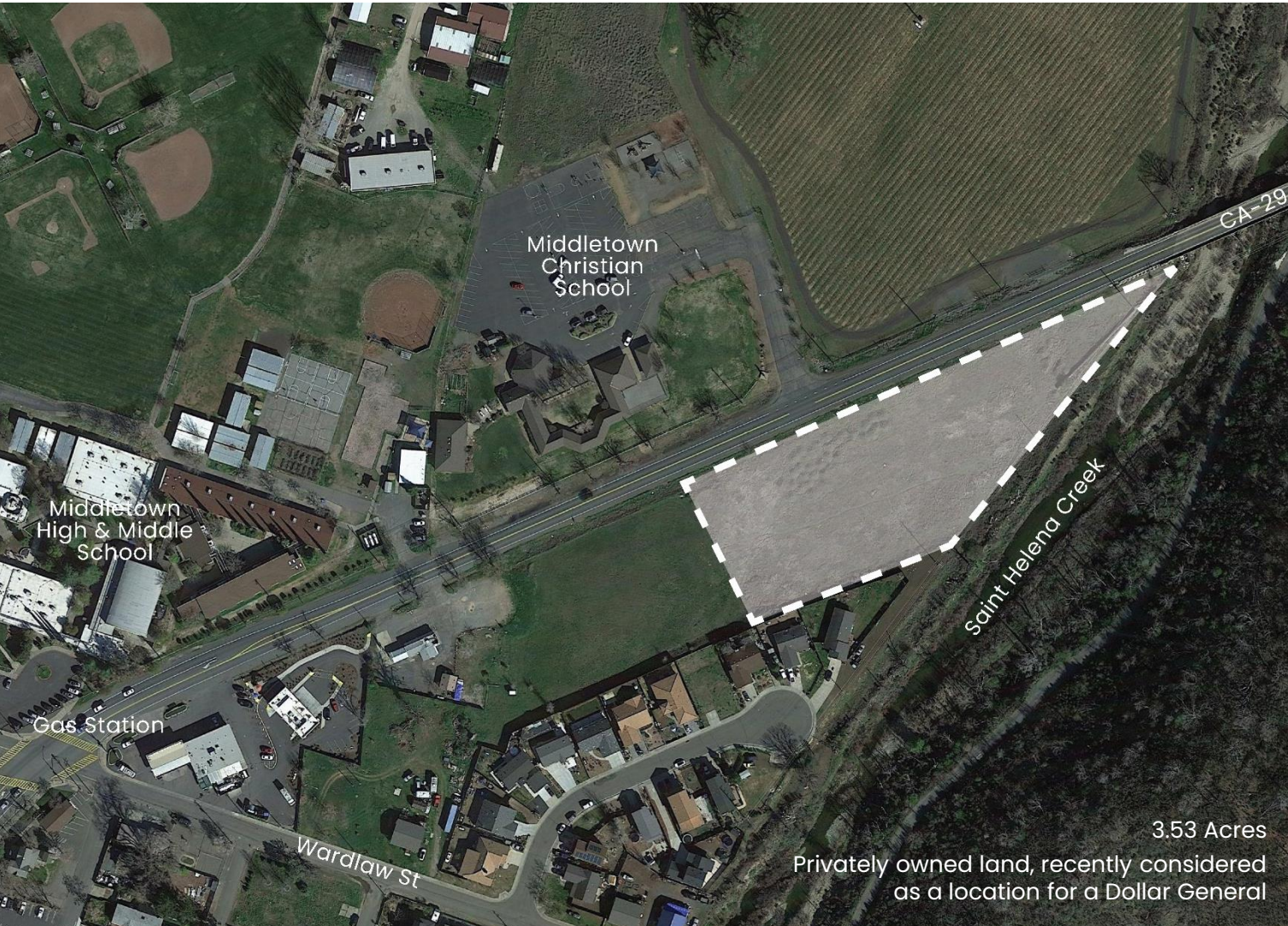
**Clearlake "Burns
Valley Park"**
14785 Burns Valley Road,
Clearlake, CA



PROJECT LOCATION OPPORTUNITIES

OPTION 5: MIDDLETOWN

20600 CA-29, Middletown, CA 95461



PROS

- » Possible joint-use opportunity with Middletown HS & MS
- » High visibility on main highway

CONS

- » County already operates a recreational pool in Middletown
- » Currently not owned by a public entity
- » No apparent adjacent community assets nearby (parks, centers, etc.)

PROJECT LOCATION OPPORTUNITIES

OPTION 6: CLEARLAKE OAKS

15300 E State Hwy 20, Clearlake Oaks, CA 95423



PROS

- » High visibility on main highway
- » Currently being considered for regional park & part of a larger nature preserve

CONS

- » Currently in early process of donation
- » No infrastructure existing to support facilities
- » No apparent adjacent community assets nearby prior to park being built

PROJECT LOCATION OPPORTUNITIES

OPTION 7: HAMMOND PARK

2490 Lakeshore Boulevard, Nice, CA 95464



PROS

- » Current community park

CONS

- » Less visibility than comparable sites
- » Less room to add recreation or aquatic amenities (area to west is primarily wetlands)
- » Existing master plan may preclude aquatic or recreation uses
- » No adjacent community assets nearby (parks, centers, etc.)

10.31 Acres
Existing county park

Clear Lake

PROJECT LOCATION OPPORTUNITIES

OPTION 8: UPPER LAKE PARK

615 E State Hwy 20, Upper Lake, CA 95485



PROS

- » Current community park
- » Some potential synergies with local high school, casino & retail center
- » Underutilized softball field

CONS

- » Less room to add recreation or aquatic amenities without compromising existing amenities
- » Adding dog park & basketball court currently

PROJECT LOCATION OPPORTUNITIES

OPTION 9: KELSEYVILLE

5005 Second Street, Kelseyville, CA 95451



PROS

- » Northern area underutilized

CONS

- » Small site would require complete loss of current park amenities
- » No apparent adjacent community assets nearby (parks, centers, etc.)
- » Ownership remains unknown

PROJECT LOCATION OPPORTUNITIES RECOMMENDATIONS

OPTION 3

Westside Community Park
1401 Westside Park Road, Lakeport, CA



- » Already part of the City of Lakeport designated park area
- » Several synergies with park amenities as well as parking and utilities
- » Proximity to the highway is ideal for public access

OPTION 4

Clearlake “Burns Valley Park”
14785 Burns Valley Road, Clearlake, CA



- » Co-location on the Lakeport USD site could allow for ease of joint-use
- » Possible underground infrastructure and pool shell re-use

DECIDING FACTORS

- » Community park proximity
- » Shared parking
- » Co-location of libraries/centers/schools/pools
- » “Place making” principles



COMMUNITY SURVEY RESULTS

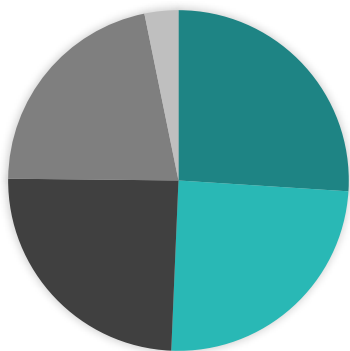


COMMUNITY SURVEY RESULTS

WHO PARTICIPATED?

99%

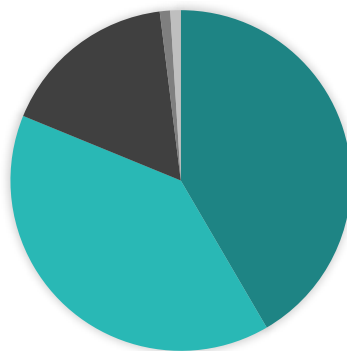
Lake County Residents



- 26% City of Lakeport
- 25% City of Clearlake
- 24% North Lake County
- 22% South Lake County
- 3% N/A

82%

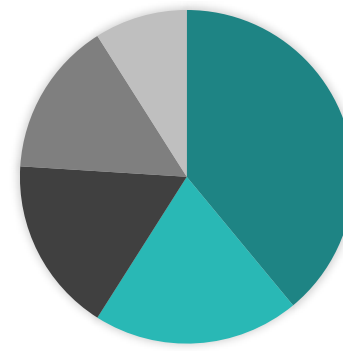
Aged 35+



- 42% Ages 35-54
- 40% Ages 55+
- 17% Ages 18-34
- 1% Ages 0-17
- 1% N/A

41%

Households with Youth



- 39% General Adults
- 20% Seniors
- 17% Elementary Age
- 15% Teenage
- 9% Pre-School



COMMUNITY SURVEY RESULTS

CURRENT RECREATIONAL USE

83%

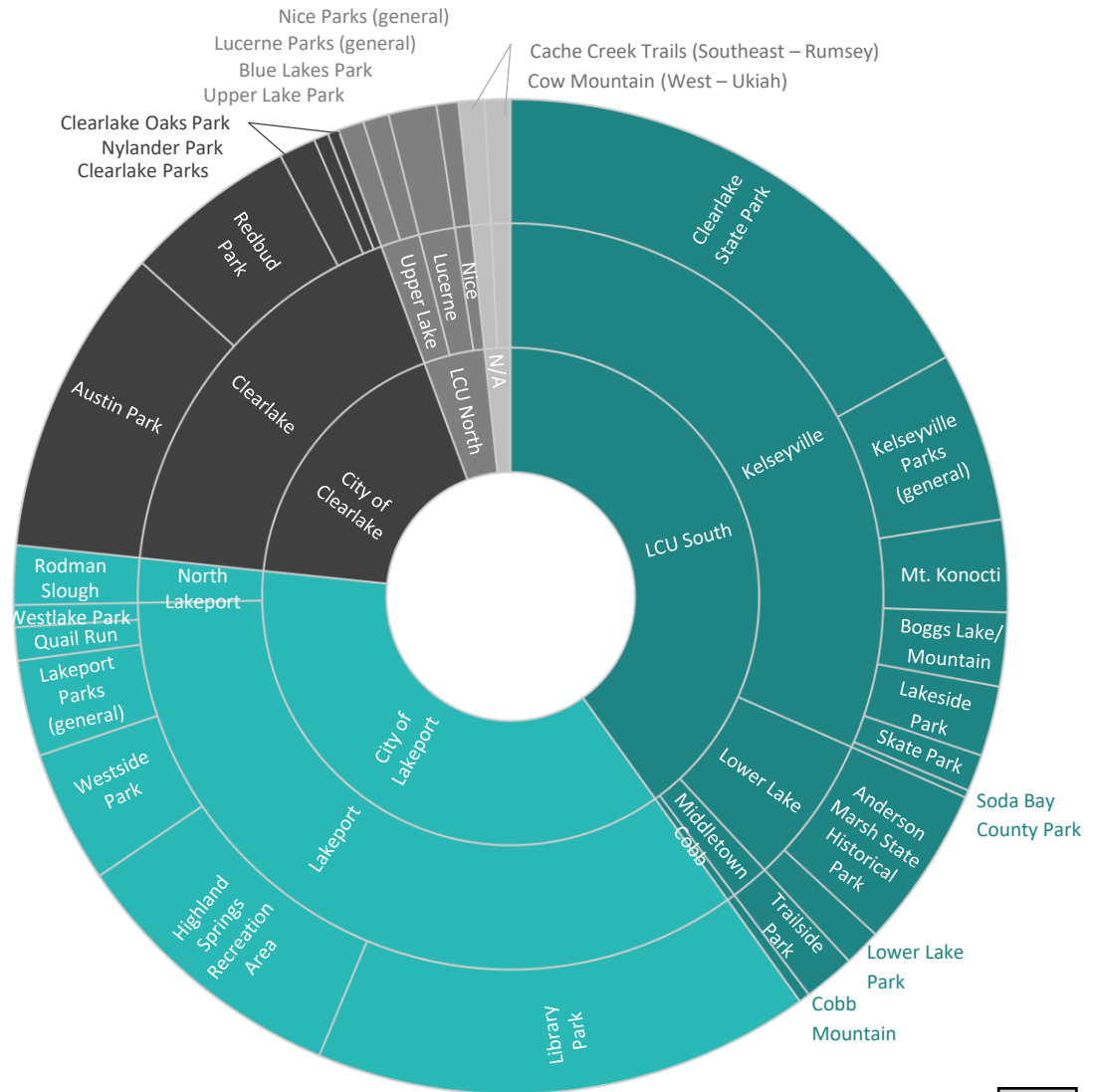
Recreational Participants

Types

- Parks
- Aquatics
- Hiking/Walking
- Sports Fields
- Lake Access
- Camping
- Dog Parks
- Basketball
- Music
- Tennis Courts
- Fair
- Fishing/Birding
- Disc Golf

Locations

- 40% South Lake County
- 36% City of Lakeport
- 18% City of Clearlake
- 4% North Lake County
- 2% N/A



COMMUNITY SURVEY RESULTS

RECREATIONAL CENTER PRIORITIES

Missing Amenities

- Youth Amenities
- Trails/Paths/Bike Lanes
- Recreation Center
- Bowling/Arcade/Batting Cage/Mini Golf
- Aquatics
- Gymnasium/Fitness
- Tennis/Pickle Ball
- Lake Access
- Clean & Safe
- Classes
- Basketball & Sports Fields
- Parks
- Roller Rink
- Rock Wall/Obstacle Courses/Disc Golf
- Family Activities
- Senior Center/Programs
- Skate Park
- ADA Accessible & Disabled Programs

Desired Amenities

- Fitness/Aerobics
- Game Room
- Gymnasium
- Training Room
- Racquetball
- Spin Classes
- Aquatics
- Tennis/Pickle Ball/Handball
- Track
- Youth Amenities
- Senior Center/Programs
- Bowling/Arcade

Most Important Amenities

- Fitness/Aerobics
- Adult Sports/Athletics
- Community Events
- Classes
- Social Activity Spaces
- Youth Sports/Athletics
- Cultural Arts
- Technology Rich Environments
- Aquatics
- ADA & Disabled Programs
- Trails/Paths/Bike Lanes
- Senior Center/Programs



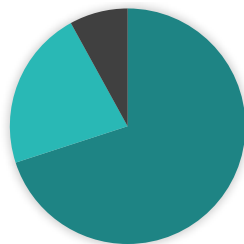
COMMUNITY SURVEY RESULTS

77%
Prefer Combined Aquatics/
Recreation Facility

70%
Prefer Indoor Aquatics

AQUATIC CENTER PRIORITIES

Preferred Type

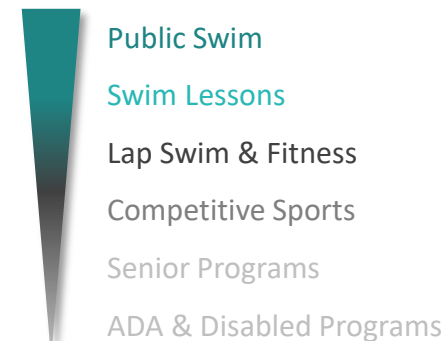


70% Indoor
22% Outdoor
8% Both

Desired Amenities



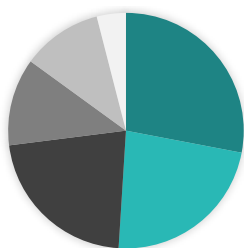
Most Important Amenities



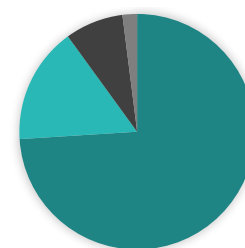
51%
Prefer One of Lake
County's Main Cities

74%
Willing to Travel 30 Minutes

LOCATION PREFERENCES



28% Lakeport
23% Clearlake
22% Combined



74% 15-30 Minutes
16% 30-45 Minutes
8% 1-15 Minutes
2% 45+ Minutes



COMMUNITY SURVEY RESULTS

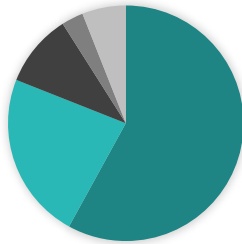
95%

Likely to Visit

58%

Likely to Visit Weekly

VISITING THE FACILITY



58% Weekly

23% Daily

10% Monthly

3% Multiple x/Week

6% Other

Visiting Roadblocks



Location (too far)

Cost (too expensive)

Lack of Amenities

Time (hours of operation)

Safety & Cleanliness Issues

Inaccessible

Construction Priorities



Safe/Clean

Sustainable

Parking

Joint-Use

Ease of Access

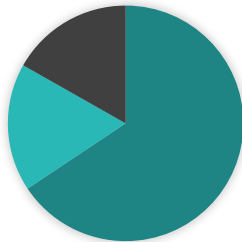
Amenities Synergy

Affordable/Free

86%

Support Joint-Use

JOINT-USE & FUNDING



86% Support Joint-Use

23% Neutral

22% Do Not Support

Funding Support



Tax Measure

Bond Measure

Impact Fee

Memberships/Fees

Grants/Fundraisers

NOT Taxes



SURVEY RESULTS SUMMARY

COMMUNITY SUPPORT

- » There is **overwhelming support** from the Lake County Community for new recreation & aquatics facilities, most reporting that they would frequently travel up to 30 minutes to utilize these centers
- » Most respondents noted that **youth** needed more amenities
- » The idea of a **new aquatics facility** was the most exciting & highly requested desire throughout the survey
- » While excited for these new possibilities, many respondents were **concerned most about location, cost, accessibility & safety/security**

TOP RECREATIONAL PRIORITIES

- » Fitness/gymnasium
- » Community events & classes
- » Youth activities & sports

TOP AQUATICS PRIORITIES

- » Swim lessons & public swim
- » Both adult & family areas
- » Competitive sports & fitness classes



CONCEPTUAL DESIGNS



CONCEPTUAL DESIGNS CLEARLAKE

CLEARLAKE RECREATION CENTER Concept Floor Plan

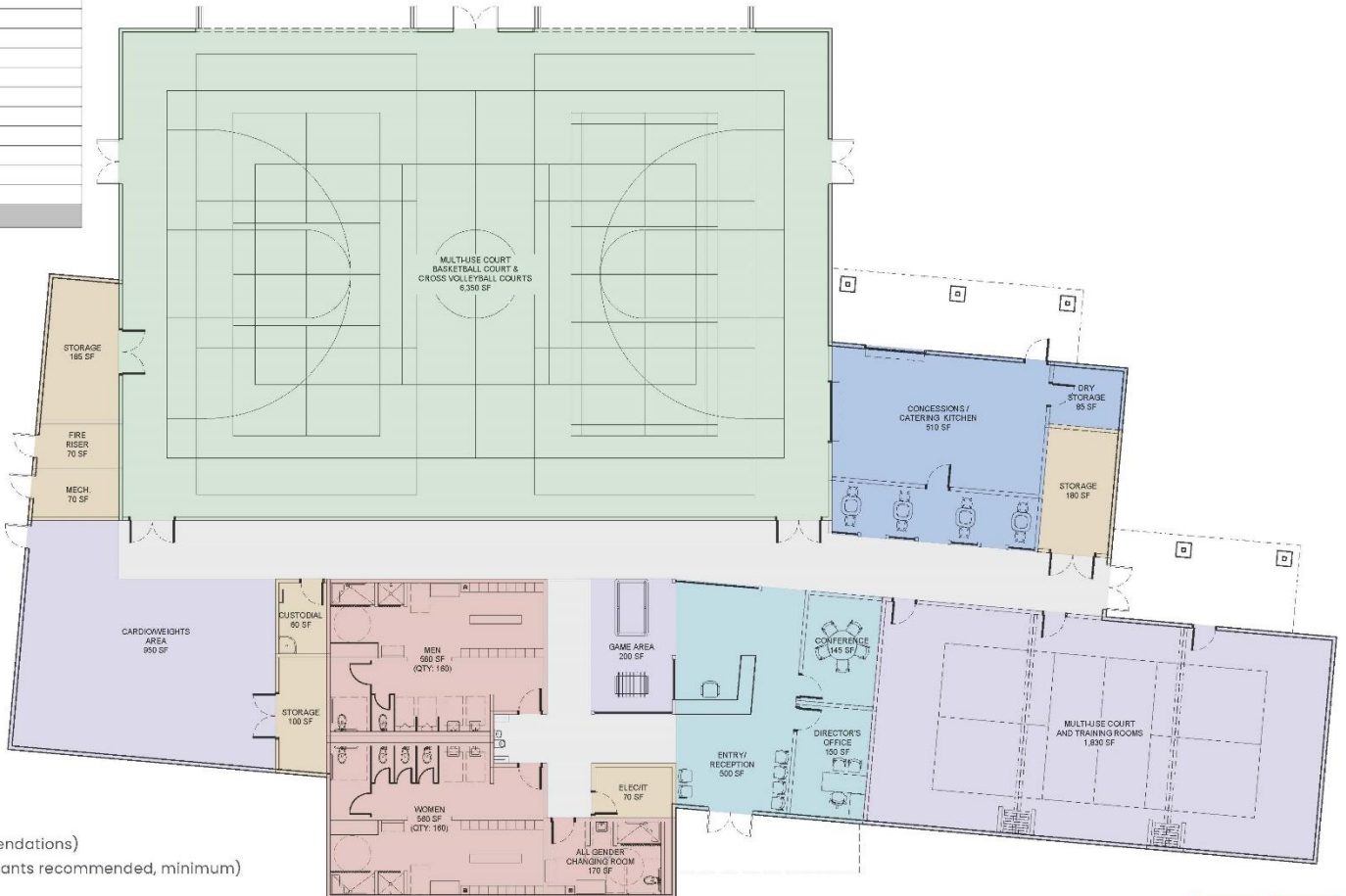
Conceptual Recreation Center Program

Building Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)	Notes
Entry/Reception	500	1	500	Inc. lobby area
Multi-use Court	6,200	1	6,200	84x50' main court with cross courts (baseball/volleyball)
Rocket Ball Court(s)	800	2	1,600	20x40' court
Cardio/Weights Area	1,000	1	1,000	General exercise
Training Room(s)	600	3	1,800	Yoga, aerobics, etc.
Game Area	300	1	300	Multi-generational area
Restrooms	150	2	300	Men, women & staff
Locker Rooms	200	2	400	Inc. family changing areas
Custodial	80	2	120	Janitor storage, mop sink, etc.
Storage	100	4	400	Sports/rec equipment
Equipment	80	4	340	Fire, electrical, mechanical
Circulation	1,929	n/a	1,929	18% of overall area
Total Area Desired			14,789 SF	.34 acres

- ENTRY AND OFFICES
- LOCKER AND RESTROOMS
- COURTS
- CARDIO/WEIGHTS/TRAINING/GAME AREA
- SUPPORT SPACES
- CIRCULATION
- FOOD SERVICE

PROGRAM AREA
Original: 14,789 SF
Proposed: 14,970 SF

- FIXTURE COUNT**
(based on 160 persons of each sex)
- Women - 4 water closets, 2 sinks
 - Men - 2 water closets, 2 urinals, 2 sinks
 - Gender Neutral Facility - 1 provided
 - Drinking fountains - 2 required
 - Showers - 2 per sex + 1 gender neutral (based on min. LEED recommendations)
 - Lockers - 36 per sex + 6 at gender neutral toilet room (20% of occupants recommended, minimum)
 - Baby Changing Stations - 3 (1 per toilet room recommended)



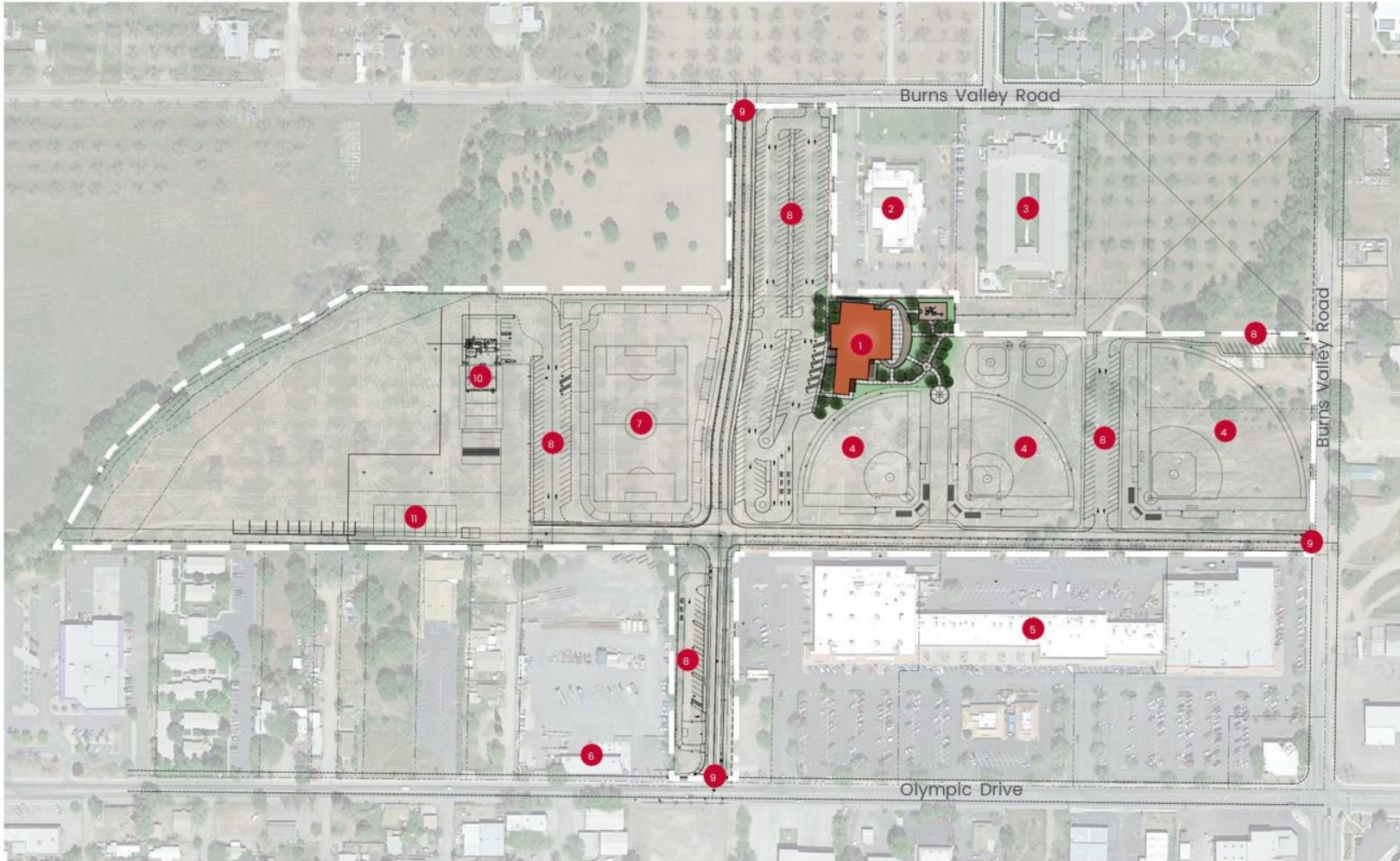
LAKE COUNTY RECREATION AND AQUATIC CENTER Lake County, CA

CONCEPT PLANS
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CONCEPTUAL DESIGNS CLEARLAKE

CLEARLAKE RECREATION CENTER
Burns Valley Park Master Plan



- LEGEND**
- 1. Proposed Recreation Center
 - 2. Redbud Library
 - 3. Orchard Park Senior Living
 - 4. Proposed Baseball/Softball Fields
 - 5. Burns Valley Mall
 - 6. PG&E Office
 - 7. Proposed Soccer Field
 - 8. Proposed Parking
 - 9. Proposed Roads
 - 10. Proposed PD Building
 - 11. Proposed Storage

LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

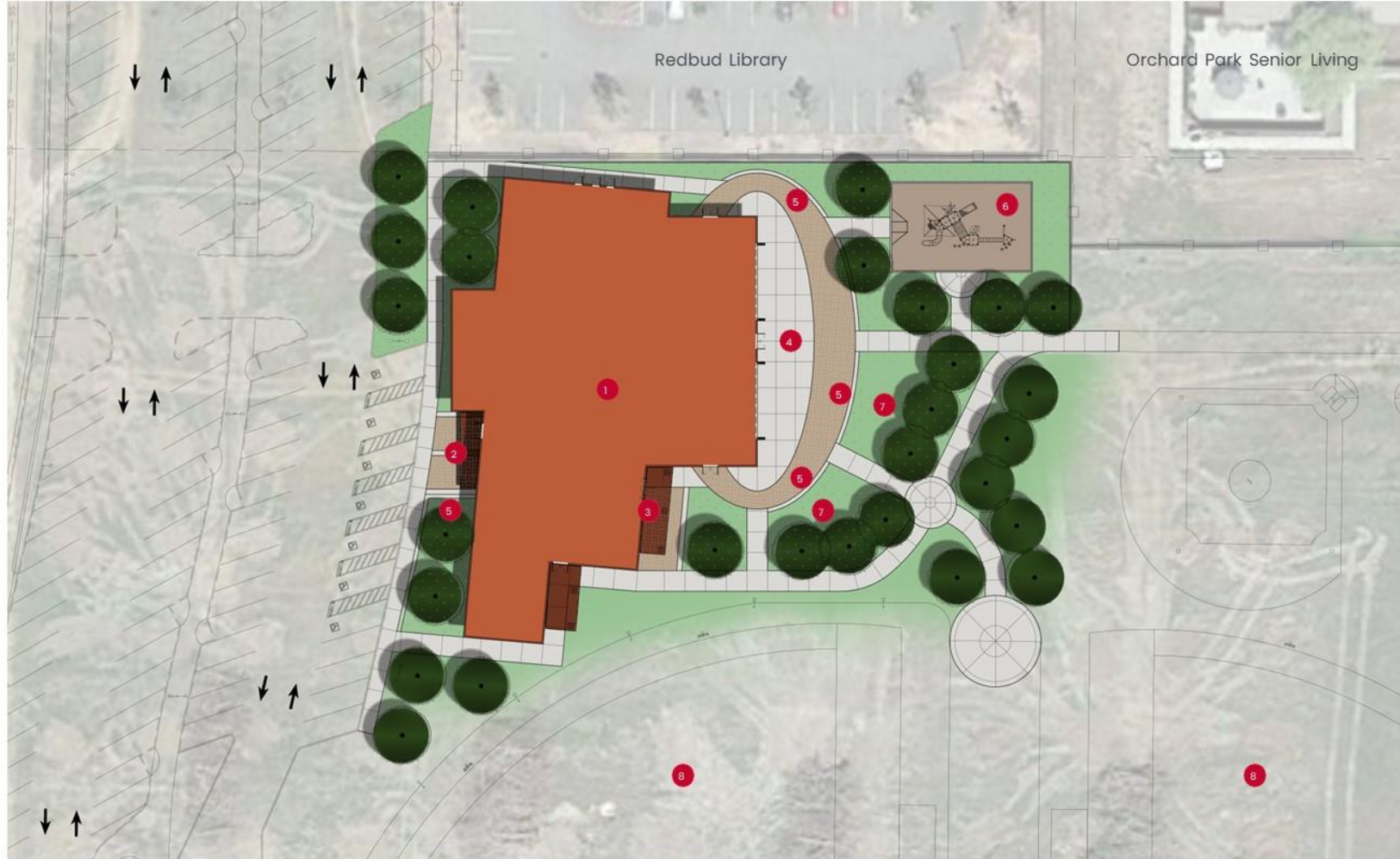
CONCEPT PLANS

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CONCEPTUAL DESIGNS CLEARLAKE

CLEARLAKE RECREATION CENTER
Burns Valley Park Enlarged Site Plan



- LEGEND**
- 1. Proposed Recreation Center
 - 2. Entrance
 - 3. Food Service
 - 4. Outdoor Plaza and Events
 - 5. Concrete Seat Walls
 - 6. Playground
 - 7. Green Space
 - 8. Proposed Baseball/Softball Fields

LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

CONCEPT PLANS

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CONCEPTUAL DESIGNS CLEARLAKE

CLEARLAKE RECREATION CENTER
Conceptual Views



LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

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CONCEPTUAL DESIGNS LAKEPORT

LAKEPORT AQUATICS CENTER
 Concept Overall Floor Plan

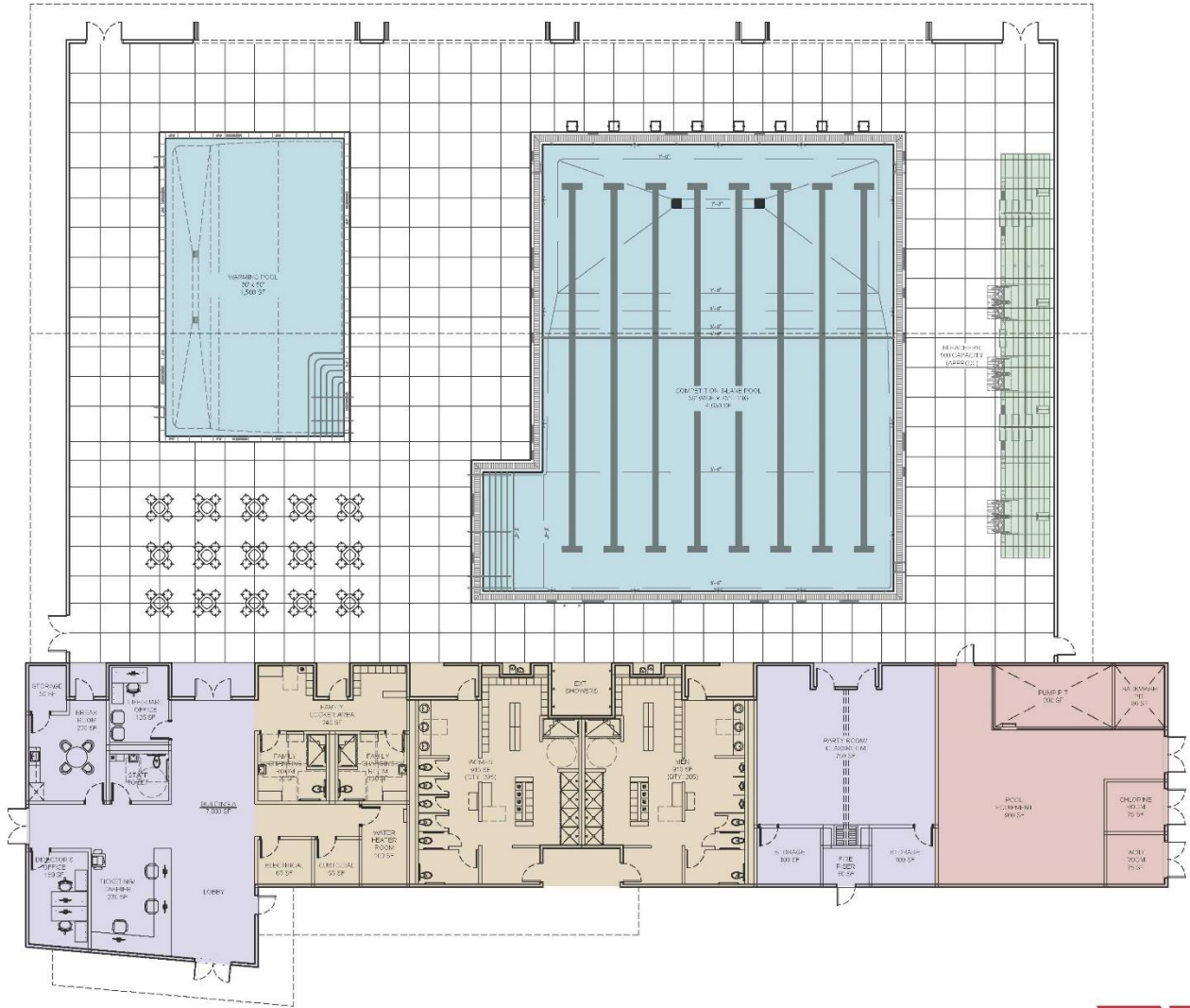
Option 3 Conceptual Aquatics Facility Program

Pool/Building/Site Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)
5,881 SF Pool	5,881	1	5,881
Sprayground	2,000	1	2,000
Bathhouse/Support Building	7,778	1	7,778
Pool Deck Area	8,692	1	8,692
Total Area Desired			24,351 SF

- POOLS
- POOL EQUIPMENT
- BLEACHERS
- ADMINISTRATION / CLASSROOMS
- LOCKERS / SHOWERS / RESTROOMS

BUILDING AREA
 Original: 7,778 SF
 Proposed: 7,185 SF

- FIXTURE COUNT**
 (based on 410 pool users)
- Women - 6 water closets, 3 sinks
 - Men - 3 water closets, 3 urinals, 3 sinks
 - Gender Neutral Facility - 2 provided
 - Drinking fountains - 2 required
 - Showers - 9 total (5 per sex provided)
 - Lockers - 60 per sex (30% of occupants recommended, minimum)
 - Baby Changing Stations - 4 (1 per toilet room recommended)



LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

CONCEPT PLANS

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NOT TO SCALE



CONCEPTUAL DESIGNS LAKEPORT

Section H, Item 9.

LAKEPORT RECREATION CENTER (NO ADMIN)

Concept Floor Plan

Conceptual Recreation Center Program

Building Area	Area Allocation (SF)	No. of Spaces	Total Area (SF)	Notes
Entry/Reception	500	1	500	Inc. lobby area
Multi-use Court	6,200	1	6,200	84x90' main court with cross courts (basketball/volleyball)
Racket Ball Court(s)	800	2	1,600	20x40' court
Cardio/Weights Area	1,000	1	1,000	General exercise
Training Room(s)	600	3	1,800	Yoga, aerobics, etc.
Game Area	300	1	300	Multi-generational area
Restrooms	150	2	300	Men, women & staff
Locker Rooms	200	2	400	Inc. family changing areas
Custodial	50	2	120	Janitor storage, mop sink, etc.
Storage	100	4	400	Sports/rec. equipment
Equipment	80	4	340	Fire, electrical, mechanical
Circulation	1,929	n/a	1,929	16% of overall area
Total Area Desired			14,789 SF	.34 acres

- ENTRY / CHECK-IN
- LOCKER AND RESTROOMS
- COURTS
- CARDIO/WEIGHTS/TRAINING/GAME AREA
- SUPPORT SPACES
- CIRCULATION
- FOOD SERVICE

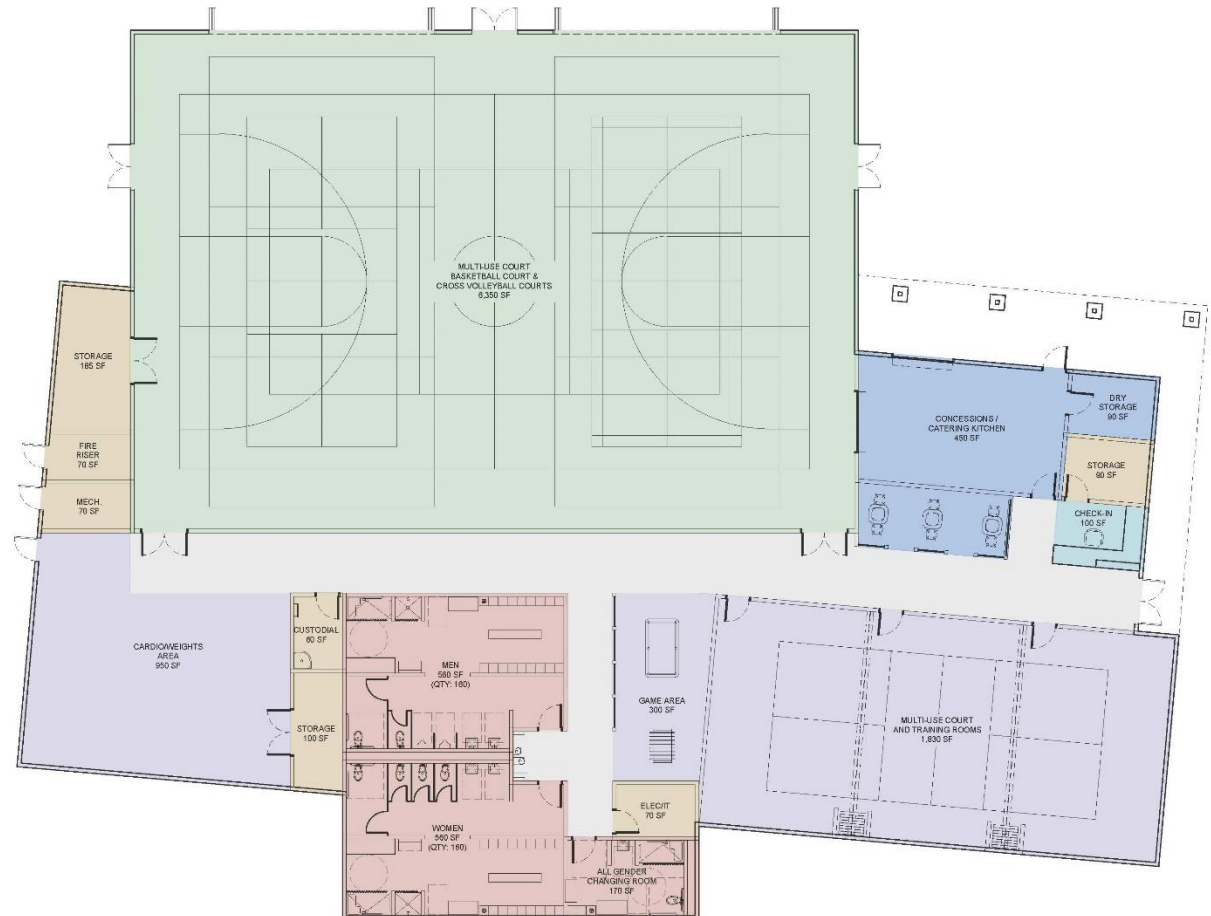
PROGRAM AREA

Original: 14,789 SF
Proposed: 14,165 SF

FIXTURE COUNT

(based on 160 persons of each sex)

- Women - 4 water closets, 2 sinks
- Men - 2 water closets, 2 urinals, 2 sinks
- Gender Neutral Facility - 1 provided
- Drinking fountains - 2 required
- Showers - 2 per sex + 1 gender neutral (based on min. LEED recommendations)
- Lockers - 36 per sex + 6 at gender neutral toilet room (20% of occupants recommended, minimum)
- Baby Changing Stations - 3 (1 per toilet room recommended)



LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

CONCEPT PLANS

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CONCEPTUAL DESIGNS LAKEPORT

Section H, Item 9.

LAKEPORT AQUATIC CENTER
Westside Community Park Overall Master Plan



LEGEND

- 1. Proposed Aquatic Center
- 2. Baseball/Softball Fields
- 3. Playfields
- 4. Parking
- 5. Horse Arena
- 6. Existing Residence
- 7. Skate Park
- 8. BMX Track
- 9. Future Recreation Center

LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

CONCEPT PLANS

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CONCEPTUAL DESIGNS LAKEPORT

Section H, Item 9.

LAKEPORT AQUATIC CENTER
Westside Community Park Site Plan



- LEGEND**
1. Proposed Aquatic Center
 2. Pool with Translucent Roof Covering with Operable Roof Panels
 3. Warming Pool
 4. Shade Structures
 5. Bleachers
 6. Operable Walls
 7. Main Entry/Monument Structure for the Site
 8. Parking
 9. Baseball Fields
 10. Outdoor Plaza
 11. Future Recreation Center (No Classrooms)
 12. Future Playground
 13. Future Food Service Access
 14. Future Tennis Courts
 15. Future Basketball Court

LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

CONCEPT PLANS

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CONCEPTUAL DESIGNS LAKEPORT

Section H, Item 9.

LAKEPORT AQUATIC AND RECREATION CENTER
Conceptual Views



LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

CONCEPT PLANS

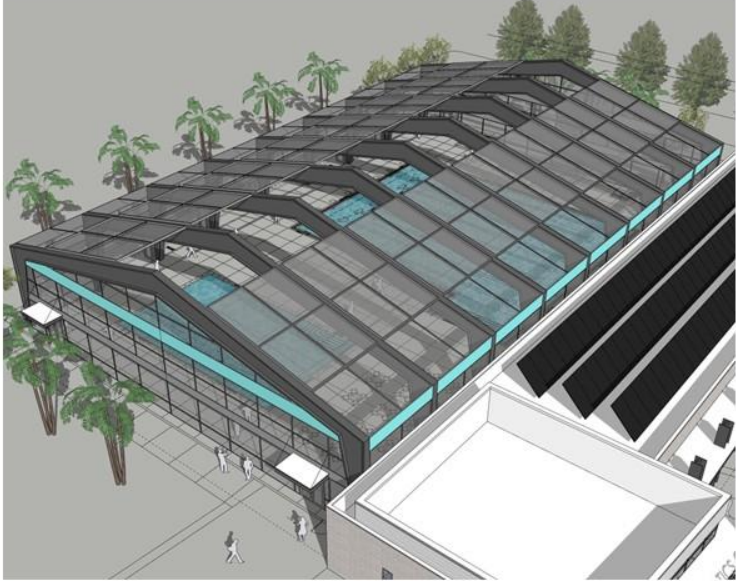
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CONCEPTUAL DESIGNS LAKEPORT

Section H, Item 9.

LAKEPORT AQUATIC CENTER
Conceptual Views



LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

CONCEPT PLANS

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CONCEPTUAL DESIGNS LAKEPORT

Section H, Item 9.

LAKEPORT RECREATION CENTER
Conceptual Views



LAKE COUNTY RECREATION AND AQUATIC CENTER

Lake County, CA

CONCEPT PLANS

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CAPITAL COST ESTIMATES



CAPITAL COST ESTIMATES

CLEARLAKE RECREATION CENTER BUILDING

FACILITY	AREA (SF)	COST/SF	TOTAL
Recreation Center Building	14,970	\$769.50	\$11,519,345
Site & Utilities Recreation	38,000	\$37.75	\$1,434,545
TOTAL ESTIMATED CONSTRUCTION COST			\$12,953,890
Soft Cost Budget (25%)			\$3,238,473
TOTAL PROJECT COST			\$16,192,363

LAKEPORT AQUATIC POOL & BUILDING

Core/Glass Shell/MEP Aquatic Center	14,822	\$557.14	\$8,257,983
Aquatic Pool & Building	7,778	\$1,316.98	\$10,243,488
Site & Utilities Aquatic	69,7500	\$35.05	\$2,444,999
TOTAL ESTIMATED CONSTRUCTION COST			\$20,946,470
Soft Cost Budget (25%)			\$5,236,618
TOTAL PROJECT COST			\$26,183,088

FUTURE LAKEPORT RECREATION CENTER BUILDING

Future Recreation Center Building	14,165	\$769.50	\$10,899,901
Site & Utilities Recreation (1 acre)	43,560	\$30.00	\$1,306,800
TOTAL ESTIMATED CONSTRUCTION COST			\$12,206,701
Soft Cost Budget (25%)			\$3,051,675
TOTAL PROJECT COST			\$15,258,376

OPERATIONAL COST ESTIMATES



OPERATIONAL COST ESTIMATES

CLEARLAKE RECREATION CENTER BUILDING

ANNUAL RECREATION CENTER REVENUE	
Recreation Classes, Leagues & Fitness Revenue	\$200,00
Recreation Center Rental Revenue	\$40,000
Concession Revenue	\$5,000
ANNUAL TOTAL REVENUE	\$245,000

ANNUAL RECREATION CENTER COSTS	
Salaries – Full & Part Time	\$394,693
Materials & Supplies	\$190,556
ANNUAL TOTAL COSTS	\$585,249

ANNUAL NET OPERATIONAL SUBSIDY (Cost Recovery 42%)	\$340,249
---	------------------



OPERATIONAL COST ESTIMATES

Clearlake Recreation Center Building Financial Breakdown

FULL TIME SALARIES	ANNUAL SALARY (top step)	% OF TIME	BENEFIT (@ 30%)	TOTAL POSITION COST
Recreation Center Supervisor	\$60,000	100%	\$18,000	\$78,000
Park/Facility Maintenance Worker	\$46,500	50%	\$6,975	\$30,225
Total Full Time Salaries	\$106,500		\$24,975	\$108,225

PART TIME SALARIES	HOURS	RATE	TOTAL
Instructional Salaries (Fitness)			\$118,985
Customer Service Specialist II	3370	\$21.61	\$72,859
Fitness Recreation Leader - 1500	1450	\$25.00	36,294
Front Desk Recreation Leader	700	\$25.00	\$17,521
Park & Facility Worker 1 - 1500	1000	\$21.88	\$21,880
Office Assistant I - 1500	800	\$22.75	\$18,200
Recreation Specialist 1	40	\$18.22	\$729
Total Part Time Salaries	7360		\$286,468
TOTAL SALARIES			\$394,693

MATERIALS & SUPPLIES	COST	DESCRIPTION
Professional Services	\$8,680	floor scrubbing - \$1,500; shred company - \$200; dynamic media - \$400; Comcast - \$4,500; Zumba Glow - \$300; scoreboard maintenance - \$1,000; kitchen cleaning - \$1,000; Group Ex Pro app - \$780
Office Supplies	\$3,600	calendars, pens/pencils, notepads, file folders, desk organization, colored paper, laminate
Supplies - Program & Event	\$9,700	holiday/event décor - \$2,200; membership appreciation - \$1,000; fitness events/prizes - \$1,000; Be Well supplies - \$5,500
Supplies - Concessions	\$1,200	ice cream, Gatorade, water
Supplies - Medical	\$1,000	first aid/COVID supplies
Subscriptions	\$460	W2W - \$260; MCC music - \$200
Advertising	\$8,015	social media ads - \$1,100; swag - \$1,900; pamphlets, standing facility sign, marketing requests - \$800; Be Well advertising - \$2,500; guide - \$1,715
Printing	\$6,200	copier - \$6,000; envelopes & business cards - \$200
Equipment - Under 5000	\$10,800	meeting room improvements (projector, sound system, tables/ chairs) - \$8,500; TRX equipment - \$1,000; maintenance supplies - \$300; tilt truck - \$300; metal kitchen carts - \$400; plastic utility carts - \$300
Equipment-Sports Under 5000	\$4,650	nets & balls - \$500; fitness equipment (dumbbells, mats, wipes) - \$2,750; stereo - \$300; microphone - \$250; fit room (light ropes, audio plugs, bulletin boards, batteries) - \$850
Building & Equipment Rental	\$500	lift rental for basketball hoops & divider
Safety & Protective Gear	\$500	staff shirts/sweatshirts
Repairs & Maintenance Equipment	\$21,100	gym doctor maintenance - \$3,900; repairs - \$6,000; blind repair - \$200; wipe dispensers - \$100; upholstery patches - \$300; strength equipment - \$10,000; safety - \$300; keys - \$300
Repairs & Maintenance System	\$3,750	sprinkler/fire extinguisher inspection
Utility Charges - Telecom.	\$2,640	consolidated communications
Utility Charges - City Bills	\$69,468	electric, water, sewer +\$5,670
Utility Charges - Natural Gas	\$33,098	PG&E-uncontrollable +\$7,441
Training & Development	\$2,505	CPRS conference & fitness staff training
Mileage	\$1,500	mileage reimbursement
Memberships	\$290	CPRS membership for coordinator/supervisor
Permit Fees	\$900	motion picture license - \$300; commercial kitchen permit - \$600
TOTAL MATERIALS & SUPPLIES	\$190,556	

OPERATIONAL COST ESTIMATES

LAKEPORT AQUATIC POOL & BUILDING

ANNUAL AQUATIC CENTER REVENUE	
Recreation Swim, Pass Sales & Fitness	\$300,00
Instructional Programs	\$275,000
Facility Rentals	\$85,000
Miscellaneous	\$10,000
ANNUAL TOTAL REVENUE	\$675,000

ANNUAL AQUATIC CENTER COSTS	
Salaries – Full & Part Time	\$700,101
Materials & Supplies	\$357,313
ANNUAL TOTAL COSTS	\$1,057,414

ANNUAL NET OPERATIONAL SUBSIDY (Cost Recovery 64%)	\$382,414
---	------------------



OPERATIONAL COST ESTIMATES

Lakeport Aquatic Pool & Building Financial Breakdown

FULL TIME SALARIES	ANNUAL SALARY (top step)	% OF TIME	BENEFIT (@ 30%)	TOTAL POSITION COST
Aquatic Supervisor	\$60,000	100%	\$18,000	\$78,000
Park Maintenance Worker	\$46,500	50%	\$6,975	\$30,225
Total Full Time Salaries	\$106,500		\$24,975	\$108,225

PART TIME SALARIES	HOURS	RATE	TOTAL
Pool Manager II	2600	\$21.81	\$56,706
Assistant Pool Manager II	6500	\$19.78	\$128,570
Senior Lifeguard II	4892	\$17.94	\$87,762
Lifeguard II	6600	\$16.28	\$107,448
Swim Instructor I	3600	\$17.50	\$63,000
Swim Instructor Aide	2694	\$16.50	\$44,451
Parks Maintenance Worker	1700	\$21.87	\$37,179
Aqua Fitness Instructor I	1600	\$36.00	\$57,600
Instructor Hourly II	172	\$30.00	\$5,160
Office Assistant	2000	\$20.00	\$4,000
Total Part Time Salaries	32,358		\$591,876
TOTAL SALARIES			\$700,101

MATERIALS & SUPPLIES	COST	DESCRIPTION
Professional Services	\$10,535	permits, bounces, group ex, ASL interpreter
Office Supplies	\$3,100	front desk supplies
Supplies - Program & Event	\$3,300	birthday/program supplies, pumpkins
Supplies - Concessions	\$5,000	boutique items
Supplies - Medical	\$1,250	medical/first aid supplies
Subscriptions	\$4,390	certifications, Survey Monkey, W2W
Advertising	\$11,606	facility signage, marketing, rec guide
Printing	\$8,300	swim lesson report cards, signs, copier
Equipment - Under 5000	\$1,800	pump room tools, pool equipment (net)
Equipment-Sports Under 5000	\$6,100	lifeguard & program equipment/supplies
Safety & Protective Gear	\$6,500	staff uniforms
Repairs & Maintenance Equipment	\$33,500	pool repairs & parts
Repairs & Maintenance System	\$53,223	pool chemicals (Olin, Aviate, SCP, Lincoln)
Repairs & Maintenance Facility	\$2,225	replacement chairs & tables
Utility Charges - Telecom.	\$2,780	manager cell phone - \$400; pool phone - \$2,380
Utility Charges - City Bills	\$126,663	FY23 (45%) - \$9,188 increase
Utility Charges - Natural Gas	\$73,251	PG&E, FY23 (26%) - \$34,759 increase
Training & Development	\$2,500	CAMS (\$1,000 X 2), Disney (\$500)
Mileage	\$1,000	staff mileage
Memberships	\$290	CPRS memberships - \$145 each
TOTAL MATERIALS & SUPPLIES	\$357,313	



OPERATIONAL COST ESTIMATES

OUTDOOR POOL COMPARISON

ANNUAL AQUATIC CENTER REVENUE	
Public Swim	\$40,000
Swimming Lessons	\$40,000
Fitness Classes/Lap Swim	\$10,000
Recreation Swim Team Rent	\$10,000
ANNUAL TOTAL REVENUE	\$100,000

ANNUAL AQUATIC CENTER COSTS	
Salaries – Full & Part Time	\$206,000
Materials & Supplies	\$144,000
ANNUAL TOTAL COSTS	\$350,000

ANNUAL NET OPERATIONAL SUBSIDY (Cost Recovery 29%)	\$250,000
---	------------------



RECOMMENDATIONS



RECOMMENDATIONS

» STRUCTURE

- » Lake County, City of Lakeport and City of Clear Lake should consider forming a **joint powers authority** to implement and manage the facilities

» FUNDING

- » Any funds not available for capital improvements should be garnered through a **bond measure** (67% support) , with ongoing costs funded through (shared) general fund subsidy

» PHASING

- » Consideration should be given to **phased construction** for the aquatics facility (indoor v. outdoor) and recreation facilities to manage capital outlay





Q&A

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Lake County Recreation Financing Authority

Using a JPA and a County-Wide Revenue
Measure to Finance Recreational Facilities

October 19, 2022

Objectives for this Meeting

- Introductions/Background
- Proposed Governance and Financing Structures
- Legal Work/Polling/Public Buy-In/Election
- Next Steps – Budget and Timeline

Outline

1. Forming a Joint Powers Authority (JPA)
2. Forming a Community Facilities District (CFD)
3. Hiring an Election/Financing Team
4. Establishing a Budget and Timeline
5. Conclusion/Questions

Outline – Key Takeaway

Must start **now** to accomplish all steps required to place a County-wide revenue measure for recreational facilities on **March or November 2024 election**

Cost to engage election/financing team **\$225,000**

Cost to be split between participating agencies

Forming a Joint Powers Authority (JPA)

Forming a JPA – Generally

Joint Powers Authority is formed among two or more public agencies, such as cities and counties, under Gov Code 6500

Creates single, centralized governing body facilitating needs shared by multiple municipalities. Authorized to act on behalf of its members, derives its powers from that of its members

Formed by entering into a **Joint Powers Agreement**, setting forth purpose, extent of powers, governance, term, contributions/advances to fund its activities

The Agreement can be short/high level, or as detailed as parties desire. Often detailed financing agreements and operating agreements come later

Forming a JPA – Limited Liability

Members are **not** liable for debts of JPA

Any cost-sharing must be **expressly** agreed

JPAs may issue bonds; “Authority Bonds” are well-received and well-known in the municipal bond marketplace

Bonds issued by JPA are secured **solely** by the pledged special revenue stream, not members’ revenues

Forming a County-Wide JPA – Key Terms

JPA would be formed to propose a special taxing district (likely a county-wide Mello-Roos community facilities district- “CFD”), imposing a tax to be voted on County-wide (2/3 vote required) to establish a revenue stream for acquiring and maintaining recreational facilities

Agreement terms would be high-level, need only set forth terms required to establish JPA, form a special taxing district, and place special tax revenue measure on the ballot

- Membership: Cities of Clearlake and Lakeport, Lake County
- Governance: Board consisting of 2 reps. from each member, plus 1 appointed at-large
- Initial purpose: Decide on revenue measure scope and timing, hire election/financing team professionals (legal, financial, polling/messaging), contribute to initial costs
- Ultimate purpose: if election successful, oversee acquisition & operation of facilities per agreements to be drafted in the future

Alternatives to the JPA

Instead of forming JPA, the Cities and County could pursue alternative governance structures, such as:

- Create new Park & Rec District – downsides include LAFCO proceedings, sharing of tax revenues, new District staff
- MOU b/w Cities and County – downsides include no central governing body to coordinate activities; cities can only tax within their jurisdictional boundaries, not County-wide
- City Ownership with Joint Use Agreements – downsides include no central governing body; cities can only tax within their jurisdictional boundaries; agreements to draft now

Alternative to the CFD – Citizens' Initiative

One alternative to forming a JPA and having the JPA place a special tax measure on the ballot would be for citizens to undertake an initiative process for recreational facilities

If local agencies put a special tax measure on the ballot, **2/3 voter approval** is required

If citizens place an initiative measure on the ballot, recent cases have held only **majority approval** is required – however, these cases have all involved significant litigation (San Francisco, Fresno, Oakland) and would require organization by citizens / requisite signatures

Alternative to the CFD – Sales Tax Measure

Another alternative to forming a JPA and having the JPA place a special tax measure on the ballot would be a **sales tax measure**

Sales tax measures are typically structured as **general taxes** requiring only **majority approval** – however this means the tax would not be limited to specific recreational programs and facilities, but go into County general fund and be available for any general fund purpose

Advisory measures can be used to help show voters intended uses of the revenues, but legally any general fund purpose would be permitted and the County BOS would be in sole control

Forming a Community Facilities District (CFD)

Forming a CFD – Generally

CFDs are formed under the **Mello-Roos Act**, Gov Code 53311 et seq. – can finance facilities and services/maint.

Impose a **special tax**, paid in addition to property tax and secured by taxed parcels in the County

Authorize issuance of **special tax bonds**, secured by the special tax

Requires **2/3 vote** of submitted registered voters, in favor of the special tax and bonding

Forming a CFD – Establishing a Tax Rate

Key document is the **Rate and Method of Apportionment (RMA)** – this is how the tax will be levied

RMA also sets forth **duration** of tax – may be **perpetual** to pay for maintenance

Tax may be levied on any **reasonable** basis (except assessed value)

Forming a CFD – Requirements

Boundary Map setting forth boundary of CFD

List of **Authorized Facilities and Services** setting forth list of items that can be financed

Maximum **Bond Authorization** setting forth maximum amount of bonds to be issued to acquire/improve facilities

Vote is **not required** to form the CFD- but voting is **required** for authority to tax and bond

Forming a CFD – County-wide Levy Key

Special Tax Levy Examples

- **Flat per Parcel (all Taxable Parcels)**
- **Residential Parcels Only**
- **Flat Residential + Improved Sq. Ft. on Non-Residential**
- **Land Sq. Ft. (not building sq. ft.)**
- **Zones based on proximity to Facilities**

Forming a CFD – Registered Voter Examples

City of Calistoga (ongoing) – financing facilities and services related to acquisition of Napa County Fairgrounds

Kelseyville Fire Protection District (2021) – unsuccessful tax for increased fire protection services and facilities

City of Novato (2013) – successful acquisition of “Pacheco Valle” open space in City of Novato

Casitas Municipal Water District (2013) – successful acquisition of private water company in Ojai

Estimated Financing Requirements

Estimated Financing Requirements

Capital Costs	\$20 M	\$40 M	\$60 M	\$80 M
Debt Service	\$1,330,000	\$2,650,000	\$3,960,000	\$5,275,000
Operating	\$1,000,000	\$1,500,000	\$2,000,000	\$2,500,000
Total	\$2,330,000	\$4,150,000	\$5,960,000	\$7,775,000
Per Parcel*	\$38.00	\$67.00	\$96.00	\$125.00

* Assumes 62,470 Countywide parcels (residential, commercial, industrial, and undeveloped)

Hiring an Election/Financing Team

Hiring an Election/Financing Team

Bond Counsel (legal): **Jones Hall**, special legal counsel
100% focused on CA bond financings – to draft JPA
Agreement, CFD resolutions and tax matters

Municipal Advisor (financial): **NHA Advisors**, municipal
advisor, 100% focused on CA local agencies – to model
tax rates, bond assumptions, financial projections

Special Tax Consultant: **TBD**, to prepare RMA

Polling/Messaging: **TBD**, to handle voter outreach

Establishing a Budget and Timeline

Establishing a Budget

City of Lakeport would engage all consultants, pay consultants with an upfront budget contribution from the proposed JPA members; **split evenly** among 3 agencies

Budget consists of the following **not-to-exceed** amounts:

- Jones Hall (legal): \$25,000 (JPA formation) + \$50,000 (CFD formation)
- NHA Advisors (financial): \$50,000 (thru CFD formation/election)
- TBD (polling/messaging): \$50,000
- TBD (special tax consultant): \$50,000

Establishing a Timeline

Election can be held as a special mailed ballot election on non-regular State election dates – turnout and cost can be affected by date of election. If initial steps completed quickly, Mar. 2024 possible.

Estimate of Timing-Assuming November 2024 Election:

- 1) Hire Election/Financing Team and Fund (90 days) – by Jan. 2023
- 2) Form JPA – negotiating JPA Agreement (180 days) – by July 2023
- 3) Undertake Polling/Messaging (180 days) – by Jan. 2024
- 4) Form CFD and Call Election (180 days) – by July 2024 [Nov. Elec]

Establishing a Timeline (cont'd)

1) Hire Election/Financing Team and Fund (90 days)

- Assume Cities and County quickly agree on JPA/CFD plan and authorize funding
- Budgeted funds deposited with City of Lakeport

2) Form JPA – negotiating JPA Agreement (180 days)

- Assume 90–120 days to negotiate
- Assume 60 days for each governing body to agendaize and approve

Establishing a Timeline (cont'd)

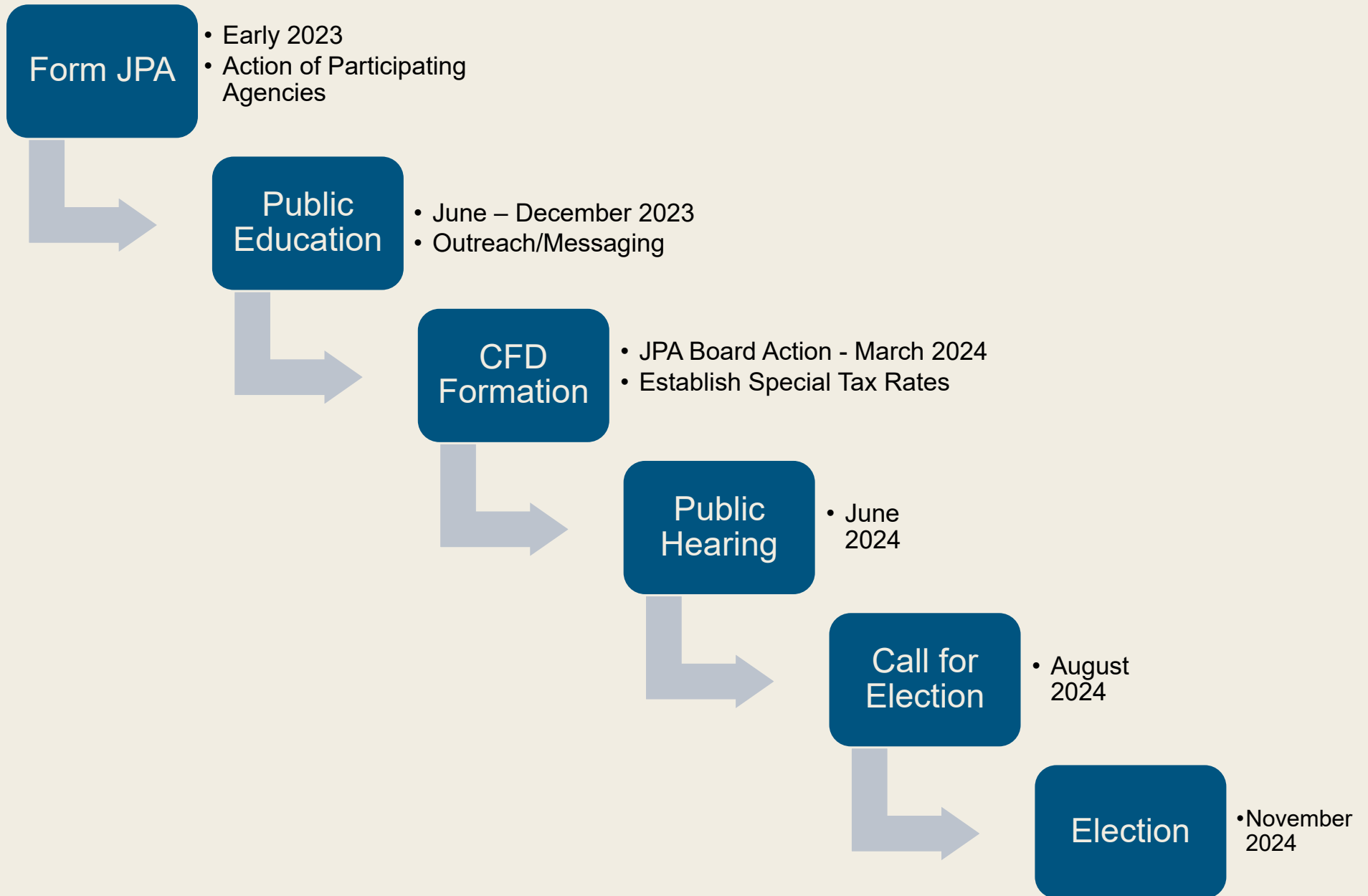
3) Undertake Polling (180 days from approval of JPA)

- Assume 90–120 days to undertake polling within communities
- Assume 60 days to present results of polling and obtain input from JPA

4) Form CFD – JPA establishes CFD and calls election (180 days from conclusion of polling)

- Assume 90-120 days to negotiate and agree upon special tax rates and facilities/services
- Mello-Roos Act requires two meetings (30-60 days apart) and election (90-180 days after)
- Community outreach / town hall meetings can be feathered-in, as desired
- Target November 5, 2024 – presidential/general election

Establishing a Timeline (cont'd)



Establishing a Timeline (cont'd)



Conclusion/Questions

Conclusion

Establishing a JPA and a CFD special taxing district would allow County-wide coordination and access to tax-base

JPA to consist of cities and County; 7-member board

Facilities/services and timeline to be finalized by JPA board

Budget of \$225,000 anticipated to be sufficient to place measure on March or November 2024 County-wide election

If successful, additional operational details finalized

Questions?

Legal (Jones Hall)

Dave Fama

James Wawrzyniak



Financial (NHA Advisors)

Eric Scriven

Craig Hill

Rob Schmidt





STAFF REPORT	
SUBJECT: Discussion and Consideration of Resolution 2023-05 granting the City Council’s consent to the County of Lake to renew the Lake County Tourism Improvement District (LCTID) and include the City of Clearlake in the LCTID.	MEETING DATE: January 19, 2023
SUBMITTED BY: Alan D. Flora, City Manager	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

Adopt Resolution 2023-05, granting the City Council’s consent to the County of Lake (County) to renew the Lake County Tourism Improvement District (LCTID) and include the City of Clearlake in the LCTID.

The recommended action, adoption of the attached resolution granting consent to the County to form the LCTID and include the City of Clearlake in the LCTID, will enable the County and Visit Lake County California to move forward with the LCTID renewal process. Upon successful renewal, the LCTID will be governed by the County and Visit Lake County California.

BACKGROUND/DISCUSSION:

The LCTID is a benefit assessment district proposed to continue a revenue source to help fund marketing and sales promotion efforts for Lake County lodging businesses. This approach has been used successfully in other destination areas throughout the state to improve tourism and drive additional room nights to assessed lodging businesses. The renewed LCTID includes all lodging businesses, existing and in the future, located within the boundaries of the cities of Lakeport and Clearlake (cities), and the unincorporated areas of Lake County (County).

Lodging business owners decided to pursue renewal of the LCTID in order to continue a revenue source devoted to marketing Lake County as a tourist, meeting and event destination. If renewed, the LCTID would generate approximately \$386,000 on an annual basis for promotion of travel and tourism specific to Lake County.

The Property and Business Improvement District Law of 1994 (94 Law) allows for the renewal of multi-jurisdictional Business Improvement Districts (BIDs), with consent of the included jurisdictions being granted to one “lead” jurisdiction. The County has requested consent to act as the lead jurisdiction in the renewal of the LCTID. Adopting this resolution will give the County authority to include the City of Clearlake in the renewed LCTID. To renew the LCTID, the County will follow the renewal proceedings specified in the 94 Law, including accepting petitions, adopting a resolution declaring its intention to

renew the LCTID, holding a public meeting and public hearing to allow for comments, and resolution renewing the LCTID.

MANAGEMENT DISTRICT PLAN

The Management District Plan dated December 7, 2022 (**Attachment 1**) includes the proposed boundary of the LCTID, a service plan and budget and a proposed means of governance. The LCTID will include all lodging businesses, existing and in the future, located within the boundaries of the cities of Lakeport and Clearlake (cities), and the unincorporated areas of Lake County (County).

The annual assessment rate is two- and one-half percent (2.5%) of gross short-term room rental revenue. Based on the benefit received, assessments will not be collected on: stays of more than thirty (30) consecutive days; stays by any federal or state officer or employee when on official business; stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; and stays at a campsite in a unit of the state park system or any facility operated by a local government entity. During the ten (10) year term, the assessment rate may be increased annually by the LCTID Owners’ Association upon approval from the Board of Supervisors by a maximum of one half of one percent (0.5%) of gross room rental revenue per year. The total assessment rate may not exceed five percent (5%). The assessment rate may also be decreased, but shall not drop below the initial assessment rate of two and one half percent (2.5%). Any proposed assessment rate increase or decrease approved by the Owners' Association shall be included in the annual report, and shall not be effective until approved by the Board of Supervisors.

The LCTID will have a ten (10) year life, beginning January 1, 2024, or as soon as possible thereafter, and end ten (10) years from its start date. Once per year beginning on the anniversary of LCTID renewal there is a thirty (30) day period in which business owners paying fifty percent (50%) or more of the assessment may protest and begin proceedings to terminate the LCTID.

The County and cities will be responsible for collecting the assessment on a monthly or quarterly basis (including any delinquencies, penalties and interest) from each lodging business located in the boundaries of the LCTID. The County and cities shall take all reasonable efforts to collect the assessments from each lodging business. The County and cities shall be paid a fee equal to two percent (2%) of the amount of assessment collected to cover its costs of collection and administration.

LCTID RENEWAL PROCESS

December 13, 2022 **RESOLUTION OF INTENTION HEARING (COMPLETED)**
Upon the submission of a written petition, signed by the business owners in the renewed LCTID who will pay more than fifty percent (50%) of the assessments proposed to be levied, the Board of Supervisors may initiate proceedings to renew a district by the adoption of a resolution expressing its intention to renew a district.

Petition Status: Petitions in favor of LCTID renewal were submitted by 44 lodging businesses, which represent 50.88% of the total LCTID assessment. This majority petition allows the Board to initiate proceedings for LCTID renewal at the December 13, 2022 meeting.

The 94 Law requires the County to mail written notice to the owners of all businesses proposed to be within the LCTID. Mailing the notice begins a mandatory forty-five (45) day period in which owners may protest LCTID renewal.

December 20, 2022 RESOLUTION REQUESTING CONSENT (COMPLETED)

Upon adoption of the Resolution of Intention, the Board of Supervisors must request consent from all jurisdictions to be included in the renewed LCTID. Consent must be received from the jurisdictions prior to the final public hearing for their jurisdiction to be included in the renewed LCTID.

January 19, 2023 RESOLUTION GRANTING CONSENT

Upon adoption of the Resolution Granting Consent, the County can move forward with the LCTID renewal process, and shall include the City of Clearlake in the LCTID.

January 24, 2023 PUBLIC MEETING

Allow public testimony on the renewal of the LCTID and levy of assessments. No Board action required.

February 7, 2023 FINAL PUBLIC HEARING

If written protests are received from the owners of businesses in the renewed LCTID which will pay more than fifty percent (50%) of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than fifty percent (50%), no further proceedings to levy the proposed assessment against such businesses shall be taken for a period of one (1) year from the date of the finding of a majority protest by the Board.

If the Board, following the public hearing, decides to establish the renewed LCTID, the Board shall adopt a resolution of formation.

OPTIONS:

- 1. Adopt Resolution 2023-05
- 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:

Adopt Resolution 2023-05

Attachments:

1. Resolution 2023-05
2. Draft LCTID Management District Plan

RESOLUTION NO. 2023-05

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE,
STATE OF CALIFORNIA, GRANTING CONSENT TO THE COUNTY OF
LAKE TO RENEW THE LAKE COUNTY TOURISM IMPROVEMENT
DISTRICT (LCTID)**

WHEREAS, the County of Lake (County) created the LCTID by Resolution No. 2018-141 for a five (5) year term which ends on December 31, 2023, pursuant to the Property and Business Improvement District Law of 1994, Streets and Highways Code section 36600 et seq. (94 Law), to promote tourism and the lodging businesses in the Lake County area; and

WHEREAS, the 94 Law authorizes the County to renew business improvement districts for the purposes of promoting tourism; and

WHEREAS, the Board of Supervisors of the County has requested consent to renew the LCTID to include the cities of Lakeport and Clearlake with adoption of Lake County Board of Supervisors Resolution No. 2022-159, dated December 20, 2022;

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

Section 1: The above recitals are true and correct.

Section 2: The County is hereby granted consent to include the City of Clearlake in the LCTID, as shown on the following map, for the renewal of the LCTID and future renewals.

Section 3: The Clearlake City Clerk is hereby directed to transmit a certified copy of this Resolution to the Lake County Clerk.

Section 4: This Resolution is effective upon its adoption.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Clearlake, State of California, held on this 19th day of January, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

(SEAL)

ATTEST: _____
Clerk of the City Council

Boundary Map





LAKE COUNTY TOURISM IMPROVEMENT DISTRICT MANAGEMENT DISTRICT PLAN

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Prepared by
Civitas



I. OVERVIEW

Developed by Visit Lake County California (VLCC), the Lake County Tourism Improvement District (LCTID) is an assessment district proposed to provide specific benefits to payors, by funding marketing and sales promotion efforts for assessed businesses. This approach has been used successfully in other destination areas throughout the country to provide the benefit of additional room night sales directly to payors. The LCTID was created in 2019 for a five (5) year term. VLCC and Lake County area lodging businesses now wish to renew the LCTID for a ten (10) year term.

Location: The LCTID includes all lodging businesses, existing and in the future, located within the boundaries of the cities of Lakeport and Clearlake (cities), and the unincorporated areas of Lake County (County), as shown on the map in Section IV.

Services: The LCTID is designed to provide specific benefits directly to payors by increasing awareness and demand for room night sales. Marketing and sales promotions will increase demand for overnight tourism and market payors as tourist, meeting and event destinations, thereby increasing demand for room night sales.

Budget: The total LCTID annual assessment budget for the initial year of its ten (10) year operation is anticipated to be approximately \$386,000. A similar budget is expected to apply to subsequent years, but this budget is expected to fluctuate as room sales do and if the assessment rate is increased pursuant to this Plan.

Cost: The annual assessment rate is two and one-half of one percent (2.5%) of gross short-term room rental revenue. Based on the benefit received, assessments will not be collected on: stays of more than thirty (30) consecutive days; stays by any federal or state officer or employee when on official business; stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; and stays at a campsite in a unit of the state park system or any facility operated by a local government entity. During the ten (10) year term, the assessment rate may be increased annually by the LCTID Owners' Association upon approval from the Board of Supervisors by a maximum of one-half of one percent (0.5%) of gross room rental revenue per year. The total assessment rate may not exceed five percent (5%). The assessment rate may also be decreased, but shall not drop below the initial assessment rate of two and one-half of one percent (2.5%). Any proposed assessment rate increase or decrease approved by the Owners' Association shall be included in the annual report, and shall not be effective until approved by the Board of Supervisors.

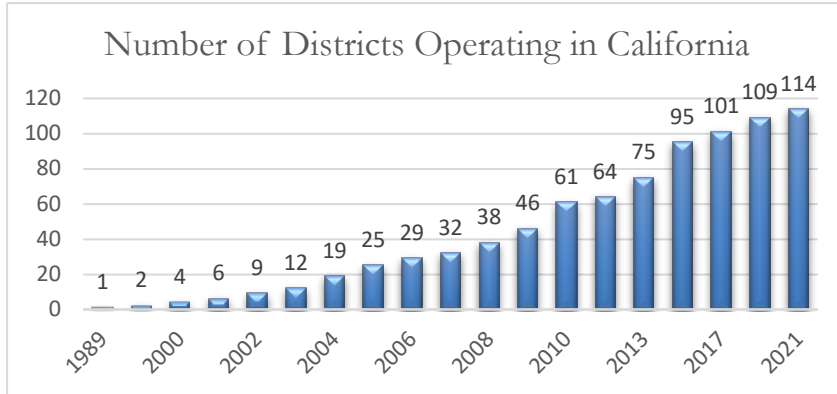
Collection: The County and cities will be responsible for collecting the assessment on a monthly or quarterly basis (including any delinquencies, penalties and interest) from each lodging business located in the boundaries of the LCTID. The County and cities shall take all reasonable efforts to collect the assessments from each lodging business.

Duration: The LCTID will have a ten (10) year life, beginning January 1, 2024, or as soon as possible thereafter, and end ten (10) years from its start date. Once per year, beginning on the anniversary of LCTID renewal, there is a thirty (30) day period in which owners paying fifty percent (50%) or more of the assessment may protest and initiate a Board of Supervisors hearing on LCTID termination.

Management: Visit Lake County California will continue to serve as the LCTID’s Owners’ Association. The Owners’ Association is charged with managing funds and implementing programs in accordance with this Plan, and must provide annual reports to the Board of Supervisors.

II. BACKGROUND

TIDs are an evolution of the traditional Business Improvement District. The first TID was formed in West Hollywood, California in 1989. Since then, over 110 California destinations have followed suit. In recent years, other states have begun adopting the California model – Montana, South Dakota, Washington, Colorado, Texas and Louisiana have adopted TID laws. Several other states are in the process of adopting their own legislation. The cities of Wichita, Kansas and Newark, New Jersey used an existing business improvement district law to form a TID. And, some cities, like Portland, Oregon and Memphis, Tennessee have utilized their home rule powers to create TIDs without a state law.



California’s TIDs collectively raise over \$300 million annually for local destination marketing. With competitors raising their budgets, and increasing rivalry for visitor dollars, it is important that Lake County lodging businesses continue to invest in stable, lodging-specific marketing programs.

TIDs utilize the efficiencies of private sector operation in the market-based promotion of tourism districts. TIDs allow lodging business owners to organize their efforts to increase demand for room night sales. Lodging business owners within the TID pay an assessment and those funds are used to provide services that increase demand for room night sales.

In California, most TIDs are formed pursuant to the Property and Business Improvement District Law of 1994. This law allows for the creation of a benefit assessment district to raise funds within a specific geographic area. *The key difference between TIDs and other benefit assessment districts is that funds raised are returned to the private non-profit corporation governing the district.*

There are many benefits to TIDs:

- Funds must be spent on services and improvements that provide a specific benefit only to those who pay;
- Funds cannot be diverted to general government programs;
- They are customized to fit the needs of payors in each destination;
- They allow for a wide range of services;
- They are **designed, created and governed by those who will pay** the assessment; and
- They provide a stable, long-term funding source for tourism promotion.

III. ACCOMPLISHMENTS

In the initial five (5) years of LCTID’s operation, VLCC has strived to elevate Lake County as a tourism destination by improving the brand of the destination and raising awareness of the area’s experiences to generate overnight stays. Through VLCC’s efforts, the following goals and achievements have been accomplished and continue to serve as an asset to the lodging businesses in the LCTID:

1. New logo and artwork was developed and trademarked for the County.
2. www.lakecounty.com was revised substantially including 52 improvements making the site faster, more navigable and with the inclusion of new video & photography and the addition of the BookDirect, allowing visitors to connect directly with Lake Co lodging.
3. New users to www.lakecounty.com grew 79.85% to 201,308 year over year.
4. Page views to www.lakecounty.com grew 56.89% to 414,568 year over year.
5. Thirty six unique blog posts were created for www.lakecounty.com.
6. Facebook followers grew 10% to 33,309 followers.
7. Official Lake Co Visitors Map, funded 100% by advertising, was produced and 90% distributed outside Lake Co at official CA visitors centers.
8. A professionally produced newsletter was distributed monthly to stakeholders and jurisdictions by email.
9. Email database grew 14% to 8,155 contacts.
10. Procedures have been set in motion to collect funds from Short Term Rentals (Airbnb, etc.)
11. The LCTID collaborated with Mendocino, Humboldt and Del Norte (North of Ordinary) in the marketing campaign of North Coast Tourism Council.
12. The CTA (Certified Tourism Ambassador) program was funded.
13. LCTID is managed by a professional executive director and volunteer board of nine lodging owners.
14. Three members of LCTID board attended Visit California’s Outlook Forum.
15. Two media familiarity tours were executed with more planned.
16. An example of the progress made as a result of the LCTID activities, Kelseyville was named one of the Top 10 Small Towns to Visit by SF Chronical in 2021.

IV. BOUNDARY

The LCTID will include all lodging businesses, existing and in the future, available for public occupancy within the boundaries of the cities of Lakeport and Clearlake, and the unincorporated areas of Lake County.

Lodging business means: any structure, or any portion of any structure, which is occupied or intended or designed for occupancy by transients for dwelling, lodging, or sleeping purposes, and include any hotel, inn, tourist home or house, motel, studio hotel, bachelor hotel, lodginghouse, roominghouse, apartment house, dormitory, public or private club, mobile home or house trailer at a fixed location or other similar structure or portion thereof; and shall further include any space, lot, area or site in any trailer court, recreational vehicle park, mobile home park, camp, park or lot where a trailer, tent, recreational vehicle, mobile home, motorhome, or other similar conveyance is occupied or intended or designed for occupancy by transients for dwelling, lodging or sleeping purposes.

The boundary, as shown in the map below, currently includes 174 lodging businesses. A complete listing of lodging businesses within the LCTID can be found in Appendix 2.



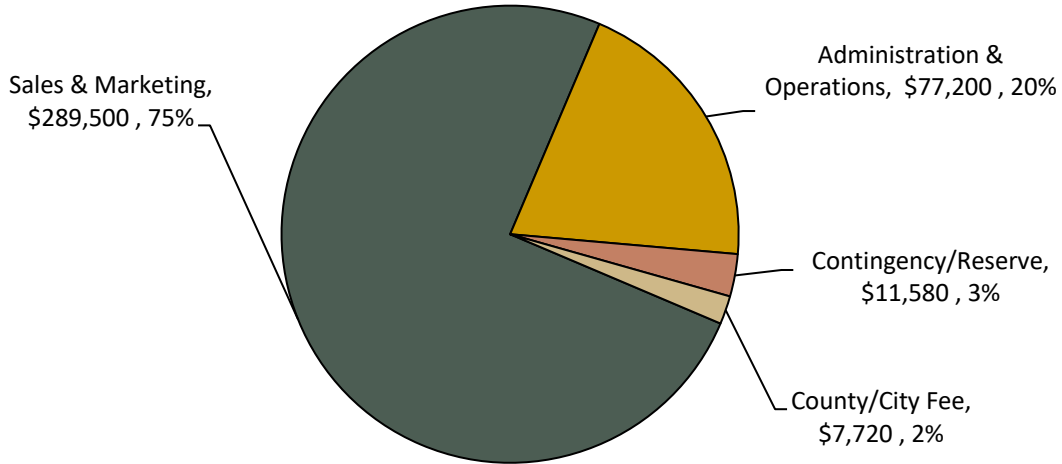
V. ASSESSMENT BUDGET AND SERVICES

A. Annual Service Plan

Assessment funds will be spent to provide specific benefits conferred or privileges granted directly to the payors that are not provided to those not charged, and which do not exceed the reasonable cost to the County of conferring the benefits or granting the privileges. The privileges and services provided with the LCTID funds are sales and marketing programs available only to assessed businesses.

A service plan assessment budget has been developed to deliver services that benefit the assessed businesses. A detailed annual assessment budget will be developed and approved by VLCC. The table below illustrates the initial annual assessment budget allocations. The total initial assessment budget is \$386,000.

Initial Annual Assessment Budget - \$386,000



Although actual revenues will fluctuate due to market conditions, the proportional allocations of the budget shall remain the same. However, the County and the VLCC board shall have the authority to adjust budget allocations between the categories by no more than fifteen percent (15%) of the total budget per year. A description of the proposed improvements and activities for the initial year of operation is below. The same activities are proposed for subsequent years. In the event of a legal challenge against the LCTID, any and all assessment funds may be used for the costs of defending the LCTID.

Each budget category includes all costs related to providing that service. For example, the sales and marketing budget includes the cost of staff time dedicated to overseeing and implementing the sales and marketing program. Staff time dedicated purely to administrative tasks is allocated to the administrative portion of the budget. The costs of an individual staff member may be allocated to multiple budget categories. The staffing levels necessary to provide the services below will be determined by VLCC on an as-needed basis.

Sales & Marketing

A sales and marketing program will promote assessed businesses as tourist, meeting, and event destinations. The sales and marketing program will have a central theme of promoting Lake County as a desirable place for overnight visits. The program will have the goal of increasing overnight visitation and room night sales at assessed businesses, and may include the following activities:

- Internet marketing efforts to increase awareness and optimize internet presence to drive overnight visitation and room sales to assessed businesses;
- Print ads in magazines and newspapers, television ads, and radio ads targeted at potential visitors to drive overnight visitation and room sales to assessed businesses;
- Attendance of trade shows to promote assessed businesses;
- Sales blitzes for assessed businesses;
- Familiarization tours of assessed businesses;
- Preparation and production of collateral promotional materials such as brochures, flyers and maps featuring assessed businesses;
- Attendance of professional industry conferences and affiliation events to promote assessed businesses;
- Lead generation activities designed to attract tourists and group events to assessed businesses;
- Director of Sales and General Manager meetings to plan and coordinate tourism promotion efforts for assessed businesses;
- Development and maintenance of a website designed to promote assessed businesses.

Administration & Operations

The administration and operations portion of the budget shall be utilized for administrative staffing costs, office costs, advocacy, and other general administrative costs such as insurance, legal, and accounting fees.

Contingency/Reserve

The budget includes a contingency line item to account for uncollected assessments, if any. If there are contingency funds collected, they may be held in a reserve fund or utilized for other program, administration or renewal costs at the discretion of the VLCC Board. Policies relating to contributions to the reserve fund, the target amount of the reserve fund, and expenditure of monies from the reserve fund shall be set by the VLCC Board. Contingency/reserve funds may be spent on District programs or administrative and renewal costs in such proportions as determined by the VLCC Board. The reserve fund may be used for the costs of renewing the LCTID.

County/City Collection Fee

The County and cities shall retain a fee equal to two percent (2%) of the amount of assessment collected, within their respective jurisdictions, to cover their costs of collection and administration.

B. Annual Budget

The total ten (10) year improvement and service plan budget is projected at approximately \$386,000 annually, or \$7,644,691 through 2033 as shown on the table below. A similar budget is expected to apply to subsequent years, but this budget is expected to fluctuate as room sales do, and if the assessment rate is increased pursuant to this Plan.

The annual assessment rate shall be two and one-half of one percent (2.5%) of gross room rental revenue. During the ten (10) year term, the assessment rate may be increased annually by the LCTID Owners' Association upon approval from the Board of Supervisors by a maximum of one half of one percent (0.5%) of gross room rental revenue per year. The total assessment rate may not exceed five percent (5%). The assessment rate may also be decreased, but shall not drop below the initial assessment rate of two and one-half of one percent (2.5%). Any proposed assessment rate increase or decrease approved by the Owners' Association shall be included in the annual report, and shall not be effective until approved by the Board of Supervisors.

The table below demonstrates the maximum total assessment with the assumption that assessment rates will be increased by one half percent (0.5%) in each fiscal year until the maximum assessment rate of five percent (5%) has been reached, as it is a required disclosure, it is not the anticipated course of action. If the maximum annual assessment increases are adopted by the VLCC, the estimated annual budget will increase as shown in the table below. Additionally, a three percent (3%) annual increase in the total budget is shown to account for estimated increased room night sales as a result of LCTID efforts. This three percent (3%) annual increase is a conservative estimate based on the effect of similarly sized TID budgets.

Year	Sales & Marketing	Administration & Operations	Contingency/ Reserve	County/City Fee	Total
2024	\$289,500	\$77,200	\$11,580	\$7,720	\$386,000
2025	\$357,822	\$95,419	\$14,313	\$9,542	\$477,096
2026	\$429,983	\$114,662	\$17,199	\$11,466	\$573,310
2027	\$506,151	\$134,974	\$20,246	\$13,497	\$674,868
2028	\$586,503	\$156,401	\$23,460	\$15,640	\$782,003
2029	\$671,213	\$178,990	\$26,849	\$17,899	\$894,950
2030	\$691,349	\$184,360	\$27,654	\$18,436	\$921,799
2031	\$712,090	\$189,891	\$28,484	\$18,989	\$949,453
2032	\$733,452	\$195,587	\$29,338	\$19,559	\$977,937
2033	\$755,456	\$201,455	\$30,218	\$20,145	\$1,007,275
Total	\$5,733,519	\$1,528,938	\$229,341	\$152,894	\$7,644,691

The table below demonstrates the annual improvement and service plan budget with the assumption that the rates will not be increased during the LCTID's ten (10) year term. Additionally, a three percent (3%) annual increase in the total budget is shown, to account for estimated increased room night sales as a result of LCTID efforts.

Year	Sales & Marketing	Administration & Operations	Contingency/ Reserve	County/City Fee	Total
2024	\$289,500	\$77,200	\$11,580	\$7,720	\$386,000
2025	\$298,185	\$79,516	\$11,927	\$7,952	\$397,580
2026	\$307,131	\$81,901	\$12,285	\$8,190	\$409,507
2027	\$316,344	\$84,359	\$12,654	\$8,436	\$421,793
2028	\$325,835	\$86,889	\$13,033	\$8,689	\$434,446
2029	\$335,610	\$89,496	\$13,424	\$8,950	\$447,480
2030	\$345,678	\$92,181	\$13,827	\$9,218	\$460,904
2031	\$356,048	\$94,946	\$14,242	\$9,495	\$474,731
2032	\$366,730	\$97,795	\$14,669	\$9,779	\$488,973
2033	\$377,732	\$100,728	\$15,109	\$10,073	\$503,642
Total	\$3,318,793	\$885,011	\$132,752	\$88,501	\$4,425,057

C. California Constitutional Compliance

The LCTID assessment is not a property-based assessment subject to the requirements of Proposition 218. Courts have found Proposition 218 limited the term ‘assessments’ to levies on real property.¹ Rather, the LCTID assessment is a business-based assessment, and is subject to Proposition 26. Pursuant to Proposition 26 all levies are a tax unless they fit one of seven exceptions. Two of these exceptions apply to the LCTID, a “specific benefit” and a “specific government service.” Both require that the costs of benefits or services do not exceed the reasonable costs to the County of conferring the benefits or providing the services.

1. Specific Benefit

Proposition 26 requires that assessment funds be expended on, “a specific benefit conferred or privilege granted directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of conferring the benefit or granting the privilege.”² The services in this Plan are designed to provide targeted benefits directly to assessed businesses, and are intended only to provide benefits and services directly to those businesses paying the assessment. These services are tailored not to serve the general public, businesses in general, or parcels of land, but rather to serve the specific businesses within the LCTID. The activities described in this Plan are specifically targeted to increase demand for room night sales for assessed lodging businesses within the boundaries of the LCTID and are narrowly tailored. LCTID funds will be used exclusively to provide the specific benefit of increased room night sales directly to the assessees. Assessment funds shall not be used to feature non-assessed lodging businesses in LCTID programs, or to directly generate sales for non-assessed businesses. The activities paid for from assessment revenues are business services constituting and providing specific benefits to the assessed businesses.

¹ *Jarvis v. the City of San Diego* 72 Cal App. 4th 230

² Cal. Const. art XIII C § 1(e)(1)

The assessment imposed by this LCTID is for a specific benefit conferred directly to the payors that is not provided to those not charged. The specific benefit conferred directly to the payors is an increase in demand for room night sales. The specific benefit of an increase in demand for room night sales for assessed lodging businesses will be provided only to lodging businesses paying the district assessment, with marketing and sales programs promoting lodging businesses paying the LCTID assessment. The marketing and sales programs will be designed to increase demand for room night sales at each assessed lodging businesses. Because they are necessary to provide the marketing and sales programs that specifically benefit the assessed lodging businesses, the administration and contingency services also provide the specific benefit of increased room night sales to the assessed lodging businesses.

Although the LCTID, in providing specific benefits to payors, may produce incidental benefits to non-paying businesses, the incidental benefit does not preclude the services from being considered a specific benefit. The legislature has found that, “A specific benefit is not excluded from classification as a ‘specific benefit’ merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific benefit to the payor.”³

2. Specific Government Service

The assessment may also be utilized to provide, “a specific government service or product provided directly to the payor that is not provided to those not charged, and which does not exceed the reasonable costs to the local government of providing the service or product.”⁴ The legislature has recognized that marketing and promotions services like those to be provided by the LCTID are government services within the meaning of Proposition 26⁵. Further, the legislature has determined that “a specific government service is not excluded from classification as a ‘specific government service’ merely because an indirect benefit to a nonpayor occurs incidentally and without cost to the payor as a consequence of providing the specific government service to the payor.”⁶

3. Reasonable Cost

LCTID services will be implemented carefully to ensure they do not exceed the reasonable cost of such services. The full amount assessed will be used to provide the services described herein. Funds will be managed by the VLCC, and reports submitted on an annual basis to the County. Only assessed lodging businesses will be featured in marketing materials, receive sales leads generated from LCTID-funded activities, be featured in advertising campaigns, and benefit from other LCTID-funded services. Non-assessed lodging businesses will not receive these, nor any other, LCTID-funded services and benefits.

The LCTID-funded programs are all targeted directly at and feature only assessed businesses. It is, however, possible that there will be a spill over benefit to non-assessed businesses. If non-assessed lodging businesses receive incremental room nights, that portion of the promotion or program generating those room nights shall be paid with non-LCTID funds. LCTID funds shall only be spent

³ Government Code § 53758(a)

⁴ Cal. Const. art XIII C § 1(e)(2)

⁵ Government Code § 53758(b)

⁶ Government Code § 53758(b)

to benefit the assessed businesses, and shall not be spent on that portion of any program which directly generates incidental room nights for non-assessed businesses.

D. Assessment

The annual assessment rate is two and one-half of one percent (2.5%) of gross short term room rental revenue. Based on the benefit received, assessments will not be collected on: stays of more than thirty (30) consecutive days; stays by any federal or state officer or employee when on official business; stays by any officer or employee of a foreign government who is exempt by reason of express provision of federal law or international treaty; and stays at a campsite in a unit of the state park system or any facility operated by a local government entity. During the ten (10) year term, the assessment rate may be increased annually by the LCTID Owners’ Association upon approval from the Board of Supervisors by a maximum of one-half of one percent (0.5%) of gross room rental revenue per year. The total assessment rate may not exceed five percent (5%). The assessment rate may also be decreased, but shall not drop below the initial assessment rate of two and one-half of one percent (2.5%). Any proposed assessment rate increase approved by LCTID’s Board shall be included in the annual report and shall not be effective until approved by the Board of Supervisors.

The term “gross room rental revenue” as used herein means the consideration charged, whether or not received, for the occupancy of space in a lodging business valued in money, whether to be received in money, goods, labor or otherwise, including all receipts, cash, credits and property and services of any kind or nature, without any deduction therefrom whatsoever. Gross room rental revenue shall not include any federal, state or local taxes collected, including but not limited to transient occupancy taxes.

The assessment is levied upon and a direct obligation of the assessed lodging business. However, the assessed lodging business may, at its discretion, pass the assessment on to transients. The amount of assessment, if passed on to each transient, shall be disclosed in advance and separately stated from the amount of rent charged and any other applicable taxes, and each transient shall receive a receipt for payment from the business. If the LCTID assessment is identified separately it shall be disclosed as the “LCTID Assessment.” As an alternative, the disclosure may include the amount of the LCTID assessment and the amount of the assessment imposed pursuant to the California Tourism Marketing Act, Government Code §13995 et seq. and shall be disclosed as the “Tourism Assessment.” The assessment is imposed solely upon, and is the sole obligation of the assessed lodging business even if it is passed on to transients. The assessment shall not be considered revenue for any purpose, including calculation of transient occupancy taxes.

Bonds shall not be issued.

E. Penalties and Interest

The LCTID shall reimburse the County of Lake for any costs associated with collecting unpaid assessments. If sums in excess of the delinquent LCTID assessment are sought to be recovered in the same collection action by the County, the LCTID shall bear its pro rata share of such collection costs. Assessed businesses which are delinquent in paying the assessment shall be responsible for paying:

1. *Original Delinquency:* Any lodging business that fails to remit any assessment imposed within the time required shall pay a penalty of ten percent (10%) of the amount of the assessment in addition to the amount of the assessment.
2. *Continued Delinquency:* Any lodging business that fails to remit any delinquent remittance on or before a period of thirty (30) days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of ten percent (10%) of the amount of the assessment in addition to the amount of the assessment and the ten percent (10%) penalty first imposed.
3. *Fraud:* If the County or cities determine that the non-payment of any remittance due is due from fraud, a penalty of twenty-five percent (25%) of the amount of the assessment shall be added thereto in addition to the penalties stated in subparagraphs 1 and 2 of this subsection (E).
4. *Interest:* In addition to the penalties imposed, any lodging business that fails to remit any assessment imposed shall pay interest at the rate of one-half of one percent (0.5%) per month or fraction thereof on the amount of the assessment, exclusive of penalties, from the date on which the remittance first became delinquent until paid.
5. *Penalties Merged with Assessment:* Every penalty imposed and such interest as accrues under the provisions of this subsection (E) shall become part of the assessment herein required to be paid.

F. Time and Manner for Collecting Assessments

The LCTID assessment will be implemented beginning January 1, 2024 and will continue for ten (10) years through December 31, 2033. The County will be responsible for collecting the assessment on a monthly or quarterly basis (including any delinquencies, penalties and interest) from each lodging business located in their respective jurisdictions. The County and cities shall take all reasonable efforts to collect the assessments from each lodging business. The County and cities shall forward the assessments collected to the Owners’ Association.

VI. GOVERNANCE

A. Owners' Association

The Board of Supervisors, through adoption of this Management District Plan, has the right, pursuant to Streets and Highways Code §36651, to identify the body that shall implement the proposed program, which shall be the Owners' Association of the LCTID as defined in Streets and Highways Code §36612. The Board of Supervisors has determined that Visit Lake County California will continue to serve as the Owners' Association for the LCTID.

B. Brown Act and California Public Records Act Compliance

An Owners' Association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. The Owners' Association is, however, subject to government regulations relating to transparency, namely the Ralph M. Brown Act and the California Public Records Act. These regulations are designed to promote public accountability. The Owners' Association acts as a legislative body under the Ralph M. Brown Act (Government Code §54950 et seq.). Thus, meetings of the VLCC board and certain committees must be held in compliance with the public notice and other requirements of the Brown Act. The Owners' Association is also subject to the record keeping and disclosure requirements of the California Public Records Act. Accordingly, the Owners' Association shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

C. Annual Report

VLCC shall present an annual report at the end of each year of operation to the Board of Supervisors pursuant to Streets and Highways Code §36650 (see Appendix 1). The annual report shall include:

- Any proposed changes in the boundaries of the improvement district or in any benefit zones or classification of businesses within the district.
- The improvements and activities to be provided for that fiscal year.
- An estimate of the cost of providing the improvements and the activities for that fiscal year.
- The method and basis of levying the assessment in sufficient detail to allow each business owner to estimate the amount of the assessment to be levied against his or her business for that fiscal year.
- The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

APPENDIX 1 – LAW

*** THIS DOCUMENT IS CURRENT THROUGH THE 2022 SUPPLEMENT ***
(ALL 2021 LEGISLATION)

**STREETS AND HIGHWAYS CODE
DIVISION 18. PARKING
PART 7. PROPERTY AND BUSINESS IMPROVEMENT DISTRICT LAW OF 1994**

CHAPTER 1. General Provisions

ARTICLE 1. Declarations

36600. Citation of part

This part shall be known and may be cited as the “Property and Business Improvement District Law of 1994.”

36601. Legislative findings and declarations; Legislative guidance

The Legislature finds and declares all of the following:

- (a) Businesses located and operating within business districts in some of this state’s communities are economically disadvantaged, are underutilized, and are unable to attract customers due to inadequate facilities, services, and activities in the business districts.
- (b) It is in the public interest to promote the economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses, and prevent the erosion of the business districts.
- (c) It is of particular local benefit to allow business districts to fund business related improvements, maintenance, and activities through the levy of assessments upon the businesses or real property that receive benefits from those improvements.
- (d) Assessments levied for the purpose of conferring special benefit upon the real property or a specific benefit upon the businesses in a business district are not taxes for the general benefit of a city, even if property, businesses, or persons not assessed receive incidental or collateral effects that benefit them.
- (e) Property and business improvement districts formed throughout this state have conferred special benefits upon properties and businesses within their districts and have made those properties and businesses more useful by providing the following benefits:
 - (1) Crime reduction. A study by the Rand Corporation has confirmed a 12-percent reduction in the incidence of robbery and an 8-percent reduction in the total incidence of violent crimes within the 30 districts studied.
 - (2) Job creation.
 - (3) Business attraction.
 - (4) Business retention.
 - (5) Economic growth.
 - (6) New investments.
- (f) With the dissolution of redevelopment agencies throughout the state, property and business improvement districts have become even more important tools with which communities can combat blight, promote economic opportunities, and create a clean and safe environment.

(g) Since the enactment of this act, the people of California have adopted Proposition 218, which added Article XIII D to the Constitution in order to place certain requirements and restrictions on the formation of, and activities, expenditures, and assessments by property-based districts. Article XIII D of the Constitution provides that property-based districts may only levy assessments for special benefits.

(h) The act amending this section is intended to provide the Legislature’s guidance with regard to this act, its interaction with the provisions of Article XIII D of the Constitution, and the determination of special benefits in property-based districts.

(1) The lack of legislative guidance has resulted in uncertainty and inconsistent application of this act, which discourages the use of assessments to fund needed improvements, maintenance, and activities in property-based districts, contributing to blight and other underutilization of property.

(2) Activities undertaken for the purpose of conferring special benefits upon property to be assessed inherently produce incidental or collateral effects that benefit property or persons not assessed. Therefore, for special benefits to exist as a separate and distinct category from general benefits, the incidental or collateral effects of those special benefits are inherently part of those special benefits. The mere fact that special benefits produce incidental or collateral effects that benefit property or persons not assessed does not convert any portion of those special benefits or their incidental or collateral effects into general benefits.

(3) It is of the utmost importance that property-based districts created under this act have clarity regarding restrictions on assessments they may levy and the proper determination of special benefits. Legislative clarity with regard to this act will provide districts with clear instructions and courts with legislative intent regarding restrictions on property-based assessments, and the manner in which special benefits should be determined.

36602. Purpose of part

The purpose of this part is to supplement previously enacted provisions of law that authorize cities to levy assessments within property and business improvement districts, to ensure that those assessments conform to all constitutional requirements and are determined and assessed in accordance with the guidance set forth in this act. This part does not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes.

36603. Preemption of authority or charter city to adopt ordinances levying assessments

Nothing in this part is intended to preempt the authority of a charter city to adopt ordinances providing for a different method of levying assessments for similar or additional purposes from those set forth in this part. A property and business improvement district created pursuant to this part is expressly exempt from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 (Division 4 (commencing with Section 2800)).

36603.5. Part prevails over conflicting provisions

Any provision of this part that conflicts with any other provision of law shall prevail over the other provision of law, as to districts created under this part.

36604. Severability

This part is intended to be construed liberally and, if any provision is held invalid, the remaining provisions shall remain in full force and effect. Assessments levied under this part are not special taxes.

ARTICLE 2. Definitions

36606. “Activities”

“Activities” means, but is not limited to, all of the following that benefit businesses or real property in the district:

- (a) Promotion of public events.
- (b) Furnishing of music in any public place.
- (c) Promotion of tourism within the district.
- (d) Marketing and economic development, including retail retention and recruitment.
- (e) Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality.
- (f) Other services provided for the purpose of conferring special benefit upon assessed real property or specific benefits upon assessed businesses located in the district.

36606.5. “Assessment”

“Assessment” means a levy for the purpose of acquiring, constructing, installing, or maintaining improvements and providing activities that will provide certain benefits to properties or businesses located within a property and business improvement district.

36607. “Business”

“Business” means all types of businesses and includes financial institutions and professions.

36608. “City”

“City” means a city, county, city and county, or an agency or entity created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, the public member agencies of which includes only cities, counties, or a city and county, or the State of California.

36609. “City council”

“City council” means the city council of a city or the board of supervisors of a county, or the agency, commission, or board created pursuant to a joint powers agreement and which is a city within the meaning of this part.

36609.4. “Clerk”

“Clerk” means the clerk of the legislative body.

36609.5. “General benefit”

“General benefit” means, for purposes of a property-based district, any benefit that is not a “special benefit” as defined in Section 36615.5.

36610. “Improvement”

“Improvement” means the acquisition, construction, installation, or maintenance of any tangible property with an estimated useful life of five years or more including, but not limited to, the following:

- (a) Parking facilities.
- (b) Benches, booths, kiosks, display cases, pedestrian shelters and signs.
- (c) Trash receptacles and public restrooms.
- (d) Lighting and heating facilities.
- (e) Decorations.
- (f) Parks.
- (g) Fountains.
- (h) Planting areas.
- (i) Closing, opening, widening, or narrowing of existing streets.
- (j) Facilities or equipment, or both, to enhance security of persons and property within the district.
- (k) Ramps, sidewalks, plazas, and pedestrian malls.
- (l) Rehabilitation or removal of existing structures.

36611. “Management district plan”; “Plan”

“Management district plan” or “plan” means a proposal as defined in Section 36622.

36612. “Owners’ association”

“Owners’ association” means a private nonprofit entity that is under contract with a city to administer or implement improvements, maintenance, and activities specified in the management district plan. An owners’ association may be an existing nonprofit entity or a newly formed nonprofit entity. An owners’ association is a private entity and may not be considered a public entity for any purpose, nor may its board members or staff be considered to be public officials for any purpose. Notwithstanding this section, an owners’ association shall comply with the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code), at all times when matters within the subject matter of the district are heard, discussed, or deliberated, and with the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), for all records relating to activities of the district.

36614. “Property”

“Property” means real property situated within a district.

36614.5. “Property and business improvement district”; “District”

“Property and business improvement district,” or “district,” means a property and business improvement district established pursuant to this part.

36614.6. “Property-based assessment”

“Property-based assessment” means any assessment made pursuant to this part upon real property.

36614.7. “Property-based district”

“Property-based district” means any district in which a city levies a property-based assessment.

36615. “Property owner”; “Business owner”; “Owner”

“Property owner” means any person shown as the owner of land on the last equalized assessment roll or otherwise known to be the owner of land by the city council. “Business owner” means any person recognized by the city as the owner of the business. “Owner” means either a business owner or a property owner. The city council has no obligation to obtain other information as to the ownership of land or businesses, and its determination of ownership shall be final and conclusive for the purposes of this part. Wherever this part requires the signature of the property owner, the signature of the authorized agent of the property owner shall be sufficient. Wherever this part requires the signature of the business owner, the signature of the authorized agent of the business owner shall be sufficient.

36615.5. “Special benefit”

“Special benefit” means, for purposes of a property-based district, a particular and distinct benefit over and above general benefits conferred on real property located in a district or to the public at large. Special benefit includes incidental or collateral effects that arise from the improvements, maintenance, or activities of property-based districts even if those incidental or collateral effects benefit property or persons not assessed. Special benefit excludes general enhancement of property value.

36616. “Tenant”

“Tenant” means an occupant pursuant to a lease of commercial space or a dwelling unit, other than an owner.

ARTICLE 3. Prior Law

36617. Alternate method of financing certain improvements and activities; Effect on other provisions

This part provides an alternative method of financing certain improvements and activities. The provisions of this part shall not affect or limit any other provisions of law authorizing or providing for the furnishing of improvements or activities or the raising of revenue for these purposes. Every improvement area established pursuant to the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500) of this division) is valid and effective and is unaffected by this part.

CHAPTER 2. Establishment

36620. Establishment of property and business improvement district

A property and business improvement district may be established as provided in this chapter.

36620.5. Requirement of consent of city council

A county may not form a district within the territorial jurisdiction of a city without the consent of the city council of that city. A city may not form a district within the unincorporated territory of a county without the consent of the board of supervisors of that county. A city may not form a district within the territorial jurisdiction of another city without the consent of the city council of the other city.

36621. Initiation of proceedings; Petition of property or business owners in proposed district

- (a) Upon the submission of a written petition, signed by the property or business owners in the proposed district who will pay more than 50 percent of the assessments proposed to be levied, the city council may initiate proceedings to form a district by the adoption of a resolution expressing its intention to form a district. The amount of assessment attributable to property or a business owned by the same property or business owner that is in excess of 40 percent of the amount of all assessments proposed to be levied, shall not be included in determining whether the petition is signed by property or business owners who will pay more than 50 percent of the total amount of assessments proposed to be levied.
- (b) The petition of property or business owners required under subdivision (a) shall include a summary of the management district plan. That summary shall include all of the following:
 - (1) A map showing the boundaries of the district.
 - (2) Information specifying where the complete management district plan can be obtained.
 - (3) Information specifying that the complete management district plan shall be furnished upon request.
- (c) The resolution of intention described in subdivision (a) shall contain all of the following:
 - (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property or businesses within the district, a statement as to whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements do not need to be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities, and the location and extent of the proposed district.
 - (2) A time and place for a public hearing on the establishment of the property and business improvement district and the levy of assessments, which shall be consistent with the requirements of Section 36623.

36622. Contents of management district plan

The management district plan shall include, but is not limited to, all of the following:

- (a) If the assessment will be levied on property, a map of the district in sufficient detail to locate each parcel of property and, if businesses are to be assessed, each business within the district. If the assessment will be levied on businesses, a map that identifies the district boundaries in sufficient detail to allow a business owner to reasonably determine whether a business is located within the district boundaries. If the assessment will be levied on property and businesses, a map of the district in sufficient detail to locate each parcel of property and to allow a business owner to reasonably determine whether a business is located within the district boundaries.
- (b) The name of the proposed district.
- (c) A description of the boundaries of the district, including the boundaries of benefit zones, proposed for establishment or extension in a manner sufficient to identify the affected property and businesses included, which may be made by reference to any plan or map that is on file with the clerk. The boundaries of a proposed property assessment district shall not overlap with the boundaries of another existing property assessment district created pursuant to this part. This part does not prohibit the boundaries of a district created pursuant to this part to overlap with other assessment districts established pursuant to other provisions of law, including, but not limited to, the Parking and Business Improvement Area Law of 1989 (Part 6 (commencing with Section 36500)). This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with another business assessment district created pursuant to this part. This part does not prohibit the boundaries of a business assessment district created pursuant to this part to overlap with a property assessment district created pursuant to this part.
- (d) The improvements, maintenance, and activities proposed for each year of operation of the district and the maximum cost thereof. If the improvements, maintenance, and activities proposed for each year of operation are the same, a description of the first year’s proposed improvements, maintenance, and activities and a

statement that the same improvements, maintenance, and activities are proposed for subsequent years shall satisfy the requirements of this subdivision.

(e) The total annual amount proposed to be expended for improvements, maintenance, or activities, and debt service in each year of operation of the district. If the assessment is levied on businesses, this amount may be estimated based upon the assessment rate. If the total annual amount proposed to be expended in each year of operation of the district is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years shall satisfy the requirements of this subdivision.

(f) The proposed source or sources of financing, including the proposed method and basis of levying the assessment in sufficient detail to allow each property or business owner to calculate the amount of the assessment to be levied against his or her property or business. The plan also shall state whether bonds will be issued to finance improvements.

(g) The time and manner of collecting the assessments.

(h) The specific number of years in which assessments will be levied. In a new district, the maximum number of years shall be five. Upon renewal, a district shall have a term not to exceed 10 years. Notwithstanding these limitations, a district created pursuant to this part to finance capital improvements with bonds may levy assessments until the maximum maturity of the bonds. The management district plan may set forth specific increases in assessments for each year of operation of the district.

(i) The proposed time for implementation and completion of the management district plan.

(j) Any proposed rules and regulations to be applicable to the district.

(k)

(1) A list of the properties or businesses to be assessed, including the assessor’s parcel numbers for properties to be assessed, and a statement of the method or methods by which the expenses of a district will be imposed upon benefited real property or businesses, in proportion to the benefit received by the property or business, to defray the cost thereof.

(2) In a property-based district, the proportionate special benefit derived by each identified parcel shall be determined exclusively in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the activities. An assessment shall not be imposed on any parcel that exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and a property-based district shall separate the general benefits, if any, from the special benefits conferred on a parcel. Parcels within a property-based district that are owned or used by any city, public agency, the State of California, or the United States shall not be exempt from assessment unless the governmental entity can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit. The value of any incidental, secondary, or collateral effects that arise from the improvements, maintenance, or activities of a property-based district and that benefit property or persons not assessed shall not be deducted from the entirety of the cost of any special benefit or affect the proportionate special benefit derived by each identified parcel.

(l) In a property-based district, the total amount of all special benefits to be conferred upon the properties located within the property-based district.

(m) In a property-based district, the total amount of general benefits, if any.

(n) In a property-based district, a detailed engineer’s report prepared by a registered professional engineer certified by the State of California supporting all assessments contemplated by the management district plan.

(o) Any other item or matter required to be incorporated therein by the city council.

36623. Procedure to levy assessment

(a) If a city council proposes to levy a new or increased property assessment, the notice and protest and hearing procedure shall comply with Section 53753 of the Government Code.

(b) If a city council proposes to levy a new or increased business assessment, the notice and protest and hearing procedure shall comply with Section 54954.6 of the Government Code, except that notice shall be

mailed to the owners of the businesses proposed to be assessed. A protest may be made orally or in writing by any interested person. Every written protest shall be filed with the clerk at or before the time fixed for the public hearing. The city council may waive any irregularity in the form or content of any written protest. A written protest may be withdrawn in writing at any time before the conclusion of the public hearing. Each written protest shall contain a description of the business in which the person subscribing the protest is interested sufficient to identify the business and, if a person subscribing is not shown on the official records of the city as the owner of the business, the protest shall contain or be accompanied by written evidence that the person subscribing is the owner of the business or the authorized representative. A written protest that does not comply with this section shall not be counted in determining a majority protest. If written protests are received from the owners or authorized representatives of businesses in the proposed district that will pay 50 percent or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50 percent, no further proceedings to levy the proposed assessment against such businesses, as contained in the resolution of intention, shall be taken for a period of one year from the date of the finding of a majority protest by the city council.

(c) If a city council proposes to conduct a single proceeding to levy both a new or increased property assessment and a new or increased business assessment, the notice and protest and hearing procedure for the property assessment shall comply with subdivision (a), and the notice and protest and hearing procedure for the business assessment shall comply with subdivision (b). If a majority protest is received from either the property or business owners, that respective portion of the assessment shall not be levied. The remaining portion of the assessment may be levied unless the improvement or other special benefit was proposed to be funded by assessing both property and business owners.

36624. Changes to proposed assessments

At the conclusion of the public hearing to establish the district, the city council may adopt, revise, change, reduce, or modify the proposed assessment or the type or types of improvements, maintenance, and activities to be funded with the revenues from the assessments. Proposed assessments may only be revised by reducing any or all of them. At the public hearing, the city council may only make changes in, to, or from the boundaries of the proposed property and business improvement district that will exclude territory that will not benefit from the proposed improvements, maintenance, and activities. Any modifications, revisions, reductions, or changes to the proposed assessment district shall be reflected in the notice and map recorded pursuant to Section 36627.

36625. Resolution of formation

(a) If the city council, following the public hearing, decides to establish a proposed property and business improvement district, the city council shall adopt a resolution of formation that shall include, but is not limited to, all of the following:

- (1) A brief description of the proposed improvements, maintenance, and activities, the amount of the proposed assessment, a statement as to whether the assessment will be levied on property, businesses, or both within the district, a statement on whether bonds will be issued, and a description of the exterior boundaries of the proposed district, which may be made by reference to any plan or map that is on file with the clerk. The descriptions and statements need not be detailed and shall be sufficient if they enable an owner to generally identify the nature and extent of the improvements, maintenance, and activities and the location and extent of the proposed district.
- (2) The number, date of adoption, and title of the resolution of intention.
- (3) The time and place where the public hearing was held concerning the establishment of the district.
- (4) A determination regarding any protests received. The city shall not establish the district or levy assessments if a majority protest was received.
- (5) A statement that the properties, businesses, or properties and businesses in the district established by the resolution shall be subject to any amendments to this part.

(6) A statement that the improvements, maintenance, and activities to be conferred on businesses and properties in the district will be funded by the levy of the assessments. The revenue from the levy of assessments within a district shall not be used to provide improvements, maintenance, or activities outside the district or for any purpose other than the purposes specified in the resolution of intention, as modified by the city council at the hearing concerning establishment of the district. Notwithstanding the foregoing, improvements and activities that must be provided outside the district boundaries to create a special or specific benefit to the assessed parcels or businesses may be provided, but shall be limited to marketing or signage pointing to the district.

(7) A finding that the property or businesses within the area of the property and business improvement district will be benefited by the improvements, maintenance, and activities funded by the proposed assessments, and, for a property-based district, that property within the district will receive a special benefit.

(8) In a property-based district, the total amount of all special benefits to be conferred on the properties within the property-based district.

(b) The adoption of the resolution of formation and, if required, recordation of the notice and map pursuant to Section 36627 shall constitute the levy of an assessment in each of the fiscal years referred to in the management district plan.

36627. Notice and assessment diagram

Following adoption of the resolution establishing district assessments on properties pursuant to Section 36625, the clerk shall record a notice and an assessment diagram pursuant to Section 3114. No other provision of Division 4.5 (commencing with Section 3100) applies to an assessment district created pursuant to this part.

36628. Establishment of separate benefit zones within district; Categories of businesses

The city council may establish one or more separate benefit zones within the district based upon the degree of benefit derived from the improvements or activities to be provided within the benefit zone and may impose a different assessment within each benefit zone. If the assessment is to be levied on businesses, the city council may also define categories of businesses based upon the degree of benefit that each will derive from the improvements or activities to be provided within the district and may impose a different assessment or rate of assessment on each category of business, or on each category of business within each zone.

36628.5. Assessments on businesses or property owners

The city council may levy assessments on businesses or on property owners, or a combination of the two, pursuant to this part. The city council shall structure the assessments in whatever manner it determines corresponds with the distribution of benefits from the proposed improvements, maintenance, and activities, provided that any property-based assessment conforms with the requirements set forth in paragraph (2) of subdivision (k) of Section 36622.

36629. Provisions and procedures applicable to benefit zones and business categories

All provisions of this part applicable to the establishment, modification, or disestablishment of a property and business improvement district apply to the establishment, modification, or disestablishment of benefit zones or categories of business. The city council shall, to establish, modify, or disestablish a benefit zone or category of business, follow the procedure to establish, modify, or disestablish a property and business improvement district.

36630. Expiration of district; Creation of new district

If a property and business improvement district expires due to the time limit set pursuant to subdivision (h) of Section 36622, a new management district plan may be created and the district may be renewed pursuant to this part.

CHAPTER 3. Assessments

36631. Time and manner of collection of assessments; Delinquent payments

The collection of the assessments levied pursuant to this part shall be made at the time and in the manner set forth by the city council in the resolution levying the assessment. Assessments levied on real property may be collected at the same time and in the same manner as for the ad valorem property tax, and may provide for the same lien priority and penalties for delinquent payment. All delinquent payments for assessments levied pursuant to this part may be charged interest and penalties.

36632. Assessments to be based on estimated benefit; Classification of real property and businesses; Exclusion of residential and agricultural property

- (a) The assessments levied on real property pursuant to this part shall be levied on the basis of the estimated benefit to the real property within the property and business improvement district. The city council may classify properties for purposes of determining the benefit to property of the improvements and activities provided pursuant to this part.
- (b) Assessments levied on businesses pursuant to this part shall be levied on the basis of the estimated benefit to the businesses within the property and business improvement district. The city council may classify businesses for purposes of determining the benefit to the businesses of the improvements and activities provided pursuant to this part.
- (c) Properties zoned solely for residential use, or that are zoned for agricultural use, are conclusively presumed not to benefit from the improvements and service funded through these assessments, and shall not be subject to any assessment pursuant to this part.

36633. Time for contesting validity of assessment

The validity of an assessment levied under this part shall not be contested in an action or proceeding unless the action or proceeding is commenced within 30 days after the resolution levying the assessment is adopted pursuant to Section 36625. An appeal from a final judgment in an action or proceeding shall be perfected within 30 days after the entry of judgment.

36634. Service contracts authorized to establish levels of city services

The city council may execute baseline service contracts that would establish levels of city services that would continue after a property and business improvement district has been formed.

36635. Request to modify management district plan

The owners' association may, at any time, request that the city council modify the management district plan. Any modification of the management district plan shall be made pursuant to this chapter.

36636. Modification of plan by resolution after public hearing; Adoption of resolution of intention

(a) Upon the written request of the owners’ association, the city council may modify the management district plan after conducting one public hearing on the proposed modifications. The city council may modify the improvements and activities to be funded with the revenue derived from the levy of the assessments by adopting a resolution determining to make the modifications after holding a public hearing on the proposed modifications. If the modification includes the levy of a new or increased assessment, the city council shall comply with Section 36623. Notice of all other public hearings pursuant to this section shall comply with both of the following:

- (1) The resolution of intention shall be published in a newspaper of general circulation in the city once at least seven days before the public hearing.
- (2) A complete copy of the resolution of intention shall be mailed by first class mail, at least 10 days before the public hearing, to each business owner or property owner affected by the proposed modification.

(b) The city council shall adopt a resolution of intention which states the proposed modification prior to the public hearing required by this section. The public hearing shall be held not more than 90 days after the adoption of the resolution of intention.

36637. Reflection of modification in notices recorded and maps

Any subsequent modification of the resolution shall be reflected in subsequent notices and maps recorded pursuant to Division 4.5 (commencing with Section 3100), in a manner consistent with the provisions of Section 36627.

CHAPTER 3.5. Financing

36640. Bonds authorized; Procedure; Restriction on reduction or termination of assessments

(a)The city council may, by resolution, determine and declare that bonds shall be issued to finance the estimated cost of some or all of the proposed improvements described in the resolution of formation adopted pursuant to Section 36625, if the resolution of formation adopted pursuant to that section provides for the issuance of bonds, under the Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500)) or in conjunction with Marks-Roos Local Bond Pooling Act of 1985 (Article 4 (commencing with Section 6584) of Chapter 5 of Division 7 of Title 1 of the Government Code). Either act, as the case may be, shall govern the proceedings relating to the issuance of bonds, although proceedings under the Bond Act of 1915 may be modified by the city council as necessary to accommodate assessments levied upon business pursuant to this part.

(b) The resolution adopted pursuant to subdivision (a) shall generally describe the proposed improvements specified in the resolution of formation adopted pursuant to Section 36625, set forth the estimated cost of those improvements, specify the number of annual installments and the fiscal years during which they are to be collected. The amount of debt service to retire the bonds shall not exceed the amount of revenue estimated to be raised from assessments over 30 years.

(c) Notwithstanding any other provision of this part, assessments levied to pay the principal and interest on any bond issued pursuant to this section shall not be reduced or terminated if doing so would interfere with the timely retirement of the debt.

CHAPTER 4. Governance

36650. Report by owners’ association; Approval or modification by city council

(a) The owners’ association shall cause to be prepared a report for each fiscal year, except the first year, for which assessments are to be levied and collected to pay the costs of the improvements, maintenance, and

activities described in the report. The owners’ association’s first report shall be due after the first year of operation of the district. The report may propose changes, including, but not limited to, the boundaries of the property and business improvement district or any benefit zones within the district, the basis and method of levying the assessments, and any changes in the classification of property, including any categories of business, if a classification is used.

(b) The report shall be filed with the clerk and shall refer to the property and business improvement district by name, specify the fiscal year to which the report applies, and, with respect to that fiscal year, shall contain all of the following information:

- (1) Any proposed changes in the boundaries of the property and business improvement district or in any benefit zones or classification of property or businesses within the district.
- (2) The improvements, maintenance, and activities to be provided for that fiscal year.
- (3) An estimate of the cost of providing the improvements, maintenance, and activities for that fiscal year.
- (4) The method and basis of levying the assessment in sufficient detail to allow each real property or business owner, as appropriate, to estimate the amount of the assessment to be levied against his or her property or business for that fiscal year.
- (5) The estimated amount of any surplus or deficit revenues to be carried over from a previous fiscal year.
- (6) The estimated amount of any contributions to be made from sources other than assessments levied pursuant to this part.

(c) The city council may approve the report as filed by the owners’ association or may modify any particular contained in the report and approve it as modified. Any modification shall be made pursuant to Sections 36635 and 36636.

The city council shall not approve a change in the basis and method of levying assessments that would impair an authorized or executed contract to be paid from the revenues derived from the levy of assessments, including any commitment to pay principal and interest on any bonds issued on behalf of the district.

36651. Designation of owners’ association to provide improvements, maintenance, and activities

The management district plan may, but is not required to, state that an owners’ association will provide the improvements, maintenance, and activities described in the management district plan. If the management district plan designates an owners’ association, the city shall contract with the designated nonprofit corporation to provide services.

CHAPTER 5. Renewal

36660. Renewal of district; Transfer or refund of remaining revenues; District term limit

(a) Any district previously established whose term has expired, or will expire, may be renewed by following the procedures for establishment as provided in this chapter.

(b) Upon renewal, any remaining revenues derived from the levy of assessments, or any revenues derived from the sale of assets acquired with the revenues, shall be transferred to the renewed district. If the renewed district includes additional parcels or businesses not included in the prior district, the remaining revenues shall be spent to benefit only the parcels or businesses in the prior district. If the renewed district does not include parcels or businesses included in the prior district, the remaining revenues attributable to these parcels shall be refunded to the owners of these parcels or businesses.

(c) Upon renewal, a district shall have a term not to exceed 10 years, or, if the district is authorized to issue bonds, until the maximum maturity of those bonds. There is no requirement that the boundaries, assessments, improvements, or activities of a renewed district be the same as the original or prior district.

CHAPTER 6. Disestablishment

36670. Circumstances permitting disestablishment of district; Procedure

- (a) Any district established or extended pursuant to the provisions of this part, where there is no indebtedness, outstanding and unpaid, incurred to accomplish any of the purposes of the district, may be disestablished by resolution by the city council in either of the following circumstances:
 - (1) If the city council finds there has been misappropriation of funds, malfeasance, or a violation of law in connection with the management of the district, it shall notice a hearing on disestablishment.
 - (2) During the operation of the district, there shall be a 30-day period each year in which assesseses may request disestablishment of the district. The first such period shall begin one year after the date of establishment of the district and shall continue for 30 days. The next such 30-day period shall begin two years after the date of the establishment of the district. Each successive year of operation of the district shall have such a 30-day period. Upon the written petition of the owners or authorized representatives of real property or the owners or authorized representatives of businesses in the district who pay 50 percent or more of the assessments levied, the city council shall pass a resolution of intention to disestablish the district. The city council shall notice a hearing on disestablishment.
- (b) The city council shall adopt a resolution of intention to disestablish the district prior to the public hearing required by this section. The resolution shall state the reason for the disestablishment, shall state the time and place of the public hearing, and shall contain a proposal to dispose of any assets acquired with the revenues of the assessments levied within the property and business improvement district. The notice of the hearing on disestablishment required by this section shall be given by mail to the property owner of each parcel or to the owner of each business subject to assessment in the district, as appropriate. The city shall conduct the public hearing not less than 30 days after mailing the notice to the property or business owners. The public hearing shall be held not more than 60 days after the adoption of the resolution of intention.

36671. Refund of remaining revenues upon disestablishment or expiration without renewal of district; Calculation of refund; Use of outstanding revenue collected after disestablishment of district

- (a) Upon the disestablishment or expiration without renewal of a district, any remaining revenues, after all outstanding debts are paid, derived from the levy of assessments, or derived from the sale of assets acquired with the revenues, or from bond reserve or construction funds, shall be refunded to the owners of the property or businesses then located and operating within the district in which assessments were levied by applying the same method and basis that was used to calculate the assessments levied in the fiscal year in which the district is disestablished or expires. All outstanding assessment revenue collected after disestablishment shall be spent on improvements and activities specified in the management district plan.
- (b) If the disestablishment occurs before an assessment is levied for the fiscal year, the method and basis that was used to calculate the assessments levied in the immediate prior fiscal year shall be used to calculate the amount of any refund.

APPENDIX 2 – ASSESSED BUSINESSES

Name	Site Address	Region
13423 LAKESHORE DR	13423 LAKESHORE DR	Clearlake
13689 ARROWHEAD RD	13689 ARROWHEAD RD	Clearlake
14150 LAKESHORE DR	14150 LAKESHORE DR	Clearlake
3848 MARIPOSA DR	3848 MARIPOSA DR	Clearlake
4045 MESA DR	4045 MESA DR	Clearlake
4775 OLD HIGHWAY 53	4775 OLD HIGHWAY 53	Clearlake
AK TEA LAKEHOUSE RENTAL	13419 LAKESHORE DR	Clearlake
AMELIA SMITHSON, FIG & OAK GUESTHOUSE	5405 E STATE HWY 20	Lake County
AMERICA'S BEST VALUE INN	13865 LAKESHORE DR	Clearlake
AMY THORN, THORN HILL VINEYARDS	8170 S STATE HWY 29	Lake County
ANGELICA RAIN, VENUS VILLAGE	13274 VENUS VILLAGE	Lake County
ANIL KALAN, LAKEVIEW INN	5960 E STATE HWY 20	Lake County
ANTHONY FARRINGTON	1658 INDIAN GARDEN DR	Lake County
ARLEN MCCUTCHEON, MCCUTCHEON LAKE RENTAL	2829 BUCKINGHAM DR	Lake County
BALDWIN JOE ANN , BALDWIN'S RETREAT	10573 E STATE HWY 20	Lake County
BALDWIN JOE ANN , BALDWIN'S RETREAT	10830 E STATE HWY 20	Lake County
Barbara Morris	55 4th St	Lakeport
BENJAMIN SANTOS MICHAEL ELGARICO	9670 TENAYA WY	Lake County
BEST WESTERN EL GRANDE INN	15135 LAKESHORE DR	Clearlake
BRENDA PIER, BRADLEY ESTATE AND EVENT CENTER	12835 SULPHUR BANK MINE RD	Lake County
BRIAN FISHER, SUITE ON MAIN	3965 MAIN ST	Lake County
BRUCE & AUDRY/ANDREA LAST/STALLER, BRUCE & AUDRY LAST/ANDREA STALLER	13340 EBBTIDE VILLAGE	Lake County
CARL E OLSON	10920 LAKESHORE DR	Lake County
CARL E OLSON	12840 ISLAND DR	Lake County
CARL E OLSON	9945 E STATE HWY 20	Lake County
CARL E OLSON	6190 SODA BAY RD	Lake County
Carriage House	80 Clearlake Avenue	Lakeport
CASA DE COZUMEL	13421 LAKESHORE DR	Clearlake
CASTILLEJO LLC, KONOCTI SHORES	8920 SODA BAY RD	Lake County
CATHRYN & DAN SILVA	3604 GREENWOOD DR	Lake County
CHARANJIT KUMAR, JKUMAR INC	7990 S STATE HWY 29	Lake County
CHAS NOL, SARATOGA SPRINGS RETREAT CENTER	10243 SARATOGA SPRINGS RD	Lake County

CHESTER CO, THE LODGE AT BLUE LAKES	5135 W STATE HWY 20	Lake County
CHRISTIE WHITE	4050 LOASA RD	Lake County
CHUCK STURGES	3385 WHITE OAK WY	Lake County
CLEAR LAKE COTTAGES & MARINA	13885 LAKESHORE DR	Clearlake
CLEARLAKE CAMPGROUND	7805 CACHE CREEK WAY	Clearlake
CLEARLAKE RESORT	6035 OLD HIGHWAY 53	Clearlake
DALE DE BRUIN	6249 E STATE HWY 20	Lake County
DALE DE BRUIN	3267 LAKESHORE BLVD	Lake County
DANIEL RUSH, LAKESHORE PARADISE	2724 LAKESHORE BLVD	Lake County
DAVE & KITTY BOHLEN, COTTAGE IN THE HILLS	7257 MARIN ST	Lake County
DAVID & CHERYL LUCIDO, LAUJOR VINEYARD LOFT	8664 SEIGLER SPRINGS NORTH RD	Lake County
DAVID & JANICE ICKERT	2966 LAKESHORE BLVD	Lake County
DAVID CLAFFEY	14117 LAKESHORE DR	Clearlake
DAVID J SENA	257 HENDERSON DR	Lake County
DAVID J SENA	11340 NORTH DR	Lake County
DAVID WALLERICH	16380 PONDEROSA DR	Lake County
DENNIS KRENTZ, CLEARLAKE KEYS HOUSE	13430 EBBTIDE VILLAGE	Lake County
DENNIS R ALUMBAUGH	22823 S STATE HWY 29	Lake County
Dino Mosley's White Buffalo Inn	1940 Lakeshore Blvd	Lakeport
DURAND DUIN, JOHN BIRON	11865 CANDY LN	Lake County
ELISABETH CANGEMI, GLENHAVEN HOUSE	9425 E STATE HWY 20	Lake County
ELSA HEREDIA-KEESECKER	792 BASS LN	Lake County
ESTHER GERMEN TRUSTEE, JENNIFER GERMEN	1690 INDIAN GARDEN DR	Lake County
Euni M. Sloan	1419 Camden Ave	Lakeport
EYTAN URBAS, BASS ALLEY BUNGALOW	13624 ANDERSON RD	Lake County
GEORGE GUZMAN LAURA SOTELO	30507 RODEO RD	Lake County
GERALD AND KATHY KIRBY, LAKE HOUSE	5855 E STATE HWY 20	Lake County
GLORIA LUCIA ZAPATA-ELIAS, ANGEL'S TRUMPET BED AND BREAKFAST	7255 PYLE RD	Lake County
GREG & PATRICIA RAHN, GREG & PATRICIA RAHN CLEARLAKE CAVATION RENTAL	1682 INDIAN GARDEN DR	Lake County
GREG STRATMANN	500 OLD LONG VALLEY RD	Lake County
GREGORY GRAHAM, POINT LAKEVIEW VINEYARDS	13667 POINT LAKEVIEW RD	Lake County
GRETA ZEIT, BACKYARD GARDEN OASIS B&B	24019 HILDERBRAND DR	Lake County
HAKIM A & SU LINGYUN HALDARIAN	10812 LAKESHORE DR	Lake County

HIDDEN VALLEY LAKE CAMPGROUND	19234 HIDDEN VALLEY RD	Lake County
JAKOB AND STEPHANIE DIEHL	21603 PINE ST	Lake County
JAMES AND SUSAN PATMONT	10970 MISTLETOE RD	Lake County
JAMES FETZER, CEAGO DEL LAGO, LLC	5115 E STATE HWY 20	Lake County
JANET ATTARD, MAKIIVKA ESTATE	5145 DAVIS DR	Lake County
JASON HODGE	12957 LAKESHORE DR	Clearlake
JASON ROBERTS	10779 E STATE HWY 20	Lake County
JASON WHITE	21433 YANKEE VALLEY RD	Lake County
JAY PATEL, KELSEYVILLE MOTEL	14165 LAKESHORE DR	Lake County
JEFFREY STUART	652 SPINNAKER CT	Lake County
JEREMY JERNIGAN	1861 RIGGS CT	Lake County
JEROME WIEGERT	6960 PANORAMIC DR	Lake County
JERRY AND MARY ANN MCQUEEN, FDBA NORTHPORT TRAILER RESORT	5020 LAKESHORE BLVD	Lake County
JOANN SACCATO	16986 DOGWOOD WY	Lake County
JOHN & DAVID BLACKLOCK, CASA LAKESHORE	11021 LAKESHORE DR	Lake County
JOHN & MICHELLE FOSTER	2998 WILLOW RD	Lake County
JOHN DONALDSON, JOHN DONALDSON FAMILY TRUST	660 PEBBLE WY	Lake County
JOHN VELLA	10932 TERRACE WY	Lake County
JOHN WILLIAMS KAREN L TURCOTTE-WILLIAMS	15590 MESA DR	Lake County
JON PARKINSON, SUNSET BEACH HOUSE	3816 LAKESHORE BLVD	Lake County
JOSIE & BRYAN LUTZ	12678 SULPHUR BANK MINE RD	Lake County
JUDY CORTESI, LITTLE HOUSE IN THE PINES	10787 FOOTHILL RD	Lake County
JUSTIN HILTON	14410 BIG CANYON RD	Lake County
KATHY SANGER	9799 VENTURI DR	Lake County
KEITH & ALICE PAILTHORP, HOLLY NOLAN	9579 FOX DR	Lake County
KEVIN & MAGDA COONEY	10805 LAKESHORE DR	Lake County
KISHOR PARMAR	450 E STATE HWY 20	Lake County
KISHOR PARMAR	13470 E STATE HWY 20	Lake County
KRISTINA L BROWNE, CATE SIMS	10306 BROOKSIDE DR	Lake County
KRISTINE PRITZLAFF, KB PROPERTIES	2485 LAKESHORE BLVD	Lake County
LAKE PILLSBURY RESORT INC	2756 KAPRANOS ROAD	Lake County
Lakeport English Inn	675 N. Main St	Lakeport
LAMPLIGHTER INN	14165 LAKESHORE DR	Clearlake
LAURA GERHARDT, GERHARDT PROPERTIES LLC	3500 LAKESHORE BLVD	Lake County

LAUREN SCHNEIDER TRUSTEE MAYACAMAS INVESTMENT TRUST, EVOLVE VACATION RENTAL	12900 ANDERSON RD	Lake County
LAURIE DOHRING	3415 WHITE OAK WY	Lake County
LEONARD PETERSON MARTINA FINCHER, THE BEACHCOMBER RESORT	6345 E STATE HWY 20	Lake County
LINDA FOSTER	10145 KELSEY CREEK DR	Lake County
LINDA GARNHART, THE TEMPLE	21292 JACKSON ST	Lake County
Lois Laglais & Donald Anderson	1270 Martin St	Lakeport
LORETTA OSBORNE	484 AVENUE B	Lake County
LORETTA OSBORNE	473 AVENUE B	Lake County
LYNNE BUTCHER, TALLMAN HOTEL/BLUE WING SALOON	9520 MAIN ST	Lake County
MARIA VAN SCHAIK, SANDPIPER RV PARK	2630 LAKESHORE BLVD	Lake County
MARK LIPPS, THE RIPE CHOICE FARM STAY	2550 SODA BAY ROAD	Lake County
MDL PROPERTIES	4045 MESA DR	Clearlake
MICHAEL CANTARUTTI	2802 LAKESHORE BLVD	Lake County
MICHAEL NEWDOW, THE AURORA RV PARK	2417 LAKESHORE BLVD	Lake County
MICHAEL RIZZO	20 ROCKY POINT RD	Lake County
MINSHENG SUN	9515 HARBOR DR	Lake County
NAMON WASHINGTON, WORLDMARK WINE COUNTRY CLEAR LAKE	3927 E STATE HWY 20	Lake County
NATASHA KESWANI, SUNRISE LAKE ESCAPE	5760 SUNRISE DR	Lake County
NEIL & EVA MCCORMICK	3203 ST FRANCIS DR	Lake County
NOAH SINGMAN KENNETH JOE SCHNEIDER, PINE GROVE LLC	15960 BOTTLE ROCK RD	Lake County
NORMAN ALUMBAUGH, EAGLE & ROSE INN	16655 STATE HWY 175	Lake County
NORMAN ALUMBAUGH, EAGLE & ROSE INN	21299 CALISTOGA ST	Lake County
PAUL & RAMONA VEJAR, FEATHERBED RAILROAD B&B	2870 LAKESHORE BLVD	Lake County
PETER & MELINDA RIECHERT, HERON HOUSE	12480 MILLER RD	Lake County
PG&E CO, PACIFIC GAS & ELECTRIC COMPANY	SIMMONS ROAD	Lake County
PG&E CO, PACIFIC GAS & ELECTRIC COMPANY	COUNTY ROAD 240B	Lake County
PG&E CO, PACIFIC GAS & ELECTRIC COMPANY	SIMMONS ROAD	Lake County
PG&E CO, PACIFIC GAS & ELECTRIC COMPANY	SIMMONS ROAD	Lake County
PG&E CO, PACIFIC GAS & ELECTRIC COMPANY	SODA CREEK STORE	Lake County

RAJU MANSHARAMANI	10448 EDGEWATER DR	Lake County
RAMAA CORPORATION, LAKE MARINA INN	10215 E STATE HWY 20	Lake County
RANDOLF & BEATE KLEIN	2527 LAGOON CT	Lake County
RANDY & JAMIE CHALMERS	13297 DRIFTWOOD VILLAGE	Lake County
RAOUL GOFF, MANDALA SPRINGS	14117 BOTTLE ROCK RD	Lake County
RAY HUFFMAN, LE TRIANON	5845 W STATE HWY 20	Lake County
REBECCA LEPORI, THE GET-AWAY; VIEWS FROM ABOVE THE LAKE	381 LAKE VISTA	Lake County
Regency Inn	1010 N. Main St	Lakeport
RICHARD & CARRIE WEST, EVOLVE VACATION RENTAL	520 KEYS BLVD	Lake County
RICHARD T SIRI	4445 LAKESHORE BLVD	Lake County
RICHARD, RICHARD JR, & SHARON SOLBRACK	13148 KEYS BLVD	Lake County
RICHARD, RICHARD JR, & SHARON SOLBRACK	13138 KEYS BLVD	Lake County
RITA V SCHMID, THE LODGE AT BLUE LAKES	5135 W STATE HWY 20	Lake County
ROB AND JULIE HECKMAN CHRIS AND KELLY WHITE	12002 BAYLIS COVE RD	Lake County
ROBERT AND JOANNE ELGAAEN	5328 BLUE LAKES RD	Lake County
ROBERT MOUNT, BOATIQUE WINERY	8267 RED HILLS RD	Lake County
Rodeway Skylark Shores Resort	1120 N Main St	Lakeport
ROLF KRIKEN RITA ABBEY	3555 WILLOW RD	Lake County
RONALD ROSBERG, HONEYMOON COVE ESTATE	9910 HONEYMOON COVE	Lake County
RUSSELL WALLER	95 ROCKY POINT RD	Lake County
S&J Hospatality / Anchorage Inn / Mallard House	950 N Main St	Lakeport
SAVANNA TREVINO	14119 LAKESHORE DR	Clearlake
SCOTT FRASER, THE LAKE COTTAGE ON SODA BAY	3012 WILLOW RD	Lake County
SIMON AVERY MELINDA PRICE	4550 SODA BAY RD	Lake County
STEVE & MICHAELA STRICKLER	17141 STATE HWY 175	Lake County
STEVEN NASH	9595 HARBOR DR	Lake County
SUNIL & BEATRICE KUMAR, ELLIE'S LAKEHOUSE	8266 NORTH HEIGHTS DR	Lake County
SUSAN SMITH, THE OASIS MOBILE HOME PARK AND CAMPGROUND	13050 ISLAND DR	Lake County
THE LAKE BUNGALOW	14099 LAKESHORE DR	Clearlake
TIM ROBERSON	13128 KEYS BLVD	Lake County
TRAVELODGE	4775 OLD HIGHWAY 53	Clearlake
VALERA FOOKSMAN	20650 S STATE HWY 29	Lake County
VERONICA FISHER, EL DORADO MOTEL	3955 LAKESHORE BLVD	Lake County

VICKI & WILLIAM LANE	4896 SHASTA CT	Lake County
VICKI LANE, RIVIERA RETREAT	9977 EL CAPITAN WY	Lake County
VISTA DEL LAGO	14103 LAKESHORE DR	Clearlake
VORIS BRUMFIELD, CREEKSIDE HAVEN AKA BRUMFIELD MANOR	19750 FOARD RD	Lake County
WADE SKEELS, BIG CANYON FARM	20252 BIG CANYON RD	Lake County
WILLIAM & JULIA MCDANIEL	12607 E STATE HWY 20	Lake County
WILLIAM MILLS, WILLIAM MILLS	8590 PENINSULA VIEW DR	Lake County
WILLIAM SHARPLES	21119 SANTA CLARA RD	Lake County
Willow Point RV Park	1 First St	Lakeport
WYLIE WALTERS, WC LODGING	3848 MARIPOSA DR	Lake County
WYLIE WALTERS, WC LODGING	3912 OAKMONT DR	Lake County
WYLIE WALTERS, WC LODGING	11145 E STATE HWY 20	Lake County

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Review and Approve the Submittal of the FY 23-24 ROPS for the period of July 1, 2023, through June 30, 2024	MEETING DATE: January 19, 2023
SUBMITTED BY: Director of Finance, Kathy Wells	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

Approve ROPS 23-24 for the period of July 1, 2023, through June 30, 2024 and authorize the Chair to sign the attached Successor Agency Resolution stating the same.

BACKGROUND/DISCUSSION:

Submission of six-month Recognized Obligation Payment Schedules (ROPS) for approval to the State Department of Finance (DOF) is required under AB 1484 as part of the dissolution of redevelopment agencies and State control over the release of former property tax increment funds by the County to the Successor Agency. These schedules require projections of approved enforceable obligations funded by the County Redevelopment Property Tax Trust Fund (RPTTF) and other funding sources. The ROPS also provide authorization for the Successor Agency to spend available bond proceeds for redevelopment purposes, dispose of property and repayment of loans made by the City to the former redevelopment agency.

A single annual ROPS for both the A and B periods in FY 23-24 is due to be submitted by February 1, 2023 for the July to December 31, 2023 and January to June 30, 2024 periods. The ROPS are used to authorize expenditures and allocate Redevelopment Property Tax Trust Fund (RPTTF) payments to the Successor Agencies in each six-month period of the fiscal year

Redevelopment Property Tax Trust Fund

The Lake County Auditor-Controller is responsible for the administration of the RPTTF pursuant to State law.

The RPTTF revenues are generated from former Redevelopment Agency tax increment allocation formula and based on changes in the annual assessed valuations. With the current revenue the Agency has some flexibility in meeting its obligations, but any decline in revenue of the City’s property tax allocation will reduce the funds available for allocation to the Successor Agency. This would create challenges for the Successor Agency in

meeting the financial obligations of debt service, disposal of properties and increase the administration to the City for the dissolution process.

Attached are the ROPS 23-24 schedules. The County Board will meet on January 26th to approve and sign the Oversight Board Resolution.

OPTIONS:

1. Approve and Authorize Review with the County Board and for the Chair to sign the resolution
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 ROPS 23-24 for the period of July 1, 2023, through June 30, 2024 and authorize the Chair to sign the attached Resolution stating the same.

- Attachments:** 1) Successor Agency Resolution
- 2) Exhibit A - ROPS 23-24 Schedules

RESOLUTION NO. SA-2023-01

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE CITY OF CLEARLAKE REDEVELOPMENT AGENCY APPROVING RECOGNIZED OBLIGATION PAYMENT SCHEDULE 23-24 FOR THE PERIOD OF JULY 1, 2023 TO JUNE 30, 2024

WHEREAS, on January 12, 2012, the Clearlake City Council adopted Resolution No. 2012-02 electing to become the Successor Agency to the Clearlake Redevelopment Agency (“Successor Agency”) pursuant to AB 1X 26 (The Redevelopment Agency Dissolution Act), and pursuant to Health and Safety Code section 34173(g), the Successor Agency is now a separate legal entity from the City; and

WHEREAS, Health and Safety Code Section 34177(l) requires the Successor Agency to prepare a recognized obligation payment schedule (“ROPS”), before each six-month fiscal period, forward looking to the next twelve months; and

WHEREAS, a Recognized Obligation Payment Schedule (ROPS) is defined in Health and Safety Code Section 34171(h) as the minimum payment amounts and the due dates of payments required by enforceable obligations for a six-month period and identifies the payment source from the Redevelopment Property Tax Trust Fund (RPTTF) and payable from other sources of the Successor Agency; and

WHEREAS, the Successor Agency must prepare and approve a draft ROPS, including the estimated amounts for administrative costs, for the two six-month fiscal periods comprising the fiscal year and proposed sources of payment for those costs, and submit it for approval by the Oversight Board established to review Successor Agency actions; and

WHEREAS, pursuant to Health and Safety Code section 34181 (a), the Oversight Board is required to approve the Recognized Obligation Payment Schedule (ROPS), subject to the subsequent approval of a final ROPS by the State Department of Finance; and

WHEREAS, in accordance with AB 1484, the Recognized Obligation Payment Schedule (ROPS 23-24) covering the period July 1, 2023 through June 30, 2024, once it is approved by the Oversight Board, must be submitted to the Lake County Auditor Controller, the State Controller, and the State Department of Finance by February 1, 2023; and

NOW, THEREFORE, BE IT RESOLVED by the Clearlake Successor Agency to the Clearlake Redevelopment Agency, as follows:

1. The Successor Agency hereby approves the ROPS 23-24 for the period July 1, 2023 through June 30, 2024.
2. The Successor Agency directs the staff to submit the ROPS 23-24 to the Oversight Board for review and approval.

3. The staff shall also submit the approved and signed ROPS 23-24 to the State Department of Finance, County of Lake Auditor-Controller and State Controller's Office and is further authorized to take all such actions as are necessary to secure final approval of the ROPS 23-24.

ADOPTED THIS 19th day of January, 2023 by the Successor Agency by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Chair of Successor Agency

ATTEST:

Melissa Swanson
City Clerk/Clerk of the Successor Agency

Recognized Obligation Payment Schedule (ROPS 23-24) - Summary
Filed for the July 1, 2023 through June 30, 2024 Period

Successor Agency: Clearlake

County: Lake

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	23-24A Total (July - December)	23-24B Total (January - June)	ROPS 23-24 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 670,709	\$ 632,784	\$ 1,303,493
F RPTTF	560,709	522,784	1,083,493
G Administrative RPTTF	110,000	110,000	220,000
H Current Period Enforceable Obligations (A+E)	\$ 670,709	\$ 632,784	\$ 1,303,493

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name Title

/s/ _____
Signature Date

**Clearlake
Recognized Obligation Payment Schedule (ROPS 23-24) - ROPS Detail
July 1, 2023 through June 30, 2024**

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 23-24 Total	ROPS 23-24A (Jul - Dec)					23-24A Total	ROPS 23-24B (Jan - Jun)					23-24B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
								\$1,303,494		\$1,303,493	\$-	\$-	\$-	\$560,709	\$110,000	\$670,709	\$-	\$-	\$-	\$522,784	\$110,000	\$632,784
1	Tax Allocation Bonds 2017	Bonds Issued After 12/31/10	12/13/2017	10/01/2036	US Bank	2017 Taxable Tax Allocation Refunding	Highlands Park	663,544	N	\$663,543	-	-	-	485,709	-	\$485,709	-	-	-	177,834	-	\$177,834
9	Operation of Austin Resort Prop	Property Maintenance	01/01/2014	06/30/2019	Various vendors	Maintenance & Sewer, Water, Gar, etc.	Highlands Park	50,000	N	\$50,000	-	-	-	45,000	-	\$45,000	-	-	-	5,000	-	\$5,000
12	Appraisals, Closing Costs, Comm	Property Dispositions	01/01/2014	06/30/2019	Various vendors	Appraisals, closing costs, comm to sell	Highlands Park	60,000	N	\$60,000	-	-	-	30,000	-	\$30,000	-	-	-	30,000	-	\$30,000
13	Trustee Services 2017 TABs	Fees	12/13/2018	10/01/2036	US Bank	Trustee for bond issue (25 years left)	Highlands Park	4,950	N	\$4,950	-	-	-	-	-	\$-	-	-	-	4,950	-	\$4,950
26	Overhead Costs	Admin Costs	07/01/2018	06/30/2019	City of Clearlake	Indirect cost allocation to SA	Highlands Park	220,000	N	\$220,000	-	-	-	-	110,000	\$110,000	-	-	-	-	110,000	\$110,000
31	Bond Reserve	Reserves	12/13/2017	10/01/2036	US Bank	Bond Reserve for Fall Debt Service	Highlands Park	305,000	N	\$305,000	-	-	-	-	-	\$-	-	-	-	305,000	-	\$305,000

Clearlake
Recognized Obligation Payment Schedule (ROPS 23-24) - Report of Cash Balances
July 1, 2020 through June 30, 2021
 (Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (I), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.							
A	B	C	D	E	F	G	H
	ROPS 20-21 Cash Balances (07/01/20 - 06/30/21)	Fund Sources					Comments
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
1	Beginning Available Cash Balance (Actual 07/01/20) RPTTF amount should exclude "A" period distribution amount.			260,000		-	The fund currently shows a negative balance. We're in the process of reconciling the ROPS cash balance to the general ledger.
2	Revenue/Income (Actual 06/30/21) RPTTF amount should tie to the ROPS 20-21 total distribution from the County Auditor-Controller					1,307,748	Payment Period A - \$648,792 Payment for Period B - \$658,956
3	Expenditures for ROPS 20-21 Enforceable Obligations (Actual 06/30/21)			260,000		1,197,259	Item 1 - Debt Services \$960,364, (Period A - \$555,000, \$205,457, Period B \$199,907) Item 9 - \$45 - mosquito abatement item 12 - Property Dispositions \$2,949 Item 13 - Trustee Services \$4,400 Item 26 - Personnel \$229,501
4	Retention of Available Cash Balance (Actual 06/30/21) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						
5	ROPS 20-21 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 20-21 PPA form submitted to the CAC		No entry required			81,651	ROPS PPA 20-21 Submitted 10/3/22 - Period A - (61,152), Period B - (20,499)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.

A	B	C	D	E	F	G	H
		Fund Sources					
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
	ROPS 20-21 Cash Balances (07/01/20 - 06/30/21)	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	Comments
6	Ending Actual Available Cash Balance (06/30/21) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$-	\$-	\$28,838	

Clearlake
Recognized Obligation Payment Schedule (ROPS 23-24) - Notes
July 1, 2023 through June 30, 2024

Item #	Notes/Comments
1	Period A - Principal \$300,000 (50% of FY 23-24, \$600,000 Principal), Interest \$185,709. Period B - interest \$177,834.
9	Continuation of weed abatement project.
12	City plans to dispose of properties in Highland Park FY 23-24
13	Trustee Service Admin Fee \$2,200 annual billed each January. Please re-open item 16 for the next reporting period - we have ongoing disclosure notifications that we have been paying and not charging to the fund or recording on the ROPS report.
26	The city intends to dispose of properties in FY 23-24. There will be added administrative costs associated with preparation for the sale, in addition to ongoing oversight.
31	50% of FY 24/25 Principal Amount \$610,000.