



CITY COUNCIL REGULAR MEETING

Clearlake City Hall Council Chambers

14050 Olympic Dr, Clearlake, CA

Thursday, January 05, 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/82760926596>

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. INVOCATION/MOMENT OF SILENCE: *The City Council invites members of the clergy, as well as interested members of the public in the City of Clearlake, to voluntarily offer an invocation before the beginning of its meetings for the benefit and blessing of the City Council. This opportunity is*

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

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

E. PRESENTATIONS

1. Presentation of a Proclamation in Remembrance of Retired Judge Richard Freeborn
2. Presentation to City Employees and Volunteers in Recognition of Their Service
3. Presentation of a Proclamation Declaring January 2023 as Human Trafficking Awareness Month
4. Update on Recreation and Events

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.*

5. Authorization of Agreement with American Ramp Company for Design Services for the Austin Skate Park Project
Recommended Action: Move to approve the contract with American Ramp Company in the amount of \$43,500
6. Warrants
Recommended Action: Receive and file

- [7.](#) Amendment to the Management Benefit Plan Section 6-2.5 Executive Leave Account to Establish Consistency to Executive Leave Banks for Management Employees; Resolution No. 2023-04
Recommended Action: Adopt resolution

H. PUBLIC HEARING

- [8.](#) Consideration of the second reading for the acceptance and implementation of the 2022 California Building Standard Codes (CBSC), and adopting by reference the 2021 Uniform Swimming Pool, Spa/Hot Tub Codes; 2021 Uniform Solar, Hydronics & Geothermal Codes; 2021 International Building Codes (IBC); 2021 International Residential Codes (IRC) and the 2021 International Fire Codes (IFC).
Recommended Action: Adopt Resolution CC 2022-69, A Resolution of the City Council of the City of Clearlake approving the acceptance and implementation as described in Ordinance No. 267-2023.
- [9.](#) Consideration of Resolution 2023-03 Authorizing the Extension of the Temporary Closure of Certain Roads, to Reduce Illegal Dumping and to Protect the Environment, and the Public Health and Welfare
Recommended Action: Adopt Resolution 2023-03

I. BUSINESS

- [10.](#) Consideration of Employment Services Agreement with Timothy Hobbs as Police Chief
Recommended Action: Approve Employment Services Agreement for Police Chief with Timothy Hobbs
- [11.](#) 2023 Mayor's Appointments
Recommended Action: By motion, ratify the 2023 Mayor's Appointments
- [12.](#) Consideration of Appointing Councilmembers as Representatives to the CalCities Redwood Empire Division, Resolution No. 2023-01: A Resolution of the City Council of the City of Clearlake Appointing Representatives to Represent and Vote on Behalf of the City at the CalCities, Redwood Empire Division Business Meetings and Represent the City and Vote at the Division Legislative Committee Meetings
Recommended Action: Ratify Mayor Perdock's appointments and adopt resolution

J. CITY MANAGER AND COUNCILMEMBER REPORTS

13. Appointments to the Measure V Oversight Committee by Council Members Cremer and Slooten

K. FUTURE AGENDA ITEMS

L. CLOSED SESSION

- (14) Conference with Legal Counsel Pursuant to Government Code Section 54956.9(b): One potential case

(15) Conference with Legal Counsel- Existing Litigation: Pursuant to Government Code Section 54956.9(d)(1): Name of Case: City of Clearlake v. Testate & Intestate Successors of Bailey Lumbers Co., et al., Case No. CV421697, Lake County Superior Court

M. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION

N. ADJOURNMENT

POSTED: January 2, 2023

BY:



Melissa Swanson, Administrative Services Director/City Clerk



HUMAN TRAFFICKING AWARENESS MONTH JANUARY 2023

WHEREAS, human trafficking is a serious crime that affects people of all races, age, and gender; and

WHEREAS, human trafficking is a borderless crime against individuals that violates the most basic human rights and deprives victims of human dignity and denies freedom to 32 million people around the world; and

WHEREAS, human trafficking is the fastest growing criminal industry globally; and

WHEREAS, California ranks third among the states in the number of potential reports of human trafficking; and

WHEREAS, a serious form of human trafficking involves the exploitation of children and youth for commercial sex acts. It is imperative that our young people and their families learn how to recognize risks and resist predators who use coercion and threats to manipulate children and young adults into sex and labor trafficking; and

WHEREAS, Lake Family Resource Center is instrumental in leading the way in the County of Lake in addressing human trafficking by providing 24-hour hotline services, and continuing support, advocacy and accompaniment to survivors; and

WHEREAS, preventing human trafficking in Lake County includes active public and private efforts to help recognize and acknowledge existence; and it is time for all of us to start conversations, take appropriate action and support one another to create a safer environment for all residents; and

WHEREAS, many organizations such as the District Attorney's Office, Sheriff's Office, Lakeport Police Department, Clearlake Police Department and Lake Family Resource Center are committed to ending Human Trafficking in Lake County and provide essential crisis intervention and prevention services to all members of our community.

NOW, THEREFORE, BE IT PROCLAIMED that the month of January 2023 is designated as Human Trafficking Awareness Month in the City of Clearlake, and our community is urged to support the efforts of the agencies assisting victims of human trafficking and urges all local governments, schools, businesses, and community members to be aware and report any suspicious activity to local police departments and help shine the light on trafficking.

Dated this 5th day of January, 2023

Russell Perdock, Mayor

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Authorization of Agreement with American Ramp Company for design services for the Austin Skate Park Project	MEETING DATE: January 5, 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 a contract with American Ramp Company for \$43,500.

BACKGROUND/DISCUSSION:

The City of Clearlake has solicited the services of a qualified firm to provide the City of Clearlake with a design plan for the Austin Skate Park. The current skate park is in disrepair and in need of upgrades. The proposed skate park will be an all-wheel, concrete skate spot and will provide a safe, designated place for users to develop their skills and gather with friends. The design will feature a mix of street and transition-style terrain, with elements designed for all age groups and ability levels. The design will meet the needs of the community while incorporating Crime Prevention through Environmental Design principles, including a seating area and ADA accessibility.

Proposals were received from the following consultants:

- 1. American Ramp Company: \$ 43,500
- 2. Studio 1515: \$168,000

The project is to be funded through an agreement with the County of Lake to utilize District Supervisor Sabatier’s cannabis funds allocation.

OPTIONS:

- 1. Move to approve the contract with American Ramp Company in the amount of \$43,500
- 2. Other direction

FISCAL IMPACT:

None 43,500.00 Budgeted Item? Yes No

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

Affected fund(s): General Fund Measure P Fund Measure V Fund Other: 240-4201-850-887

Comments:

STRATEGIC PLAN IMPACT:

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

SUGGESTED MOTIONS:

Move to approve the contract with American Ramp Company in the amount of \$43,500

Attachments:



Clearlake, CA

Check Register

Packet: APPKT01801 - 11/28/22 AP INVOICE/CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
VEN01347	CALIFORNIA COAST UNIVERSITY	11/28/2022	Regular	0.00	4,092.00	13803
VEN01211	DANIEL EAGLE	11/28/2022	Regular	0.00	908.00	13804

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	2	2	0.00	5,000.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	2	2	0.00	5,000.00

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	11/2022	5,000.00
			<hr/>
			5,000.00



Clearlake, CA

Section G, Item 6.

Check Register

Packet: APPKT01813 - 12/1/22 AP CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
000591	ACTION SANITARY	12/01/2022	Regular	0.00	195.75	13805
VEN01168	ADAM J GIORDANO	12/01/2022	Regular	0.00	400.00	13806
000085	ARAMARK UNIFORM SERVICES	12/01/2022	Regular	0.00	98.62	13807
001397	AT&T CALNET 3	12/01/2022	Regular	0.00	198.29	13808
001397	AT&T CALNET 3	12/01/2022	Regular	0.00	136.21	13809
001397	AT&T CALNET 3	12/01/2022	Regular	0.00	23.73	13810
001397	AT&T CALNET 3	12/01/2022	Regular	0.00	45.78	13811
001397	AT&T CALNET 3	12/01/2022	Regular	0.00	609.52	13812
001397	AT&T CALNET 3	12/01/2022	Regular	0.00	63.52	13813
000068	BOB'S JANITORIAL	12/01/2022	Regular	0.00	202.60	13814
2404	CALTRONICS	12/01/2022	Regular	0.00	80.88	13815
000024	CLEARLAKE POLICE ASSOCIATION	12/01/2022	Regular	0.00	1,375.00	13816
002370	CODE PUBLISHING CO	12/01/2022	Regular	0.00	1,045.00	13817
VEN01360	COOPERATIVE PERSONNEL SERVICES -	12/01/2022	Regular	0.00	184.00	13818
VEN01358	DANIELA JUSTUS	12/01/2022	Regular	0.00	33.25	13819
002392	DE LAGE LANDEN PUBLIC FINANCE	12/01/2022	Regular	0.00	829.68	13820
000774	DEEP VALLEY SECURITY	12/01/2022	Regular	0.00	82.90	13821
000073	EASTLAKE SANITARY LANDFILL	12/01/2022	Regular	0.00	2,745.77	13822
	Void	12/01/2022	Regular	0.00	0.00	13823
2411	ERIN MCCARRICK	12/01/2022	Regular	0.00	75.00	13824
VEN01108	FAWN CHRISTINE WILLIAMS	12/01/2022	Regular	0.00	75.00	13825
000120	FED EX	12/01/2022	Regular	0.00	51.07	13826
000797	GRANITE CONSTRUCTION	12/01/2022	Regular	0.00	11,891.25	13827
001176	KEVIN NESS JEWELERS	12/01/2022	Regular	0.00	70.69	13828
000501	KUSTOM SIGNALS, INC.	12/01/2022	Regular	0.00	1,276.80	13829
000108	LAKE COUNTY RECORD BEE	12/01/2022	Regular	0.00	619.20	13830
002286	LISA WILSON	12/01/2022	Regular	0.00	75.00	13831
002176	MANAGEMENT CONNECTIONS	12/01/2022	Regular	0.00	595.65	13832
002250	MAURICIO BARRETO	12/01/2022	Regular	0.00	3,138.20	13833
001489	NAPA AUTO PARTS	12/01/2022	Regular	0.00	77.61	13834
000026	NATIONWIDE RETIREMENT SOLUTION	12/01/2022	Regular	0.00	1,150.00	13835
001392	OFFICE DEPOT	12/01/2022	Regular	0.00	166.65	13836
000027	OPERATING ENGINEERS PUBLIC EMP	12/01/2022	Regular	0.00	76,759.00	13837
000129	PARAMEX SCREENING	12/01/2022	Regular	0.00	189.00	13838
000016	PARSAC	12/01/2022	Regular	0.00	8,503.67	13839
001843	PG&E CFM	12/01/2022	Regular	0.00	9,492.24	13840
	Void	12/01/2022	Regular	0.00	0.00	13841
001538	REGIONAL GOVERNMENT SERVICES	12/01/2022	Regular	0.00	5,330.51	13842
VEN01361	RICHARD B. KNOLL - RICHARD KNOLL (12/01/2022	Regular	0.00	2,100.00	13843
002215	ROBERT COKER	12/01/2022	Regular	0.00	75.00	13844
000202	ROTO-ROOTER OF LAKE COUNTY	12/01/2022	Regular	0.00	754.06	13845
000506	SIGNS OF RANDY HARE	12/01/2022	Regular	0.00	230.55	13846
VEN01336	SSA LANDSCAPE ARCHITECTS, INC.	12/01/2022	Regular	0.00	5,596.25	13847
VEN01352	STOVER SEED COMPANY	12/01/2022	Regular	0.00	3,842.50	13848
VEN01222	TERRY LEE STEWART	12/01/2022	Regular	0.00	75.00	13849
002375	THOMAS DEWALT	12/01/2022	Regular	0.00	1,000.00	13850
000099	U.S. CELLULAR	12/01/2022	Regular	0.00	465.78	13851

Check Register

Packet: APPKT01813

Section G, Item 6

Vendor Number 000708	Vendor Name VALIC LOCKBOX	Payment Date 12/01/2022	Payment Type Regular	Discount Amount 0.00	Payment Amount 395.00	Number 13852
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Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	61	46	0.00	142,421.18
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	61	48	0.00	142,421.18

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	12/2022	142,421.18
			<u>142,421.18</u>



Clearlake, CA

Packet: APPKT01838 - 12/14/22 AP CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
002353	ALL IN ONE AUTO	12/15/2022	Regular	0.00	6,580.00	13898
000101	AMERIGAS	12/15/2022	Regular	0.00	215.30	13899
000085	ARAMARK UNIFORM SERVICES	12/15/2022	Regular	0.00	49.31	13900
000102	AT&T	12/15/2022	Regular	0.00	325.00	13901
001397	AT&T CALNET 3	12/15/2022	Regular	0.00	24.07	13902
001397	AT&T CALNET 3	12/15/2022	Regular	0.00	24.04	13903
VEN01351	BKF ENGINEERS	12/15/2022	Regular	0.00	51,975.34	13904
VEN01333	BOATIQUE WINERY	12/15/2022	Regular	0.00	300.00	13905
000068	BOB'S JANITORIAL	12/15/2022	Regular	0.00	165.94	13906
VEN01228	BPR CONSULTING GROUP	12/15/2022	Regular	0.00	9,729.99	13907
002162	CALIFORNIA ENGINEERING	12/15/2022	Regular	0.00	428.04	13908
VEN01265	CANTEEN SERVICES OF UKIAH, INC	12/15/2022	Regular	0.00	137.00	13909
VEN01312	CAPITOL BARRICADE, INC.	12/15/2022	Regular	0.00	715.58	13910
001645	CIVIC PLUS	12/15/2022	Regular	0.00	10,000.00	13911
000024	CLEARLAKE POLICE ASSOCIATION	12/15/2022	Regular	0.00	1,375.00	13912
000447	CREATIVE FORMS & CONCEPTS	12/15/2022	Regular	0.00	436.03	13913
VEN01335	CRYSTAL MELANSON	12/15/2022	Regular	0.00	76.25	13914
VEN01358	DANIELA JUSTUS	12/15/2022	Regular	0.00	339.59	13915
000774	DEEP VALLEY SECURITY	12/15/2022	Regular	0.00	82.90	13916
000120	FED EX	12/15/2022	Regular	0.00	22.94	13917
000625	FIRST AMERICAN TITLE COMPANY	12/15/2022	Regular	0.00	10,000.00	13918
VEN01280	HABEMATOLEL POMO OF UPPERLAKE	12/15/2022	Regular	0.00	3,675.00	13919
000108	LAKE COUNTY RECORD BEE	12/15/2022	Regular	0.00	392.00	13920
002280	LAW OFFICES OF P SCOTT BROWNE	12/15/2022	Regular	0.00	1,954.57	13921
002020	MORTGAGE+CARE	12/15/2022	Regular	0.00	450.00	13922
001489	NAPA AUTO PARTS	12/15/2022	Regular	0.00	72.21	13923
000026	NATIONWIDE RETIREMENT SOLUTION	12/15/2022	Regular	0.00	1,150.00	13924
001392	OFFICE DEPOT	12/15/2022	Regular	0.00	132.01	13925
000009	OPERATING ENGINEERS LOCAL 3	12/15/2022	Regular	0.00	700.00	13926
001843	PG&E CFM	12/15/2022	Regular	0.00	2,026.69	13927
VEN01363	RED JET HOSPITALITY GROUP	12/15/2022	Regular	0.00	7,000.00	13928
000309	UCC RENTAL	12/15/2022	Regular	0.00	3,917.57	13929
001540	US BANK CORPORATE PMT. SYSTEM	12/15/2022	Regular	0.00	14,547.68	13930
	Void	12/15/2022	Regular	0.00	0.00	13931
000708	VALIC LOCKBOX	12/15/2022	Regular	0.00	395.00	13932
VEN01084	AT&T MOBILITY	12/23/2022	Bank Draft	0.00	411.40	DFT0001900

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	71	34	0.00	129,415.05
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	1	1	0.00	411.40
EFT's	0	0	0.00	0.00
	72	36	0.00	129,826.45

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	12/2022	129,826.45
			<u>129,826.45</u>



Clearlake, CA

Section G, Item 6.

Check Register

Packet: APPKT01829 - 12/8/22 AP CHECK RUN AA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
VEN01085	ACC BUSINESS	12/08/2022	Regular	0.00	1,825.98	13853
001138	ADVENTIST HEALTH	12/08/2022	Regular	0.00	114.00	13854
001138	ADVENTIST HEALTH	12/08/2022	Regular	0.00	114.00	13855
VEN01302	AMAZON CAPITAL SERVICES, INC	12/08/2022	Regular	0.00	1,360.25	13856
001397	AT&T CALNET 3	12/08/2022	Regular	0.00	357.18	13857
2418	BICOASTAL MEDIA, LLC	12/08/2022	Regular	0.00	815.00	13858
001864	BUSINESS DESIGN SERVICES -ROBERT	12/08/2022	Regular	0.00	652.50	13859
002162	CALIFORNIA ENGINEERING	12/08/2022	Regular	0.00	50,207.31	13860
001811	CALIFORNIA EXTERMINATORS ALLIA	12/08/2022	Regular	0.00	100.00	13861
VEN01312	CAPITOL BARRICADE, INC.	12/08/2022	Regular	0.00	2,946.52	13862
000794	CHERNOH EXCAVATING INC	12/08/2022	Regular	0.00	990.00	13863
002291	CRAFCO INC	12/08/2022	Regular	0.00	176.44	13864
000160	DEPT OF JUSTICE	12/08/2022	Regular	0.00	385.00	13865
000073	EASTLAKE SANITARY LANDFILL	12/08/2022	Regular	0.00	46.24	13866
001199	EUREKA OXYGEN CO	12/08/2022	Regular	0.00	84.82	13867
001732	GARY PRICE CONSULTING SERVICES	12/08/2022	Regular	0.00	1,540.00	13868
000797	GRANITE CONSTRUCTION	12/08/2022	Regular	0.00	4,226.73	13869
001402	GREEN VALLEY CONSULTING	12/08/2022	Regular	0.00	660.00	13870
000121	HIGHLANDS WATER COMPANY	12/08/2022	Regular	0.00	1,193.06	13871
001949	ICE WATER DISTRIBUTORS INC	12/08/2022	Regular	0.00	50.50	13872
001176	KEVIN NESS JEWELERS	12/08/2022	Regular	0.00	60.00	13873
000108	LAKE COUNTY RECORD BEE	12/08/2022	Regular	0.00	245.51	13874
VEN01123	LOOMIS	12/08/2022	Regular	0.00	585.90	13875
002176	MANAGEMENT CONNECTIONS	12/08/2022	Regular	0.00	2,019.91	13876
001251	MARK A CLEMENTI PHD	12/08/2022	Regular	0.00	774.00	13877
000793	MEDIACOM	12/08/2022	Regular	0.00	650.00	13878
001489	NAPA AUTO PARTS	12/08/2022	Regular	0.00	392.43	13879
001392	OFFICE DEPOT	12/08/2022	Regular	0.00	30.54	13880
000130	PITNEY BOWES	12/08/2022	Regular	0.00	701.68	13881
001298	QUACKENBUSH MRRCF	12/08/2022	Regular	0.00	17.00	13882
002031	REDWOOD COAST PETROLEUM & NOF	12/08/2022	Regular	0.00	1,353.94	13883
001538	REGIONAL GOVERNMENT SERVICES	12/08/2022	Regular	0.00	238.64	13884
VEN01361	RICHARD B. KNOLL - RICHARD KNOLL C	12/08/2022	Regular	0.00	2,030.00	13885
000506	SIGNS OF RANDY HARE	12/08/2022	Regular	0.00	52.20	13886
VEN01273	STEVE W. ELLIS - DBA ELLIS RANCH	12/08/2022	Regular	0.00	643.50	13887
001432	SUN RIDGE SYSTEMS (RIMS)	12/08/2022	Regular	0.00	44,395.00	13888
001790	THALES CONSULTING INC	12/08/2022	Regular	0.00	600.00	13889
VEN01362	TINA A. THOMAS - THOMAS LAW GRO	12/08/2022	Regular	0.00	5,475.00	13890
001934	TINA VIRAMONTES	12/08/2022	Regular	0.00	187.75	13891
002292	TYLER TECHNOLOGIES	12/08/2022	Regular	0.00	32,668.50	13892
001540	US BANK CORPORATE PMT. SYSTEM	12/08/2022	Regular	0.00	13,589.03	13893
	Void	12/08/2022	Regular	0.00	0.00	13894
	Void	12/08/2022	Regular	0.00	0.00	13895
	Void	12/08/2022	Regular	0.00	0.00	13896

Check Register

Packet: APPKT01829

Section G, Item 6

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
002264	WEX BANK	12/08/2022	Regular	0.00	13,891.11	13897

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	124	42	0.00	188,447.17
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	124	45	0.00	188,447.17

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	12/2022	188,447.17
			<u>188,447.17</u>



Clearlake, CA

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP-Accounts Payable						
000085	ARAMARK UNIFORM SERVICES	12/20/2022	Regular	0.00	49.31	13933
001397	AT&T CALNET 3	12/20/2022	Regular	0.00	24.04	13934
VEN01345	BARCODES ACQUISITIONS, INC - ALPH.	12/20/2022	Regular	0.00	4,647.98	13935
VEN01333	BOATIQUE WINERY	12/20/2022	Regular	0.00	1,014.75	13936
001811	CALIFORNIA EXTERMINATORS ALLIA	12/20/2022	Regular	0.00	100.00	13937
2404	CALTRONICS	12/20/2022	Regular	0.00	445.55	13938
VEN01366	CLEARLAKE BURNS VALLEY ROAD LP	12/20/2022	Regular	0.00	1,751,295.28	13939
000548	COMPUTER LOGISTICS	12/20/2022	Regular	0.00	195.73	13940
VEN01367	CUMMINS SALES AND SERVICES	12/20/2022	Regular	0.00	4,525.67	13941
001744	DC ELECTRIC	12/20/2022	Regular	0.00	57,350.00	13942
000774	DEEP VALLEY SECURITY	12/20/2022	Regular	0.00	15.95	13943
000160	DEPT OF JUSTICE	12/20/2022	Regular	0.00	943.00	13944
VEN01289	DIAMOND D CONSTRUCTION, LLC/DIA	12/20/2022	Regular	0.00	24,990.00	13945
VEN01126	ECORP CONSULTING, INC	12/20/2022	Regular	0.00	3,573.75	13946
VEN01105	EIFFEL TRADING, LLC	12/20/2022	Regular	0.00	33,930.00	13947
001845	FOODS ETC	12/20/2022	Regular	0.00	550.00	13948
VEN01272	FOUNTAIN PEOPLE INC A PLAYCORE C	12/20/2022	Regular	0.00	13,157.67	13949
000096	GOLDEN STATE WATER COMPANY	12/20/2022	Regular	0.00	330.68	13950
VEN01365	JAMIE MARIE BANDUCCI	12/20/2022	Regular	0.00	447.17	13951
001775	JONES & MAYER	12/20/2022	Regular	0.00	18,518.55	13952
001593	K&R TREE SPECIALISTS	12/20/2022	Regular	0.00	2,800.00	13953
001366	LANGUAGE 411	12/20/2022	Regular	0.00	1,443.75	13954
001434	LYN DISTRIBUTING	12/20/2022	Regular	0.00	1,054.70	13955
002176	MANAGEMENT CONNECTIONS	12/20/2022	Regular	0.00	861.05	13956
VEN01329	MCGRATH RENTCORP AND SUBSIDIAR	12/20/2022	Regular	0.00	19,747.76	13957
VEN01048	Minnesota Life Insurance	12/20/2022	Regular	0.00	842.46	13958
VEN01191	NORTH BAY ANIMAL SERVICES	12/20/2022	Regular	0.00	31,250.00	13959
002031	REDWOOD COAST PETROLEUM & NOF	12/20/2022	Regular	0.00	1,105.34	13960
VEN01273	STEVE W. ELLIS - DBA ELLIS RANCH	12/20/2022	Regular	0.00	707.86	13961
001934	TINA VIRAMONTES	12/20/2022	Regular	0.00	153.41	13962
000099	U.S. CELLULAR	12/20/2022	Regular	0.00	456.78	13963
001540	US BANK CORPORATE PMT. SYSTEM	12/20/2022	Regular	0.00	169.17	13964
VEN01340	WEIDNER'S WELDING/JOHN WEIDNER	12/20/2022	Regular	0.00	1,422.27	13965

Bank Code AP Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	54	33	0.00	1,978,119.63
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	54	33	0.00	1,978,119.63

Fund Summary

Fund	Name	Period	Amount
999	Pooled Cash	12/2022	1,978,119.63
			<u>1,978,119.63</u>



STAFF REPORT	
SUBJECT: Amendment to the Management Benefit Plan Section 6-2.5 Executive Leave Account to Establish Consistency to Executive Leave Banks for Management Employees; Resolution No. 2023-04	MEETING DATE: January 5, 2023
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 amendment to the Management Benefit Plan (hereinafter “the Plan”) Section 6-2.5 Executive Leave Account to establish consistency to Executive Leave banks for Management employees and adopt Resolution No. 2023-04.

BACKGROUND/DISCUSSION:

Because management employees are not subject to the Fair Labor Standards Act, also known as FLSA, management employees are not eligible for overtime or compensatory time for any hours worked over forty hours per week. To compensate these exempt employees for hours worked overtime, the City established a bank of accrued hours for management employees, similar to vacation hours, called Executive Leave. The establishment of Executive Leave is a standard practice for FLSA-exempt employees. The current Plan states that management employees are credited forty hours on January 1st and another forty hours on July 1st, for a total of 80 hours per calendar year. Additionally, the Plan states that any unused executive leave at the end of the calendar year can be carried over to the following year, up to 160 hours.

Upon review of employment contracts, the Plan, and current practice, staff found inconsistencies in the execution of executive leave. City Manager Flora and Administrative Services Director Swanson met with members of the Management unit and, based on those meetings, recommends updates to the Plan to promote consistency and transparency. The proposed updates include:

- Annually crediting 80 hours of Executive Leave to members on the first full pay period following July 1st. This will simplify the process for the payroll department.
- Unused Executive Leave as of June 30th of each year will be lost.
- Current members with accruals over 80 hours will be allowed to use those additional hours until June 30th. All executive leave hours not used by June 30th will be forfeited.

Further, while the majority of employees within the Management Benefit Plan are consistent in the application of executive leave, it is possible for the individual employee to negotiate additional terms within their employment contract. For example, the City Manager’s contract allows for 120 hours of

executive leave. It is not the intent to reverse the ability for management employees to negotiate directly with the City Manager or City Council, as the case may be. Therefore, language stating such has been proposed for addition to the Plan for transparency.

OPTIONS:

- 1. Move to adopt Resolution No. 2023-04
- 2. Other direction

FISCAL IMPACT:

None \$8000 (approx.) Budgeted Item? Yes No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

SUGGESTED MOTIONS:

Move to adopt.

- Attachments:** 1) Resolution No. 2022-15
- 2) Redlined Management Benefit Plan

CHAPTER 6
MANAGEMENT EMPLOYEES
CLASSIFICATION AND BENEFIT PLAN
SECTION 6

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CHAPTER 6
MANAGEMENT EMPLOYEES
CLASSIFICATION AND BENEFIT PLAN
SECTION 6

SECTION 6.1 CLASSIFICATION PLAN

Section 6-1.1 Classification Plan, Management: The following Classifications are considered “Management” employees:

- CITY MANAGER
- ASSISTANT CITY MANAGER
- ADMINISTRATIVE SERVICES DIRECTOR/CITY CLERK
- CHIEF OF POLICE
- COMMUNITY DEVELOPMENT DIRECTOR
- CITY ENGINEER
- DIRECTOR OF PUBLIC WORKS
- PUBLIC WORKS SUPERINTENDENT
- DIRECTOR OF FINANCE
- POLICE CAPTAIN
- POLICE LIEUTENANT
- SENIOR PLANNER
- PUBLIC WORKS CONSTRUCTION PROJECT MANAGER

SECTION 6-2 BENEFIT PLAN

Section 6-2.1 Salary Adjustments:

Management Employees shall receive a salary adjustment each July 1st. The salary adjustment shall take into consideration the March to March U.S. All Urban Cities Consumer Price Index, equity adjustments based on the labor market, and the financial condition of the City. (Res 28-2007)

Section 6-2.2 Longevity Pay:

The City will provide a longevity payment to all sworn and non-sworn unit employees based on the following schedule:

Completion of Years of Service	% of Salary Longevity Payment
5	1.0%
6	2.0%
7	3.0%
8	4.0%

9	5.0%
10	6.0%
11	7.0%
12	8.0%
13	9.0%
14	10.%
15	11%

(Res 97-04 and 2009-50)

Section 6-2.3 Medical/Dental/Vision and Life Insurance: The City will provide one hundred (100%) of the monthly premium for the employee and dependents including a \$50,000 life insurance policy for each - employee and \$100,000 Line of Duty benefit for each safety employee.. (Res 2017-45)

Section 6-2.4 Retirement Contribution: All employees shall pay 100% of the employee's share of the Public Employees Retirement System (Res 2017-45).

The City shall maintain a deferred compensation plan of the City's choice for employee's voluntary participation in said plan.
(Res 86-108, Res 93-79)

Section 6-2.5 Executive Leave Account: The City shall establish an executive leave account for management employees. ~~Effective July 1, 2002, executive leave shall be earned and credited to the employee's executive leave account as follows:~~

~~a) For the period of January 1st through June 30th of each year forty (40) hours of executive leave shall be earned and shall be credited to the employee's executive leave account on January 1st.~~

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~~b) For the period of July 1 through December 31 of each year, an additional forty (40) hours of executive leave shall be earned and shall be credited to the employee's executive leave account on July 1st.~~

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~~e) Executive leave during the first six months of employment shall be pro-rated based upon the date of commencement of employment.~~

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~~Unused executive leave may be accrued up to a maximum of twice the number of hours earned annually. (Res 86-108, Res 02-40)~~

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~~a) All management employees shall be entitled to executive leave of 80 hours per fiscal year with full pay.~~

~~b) Executive leave does not accumulate and is not earned vacation time or benefit.~~

~~c) Executive leave shall be credited to management employees on the first full pay period commencing after July 1st of each year.~~

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~~d) Executive leave accruals not used by June 30th each year are lost.~~

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e) In the event of any conflict or inconsistency between the provisions of this Plan and any employee contract, the provisions of the employee contract shall control.

Unused executive leave may be paid out up to forty (40) hours per calendar year (Res 2017-45).

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Section 6-2.6 Sick Leave: Each employee shall accrue sick leave at the rate of eight hours per month which shall be placed in a sick leave account for each employee. (Res 86-108)

Section 6-2.7 Unused Sick Leave Conversion: The City will modify its contract with the Public Employees Retirement System (PERS) to allow management employees to convert unused sick leave to service credit upon retirement (Res 2009-50).

Section 6-2.8 Sick Leave Incentive:

(a) Management employees who have an accrued sick leave account balance on June 30th of not less than 192 hours of sick leave shall be eligible to receive benefits during the subsequent fiscal year under the Annual Sick Leave Incentive Program.

On July 1st of each year the unused portion of sick leave accrued during the previous fiscal year which is in excess of eight (8) days, but not to exceed thirty (32) hours, shall be placed in the Annual Sick Leave Incentive Program. Eligible employee may elect to:

1. receive pay-off of that portion of unused sick leave which has been placed in the Annual Sick Leave Incentive Program up to the maximum of thirty (32) hours; or
2. convert said unused sick leave which has been placed in the Annual Sick Leave Incentive Program to vacation leave up to the maximum of thirty (32) hours; or
3. return said unused sick leave which has been placed in the Annual Sick Leave Incentive Program said unused leave to the employee's sick leave account.

(b) Employees who have:

- 1) completed 20 years of service with the City of Clearlake; and
- 2) have a minimum balance of 1,000 hours of accrued unused sick leave; and
- 3) who separate from employment for any reason except termination for cause shall upon separation from employment with the City receive sick leave pay-off of one-hundred (100%) percent of the accrued

unused sick leave balance that is in excess of 1,000 hours up to a maximum of 500 hours of sick leave pay-off.

At the City's sole discretion, sick leave pay-off may be paid to the employee spread over a period of up to three (3) fiscal years. Whenever sick leave payment is not paid in full at the time of separation, sick leave payment shall not be subject to interest and payments shall be dispersed to the employee at a minimum rate of one-third (1/3) of the total amount of sick leave pay due the employee with the first payment to be made upon separation from employment with the City and each subsequent payment to be made on the anniversary date of separation. (Res 86-108, Res 93-79, Res 02-40)

Section 6-2.9 Vacation: Effective January 1, 1997, each employee covered under this benefit plan shall earn vacation leave with pay as follows:

<u>Years of Service</u>	<u>Vacation Hours Per Year</u>
0 - 2 yrs.	96
2 - 3	100
4	104
5	108
6	112
7	116
8	120
9	124
10	128
11	132
12	136
13	140
14	144
15	148
16	152
17	156
18	160
19	164
20	168

An employee may accumulate unused vacation leave up to a maximum of twice the number of days due annually. Under extraordinary circumstances and when the best interest of the City so requires, the City Manager may permit a temporary accumulation of vacation leave in excess of the maximum accrued. (Res 86-108, Res 93-79, Res 97-04)

Section 6-2.10 Holidays: The following holidays shall be observed:

- New Years Day ---- January 1st
- Martin Luther King's Birthday -- Third Monday in January

Washington's Birthday -- Third Monday in February
Memorial Day -- Last Monday in May
Independence Day -- July 4th
Labor Day -- 1st Monday in September
Veteran's Day -- November 11th
Thanksgiving Day - 4th Thursday in November
Day after Thanksgiving Day
Christmas Eve
Christmas Day
New Years Eve

(Res 86-108)

Section 6-2.11 Bereavement Leave: An employee shall receive five (5) days bereavement leave due to death of his or her parent, step-parent, mother-in-law, father-in-law, spouse, child, step child, adopted child, grandchild, grandparent, sister, brother, sister-in-law, brother-in-law, or the death of any person residing in the immediate household of the employee at the time of death. (Res 86-108)

Section 6-2.12 Mileage Reimbursement:

- a) Effective immediately, except for the Chief of Police, Police Captain and Police Lieutenant, management employees shall receive \$200 per month vehicle allowance unless otherwise provided for under the terms and conditions of an employment contract.
- b) The Chief of Police shall have personal use of a City vehicle.
- c) The Police Captain and Police Lieutenant shall have use of a city vehicle during the course of conducting business or events which arise as a result of city employment. The Police Captain and Police Lieutenant may have the privilege of a city vehicle while traveling to and from work of the Clearlake Police Department subject to approval by the City Manager.
- d) The Public Works Director and Public Works Superintendent shall have the use of a City vehicle during the course of conducting business or events which arise as a result of City employment. The vehicle may be used while traveling to and from work subject to approval of the City Manager. (Res 2009-44)

Benefits provided pursuant to provisions of this section shall be subject to applicable State and Federal taxes. (Res 86-108, Res 00-96, Res 02-40)

Section 6-2.13 Legal Representation: The City will provide legal defense of its public employees pursuant to requirements set forth in Part 7 of the California Government Code commencing with Section 995. (Res 86-108, Res 02-40)

Section 6-2.14 Disability Plan: City shall provide a disability indemnity plan either through State Disability and/or a private plan. The type of plan shall be at the sole discretion of the City, however, benefits provided under said plan shall not be less than the benefits provided under the State Disability Plan. (Res 86-108, Res 02-40)

Section 6-2.15 Tuition and Books: The City will reimburse management employees up to \$600 per year for the cost of educational classes and books to encourage higher education, subject to the approval of the City Manager (Res 2009-50).

Section 6-2.16 Disciplinary Action: Disciplinary action of management employee shall be subject to the disciplinary procedures set forth in the Personnel Rules of the City of Clearlake unless otherwise provided for under the terms and conditions of an “at-will” employment contract.
(Res 02-40)

Section 6-2.17 Incentives – Certificate Incentive: Police Lieutenants who possess a POST Advanced Certificate shall be paid in an amount equal to two and one-half (2.5%) percent of base pay.

Section 6-2.18 Conflicts: In the event that any of the provisions of this agreement conflict with those contained within a personal employment contract, the terms of the contract shall take precedent. (Res 02-40)

- (Res 86-108) November 17, 1986
- (Res 87-04) January 5, 1987
- (Res 87-75) September 8, 1987
- (Res 93-79) September 14, 1993
- (Res 97-04) January 9, 1997
- (Res 99-34) July 22, 1999
- (Res 99-60) November 18, 1999
- (Res 02-40) June 27, 2002
- (Res 28-2007) June 28, 2007
- (Res 2009-44) September 24, 2009
- (Res 2009-50) October 22, 2009
- (Res 2017-45) July 13, 2017
- (Res 2019-14) March 28, 2019
- (Res 2020-56) November 5, 2020
- (Res 2022-16) April 7, 2022
- (Res 2023-04) January 5, 2023

Codified and updated through ~~April 7, 2022~~January 5, 2023.



City Council

STAFF REPORT	
SUBJECT: Second Reading for the adoption and Implementation of the 2022 California Building Standard Codes (CBSC) and by reference the 2021 Uniform Swimming Pool, Spa/Hot Tub Codes, the 2021 Uniform Solar, Hydronics & Geothermal Codes, the 2021 International Building Codes (IBC); 2021 International Residential Codes (IRC) and the 2021 International Fire Codes (IFC).	MEETING DATE: January 5 th , 2022
SUBMITTED BY: Mark Roberts – Community Development Department	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL:

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

BACKGROUND/DISCUSSION:

The proposed resolution/ordinance was introduced for the first reading at the City Council Meeting on December 1st, 2022. When codes are amended and adopted by reference, Government Code Section 50022.3 requires that the second reading of a proposed adopting resolution/ordinance be done through a public hearing.

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

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

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

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

ENVIRONMENTAL DETERMINATION:

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

OPTIONS:

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

FISCAL IMPACT:

None Budgeted Item? Yes No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

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

RESOLUTION No. CC 2022-69

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

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

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

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

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

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

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

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

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

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

WHEREAS, Pursuant to the California Environmental Quality Act (“CEQA”), this action is exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the purposed

amendments to the Clearlake Municipal Code are a government administrative activity that will not result in direct or indirect physical changes to the environment, and,

WHEREAS, the Clearlake City Council completed the first reading on December 1st, 2022 to adopt the above referenced Building Standards/Codes; and

WHEREAS, the above adopted codes go into effect thirty (30) days after adoption. There is at least one (1) copy of said Building Standard Codes at the City to be used by City Personnel; and/or for examination by the public, and;

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

PASSED AND ADOPTED ON THIS 5th DAY OF JANUARY 2023 BY THE FOLLOWING VOTE:

City of Clearlake – City Mayor

ATTEST: _____
City of Clearlake Clerk/Deputy Clerk

ORDINANCE NO. 267-2023

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

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

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

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

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

WHEREAS, the Clearlake City Council completed the first reading on December 1st, 2022 to adopt the referenced Building Standards/Codes; and

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

SECTION ONE. FINDINGS

- A. The purpose of this Ordinance is to protect the health, safety, and welfare of the residents of the City by ensuring proper building and related codes are adopted and enforced by the City.
- B. CEQA COMPLIANCE: The proposed amendments in this Ordinance are exempt from analysis under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations Section 15378(b)(5), because the proposed amendments to the

Clearlake Municipal Code are a government administrative activity that will not result in direct or indirect physical changes to the environment.

SECTION TWO.

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

"9-1.4 California Building Standards Code-Adopted.

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

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

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

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

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

SECTION THREE. SEVERABILITY.

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

SECTION FOUR. EXECUTION.

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

Passed and adopted this 5th day of January 2023 by the following vote:

- AYES:
- NOES
- ABSENT:

City of Clearlake - Mayor

ATTEST:

Clerk – City of Clearlake

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Consideration of Resolution 2023-03 Authorizing the Extension of the Temporary Closure of Certain Roads, to Reduce Illegal Dumping and to Protect the Environment, and the Public Health and Welfare	MEETING DATE: January 5, 2023
SUBMITTED BY: Adeline Leyba, Public Works Director	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to consider extending the closure of roads to reduce illegal dumping and to protect the environment and public health and welfare.

BACKGROUND/DISCUSSION:

In July of 2020 the City Council had a public hearing and authorized the closure of certain roads to prevent illegal dumping and other illegal activities. Subsequent to this action the city purchased thousands of feet of K-Rail construction barrier, gates and other materials to physically block off the area. While initially effective additional work has been required to strengthen the physical barriers a few times. Staff does believe that the operation has been undoubtedly effective in controlling illegal dumping in the area and an extension is warranted. The California Vehicle Code requires a public hearing be conducted every 18 months to extend the road closure.

The impacted area under this closure is Burns Valley Road – from Arrowhead Dr. to Acacia St, which was originally closed by action of the Council in July of 2021. This is the similar action taken to close the Gobi area to deter illegal dumping and other activity.

OPTIONS:

1. Adopt Resolution 2023-03
2. Provide Direction to Staff.

FISCAL IMPACT:

None Budgeted Item? Yes No
 Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$
 Affected fund(s): General Fund Measure P Fund Measure V Fund Other:

Comments:

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 2023-03

Attachments:

Resolution 2023-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE AUTHORIZING THE EXTENSION OF THE TEMPORARY CLOSURE OF A CERTAIN ROADS, TO REDUCE ILLEGAL DUMPING AND TO PROTECT THE ENVIRONMENT, AND THE PUBLIC HEALTH AND WELFARE

WHEREAS, the City Council adopted Resolution 2021-38, on July 15, 2021, which approved the temporary closure of the following segment of a road in the City of Clearlake:

- Burns Valley Road – from Arrowhead Dr. to Acacia St.

Pursuant to Vehicle Code section 21101.4, the road closures are for a period of eighteen (18) months;

WHEREAS, the closure was deemed necessary for the health and welfare of the public and the protection of the environment, related to the excessive illegal dumping at these locations;

WHEREAS, the City Council finds that continuation of the temporary for an additional eighteen (18) is necessary. Based upon a recommendation from the Clearlake Police Department, the City Council finds the continuation of the temporary closure will assist in preventing the occurrence of the illegal dumping, as the dumping continues to exist near these roads.

WHEREAS, the City finds these roads are not designated as a through highway or arterial street. Vehicular and pedestrian traffic on these roads is a contributing factor to the illegal dumping issue.

WHEREAS, the preceding closure of these roads has not substantially adversely affected traffic flow, safety on the adjacent streets and surrounding neighborhoods, the performance of municipal or public utility services, or the delivery of freight by commercial vehicles in the area of the roads that were temporarily closed.

NOW, THEREFORE, the City Council of the City of Clearlake, incorporated and in light of the above whereas sections, hereby authorizes the temporary road closure of the road segments listed above for an additional eighteen (18) months.

PASSED AND ADOPTED on January 5th 2023, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

City Clerk, City of Clearlake

Mayor, City of Clearlake

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Consideration of Employment Services Agreement with Timothy Hobbs as Police Chief	MEETING DATE: January 5, 2023
SUBMITTED BY: Alan D. Flora, City Manager	
PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to approve the City Manager’s appointment of Timothy Hobbs as Police Chief and authorize the employment agreement.

BACKGROUND/DISCUSSION:

Acting Chief Hobbs has served with the Clearlake Police Department for nearly 20 years, and most recently for several years as Lieutenant. Under Chief White’s leadership Acting Chief Hobbs has developed into a strong leader that is prepared to continue and improve upon the success of the department over the past several years. Key terms of the agreement are as follows:

- Term of three (3) years.
- Base annual salary of \$155,812.80
- 5% incentive for completion of bachelor’s degree
- 5% incentive for completion of Executive POST certificate
- Other benefits consistent with the Management Benefits Plan

Pursuant to subsection (3) to Government Code § 54953(c), prior to the City Council taking final action, staff will provide an oral report summarizing the financial highlights of the proposed Agreement.

OPTIONS:

1. Approve appointment of Acting Chief Hobbs as Clearlake Police Chief and authorize the City Manager to sign the employment agreement.
2. Other direction

FISCAL IMPACT:

None \$ Budgeted Item? Yes No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

SUGGESTED MOTIONS:

Move to adopt.

- Attachments:** 1) Employment Agreement

CITY OF CLEARLAKE
EMPLOYMENT SERVICES AGREEMENT

POLICE CHIEF

1. PARTIES AND DATE.

This Employment Services Agreement (hereinafter referred to as the "Agreement") is made and entered into January _____, 2023 ("Effective Date") by and between the City of Clearlake, a California municipal corporation (hereinafter referred to as "City") and Timothy Hobbs (hereinafter referred to as "Employee"). City and Employee are sometimes individually referred to herein as "Party" and collectively as "Parties".

2. RECITALS.

City desires to employ the services of Employee as Police Chief for the City of Clearlake and Employee desires to accept employment as Police Chief. It is the desire of the Parties through this Agreement to provide for certain benefits, establish conditions of employment and to set working conditions for Employee.

3. TERMS.

3.1 Term of Agreement. The initial term will be for three (3) years as of the Effective Date. City Manager shall provide three (3) months' notice prior to end of term City's desire whether to extend the term of the Agreement.

3.1.1 Term Extension(s). The Agreement will be extendable in two (2) year increments only upon mutual written agreement of both parties.

3.2 Termination of Agreement.

3.2.1 Notice. This Agreement may be terminated with or without cause at any time upon forty-five (45) days advance written notice given by Employee to City or immediately upon written notice by City to Employee. Notice of termination may be delivered personally or by mail. All notices permitted or required under this Agreement shall be given to the respective parties at the following address or at such other address as the respective parties may provide in writing for this purpose:

CITY: City of Clearlake
14050 Olympic Drive
Clearlake, CA 95422
ATTN: City Manager

EMPLOYEE: Timothy Hobbs
Address on File with City Clerk

3.2.2 Recourse. Employee will have no recourse or right to appeal City's decision to terminate Employee except as provided by applicable law.

3.2.3 Employee Resignation. Notwithstanding the above, Employee may voluntarily resign employment with the city by giving 45-days written notice in advance of the last day of employment. However, both parties may mutually agree to a shorter period. In the event of a voluntary resignation, Employee is not entitled to any other compensation except for normal compensation for the 45-day period, pro-rated, following the notice of resignation and the value of all accrued benefits unless otherwise agreed to by parties.

3.2.4 Definition of Cause. For purposes of this agreement, "cause" shall mean any of the following:

- i. Conviction of a felony
- ii. Conviction of a misdemeanor arising out of Employee's duties under this Agreement
- iii. Conviction of any crime involving an "Abuse of office or position" as that term is defined in Government Code section 53243.4
- iv. Willful abandonment of duties
- v. Repeated failure to carry out a directive or directives of the City Council or City Manager
- vi. Any grossly negligent action or inaction by Employee that materially and adversely:
 - 1. impedes or disrupts the operations of the City or its organizational units;
 - 2. is detrimental to employees or public safety;
 - 3. violates rules or procedures of City.

3.2.5 Suspension or Termination for Cause. In the event of suspension or termination with cause, Employee is not entitled to any other compensation except regular compensation, including any accrued vacation benefits, up to the suspension or termination date.

3.2.6 Suspension Without Cause. In the event of suspension without cause, Employee shall be entitled to receive normal compensation and benefits during the suspension period.

3.2.7 Severance-Termination Without Cause. If Employee is terminated without cause during such time as Employee is willing and able to perform the duties of the position, Employee shall be entitled to six months' severance which is to include base salary plus accrued vacation leave benefits and one month's health insurance. No other compensation or benefits shall be paid except as set forth in the Management Employees Classification and Benefit Plan (Management Benefit Plan).

In no event shall Employee ever receive more severance pay and benefits than the number of months then remaining on Employee's Agreement term.

In no event shall the above lump sum and health insurance payments exceed the amounts determined pursuant to Article 3.5 (commencing with Section 53260) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code.

3.2.8 Confidentiality and Non-Disparagement. Given the at-will nature of the position of Police Chief, an important element of the employment agreement pertains to termination. It is in both the City's interest and that of Employee that any separation of the Police Chief is done in a businesslike manner.

Except as otherwise required by law, in the event the City terminates Employee with or without Cause, the City and Employee agree that no member of the City Council, the city management staff, nor Employee shall make any written, oral, or electronic statement to any member of the public, the press, or any City employee concerning Employee's termination except in the form of a joint press release or statement, which is mutually agreeable to City and Employee. The joint press release or statement shall not contain any text or information that is disparaging to either Party. Either Party may verbally repeat the substance of the joint press release or statement in response to any inquiry.

3.3 Duties.

3.3.1 Designated Duties. City hereby agrees to employ Employee as Police Chief to perform the functions and duties pertaining to the Police Chief position, and to perform other legally permissible duties and such functions as the City Manager shall from time to time assign. The City Manager shall have the authority to determine the specific duties and functions that Employee shall perform under the Agreement and the means and manner by which Employee shall perform those duties and functions. Employee agrees to devote all business time, skill, attention and best efforts to the discharge of the duties and functions assigned by the City Manager.

3.3.2 Control and Supervision. Employee shall serve at the will and pleasure of the City Manager.

3.3.3 Meetings. Employee shall attend all meetings as directed by the City Manager that are determined necessary for the business of the City, including City Council meetings.

3.3.4 Education. Employee shall complete the course work needed to receive a bachelor's degree during the three (3) year term of this agreement.

- A. Degree shall be relevant to the job duties of the Police Chief
- B. Employee shall receive 5% incentive pay for completion of bachelor's degree program pursuant to this section.
- C. Employee shall be eligible for the Safety Education Loan Forgiveness (SELF) Program:

The Safety Education Loan Forgiveness (SELF) Program would be established to provide a forgivable loan amount of up to a maximum \$10,000 for a program leading to a bachelor's degree. The City would pay an amount up to \$5,000 per fiscal year on behalf of the employee to the educational institution for tuition and related direct expenses as provided below:

A. In order to be eligible for the program, an employee must have been an employee of the City or a minimum of one year and completed field training. The course of study must be approved in advance, be relevant to the City, and be from a regionally accredited, degree-granting institution. The City Manager may approve a course of study from a nationally-accredited, degree-granting institution.

B. Employee will have up to a maximum of three years to successfully complete the program by obtaining their degree. The maximum loan amount is limited to \$5,000 per year, with a total of \$10,000 per employee within the four-year period.

C. If the employee (1) does not complete the program within the four years, (2) quits the program, or (3) leaves City service prior to completion of the program, repayment of all funds disbursed under the program would be due back to the City. The repayment would be required to be paid via a payroll deduction (presumably from paid leave cash-out). In the event of insufficient paid leave balances, employee would be permitted to spread the amount due back to the City in equal payments for up to one year, provided they are in City service during this time. If they leave City service during this repayment period, any balance remaining on the final date of employment would become immediately due.

D. Upon successful completion of the program, provided the employee remains in City service, the loan would be forgiven after the fifth year after the two-year program period. If an employee successfully completes the program, but leaves City service prior to this time, the loan would be required to be paid via a payroll deduction (presumably from paid leave cash-out) based on the following schedule:

- 100% repayment for leaving City service during the first two years after the initial two-year program period.
- 75% repayment for leaving City service during the third year after the initial two-year program period.
- 50% repayment for leaving City service during the fourth year after the initial two-year program period.
- 25% repayment for leaving City service during the fifth year after the initial two-year program period.
- 0% repayment for leaving City service after the fifth year after the initial two-year program period (loan forgiven).

3.4 Conditions of Employment.

3.4.1 Conflicts of Interest. During the term of the Agreement, Employee shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of Employee's duties under this agreement. The foregoing shall not preclude occasional teaching, writing, or consulting performed during Employee's time off.

3.4.2 Hours. The Police Chief is an exempt employee but is expected to engage in those hours of work that are necessary to fulfill the obligations of the position. Employee does not have set hours of work as Employee is expected to be available at all times.

It is recognized that Employee must devote a great deal of time to the business of the city outside of the city's customary office hours, and to that end Employee's schedule of work each day and week shall vary in accordance with the work required to be performed. Employee shall spend sufficient hours on site to perform Employee's duties; however, Employee has discretion over Employee's work schedule and work location.

3.5 Salary, Benefits, and Other Considerations. For services rendered pursuant to this Agreement, Employee shall receive the following compensation:

3.5.1 Salary. City shall compensate Employee at a rate \$12,984.40 per month beginning the first full pay period after execution of this agreement. Compensation shall be paid bi-weekly at the same time as other employees of City are paid and shall be subject to all applicable taxes, insurance and other required deductions. Any compensation changes occurring as a result of this agreement shall take effect at the next regular payroll following execution of this agreement.

A. Each year on or about the anniversary of this Agreement, the City Manager shall perform an annual review of performance of Employee. Review of base salary will be based upon performance as part of Agreement extension discussion. Future range adjustments will be at the discretion of the City Council.

B. City agrees to adjust Employee's annual salary by a cost-of-living adjustment on the same percentage amount and at the same time as cost-of-living adjustments are made to City's management salary ranges.

C. Employee will be eligible for 5% POST Executive Certificate Incentive Pay after two (2) years as Police Chief and completion of POST Executive Development Course. Employee is not eligible for other POST incentive pay.

D. City shall not at any time during the term of this agreement reduce the base salary, compensation or other financial benefits of Employee, unless as part of a general City management salary reduction, and then in no greater percentage than the average reduction of all City department heads or unless otherwise renegotiated.

E. Employee shall not receive longevity pay, pursuant to the Management Benefit Plan, during the term of this agreement.

3.5.2 Benefits. Employee will be eligible for benefits as provided to management employees as set forth in the Management Benefit Plan and any other documents that designate management benefits, except as otherwise noted in this Agreement.

- A. Employee will be entitled to a Uniform Allowance consistent with the amount in the Clearlake Middle Management Association MOU for a Police Sergeant.
- B. Employee shall be entitled to vacation accrual in accordance with Management Benefit Plan and Employee's current years of service, increased annually in accordance with the Plan.
- C. Employee shall accrue sick leave at a rate of eight hours per calendar month of service in accordance with the Management Benefit Plan.
- D. The Police Chief position is classified as "exempt" under the Fair Labor Standards Act and Employee shall not be entitled to the payment of overtime. Employee shall be entitled to executive leave of 80 hours per employment year with full pay. Hours shall be credited on January 1 of each year. Executive leave does not accumulate and is not earned vacation time or benefit. Executive leave days not used at the end of the calendar year are lost. Sell back of executive leave is per the Management Benefit Plan.

3.5.3 Other Considerations.

- A. Employee's duties require that the Police Chief have the exclusive use of a City vehicle during the term of employment. City shall provide all attendant operating and maintenance expenses and required insurance. At the City Manager's discretion, if Employee will be out of the office for a period of time exceeding two weeks, the vehicle shall be returned to the City until Employee returns to duty.
- B. The City will provide \$75 per month to offset use of Employee's personal cell phone for City business or City will provide a phone at Employee's option.

3.5.4 Dues, expenses, professional development.

- A. The City Manager will budget sufficient funds to cover dues and subscriptions of the Police Chief necessary for continued and full participation in regional, state and local associations and organizations necessary and desirable for the full representation of the City's interests. The City shall also pay the Police Chief's dues for membership in the International Association of Chiefs of Police (IACP) and the CA Police Chiefs Association. The Police Chief may request to join other associations and organizations, and, if approved, the City shall pay such other dues and appropriate expenses.
- B. City recognizes that certain expenses of a non-personal and generally job-related nature are incurred by the Employee in the performance of Employee's duties and responsibilities. City agrees to reimburse or to pay said general expenses

on receipt of duly executed expense or petty cash vouchers, receipts or statements, attached to a monthly request for reimbursement form.

C. City agrees to budget a sufficient amount of money to pay for the registration, travel and subsistence of Employee to adequately pursue necessary official functions for the City, short courses, institutions, seminars and other functions that are necessary for Employee's professional development and for the good of the city. These shall include, but not be limited to, the CA Police Chief's Association annual conference and the IACP Annual Conference (on a bi-annual basis pending City Manager approval and budget approval).

D. Any expenses of a purely personal nature while participating in any organization shall be borne by Employee. Employee agrees to obtain prior approval for expenses unless specifically provided in the annual budget.

3.6 Indemnification.

City shall defend, save harmless and indemnify Employee against any negligent tort, professional liability, claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged negligent act or omission occurring in the performance of Employee's services as Police Chief, except that this provision shall not apply with respect to any intentional tort or crime committed by Employee, or any actions outside the course and scope of employment.

3.7 Entire Agreement.

This Agreement constitutes the entire agreement between the parties. This Agreement may be amended if in writing and signed by both Parties. No waiver of any provision of this Agreement shall be deemed or shall constitute a waiver of any other provision whether or not similar, nor shall any such waiver constitute a continuing or subsequent waiver of the same provision. No waiver shall be binding, unless executed in writing by the party making the waiver. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

3.8 Governing Law; Venue.

This Agreement shall be construed under and governed by the laws of the State of California, and venue shall be in Lake County, California.

IN WITNESS WHEREOF, City and Employee have signed and executed this Agreement as of the Effective Date first above written.

CITY OF CLEARLAKE

EMPLOYEE

By: _____
Alan Flora, City Manager

By: _____
Timothy Hobbs

ATTEST:

By: _____
Melissa Swanson, City Clerk

CITY OF CLEARLAKE

City Council



STAFF REPORT	
SUBJECT: Mayor's Appointments for 2023	MEETING DATE: January 5, 2023
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 ratify the 2023 Mayor's Appointments.

BACKGROUND/DISCUSSION:

As is customary for the City of Clearlake, the Mayor makes appointments to the various committees, boards and commissions at the first Council meeting of the calendar year.

The Mayor will announce the appointments at the Council meeting.

OPTIONS:

- 1. Move to ratify the Mayor's appointments for 2023.
- 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 ratify Mayor Perdock's appointments.

Attachments: 1) 2022 Mayor's Appointments

**CITY OF CLEARLAKE
MAYOR’S APPOINTMENTS**

ABANDONED VEHICLE AUTHORITY

Lake County Building Department
Code Enforcement Division
255 No. Forbes St.
Lakeport, CA 95453
263-2309

Russ Perdock, Member
David Claffey, Alternate

MEETS:

Third Wednesday of the month at 1 PM; alternating Clearlake/Lakeport

SEWER DISTRICT 1-6 ADVISORY BOARD

Lake County Special Districts
Attn: Administrator
230 No. Main St.
Lakeport, CA 95453
263-0119

Dirk Slooten, Member

As needed

RESOURCE MGMT COMMITTEE

Lake County Water Resources Department
Director
255 No. Forbes St.
Lakeport, CA 95453
263-2341

Joyce Overton, Member
David Claffey, Alternate

As needed

INTEGRATED WASTE MANAGEMENT TASK FORCE/SOLID WASTE DIVERSION COMMITTEE & CLEARLAKE SOLID WASTE COMMITTEE

Lake County Public Services
Director
333 – Second Street
Lakeport, CA 95453
262-1760

Russ Perdock, Member
David Claffey, Alternate

As needed

VECTOR CONTROL BOARD OF TRUSTEES

Jamesina J. Scott, Director

P.O. Box 310
Lakeport, CA 95453

(4 year term – expires 2027)
Curt Giambruno

2nd Wed. of the mo.
1:30 p.m.

One member is chosen by each incorporated City, and three members are chosen by the Board of Supervisors, for a total of five members.

P.E.G. BOARD

14050 Olympic Drive
Clearlake, CA 95422

David Claffey, Member
Russ Perdock, Alternate

2nd Mon of the mo. at
6:00 p.m. alternating in
Clearlake/Lakeport

TRAFFIC SAFETY COMMITTEE

Resolution 2019-46

Meets Quarterly/As Needed

Joyce Overton, Member
Russ Perdock, Alternate
City Engineer, Member
Public Works Director or designee
Clearlake Police Department representative
Lake County Fire Protection District representative
Sheryl Almon, Public Member

LEAGUE OF CALIFORNIA CITIES, REDWOOD EMPIRE DIVISION

Division Business Meeting and Legislative Committee Vacant, Member
 Vacant, Alternate

AREA PLANNING COUNCIL (APC)/TRANSIT AUTHORITY

Lisa Davey-Bates, Executive Director
 367 N. State Street, Suite 204
 Ukiah, CA 95482
 234-3314

City Representative

Russ Cremer, Member
 Russ Perdock, Member
 Dirk Slooten, Alternate

Meets 2nd Wed of mo.
 9:00 a.m alternating in Lower Lake
 and Lakeport

**LAKE COUNTY CLEAN WATER PROGRAM ADVISORY COUNCIL
 (NPDES-National Pollutant Discharge Elimination System)**

Lake County Water Resources Department
 Director
 255 No. Forbes St.
 Lakeport, CA 95453
 263-2341

Public Works Department Representative, Member
 TBD, Alternate

Meets as needed

**LAKE COUNTY WATERSHED PROTECTION DISTRICT MANAGEMENT COUNCIL
 (NPDES-National Pollutant Discharge Elimination System)**

Lake County Water Resources Department
 Director
 255 No. Forbes St.
 Lakeport, CA 95453
 263-2341

Joyce Overton (2022 Calendar Year)
 Russ Cremer, Alternate

Meets as needed

LAKE COUNTY COMMUNITY RISK REDUCTION AUTHORITY

Lake County Risk Reduction Authority
 Director
 255 No. Forbes St.
 Lakeport, CA 95453
RRA@lakecountyca.gov

Russ Cremer, Member

Meets 3rd Monday of each month at 3:00

LAKE COUNTY COMMUNITY VISIONING FORUM PLANNING COMMITTEE

County of Lake – Attn: Matthew Rothstein
 255 No. Forbes St.
 Lakeport, CA 95453
 263-2580

Dirk Slooten, Member

CLEARLAKE PLANNING COMMISSION

(4 Year Staggered Terms Expiring in Odd Numbered Years)

Meets the 2nd and 4th Tues
 of the mo. at 6:00 p.m.

<u>Name</u>	<u>Appointed</u>	<u>Term Expiration</u>
Fawn Williams	11/03/20	03/11/25
Terry Stewart	11/04/21	03/11/25
Robert Coker	08/21/18	03/11/25
Lisa Wilson	02/19/19	03/11/23
Erin McCarrick	05/05/20	03/11/23

ZONING CODE UPDATE/DESIGN REVIEW MANUAL STEERING COMMITTEE

Meets as needed
Wednesdays at 6:00 p.m.

Dirk Slooten, Councilmember
Planning Commissioner Appointee
Planning Commissioner Appointee
Dave Hughes, community member
Bob Mingori, community member
Chuck Leonard, community member

MEASURE V CITIZEN OVERSIGHT COMMITTEE

Resolution No. 2017-07; 2021-18

Meets annually in October

Ray Silva	Appointed by David Claffey	2020-2024
Conrad Colbrandt	Appointed by Russ Perdock	2020-2024
Jim Scholz	Appointed by Joyce Overton	2020-2024
Vacant, Member	Appointed by Russ Cremer	2022-2026
Vacant, Member	Appointed by Dirk Slooten	2022-2026

APPOINTED BY MAYORS' SELECTION COMMITTEE:

(The following are recommended appointments from the Mayor to the Mayors' Selection Committee that will make the final appointments)

Lake Local Agency Formation Commission (4 Yr Term: 1/1/23 – 1/1/27)

NOTE: APPOINTED BY MAYORS' SELECTION COMMITTEE

John Benoit, Executive Director
P.O. Box 2694
Granite Bay, CA 95746
707-592-7528
(916) 797-7631 FAX
johnbenoit@surewest.net
jbenoit@icloud.com

Vacant, Member
Vacant, Alternate

Meets 3rd Wed.
at 9:00 a.m. alternating
in Clearlake/Lakeport

LAKE COUNTY AIRPORT LAND USE COMMISSION

Lake County Planning Department
255 No. Forbes St.
Lakeport, CA 95453
263-2221

Russ Cremer, Member
Dirk Slooten, Alternate

Meets as needed

MAYORS' SELECTION COMMITTEE

**Chairman of the Board of Supervisors
City of Clearlake Mayor
City of Lakeport Mayor**
Staff: **Susan Parker, County Administrator
County of Lake
255 No. Forbes St
Lakeport, CA. 95453**

CITY OF CLEARLAKE

City Council



STAFF REPORT	
<p>SUBJECT: Consideration of Appointing Councilmembers as Representatives to the CalCities Redwood Empire Division, Resolution No. 2023-01: A Resolution of the City Council of the City of Clearlake Appointing Representatives to Represent and Vote on Behalf of the City at the CalCities, Redwood Empire Division Business Meetings and Represent the City and Vote at the Division Legislative Committee Meetings</p>	<p>MEETING DATE: January 5, 2023</p>
<p>SUBMITTED BY: Melissa Swanson, Administrative Services Director/City Clerk</p>	
<p>PURPOSE OF REPORT: <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item</p>	

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to adopt a resolution ratifying Mayor Perdock’s appointments to the CalCities, Redwood Empire Division Committees.

BACKGROUND/DISCUSSION:

The CalCities Redwood Empire Division requests each member city to appoint a voting representative and alternate to division meetings and legislative committee meetings by resolution. The Mayor will announce the appointments at the meeting and the resolution is attached.

Making this appointment does not preclude any other Councilmember or staff from attending any meeting of the division. If more than one person from the City does attend, those attending are permitted to caucus to provide input to the voting delegate prior to a vote.

Generally, there are four quarterly meetings annually, with one of those being held during the League’s annual conference.

OPTIONS:

- 1. Move to adopt Resolution, adding the names of the appointees.
- 2. Other direction

FISCAL IMPACT:

None \$ Budgeted Item? Yes No

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

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

Comments:

STRATEGIC PLAN IMPACT:

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

SUGGESTED MOTIONS:

Move to adopt Resolution No. 2023-01, adding the names of the appointees in the motion.

- Attachments:** 1) Resolution No. 2023-01

**CITY OF CLEARLAKE
CITY COUNCIL**

RESOLUTION NO. 2023-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CLEARLAKE APPOINTING REPRESENTATIVES TO REPRESENT AND
VOTE ON BEHALF OF THE CITY AT THE CALCITIES, REDWOOD EMPIRE
DIVISION BUSINESS MEETINGS AND REPRESENT THE CITY AND VOTE
AT DIVISION LEGISLATIVE COMMITTEE MEETINGS.**

WHEREAS, the City is a member of the League of California Cities (CalCities), an association of California city officials who work together to enhance their knowledge and skills, exchange information, and combine resources so that they may influence policy decisions that affect cities, and

WHEREAS, mayors, council members and other officials set League policies and priorities from member cities who serve on the League Board of Directors, League policy committees, regional division boards, departments, caucuses, and task forces where League policies and priorities are formulated and set, and

WHEREAS, the City is an active member of the Redwood Empire Division, League of California Cities, and

WHEREAS, the Redwood Empire Division By-laws, Article III, Section 3, states representatives of each member city shall cast one vote by city, and

WHEREAS, the Redwood Empire Division By-laws, Article VIII, creates a Redwood Empire Division Legislative Committee to review and respond to bills that impact Redwood Empire Cities, and

WHEREAS, the City must appoint one elected official to attend and represent the city at Division Business meetings who can vote on behalf of the city, and

WHEREAS, the City must appoint one elected official to attend and represent the city at Legislative Committee meetings who can vote on behalf of the city, and

WHEREAS, an alternate elected official should be appointed to represent the city in the event the regular member is not available to attend, and

WHEREAS, appointments should be reviewed and updated annually.

NOW, THEREFORE, BE IT RESOLVED that the 2023 appointments for the Redwood Empire Division are as follows:

Division Business Meeting Primary: _____

Division Business Meeting Alternate: _____

Legislative Committee Primary: _____

Legislative Committee Alternate: _____

It is hereby certified that the foregoing Resolution No. 2023-01 was duly introduced and adopted by the City Council of the City of Clearlake at its regular meeting held on the 5th day of January 2023 by the following vote:

- AYES IN FAVOR:
- NOES:
- ABSENT:
- ABSTAIN:

Approved:

Attested:

Mayor

City Clerk