AGENDA
REGULAR MEETING OF THE LAKEPORT CITY COUNCIL
(ALSO MEETS AS THE CITY OF LAKEPORT MUNICIPAL SEWER DISTRICT, THE LAKEPORT INDUSTRIAL DEVELOPMENT AUTHORITY, THE MUNICIPAL FINANCING AGENCY OF LAKEPORT and THE SUCCESSOR AGENCY TO THE LAKEPORT REDEVELOPMENT AGENCY)
Tuesday, April 18, 2017
City Council Chambers, 225 Park Street, Lakeport, California 95453

Any person may speak for three (3) minutes on any agenda item; however, total public input per item is not to exceed 15 minutes, extended at the discretion of the City Council. This rule does not apply to public hearings. Non-timed items may be taken up at any unspecified time.

I. CALL TO ORDER & ROLL CALL: 6:00 p.m.
II. PLEDGE OF ALLEGIANCE:

III. ACCEPTANCE OF AGENDA:
   To add item, Council is required to make a majority decision that an urgency exists (as defined in the Brown Act) and a 2/3rds determination that the need to take action arose subsequent to the Agenda being posted.

IV. CONSENT AGENDA:
   The following Consent Agenda items are expected to be routine and noncontroversial. They will be acted upon by the Council at one time without any discussion. Any Council Member may request that any item be removed from the Consent Agenda for discussion under the regular Agenda. Removed items will be considered following the Consent Calendar portion of this agenda.
   A. Ordinances: Waive reading except by title, of any ordinances under consideration at this meeting for either introduction or passage per Government Code Section 36934.
   B. Minutes: Approve minutes of the Special City Council meeting of April 3, 2017 and the regular City Council meeting of April 4, 2017.
   C. Warrants: Approve the warrant register of April 6, 2017.
   D. AB 1600 User Fees Report: Adopt the proposed resolution to reaffirm the necessity of AB 1600 development impact fees.
   E. Local Emergency Proclamation: Approve the continuation of the proclamation declaring a Local State of Emergency due to flooding and extreme weather.

V. PUBLIC PRESENTATIONS/REQUESTS:
   A. Citizen Input: Any person may speak for 3 minutes about any subject within the authority of the City Council, provided that the subject is not already on tonight’s agenda. Persons wishing to address the City Council are required to complete a Citizen’s Input form and submit it to the City Clerk prior to the meeting being called to order. While not required, please state your name and address for the record. NOTE: Per Government Code §54954.3(a), the City Council cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda.
   B. Proclamation: Presentation of a Proclamation honoring Alexander Beare for achieving the rank of Eagle Scout.

VI. COUNCIL BUSINESS:
   A. Finance Director
   B. Community Development Director
      1. HOME Grant Funds: Recommend that the City of Lakeport revise its current HOME Investment Partnership award to pursue the development of a 24-unit affordable multi-family housing project located at 1255 Martin Street; and
         2. Direct the Community Development Department and Planning Commission to expeditiously process the land use entitlement application provided by Pacific West Architecture for the project consistent with the goals and policies outlined in the Lakeport Housing Element.
   C. City Clerk
1. Measure Z Citizen Advisory Committee
   Appoint Annette Hopkins, Susan King, Dennis Rollins, Nathan Speed and Tim Wynacht to the Measure Z Advisory Committee (MZAC), with two (2) members’ terms to expire December 31, 2018, and three (3) members’ terms to expire December 31, 2020.

VII. COUNCIL COMMUNICATIONS:
   A. Miscellaneous Reports, if any:

VIII. ADJOURNMENT:
   Adjourn

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk’s Office at 225 Park Street, Lakeport, California, during normal business hours. Such documents are also available on the City of Lakeport’s website, www.cityoflakeport.com, subject to staff’s ability to post the documents before the meeting.

The City of Lakeport, in complying with the Americans with Disabilities Act (ADA), requests individuals who require special accommodations to access, attend and/or participate in the City meeting due to disability, to please contact the City Clerk’s Office, (707) 263-5615, 72 hours prior to the scheduled meeting to ensure reasonable accommodations are provided.

_____________________________________
Hilary Britton, Deputy City Clerk
CALL TO ORDER & ROLL CALL: Mayor Mattina called the Special Meeting to order at 5:00 p.m. Council Members Barnes, Parlet, Spurr, and Turner were present.

WORKSHOP: Council and staff discussed accomplishments from the Year 2016/17 and goals for the 2017-2018 fiscal year.

ADJOURNMENT: Mayor Mattina adjourned the meeting at 8:34 p.m.

____________________________________
Stacey Mattina, Mayor

Attest:

________________________________
Kelly Buendia, City Clerk
MINUTES
REGULAR MEETING OF THE LAKEPORT CITY COUNCIL
(ALSO MEETS AS THE CITY OF LAKEPORT MUNICIPAL SEWER DISTRICT, THE LAKEPORT INDUSTRIAL DEVELOPMENT AUTHORITY, THE MUNICIPAL FINANCING AGENCY OF LAKEPORT and THE SUCCESOR AGENCY TO THE LAKEPORT REDEVELOPMENT AGENCY)
Tuesday, April 4, 2017
City Council Chambers, 225 Park Street, Lakeport, California 95453

I. CALL TO ORDER & ROLL CALL: Mayor Mattina called the meeting to order at 6:03 p.m. Council Members Barnes, Parlet, Spurr, and Turner were present.

II. PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Finance Director Walker.

III. ACCEPTANCE OF AGENDA: A motion was made by Council Member Turner, seconded by Council Member Parlet, and unanimously carried by voice vote, to accept agenda as posted.

Urgency Items: There were no urgency items.

IV. CONSENT AGENDA: The following Consent Agenda items are expected to be routine and noncontroversial. They will be acted upon by the Council at one time without any discussion. Any Council Member may request that any item be removed from the Consent Agenda for discussion under the regular Agenda. Removed items will be considered following the Consent Calendar portion of this agenda.

A. Ordinances: Waive reading except by title, of any ordinances under consideration at this meeting for either introduction or passage per Government Code Section 36934.

B. Minutes: Approve minutes of the regular City Council meeting of March 21, 2017.

C. Warrants: Approve the warrant register of March 20, 2017.

D. Application 2017-012: Approve Application No. 2017-012 with staff recommendations, and waive application fee, for the 2017 Downtown Clean Up event to be held on Main Street on May 13, 2017.


F. Application 2017-014: Approve Application No. 2017-014 with staff recommendations, for the 2017 Taste of Lake County event to be held on Main Street on August 26, 2017.

G. Application 2017-015: Approve Application No. 2017-015 with staff recommendations, for the 2017 Dickens Faire to be held on Main Street on November 25, 2017.

H. Application 2017-016: Approve Application No. 2017-016 with staff recommendations, and waive application fee, for the Annual Trick or Treat Main Street event to be held on Main Street on October 31, 2017.

I. Rejection of Claim: Reject Claim 2017-001 filed by Patricia Felix, as recommended by REMIF.


Vote on Consent Agenda: A motion was made by Council Member Parlet, seconded by Council Member Barnes, and unanimously carried by voice vote, to approve the Consent Agenda, items A-J.

V. PUBLIC PRESENTATIONS/REQUESTS:

A. Citizen Input: Any person may speak for 3 minutes about any subject within the authority of the City Council, provided that the subject is not already on tonight’s agenda. Persons wishing to address the City Council are required to complete a Citizen’s Input form and submit it to the City Clerk prior to the meeting being called to order. While not required, please state your name and address for the record. NOTE: Per Government Code §54954.3(a), the City Council cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda.

B. Proclamation: Mayor Mattina presented a Proclamation designating the Month of April, 2017, as Sexual Assault Awareness Month to Lake Family Resource Center (LFRC) Executive Director Jennifer Dodd and Staff.
C. Proclamation: Mayor Mattina presented a Proclamation designating the Month of April, 2017, as Child Abuse Prevention Month to Lake Family Resource Center (LFRC) Executive Director Jennifer Dodd and Staff.

VII. COUNCIL COMMUNICATIONS:
A. Miscellaneous Reports, if any: City Manager Silveira had no report.
City Attorney Ruderman reported will be attending the CalAFCo staff workshop in Fresno this week. He will be assisting on a panel on the new marijuana laws in California.
Finance Director Walker had no report.
Police Chief Rasmussen had no report.
Public Works Director Grider reported that he has been meeting with FEMA and Cal OES, and is continuing with the damage assessments.
Council Member Barnes had no report.
Council Member Parlet reported thanked staff for their diligence in preparing their goals presentations for the goal setting workshop.
Council Member Turner had no report.
Council Member Spurr had no report.
Mayor Mattina had no report.

VIII. ADJOURNMENT: Mayor Mattina adjourned the meeting at 6:20 p.m.

___________________________________
Hilary Britton, Deputy City Clerk

Stacey Mattina, Mayor
4/11/2017

I hereby certify that the attached list of warrants has been audited, extensions are proper, purchase orders have been issued, and department heads have been given the opportunity to review and sign claim forms.

Nicholas Walker
Finance Director
## Bank Transaction Report

### Transaction Detail

**Issued Date Range:** 03/21/2017 - 04/06/2017

**Cleared Date Range:** -

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Bank Account 15-0352000798 Total: (87) -434,750.12
Report Total: (87) -434,750.12
### Summary

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**Cash Account**

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**Report Total:** 87 $-434,750.12

**Transaction Type**

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**Report Total:** 87 $-434,750.12
STAFF REPORT

RE: AB 1600 Annual Update
MEETING DATE: 4/18/2017

SUBMITTED BY: Nicholas Walker, Finance Director

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

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

Adopt the attached resolution to reaffirm the necessity of development impact fees.

BACKGROUND/DISCUSSION:

AB 1600 requires the City to produce an annual report on the status of each separate account or fund established for development impact fees. The primary purpose of the annual report is to show the necessity of the continued imposition of development impact fees. Every fifth year the City also is required to make certain findings with respect to the monies collected for development impact fees. Additionally, the five-year report must show what has been done with the fees that have been collected.

To be in full compliance with state law, the City must:

1. Spend or commit development impact fees within five years of collecting them, or

2. Adopt a resolution that makes a finding that a reasonable relationship remains between the current need for the fees and the purpose for which they were proposed originally.

The City currently collects three different types of impact fees which are described in the attached report. Below are the findings for those impact fees that required accumulation beyond five years.

i. A storm drainage impact fee (also known as an impervious surface fee) has been accumulated beyond five years to fund storm drain improvements, typically associated with road maintenance and repair. The collection of this fee and use of the proceeds are critical in maintaining an effective storm drainage system and meeting the capital improvement requirements of that system imposed on the City by its NPDES permit.

ii. A water expansion fee has been accumulated beyond five years to fund capital projects related to increasing the capacity and service deliver to City residents directly resulting from new development and other projects that impact the water treatment and distribution system. The collection of this fee is vitally important to ensuring the City can meet the health and safety needs of its citizens as it grows and expands.

iii. A sewer expansion fee has been accumulated beyond five years to fund capital projects related to increasing the capacity and service deliver to City residents directly resulting from new development and other
projects that impact the sewer collection and treatment system. The collection of this fee is vitally important to ensuring the City can meet the health and safety needs of its citizens as it grows and expands.

Under AB 1600 the City is required to make available to the public a report on development impact fees. The report must be available within 180 days of the close of the fiscal year and must include:

1. A brief description of the type of development impact fee in the account/fund;
2. The amount of the fee;
3. Beginning and ending balances of the account/fund, the amount of the fees collected and the interest earned;
4. Identification of each public improvement on which fees were expended;
5. The amount of expenditures on each improvement;
6. If the agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, an approximate date by which construction of the public improvement will commence;
7. A description of any interfund transfer or loan; and
8. The amount of refunds paid, if any, from a particular fund.

The annual AB 1600 Development Fee Report for fiscal year ended June 30, 2016 will be made available to the public in April, 2017. Its issuance was delayed due to unforeseen difficulties in preparing the City's year-end financial statements.

OPTIONS:

1. Adopt the associated resolution reaffirming the need of the relevant development fees collected by the City.
2. Do not adopt but provide direction to staff.

FISCAL IMPACT:

☐ None  ☒ Undetermined  Budgeted Item? ☒ Yes  ☐ No

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

Affected fund(s): ☐ General Fund  ☐ Water OM Fund  ☐ Sewer OM Fund  ☒ Other: Storm Drain Improvement Fund, Water Expansion Fund, Sewer Expansion Fund

Comments: The fiscal impact of this item relates to the continued collection of revenue from these impact fees and their use, the expenditures for which have been adopted by Council in the City's annual budget.

SUGGESTED MOTIONS:

Move to adopt the proposed resolution to reaffirm the necessity of AB 1600 development impact fees.

2. AB 1600 Development Impact Fee Report for the Year Ended June 30, 2016
RESOLUTION NO. ______ (2017)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEPORT TO REAFFIRM THE NECESSITY OF DEVELOPMENT IMPACT FEES

WHEREAS, The City of Lakeport is required to make certain finding every five years with respect to the unexpended fund balance of certain development impact fee funds pursuant to California Government Code Section 66001; and

WHEREAS, the documents reflecting the balance in each development impact fee fund or account, accrued interest in said fund or account, and the amount of expenditure by public facility for the fiscal year have been made available for public review as required by Code Section 66006; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lakeport as follows:

Section 1. That the recitations above are true and correct.

Section 2. That the following findings are made as required under Government Code Section 66001:

i. The purpose to which each development impact fee is to be put has been identified.

ii. There is a continued need for the improvements and that there is a reasonable relationship between the fee and the impacts for development for which the fees are collected.

iii. The sources and amounts of funding anticipated to complete the financing of capital projects have been identified and will be deposited into the appropriate account upon receipt or during the normal Capital Improvement Program budget cycle.

Section 3. That these findings are based on information provided in the City of Lakeport operating budget and Five-Year Capital Improvement Program for the fiscal year 2016-17 and the AB 1600 report for the fiscal year 2015-16 on file with the City Clerk.

The foregoing Resolution was passed and adopted at a regular joint meeting of the City Council on the 18th day of April, 2017, by the following vote:

AYES:
NOES:
ABSTAINING:
ABSENT:

____________________________________
STACEY MATTINA Mayor

ATTEST:

____________________________________
KELLY BUENDIA, City Clerk
CITY OF LAKEPORT

ANNUAL REPORT OF DEVELOPMENT IMPACT FEES
(AB 1600 REPORT)

YEAR ENDED JUNE 30, 2016

PREPARED BY
FINANCE DEPARTMENT
City of Lakeport
Annual Report on Development Impact Fees, Per Government Code 66000
AB 1600 Statement

Analysis of Changes in Fund Balance

<table>
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<tr>
<th></th>
<th>STORM DRAINAGE FEE</th>
<th>WATER EXPANSION FEE</th>
<th>SEWER EXPANSION FEE</th>
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<td>Beginning Balance, 07/01/2015</td>
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<td>REVENUE</td>
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<td>Fees</td>
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<td>27,872</td>
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<td>Interest Earnings</td>
<td>729</td>
<td>485</td>
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<td>Other Revenue</td>
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<tr>
<td>Transfers In</td>
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<td>729</td>
<td>28,357</td>
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<td>Utilities - Water</td>
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<td>Debt service</td>
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<tr>
<td>Transfers Out</td>
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<td>82,612</td>
<td>86,747</td>
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<td>Excess Revenue Over/(Under)</td>
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Expenditures by Project

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<th>FY 2015-16</th>
<th>% Funded with Development Fee</th>
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<td>STORM DRAINAGE IMPACT</td>
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<tr>
<td>Storm drain replacement and repair</td>
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<td>Total</td>
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<td>WATER EXPANSION</td>
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<td>Expansion projects</td>
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<td>Mendocino College water line - repayment of loan to College</td>
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<td>Expansion projects</td>
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<td>0.00%</td>
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<tr>
<td>Total</td>
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Description of Fees

The AB 1600 Development Fee is used only for the construction and the expansion of infrastructure to accommodate growth, not for operating or maintenance costs. Revenue will be used to maintain infrastructure standards for three capital types:
- Storm Drainage Impact
- Water Expansion
- Sewer Expansion

Storm Drainage Impact AB 1600 development fees are used to fund the design and construction of storm water drainage infrastructure improvements required to mitigate the impact of new development, specifically with the installation of impervious surfaces, such as parking lots, sidewalks, etc.

Water Expansion AB 1600 development fees are used to fund the design and construction of water supply, water treatment, and water distribution system infrastructure improvements required to mitigate the impact of new development.

Sewer Expansion AB 1600 development fees are used to fund the design and construction of wastewater treatment and collection infrastructure improvements required to mitigate the impact of new development.

Impact and Expansion Fee Schedule

- Storm Drainage Impact: $0.10 per square foot of new impervious surface (City Resolution # 1401 (84)).
- Water Expansion: $6,923.00 for a standard 3/4" meter with an escalating cost for larger meters.
- Sewer Expansion: $12,717.00 per unit in the sewer assessment district (CLMSD) South and $7,456.42, per SFD, in CLMSD North.
WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:
The City Council is being asked to review the need to continue the proclamation declaring a Local State of Emergency due to flooding and extreme weather and provide direction.

BACKGROUND/DISCUSSION:
On February 14, 2017, the Director of Emergency Services for the City of Lakeport declared a local State of Emergency in connection with the recent atmospheric rivers and flooding. In accordance with the Emergency Services Act Section 8630(b), the City Council ratified the declared emergency on February 21, 2017 under Resolution 2612 (2017). Under Lakeport Municipal Code section 2.28.150, the City Council shall review, at its regularly scheduled meeting until the local emergency is terminated, the need for continuing the local emergency. On March 7, 2017, and March 21, 2017, the City Council reviewed the need for continuing the local emergency and approved its continuance by motion.

OPTIONS:
Approve the need for the continuation of the proclamation declaring a Local State of Emergency due to flooding and extreme weather; or proclaim the termination of the Local State of Emergency

FISCAL IMPACT:
☐ None ☐ $ ☐ Budgeted Item? ☐ Yes ☐ No
Budget Adjustment Needed? ☐ Yes ☐ No If yes, amount of appropriation increase: $
Affected fund(s): ☐ General Fund ☐ Water OM Fund ☐ Sewer OM Fund ☐ Other:
Comments:

SUGGESTED MOTIONS: Move to approve the continuation of the proclamation declaring a Local State of Emergency due to flooding and extreme weather.

RESOLUTION NO. 2612 (2017)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEPORT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE DISASTER COUNCIL’S PROCLAMATION OF A LOCAL EMERGENCY IN THE CITY OF LAKEPORT, AND REQUESTING THE GOVERNOR TO PROCLAIM A STATE OF EMERGENCY FOR THE CITY OF LAKEPORT

WHEREAS, Chapter 2.28 of the Lakeport Municipal Code, adopted as Ordinance Number 832 of the City of Lakeport empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of Lakeport is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven (7) days; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within this City as a result of rain storms, wind, and flooding commencing on or about February 4, 2017, at which time the City Council of the City of Lakeport was not in session; and

WHEREAS, the City Council does hereby find that aforesaid conditions of extreme peril did warrant and necessitate the proclamation of existence of a local emergency; and

WHEREAS, the Director of Emergency Services of the City of Lakeport did proclaim the existence of a local emergency within the City on the 14th day of February, 2017;

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED that the City Council hereby proclaims a local emergency due to the existence or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City of Lakeport; and

IT IS FURTHER RESOLVED AND ORDERED that the Disaster Council’s Proclamation of Existence of a Local Emergency and request to the Governor to declare a State of Emergency and provide assistance through the California Disaster Assistance Act, as issued by the Director of Emergency Services, is hereby ratified and confirmed; and

IT IS FURTHER RESOLVED AND ORDERED that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Lakeport; and

IT IS FURTHER RESOLVED AND ORDERED that during the existence of said local emergency the powers, functions and duties of the Disaster Council of the City of Lakeport and its Director of Emergency Services shall be those prescribed by state law, and by the charter, ordinances, and resolutions of this City.

IT IS FURTHER ORDERED that a copy of this Resolution be forwarded to the State Director of the Office of Emergency Services.
IT IS FURTHER ORDERED that Margaret Silveira, Director of Emergency Services of the City of Lakeport, is hereby designated as the authorized representative of the City of Lakeport for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available State and Federal assistance.

This resolution shall be effective upon its adoption.

THIS RESOLUTION was passed by the City Council of the City of Lakeport at a regular meeting thereof on the 21st day of February, 2017, by the following vote:

AYES: Mayor Mattina, Council Members Barnes, Parlet, Spurr and Turner
NOES: None
ABSTAINING: None
ABSENT: None

STACEY MATTINA, Mayor

ATTEST:

KELLY BUENDIA, City Clerk
Proclamation

OF THE CITY COUNCIL
OF THE CITY OF LAKEPORT

WHEREAS, ALEXANDER BEARE is a member of the Boy Scouts of America, Troop 39, and has been a source of pride to his family and his community through his dedication to the ideals and standards of scouting; and

WHEREAS, ALEXANDER BEARE has completed a major community service project by building wheelchair accessible ramps and rehabbing deck work for a newly wheelchair-bound resident in his community; and

WHEREAS, ALEXANDER BEARE is a member of the National Eagle Scout Association; and

WHEREAS, ALEXANDER BEARE’S scouting experience has been distinguished by 27 merit badges earned by learning and applying skills which will greatly benefit him throughout his life; and

WHEREAS, ALEXANDER BEARE has achieved his accomplishments in the Scouting Program while maintaining academic excellence and sporting honors throughout his educational career; and

WHEREAS, the rank of Eagle Scout is the highest honor awarded by the Boy Scouts of America; and

WHEREAS, an Eagle Scout Court of Honor is convened for Alexander Beare, at the LDS Church in Lakeport on April 20, 2017; and

NOW, THEREFORE BE IT PROCLAIMED that Alexander Beare is hereby commended and congratulated on achieving the coveted rank of Eagle Scout and on his outstanding achievements in pursuit of that honor.

I have hereunto set my hand and caused the Seal of the City of Lakeport to be affixed this 18th day of April, 2017.

STACEY MATTINA, MAYOR
To Mayor Mattina,

The Scouts, Leaders and Members of the Committee Boy Scout Troop #39 of the Redwood Empire Scout Council take great pleasure in announcing that:

Having completed the requirements for, and having been examined by an
Eagle Scout Board of Review
Alexander Richard Beare

Was found worthy of the rank of Eagle Scout.

Alex made three wheelchair ramps on a deck for a couple who were not able to walk up and down their stairs any longer. Once he installed the ramps with the help from his troop. He found the rest of the deck needed a good power wash and sanding down and repainted. So, they spent two extra weekends finishing the additional needs. Alex will graduate in May and plans on serving a mission for his church for the next two years and then plans on attending BYU Hawaii and hope to someday be a police officer or border patrol agent.

In honor of this achievement, we have scheduled an Eagle Scout Court of Honor for Thursday, April 20th at 7:00 p.m. at the LDS Church in Lakeport, CA.

We would appreciate a letter or certificate acknowledging his achievement. We will compile it with other acknowledgments and place in a scrap book commemorating this special occasion.

Thank you for taking time from your extremely busy schedule to help this community recognize the achievements and service of Eagle Scout Alexander Richard Beare.

Sincerely,

Carol Beare

Troop #39 - Scout Committee Chairperson
STAFF REPORT

RE: Approve Revisions to the Utilities Billing Administrative Policy adopted on September 22, 2004 for the City of Lakeport and City of Lakeport Municipal Sewer District No. 1

MEETING DATE: 4/18/2017

SUBMITTED BY: Nicholas Walker, Finance Director

PURPOSE OF REPORT: [ ] Information only  [ ] Discussion  [x] Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council and CLMSD Board are being asked to approve the amendments to the Utility Billing Administrative Policy as presented.

BACKGROUND/DISCUSSION:

To better serve customers of the City’s water and sewer services (“services”) and franchise garbage service, we follow administrative policy which provides a formal set of guidelines on how utility billing is handled. The policy was originally adopted on September 22, 2004 and was out dated from operating practices implemented by different staff over the subsequent years. Significant updates to the policy include:

1. Correcting deadline dates and timeline periods
2. Clarifying discontinuation of services for nonpayment
3. Clarifying account deposit requirements
4. Clarifying the responsibility of property owners for which the property is metered by a master meter or that received only partial utilities offered by the City
5. Clarify lien and tax roll procedures for delinquent accounts
6. Adding an account adjustment policy for water leaks

OPTIONS:

1. Move to approve the Administrative Policy – Utilities Billing as presented.
2. Do not approve the Administrative Policy – Utilities Billing and 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): [x] General Fund  [x] Water OM Fund  [x] Sewer OM Fund  [ ] Other:

Comments: None

SUGGESTED MOTIONS:

Attachments:
1. Proposed Resolution
3. Administrative Policy – Utilities Billing
RESOLUTION NO. XXXX (2017)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEPORT
ESTABLISHING POLICY AND PROCEDURE
FOR UTILITIES BILLS

WHEREAS, the Public Utilities and Government Codes provide rules and procedures that must be met by municipal utilities prior to discontinuance of water service; and

WHEREAS, the City needs a uniform policy and procedure to adjust utility bills which are questioned by its customers; and

WHEREAS, the City strives to provide utility services which are fair and responsive to customer needs and concerns.

NOW, THEREFORE, BE IT RESOLVED THAT:

The City Council hereby approves the revised Utility Billing Administrative Policy attached hereto as Exhibit A.

THIS RESOLUTION was passed and adopted by the City Council of the City of Lakeport at a regular meeting held on the 18th day of April, 2017.

AYES: None
NOES: None
ABSENT: None
ABSTAIN: None

__________________________
STACEY MATTINA, MAYOR

ATTEST:

__________________________
KELLY BUENDIA, City Clerk
City of Lakeport
CITY OF LAKEPORT

ADMINISTRATIVE POLICY
Utilities Billing

Adopted September 22, 2004
Amended December 6, 2011

In order to better serve customers of the City’s water and sewer services (“services”) and franchise trash garbage service, the following procedures are to be followed:

Section One Billing Period
City staff shall read meters during the last week of each month, as close to the 27th last day of the month as possible. Bills will be generated based on usage and mailed on the 10th of the following month or as close to this date as possible.

Section Two Bills Declared Late
All payments are to be received within 20 days from date of mailing of bills no later than the 409th day of the following month in which the bill was dated and mailed. If not paid by that time, a late fee will be assessed in the amount set from time to time by resolution of the City Council. A letter will be sent to each customer declared late advising of an assessment of a late fee and providing 10 days notice from 5 days 15 calendar days notice after date of mailing of letter prior to shut off of service.

Section Three Final Notice of Termination of Service
If bill is not paid in full, or if alternative payment arrangements have not been made, within 35 days from billing by the 25th day of the month in which it is due, a final attempt will be made to contact customer by telephone, personal contact, or door hanger advising that service will be shut off within 48 hours from the 2535th day or closest business day thereto.

Section Four Required Notice in Each Invoice, Statement or Billing
With each invoice, statement, or billing for water, sewer, or garbage service, or any combination thereof, there shall be attached, enclosed, or included a notice reading substantially as follows:

NOTICE TO CUSTOMER: If you believe that you have been overcharged for water, sewer service, or garbage collection service rendered, or that you have been charged for service not rendered, please telephone 707-263-5615, Extension 180 or 18, and you will be given an explanation of how the amount you were charged was computed. If you are not satisfied with this explanation and still wish to dispute the matter you have the right to have the matter heard by an employee of the City of Lakeport who has the power to resolve the dispute. To arrange for an informal hearing, please telephone 707-263-5615, Extension 3510 or 18, no later than fifteen (15) days after the billing date shown on your statement or submit your request in writing to City Manager Finance Department, 225 Park Street, Lakeport, CA 95453, postmarked or received not later than fifteen (15) days after the billing date. Failure to request a hearing
before the deadline will result in the loss of a right to a hearing on this matter. Failure to pay the amount of your bill not later than (a) 15 days from the date of the hearing; or (b) 20 days from the 10th of the month following from the date of your statement, whichever occurs later, may result in the discontinuation of your water, sewer, and/or garbage service.

Section Five Hearing—Request

If a customer who receives an invoice, statement, or billing for water, sewer service, or garbage collection service wishes to dispute the amount due as an overcharge for service rendered or a charge for service not rendered, he shall have the right to request an informal hearing of the dispute by either of the following:

(a) Telephoning the number designated for such purposes in the notice transmitted with the billing, statement or invoice not later than fifteen days from the date of mailing thereof; or

(b) Making a written request for such hearing received by the City or postmarked not later than fifteen days from the date of mailing.

Section Six Hearing—Procedure

Upon receipt of a request for hearing, a hearing shall be scheduled not later than ten days from the date of the request. The hearing shall be conducted in an informal manner by an employee of the City designated by the City Manager to conduct such a hearing. At the hearing, evidence may be presented and shall be considered bearing on whether the correct amount has been charged for the service which has been rendered. At the conclusion of the hearing, the person conducting the hearing shall make a decision based upon the evidence and shall have the authority to adjust the amount due in a fair and equitable manner.

Section Seven When Utility Service May Be Discontinued

(a) If a hearing is not timely requested, or if a hearing has been requested and the customer fails to appear for it or have it continued, the amount stated to be due is not paid in full within thirty (30) days of the date of mailing of the billing, statement or invoice, the City shall have the right to discontinue the service or services for which billing was rendered provided that any procedures required for discontinuance of service required by this Administrative Policy are followed.

(b) If a hearing shall have been requested and conduct and the person in charge of conducting the hearing shall have determined the amount to be due thereafter, and the amount determined to be due is not paid in full within fifteen (15) days of such decision, the City shall have the right to discontinue the service or services for which billing was rendered provided that any procedures required for discontinuance of service required by the Administrative Policy are followed.

Section Eight Discontinuation of Service—Nonpayment

(a) No service of water, sewer, or garbage collection shall be discontinued for nonpayment of any amount due unless the provisions of this section shall have been complied with.

(b) Pursuant to California Public Utilities Code, Section 10010.1, prior to termination of any such service for nonpayment, the City Manager and/or his/her designee shall cause notice of the delinquency and impending termination (Notice of Termination) to be given at least ten fifteen (105) days prior to the proposed termination by means of a notice mailed, postage prepaid, to the customer to whom the service is billed, not earlier than 30 days from the date of mailing the City’s bill for
service. The **1540**-day period shall not commence until 5 days after the mailing of the notice the 10th day of the month in which the bill is due.

(c) The City Manager and/or his/her designee shall make a reasonable, good-faith effort to contact an adult person managing, in charge of, or residing at the premises of the customer by telephone or in person at least 48 hours prior to any termination of service. The City Manager and/or his/her designee shall maintain records documenting any such telephone or person contacts or attempts thereof. If a successful contact is made, the person contacted shall be given the information set forth in paragraphs (1), (2), (3), (6), and (7) of subsection (d). If telephone contact is unsuccessful, City Manager and/or his/her designee shall give, by mail, in person, or by posting in a conspicuous location at the premises, a Notice of Termination of service, at least 48 hours prior to termination.

(d) The Notice of Termination of service shall contain the following in a clear and legible format:

1. The name and address of the customer whose account is delinquent.
2. The amount of the delinquency.
3. The date by which payment or arrangements for payment is required in order to avoid termination.
4. The procedure by which the customer may request an investigation or initiate a complaint concerning service or charges, except that if the bill for service contains a description of that procedure, the notice of delinquency and impending termination is not required to contain that information.
5. The procedure by which the customer may request amortization of the unpaid charges.
6. The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.
7. The telephone number of a representative of the City who can provide additional information or institute arrangements for payment.

(e) No water, sewer, or garbage collection service shall be terminated for nonpayment in any of the following situations:

1. During the pendency of an investigation by the City of a customer dispute or complaint.
2. When a customer has been granted an extension of the period for payment of a bill.
3. On the certification of a licensed physician and surgeon that to do so will be life-threatening to the customer and the customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the City pursuant to subsection (h) with respect to all charges that the customer is unable to pay prior to delinquency.

(f) Any customer who has, within 13 days after mailing of the notice required by subsection (d), made a request for extension of the payment period of a bill asserted to be beyond the means of the customer to pay in full during the normal period for payment, shall be given an opportunity for review of the request by the City Manager and/or his/her designee. The review shall include consideration of whether the customer shall be permitted to amortize the unpaid balance of the account over a reasonable period of time, not to exceed 12-6 months. No termination of service shall be effected for any customer complying with an amortization agreement if the customer also keeps the account current as charges accrue in each subsequent billing period.

(g) Any customer who has initiated a complaint or has requested an investigation which has resulted in a determination by the City Manager and/or his/her designee adverse to the customer may appeal the determination to the City Council by filing a written notice of appeal with the City Clerk within fifteen (15) days after the date of written notice of the determination has been rendered by the
City Manager and/or his/her designee. Any subsequent appeal of the dispute or complaint to the City Manager or City Council is not subject to this section.

(h) Any customer meeting the requirements of subsection (e)(3) shall, upon request, be permitted to amortize, over a period not to exceed 12 months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal period for payment.

(i) If a customer fails to comply with an amortization agreement, the City shall not terminate service without giving notice to the customer at least 48 hours prior to termination of the conditions the customer is required to meet to avoid termination. This notice does not entitle the customer to further investigation by the City.

Section Nine Deposits—When Required

(a) The City Manager and/or his/her designee shall require any customer to requests water at a location that they do not own, water, sewer, and/or garbage service has been discontinued two or more times within a twelve-month period for failure to pay the amounts due for water, sewer, or garbage collection service billings from the City, or any combination thereof, to pay to the City a deposit as a condition of receiving services continued at the same location or new service at a different location. Upon request for service, account holder will be required to provide the City a lease agreement or authorization from a landlord for the tenant to obtain services. When the customer is presently receiving such service, the customer shall be given a notice that such deposit is required with his or her bill for service. Failure to pay such deposit within the time required shall be treated in the same manner as other nonpayment of amounts due for purposes of this chapter.

(b) The City Manager and/or his/her designee shall require all customers who are receiving or have applied or requested receipt of garbage collection service and are not receiving or will not receive water or sewer service from the City to pay to the City a deposit in an amount equal to two months of the garbage collection service rate in effect at the time of establishment of the account. Payment of such deposit by persons not receiving garbage service shall be a condition precedent to receipt of such service. The customer shall be given a notice that such deposit is required with his or her next bill for service. Failure to pay such deposit within the time required shall be treated in the same manner as other nonpayment of amounts due for purposes of this chapter.

(c) The City Manager and/or his/her designee may determine the amounts to be deposited pursuant to subsections (a) and (b) of this section and shall generally require that the deposit shall be the equivalent of two months average service to guarantee payment of future bills by the customer.

(d) In case of voluntary service discontinuance or nonpayment of all or part of a bill, said deposits may be applied toward payment of the charges, penalties, and costs of collection, but only insofar as necessary to liquidate the cumulative amount thereof. The amount of any unapplied deposit shall be remitted to the account holder at the last known address as noted in the City’s utility billing system.

Section Ten Property Owner—Responsibility for Payment for Accounts for Certain Commercial and Residential Dwelling Units

Where a water, sewer and garbage collection service for multiple units (residential and or commercial) is provided through a “Master Meter” the account shall be established in the name of property owner thereof. Where such service for a rental dwelling unit has been in the name of the tenant or tenants of such unit, and such service has been discontinued one or more times within a twelve-month
period for failure by any such tenant or tenants to pay the amounts due for water service for such
dwelling unit, the City Manager and/or his/her designee shall require that service to be established
subsequent tenants of such dwelling unit be furnished on account of the landlord or in the name of
the property owner thereof.

Section Eleven  Property Owner—Responsibility for Payment for
Accounts Solely for Garbage Collection Service

(a) Whenever a request or application has been made for receipt of garbage collection service
to premises occupied by a tenant or lessee which is not receiving or will not receive water or sewer
service from the City, the City Manager and/or his/her designee shall require the property owner
thereof to execute a written agreement with the City. Said agreement shall require said property owner
to pay the City any amount due for said garbage collection service if the tenant is delinquent in payment
or fails to pay the amounts due for such garbage collection service.

(b) Payment from the property owner shall not be required pursuant to subsection (a) unless
and until the tenant or lessee has failed to pay the required charges when due, nor to the extent to
which a deposit which has been made with the City to secure payment of such account is sufficient to
pay the amount due.

Section Twelve  Termination of Service for Other Than Nonpayment—Not
Prohibited

Nothing in this Administrative Policy shall preclude the City from discontinuance or termination of
water service or wastewater service in the following cases:

(a) Termination of wastewater service to any premises if a violation of any provision of
Lakeport Municipal Code Chapters 13.20 through 13.22 is found to exist, or if a discharge of wastewater
causes or threatens to cause a condition of contamination, pollution, or nuisance.

(b) Discontinuance of water service for nonpayment of a bill for water service rendered to
the customer at a previous location.

(c) Discontinuance of water service for violation of City rules and regulations pertaining
thereto.

(d) Discontinuance of water service where part of the consumer’s service appliances or
apparatus is unsafe, or if the utilization of water by means thereof is prohibited or forbidden under
the authority of any law or municipal ordinance or regulation.

(e) Shutting off of water service from any consumer in case of fire or an alarm of fire.

(f) Discontinuance of delivery of water to premises having an auxiliary water supply where
the City water supply is in danger of being contaminated, where the required protective device has not
been installed, is defective, or has been removed or bypassed, and the consumer cannot immediately
be located, pursuant to Lakeport Municipal Code Chapter 13.08.

Section Thirteen  Delinquent Bills—Lien and Tax Roll Procedures

(a) The City Manager and/or his/her designee may cause charges for water service, and sewer
service, and garbage collection service which are delinquent for not less than sixty days to be collected
on the County tax roll in the same manner, by the same persons, and at the same time as, together
with and not separate from, the general taxes.

(b) The City Manager and/or his/her designee shall cause a written report to be prepared
each year and filed with the City Clerk, which shall contain a description of each parcel of real property
receiving such service as to which such delinquency exists and the amount of the charge due for each parcel. The real property may be described by reference to maps prepared in accordance with Section 327 of the Revenue and Taxation Code, and on file in the office of the County Assessor or by reference to plats or maps on file in the office of the City Clerk.

(c) The City Clerk shall cause notice of filing of said report and of a time and place of public hearing thereon to be published pursuant to Section 6066 of the Government Code prior to the date set for hearing in a newspaper of general circulation printed and published within the City. Such notice shall be published once a week for two successive weeks, with the first publication at least 14 days prior to the public hearing. The first time such charges are collected on collection of the tax roll following adoption of this section, the City Clerk shall cause a notice in writing of the filing of said report proposing to have such charges collected on the tax roll and of the time and place of hearing thereon, to be mailed to each person to whom any parcel or parcels of real property described in said report is assessed in the last equalized assessment roll available on the date said report is prepared, at the address shown on said assessment roll or as known to said clerk. If the City Council adopts the report, then the requirements for notice in writing to the persons to whom parcels of real property are assessed shall not apply to hearings on reports prepared in subsequent fiscal years, but notice of publication as herein provided shall be adequate.

(d) At the time stated in the notice, the City Council shall hear and consider all objections or protests, if any, to said report referred to in said notice. The City Council may continue the hearing from time to time.

(e) Upon the conclusion of the hearing the City Council may adopt, revise, change, reduce, or modify any charge as described in said report by a two-thirds vote. The determination of the City Council shall be final. The resolution shall make a determination upon each charge described in the report, and shall state that the delinquent charges shall be collected on the tax roll in the same manner as general taxes.

(f) On or before August 10 of each year following the final determination upon each charge, the City Clerk shall file with the City Manager and/or his/her designee a copy of the report prepared pursuant to this section with a statement endorsed of the report over his/her signature that the report has been finally adopted by the City Council. The City Manager and/or his/her designee shall cause to be entered the amounts of the charges against the respective lots or parcels of land as they appear on the County’s current assessment roll. If the property is not described on the roll, the auditor may enter the description on the roll together with the amounts of the charges, as shown in the report.

(g) Except as provided in subsection (h), the amount of the charges shall constitute a lien against the lot or parcel of land against which the charge has been imposed in accordance with the County’s policies and procedures as of noon on the first Monday in March immediately preceding the date of levy.

(h) All laws applicable to the levy, collection, and enforcement of general taxes of the City, including, but not limited to those pertaining to the matters of delinquency, correction, cancellation, refund and redemption, are applicable to such charges, except that if any real property to which such charges relate has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed by subsection (g) shall not attach to such real property, and the charges relating to such property shall be transferred to the unsecured roll for collection.
Section Fourteen  Master Residential Matters—Notice of Termination of Service for Nonpayment

In all cases where water, sewer or garbage collection service is supplied to several tenants from one connection or tap, the city contracts only with the owner of the property or his authorized agents, and on owner’s failure to comply with these regulations or to pay the monthly charges, the services will be disconnected until regulations re complied with or the charges paid.

(a) Where water, sewer or garbage collection service is provided to residential users through a master meter, the City Manager and/or his/her designee shall make every good-faith effort to inform the actual users of the water services when the account is in arrears that service will be terminated in ten-fifteen (15) days.

(b) The City shall not be obligated to make service available unless and until each and every actual user of the water system then residing on the premises shall agree to the terms and conditions of service and shall comply with the provision of Public Utilities Code Section 1009 provided, however, that if (1) one or more actual users are willing and able to assume responsibility for the entire account to the satisfaction of the City Manager and/or his/her designee, or if (2) there is a physical means legally available of selectively terminating service to those actual users who have not met the requirements of Public Utilities Code Section 1009, City shall make service available to the actual users who have met those requirements.

Section Fifteen  Termination of Services on Weekends, Legal Holidays, or Time When City Hall Offices Are Not Open

Water, sewer or garbage collection service shall not be terminated because of delinquency in payment for such service on any Saturday, Sunday, legal holiday, or any time during which the City’s business offices are not open to the public.

Section Sixteen  Notify Health and Fire District

Upon discontinuance of service, the City Manager and/or his/her designee may notify the County Health Officer and the Fire District of the service disconnection.

Section Seventeen  Conditions for Restoring Service

Water, sewer or garbage collection service will not be restored to the disconnected property until all delinquent water charges, late fees, interest charges, penalties for disconnection and required security deposits have been paid.

Section Eighteen  Disconnection by Customer

A request for disconnection of customer service shall be only honored by the City from the customer in whose name the service was established.

Section Nineteen  Temporary Disconnection

If a customer requests that water service be temporarily disconnected, the City shall terminate water service by turning off the service at the meter. The customer shall pay disconnection and reconnection fees in the amounts set from time to time by resolution of the City Council.
IN ORDER TO BETTER SERVE CUSTOMERS OF THE CITY’S WATER AND SEWER SERVICES (“SERVICES”) AND FRANCHISE GARBAGE SERVICE, THE FOLLOWING PROCEDURES ARE TO BE FOLLOWED:

SECTION ONE BILLING PERIOD
City staff shall read meters during the last week of each month, as close to the last day of the month as possible. Bills will be generated based on usage and mailed on the 10th of the following month or as close to this date as possible.

SECTION TWO BILLS DECLARED LATE
All payments are to be received no later than the 9th day of the following month in which the bill was dated and mailed. If not paid by that time, a late fee will be assessed in the amount set from time to time by resolution of the City Council. A letter will be sent to each customer declared late advising of an assessment of a late fee and providing 15 calendar days notice after date of mailing of letter prior to shut off of service.

SECTION THREE FINAL NOTICE OF TERMINATION OF SERVICE
If bill is not paid in full, or if alternative payment arrangements have not been made, by the 25th day of the month in which it is due, a final attempt will be made to contact customer by telephone, personal contact, or door hanger advising that service will be shut off within 48 hours from the 25th day or closest business day thereto.

SECTION FOUR REQUIRED NOTICE IN EACH INVOICE, STATEMENT OR BILLING
With each invoice, statement, or billing for water, sewer, or garbage service, or any combination thereof, there shall be attached, enclosed, or included a notice reading substantially as follows:

NOTICE TO CUSTOMER: If you believe that you have been overcharged for water, sewer service, or garbage collection service rendered, or that you have been charged for service not rendered, please telephone 707-263-5615, Extension 10 or 18, and you will be given an explanation of how the amount you were charged was computed. If you are not satisfied with this explanation and still wish to dispute the matter you have the right to have the matter heard by an employee of the City of Lakeport who has the power to resolve the dispute. To arrange for an informal hearing, please telephone 707-263-5615, , no later than fifteen (15) days after the billing date shown on your statement or submit your request in writing to Finance Department, 225 Park Street, Lakeport, CA 95453, postmarked or received not later than fifteen (15) days after the billing date. Failure to request a hearing before the deadline will result in the loss of
a right to a hearing on this matter. Failure to pay the amount of your bill not later than (a) 15 days from the date of the hearing; or (b) 20 days from the date of your statement, whichever occurs later, may result in the discontinuation of your water, sewer, and/or garbage service.

Section Five Hearing—Request
If a customer who receives an invoice, statement, or billing for water, sewer service, or garbage collection service wishes to dispute the amount due as an overcharge for service rendered or a charge for service not rendered, he shall have the right to request an informal hearing of the dispute by either of the following:
(a) Telephoning the number designated for such purposes in the notice transmitted with the billing, statement or invoice not later than fifteen days from the date of mailing thereof; or
(b) Making a written request for such hearing received by the City or postmarked not later than fifteen days from the date of mailing.

Section Six Hearing—Procedure
Upon receipt of a request for hearing, a hearing shall be scheduled not later than ten days from the date of the request. The hearing shall be conducted in an informal manner by an employee of the City designated by the City Manager to conduct such a hearing. At the hearing, evidence may be presented and shall be considered bearing on whether the correct amount has been charged for the service which has been rendered. At the conclusion of the hearing, the person conducting the hearing shall make a decision based upon the evidence and shall have the authority to adjust the amount due in a fair and equitable manner.

Section Seven When Utility Service May Be Discontinued
(a) If a hearing is not timely requested, or if a hearing has been requested and the customer fails to appear for it or have it continued, the amount stated to be due is not paid in full within thirty (30) days of the date of mailing of the billing, statement or invoice, the City shall have the right to discontinue the service or services for which billing was rendered provided that any procedures required for discontinuance of service required by this Administrative Policy are followed.
(b) If a hearing shall have been requested and conduct and the person in charge of conducting the hearing shall have determined the amount to be due thereafter, and the amount determined to be due is not paid in full within fifteen (15) days of such decision, the City shall have the right to discontinue the service or services for which billing was rendered provided that any procedures required for discontinuance of service required by the Administrative Policy are followed.

Section Eight Discontinuation of Service—Nonpayment
(a) No service of water, sewer, or garbage collection shall be discontinued for nonpayment of any amount due unless the provisions of this section shall have been complied with.
(b) Pursuant to California Public Utilities Code, Section 10010.1, prior to termination of any such service for nonpayment, the City Manager and/or his/her designee shall cause notice of the delinquency and impending termination (Notice of Termination) to be given at least fifteen (15) days prior to the proposed termination by means of a notice mailed, postage prepaid, to the customer to whom the service is billed, not earlier than 30 days from the date of mailing the City’s bill for service. The 15-day period shall not commence until the 10th day of the month in which the bill is due.
(c) The City Manager and/or his/her designee shall make a reasonable, good-faith effort to contact an adult person managing, in charge of, or residing at the premises of the customer by telephone at least 48 hours prior to any termination of service. The City Manager and/or his/her designee shall maintain records documenting any such telephone contacts or attempts thereof. If a successful contact is made, the person contacted shall be given the information set forth in paragraphs (1), (2), (3), (6) and (7) of subsection (d). If telephone contact is unsuccessful, City Manager and/or his/her designee shall give, by mail, in person, or by posting in a conspicuous location at the premises, a Notice of Termination of service, at least 48 hours prior to termination.

(d) The Notice of Termination of service shall contain the following in a clear and legible format:

1. The name and address of the customer whose account is delinquent.
2. The amount of the delinquency.
3. The date by which payment or arrangements for payment is required in order to avoid termination.
4. The procedure by which the customer may request an investigation or initiate a complaint concerning service or charges, except that if the bill for service contains a description of that procedure, the notice of delinquency and impending termination is not required to contain that information.
5. The procedure by which the customer may request amortization of the unpaid charges.
6. The procedure for the customer to obtain information on the availability of financial assistance, including private, local, state, or federal sources, if applicable.
7. The telephone number of a representative of the City who can provide additional information or institute arrangements for payment.

(e) No water, sewer, or garbage collection service shall be terminated for nonpayment in any of the following situations:

1. During the pendency of an investigation by the City of a customer dispute or complaint.
2. When a customer has been granted an extension of the period for payment of a bill.
3. On the certification of a licensed physician and a surgeon that to do so will be life-threatening to the customer and the customer is financially unable to pay for service within the normal payment period and is willing to enter into an amortization agreement with the City pursuant to subsection (h) with respect to all charges that the customer is unable to pay prior to delinquency.

(f) Any customer who has, within 13 days after mailing of the notice required by subsection (d), made a request for extension of the payment period of a bill asserted to be beyond the means of the customer to pay in full during the normal period for payment, shall be given an opportunity for review of the request by the City Manager and/or his/her designee. The review shall include consideration of whether the customer shall be permitted to amortize the unpaid balance of the account over a reasonable period of time, not to exceed 12 months. No termination of service shall be effected for any customer complying with an amortization agreement if the customer also keeps the account current as charges accrue in each subsequent billing period.

(g) Any customer who has initiated a complaint or has requested an investigation which has resulted in a determination by the City Manager and/or his/her designee adverse to the customer may appeal the determination to the City Council by filing a written notice of appeal with the City Clerk within fifteen (15) days after the date of written notice of the determination has been rendered by the
City Manager and/or his/her designee. Any subsequent appeal of the dispute or complaint to the City Manager or City Council is not subject to this section.

(h) Any customer meeting the requirements of subsection (e)(3) shall, upon request, be permitted to amortize, over a period not to exceed 12 months, the unpaid balance of any bill asserted to be beyond the means of the customer to pay within the normal period for payment.

(i) If a customer fails to comply with an amortization agreement, the City shall not terminate service without giving notice to the customer at least 48 hours prior to termination of the conditions the customer is required to meet to avoid termination. This notice does not entitle the customer to further investigation by the City.

Section Nine Deposits—When Required

(a) The City Manager and/or his/her designee shall require any customer to request water at a location that they do not own, to pay to the City a deposit as a condition of receiving services. Upon request for service, account holder will be required to provide the City a lease agreement or authorization from a landlord for the tenant to obtain services. When the customer is presently receiving such service, the customer shall be given a notice that such deposit is required with his or her bill for service. Failure to pay such deposit within the time required shall be treated in the same manner as other nonpayment of amounts due for purposes of this chapter.

(b) The City Manager and/or his/her designee shall require all customers who are receiving or have applied or requested receipt of garbage collection service and are not receiving or will not receive water or sewer service from the City to pay to the City a deposit, in an amount set from time to time by resolution of the City Council, at the time of establishment of the account. Payment of such deposit by persons no receiving garbage service shall be a condition precedent to receipt of such service. The customer shall be given a notice that such deposit is required with his or her next bill for service. Failure to pay such deposit within the time required shall be treated in the same manner as other nonpayment of amounts due for purposes of this chapter.

(c) The City Manager and/or his/her designee may determine the amounts to be deposited pursuant to subsections (a) and (b) of this section and shall generally require that the deposit shall be in an amount set from time to time by resolution of the City Council.

(d) In case of voluntary service discontinuance or nonpayment of all or part of a bill, said deposits may be applied toward payment of the charges, penalties, and costs of collection, but only insofar as necessary to liquidate the cumulative amount thereof. The amount of any unapplied deposit, shall be remitted to the account holder at the last known address as noted in the City’s utility billing system.

Section Ten Property Owner—Responsibility for Payment for Accounts for Certain Commercial and Residential Dwelling Units

Where a water, sewer and garbage collection service for multiple units (residential and or commercial) is provided through a “Master Meter” the account shall be established in the name of property owner thereof. Where such service has been in the name of the tenant or tenants of such unit, and such service has been discontinued one or more times within a twelve-month period for failure by any such tenant or tenants to pay the amounts due for service for such dwelling unit, the City Manager and/or his/her designee shall require that service to be established in the name of the property owner thereof.
Section Eleven  Property Owner—Responsibility for Payment for Accounts Solely for Garbage Collection Service

(a) Whenever a request or application has been made for receipt of garbage collection service to premises occupied by a tenant or lessee which is not receiving or will not receive water or sewer service from the City, the City Manager and/or his/her designee shall require the property owner to pay the City any amount due for said garbage collection service.

Section Twelve  Termination of Service for Other Than Nonpayment—Not Prohibited

Nothing in this Administrative Policy shall preclude the City from discontinuance or termination of water service or wastewater service in the following cases:

(a) Termination of wastewater service to any premises if a violation of any provision of Lakeport Municipal Code Chapters 13.20 through 13.22 is found to exist, or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution, or nuisance.

(b) Discontinuance of water service for nonpayment of a bill for water service rendered to the customer at a previous location.

(c) Discontinuance of water service for violation of City rules and regulations pertaining thereto.

(d) Discontinuance of water service where part of the consumer’s service appliances or apparatus is unsafe, or if the utilization of water by means thereof is prohibited or forbidden under the authority of any law or municipal ordinance or regulation.

(e) Shutting off of water service from any consumer in case of fire or an alarm of fire.

(f) Discontinuance of delivery of water to premises having an auxiliary water supply where the City water supply is in danger of being contaminated, where the required protective device has not been installed, is defective, or has been removed or bypassed, and the consumer cannot immediately be located, pursuant to Lakeport Municipal Code Chapter 13.08.

Section Thirteen  Delinquent Bills—Lien and Tax Roll Procedures

(a) The City Manager and/or his/her designee may cause charges for water service, and sewer service, which are delinquent for not less than sixty days to be collected on the County tax roll in the same manner, by the same persons, and at the same time as, together with and not separate from, the County property taxes.

(b) The City Manager and/or his/her designee shall cause a written report to be prepared each year and filed with the City Clerk, which shall contain a description of each parcel of real property receiving such service as to which such delinquency exists and the amount of the charge due for each parcel. The real property may be described by reference to maps prepared in accordance with Section 327 of the Revenue and Taxation Code, and on file in the office of the County Assessor.

(c) The City Clerk shall cause notice of filing of said report and of a time and place of public hearing thereon to be published pursuant to Section 6066 of the Government Code prior to the date set for hearing in a newspaper of general circulation printed and published within the City. Such notice shall be published once a week for two successive weeks, with the first publication at least 14 days prior to the public hearing. The first time such charges are collected on the tax roll following adoption of this section, the City Clerk shall cause a notice in writing of the filing of said report proposing to have such charges collected on the tax roll and of the time and place of hearing thereon, to be mailed to each person to whom any parcel or parcels of real property described in said report is assessed in...
the last equalized assessment roll available on the date said report is prepared, at the address shown on said assessment roll. If the City Council adopts the report, then the requirements for notice in writing to the persons to whom parcels of real property are assessed shall not apply to hearings on reports prepared in subsequent fiscal years, but notice of publication as herein provided shall be adequate.

(d) At the time stated in the notice, the City Council shall hear and consider all objections or protests, if any, to said report referred to in said notice. The City Council may continue the hearing from time to time.

(e) Upon the conclusion of the hearing the City Council may adopt, revise, change, reduce, or modify any charge as described in said report by a two-thirds vote. The determination of the City Council shall be final. The resolution shall make a determination upon each charge described in the report, and shall state that the delinquent charges shall be collected on the tax roll in the same manner as general taxes.

(f) On or before August 10 of each year following the final determination upon each charge, the City Clerk shall file with the County Auditor and/or his/her designee a copy of the report prepared pursuant to this section with a statement endorsed of the report over his/her signature that the report has been finally adopted by the City Council. The County Auditor and/or his/her designee shall cause to be entered the amounts of the charges against the respective lots or parcels of land as they appear on the County’s current assessment roll.

(g) Except as provided in subsection (h), the amount of the charges shall constitute a lien against the lot or parcel of land against which the charge has been imposed in accordance with the County’s policies and procedures.

(h) All laws applicable to the levy, collection, and enforcement of general taxes of the City, including, but not limited to those pertaining to the matters of delinquency, correction, cancellation, refund and redemption, are applicable to such charges, except that if any real property to which such charges relate has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then the lien which would otherwise be imposed by subsection (g) shall not attach to such real property, and the charges relating to such property shall be transferred to the unsecured roll for collection.

Section Fourteen Master Residential Matters—Notice of Termination of Service for Nonpayment

In all cases where water, sewer or garbage collection service is supplied to several tenants from one connection or tap, the city contracts only with the owner of the property or his authorized agents, and on owner’s failure to comply with these regulations or to pay the monthly charges, the services will be disconnected until regulations are complied with or the charges paid.

(a) Where water, sewer or garbage collection service is provided to residential users through a master meter, the City Manager and/or his/her designee shall make every good-faith effort to inform the actual users of the water services when the account is in arrears that service will be terminated in fifteen (15) days.

(b) The City shall not be obligated to make service available unless and until each and every actual user of the water system then residing on the premises shall agree to the terms and conditions of service and shall comply with the provision of Public Utilities Code Section 1009 provided, however, that if (1) one or more actual users are willing and able to assume responsibility for the entire account to the satisfaction of the City Manager and/or his/her designee, or if (2) there is a physical means
legally available of selectively terminating service to those actual users who have not met the requirements of Public Utilities Code Section 1009, City shall make service available to the actual users who have met those requirements.

Section Fifteen  Termination of Services on Weekends, Legal Holidays, or Time When City Hall Offices Are Not Open
Water, sewer or garbage collection service shall not be terminated because of delinquency in payment for such service on any Saturday, Sunday, legal holiday, or any time during which the City’s business offices are not open to the public.

Section Sixteen  Notify Health and Fire District
Upon discontinuance of service, the City Manager and/or his/her designee may notify the County Health Officer and the Fire District of the service disconnection.

Section Seventeen  Conditions for Restoring Service
Water, sewer or garbage collection service will not be restored to the disconnected property until all delinquent water charges, late fees, interest charges, penalties for disconnection and required security deposits have been paid.

Section Eighteen  Disconnection by Customer
A request for disconnection of customer service shall be only honored by the City from the customer in whose name the service was established.

Section Nineteen  Temporary Disconnection
If a customer requests that water service be temporarily disconnected, the City shall terminate water service by turning off the service at the meter. The customer shall pay disconnection and reconnection fees in the amounts set from time to time by resolution of the City Council.

Section Twenty  Water Leaks
In general the City does not adjust utility accounts for water leaks or other requests for account adjustments by residential or commercial customers. As an accommodation to customers who are experiencing a financial hardship and in cases where the customer’s utility bill is higher than the historical average over the last year due to a leak or other event out of the control of the customer, the City may make an exception to the policy.

In order for a request for adjustment to be considered the customer must complete the “Request for Reduction in Water/Sewer/Garbage Charges” within 30 days of the bill for which an adjustment is requested and provide evidence of the completion of repairs. For example: Attach a copy of the repair invoice or receipt. If the request is due to suspected stolen water, a police report must be filed, and attached to the request.

The city will provide customers with door hanger notification on extreme usage increase in an effort to notify the customer of a potential leak. Account adjustments will only be considered for high water usage occurring 30 calendar days after the notification of a potential leak.
All requests must be approved by the City Manager or when appointed by the City Manager, the Director of Finance.

**Water and Sewer Services:**

**Residential:**
The City will allow customer account adjustments under qualifying circumstances. The adjustment will be calculated based on the average usage during the same quarter of the year immediately prior to the requested period of adjustment. No sewer adjustments will be made.

**Commercial:**
In the event of an above ground water leak sewer account adjustments will be considered for reduction where the customer's utility bill is higher than the historical average over the last year due to a leak or other event out of the control of the customer.
CITY OF LAKEPORT

STAFF REPORT

RE: Expedited project review for Pacific West Architecture’s 24 unit Martin Street Multi-family Affordable Housing Architectural and Design Review application

MEETING DATE: 04/18/2017

SUBMITTED BY: Kevin M. Ingram, Community Development Director

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

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

In light of the recent flood event City staff is requesting the City Council consider the conversion of its existing HOME Investment Partnership Program grant with Pacific West Architecture for the construction of a 32-unit affordable Senior Housing project to a 24-unit affordable Multi-Family Housing project on property located at 1255 Martin Street.

Additionally, City staff is recommending that the City Council direct Community Development (CDD) staff to expedite the review of this affordable housing project revision consistent with the goals and policies outlined within the Lakeport General Plan Housing Element.

BACKGROUND/DISCUSSION:

The City of Lakeport in partnership with Pacific West Architecture (PWA) was awarded $4.5 million in HOME Investment Partnership Program grant in 2015 for the construction of a new 32-unit affordable senior housing project on property located at 1255 Martin Street directly across the street from the Lake County Sheriff’s Office. In addition to the HOME loan the City and PWA also applied for a $1.2 million Community Development Block Grant (CDBG) grant for the construction of off-site development improvements necessary to service this project. The City and PWA was unsuccessful in obtaining a CDBG funding during the 2016 grant cycle and as a result the project has been unable to move forward.

Although the development of additional affordable senior housing remains a priority, the recent flood events and resulting evacuations has demonstrated an extreme need for the development of affordable multi-family housing. The City has spoken directly with the California Department of Housing and Community Development (HCD), who is responsible for the administration of the HOME programs for the State, and they have agreed to allow the City to amend its current HOME grant approval to address the emergency need for the provision affordable multi-family housing. The emergency need will also increase
the project’s competiveness in obtaining CDBG grant monies for the construction of necessary off-site improvements (e.g., sewer, roadway and pedestrian improvements).

At issue is the fact that the developer is under difficult special time constraints in which they must obtain City of Lakeport land use entitlements prior to and necessary for the filing of a new CDBG grant application in late June/early July 2017. The land use entitlement process requires the review and approval of an Architectural and Design Review application by the Lakeport Planning Commission. To meet the deadlines associated with the 2017 CDBG grant cycle an expedited project review would be necessary. This expedited review includes the review of the project by local regulatory agencies and stakeholders, preparation of the staff report, revisions to the previously approved CEQA Initial Study / Environmental Review, public notice, and the likely hosting of a special meeting of the Planning Commission for the review and consideration of the project.

On April 6, 2017, CDD staff received an application for Architectural and Design Review and CEQA Environmental Review for the new 24-unit affordable multi-family housing project to be located within the existing footprint of the previously approved 32-unit affordable senior housing project on an approximately three-acre portion of property located at 1255 Martin Street (APN 025-431-16). The proposed project will target extremely-low, very-low and low income qualified families earning up to 60% of the area median income for Lake County.

Goal 3 - of the City of Lakeport’s Housing Element update seeks to: “Expand housing opportunities for the elderly, the handicapped, households with very-low to moderate incomes, and for persons with special housing needs.” Program 3-3 of the Housing Element further states as a means to implementing the expansion of affordable housing opportunities that the City provide incentives such as “expedited development processing and a reduction in development standards (2014-2019 Housing Element, page 6-11)”. The City Council has also adopted a Housing Density Bonus Ordinance which includes provisions for the granting of development incentives in support of affordable housing.

CDD staff believes that an expedited review process for projects resulting in affordable housing opportunities is supported by the General Plan’s Housing Element and will coordinate with the project applicant and principal commenting agencies to ensure that an adequate application package is provided to the Planning Commission for their review and consideration.

Qualifying Factors:
The expeditious processing of the City's land use entitlement applications for the proposed 24-unit multi-family affordable housing project is consistent with the City of Lakeport General Plan based on the following findings:

1. The proposed project is consistent with the Lakeport General Plan Housing Element goals and policies which encourage development incentives, including to expand housing opportunities for the elderly, the handicapped, households with very-low to moderate incomes, and for persons with special housing needs.

2. Proposed project densities and land uses are consistent with the site’s High Density Residential land use designation and the R-3 Zoning designation.

3. The proposed project is compatible with the surrounding land uses.
The expeditious processing of this application within the required timeframe for the submittal of a CDBG grant application this summer is only possible due to the fact that PWA has taken great care to ensure that the revised project is located within the already studied project area for the previously approved affordable senior housing project which will allow for the reuse of existing environmental studies and project documents. PWA also took great care in ensuring that circulation plan for the revised multi-family project mimic the circulation plan of the previously approved senior housing project allowing for the reuse of existing infrastructure and off-site development plans which have been previously reviewed by City staff and the Planning Commission.

The City Council’s decision on this matter would strictly be related to whether or not this project qualifies per the Housing Element of the General Plan for expedited review. The Council’s direction to staff and the Planning Commission is in no way intended to act as a pre-judgement on the adequacy of the project or indicate a preference for approval. The Planning Commission will review the project in accordance with Zoning Ordinance and CEQA related standards.

OPTIONS:

1. Approve the revision of the City’s current $4.5 million HOME grant award for the development of a 32-unit affordable senior housing project to that of a 24-unit affordable multi-family housing project and direct CDD staff and the Planning Commission to conduct an expeditious processing of Pacific West Architecture’s land use entitlement application.

2. Direct City staff to continue to pursue the development of the currently approved 32-unit affordable senior housing project.

3. Take no action or recommend an alternative course of action.

FISCAL IMPACT:

☐ None ☑ $ Budgeted Item? ☐ Yes ☑ No

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

Affected fund(s): ☐ General Fund ☐ Water OM Fund ☐ Sewer OM Fund ☐ Other:

Comments: None

SUGGESTED MOTIONS:

1. Recommend that the City of Lakeport revise its current HOME Investment Partnership award to pursue the development of a 24-unit affordable multi-family housing project located at 1255 Martin Street; and

2. Direct the Community Development Department and Planning Commission to expeditiously process the land use entitlement application provided by Pacific West Architecture for the project consistent with the goals and policies outlined in the Lakeport Housing Element.

Attachments: 1. Project Description, NEPA Environmental Assessment 2. Site Plan
Environmental Assessment
Determinations and Compliance Findings for HUD-assisted Projects
24 CFR Part 58

Project Information

Project Name: Martin Street Apartments
Responsible Entity: City of Lakeport, California
Grant Recipient (if different than Responsible Entity): same
State/Local Identifier:
Preparer: Neil O'Hara
Certifying Officer Name and Title: Kevin Ingram, Community Development Director
Consultant (if applicable):

Neil O'Hara
RNC Environmental, LLC
3326 M St.
Sacramento, CA 95816
(888) 485-3330
neil@rne-enviro.com

Direct Comments to:
Kevin Ingram, Community Development Director
City of Lakeport
225 Park Street
Lakeport, CA 95453
(707) 263-5615
kingram@cityoflakeport.com

Martin Street Apartments  Lakeport, California  NEPA Environmental Assessment
Project Location:
The project will be located on a vacant 3.51± acre portion of a 10.59± acre parcel of land, located at the northwest corner of Martin Street and Smith Street in the city of Lakeport, Lake County, California. The street address of the site is 1255 Martin Street; the Assessor’s Parcel Number is APN 025-431-16.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:
The proposed project is a 24-unit multi-family, new construction, residential development. The proposed project will target families earning up to 60% of the area median income for Lake County.

The units will be configured in three, two-story residential buildings, and will include 16 two-bedroom units and 8 three-bedroom units. A community building (approximately 2,469 sq. ft.) will provide spaces for an office, a computer room, a laundry facility, an exercise room and a community room with kitchen. Additional facilities will include a covered picnic area with barbecue, a children’s play structure and a basketball half-court. The project will provide 48 parking stalls — 32 covered and 16 uncovered spaces, including 2 covered and 2 uncovered accessible spaces. An additional two bedroom unit will accommodate an on-site resident manager.

The construction will be wood frame supported by perimeter foundations with concrete slab flooring. This type of construction will allow the building to conform to the natural terrain with only minor amounts of grading. The exterior will be a combination of vinyl lap and shake siding with Class A composite roof shingles and stone veneer accents.

Within the units, tenants will enjoy standard features such as refrigerators, exhaust fans, dishwashers, disposals, microwaves and ranges with ovens. All units feature an outdoor patio or balcony and storage space.

Off-site improvements required for the project include a sanitary sewer line located within the existing right-of-way of Martin Street, connecting to an existing main at Bevins Street, 600± feet west of the project site. Also, a curb, gutter, and sidewalk will be constructed along the entire Martin Street frontage of the full 10.59± acre parcel, and continuing off-site to the west to Bevins Street.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:
The project is intended to provide 24 new units of affordable rental housing for low-income families.

There is a significant need for affordable rental housing in the Lakeport area. A State of Emergency has been declared in Lake County due to the numerous fires and flooding. Multiple trailers parks were damaged and many residents have been displaced from their homes. There is a lack of existing affordable housing to move these residents to. This project was originally proposed as a senior development; at the City’s request, it has been re-designated for family housing due to the urgent need.
Existing Conditions and Trends [24 CFR 58.40(a)]:

The project site is presently vacant land. A vacant cabin and shed which stood on the remainder portion of the property were destroyed by a wild land fire in July 2106; a few residual orchard trees are indicators of the historic use of the property. The surrounding properties include a mix of rural residences and vacant parcels, with the Lake County Sheriff's office located to the north across Martin Street and a church adjacent to the east. There is also an existing apartment complex across Smith Street to the southwest of the project site.

The City of Lakeport is located on the western shore of Clear Lake just north of the intersection of State Highways 29 and 175. Lakeport was originally settled in the late 1850s and incorporated as a town in 1888. In its early years, the town served as a shipping port from which passengers and supplies were ferried to various points across the lake. The community was later designated as a city and has served as the seat of Lake County government for many years. There are several unique and historic buildings in Lakeport which is centered around a quaint Victorian era downtown and the historic Lake County Courthouse Square. With a population of just over 5,200 people, Lakeport has a quintessential small town atmosphere.

Lake County has been particularly hard hit by wildfires during the recent drought years. Multiple trailers parks were damaged and many residents have been displaced from their homes. There is a lack of existing affordable housing to move these residents too.

Funding Information

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<th>Grant Number</th>
<th>HUD Program</th>
<th>Funding Amount</th>
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<td>HOME Investment Partnership Program</td>
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<tr>
<td></td>
<td>Community Development Block Grant</td>
<td>$1,291,990</td>
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Estimated Total HUD Funded Amount:

$5,791,990

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]:

$8,710,407
RE: Ad Hoc Committee Selection of Measure Z Independent Citizens’ Advisory Committee

MEETING DATE: 4/18/2017

SUBMITTED BY: Kelly Buendia, City Clerk

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

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

The City Council is being asked to confirm members of the Measure Z Advisory Committee

BACKGROUND/ DISCUSSION:

At their March 21, 2017 regular meeting, the City Council appointed an Ad Hoc Committee to select an independent citizen’s advisory committee to be known as the Measure Z Advisory Committee (MZAC). The purpose of MZAC is to meet publicly to review all revenues and expenditures of the transactions and use tax and make recommendations to the City Council regarding those expenditures. The ordinance states that the committee shall be composed of five (5) residents of the City of Lakeport to be appointed to terms of not more than four (4) years by the City Council.

Recruitment for membership resulted in twelve applications from the following City residents: Robert Bridges, Bill Graham, Nuar Hegrat, Annette Hopkins, Jim Kennedy, Susan King, Suzanne Lyons, Mark Mitchell, Dennis Rollins, Nathan Speed, Nicole Wagner and Tim Wynacht. Applications are on file with the City Clerk’s office.

The Ad Hoc Committee reviewed applications and interviewed each applicant regarding their background, interests, and reasons the applicant would like to serve and contribute to the MZAC mission. Based upon their review, the Ad Hoc Committee is recommending the following residents to the Measure Z Advisory Committee: Annette Hopkins, Susan King, Dennis Rollins, Nathan Speed and Tim Wynacht.

For the purpose of efficiency, the City Clerk has requested that the committee member terms be set to line up with all other committees and commissions with an ending date of December 31. Further, the City Clerk is recommending that two applicants be appointed with terms ending December 31, 2018 and three applicants be appointed with terms ending December 31, 2020. This will reduce the risk of vacant positions and ensure consistent activity of the Committee. Alternating terms will reduce the risk of vacant positions and lack of quorum.

OPTIONS:

The Council could make recommended appointment.
The Council could reject any or all recommended appointees and make new appointments
The Council could direct staff to continue recruiting

FISCAL IMPACT:

☒ None ☐ $ ☐ Account Number: Comments:
SUGGESTED MOTIONS:

Move to appoint Annette Hopkins, Susan King, Dennis Rollins, Nathan Speed and Tim Wynacht to the Measure Z Advisory Committee (MZAC) with _______ and _______ terms expiring December 31, 2018; and ________, ________, ________ terms expiring December 31, 2020.

Attachments: