



## CITY COUNCIL SPECIAL MEETING

Clearlake City Hall Council Chambers

14050 Olympic Dr, Clearlake, CA

Thursday, October 24, 2024

Special Meeting 5:00 PM

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The City Council meetings are viewable in person in the Council Chambers, via livestreaming on the City's YouTube Channel ([https://www.youtube.com/channel/UCTyifT\\_nKS-3woxEu1ilBXA](https://www.youtube.com/channel/UCTyifT_nKS-3woxEu1ilBXA)) or "Lake County PEG TV Live Stream" at <https://www.youtube.com/user/LakeCountyPegTV/featured> and the public may participate through Zoom at the link listed below. The public will not be allowed to provide verbal comment during the meeting if attending via Zoom. The public can submit comments in writing for City Council consideration by commenting via the Q&A function in the Zoom platform or by sending comments to the Administrative Services Director/City Clerk at [mswanson@clearlake.ca.us](mailto:mswanson@clearlake.ca.us). To give the City Council adequate time to review your comments, you must submit your written emailed comments prior to 4:00 p.m. on the day of the meeting.

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### 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.*

*Pursuant to Senate Bill 1100 and the City Council Norms and Procedures, any member of the public making personal, impertinent, and/or slanderous or profane remarks, or who becomes boisterous or belligerent while addressing the City Council, staff or general public, or while attending the City Council meeting and refuses to come to order at the direction of the Mayor/Presiding Officer, shall be removed from the Council Chambers or the Zoom by the sergeant-at-arms or the City Clerk and may be barred from further attendance before the Council during that meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations shall not be permitted by the Mayor/Presiding Officer. The Mayor/Presiding Officer may direct the sergeant-at-arms to remove such offenders from the room.*

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## AMERICANS WITH DISABILITY ACT (ADA) REQUESTS

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

### AGENDA REPORTS

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

### Zoom Link:

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://clearlakeca.zoom.us/j/86448799808?pwd=LKiZ9lvDbaya21fgd5wfc8FiDHahgC.1>

Passcode: 238632

Or One tap mobile:

+16694449171,,86448799808# US

+13462487799,,86448799808# US (Houston)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 444 9171 or +1 346 248 7799 or +1 719 359 4580 or +1 720 707 2699 or +1 253 205 0468 or +1 253 215 8782 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325

Webinar ID: 864 4879 9808

International numbers available: <https://clearlakeca.zoom.us/j/86448799808>

**A. ROLL CALL**

**B. PLEDGE OF ALLEGIANCE**

**C. BUSINESS**

1. Designating Agent for Non-State Agencies-CalOES Reso No. 2024-45  
Authorization to: Designate City Manager as Agent for City of Clearlake for Open/Future Disasters (3 years)
2. Consideration of a Resolution Acknowledging Completion of Oak Valley Villas (CDBG) Reso. 2024-46  
Recommended Action: Adopt resolution

**D. ADJOURNMENT**

POSTED: October 23, 2024

BY:

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

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Melissa Swanson, Administrative Services Director/City Clerk



# CITY OF CLEARLAKE

City Council

<b>STAFF REPORT</b>	
<b>SUBJECT:</b> Adoption of Resolution No. 2024-45, A Resolution of the City Council of the City of Clearlake to designate the City Manager as agent for Non-State Agencies	<b>MEETING DATE:</b> 10/24/24
<b>SUBMITTED BY:</b> Bambi Cline	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

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

The City Council is being asked to approve the designation of the City Manager as Agent to act on behalf of the City of Clearlake, a public entity under the laws of California, to provide to the Governor’s Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

**BACKGROUND/DISCUSSION:**

On September 8<sup>th</sup>, 2024 the City of Clearlake experienced an incident known as The Boyles Fire. In order to recover costs expended by the City in various departments during the incident period and recovery phase it is necessary to apply for and manage the request to obtain financial assistance. The State of California Cal OES office is the “recipient” of federal grant funds available for this purpose and is requiring the signing of this form OES-FPD-130 prior to funds being released to the City of Clearlake who will be the “sub-recipient”. This resolution, once agreed upon, will be in effect for 3 years from the date of approval for all open and future disasters/grants declared.

**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:

There is no strategic plan impact however the recovery of funds spent on the disaster assures that our current budget FY 24-25 remains intact and funds allocated for the public good and projects can continue as planned.

Comments:

**STRATEGIC PLAN IMPACT:**

**None**

**SUGGESTED MOTIONS:**

Move to adopt Resolution No. 2024-45 designating City Manager as Agent for Non-State Agencies.

**Attachments:**      1) Cal OES Form OES-FPD-130 as Resolution No. 2024-45



Cal OES ID No: 033-13945

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLEARLAKE  
 (Governing Body) (Name of Applicant)

THAT CITY MANAGER, OR  
 (Title of Authorized Agent)

\_\_\_\_\_, OR  
 (Title of Authorized Agent)

\_\_\_\_\_  
 (Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the CITY OF CLEARLAKE  
 (Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM)**, under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA)**, under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the CITY OF CLEARLAKE, a public entity established under the  
 (Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.



**Please check the appropriate box below**

- This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): \_\_\_\_\_

Passed and approved this 24 day of OCTOBER, 2024

DAVID CLAFFEY, MAYOR  
 (Name and Title of Governing Body Representative)

JOYCE OVERTON, VICE MAYOR  
 (Name and Title of Governing Body Representative)

DIRK SLOOTEN, COUNCIL MEMBER  
 (Name and Title of Governing Body Representative)

**CERTIFICATION**

I, MELISSA SWANSON, duly appointed and CITY CLERK of  
 (Name) (Title)  
CITY OF CLEARLAKE, do hereby certify that the above is a true and  
 (Name of Applicant)

correct copy of a resolution passed and approved by the CITY COUNCIL  
 (Governing Body)

of the CITY OF CLEARLAKE on the 24 day of October, 2024.  
 (Name of Applicant)

\_\_\_\_\_  
 (Signature)

\_\_\_\_\_  
 (Title)



**DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE City Council OF THE City of Clearlake  
 (Governing Body) (Name of Applicant)

THAT City Manager, OR  
 (Title of Authorized Agent)

\_\_\_\_\_, OR  
 (Title of Authorized Agent)

\_\_\_\_\_  
 (Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Clearlake,  
 (Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM)**, under
- Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.
- **Flood Mitigation Assistance Program (FMA)**, under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the City of Clearlake, a public entity established under the  
 (Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.





**Please check the appropriate box below**

- This is a universal resolution and is effective for all open and future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): \_\_\_\_\_

Passed and approved this 24 day of October, 2024

**David Claffey, Mayor**

(Name and Title of Governing Body Representative)

**Joyce Overton, Vice Mayor**

(Name and Title of Governing Body Representative)

**Dirk Slooten, Council Member**

(Name and Title of Governing Body Representative)

**CERTIFICATION**

I, Melissa Swanson, duly appointed and City Clerk of  
 (Name) (Title)  
City of Clearlake, do hereby certify that the above is a true and  
 (Name of Applicant)

correct copy of a resolution passed and approved by the City Council  
 (Governing Body)

of the City of Clearlake on the 24 day of October, 2024  
 (Name of Applicant)

**City Clerk**

(Signature)

(Title)



### Cal OES Form 130 Instructions

**A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted resolution is older than three (3) years from the last date of approval, is invalid, or has not been submitted.**

When completing the Cal OES Form 130, Applicants should fill in the blanks on pages 1 and 2. The blanks are to be filled in as follows:

#### **Resolution Section:**

**Governing Body:** This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

**Name of Applicant:** The public entity established under the laws of the State of California.

Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

**Authorized Agent:** These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Services regarding grants for which they have applied. There are two ways of completing this section:

1. **Titles Only:** The titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by either a cover letter naming the Authorized Agents by name and title, or the Cal OES AA Names document. The supporting document can be completed by any authorized person within the Agency (e.g., administrative assistant, the Authorized Agent, secretary to the Director). It does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document, or their title changes.



**Checking Universal or Disaster-Specific Box:** A Universal resolution is effective for all past disasters and for those declared up to three (3) years following the date of approval. Upon expiration it is no longer effective for new disasters, but it remains in effect for disasters declared prior to expiration. It remains effective until the disaster goes through closeout unless it is superseded by a newer resolution.

**Governing Body Representative:** These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents. A minimum of three (3) approving board members must be listed. If less than three are present, meeting minutes must be attached in order to verify a quorum was met.

**Certification Section:**

**Name and Title:** This is the individual in attendance who recorded the creation and approval of this resolution.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member. If a person holds two positions (such as City Manager and Secretary to the Board) and the City Manager is to be listed as an Authorized Agent, then that person could sign the document as Secretary to the Board (not City Manager) to eliminate "Self-Certification."



# CITY OF CLEARLAKE

City Council

<b>STAFF REPORT</b>	
<b>SUBJECT:</b> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE ACKNOWLEDGING THE PROJECT COMPLETION OF OAK VALLEY VILLAS, AN 80-UNIT AFFORDABLE LARGE FAMILY HOUSING COMPLEX LOCATED AT 14795 BURNS VALLEY ROAD, CLEARLAKE	<b>MEETING DATE:</b> 10/24/24
<b>SUBMITTED BY:</b> Bambi Cline	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

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

The City Council is being asked to approve Resolution No. 2024-46 accepting the Oak Valley Villas Project as complete, direct staff to complete the required documents, submit all required information to the State, provide all payments and expenditures, provide the final reports and reimbursements to the State of California.

**BACKGROUND/DISCUSSION:**

The City of Clearlake was awarded, through the 2017 and 2018 CDBG-DR funding as amended with County of Lake funding, a total of \$6,808,900. The City has approved one project (Danco/Oak Valley Villas) and construction a total of \$3,000,000 and the project is now complete. A total of 80 affordable units are now in place, occupied and providing housing in our community. The staff is now working with the State CDBG-DR program to complete the project, provide all required documents and make final reimbursements to the project developer.

The City is required to accept the project as completed and provide the resolution, as provided herein, to meet these final requirements.

**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 #4: Improve the Image of Clearlake

Goal #7: Support Economic Development

**SUGGESTED MOTIONS:**

Move to approve Resolution No. 2024-46 and direct staff to take the necessary steps to complete the project, provide final payment to the developer and provide required documents and request for reimbursement to the State.

**Attachments:**

Resolution 2024-46

RESOLUTION NO. 2024-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE ACKNOWLEDGING THE PROJECT COMPLETION OF OAK VALLEY VILLAS, AN 80-UNIT AFFORDABLE LARGE FAMILY HOUSING COMPLEX LOCATED AT 14795 BURNS VALLEY ROAD, CLEARLAKE, CA. A PORTION OF APN NUMBERS; 010-026-290-000, 010-026-400-000, 039-481-440-000, 039-481-450-000, 039-481-570-000 AND 039-570-180-000.

WHEREAS, in response to the 2017 and 2018 wildfires, floods, and mudslides in California, the U.S. Department of Housing and Urban Development allocated \$3,154,450.00 in Community Development Block Grant – Disaster Recovery (CDBG-DR) funds under Public Laws 115-254 and 116-20 to the State of California Department of Housing and Community Development (HCD) to support state-wide recovery needs related to the Federal Emergency Management Agency’s Major Disaster Declaration DR-4344 in October 2017 and DR-4353 in December 2017/January 2018; and

WHEREAS, from this allocation of CDBG-DR funds, HCD created the Disaster Recovery – Multifamily Housing Program (DR-MHP) and allocated up to \$6,808,900 in funds to the CITY OF CLEARLAKE as a subrecipient in their CDBG-DR Action Plan which was approved by the U.S. Department of Housing and Urban Development (HUD) in August 2020 and as amended on May 12, 2022; and

WHEREAS, the CITY OF CLEARLAKE entered into a Master Standard Agreement on June 7, 2021 with amendments on June 17, 2022 and October 24, 2022 with HCD; and

WHEREAS, the CITY OF CLEARLAKE awarded Oak Valley Villas \$3,000,000 in CDBG-DR program funds on May 1, 2022 for construction related costs associated with Oak Valley Villas through a competitive Community Development Block Grant – Disaster Recovery/Disaster Recovery – Multifamily Housing Program Notice of Funding Availability (“NOFA”) released on September 7, 2021; and

WHEREAS, HCD issued the CITY OF CLEARLAKE a Notice to Proceed on May 13, 2022 for the development of the Large Family affordable housing project known as Oak Valley Villas (Project) located at 14795 Burns Valley Road, Clearlake, CA and consisting of 80 affordable units and 1 unrestricted manager’s unit targeted to Large Families at or below 50% Area Median Income.

WHEREAS, the Project completed construction and was issued a Certificate of Occupancy by the City of Clearlake on December 21, 2022 and;

WHEREAS, City Council of the City of Clearlake must submit a Resolution authorizing the completion of the Oak Valley Villas project to HCD in order to comply with all of the requirements set forth in the Master Standard Agreement and Notice to Proceed and to complete the Project Closeout Checklist and submit the final financial report for

reimbursement of the remaining 10% retention of the project award.

NOW, THEREFORE, BE IT RESOLVED that City Council of the City of Clearlake is hereby acknowledging the project completion of Oak Valley Villas;

BE IT FURTHER RESOLVED that the City Council of the City of Clearlake, in connection with the authorization of project completion for Oak Valley Villas, is authorized and directed to deliver a Resolution documenting project completion, and any and all other documents required or deemed necessary or appropriate to carry into effect the full intent and purpose of the above resolution, in order to evidence the City of Clearlake obligations related thereto, and HCD’s security therefore; certain other documents required by the Department as security for, evidence of or pertaining to the Master Standard Agreement and Notice to Proceed, and all amendments thereto (collectively, the Oak Valley Villas CDBG-DR Grant Documents).

In City of Clearlake, City Council DULY PASSED this 24<sup>th</sup> day of October, 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Secretary

APPROVED: \_\_\_\_\_  
Chair

APPROVED AS TO FORM:

[City Attorney] / [County Counsel]

