



# 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, November 21, 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.

### CLOSED SESSION:

**5:05 p.m.**

1. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6): Name of City Negotiator to Attend Closed Session: Margaret Long and Administrative Services Director Kelly Buendia; Employee Organizations: Lakeport Police Officer's Association, Lakeport Employees Association (LEA) and the Unrepresented Management (UM) group.
2. CONFERENCE WITH LEGAL COUNCIL; Initiation of Litigation (Gov. Code § 54956.9(d)(4)) Number of Potential Cases: One (1) case.

### I. CALL TO ORDER & ROLL CALL:

6:00 p.m.

### II. PLEDGE OF ALLEGIANCE:

### III. ACCEPTANCE OF AGENDA:

Urgency Items:

Move to accept agenda as posted, or move to add or delete items.

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 City Council regular meeting of November 7, 2017.

C. Warrants:

Approve the warrant registers of November 14, 2017

D. Notice of Completion:

Adopt the proposed resolution accepting construction of the Downtown Tree Installation Project by Neary Landscape, Inc., and authorize the filing of the Notice of Completion.

E. Claim Rejection:

Reject Claim No. 2017-005, filed by Launel Garabiles, as recommended by REMIF.

F. Measure Z Advisory Committee (MZAC):

Receive and file draft minutes of the November 6, 2017 Measure Z Advisory Committee.

### 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.*

### VI. COUNCIL BUSINESS:

A. Community Development Director

1. Ordinance Introduction:  
Commercial Cannabis

Introduce the proposed ordinance adding Chapter 5.34 and amending Chapters 17.08, 17.10, 17.11 and 17.13 of the Lakeport Municipal Code to permit and regulate commercial cannabis operations within the City of Lakeport and set a public hearing for December 19, 2017.

2. Ordinance Introduction:  
Personal Cultivation of Cannabis

Introduce the proposed ordinance amending Chapters 17.04, 17.05, 17.06, 17.07 and 17.38 of the Lakeport Municipal Code to permit and regulate personal cannabis cultivation within the City of Lakeport and set a public hearing for December 19, 2017.

- B. Public Works Director
1. Budget Amendment: Dump Truck Purchase  
Approve a budget adjustment for an additional \$25,000 for the purchase of a 10-Wheeler Dump Truck and authorize the City Manager to sign the associated purchase order and purchase agreement.
- C. Police Chief
2. Vehicle Purchase  
Authorize the City Manager to sign a purchase order and supporting documents for the procurement of two fully equipped 2018 Dodge Charger police vehicles for the Police Department, using lowest bidding vendors (Thurston Auto, Precision Wireless and sole source MAV vendor Watch Guard).
- D. City Manager
1. Application 2017-015 Amendment  
Approve amendments to Application No. 2017-015 for the Lakeport Main Street Association to close Main Street between Second and Third Streets, at 2 p.m. on Friday, November 24, 2017 until the conclusion of the Dickens' Faire event on Saturday, November 25, 2017.

**VII. CITY COUNCIL COMMUNICATIONS:**

- A. Miscellaneous Reports, if any:

**VIII. ADJOURNMENT:**

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](http://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.

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Hilary Britton, Deputy 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 SUCCESSOR AGENCY TO THE LAKEPORT REDEVELOPMENT AGENCY)

Tuesday, November 7, 2017

### CLOSED SESSION:

City Clerk Buendia announced at 5:05 p.m. that the meeting would be adjourned to 5:30 p.m. Mayor Mattina called the meeting to order at 5:30 p.m. and adjourned the meeting to Closed Session at 5:31 p.m. to consider:

1. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6): Name of City Negotiator to Attend Closed Session: Margaret Long and Administrative Services Director Kelly Buendia; Employee Organizations: Lakeport Police Officer's Association, Lakeport Employees Association (LEA) and the Unrepresented Management (UM) group.

### REPORT OUT OF CLOSED SESSION:

The City Council returned from Closed Session at 5:53 p.m. There was no reportable action from Closed Session.

### I. CALL TO ORDER & ROLL CALL:

Mayor Mattina called the meeting to order at 6:00 p.m. with Council Member Turner, Council Member Barnes, Council Member Spurr, Council Member Parlet present.

### II. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Doug Grider.

### III. ACCEPTANCE OF AGENDA:

A motion was made by Council Member Parlet, seconded by Council Member Barnes, and unanimously carried by voice vote to accept the agenda as posted.

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 City Council regular meeting of October 17, 2017.

#### C. Warrants:

Approve the warrant registers of October 13, 2017 and October 31, 2017

#### D. Resolutions Designating Applicant's Agents:

Adopt resolutions designating the City of Lakeport's agents for California Disaster Assistance Act funding.

Vote on Consent Agenda:

A motion was made by Council Member Parlet, seconded by Council Member Spurr, and unanimously carried by voice vote to approve the Consent Agenda, items A-D.

### V. PUBLIC PRESENTATIONS/REQUESTS:

#### A. Citizen Input:

Nicole Wagner spoke about construction concerns on Lakeshore Boulevard. Suzanne Lyons gave additional comment about construction and speeds on Lakeshore Boulevard. Bill Graham spoke about accidents on Lakeshore Boulevard. Community Development Director Ingram stated he would set up a meeting with Ms. Lyons to answer further questions.

#### B. Presentation:

Panette Talia of the Lakeport Main Street Association presentation of the Taste of Lake County's People's Choice Awards. The Best Winery award was given to Cache Creek Vineyards. The Best Restaurant award was given to the Boathouse.

### VI. PUBLIC HEARING:

## A. Community Development Director

1. Community Development Block Grant Application

The staff report was presented by Community Development Director Ingram.

Mayor Mattina opened the Public Hearing at 6:19 p.m. Wilda Shock spoke in support of the projects outlined. Mayor Mattina closed the Public Hearing at 6:20 p.m.

A motion was made by Council Member Parlet, seconded by Council Member Turner, and unanimously carried by voice vote to hold a public hearing and adopt the proposed resolution approving the City of Lakeport's 2017 CDBG Application with amendments in Section Four (4), "Supplemental Activity Program", of the resolution, changing "Carnegie Hall" to read "Carnegie Library and Other Public Buildings".

**VII. COUNCIL BUSINESS:**

## A. Finance Director

1. Solid Waste Franchise Agreement Amendment

The staff report was presented by Finance Director Walker. Craig Butcher of Lakeport Disposal answered questions from the Council.

Suzanne Lyons stated that she pays for garbage service that she does not use.

A motion was made by Council Member Turner, seconded by Council Member Parlet, and unanimously carried by voice vote to approve and authorize the City Manager to execute Amendment No. 1 to the franchise agreement between the City of Lakeport and Lakeport Disposal Inc. for solid waste, recyclable material, and yard waste collection, processing and disposal services, and authorize the City Manager to execute.

## B. Public Works Director

1. 20<sup>th</sup> Street Striping Project:

The staff report was presented by Public Works Director Grider. Police Chief Rasmussen reported on the effects of the project on traffic speeds.

A motion was made by Council Member Parlet, seconded by Council Member Turner, and unanimously carried by voice vote to adopt the proposed resolution accepting construction completion of the 20th Street Traffic Mitigation Striping Project by Striping Graphics, Inc. and authorize the payment of the final invoice in the amount of \$17,502.50.

2. 2017 Flood Event Update:

City Manager Silveira and Public Works Director Grider gave an update concerning the 2017 Flood Damage Repair Projects.

**VIII. CITY COUNCIL COMMUNICATIONS:**

## A. Miscellaneous Reports, if any:

City Manager Silveira offered no report.

City Attorney Ruderman offered no report.

Public Works Director Grider offered no report.

Finance Director Walker reported that staff has received bids on the wastewater bond refinance with rates 2.52%. This will cut 8 years off of the original bond.

Police Chief Rasmussen reported that a campaign is ongoing to encourage residents to sign up for the Nixle emergency system. A test of the system will go out on December 4, 2018.

Community Development Director Ingram attended a warming shelter meeting. Operations will be similar to prior years.

Administrative Services Director Buendia offered no report.

Council Member Spurr encouraged residents to honor the veterans' on the upcoming Veteran's Day.

Council Member Parlet reported on the Vehicle Amnesty event held on October 20<sup>th</sup> and 21<sup>st</sup>. He advised it was a success with 40 cars and other items turned in for disposal. He thanked Kelseyville Auto and Jones Towing for their assistance.

Council Member Barnes offered no report.

Council Member Turner offered no report.

Mayor Mattina reported that Halloween downtown was very busy with the parade, costume contest and trick or treating.

Mayor Mattina adjourned the meeting at 7:17 p.m.

**IX.. ADJOURNMENT:**

\_\_\_\_\_  
Stacey Mattina, Mayor

Attest:

\_\_\_\_\_  
Kelly Buendia, City Clerk

CITY OF LAKEPORT

*Over 125 years of community  
pride, progress and service*



11/15/2017

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.

A handwritten signature in blue ink, appearing to read 'N. Walker', is positioned above a horizontal line.

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Nicholas Walker  
Finance Director



Lakeport

# Bank Transaction Report

## Transaction Detail

Issued Date Range: 11/01/2017 - 11/13/2017

Cleared Date Range: -

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
<b>Bank Account: 15-0352000798 - POOLED CASH BANK</b>							
11/01/2017		<a href="#">52204</a>	LAKE COUNTY WATER RESOURCES	Accounts Payable	Outstanding	Check	-785.00
11/02/2017		<a href="#">52205</a>	LAKEPORT DISPOSAL, INC.	Accounts Payable	Outstanding	Check	-21,126.08
11/02/2017		<a href="#">DFT0000625</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-1,761.60
11/02/2017		<a href="#">DFT0000626</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-1,836.67
11/02/2017		<a href="#">DFT0000627</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-1,801.70
11/02/2017		<a href="#">DFT0000628</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-1,883.28
11/02/2017		<a href="#">DFT0000629</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-3,589.84
11/02/2017		<a href="#">DFT0000630</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-4,536.65
11/02/2017		<a href="#">DFT0000631</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-1,296.46
11/02/2017		<a href="#">DFT0000632</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-2,574.92
11/02/2017		<a href="#">DFT0000633</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-45.00
11/02/2017		<a href="#">DFT0000634</a>	CALPERS	Accounts Payable	Outstanding	Bank Draft	-67.46
11/02/2017		<a href="#">DFT0000635</a>	IRS	Accounts Payable	Outstanding	Bank Draft	-3,235.64
11/02/2017		<a href="#">DFT0000636</a>	CA EMP DEVELOPMENT DEPT	Accounts Payable	Outstanding	Bank Draft	-3,391.22
11/02/2017		<a href="#">DFT0000637</a>	CA EMP DEVELOPMENT DEPT	Accounts Payable	Outstanding	Bank Draft	-1,004.16
11/02/2017		<a href="#">DFT0000638</a>	IRS	Accounts Payable	Outstanding	Bank Draft	-12,032.23
11/02/2017		<a href="#">DFT0000639</a>	IRS	Accounts Payable	Outstanding	Bank Draft	-528.24
11/05/2017		<a href="#">52197</a>	AFLAC	Accounts Payable	Outstanding	Check	-736.65
11/05/2017		<a href="#">52198</a>	CA STATE DISBURSEMENT UNIT	Accounts Payable	Outstanding	Check	-693.67
11/05/2017		<a href="#">52199</a>	LAKEPORT EMPLOYEE'S ASSOC	Accounts Payable	Outstanding	Check	-315.00
11/05/2017		<a href="#">52200</a>	LPOA	Accounts Payable	Outstanding	Check	-450.00
11/05/2017		<a href="#">52201</a>	NATIONWIDE RETIREMENT SOLUTION	Accounts Payable	Outstanding	Check	-1,000.00
11/05/2017		<a href="#">52202</a>	REDWOOD CREDIT UNION	Accounts Payable	Outstanding	Check	-150.00
11/05/2017		<a href="#">52203</a>	VALIC - C/O JP MORGAN CHASE	Accounts Payable	Outstanding	Check	-2,311.50
11/13/2017		<a href="#">52206</a>	ALAMEDA COUNTY SHERIFF OFFICE	Accounts Payable	Outstanding	Check	-746.00
11/13/2017		<a href="#">52207</a>	ALPHA ANALYTICAL LABORATORIES	Accounts Payable	Outstanding	Check	-1,467.00
11/13/2017		<a href="#">52208</a>	Void Check	Accounts Payable	Voided	Check	0.00
11/13/2017		<a href="#">52209</a>	AMERICAN TRUCK & TRAILER BODY CO., INC.	Accounts Payable	Outstanding	Check	-534.54
11/13/2017		<a href="#">52210</a>	APEX TECHNOLOGY MGMT, INC.	Accounts Payable	Outstanding	Check	-1,583.75
11/13/2017		<a href="#">52211</a>	APPLIED BUSINESS SOFTWARE, INC.	Accounts Payable	Outstanding	Check	-7,580.32
11/13/2017		<a href="#">52212</a>	ARAMARK UNIFORM SERVICES	Accounts Payable	Outstanding	Check	-83.78
11/13/2017		<a href="#">52213</a>	AT&T	Accounts Payable	Outstanding	Check	-80.58
11/13/2017		<a href="#">52214</a>	AT&T	Accounts Payable	Outstanding	Check	-1,802.99
11/13/2017		<a href="#">52215</a>	BIT SCULPTOR	Accounts Payable	Outstanding	Check	-150.00
11/13/2017		<a href="#">52216</a>	BLUE BOOK LAW ENFORCEMENT DIR	Accounts Payable	Outstanding	Check	-42.95
11/13/2017		<a href="#">52217</a>	CALIFORNIA PARK & RECREATION SOCIETY	Accounts Payable	Outstanding	Check	-170.00

## Bank Transaction Report

Issued Date Range: -

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
11/13/2017		<a href="#">52218</a>	CALIFORNIA WATER BOARDS	Accounts Payable	Outstanding	Check	-276.00
11/13/2017		<a href="#">52219</a>	CITY OF LAKEPORT	Accounts Payable	Outstanding	Check	-200.00
11/13/2017		<a href="#">52220</a>	CLEAR LAKE AUTO GLASS	Accounts Payable	Outstanding	Check	-117.87
11/13/2017		<a href="#">52221</a>	COMMUNITY DEVELOPMENT SERVICES	Accounts Payable	Outstanding	Check	-2,875.00
11/13/2017		<a href="#">52222</a>	DAVIS TIRE & AUTO REPAIR	Accounts Payable	Outstanding	Check	-809.86
11/13/2017		<a href="#">52223</a>	DEBRA ENGLAND	Accounts Payable	Outstanding	Check	-675.00
11/13/2017		<a href="#">52224</a>	DEEP VALLEY SECURITY	Accounts Payable	Outstanding	Check	-102.95
11/13/2017		<a href="#">52225</a>	ENTERPRISE - EAN SERVICES, LLC	Accounts Payable	Outstanding	Check	-36.86
11/13/2017		<a href="#">52226</a>	EUREKA OXYGEN COMPANY	Accounts Payable	Outstanding	Check	-45.80
11/13/2017		<a href="#">52227</a>	FED EX	Accounts Payable	Outstanding	Check	-27.68
11/13/2017		<a href="#">52228</a>	GCR TIRES & SERVICE	Accounts Payable	Outstanding	Check	-676.13
11/13/2017		<a href="#">52229</a>	GRAINGER	Accounts Payable	Outstanding	Check	-305.49
11/13/2017		<a href="#">52230</a>	HD SUPPLY CONSTRUCTION & INDUSTRIAL-WHITE CAP	Accounts Payable	Outstanding	Check	-1,957.49
11/13/2017		<a href="#">52231</a>	HILARY BRITTON	Accounts Payable	Outstanding	Check	-34.25
11/13/2017		<a href="#">52232</a>	HVS ASSET MANAGEMENT NEWPORT	Accounts Payable	Outstanding	Check	-8,500.00
11/13/2017		<a href="#">52233</a>	JAMES DAY CONSTRUCTION, INC.	Accounts Payable	Outstanding	Check	-198.00
11/13/2017		<a href="#">52234</a>	JOHN HAMNER	Accounts Payable	Outstanding	Check	-75.00
11/13/2017		<a href="#">52235</a>	JONES TOWING	Accounts Payable	Outstanding	Check	-150.00
11/13/2017		<a href="#">52236</a>	KIWANIS CLUB OF LAKEPORT	Accounts Payable	Outstanding	Check	-130.00
11/13/2017		<a href="#">52237</a>	MEDIACOM	Accounts Payable	Outstanding	Check	-1,485.80
11/13/2017		<a href="#">52238</a>	MICHELLE HUMPHREY	Accounts Payable	Outstanding	Check	-15.19
11/13/2017		<a href="#">52239</a>	NATIONAL METER & AUTOMATION, INC.	Accounts Payable	Outstanding	Check	-678.50
11/13/2017		<a href="#">52240</a>	NFP NATIONAL ACCOUNT SERVICES	Accounts Payable	Outstanding	Check	-835.88
11/13/2017		<a href="#">52241</a>	NIXON-EGLI EQUIPMENT CO.	Accounts Payable	Outstanding	Check	-2,936.25
11/13/2017		<a href="#">52242</a>	NORTHERN CALIFORNIA GLOVE	Accounts Payable	Outstanding	Check	-509.38
11/13/2017		<a href="#">52243</a>	OE PUBLIC & MISC EE'S	Accounts Payable	Outstanding	Check	-16,750.00
11/13/2017		<a href="#">52244</a>	PACE SUPPLY #03391-00	Accounts Payable	Outstanding	Check	-3,286.69
11/13/2017		<a href="#">52245</a>	PAUL HARRIS	Accounts Payable	Outstanding	Check	-361.04
11/13/2017		<a href="#">52246</a>	PERFORMANCE MECHANICAL	Accounts Payable	Outstanding	Check	-80.00
11/13/2017		<a href="#">52247</a>	PG&E	Accounts Payable	Outstanding	Check	-11,972.92
11/13/2017		<a href="#">52248</a>	PITNEY BOWES PURCHASE POWER	Accounts Payable	Outstanding	Check	-559.54
11/13/2017		<a href="#">52249</a>	PLAZA PAINT & SUPPLIES	Accounts Payable	Outstanding	Check	-127.59
11/13/2017		<a href="#">52250</a>	POLESTAR COMPUTERS	Accounts Payable	Outstanding	Check	-1,263.41
11/13/2017		<a href="#">52251</a>	PRENTICE, LONG & EPPERSON	Accounts Payable	Outstanding	Check	-1,353.00
11/13/2017		<a href="#">52252</a>	R.E.M.I.F.	Accounts Payable	Outstanding	Check	-34,973.00
11/13/2017		<a href="#">52253</a>	R.E.M.I.F.	Accounts Payable	Outstanding	Check	-19,604.94
11/13/2017		<a href="#">52254</a>	RAINBOW AGRICULTURAL SERVICES	Accounts Payable	Outstanding	Check	-72.80
11/13/2017		<a href="#">52255</a>	ROBERT KELLEY	Accounts Payable	Outstanding	Check	-53.23
11/13/2017		<a href="#">52256</a>	ROGER WHEELER	Accounts Payable	Outstanding	Check	-250.00
11/13/2017		<a href="#">52257</a>	RON LADD	Accounts Payable	Outstanding	Check	-284.00
11/13/2017		<a href="#">52258</a>	SANTA ROSA UNIFORM	Accounts Payable	Outstanding	Check	-10.81
11/13/2017		<a href="#">52259</a>	SIERRA CHEMICAL COMPANY	Accounts Payable	Outstanding	Check	-1,774.60
11/13/2017		<a href="#">52260</a>	STANDARD PRINTING COMPANY	Accounts Payable	Outstanding	Check	-809.14



**Bank Transaction Report**

**Issued Date Range: -**

Issued Date	Cleared Date	Number	Description	Module	Status	Type	Amount
11/13/2017		<a href="#">52261</a>	STAPLES ADVANTAGE	Accounts Payable	Outstanding	Check	-855.19
11/13/2017		<a href="#">52262</a>	STAPLES CREDIT PLAN	Accounts Payable	Outstanding	Check	-956.81
11/13/2017		<a href="#">52263</a>	STRIPING GRAPHICS	Accounts Payable	Outstanding	Check	-17,502.50
11/13/2017		<a href="#">52264</a>	SWRCB	Accounts Payable	Outstanding	Check	-70.00
11/13/2017		<a href="#">52265</a>	THE WORKS INC/MLS - LSQ FUNDING GROUP	Accounts Payable	Outstanding	Check	-4,951.57
11/13/2017		<a href="#">52266</a>	TYLER TECHNOLOGIES, INC.	Accounts Payable	Outstanding	Check	-166.00
11/13/2017		<a href="#">52267</a>	U.S. BANK	Accounts Payable	Outstanding	Check	-8,741.65
11/13/2017		<a href="#">52268</a>	UKIAH PAPER SUPPLY, INC.	Accounts Payable	Outstanding	Check	-150.92
11/13/2017		<a href="#">52269</a>	US POSTMASTER - ARIZONA	Accounts Payable	Outstanding	Check	-868.48
11/13/2017		<a href="#">52270</a>	VERIZON WIRELESS	Accounts Payable	Outstanding	Check	-291.36
11/13/2017		<a href="#">52271</a>	VICTOR RICO	Accounts Payable	Outstanding	Check	-710.00
<b>Bank Account 15-0352000798 Total: (90)</b>							<b>-233,900.45</b>
<b>Report Total: (90)</b>							<b>-233,900.45</b>

Bank Transaction Report

Issued Date Range: -

Summary

Bank Account	Count	Amount
<a href="#">15-0352000798 POOLED CASH BANK</a>	90	-233,900.45
<b>Report Total:</b>	<b>90</b>	<b>-233,900.45</b>

Cash Account	Count	Amount
<a href="#">**No Cash Account**</a>	1	0.00
<a href="#">998 998-0000-101000 POOLED CASH - WEST AMERICA</a>	89	-233,900.45
<b>Report Total:</b>	<b>90</b>	<b>-233,900.45</b>

Transaction Type	Count	Amount
Bank Draft	15	-39,585.07
Check	75	-194,315.38
<b>Report Total:</b>	<b>90</b>	<b>-233,900.45</b>



# CITY OF LAKEPORT

- City Council
- City of Lakeport Municipal Sewer District
- Lakeport Redevelopment Successor Agency
- Lakeport Industrial Development Agency
- Municipal Financing Agency of Lakeport

<b>STAFF REPORT</b>	
<b>RE:</b> Notice of Completion: Downtown Tree Installation Project	<b>MEETING DATE:</b> 11/21/2017
<b>SUBMITTED BY:</b> Douglas Grider, Public Works Director	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

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

The City Council is being asked to adopt a resolution accepting the Downtown Tree Installation Project, Bid No. 17-02, as complete and authorize the City Manager to file a Notice of Completion.

**BACKGROUND/DISCUSSION:**

On March 21, 2017, the City Council awarded a Construction Contract to Neary Landscape, Inc., for the Downtown Tree Installation Project, Bid No. 17-02, in the amount of \$128,900.00. There were 34 trees planted on Main Street along with irrigation to each tree and lines installed for the hanging baskets seen this summer. All of the irrigation is automated and controlled remotely. The trees were also maintained for 6 months by Neary Landscape, Inc.

The City of Lakeport Public Works Department has reviewed the project and determined that it has been completed in substantial compliance with the project plans and specifications. The total cost of the construction contract came out to \$128,900.00.

**OPTIONS:**

No other options recommended

**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 adopt the proposed resolution accepting construction of the Downtown Tree Installation Project by Neary Landscape, Inc., and authorize the filing of the Notice of Completion.

- Attachments:**
1. Resolution
  2. Notice of Completion

**RESOLUTION NO. ~~XXX~~\_\_\_ ( 2017 )**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEPORT ACCEPTING  
CONSTRUCTION OF THE DOWNTOWN TREE INSTALLATION PROJECT, BID NO. 17-02, AND  
AUTHORIZING THE FILING OF THE NOTICE OF COMPLETION**

**WHEREAS**, the final inspection of Downtown Tree Installation Project, Bid No. 17-02, was made by the City of Lakeport's Public Works Department; and

**WHEREAS**, it was determined that the work for this project has been completed in substantial compliance with the project plans and specifications.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKEPORT AS  
FOLLOWS:**

1. The City Council hereby accepts the work as completed on the Downtown Tree Installation Project, Bid No. 17-02.
2. The City Manager is authorized and directed to execute the Notice of Completion to be filed with the County of Lake.

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Lakeport held on the on the 21st day of November, 2017 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Stacey Mattina, Mayor  
City of Lakeport

ATTEST:

\_\_\_\_\_  
Kelly Buendia, City Clerk  
City of Lakeport

**RECORDING REQUESTED BY**

**AND WHEN RECORDED MAIL THIS DEED,  
UNLESS OTHERWISE SHOWN BELOW.  
MAIL TAX STATEMENTS TO:**

City of Lakeport  
225 Park St  
Lakeport, CA 95453  
Attn: Olivia Grupp

Complimentary recording request pursuant to the  
government code § 27383

**SPACE ABOVE THIS LINE FOR RECORDER'S USE**

**Notice of Completion**

NOTICE is hereby given that:

1. The Undersigned is owner of the interest stated below in the property hereinafter described:
2. The NAME (including that of the undersigned), ADDRESS and NATURE OF TITLE of every person owning any interest in such property is as follows:

City of Lakeport

225 Park Street , Lakeport, CA 95453

Fee Simple

(NAME OF UNDERSIGNED)

3. The names and addresses of the transferors of the undersigned owner: (to be shown if the undersigned is a successor in interest of the owner who caused the improvement to be constructed, etc.)

4. A work of improvement on the property hereinafter described was COMPLETED ON 11/16/2017

5. The name of the CONTRACTOR for such work of improvement was Neary Landscape, Inc.

(If no Contractor, insert "NONE")

6. The property on which said work of improvement was completed is in the City of Lakeport ,  
county of Lake State of California, and is described as follows: Planting of trees along 3 blocks  
of Main St, installing irrigation to trees and up light poles, maintaining trees for a  
6 month period

7. The street address of said property is: Main St from 1<sup>st</sup> St to 4<sup>th</sup> St, Lakeport, CA

Dated: November 21, 2017

Signature of  
Owner or Owners }

Margaret Silveira, City Manager

Verification for NON-INDIVIDUAL owner: I, the undersigned, declare under penalty of perjury under the laws of the State  
of California that I am the City Manager of the aforesaid interest or estate in  
("PRESIDENT, PARTNER, MANAGER, AGENT, ETC.")

the property described in the above notice; that I have read the said notice, that I know and understand the contents  
thereof, and that the facts stated therein are true and correct.

November 21, 2017

Date and Place

(Signature of person signing on behalf of owner))

## VERIFICATION OF CONTENT

The undersigned, being duly sworn says that she is City Manager of the aforesaid interest in the property described in the foregoing notice, that she has read the same, and knows the contents thereof, and that the facts stated therein are true.

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Margaret Silveira, City Manager  
City of Lakeport

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of Lake )

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_ who proved to me on  
the basis of satisfactory evidence to be the person whose name is subscribed to the within  
instrument and acknowledged to me that she executed the same in her authorized capacities,  
and that by her signature on the instrument the person, or the entity upon behalf of which the  
person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Notary Public

(Seal)

## CLAIM PROCESSING FORM

<b>Name of Claimant:</b> Launel Garabiles							
<b>Date Claim Received:</b> 11/08/2017 <input checked="" type="checkbox"/> <b>Hand Delivered (date stamp)</b> <input type="checkbox"/> <b>By Mail (save envelope)</b>	<b>Is Claim:</b> <b>Timely?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Complete?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No						
<b>Claimant's Mailing Address: *</b> 1350 South Main St., Space 10 Lakeport, CA 95453	<b>Address to Send Notice: *</b> Same						
<b>Date/Time of Occurrence: *</b> 10/17/2017 4:30 p.m.	<b>Place of Occurrence: *</b> Royale Avenue and South Main Street						
<b>Description of Occurrence: *</b> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;"><b>Personal Injury</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</td> <td rowspan="5" style="width: 50%; vertical-align: top;">Trip and fall on sidewalk on Royale Ave.</td> </tr> <tr> <td><b>Wrongful Death</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td><b>Property Damage</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td><b>Crop Damage</b> <input type="checkbox"/> Yes <input type="checkbox"/> No</td> </tr> <tr> <td><b>Other:</b></td> </tr> </table>		<b>Personal Injury</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Trip and fall on sidewalk on Royale Ave.	<b>Wrongful Death</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Property Damage</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Crop Damage</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<b>Other:</b>
<b>Personal Injury</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Trip and fall on sidewalk on Royale Ave.						
<b>Wrongful Death</b> <input type="checkbox"/> Yes <input type="checkbox"/> No							
<b>Property Damage</b> <input type="checkbox"/> Yes <input type="checkbox"/> No							
<b>Crop Damage</b> <input type="checkbox"/> Yes <input type="checkbox"/> No							
<b>Other:</b>							
<b>Amount Claimed: *</b> \$?	<b>Is the amount claimed over \$10,000?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <b>Limited Civil Case</b> <input type="checkbox"/> <b>Unlimited Civil Case</b>						
<b>Basis of Computing Amount: ?</b>							
<b>Signature/Date Included: *</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
<b>Claim Reviewed by:</b> Kelly Buendia							
<b>Claim Sent to REMIF on</b>	<b>Claim Sent to Dept. Head on</b>						
<b>Instructions from REMIF:</b>							
<b>Date:</b> 11/09/2017	<b>Instruction:</b> Sent to City Clerk Buendia						
<b>Date:</b> 11/14/2017	<b>Instruction:</b> Advised to reject by Chris Carmody of REMIF						
<b>Date:</b>	<b>Instruction:</b>						
<b>Actions Taken:</b>							
<b>Date:</b>	<b>Action Taken:</b>						
<b>Date:</b>	<b>Action Taken:</b>						
<b>Date:</b>	<b>Action Taken:</b>						

\* If any of these items are missing, contact REMIF regarding possible insufficient claim

File With:

City Clerk's Office  
City of Lakeport  
City Hall  
225 Park Street  
Lakeport, CA 95453

# CLAIM FOR MONEY OR DAMAGES AGAINST THE CITY OF LAKEPORT

RESERVE FOR FILING STAMP

CLAIM NO. 2017-005

RECEIVED

NOV 08 2017

BY Shannon

PICTURES

A claim must be presented, as prescribed by the *Government Code* of the State of California, by the claimant or a person acting on his/her behalf and shall show the following:

If additional space is needed to provide your information, please attach sheets, identifying the paragraph(s) being answered.

1. Name and Post Office address of the Claimant:

Name of Claimant:

Laurel L Garabiles

Post Office Address:

1350 South Main Street Sp 10  
Lakeport Cal 95453

2. Post Office address to which the person presenting the claim desires notices to be sent:

707 413-9828

Name of Addressee:

Laurel L Garabiles

Telephone:

707 3659 or

Post Office Address:

1350 South Main St Sp 10  
11<sup>th</sup> Street  
Lakeport Calif 95453

3. The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted.

Date of Occurrence:

10-17-17

Time of Occurrence:

4:30 afternoon

Location:

South main Royal Avenue

Circumstances giving rise to this claim:

Can't walk due to tripping over  
lip on the sidewalk and fall in middle  
of the street at Royal Avenue & the  
curb hit face on ground Broke glass's kept  
my nose on ground.

4. General description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of the presentation of the claim.

leg injury and face injury and lack of sleep Since I  
went to hospital can not sleep and in bad pain  
due to all injuries to me.

5. The name or names of the public employee or employees causing the injury, damage, or loss, if known.

NONE



6. **If amount claimed totals less than \$10,000:** The amount claimed if it totals less than ten thousand dollars (\$10,000) as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed.

Amount Claimed and basis for computation:

**If amount claimed exceeds \$10,000:** If the amount claimed exceeds ten thousand dollars (\$10,000), no dollar amount shall be included in the claim. However, it shall indicate whether the claim would be a limited civil case. A limited civil case is one where the recovery sought, exclusive of attorney fees, interest and court costs does not exceed \$25,000. An unlimited civil case is one in which the recovery sought is more than \$25,000. (See CCP § 86.)

*Why under amount above but please pay 4 injuries Please*

<input checked="" type="checkbox"/> Limited Civil Case	<input type="checkbox"/> Unlimited Civil Case
--	---

**You are required to provide the information requested above in order to comply with Government Code §910.**

7. Claimant(s) Date(s) of Birth: 8-18-1957
8. Name, address and telephone number of any witnesses to the occurrence or transaction which gave rise to the claim asserted:  
Bre H c white witness 707 413-9829 Took pictures  
Marhus witness
9. If the claim involves medical treatment for a claimed injury, please provide the name, address and telephone number of any doctors or hospitals providing treatment:  
Sutter Lake side Hospital Lakeport 707 262-5000  
Date I was There in 10-17-17

*If applicable, please attach any medical bills or reports or similar documents supporting your claim.*

10. If the claim relates to an automobile accident:

Claimant(s) Auto Ins. Co.:	Telephone:
Address:	Insurance Policy No.:
Insurance Broker/Agent:	Telephone:
Address:	
Claimant's Veh. Lic. No.:	Vehicle Make/Year:
Claimant's Drivers Lic. No.:	Expiration:

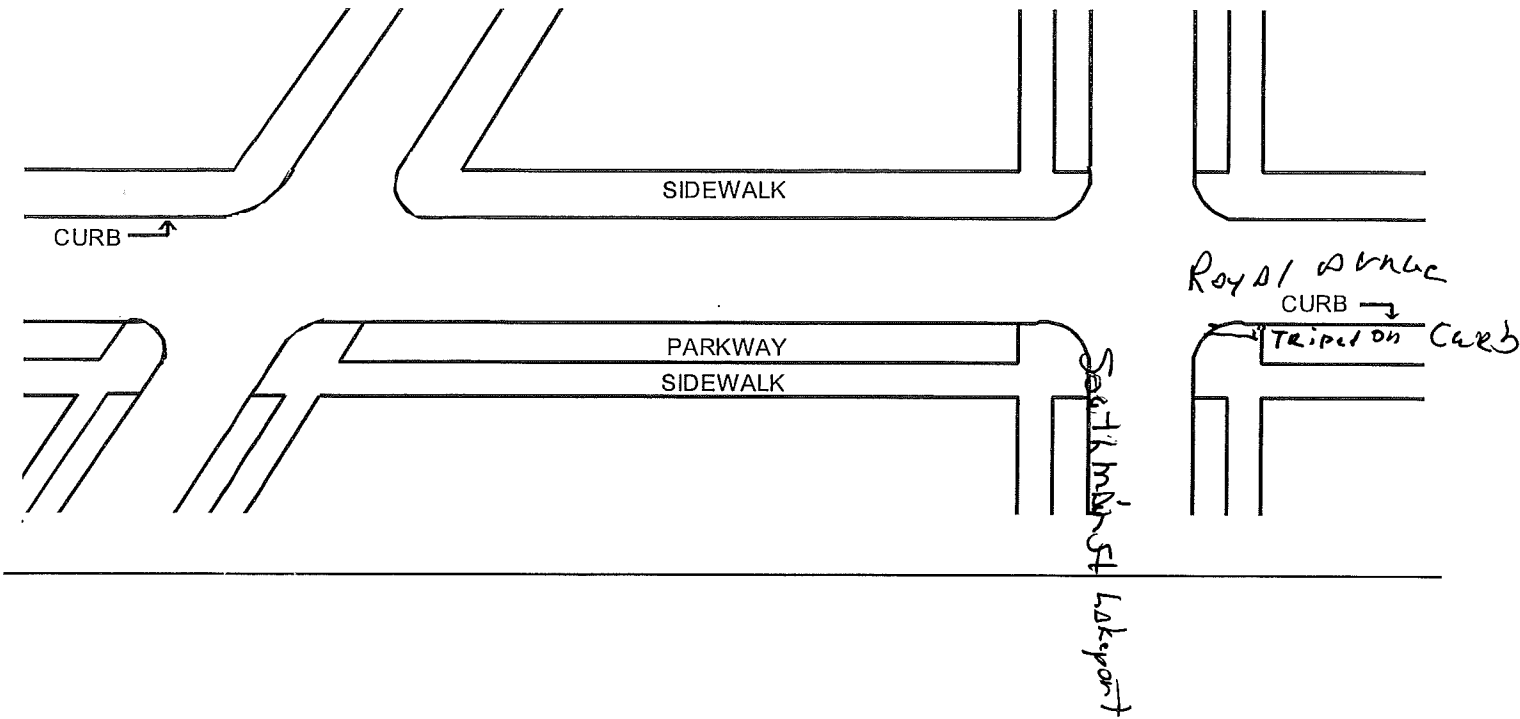
*If applicable, please attach any repair bills, estimates or similar documents supporting your claim.*

**READ CAREFULLY**

For all accident claims, place on following diagram name of streets, including North, East, South, and West; indicate place of accident by "X" and by showing house numbers or distances to street corners. If City/Agency Vehicle was involved, designate by letter "A" location of City/Agency Vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw

City/Agency Vehicle; location of City/Agency vehicle at time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1" and the point of impact by "X."

NOTE: If diagrams below do not fit the situation, attach hereto a proper diagram signed by claimant.



**Warning:** Presentation of a false claim is a felony (Penal Code §72). Pursuant to CCP §1038, the City/Agency may seek to recover all costs of defense in the event an action is filed which is later determined not to have been brought in good faith and with reasonable cause.

Signature: Laurel G. Jaramila

Date: 10-18-17

**DRAFT MINUTES**  
MEASURE Z ADVISORY COMMITTEE  
REGULAR MEETING  
NOVEMBER 6, 2017

- 1. CALL TO ORDER** Vice Chair Rollins called the meeting to order at 5:30 p.m. with Committee members King, Speed, and Wynacht present. Chair Hopkins was absent.
- 2. APPROVAL OF MINUTES** Committee member King made a motion, seconded by Committee member Speed and unanimously carried by voice vote to approve the minutes of the July 31, 2017 meeting. Chair Hopkins was absent.
- 3. CITIZEN INPUT** There was no input offered from the public.
- 4. DISCUSSION/ACTION ITEMS**

  - A. Project Update City Manager Silveira, Police Chief Rasmussen, Public Works Director Grider, Finance Director Walker, and Administrative Services Director Buendia gave an update on the status of items listed in the Fiscal Year 2017-18 Recommended Uses and Projects adopted by the City Council in the 2017-18 Budget.
- 5. ADJOURN** Vice Chair Rollins adjourned the meeting at 6:12 p.m.

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Kelly Buendia, Secretary



# CITY OF LAKEPORT

- City Council
- City of Lakeport Municipal Sewer District
- Lakeport Redevelopment Successor Agency
- Lakeport Industrial Development Agency
- Municipal Financing Agency of Lakeport

## STAFF REPORT

**RE:** First Reading of Proposed Commercial Cannabis Ordinance Adding Chapter 5.34 And Amending Chapters 17.08, 17.10, 17.11 And 17.13 to the Lakeport Municipal Code

**MEETING DATE:** 11/21/2017

**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:

The City Council is being asked to initiate proceedings and set a public hearing for the consideration of a proposed Commercial Cannabis Ordinance adding Chapter 5.34 and amending the "PO", Professional Office; "C-2", Major Retail; "C-3", Service Commercial; and, "I" Industrial Zoning Districts to allow specified commercial cannabis uses.

### BACKGROUND/DISCUSSION:

In response to the adoption of AUMA and MAUCRSA, commonly referred to as Proposition 64 and SB 94 respectfully, the City Council provided direction to staff earlier this year to look at potential revisions to the Lakeport Municipal Code as it pertains to commercial cannabis: cultivation, retail sales, processing/manufacturing and licensing/taxation.

Under SB 94, the State developed a regulatory structure for licensing the various uses associated with commercial cannabis. Local jurisdictions may pass their own regulations providing additional elements of local control. However, in accordance with SB 94 these local regulations must be in place by January 1, 2018. Given the upcoming deadline, the City formed a Working Group consisting of two City Council Members, the City Manager, the City Attorney, the Police Chief, and the Community Development Director whom reviewed possible amendments to the City's Municipal Code. The Working Group developed a preliminary set of possible development standards addressing various commercial cannabis uses and forwarded their recommendations to the Planning Commission for their review and input. Additionally, the Working Group developed a matrix (Attachment 3), utilizing the commercial cannabis licensing types outlined by the State identifying potential commercial zoning designations in the City of Lakeport where such uses could occur. The State licensing includes the following:

- Cannabis Cultivation: Type 1, 1A, 1B, 1C, 2, 2A, 2B, 3, 3A, 3B. That would address indoor, outdoor, and mixed light for cannabis cultivation, as well as various size of operations.
- Cannabis Nursery: Type 4. Cannabis nursery.
- Manufacturing: Type 6 & 7. Manufacturing (Type 6) and manufacturing with solvents (Type 7).
- Testing: Type 8. Cannabis testing.
- Dispensary General: Type 10 & 10A. Retail sales of cannabis.
- Distribution: Type 11. The transportation and storage of cannabis.
- Microbusiness: Type 12. Use that would allow smaller cultivation, manufacturing and retail.

The Planning Commission held a public meeting at their special meeting of September 20, 2017 to review the proposals of the Working Group. The Planning Commission took public comment and made several recommendations and suggestions. A principal concern of the Planning Commission was public outreach to make sure the community was well informed of pending action by the City on this important topic. Following this meeting, staff formed a dedicated page upon the City's website on the topic and undertaken an aggressive outreach campaign that has included press releases, an insert within utility billing notices, newspaper articles, social media blasts and more.

On October 3, 2017, the City Council and Planning Commission held a joint meeting to take additional public input and discuss possible commercial cannabis regulations and concerns. At this meeting staff was requested to investigate the following:

- The number of parcels that were zoned "C-3", Service Commercial (47 parcels at 54.27 acres) and "I", Industrial (13 parcels at 28.2 acres) and roughly how many of these properties were available for development.
- Develop standards to evaluate the potential for retail sales of cannabis, as well as the various aspects of retail (i.e. delivery, storefront, storefront with on-site consumption, microbusiness).

The Planning Commission, at its meeting of October 11, 2017 and October 25, 2017, provided an opportunity for the public to voice their suggestions and concerns for the preparation of a draft commercial cannabis ordinance. At those meetings the planning Commission recommended the following:

- Commercial Cannabis Buffers: The buffer should include parks and day care facilities.
- Relocate Commercial Cannabis regulations from the Zoning Ordinance to Title 5 of the Lakeport Municipal Code: The bulk of the commercial cannabis regulations were directed from the Performance Standards section of the Zoning Ordinance (Chapter 17.28) to Title 5, Business Taxes, Licenses and Regulations adding a new Chapter 5.34 for Commercial Cannabis. The principal purpose of moving commercial cannabis regulations from the Zoning Ordinance to Title 5 was to prohibit the automatic transfer of land use entitlements when there was a change in operation ownership. A Use Permit, reviewed and approved by the Planning Commission would still be required for specified commercial uses as outlined in the "PO", "C-2", "C-3" and "I" Zoning Districts.
- Addition of Retail Cannabis Standards: The Cannabis Working Group recommended limiting commercial cannabis retail to delivery only. The Planning Commission expanded retail allowances and provided standards for: retail, delivery, retail with on-site consumption, and microbusiness. The Commission expanded the retail and retail delivery into the C-2 (Major Retail), while limiting the retail with on-site consumption and microbusiness to C-3 (Service Commercial) and I (Industrial) zoning districts.
- Zoning Districts: In addition to the changes associated with retail use, the Planning Commission expanded cannabis testing into the C-2 (major Retail) and PO (Professional Offices) due to minimal impacts on neighboring uses. Requiring a Use Permit for all commercial cannabis uses. See Attachment 3.
  - Section 17.13: I (Industrial) permits the following with the approval of a Use Permit: cultivation, manufacturing with and without volatile solvents, testing, distribution, retailers (general), retailers with on-site consumption, microbusiness.
  - Section 17.11: C-3 (Service Commercial) permits the following with the approval of a Use Permit: cultivation, manufacturing without volatile solvents, testing, distribution, retailers (general), retailers with on-site consumption, microbusiness.
  - Section 17.10: C-2 (Major Retail) permits the following with the approval of a Use Permit: retailers (general), and testing.
  - Section 17.08: PO (Professional Office) permits the following with the approval of a Use Permit: testing

Following additional public input and a final review of proposed amendments to the Lakeport Municipal Code concerning the permitting and regulation of commercial cannabis the Planning Commission made a formal recommendation at its regular meeting of November 8, 2017 that the City Council adopt the recommended

revisions to the "PO", Professional Office; "C-2", Major Retail; "C-3" Service Retail; and, "I" Industrial zoning districts allowing for specified commercial cannabis uses subject to the issuance of a Use Permit. Additionally, the Planning Commission provided a courtesy review of proposed commercial cannabis regulations proposed to be added to Chapter 5.34 of the Lakeport Municipal Code.

**OPTIONS:**

1. Introduce the proposed amendments and revisions to the Lakeport Municipal Code and schedule public hearings for December 19, 2017.
2. Direct staff to bring back revisions to the proposed amendments.
3. Remand proposed amendments to the Planning Commission for addition study/consideration.

**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 MOTION:**

Move to introduce the proposed ordinance adding Chapter 5.34 and amending Chapters 17.08, 17.10, 17.11 and 17.13 of the Lakeport Municipal Code to permit and regulate commercial cannabis operations within the City of Lakeport, and set a public hearing for December 19, 2017.

- Attachments:**
1. Draft Ordinance
  2. Chapter 5.34, Commercial Cannabis highlighting recommended changes by the Planning Commission and City Attorney
  3. Commercial Cannabis Zoning Use Matrix
  4. Commercial Cannabis Buffer Map

**ORDINANCE NO. (2017)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEPORT ADDING CHAPTER 5.34 AND AMENDING CHAPTERS 17.08, 17.10, 17.11 AND 17.13 OF THE LAKEPORT MUNICIPAL CODE, REGARDING COMMERCIAL CANNABIS**

**WHEREAS**, the Federal Controlled Substances Act, 21 U.S.C. Section 801 et seq., classifies cannabis as a Schedule 1 Drug; as such, it is unlawful, under federal law, for any person to cultivate, manufacture, distribute, dispense, or possess cannabis, whether for medicinal or recreations purposes; and

**WHEREAS**, in 1996, the voters of the State of California approved Proposition 215, the Compassionate Use Act (Health and Safety Code Section 11362.5), which was intended to enable persons who are in need of cannabis for medical purposes to obtain and use it under limited, specific circumstances, without being subject to criminal prosecution under certain state statutes; and

**WHEREAS**, SB 420, the Medical Marijuana Program Act (Health and Safety Code Section 11362.7 et seq.), was enacted in 2004 to expand and clarify the scope of Proposition 215, the Compassionate Use Act; and

**WHEREAS**, in 2015, the State enacted the Medical Marijuana Regulation and Safety Act (SB 643, AB 266, and AB 243) commonly referred to as MMRSA, instituting a comprehensive state-level licensure and regulatory scheme for cultivation, manufacturing, distribution, transportation, laboratory testing, and dispensing of medical cannabis. Although MMRSA developed a state-level licensure and regulatory scheme it provided cities and counties the ability to retain local regulator authority over medical cannabis; and

**WHEREAS**, the Governor signed SB 837 in June of 2016, changing references to the term “marijuana” in MMRSA to “cannabis” and renaming MMRSA the “Medical Cannabis Regulation and Safety Act” (MCRSA); and

**WHEREAS**, on November 8, 2016, Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA) was enacted by the voters to decriminalize and regulate commercial and non-commercial recreations cannabis. AUMA provides that cities and counties retain local regulatory control over commercial recreational cannabis; and

**WHEREAS**, the Governor signed SB 94 in June of 2017 (Medicinal and Adult-Use Cannabis Regulation and Safety Act or MAUCRSA), which amended Section 11362.2 of the California Health and Safety Code and allows cities and counties to enact and enforce reasonable regulations to reasonably regulate the cultivation, harvest, drying,

processing, transportation, purchase, possession, smoking, ingesting, obtaining and giving away cannabis, including concentrated cannabis and cannabis products; and

**WHEREAS**, in response to AUMA and MAUCRSA, the Planning Commission, directed City staff through a minute order on September 20, 2017 to bring forward an ordinance amending the Lakeport Municipal Code to permit and regulate commercial cannabis; and

**WHEREAS**, the City of Lakeport Municipal Code establishes rules and regulations for living and doing business within city limits; and

**WHEREAS**, the unregulated operations of commercial cannabis businesses in the city limits of Lakeport can adversely affect the health, safety, and well-being of the City, its residents and environment. The development of regulations for commercial cannabis operations, including zoning regulation, is proper and necessary to reduce the risks of criminal activity, degradation of the natural environment, malodorous smells, and indoor electrical fire hazards that may result from unregulated commercial cannabis operations; and

**WHEREAS**, the ability to operate a commercial cannabis business as conferred by AUMA and MAUCRSA does not confer the right to create or maintain a public nuisance, the City intends to minimize the risks and complaints regarding fire, odor, crime and pollution caused or threatened by the unregulated operation of commercial cannabis operations.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEPORT DOES ORDAIN AS FOLLOW:**

**SECTION 1.** Chapter 5.34 of Title 5 of the Lakeport Municipal Code is hereby adopted to read as follows:

**Title 5—Business Taxes, Licenses and Regulations**

**Chapter 34—Commercial Cannabis**

**5.34.01 Purpose and Intent**

The purpose of these regulations is to ensure that the development of commercial cannabis does not adversely impact adjacent parcels or the surrounding neighborhood and that they are developed in a manner which protects the health, safety, and general welfare of the residents, landowners, and businesses in the city. These regulations shall apply to all commercial cannabis activities in the city.

**5.34.02 Definitions**

- A. "Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus



Cannabis that may exist or be discovered, or developed, whether growing or not, including but not limited to the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. Any reference to cannabis or cannabis products shall include medical and nonmedical cannabis and medical and nonmedical cannabis products unless otherwise specified. "Cannabis" does not mean industrial hemp as defined by Health and Safety Code section 11018.5, as may be amended from time to time.

- B. "Cannabis business owner" means any of the following:
1. Each person or entity having an ownership interest in the commercial cannabis business other than a security interest, lien, or encumbrance on property that will be used by the commercial cannabis business;
  2. If the commercial cannabis business is a publicly traded company, the chief executive officer or any person or entity with an aggregate ownership interest of five percent (5%) or more; or
  3. Each person who participates in the direction, control, or management of, or has a financial interest in, the commercial cannabis business.
- C. "Cannabis cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, processing, or trimming of cannabis, including cannabis nurseries.
- D. "Cannabis dispensary" or "cannabis retailer" means a facility, whether fixed or mobile, operated in accordance with state and local laws and regulations, where cannabis and/or cannabis products are offered for retail sale, including a facility that delivers cannabis and/or cannabis products as part of a retail sale.
- E. "Cannabis distribution" means a facility where a person conducts the business of procuring cannabis from licensed cultivators or manufacturers for sale to licensed cannabis dispensaries or cannabis retailers, and the inspection, quality assurance, batch testing by a Type 8 licensee, storage, labeling, packaging and other processes, prior to transport to licensed cannabis dispensaries or cannabis retailers. This facility requires a Type 11 license pursuant to MAUCRSA or a state cannabis license type subsequently established.
- F. "Cannabis manufacturing" means a facility that produces, prepares, propagates, or compounds manufactured cannabis or cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and is owned and operated by a state licensee for these activities.
- G. "Cannabis microbusiness" means a facility that cultivates less than 10,000 square feet of cannabis and acts as a licensed distributor, Level 1 manufacturer, and cannabis retailer. This facility requires a Type 12 license pursuant to MAUCRSA, or a state cannabis license type subsequently established.

- H. “Cannabis nursery” means a state licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.
- I. “Cannabis products” means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.
- J. “Cannabis testing service” or “cannabis testing laboratory” means a laboratory, facility, or entity that offers or performs tests of cannabis or cannabis products, including the equipment provided by such laboratory, facility, or entity.
- K. “City manager” means the city manager or the city manager’s designee, if any.
- L. “Commercial cannabis uses” means any commercial cannabis activity licensed pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”), including but not limited to, cultivation, possession, distribution, laboratory testing, labeling, retail, delivery, sale or manufacturing of cannabis or cannabis products.
- M. “Medical cannabis” or “medicinal cannabis” means cannabis that is intended to be used for medical cannabis purposes in accordance with the Compassionate Use Act (Health and Safety Code section 11362.5), the Medical Marijuana Program Act (Health and Safety Code section 11362.7 et seq.), the Medical Cannabis Regulation and Safety Act (“MCRSA,” Business and Professions Code section 19300 et seq.), and MAUCRSA.
- N. “Primary caregiver” shall have the same meaning as set forth in Health and Safety Code section 11362.7, as the same may be amended from time to time.
- O. “Qualifying patient” or “qualified patient” shall have the same meaning as set forth in Health and Safety Code section 11362.7, as the same may be amended from time to time.

#### **5.34.03 Permit Requirement**

No cannabis business may engage in any commercial cannabis use in the city without obtaining the appropriate permit to operate within the city. The permit is specific to the location where the commercial cannabis use will occur. Multiple operating locations for the same cannabis business will require separate permits as outlined in sections 5.34.08 and 5.34.09.

#### **5.34.04 Permit Applications**

- A. Applications for a commercial cannabis permit and other matters pertaining to this chapter shall be filed with the city manager on an official city application form.
- B. The application shall be filed with all required fees, deposits, information, and materials as specified by this chapter.

- C. The application shall be signed by each cannabis business owner under penalty of perjury, certifying that the information submitted, including all supporting documents, is, to the best of the applicant's knowledge and belief, true, accurate and complete, and by the property owner for purposes of certifying that s/he has reviewed the application, and approves the use of the property for the purposes stated in the application. The signature of both the cannabis business owner and the property owner shall constitute evidence of their express consent to allow any city official or employee to enter upon and inspect the premises upon reasonable notice.
- D. The information required by this section shall be confidential, and shall not be subject to public inspection or disclosure except as may be required by Federal, State or local law. Disclosure of information pursuant to this section shall not be deemed a waiver of confidentiality by the applicant or any individual named in the application. The city shall incur no liability for the inadvertent or negligent disclosure of such information.
- E. Permit applicants are encouraged to contact the city manager before submitting an application to verify materials necessary for completing an application.

**5.34.05 Application Review, Appeal, and Suspension**

- A. Review of Application. The city manager shall consider the application, and the results from any investigation into the application, as deemed necessary by the police chief.
- B. Disapproval of Application. If the city manager disapproves an application, he or she shall notify the applicant in writing, stating the reasons for the disapproval. Notification of disapproval shall be deemed complete upon deposit by first class mail to the applicant to the address indicated on the application. No permit shall be issued unless a successful appeal of the disapproval is made within the requisite time frame.
- C. Appeal of Disapproval.
  - 1. Within ten (10) days after the city manager serves notice of disapproval, an applicant may appeal the disapproval by notifying the city clerk in writing of the appeal, the reasons for the appeal, and paying any applicable fees.
  - 2. The city clerk shall set a hearing on the appeal and shall fix a date and time certain, within thirty (30) days after the receipt of the applicant's appeal, unless the city and the applicant agree to a longer time, to consider the appeal. In no case will a hearing be continued for more than ninety (90) days from receipt of applicant's appeal. The city clerk shall provide notice of the date, time and place of hearing, at least seven (7) days prior to the date of the hearing.

3. The city council shall hear the applicant's appeal, determine the order of procedure, and rule on all objections to admissibility of evidence. The applicant and the city manager shall each have the right to submit documents, call and examine witnesses, cross-examine witnesses and argue their respective positions. The proceeding shall be informal, the technical rules of evidence shall not apply, and all evidence shall be admissible which is of the kind that reasonably prudent persons rely upon in making decisions.
  4. An appellant's failure to attend a hearing shall constitute an abandonment of the appeal and a failure to exhaust administrative remedies.
  5. The city council shall issue or cause to be issued a written decision within twenty-one (21) days after the close of the hearing. The decision of the city council shall be final.
  6. An appellant may seek judicial review of the city council's decision by filing a petition for review with the superior court, pursuant to Code of Civil Procedure sections 1094.5 and 1094.6, within ninety days after the effective date of the city council's notice of decision.
- D. Grounds for Denial, Revocation or Suspension of Permit. The granting of a permit or a renewal thereof may be denied and an existing permit revoked or suspended if:
1. The cannabis business owner has knowingly made a false statement in the application or in any reports or other documents furnished to the city.
  2. The cannabis business owner has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the cannabis business for which the application is made, which includes but is not limited to:
    - i. A violent felony conviction, as specified in Penal Code section 667.5(c).
    - ii. A serious felony conviction, as specified in Penal Code section 1192.7.
    - iii. A felony conviction involving fraud, deceit or embezzlement.
    - iv. A felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.

- v. A felony conviction for drug trafficking with an enhancement pursuant to Health and Safety Code sections 11370.4 or 11379.8.
3. The cannabis business or a cannabis business owner has been sanctioned by a licensing authority or other city or county for unauthorized commercial cannabis activity.
4. The granting or renewing of the permit would perpetuate or encourage any of the following:
  - i. Distribution of cannabis or cannabis products to minors;
  - ii. Generation of revenue from the sale of cannabis or cannabis products to fund criminal enterprises, gangs or cartels;
  - iii. Diversion of cannabis or cannabis products to jurisdictions outside of the state where cannabis and cannabis products are unlawful under state or local law;
  - iv. Trafficking of other illegal drugs or facilitation of other illegal activity;
  - v. Violence and the use of firearms in the cultivation and distribution of cannabis and cannabis products;
  - vi. The use of public lands in the cultivation of cannabis; or
  - vii. The use of federal property for commercial cannabis activity.
5. For any other reason that would allow the state to deny a license under MAUCRSA.
6. Fails to pay required city fees and taxes.
7. Violates any provision of MAUCRSA, this chapter or any other permits issued by the city for the commercial cannabis use, such as a conditional use permit.
8. Except as provided in subsections (D)(2)(iv) and (v) of this section, an application for a permit shall not be denied if the sole ground for denial is based upon a prior conviction of either section 11350 or section 11357 of the Health and Safety Code. An application for a permit also shall not be denied if the state would be prohibited from denying a license pursuant to either section 26057, subdivision (b)(5), or section 26059 of the Business and Professions Code. Conviction of any controlled substance felony subsequent to permit issuance shall be grounds for revocation of a permit or denial of the renewal of a permit.

E. Suspension and Revocation.

1. If the city manager deems continuation of any commercial cannabis use will cause a significant threat to the health, safety, or welfare of the public, the city manager may suspend the permit and all rights and

privileges thereunder until the city council renders a written decision on the revocation of the permit.

2. The city manager shall give notice to the cannabis business of his or her intent to revoke a permit in the same manner as notice of disapproval and provide the city clerk with a copy of the notice.
3. The appeal rights and hearing for the revocation of the permit shall be set and conducted in the same manner as an appeal of disapproval under section 5.34.05(C). The decision of the city council shall be final.

**5.34.06 Permit Issuance**

- A. Before issuing any permit the city manager shall determine that all of the following requirements have been met:
  1. The application is complete and all applicable city taxes and fees have been paid.
  2. All land use permits have been approved and all conditions of approval have been met or are in good standing.
  3. There are no outstanding notices of nuisance or other unresolved code compliance issues at the site of the proposed commercial cannabis use or related to the cannabis business owner(s).
- B. By accepting the permit, each permittee agrees to indemnify, defend and hold harmless to the fullest extent permitted by law the city, its officers, agents and employees from and against any and all actual and alleged damages, claims, liabilities, costs (including attorney's fees), suits or other expenses resulting from and arising out of or in connection with permittee's operations, except such liability caused by the sole active negligence or willful misconduct of city, its officers, agents and employees.
- C. The permit shall be valid for one (1) year from the date of issuance.

**5.34.07 Transfer of Permit or Modifications to Permit**

- B. A permit is nontransferable to another location, and no transfer to another cannabis business owner or modifications to a permitted facility may be made except in accordance with this section.
- C. A request for change in permit ownership shall be submitted to the city manager on a city form at least sixty (60) days prior to the anticipated transfer, together with any applicable fee(s). Requests submitted less than sixty (60) days before the transfer will be processed only in the city's discretion and may be subject to an expedited processing fee. A new owner(s) shall meet all requirements for applicants of an initial permit. The request shall include the following information:

1. Identifying information for the new cannabis business owner(s) and management as required in an initial permit application;
  2. A written certification by the new cannabis business owner(s) as required in an initial permit application;
  3. The specific date on which the transfer is to occur; and
  4. Acknowledgement of full responsibility for complying with the existing permit.
- D. A request to modify the security plan shall be submitted to the city manager on a city form at least thirty (30) days prior to the anticipated change, together with the applicable fee.
- E. A request for change in cannabis business contact information shall be submitted to the city manager on a city form at least thirty (30) days prior to the anticipated change, together with the applicable fee.
- F. A request for change in cannabis business trade or business name shall be submitted to the city manager on a city form at least thirty (30) days prior to the anticipated change, together with the applicable fee.
- G. A permit renewal application and any applicable fees must be submitted to city manager at least sixty (60) days before the expiration of the permit. Failure to submit a renewal application prior to the expiration date of the permit will result in the automatic expiration of the permit on the expiration date. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that the new standards are met. No person shall have any entitlement or vested right to receive a permit under this chapter.

**5.34.08 Standard Provisions for all Commercial Cannabis Uses**

- A. All commercial cannabis uses shall have all appropriate state licensing required prior to commencement of use.
- B. No permittee shall sell cannabis or cannabis products to persons under 21 years of age; allow any person under 21 years of age on its premises; or employ or retain persons under 21 years of age. No permittee shall sell medicinal cannabis products to persons under 18 years of age unless accompanied by a parent or guardian.
- C. All commercial cannabis uses shall maintain a 600 foot distance from all properties containing schools, pre-schools, licensed day care facilities, and parks.
- D. All commercial cannabis shall obtain and maintain a business license from the city
- E. Commercial cannabis uses shall not be allowed as a home occupation.

- F. All applications shall provide an operations plan containing at a minimum the following items:
1. General project information
    - i. Site plan providing both a graphic and written representation of the applicant's intended development. The plan shall adhere to the general site plan standards contained in section 17.29.030 and shall include all structures, storage and circulation patterns of the site.
    - ii. Written project description containing:
      - a. General project description.
      - b. A statement of present and proposed ownership.
      - c. A complete list of all individuals and entities with a financial interest in the operation.
      - d. A list and description of all uses shown in the provided site plan.
    - iii. Floor plan showing the locations of all proposed uses.
    - iv. Sign plan consistent with the provisions outlined in section 17.52 of this code.
    - v. Agreement to maintain at all times commercial general liability providing coverage on an occurrence basis for bodily injury, including death, of one (1) or more persons, property damage and personal injury with limits of not less than one million dollars (\$1,000,000.00) per occurrence and comprehensive automobile liability (owned, non-owned, hired) providing coverage on an occurrence basis for bodily injury, including death, of one (1) or more persons, property damage and personal injury, with limits of not less than one million dollars (\$1,000,000.00). The commercial general liability policy shall provide contractual liability, shall include a severability of interest or equivalent wording, shall specify that insurance coverage afforded to the city shall be primary, and shall name the city, its officials and employees as additional insured. Failure to maintain insurance as required herein at all times shall be grounds for suspension of the permit immediately, and ultimately, revocation.
  2. Security provisions.
    - i. Operations shall provide adequate security on the premises, including lighting, security cameras, security personnel and alarms, to ensure the safety of persons and to protect the



premises from theft. Security camera footage shall be retained a minimum of 30 days.

- ii. The plan shall include the name, phone number and email of community relations staff whom may be contacted at any time regarding operational problems associated with the commercial cannabis use.
- iii. A current register of the names of all employees currently employed by the use shall be provided and maintained on site. Employee register and contact information shall be current and up-to-date at all times. Any changes made to the employee register shall be provided to the city manager within thirty (30) days.
- iv. All employees either direct or via contract shall undergo a background check by the city police department. An individual may fail the background check if they have been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the police chief determines that the applicant, owner, or licensee is otherwise suitable to be issued a license, and granting the license would not compromise public safety, the police chief shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, owner, licensee to be issued a license based on the evidence found through the review. In determining which offences are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the police chief shall include, but not be limited to, the following:
  - a. A violent felony conviction, as specified in subdivision (c) of section 667.5 of the Penal Code.
  - b. A serious felony conviction, as specified in subdivision (c) of section 1192.7 of the Penal Code.
  - c. A felony conviction involving fraud, deceit, or embezzlement.
  - d. A felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substances to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.

- e. A felony conviction for drug trafficking with enhancements pursuant to section 11370.4 or 11379.8 of the Health and Safety Code.
  - f. Any other conviction that may disqualify an applicant/owner or permittee under state law.
  - v. Verification that the security provisions for the operation have been reviewed and approved by the city police department prior to the issuance of a development permit.
3. Public health and safety provisions
- i. Facility improvement plan demonstrating that the operation is compliant with all applicable public health and safety provisions of the International Building Code. The facility improvement plan shall be reviewed and approved by the applicable fire agency and city building division prior to the issuance of a development permit.
  - ii. Statement of proposed water usage.
  - iii. Wastewater disposal plan reviewed and approved by the city utilities division prior to the issuance of any development permit. The wastewater disposal plan shall include any specific designs for pre-treatment of waste prior to entering municipal sewer system. No waste containing hazardous materials or other containments shall be permitted to enter the municipal sewer system consistent with Chapter 13.20 of this municipal code concerning "Sewer Use And Pretreatment."
  - iv. Solid waste disposal plan, including the management of cannabis related waste.
  - v. Hazardous waste management plan to be approved by Lake County Health Department.
  - vi. Odor prevention plan that will prevent obnoxious odors or fumes from being emitted beyond the operation limits that are perceptible by a reasonable person. Minimum design specifications should include odor absorbing ventilation and exhaust systems.
- G. All commercial cannabis uses shall submit an annual performance review report demonstrating compliance with required provisions of this section and all specific operating provisions and licensing required at the time of development approval. Failure to submit an annual report or failure to comply with required provisions will result in revocation of the operating permit. The annual performance review report shall include inspection by city.

- H. All permittees shall comply with the state track and trace requirements for cannabis and cannabis products.
- I. The rights and privileges to conduct commercial cannabis uses on a specific parcel do not attach to title to the property and are not conveyed with the lease or sale of the property. Accordingly, a permit may not be sold, assigned, leased or otherwise conveyed or transferred by the person or entity holding the permit to any third party not named on the application without complying with this chapter and any other applicable law.
- J. Except as provided herein, all other cannabis activities are prohibited.

**5.34.09 Commercial Cannabis Performance Standards**

- A. Commercial Cannabis Cultivation Standards. (Type 1A, 1C, 2A, 3A, 4 & 12)
  - 1. Use type includes:
    - i. Cultivation of cannabis
    - ii. Cannabis nursery including the production of clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, cultivation of cannabis for sale to licensed commercial cannabis cultivators and licensed retail establishments. No retail sales are permitted.
    - iii. Cannabis processing such as drying, curing, grading, or trimming.
    - iv. Accessory uses related to the planting, growing, harvesting, drying, curing, grading, or the trimming of cannabis
  - 2. Specific Provisions:
    - i. All commercial cannabis cultivation operations shall not engage in the retail sale of any product goods or services. Only wholesale activities are permitted.
    - ii. All cultivation activities shall take place indoors, out of sight of the general public. No greenhouses shall be allowed.
    - iii. All cannabis cultivation, that includes processing such as drying, curing, grading, or trimming shall take place indoors.
    - iv. The permittee shall use best management practices to minimize water use with cannabis cultivation. This would include the use of low flow irrigation. The permit shall include a plan for water use associated with the cultivation.
    - v. If manufacturing of cannabis takes place on the site of the cannabis cultivation, compliance with the manufacturing standards of this chapter are also required.

- vi. The applicant shall prepare an integrated management plan to be reviewed and approved by the Lake County Agricultural Commission for all chemical, biological and cultural methods to control or prevent the introduction of pests on the cultivation site.

B. Commercial Cannabis Manufacturing Standards. (Type 6 & 7)

1. Use type includes the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, volatile solvents, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or re-labels its container.
2. Specific Provisions:
  - i. Commercial cannabis manufacturing uses shall not conduct or engage in the retail sale of any product goods or services. Only wholesale activities are permitted.
  - ii. Applicant shall enact sufficient methods or procedures to capture or otherwise limit risk of explosion, combustion, or any other unreasonably dangerous risk to public safety created by volatile solvents.
  - iii. All commercial cannabis manufacturing shall take place indoors.
  - iv. The permittee shall use best management practices to minimize water use with cannabis manufacturing.
  - v. The permittee shall provide a list to the public works director of all solvents, gasses and/or chemicals prior to commencement of use. No solvents, gasses and/or chemicals shall be allowed to enter the city's wastewater system.
  - vi. Manufacturing processes that use solvents exclusively within a closed-loop system that meets all of the following requirements:
    - a. The system uses only solvents that are generally recognized as safe pursuant to the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.).
    - b. The system is designed to recapture and contain solvents during the manufacturing process, and otherwise prevent the off-gassing of solvents into the ambient atmosphere to mitigate the risks of ignition and explosion during the manufacturing process.
    - c. Receives and maintains approval from the local fire official for the closed-loop system, other equipment, the extraction

operation, and the facility and meets the following: the California Fire Code; the National Fire Protection Association (NFPA) standards; International Building Code (IBC); and the International Fire Code (IFC).

C. Commercial Cannabis Testing Standards. (Type 8)

1. Use type includes:

- i. Testing of cannabis and cannabis products.
- ii. Businesses and research institutions engaged in the research of cannabis and cannabis products, or devices used for the use of cannabis and cannabis products.
- iii. Business offices related to cannabis.
- iv. Accessory uses related to the testing of cannabis and cannabis products.

2. Specific Provisions

- i. Commercial cannabis testing operations shall not conduct or engage in the retail sale of any product goods or services.
- ii. The permittee shall use best management practices to minimize water use with cannabis testing.

D. Distribution of Commercial Cannabis (Type 11)

1. Use type includes:

- i. Businesses engaged in the distribution of commercial cannabis, cannabis products, or devices used for the use of cannabis products.
- ii. The procurement, sale, and transport of cannabis and cannabis products between entities licensed under state law.
- iii. Transporting cannabis or cannabis products.
- iv. Conducting quality assurance review to ensure compliance with labeling and packing requirements.
- v. Accessory uses related to the procurement, sale, and transport of cannabis and cannabis products.

2. Specific Provisions:

- i. A distributor permittee shall be bonded and insured at a minimum level established by the licensing authority.
- ii. All cannabis distributor shall display a copy of the inspection receipt issued by the Lake County Sealer of Weights and Measures for all weighing and measuring devices.

- iii. All cannabis and cannabis products held bought, and sold be a cannabis distributor shall be obtained from a legal source and shall have the state issued track and trace information.

E. Commercial Cannabis Retailers Standards. (Type 10 & 12)

1. Use type includes:

- i. Retailer storefront with sales of cannabis, cannabis products or devices.
- ii. Retailer storefront with the delivery of cannabis, cannabis products or devices.
- iii. Retailer delivery of cannabis, cannabis products or devices.
- iv. Storefront retail with onsite consumption.
- v. Microbusinesses with retail included.

2. Specific Provisions:

- i. No more than two (2) cannabis retailers shall be permitted within the city limits at any one time.
- ii. Cannabis retailers shall not exceed one thousand five hundred square feet (1,500 square feet), exclusive of office space, restrooms and other non-dispensary retail or educational uses.

No dispensary may increase in size without amending the use permit required by title 17. The size limitation shall be included in the operational plan required by 5.34.08(G) of this chapter.

- iii. A commercial cannabis permit for retailer issued in compliance with Section 5.34.04 shall be required for any retailer dispensary operating within the city. Cannabis retailers shall also be subject to permit requirements and regulations established by the state and those established by the city council through resolution or ordinance. Additionally, cannabis retailers must comply with all other applicable building codes and requirements, including accessibility requirements. Permits shall only be issued to cannabis dispensaries coming under state cannabis license Types 10 (Retailers) and 12 (Microbusiness). Commercial cannabis permits for retailers shall be subject to the requirements and limitations set forth in this Chapter and shall be issued according to the following procedure:
  - a. The city council shall, following an open application period and review of applications by the city manager, consider commercial cannabis permit applications for retailers meeting all minimum qualifications at a public hearing. The city council

may approve up to two (2) commercial cannabis permits for two (2) retailers to operate in the city at the same time, with necessary conditions.

- b. If a commercial cannabis permit for a retailer becomes available within twelve (12) months of a previous application period, city staff may first review all minimally qualified applications from the prior application process, and consider them for submittal to the city council prior to opening a new application process. If a new application process is opened, prior applicants may inform city staff in writing that they wish to re-submit their application rather than file a new application.
- c. The city council may adopt by resolution such forms, fees, and procedures as are necessary to implement this chapter with respect to the initial selection, future selection, investigation process, renewal, revocation, and suspension of cannabis dispensary use permits. Such procedures may include a priority ranking system, and appointment of staff review panel for cannabis retailers use permits.
- iv. A cannabis retailer may possess no more than (5) pounds of dried cannabis at any one time in addition to live plants for sale that are in a vegetative (not mature) state.
- v. No exterior signage or symbols shall be displayed which advertises the availability of cannabis using drug-related symbols which are attractive to minors or which is carried out in a manner intended to encourage persons under twenty-one (21) years of age to consume cannabis or cannabis products, nor shall any such signage or symbols be displayed on the interior of the facility in such a way as to be visible from the exterior.
- vi. No cannabis retailer shall hold or maintain a license from the State Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages on the same premises. No alcoholic beverages shall be allowed or consumed on the premises.
- vii. No cannabis retailer shall conduct or engage in the commercial sale of any product, good or service unless otherwise approved by the permit. A retailer may sell live starter plants, clones and seeds from qualified nurseries, but shall not cultivate or clone cannabis (unless the retailer holds a microbusiness or cultivation license from the state and such uses are allowed on the same premises under state law). Not more than ten percent (10%) of the retailer

area, up to a maximum of fifty (50) square feet may be devoted to the sale of incidental goods for personal cannabis cultivation and use, but shall not include clothing, posters or other promotional items.

- viii. No cannabis shall be smoked on the premises, unless allowed under a condition of approval. The term “premises” includes the actual building, as well as any accessory structures, parking areas, or other immediate surroundings. Onsite consumption of cannabis may be allowed if the cannabis retailer permit explicitly allows it, and if done in accordance with state laws and regulations, as may be amended from time to time, and any conditions placed on the commercial cannabis permit, including those related to ventilation and odor control.
- ix. The following signs, in measurements of not less than eight by ten inches (8x10”), shall be clearly and legibly posted in a conspicuous location inside the retailer where they will be visible to customers in the normal course of a transaction, stating:
  - a. “The sale of cannabis without a state license is illegal.”
  - b. “Smoking cannabis on this property, within twenty feet (20’) of the retailer, or in any public place is illegal under California law.”
  - c. For medical cannabis dispensaries: “No one under the age of eighteen (18) shall be allowed on the premises, unless they are a qualified patient or a primary caregiver.”
  - d. For nonmedical cannabis retailers: “No one under the age of twenty-one (21) shall be allowed on the premises.”
- x. Any commercial cannabis permit issued to microbusiness with a Type 12 state license, or a state cannabis license type subsequently established, that contains a retailer operation, will be subject to the permit procedures and requirements for cannabis retailers under this section 5.34.09(E). Any such permit will count toward the city’s maximum number of retailers. Any commercial cannabis permit issued to a microbusiness with a cultivation, manufacturing, testing and/or distribution component will also be subject to the requirements of section 5.34.09(A), (B), (C) and/or (D) for those operations.
- xi. Except as provided in section 5.34.09(E)(2)(xi) for microbusinesses, commercial cannabis cultivation, manufacturing and testing are prohibited on the same premises.



- xii. Cannabis retailers shall contain no window displays that are visible by normal unaided vision from a public place.
- xiii. All cannabis deliveries shall have all records identifying the originating location and terminus of the cannabis or cannabis products, as well as all corresponding licenses consistent with all applicable state licensing requirements.
- xiv. The operating plan for all cannabis deliveries shall include driver identification and license information for all employees engaged in delivery operations. Vehicle information including license, year, make and model shall also be listed in the operating plan.
- xv. Vehicles used in the delivery of cannabis shall have no signage and shall be un-marked.
- xvi. The sale of ancillary products, including books, herbal supplements, and devices facilitating the consumption of cannabis shall occur in a manner consistent with this section, and in compliance with all state requirements.
- xvii. The maximum retail days and hours of operations shall be Monday through Sunday, 9:00 a.m. through 7:00 p.m.

**5.34.10 Fees**

The city council shall, by resolution, establish a schedule of fees for commercial cannabis license applications, amendments, renewals and other matters pertaining to this chapter. The schedule of fees may be changed or modified by resolution of the city council. Applicants and permittees also shall pay the amount as prescribed by the Department of Justice of the State of California for the processing of applicant's fingerprints. None of the above fees shall be prorated, or refunded in the event of a denial, suspension or revocation of the permit. Failure to pay the applicable fees is grounds for denial of an application.

**5.34.11 Enforcement**

- A. Any person violating any provision of this chapter or misrepresenting any material fact in demonstrating compliance with requirements for operating a commercial cannabis use shall be deemed guilty of a misdemeanor punishable by a fine of not more than one thousand dollars or by imprisonment for not more than twelve months, or by both such fine and imprisonment.
- B. Any violation of this chapter is declared to be a public nuisance as defined in section 370 of the Penal Code, section 3480 of the Civil Code and Chapter 8.22 of this municipal code and shall be subject to injunctive relief, revocation of the certificate of occupancy for the property, disgorgement and payment to the city of any and all monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or equity. The city may also pursue any and all remedies and actions available and

applicable under local and state law for any violation committed by the commercial cannabis owner, its managers, members or any person related or associated with the commercial cannabis use.

- C. Any violation of the terms and conditions of the commercial cannabis use of this chapter shall be grounds for suspension and revocation of the permit.

**5.34.12 Liability**

The provisions of this chapter shall not be construed to protect the record property owner(s) of a legal parcel associated with any commercial cannabis use, his or her lessees, tenants, and other participants in the operation of a commercial cannabis use, and/or members of collectives and/or cooperatives associated with such use, from prosecution pursuant to any laws that may prohibit the cultivation, sale, and/or possession of controlled substances. Moreover, cultivation, sale, possession, distribution, and use of cannabis remain violations of federal law as of the date of adoption of the ordinance creating this chapter and this chapter is not intended to, and does not, protect any of the above described persons from arrest or prosecution under those federal laws. The record property owner(s) of a legal parcel associated with any commercial cannabis use, his or her lessees, tenants, and other participants in the such use, and/or members of collectives and/or cooperatives associated with such use, assume any and all risk and any and all liability that may arise or result under state and federal criminal laws from operating a commercial cannabis use. Further, to the fullest extent permitted by law, any actions taken under the provisions of this chapter by any public officer or employee of the city or the city itself shall not become a personal liability of such person or the liability of the city.

**SECTION 2. Section 17.08.050.J of 17.08, Regulations for the Professional Office District or “PO” District, of the Lakeport Municipal Code is hereby added as follows:**

- J. Commercial cannabis testing subject to the regulations set forth in Chapter 5.34.

**SECTION 3. Section 17.10.050.N of 17.10, Regulations for the Major Retail or “C-2” District, of the Lakeport Municipal Code is hereby added as follows:**

- N. Commercial cannabis consisting of testing and retailers uses not consisting of on-site consumption or microbusinesses subject to the regulations set forth in Chapter 5.34.

**SECTION 4. Section 17.11.050.K of 17.11, Regulations for the Service Commercial or “C-3” District, of the Lakeport Municipal Code is hereby added as follows:**

- K. Commercial cannabis consisting of cultivation, manufacturing without volatile solvents, testing, distribution and retailers uses subject to the regulations set forth in Chapter 5.34.

**SECTION 5. Section 17.13.040.R of 17.07, Regulations for Industrial or "I" Zoning District, of the Lakeport Municipal Code is hereby added as follows:**

- R. Commercial cannabis consisting of cultivation, manufacturing with and without volatile solvents, testing, distribution and retailers uses subject to the regulations set forth in Chapter 5.34.

**SECTION 6. Severability:** Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

**SECTION 7. CEQA.** This ordinance is exempt from review under the California Environmental Quality Act (CEQA). Pursuant to section 15061(b)(3) of the CEQA Guidelines, CEQA applies only to projects which have the potential for causing a significant effect on the environment. Additionally, the revision to the Lakeport Municipal Code provides for a discretionary review process for the approval of commercial cannabis related permits and is eligible for the exemption from the CEQA Guidelines provided in Section 26055(h) of the California Business and Professions Code. Furthermore, the ordinance constitutes a regulatory action to assure the protection of the environment and is categorically exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines.

**SECTION 8. Effective Date.** This ordinance shall take effect thirty (30) days after adoption as provided by Government Code section 36937.

**SECTION 9. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting the entire text.

INTRODUCED and first read at a regular meeting of the City Council on the 21<sup>st</sup> day of November, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

FINAL PASSAGE AND ADOPTION by the City Council of Lakeport occurred at a meeting thereof held on the 5<sup>th</sup> day of December 2017, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
STACEY MATTINA, MAYOR

ATTEST:

\_\_\_\_\_  
KELLY BUENDIA, City Clerk

DRAFT

## Title 5—Business Taxes, Licenses and Regulations

### Chapter 34—Commercial Cannabis

- 5.34.01 Purpose and Intent
- 5.34.02 Definitions
- 5.34.03 Permit Requirements
- 5.34.04 Permit Applications
- 5.34.05 Review of Applications—Appeal of Disapprovals and Suspensions
- 5.34.06 Permit Issuance
- 5.34.07 Transfer of Permit of Modification to Permit
- 5.34.08 Standard Provisions for all Commercial Cannabis Uses
- 5.34.09 Commercial Cannabis Performance Standards
- 5.34.10 Fees
- 5.34.11 Enforcement
- 5.34.12 Liability

#### 5.34.01 Purpose and Intent

The purpose of these regulations is to ensure that the development of commercial cannabis does not adversely impact adjacent parcels or the surrounding neighborhood and that they are developed in a manner which protects the health, safety, and general welfare of the residents, landowners, and businesses in the city. These regulations shall apply to all commercial cannabis activities in the city.

#### 5.34.02 Definitions

- A. “Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or be discovered, or developed, whether growing or not, including but not limited to the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. Any reference to cannabis or cannabis products shall include medical and nonmedical cannabis and medical and nonmedical cannabis products unless otherwise specified. “Cannabis” does not mean industrial hemp as defined by Health and Safety Code section 11018.5, as may be amended from time to time.
- B. “Cannabis business owner” means any of the following:
  1. Each person or entity having an ownership interest in the commercial cannabis business other than a security interest, lien, or encumbrance on property that will be used by the commercial cannabis business;
  2. If the commercial cannabis business is a publicly traded company, the chief executive officer or any person or entity with an aggregate ownership interest of five percent (5%) or more; or

Planning Commission Recommended  
Changes Highlighted in **YELLOW**

City Attorney Recommended  
Substantive Changes Highlighted in  
**BLUE**

3. Each person who participates in the direction, control, or management of, or has a financial interest in, the commercial cannabis business.
- C. “Cannabis cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, processing, or trimming of cannabis, including cannabis nurseries.
  - D. “Cannabis dispensary” or “cannabis retailer” means a facility, whether fixed or mobile, operated in accordance with state and local laws and regulations, where cannabis and/or cannabis products are offered for retail sale, including a facility that delivers cannabis and/or cannabis products as part of a retail sale.
  - E. “Cannabis distribution” means a facility where a person conducts the business of procuring cannabis from licensed cultivators or manufacturers for sale to licensed cannabis dispensaries or cannabis retailers, and the inspection, quality assurance, batch testing by a Type 8 licensee, storage, labeling, packaging and other processes, prior to transport to licensed cannabis dispensaries or cannabis retailers. This facility requires a Type 11 license pursuant to MAUCRSA or a state cannabis license type subsequently established.
  - F. “Cannabis manufacturing” means a facility that produces, prepares, propagates, or compounds manufactured cannabis or cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and is owned and operated by a state licensee for these activities.
  - G. “Cannabis microbusiness” means a facility that cultivates less than 10,000 square feet of cannabis and acts as a licensed distributor, Level 1 manufacturer, and cannabis retailer. This facility requires a Type 12 license pursuant to MAUCRSA, or a state cannabis license type subsequently established.
  - H. “Cannabis nursery” means a state licensee that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.
  - I. “Cannabis products” means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.
  - J. “Cannabis testing service” or “cannabis testing laboratory” means a laboratory, facility, or entity that offers or performs tests of cannabis or cannabis products, including the equipment provided by such laboratory, facility, or entity.
  - K. “City manager” means the city manager or the city manager’s designee, if any.
  - L. “Commercial cannabis uses” means any commercial cannabis activity licensed pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act (“MAUCRSA”), including but not limited to, cultivation, possession, distribution, laboratory testing, labeling, retail, delivery, sale or manufacturing of cannabis or cannabis products.

- M. “Medical cannabis” or “medicinal cannabis” means cannabis that is intended to be used for medical cannabis purposes in accordance with the Compassionate Use Act (Health and Safety Code section 11362.5), the Medical Marijuana Program Act (Health and Safety Code section 11362.7 et seq.), the Medical Cannabis Regulation and Safety Act (“MCRSA,” Business and Professions Code section 19300 et seq.), and MAUCRSA.
- N. “Primary caregiver” shall have the same meaning as set forth in Health and Safety Code section 11362.7, as the same may be amended from time to time.
- O. “Qualifying patient” or “qualified patient” shall have the same meaning as set forth in Health and Safety Code section 11362.7, as the same may be amended from time to time.

#### **5.34.03 Permit Requirement**

No cannabis business may engage in any commercial cannabis use in the city without obtaining the appropriate permit to operate within the city. The permit is specific to the location where the commercial cannabis use will occur. Multiple operating locations for the same cannabis business will require separate permits as outlined in sections 5.34.08 and 5.34.09.

#### **5.34.04 Permit Applications**

- A. Applications for a commercial cannabis permit and other matters pertaining to this chapter shall be filed with the city manager on an official city application form.
- B. The application shall be filed with all required fees, deposits, information, and materials as specified by this chapter.
- C. The application shall be signed by each cannabis business owner under penalty of perjury, certifying that the information submitted, including all supporting documents, is, to the best of the applicant’s knowledge and belief, true, accurate and complete, and by the property owner for purposes of certifying that s/he has reviewed the application, and approves the use of the property for the purposes stated in the application. The signature of both the cannabis business owner and the property owner shall constitute evidence of their express consent to allow any city official or employee to enter upon and inspect the premises upon reasonable notice.
- D. The information required by this section shall be confidential, and shall not be subject to public inspection or disclosure except as may be required by Federal, State or local law. Disclosure of information pursuant to this section shall not be deemed a waiver of confidentiality by the applicant or any individual named in the application. The city shall incur no liability for the inadvertent or negligent disclosure of such information.
- E. Permit applicants are encouraged to contact the city manager before submitting an application to verify materials necessary for completing an application.

#### **5.34.05 Application Review, Appeal, and Suspension**

- A. Review of Application. The city manager shall consider the application, and the results from any investigation into the application, as deemed necessary by the police chief.

- B. Disapproval of Application. If the city manager disapproves an application, he or she shall notify the applicant in writing, stating the reasons for the disapproval. Notification of disapproval shall be deemed complete upon deposit by first class mail to the applicant to the address indicated on the application. No permit shall be issued unless a successful appeal of the disapproval is made within the requisite time frame.
- C. Appeal of Disapproval.
1. Within ten (10) days after the city manager serves notice of disapproval, an applicant may appeal the disapproval by notifying the city clerk in writing of the appeal, the reasons for the appeal, and paying any applicable fees.
  2. The city clerk shall set a hearing on the appeal and shall fix a date and time certain, within thirty (30) days after the receipt of the applicant's appeal, unless the city and the applicant agree to a longer time, to consider the appeal. In no case will a hearing be continued for more than ninety (90) days from receipt of applicant's appeal. The city clerk shall provide notice of the date, time and place of hearing, at least seven (7) days prior to the date of the hearing.
  3. The city council shall hear the applicant's appeal, determine the order of procedure, and rule on all objections to admissibility of evidence. The applicant and the city manager shall each have the right to submit documents, call and examine witnesses, cross-examine witnesses and argue their respective positions. The proceeding shall be informal, the technical rules of evidence shall not apply, and all evidence shall be admissible which is of the kind that reasonably prudent persons rely upon in making decisions.
  4. An appellant's failure to attend a hearing shall constitute an abandonment of the appeal and a failure to exhaust administrative remedies.
  5. The city council shall issue or cause to be issued a written decision within twenty-one (21) days after the close of the hearing. The decision of the city council shall be final.
  6. An appellant may seek judicial review of the city council's decision by filing a petition for review with the superior court, pursuant to Code of Civil Procedure sections 1094.5 and 1094.6, within ninety days after the effective date of the city council's notice of decision.
- D. Grounds for Denial, Revocation or Suspension of Permit. The granting of a permit or a renewal thereof may be denied and an existing permit revoked or suspended if:
1. The cannabis business owner has knowingly made a false statement in the application or in any reports or other documents furnished to the city.
  2. The cannabis business owner has been convicted of an offense that is substantially related to the qualifications, functions, or duties of the cannabis business for which the application is made, which includes but is not limited to:
    - i. A violent felony conviction, as specified in Penal Code section 667.5(c).



- ii. A serious felony conviction, as specified in Penal Code section 1192.7.
  - iii. A felony conviction involving fraud, deceit or embezzlement.
  - iv. A felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling any controlled substance to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.
  - v. A felony conviction for drug trafficking with an enhancement pursuant to Health and Safety Code sections 11370.4 or 11379.8.
3. The cannabis business or a cannabis business owner has been sanctioned by a licensing authority or other city or county for unauthorized commercial cannabis activity.
4. The granting or renewing of the permit would perpetuate or encourage any of the following:
  - i. Distribution of cannabis or cannabis products to minors;
  - ii. Generation of revenue from the sale of cannabis or cannabis products to fund criminal enterprises, gangs or cartels;
  - iii. Diversion of cannabis or cannabis products to jurisdictions outside of the state where cannabis and cannabis products are unlawful under state or local law;
  - iv. Trafficking of other illegal drugs or facilitation of other illegal activity;
  - v. Violence and the use of firearms in the cultivation and distribution of cannabis and cannabis products;
  - vi. The use of public lands in the cultivation of cannabis; or
  - vii. The use of federal property for commercial cannabis activity.
5. For any other reason that would allow the state to deny a license under MAUCRSA.
6. Fails to pay required city fees and taxes.
7. Violates any provision of MAUCRSA, this chapter or any other permits issued by the city for the commercial cannabis use, such as a conditional use permit.
8. Except as provided in subsections (D)(2)(iv) and (v) of this section, an application for a permit shall not be denied if the sole ground for denial is based upon a prior conviction of either section 11350 or section 11357 of the Health and Safety Code. An application for a permit also shall not be denied if the state would be prohibited from denying a license pursuant to either section 26057, subdivision (b)(5), or section 26059 of the Business and Professions Code.

Conviction of any controlled substance felony subsequent to permit issuance shall be grounds for revocation of a permit or denial of the renewal of a permit.

E. Suspension and Revocation.

1. If the city manager deems continuation of any commercial cannabis use will cause a significant threat to the health, safety, or welfare of the public, the city manager may suspend the permit and all rights and privileges thereunder until the city council renders a written decision on the revocation of the permit.
2. The city manager shall give notice to the cannabis business of his or her intent to revoke a permit in the same manner as notice of disapproval and provide the city clerk with a copy of the notice.
3. The appeal rights and hearing for the revocation of the permit shall be set and conducted in the same manner as an appeal of disapproval under section 5.34.05(C). The decision of the city council shall be final.

**5.34.06 Permit Issuance**

- A. Before issuing any permit the city manager shall determine that all of the following requirements have been met:
  1. The application is complete and all applicable city taxes and fees have been paid.
  2. All land use permits have been approved and all conditions of approval have been met or are in good standing.
  3. There are no outstanding notices of nuisance or other unresolved code compliance issues at the site of the proposed commercial cannabis use or related to the cannabis business owner(s).
- B. By accepting the permit, each permittee agrees to indemnify, defend and hold harmless to the fullest extent permitted by law the city, its officers, agents and employees from and against any and all actual and alleged damages, claims, liabilities, costs (including attorney's fees), suits or other expenses resulting from and arising out of or in connection with permittee's operations, except such liability caused by the sole active negligence or willful misconduct of city, its officers, agents and employees.
- C. The permit shall be valid for one (1) year from the date of issuance.

**5.34.07 Transfer of Permit or Modifications to Permit**

- B. A permit is nontransferable to another location, and no transfer to another cannabis business owner or modifications to a permitted facility may be made except in accordance with this section.
- C. A request for change in permit ownership shall be submitted to the city manager on a city form at least sixty (60) days prior to the anticipated transfer, together with any applicable fee(s). Requests submitted less than sixty (60) days before the transfer will be processed only in the city's discretion and may be subject to an expedited processing

fee. A new owner(s) shall meet all requirements for applicants of an initial permit. The request shall include the following information:

1. Identifying information for the new cannabis business owner(s) and management as required in an initial permit application;
  2. A written certification by the new cannabis business owner(s) as required in an initial permit application;
  3. The specific date on which the transfer is to occur; and
  4. Acknowledgement of full responsibility for complying with the existing permit.
- D. A request to modify the security plan shall be submitted to the city manager on a city form at least thirty (30) days prior to the anticipated change, together with the applicable fee.
- E. A request for change in cannabis business contact information shall be submitted to the city manager on a city form at least thirty (30) days prior to the anticipated change, together with the applicable fee.
- F. A request for change in cannabis business trade or business name shall be submitted to the city manager on a city form at least thirty (30) days prior to the anticipated change, together with the applicable fee.
- G. A permit renewal application and any applicable fees must be submitted to city manager at least sixty (60) days before the expiration of the permit. Failure to submit a renewal application prior to the expiration date of the permit will result in the automatic expiration of the permit on the expiration date. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure that the new standards are met. No person shall have any entitlement or vested right to receive a permit under this chapter.

#### **5.34.08 Standard Provisions for all Commercial Cannabis Uses**

- A. All commercial cannabis uses shall have all appropriate state licensing required prior to commencement of use.
- B. No permittee shall sell cannabis or cannabis products to persons under 21 years of age; allow any person under 21 years of age on its premises; or employ or retain persons under 21 years of age. No permittee shall sell medicinal cannabis products to persons under 18 years of age unless accompanied by a parent or guardian. (Alternative language suggested by City Attorney-- No permittee shall sell medicinal cannabis products to a person under 18 years of age, unless that person possesses a valid identification card under Section 11362.71 of the Health and Safety Code and a valid government-issued identification card and is accompanied by a parent or guardian.
- ~~C. No cannabis or cannabis product shall be smoked, ingested, or otherwise consumed on the property.~~

- D. All commercial cannabis uses shall maintain a 600 foot distance from all properties containing schools, pre-schools, licensed day care facilities, and parks.
- E. All commercial cannabis shall obtain and maintain a business license from the city
- F. Commercial cannabis uses shall not be allowed as a home occupation.
- G. All applications shall provide an operations plan containing at a minimum the following items:
  - 1. General project information
    - i. Site plan providing both a graphic and written representation of the applicant's intended development. The plan shall adhere to the general site plan standards contained in section 17.29.030 and shall include all structures, storage and circulation patterns of the site.
    - ii. Written project description containing:
      - a. General project description.
      - b. A statement of present and proposed ownership.
      - c. A complete list of all individuals and entities with a financial interest in the operation.
      - d. A list and description of all uses shown in the provided site plan.
    - iii. Floor plan showing the locations of all proposed uses.
    - iv. Sign plan consistent with the provisions outlined in section 17.52 of this code.
    - v. Agreement to maintain at all times commercial general liability providing coverage on an occurrence basis for bodily injury, including death, of one (1) or more persons, property damage and personal injury with limits of not less than one million dollars (\$1,000,000.00) per occurrence and comprehensive automobile liability (owned, non-owned, hired) providing coverage on an occurrence basis for bodily injury, including death, of one (1) or more persons, property damage and personal injury, with limits of not less than one million dollars (\$1,000,000.00). The commercial general liability policy shall provide contractual liability, shall include a severability of interest or equivalent wording, shall specify that insurance coverage afforded to the city shall be primary, and shall name the city, its officials and employees as additional insured. Failure to maintain insurance as required herein at all times shall be grounds for suspension of the permit immediately, and ultimately, revocation.
  - 2. Security provisions.
    - i. Operations shall provide adequate security on the premises, including lighting, security cameras, security personnel and alarms, to ensure the

safety of persons and to protect the premises from theft. Security camera footage shall be retained a minimum of 30 days.

- ii. The plan shall include the name, phone number and email of community relations staff whom may be contacted at any time regarding operational problems associated with the commercial cannabis use.
- iii. A current register of the names of all employees currently employed by the use shall be provided and maintained on site. Employee register and contact information shall be current and up-to-date at all times. Any changes made to the employee register shall be provided to the city manager within thirty (30) days.
- iv. All employees either direct or via contract shall undergo a background check by the city police department. An individual may fail the background check if they have been convicted of an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, except that if the police chief determines that the applicant, owner, or licensee is otherwise suitable to be issued a license, and granting the license would not compromise public safety, the police chief shall conduct a thorough review of the nature of the crime, conviction, circumstances, and evidence of rehabilitation of the applicant, owner, licensee to be issued a license based on the evidence found through the review. In determining which offences are substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, the police chief shall include, but not be limited to, the following:
  - a. A violent felony conviction, as specified in subdivision (c) of section 667.5 of the Penal Code.
  - b. A serious felony conviction, as specified in subdivision (c) of section 1192.7 of the Penal Code.
  - c. A felony conviction involving fraud, deceit, or embezzlement.
  - d. A felony conviction for hiring, employing, or using a minor in transporting, carrying, selling, giving away, preparing for sale, or peddling, any controlled substances to a minor; or selling, offering to sell, furnishing, offering to furnish, administering, or giving any controlled substance to a minor.
  - e. A felony conviction for drug trafficking with enhancements pursuant to section 11370.4 or 11379.8 of the Health and Safety Code.
  - f. Any other conviction that may disqualify an applicant/owner or permittee under state law.

- v. Verification that the security provisions for the operation have been reviewed and approved by the city police department prior to the issuance of a development permit.
3. Public health and safety provisions
- i. Facility improvement plan demonstrating that the operation is compliant with all applicable public health and safety provisions of the International Building Code. The facility improvement plan shall be reviewed and approved by the applicable fire agency and city building division prior to the issuance of a development permit.
  - ii. Statement of proposed water usage.
  - iii. Wastewater disposal plan reviewed and approved by the city utilities division prior to the issuance of any development permit. The wastewater disposal plan shall include any specific designs for pre-treatment of waste prior to entering municipal sewer system. No waste containing hazardous materials or other containments shall be permitted to enter the municipal sewer system consistent with Chapter 13.20 of this municipal code concerning "Sewer Use And Pretreatment."
  - iv. Solid waste disposal plan, including the management of cannabis related waste.
  - v. Hazardous waste management plan to be approved by Lake County Health Department.
  - vi. Odor prevention plan that will prevent obnoxious odors or fumes from being emitted beyond the operation limits that are perceptible by a reasonable person. Minimum design specifications should include odor absorbing ventilation and exhaust systems.
- H. All commercial cannabis uses shall submit an annual performance review report demonstrating compliance with required provisions of this section and all specific operating provisions and licensing required at the time of development approval. Failure to submit an annual report or failure to comply with required provisions will result in revocation of the operating permit. The annual performance review report shall include inspection by city.
- I. All permittees shall comply with the state track and trace requirements for cannabis and cannabis products.
- J. The rights and privileges to conduct commercial cannabis uses on a specific parcel do not attach to title to the property and are not conveyed with the lease or sale of the property. Accordingly, a permit may not be sold, assigned, leased or otherwise conveyed or transferred by the person or entity holding the permit to any third party not named on the application without complying with this chapter and any other applicable law.

K. Except as provided herein, all other cannabis activities are prohibited.

#### **5.34.09 Commercial Cannabis Performance Standards**

A. Commercial Cannabis Cultivation Standards. (Type 1A, 1C, 2A, 3A, 4 & 12)

1. Use type includes:

- i. Cultivation of cannabis
- ii. Cannabis nursery including the production of clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, cultivation of cannabis for sale to licensed commercial cannabis cultivators and licensed retail establishments. No retail sales are permitted.
- iii. Cannabis processing such as drying, curing, grading, or trimming.
- iv. Accessory uses related to the planting, growing, harvesting, drying, curing, grading, or the trimming of cannabis

2. Specific Provisions:

- i. All commercial cannabis cultivation operations shall not engage in the retail sale of any product goods or services. Only wholesale activities are permitted.
- ii. All cultivation activities shall take place indoors, out of sight of the general public. No greenhouses shall be allowed.
- iii. All cannabis cultivation, that includes processing such as drying, curing, grading, or trimming shall take place indoors.
- iv. The permittee shall use best management practices to minimize water use with cannabis cultivation. This would include the use of low flow irrigation. The permit shall include a plan for water use associated with the cultivation.
- v. If manufacturing of cannabis takes place on the site of the cannabis cultivation, compliance with the manufacturing standards of this chapter are also required.
- vi. The applicant shall prepare an integrated management plan to be reviewed and approved by the Lake County Agricultural Commission for all chemical, biological and cultural methods to control or prevent the introduction of pests on the cultivation site.

B. Commercial Cannabis Manufacturing Standards. (Type 6 & 7)

1. Use type includes the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, volatile solvents, or by a combination of extraction and chemical synthesis at a fixed location that

packages or repackages cannabis or cannabis products or labels or re-labels its container.

2. Specific Provisions:

- i. Commercial cannabis manufacturing uses shall not conduct or engage in the retail sale of any product goods or services. Only wholesale activities are permitted.
- ii. Applicant shall enact sufficient methods or procedures to capture or otherwise limit risk of explosion, combustion, or any other unreasonably dangerous risk to public safety created by volatile solvents.
- iii. All commercial cannabis manufacturing shall take place indoors.
- iv. The permittee shall use best management practices to minimize water use with cannabis manufacturing.
- v. The permittee shall provide a list to the public works director of all solvents, gasses and/or chemicals prior to commencement of use. No solvents, gasses and/or chemicals shall be allowed to enter the city's wastewater system.
- vi. Manufacturing processes that use solvents exclusively within a closed-loop system that meets all of the following requirements:
  - a. The system uses only solvents that are generally recognized as safe pursuant to the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301 et seq.).
  - b. The system is designed to recapture and contain solvents during the manufacturing process, and otherwise prevent the off-gassing of solvents into the ambient atmosphere to mitigate the risks of ignition and explosion during the manufacturing process.
  - ~~c. A licensed engineer certifies that the system was commercially manufactured, safe for its intended use, and built to codes of recognized and generally accepted good engineering practices.~~
  - d. Receives and maintains approval from the local fire official for the closed-loop system, other equipment, the extraction operation, and the facility and meets the following: the California Fire Code; the National Fire Protection Association (NFPA) standards; International Building Code (IBC); and the International Fire Code (IFC).

C. Commercial Cannabis Testing Standards. (Type 8)

1. Use type includes:

- i. Testing of cannabis and cannabis products.



- ii. Businesses and research institutions engaged in the research of cannabis and cannabis products, or devices used for the use of cannabis and cannabis products.
- iii. Business offices related to cannabis.
- iv. Accessory uses related to the testing of cannabis and cannabis products.

## 2. Specific Provisions

- i. Commercial cannabis testing operations shall not conduct or engage in the retail sale of any product goods or services.
- ii. The permittee shall use best management practices to minimize water use with cannabis testing.

## D. Distribution of Commercial Cannabis (Type 11)

### 1. Use type includes:

- i. Businesses engaged in the distribution of commercial cannabis, cannabis products, or devices used for the use of cannabis products.
- ii. The procurement, sale, and transport of cannabis and cannabis products between entities licensed under state law.
- iii. Transporting cannabis or cannabis products.
- iv. Conducting quality assurance review to ensure compliance with labeling and packing requirements.
- v. Accessory uses related to the procurement, sale, and transport of cannabis and cannabis products.

### 2. Specific Provisions:

- i. A distributor permittee shall be bonded and insured at a minimum level established by the licensing authority.
- ii. All cannabis distributor shall display a copy of the inspection receipt issued by the Lake County Sealer of Weights and Measures for all weighing and measuring devices.
- iii. All cannabis and cannabis products held bought, and sold be a cannabis distributor shall be obtained from a legal source and shall have the state issued track and trace information.

## E. Commercial Cannabis Retailers Standards. (Type 10 & 12)

### 1. Use type includes:

- i. Retailer storefront with sales of cannabis, cannabis products or devices.
- ii. Retailer storefront with the delivery of cannabis, cannabis products or devices.

- iii. Retailer delivery of cannabis, cannabis products or devices.
- iv. Storefront retail with onsite consumption.
- v. Microbusinesses with retail included.

## 2. Specific Provisions:

i. No more than two (2) cannabis retailers shall be permitted within the city limits at any one time.

ii. Cannabis retailers shall not exceed one thousand five hundred square feet (1,500 square feet), exclusive of office space, restrooms and other non-dispensary retail or educational uses.

No dispensary may increase in size without amending the use permit required by title 17. The size limitation shall be included in the operational plan required by 5.34.08(G) of this chapter.

iii. A commercial cannabis permit for retailer issued in compliance with Section 5.34.04 shall be required for any retailer dispensary operating within the city. Cannabis retailers shall also be subject to permit requirements and regulations established by the state and those established by the city council through resolution or ordinance. Additionally, cannabis retailers must comply with all other applicable building codes and requirements, including accessibility requirements. Permits shall only be issued to cannabis dispensaries coming under state cannabis license Types 10 (Retailers) and 12 (Microbusiness). Commercial cannabis permits for retailers shall be subject to the requirements and limitations set forth in this Chapter and shall be issued according to the following procedure:

a. The city council shall, following an open application period and review of applications by the city manager, consider commercial cannabis permit applications for retailers meeting all minimum qualifications at a public hearing. The city council may approve up to two (2) commercial cannabis permits for two (2) retailers to operate in the city at the same time, with necessary conditions.

b. If a commercial cannabis permit for a retailer becomes available within twelve (12) months of a previous application period, city staff may first review all minimally qualified applications from the prior application process, and consider them for submittal to the city council prior to opening a new application process. If a new application process is opened, prior applicants may inform city staff in writing that they wish to re-submit their application rather than file a new application.

c. The city council may adopt by resolution such forms, fees, and procedures as are necessary to implement this chapter with respect to the initial selection, future selection, investigation process, renewal,

revocation, and suspension of cannabis dispensary use permits. Such procedures may include a priority ranking system, and appointment of staff review panel for cannabis retailers use permits.

- ~~iv. In addition to the general requirements of section 5.34.08(G), a cannabis retailer shall submit, as a part of their operating plan, a physician's written recommendation in compliance with state law for medical cannabis sales, as well as photo identification for any person entering the site.~~
- v. A cannabis retailer may possess no more than (5) pounds of dried cannabis at any one time in addition to live plants for sale that are in a vegetative (not mature) state.
- vi. No exterior signage or symbols shall be displayed which advertises the availability of cannabis using drug-related symbols which are attractive to minors or which is carried out in a manner intended to encourage persons under twenty-one (21) years of age to consume cannabis or cannabis products, nor shall any such signage or symbols be displayed on the interior of the facility in such a way as to be visible from the exterior.
- vii. No cannabis retailer shall hold or maintain a license from the State Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages on the same premises. No alcoholic beverages shall be allowed or consumed on the premises.
- viii. No cannabis retailer shall conduct or engage in the commercial sale of any product, good or service unless otherwise approved by the permit. A retailer may sell live starter plants, clones and seeds from qualified nurseries, but shall not cultivate or clone cannabis (unless the retailer holds a microbusiness or cultivation license from the state and such uses are allowed on the same premises under state law). Not more than ten percent (10%) of the retailer area, up to a maximum of fifty (50) square feet may be devoted to the sale of incidental goods for personal cannabis cultivation and use, but shall not include clothing, posters or other promotional items.
- ix. No cannabis shall be smoked on the premises, unless allowed under a condition of approval. The term "premises" includes the actual building, as well as any accessory structures, parking areas, or other immediate surroundings. Onsite consumption of cannabis may be allowed if the cannabis retailer permit explicitly allows it, and if done in accordance with state laws and regulations, as may be amended from time to time, and any conditions placed on the commercial cannabis permit, including those related to ventilation and odor control.
- x. The following signs, in measurements of not less than eight by ten inches (8x10"), shall be clearly and legibly posted in a conspicuous location

inside the retailer where they will be visible to customers in the normal course of a transaction, stating:

- a. "The sale of cannabis without a state license is illegal."
  - b. "Smoking cannabis on this property, within twenty feet (20') of the retailer, or in any public place is illegal under California law."
  - c. For medical cannabis dispensaries: "No one under the age of eighteen (18) shall be allowed on the premises, unless they are a qualified patient or a primary caregiver."
  - d. For nonmedical cannabis retailers: "No one under the age of twenty-one (21) shall be allowed on the premises."
- xi. Any commercial cannabis permit issued to microbusiness with a Type 12 state license, or a state cannabis license type subsequently established, that contains a retailer operation, will be subject to the permit procedures and requirements for cannabis retailers under this section 5.34.09(E). Any such permit will count toward the city's maximum number of retailers. Any commercial cannabis permit issued to a microbusiness with a cultivation, manufacturing, testing and/or distribution component will also be subject to the requirements of section 5.34.09(A), (B), (C) and/or (D) for those operations.
  - xii. Except as provided in section 5.34.09(E)(2)(xi) for microbusinesses, commercial cannabis cultivation, manufacturing and testing are prohibited on the same premises.
  - xiii. Cannabis retailers shall contain no window displays that are visible by normal unaided vision from a public place.
  - xiv. All cannabis deliveries shall have all records identifying the originating location and terminus of the cannabis or cannabis products, as well as all corresponding licenses consistent with all applicable state licensing requirements.
  - xv. The operating plan for all cannabis deliveries shall include driver identification and license information for all employees engaged in delivery operations. Vehicle information including license, year, make and model shall also be listed in the operating plan.
  - xvi. Vehicles used in the delivery of cannabis shall have no signage and shall be un-marked.
  - xvii. The sale of ancillary products, including books, herbal supplements, and devices facilitating the consumption of cannabis shall occur in a manner consistent with this section, and in compliance with all state requirements.

- xviii. The maximum retail days and hours of operations shall be Monday through Sunday, 9:00 a.m. through 7:00 p.m.

#### **5.34.10 Fees**

The city council shall, by resolution, establish a schedule of fees for commercial cannabis license applications, amendments, renewals and other matters pertaining to this chapter. The schedule of fees may be changed or modified by resolution of the city council. Applicants and permittees also shall pay the amount as prescribed by the Department of Justice of the State of California for the processing of applicant's fingerprints. None of the above fees shall be prorated, or refunded in the event of a denial, suspension or revocation of the permit. Failure to pay the applicable fees is grounds for denial of an application.

#### **5.34.11 Enforcement**

- A. Any person violating any provision of this chapter or misrepresenting any material fact in demonstrating compliance with requirements for operating a commercial cannabis use shall be deemed guilty of a misdemeanor punishable by a fine of not more than one thousand dollars or by imprisonment for not more than twelve months, or by both such fine and imprisonment.
- B. Any violation of this chapter is declared to be a public nuisance as defined in section 370 of the Penal Code, section 3480 of the Civil Code and Chapter 8.22 of this municipal code and shall be subject to injunctive relief, revocation of the certificate of occupancy for the property, disgorgement and payment to the city of any and all monies unlawfully obtained, costs of abatement, costs of investigation, attorney fees, and any other relief or remedy available at law or equity. The city may also pursue any and all remedies and actions available and applicable under local and state law for any violation committed by the commercial cannabis owner, its managers, members or any person related or associated with the commercial cannabis use.
- C. Any violation of the terms and conditions of the commercial cannabis use of this chapter shall be grounds for suspension and revocation of the permit.

#### **5.34.12 Liability**

The provisions of this chapter shall not be construed to protect the record property owner(s) of a legal parcel associated with any commercial cannabis use, his or her lessees, tenants, and other participants in the operation of a commercial cannabis use, and/or members of collectives and/or cooperatives associated with such use, from prosecution pursuant to any laws that may prohibit the cultivation, sale, and/or possession of controlled substances. Moreover, cultivation, sale, possession, distribution, and use of cannabis remain violations of federal law as of the date of adoption of the ordinance creating this chapter and this chapter is not intended to, and does not, protect any of the above described persons from arrest or prosecution under those federal laws. The record property owner(s) of a legal parcel associated with any commercial cannabis use, his or her lessees, tenants, and other participants in the such use, and/or members of collectives and/or cooperatives associated with such use, assume any and all risk and any and all liability that may arise or result under state and federal criminal

laws from operating a commercial cannabis use. Further, to the fullest extent permitted by law, any actions taken under the provisions of this chapter by any public officer or employee of the city or the city itself shall not become a personal liability of such person or the liability of the city.

## City of Lakeport Cannabis Regulation Matrix

Permit Type	State License Type(s)	R-1	R-2	R-3	R-5	PO	C-1	C-2	C-3	I
Personal/Medicinal Cultivation		P	P	P	P					
Commercial Cultivation	1A, 1C, 2A, 3A & 4								UP	UP
Manufacturing (no volatile solvents)	6								UP	UP
Manufacturing (volatile solvents)	7									UP
Testing	8					UP		UP	UP	UP
Distribution	11								UP	UP
Retailers (general)	10							UP	UP	UP
Retailers with on-site consumption	10								UP	UP
Retailers, microbusiness	12								UP	UP

**State License Types:**

Type 1 - Cultivation specialty outdoor, up to 5,000 sq. ft. of canopy or 50 Plants

Type 1A - Cultivation; Specialty indoor. Up to 5,000 sq. ft.

Type 1B - Cultivation; Specialty mixed light. Using exclusively artificial lighting

Type 1C - Specialty Cottage, Combo natural / artificial light, 2,500 sq. ft. or less canopy/ 25 plants

Type 2 - Cultivation: outdoor up to 5,000 sq. ft.

Type 2A - Cultivation; Indoor 5,001- 10,000 sq. ft.

Type 2B - Cultivation; mixed light 5,001- 10,000 sq. ft.

Type 3 - Cultivation; Outdoor 10,001 sq. ft. -1 Acre

Type 3A - Cultivation: Indoor 10,001 - 22,000 sq. ft.

Type 3B - Cultivation; Mixed light 10,001 - 22,000 sq. ft.

Type 4 - Cultivation; Nursery, Indoor only

Type 6 - Manufacturer 1 for products not using volatile solvents

Type 7 - Manufacturer 2 for products using volatile solvents

Type 8 - Testing

Type 10 - Retailer

Type 11 - Distribution

Type 12 - Microbusiness









# CITY OF LAKEPORT

- City Council
- City of Lakeport Municipal Sewer District
- Lakeport Redevelopment Successor Agency
- Lakeport Industrial Development Agency
- Municipal Financing Agency of Lakeport

## STAFF REPORT

**RE:** First Reading of Proposed Amendments to Chapter 17.38 of the Zoning Ordinance Permitting Personal Cannabis Cultivation and Associated Amendments to Chapters 17.04, 17.05, 17.06 And 17.07 of the Zoning Ordinance

**MEETING DATE:** 11/21/2017

**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:

The City Council is being asked to initiate proceedings and set a public hearing for the consideration of a proposed amendment to Chapter 17.38 of the Zoning Ordinance permitting personal cannabis cultivation along with associated amendments to the 'Uses Permitted' sections of the "R-1", Low Density Residential; "R-2", Medium Density Residential; "R-3", High Density Residential; and, "R-5" Resort/High Density Residential zoning districts.

### BACKGROUND/DISCUSSION:

In response to the adoption of AUMA (Proposition 64) by the California voters in November 2016 and recent amendments made by the State Legislature, commonly referred to as SB 94, the City of Lakeport formed a Working Group consisting of two City Council Members, the City Manager, the City Attorney, the Police Chief, and the Community Development Director who began to formulate regulations pertaining to both personal cannabis cultivation and commercial cannabis uses. The proposed Zoning Ordinance amendments presented as a part of this ordinance revision are limited to personal cannabis cultivation regulations. Issues pertaining to commercial cannabis related used are a separate action item.

The de-criminalization of marijuana for recreational use, and particularly the allowance for the possession of six or less marijuana plants under AUMA, changes the use from a criminal activity (Police) to a land use activity (Community Development Department), and requires a review of the City's existing ordinance which currently only permits the cultivation of marijuana for recommended medical use.

On February 8, 2017, the Planning Commission reviewed recommendations from the City's Cannabis Working Group for possible amendments related to the cultivation of cannabis for non-commercial, personal use on residential parcels. During that discussion the Planning Commission made the determination that the existing medical marijuana regulations are working well and have generated very little in the way of compliance related issues and complaints. As a result the Planning Commission made the recommendation that efforts be made to incorporate personal cultivation of cannabis into the existing framework already provided for medical marijuana cultivation as best possible.

Following the February 8, 2017 hearing, Staff provided the Planning Commission’s recommendation to the Working Group and made revisions to Chapter 17.38 based on the recommendations of the Planning Commission. These revisions were presented to the Planning Commission on October 11, 2017 at which time the Planning Commission made several additional recommended changes consisting of the following:

- *Amending Definitions Section (17.38.030) to be consistent with State terminology*
- *Amending Development and Operations Standards to allow cultivation within greenhouses meeting specified design criteria (17.38.050.F.10)*
- *Revising allowed zoning districts to include permitted mixed use—residential units in commercial zoning districts (17.38.040.A).*
- *Removal of ‘consumption’ related provisions (17.38.040.F).*

In addition to the revisions recommended by the Planning Commission on October 11, 2017, the City Attorney noted that Section 17.38.040.B of the draft ordinance which prohibits cannabis cultivation within 300 feet of schools, parks and daycare centers is inconsistent with the provisions of Proposition 64 and SB 94. Specifically, per California Health and Safety Code Section 11362.2(b)(2), the City cannot prohibit personal cultivation at a private residence even if it’s within 300 feet, so long as the cannabis is “fully enclosed and secure.” As such staff has removed Section 17.38.040.B from the draft ordinance and in addition removed the terms ‘Child care center’ and ‘School’ from the definitions section as well.

Following additional public input and a final review of proposed amendments the Planning Commission made a formal recommendation at its regular meeting of November 8, 2017 that the City Council adopt the recommended revisions to Chapter 17.38 permitting personal cannabis cultivation and associated revisions to the ‘Uses Permitted’ sections of the “R-1”, Low Density Residential; “R-2”, Medium Density Residential; “R-3” High Density Residential; and, “R-5” Resort/High Density Residential zoning districts.

**OPTIONS:**

1. Introduce the proposed amendments and revisions to the Lakeport Municipal Code and schedule public hearings for December 19, 2017.
2. Request additional amendments.
3. Remand to the Planning Commission with directions to consider further amendments.

**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 MOTION:**

Move to introduce the proposed ordinance amending Chapters 17.04, 17.05, 17.06, 17.07 and 17.38 of the Lakeport Municipal Code to permit and regulate personal cannabis cultivation within the City of Lakeport and set a public hearing for December 19, 2017.

**Attachments:**                    1. Draft Ordinance

**ORDINANCE NO. (2017)**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEPORT AMENDING CHAPTERS 17.38, 17.04, 17.05, 17.06 AND 17.07 OF THE LAKEPORT MUNICIPAL CODE, REGARDING PERSONAL CANNABIS CULTIVATION**

**WHEREAS**, the Federal Controlled Substances Act, 21 U.S.C. Section 801 et seq., classifies cannabis as a Schedule 1 Drug; as such, it is unlawful, under federal law, for any person to cultivate, manufacture, distribute, dispense, or possess cannabis, whether for medicinal or recreations purposes; and

**WHEREAS**, in 1996, the voters of the State of California approved Proposition 215, the Compassionate Use Act (Health and Safety Code Section 11362.5), which was intended to enable persons who are in need of cannabis for medical purposes to obtain and use it under limited, specific circumstances, without being subject to criminal prosecution under certain state statutes; and

**WHEREAS**, SB 420, the Medical Marijuana Program Act (Health and Safety Code Section 11362.7 et seq.), was enacted in 2004 to expand and clarify the scope of Proposition 215, the Compassionate Use Act; and

**WHEREAS**, in 2015, the State enacted the Medical Marijuana Regulation and Safety Act (SB 643, AB 266, and AB 243) commonly referred to as MMRSA. Although MMRSA provides that patients and caregivers may cultivate cannabis under specified regulations, cities and counties retain local regulatory authority over medical cannabis, including personal cultivation; and

**WHEREAS**, the Governor signed SB 837 in June of 2016, changing references to the term “marijuana” in MMRSA to “cannabis” and renaming MMRSA the “Medical Cannabis Regulation and Safety Act” (MCRSA); and

**WHEREAS**, on November 8, 2016, Proposition 64, the Control, Regulate and Tax Adult Use of Marijuana Act (AUMA) was enacted by the voters to decriminalize and regulate commercial and non-commercial recreations cannabis. AUMA provides that personal cultivation of up to six cannabis plants must be allowed inside a private residence or in a secured structure; and

**WHEREAS**, the Governor signed SB 94 in June of 2017, which amended Section 11362.2 permitting the cultivation of a maximum of six (6) cannabis plants within a single private residence subject to reasonable regulations enacted by local jurisdictions; and

**WHEREAS**, in response to MCRSA and AUMA, the Planning Commission, directed City staff through a minute order on February 8, 2017 to bring forward a zoning ordinance amendment to Chapter 17.38 (Medical Marijuana Cultivation) of the Lakeport Municipal Code to permit and regulate personal cannabis cultivation; and

**WHEREAS**, the City of Lakeport Municipal Code establishes rules and regulations for living and doing business within city limits; and

**WHEREAS**, the unregulated personal cultivation of cannabis in the city limits of Lakeport can adversely affect the health, safety, and well-being of the City, its residents and environment. The development of regulations for personal cannabis cultivation, including zoning regulation, is proper and necessary to reduce the risks of criminal activity, degradation of the natural environment, malodorous smells, and indoor electrical fire hazards that may result from unregulated indoor cannabis cultivation; and

**WHEREAS**, the ability to cultivate cannabis plants for medical or recreational purposes conferred by MCRSA, AUMA, and SB 94 does not confer the right to create or maintain a public nuisance, the City intends to minimize the risks and complaints regarding fire, odor, crime and pollution caused or threatened by the unregulated cultivation of cannabis.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEPORT DOES ORDAIN AS FOLLOW:**

**SECTION 1. Amendment to Chapter 17.38 “Medical Marijuana Cultivation”**

Chapter 17.38 of Title 17 of the Lakeport Municipal Code is amended as follows. Additions are denoted by underlined text and deletions by ~~struck through text~~.

**Chapter 17.38**

**MEDICAL MARIJUANA CANNABIS CULTIVATION**

**17.38.010 Legislative findings.**

The city council finds as follows:

~~A. In 1996, the voters of the state of California approved Proposition 215 which was codified as California Health and Safety Code Section 11362.5 and entitled “The Compassionate Use Act of 1996” (“the Compassionate Use Act” or “CUA”).~~

~~B. The intent of the Compassionate Use Act was to enable persons who are in need of marijuana for medical purposes to obtain and use it under limited, specific~~

circumstances, without being subject to criminal prosecution under certain state statutes.

C.— On January 1, 2004, Senate Bill 420, codified as California Health and Safety Code Section 11362.7 et seq. and entitled “The Medical Marijuana Program,” (“MMP”) became effective to clarify the scope of the Compassionate Use Act.

D.— California Health and Safety Code Section 11362.83 expressly allows cities and counties to adopt and enforce ordinances that are consistent with Senate Bill 420.

E.— The city of Lakeport has adopted a zoning ordinance identified as Title 17 (Zoning) of the city of Lakeport Municipal Code.

F.— Prior to the enactment of this chapter, there were no regulations addressing cultivation of medical marijuana in the zoning ordinance.

G.— The city of Lakeport with a population of 4,622 (January 1, 2012) is a small town with a high percentage of nonowner-occupied residential units. Landlords have complained of damage caused by unauthorized cultivation activities in their rental properties.

H.— The city of Lakeport police department, city residents and other public entities have reported adverse impacts from medical marijuana cultivation, including disagreeable odors, increased risk of burglary and other property crimes, and acts of violence in connection with the commission of such crimes or the occupants’ attempts to prevent such crimes.

I.— The creation of persistent strong odors as marijuana plants mature and flower is offensive to many people and creates an attractive nuisance, alerting persons to the location of valuable marijuana plants and creating an increased risk of crime.

J.— The indoor cultivation of substantial amounts of marijuana also frequently requires excessive use of electricity, which often creates an unreasonable risk of fire from the electrical grow lighting systems used in indoor cultivation.

K.— Children are particularly vulnerable to the effects of marijuana use, and the presence of marijuana plants has proven to be an attractive nuisance for children, creating an unreasonable hazard in areas frequented by children including schools, child care centers, parks, and other similar locations.

~~L. The city council finds and determines that the enactment of this chapter is exempt from environmental review pursuant to California Environmental Quality Act Guidelines Section 15061(b)(3) in that there is nothing in this chapter or its implementation that could have a foreseeable significant effect on the environment. (Ord. 889 §1(part), 2013)~~

**~~17.38.020~~ 17.38.010 Intent.**

A. The city council of the city of Lakeport, pursuant to this chapter, hereby intends to regulate the personal cultivation of cannabis ~~marijuana for medical purposes~~, including but not limited to regulations as to location of the cultivation, size of the area used for cultivation, and the use of fencing or other screening and security structures, ~~to accommodate the needs of qualified patients and their caregivers,~~ and in furtherance of the public necessity, convenience and general welfare. ~~Nothing in this chapter shall be construed to authorize any use, possession, cultivation, or distribution of marijuana for nonmedical purposes.~~

B. This chapter is established to regulate personal cannabis ~~medical marijuana~~ cultivation in a manner that mitigates potential impacts on surrounding properties and persons, and that is in conformance with the provisions of the Compassionate Use Act of 1996 (Proposition 215) and California Health and Safety Code Sections 11362.5 through 11362.83 ~~the Adult Use of Marijuana Act (Proposition 64)~~.

C. It is the intent of the city of Lakeport to enforce the provisions of this chapter primarily on the basis of legitimate and verified complaints received from the public related to nuisance conditions and/or other public safety issues.

**~~17.38.030~~ 17.38.020 Applicability.**

The provisions of this chapter shall apply to all persons ~~and businesses~~ described herein whether the activities described herein were established before or after the effective date of this chapter. Chapter 17.36, Nonconforming Uses, Structures, and Lots, shall not apply to preexisting land or building uses inconsistent with the provisions of this chapter.

**~~17.38.040~~ 17.38.030 Definitions.**

“Cannabis,” or “marijuana,” shall include the definition of “cannabis” as set forth in Business and Professions Code section 26001, subdivision (f), and Health and Safety Code section 11018, as each may be amended from time to time, and shall be used interchangeably and shall mean all parts of the plant Cannabis sativa linnaeus, Cannabis indica, or Cannabis ruderalis, whether for a medical purpose or a non-medical purpose, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. This includes the separated resin, whether crude or purified, obtained from marijuana. This definition does not mean “industrial hemp” as defined by California Food and Agricultural Code section 81000, as may be amended, or California Health and Safety Code section 11018.5, as may be amended.

“Canopy” means the total combined canopy area for all locations on a property where cannabis/medical marijuana is being cultivated, including indoor areas, as measured by the horizontal extent of the plant or combination of plants at the widest point and measured in a straight line.

~~“Child care center” means any licensed child care center, daycare center, or childcare home, or any preschool.~~

“Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming processing of cannabis and/or marijuana. ~~plants or any part thereof for medical use consistent with the Compassionate Use Act (Health and Safety Code Section 11362.5) or the Medical Marijuana Program Act (Health and Safety Code Section 11362.7 et seq.).~~

“Detached, fully enclosed and secure structure” is a building completely detached from a residence that complies with the California Building Standards Code, as adopted by the city of Lakeport, or if exempt from the permit requirements of the California Building Standards code, building and zoning codes and that has a complete roof enclosure supported by connecting walls extending from the ground to the roof, ~~and~~ is secure against unauthorized entry, and is accessible only through one or more lockable doors.

“Indoors” means within a fully enclosed and secure structure.

~~“Marijuana” shall have the same meaning as that set forth in California Health and Safety Code Section 11018.~~

~~“Medical marijuana” means medical marijuana that has been recommended by a licensed physician in strict accordance with California Health and Safety Code Sections 11362.5 through 11362.83, inclusive, commonly referred to as the Compassionate Use Act and the Medical Marijuana Program.~~

“Medical cannabis,” or “medical marijuana” means cannabis or marijuana that has been recommended by a licensed physician in strict accordance with Health and Safety Code Sections 11362.5 through 11362.9, inclusive, commonly referred to as the Compassionate Use Act and the Medical Marijuana Program.

“Outdoor” means any location within the city that is not within a fully enclosed and secure structure.

“Primary caregiver” shall have the same definition as ~~California~~ Health and Safety Code Section 11362.7(d), as may be amended.

“Qualified patient” shall have the same definition as ~~California~~ Health and Safety Code Sections 11362.7(c) and (f), as may be amended.

“Rear yard” is the rear open space portion of any premises, whether fenced or unfenced.

“Residential structure” is any building or portion thereof legally existing which contains living facilities, including provisions for sleeping, eating, cooking and sanitation on a premises or legal parcel located within a residential or agricultural-residential zoning district.

~~“School” means an institution of learning for persons under twenty-one years of age, whether public or private, offering regular course of instruction including, without limitation, a kindergarten, elementary school, middle or junior high school, or senior high school.~~

“Solid fence” means a fence constructed of substantial material (such as wood) that prevents viewing the contents from one side to the other. “Solid” does not include tarpaulins, cloth material, scrap material, bushes, or hedgerows.



**~~17.38.050~~ 17.38.040 Regulation of location.**

A. ~~Cannabis Medical Marijuana~~ cultivation shall be prohibited on any parcel within the ~~incorporated area of the city of Lakeport~~ except as an accessory use to a legally established ~~residence~~ residential structure within a legal accessory structure on a legal parcel within the R-1, R-2, R-3, R-5 and UR zoning districts as well as permitted mixed use—residential units.

~~B. No medical marijuana cultivation is permitted within three hundred feet of any school, child care center, park or playground. The distance between any marijuana cultivation and any school, child care center, park or playground shall be measured in a straight line, without regard to intervening structures, from the closest exterior wall of the detached accessory building in which the marijuana cultivation is occurring to the closest property line where the other building or activity is conducted.~~

~~BC.~~ Except as provided in subsection ~~DC~~ of this section, ~~cannabis Medical Marijuana~~ cultivation may be undertaken only by person(s) a qualified patient who ~~must~~ occupy the ~~residence~~ residential structure on the parcel proposed for cultivation as their primary residence.

~~CD.~~ A ~~qualified~~ primary caregiver, as defined, may undertake cultivation of medical ~~cannabis marijuana~~ on behalf of his/her qualified patient(s), but only in a ~~detached, fully enclosed and secure accessory structure located~~ on a parcel containing the primary caregiver's or qualified patient's primary residence.

~~DE.~~ Cultivation shall only be permitted in a detached, fully enclosed and secure accessory structure and said ~~the~~ cultivation area, including the plant canopy, shall be limited to 80 square feet per parcel or residence, whichever is less, or six (6) plants. The cultivated ~~cannabis marijuana may not be sold be used only by the qualified patient and not distributed, sold, given or transferred in any way~~ to any other person or organization.

~~EF.~~ The use of a detached, fully enclosed and secure accessory structure for cultivation of ~~cannabis medical marijuana~~ shall not reduce the required parking required per Chapter 17.23.

~~EG.~~ Outdoor cultivation shall be unlawful and a public nuisance for any person owning, leasing, occupying or having charge for possession of any parcel within any zoning district in the city of ~~Lakeport~~.

~~G.H.~~ Indoor cultivation within a ~~residence~~ residential structure shall be unlawful and a public nuisance with regard to any person owning, leasing, occupying or having charge for possession of any parcel within any zoning district in the city of ~~Lakeport~~.

~~17.38.060~~ **17.38.050 Development and operational standards.**

A. From a public right-of-way there shall be no exterior evidence of cannabis medical marijuana cultivation located inside a detached, fully enclosed and secure accessory structure.

B. Person(s) engaged in cultivation ~~The qualified patient or primary caregiver~~ shall reside in the residence located on the parcel containing the detached, fully enclosed and secure accessory structure where the cannabis medical marijuana cultivation occurs, except as provided in subsection C of section 17.38.040.

C. Person(s) engaged in cultivation ~~The qualified patient or primary caregiver~~ shall not cultivate medical marijuana in any other location within the incorporated city of ~~Lakeport~~ other than in the accessory structure located on the parcel containing his/her primary residence, except as provided in subsection C of section 17.38.040.

D. The qualifying ~~residence~~ residential structure located on the property containing the detached, fully enclosed and secure accessory structure in which cannabis medical marijuana is cultivated shall maintain kitchen, bathrooms, and primary bedrooms for their intended use and shall not be used for cannabis medical marijuana cultivation.

E. Cannabis Medical marijuana cultivation shall not adversely affect the health or safety of nearby residents by creating dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or wastes.

F. Residential accessory structures used for cultivation shall meet the following criteria:

1. The structure shall be provided with a locking door or doors.
2. If a detached, fully enclosed, and secure structure is not feasible and the cultivation building is an unsecured structure then it shall additionally be surrounded by a secure solid six-foot-high fence located within ten feet of the unsecured structure and equipped with a lockable gate.

3. The structure shall be located in the rear yard portion of the lot and maintain a minimum of a ten-foot setback from the side and rear property lines and from any other building on the parcel.
4. Any accessory structure utilized for cultivation of ~~cannabis marijuana~~ shall be legally constructed with a building permit if it exceeds one hundred twenty square feet of size. No more than eighty square feet of floor area shall be used for the cultivation of ~~cannabis marijuana~~. The plant canopy shall be contained within the eighty square feet of floor area. All electrical and plumbing fixtures shall be installed with a valid building permit from the city. Such building permits will only be issued to the owner of the property. If the resident is proposing to convert an existing accessory structure, or a portion of an existing structure, for cultivation of ~~cannabis marijuana~~, an inspection will be required to ensure compliance with this chapter.
5. ~~Cannabis Medical marijuana~~ cultivation lighting shall comply with the California Building, Electrical and Fire Codes as adopted by the city.
6. Flammable or volatile gas products or generators shall not be used within any detached structure used for the cultivation of ~~cannabis medical marijuana~~.
7. Any detached, fully enclosed and secure structure used for the cultivation of ~~cannabis medical marijuana~~ must have a ventilation and filtration system installed that shall prevent nuisance ~~cannabis marijuana~~ plant odors from exiting the interior of the structure. If a permanent, built-in ventilation and filtration system is installed, it shall be subject to the issuance of a building permit, approval by the building official and must be installed prior to commencing cultivation within the detached, fully enclosed and secure structure.
8. Accessory structures utilized for cultivation shall be ventilated with odor control filters, and shall not create an odor, humidity or mold problem on the subject property or adjacent properties.
9. Other activities may occur within a detached fully enclosed and secure accessory structure where ~~cannabis medical marijuana~~ is cultivated; provided, that the cultivation area within the structure, including the plant canopy, does not exceed eighty square feet of floor area; and further provided, that the cultivation area is segregated from all other building uses by permitted walls and all other conditions of this chapter are satisfied.

10. As an alternative to the requirement set forth in 17.38.050.F subsections (1) through (8) above, the cultivation of cannabis may occur in a prefabricated greenhouse structure constructed for nursery or agricultural purpose which does not include any service systems and which has a canopy which does not exceed eighty (80) square feet. Said structure shall be located in an area which is fully enclosed by an opaque fence at least six (6) feet in height. The structure must also meet all applicable permit requirements and shall be secure against unauthorized entry and accessible only through one or more lockable doors. The frame must be constructed of metal and the panels must be polycarbonate or other similar material which is no less than four (4) mm thick. In the alternative, the structure may be a chain-link or wire mesh type greenhouse which is overlaid with a one-piece cover made of polyethylene laminate fabric or other similar materials which is no less than eight (8) ml thick. The structure shall be equipped with an odor control filtration and ventilation system(s) adequate to prevent cannabis plant odors from exiting the interior of the structure.

~~G.— Wherever medical marijuana is grown, a copy of a current and valid state issued medical marijuana card or a current and valid physician's recommendation for medical marijuana must be kept available to immediately present to officers of the city and law enforcement officers upon request.~~

~~GH.~~ Nothing in this chapter shall be construed as a limitation on the city's authority to abate any nuisance which may exist from the planting, growing, harvesting, drying, processing or storage of cannabis marijuana plants or any part thereof from any location, indoor or outdoor, including from within a detached, fully enclosed and secure structure.

**~~17.38.070-17.38.060~~ Enforcement.**

A. Right of Entry. Persons designated by resolution as code enforcement officers of the city are authorized to enter upon and inspect private properties to ensure compliance with the provisions of this chapter. Reasonable advance notice of any such entry and inspection shall be provided and, before entry, consent shall be obtained in writing from the owner or other person in lawful possession of the property. If consent cannot for any reason be obtained, an inspection warrant shall be obtained from a court of law prior to any such entry and inspection. In those cases where consent is denied, the city

may seek to recover the costs it incurs in obtaining a warrant from the property owner and/or person in lawful possession of the property.

B. Public Nuisance. The maintaining, cultivating or growing of cannabis marijuana upon private property within the city of Lakeport, unless in full compliance with the provisions of this chapter, is declared to be a public nuisance as defined in Section 370 of the California Penal Code and Chapter 8.22 of the Lakeport Municipal Code.

C. Citable Offense. Every person who, in violation of the provisions of this chapter, maintains, permits or allows cannabis marijuana to be grown upon his or her property or premises, and every person occupying, renting or leasing the property or premises of another who maintains, permits or allows cannabis marijuana to be grown thereon in violation of this chapter, is guilty of an infraction punishable as set forth in Section 1.08.010. After written notice is provided to any such person of such violation, the continued existence of such violation for each and every day after the service of such notice shall be deemed a separate and distinct offense.

D. Issuance of Citations. All persons designated by resolution as code enforcement officers of the city are authorized to issue citations to persons deemed to be in violation of the provisions of this chapter. Such citations shall be expeditiously processed through use of the administrative citation process or where appropriate through filing an infraction in the appropriate court of law.

E. Remedies Nonexclusive. The remedies provided herein shall not be the exclusive means of enforcing the provisions of this chapter nor the exclusive means available to the city to address problems associated with the cultivation of cannabis marijuana, whether for medical or other purposes. The city shall continue to have available to it the ability to pursue abatement of nuisances and other problems related to cannabis marijuana cultivation under California Penal Code Sections 372 and 373a and other applicable provisions of law. The city may also pursue the recovery of its abatement costs in the manner provided by the Lakeport Municipal Code.

**~~17.38.080~~ 17.38.070 Liability.**

The provisions of this chapter shall not be construed to protect the property owner(s) of record for each legal parcel associated with the cultivation of cannabis medical marijuana, lessees, tenants, and other participants in the cultivation of cannabis medical marijuana, and members of collectives and/or cooperatives associated with the

cultivation of ~~cannabis~~ medical marijuana, from prosecution pursuant to any laws that may prohibit the cultivation, sale, and/or possession of controlled substances. Moreover, cultivation, sale, possession, distribution, and use of ~~cannabis~~ marijuana remain violations of federal law as of the date of adoption of the ordinance creating this chapter and this chapter is not intended to, and does not, protect any of the above described persons from arrest or prosecution under those federal laws. The property owner(s) of record for each legal parcel associated with the cultivation of ~~cannabis~~ medical marijuana, lessees, tenants, and other participants in the cultivation of ~~cannabis~~ medical marijuana, and members of collectives and/or cooperatives associated with the cultivation of ~~cannabis~~ medical marijuana, assume any and all risk and any and all liability that may arise or result under state and federal criminal laws from the cultivation of ~~cannabis~~ marijuana. Further, to the fullest extent permitted by law, any actions taken under the provisions of this chapter by any public officer or employee of the city of ~~Lakeport~~ or the city of Lakeport itself shall not become a personal liability of such person or the liability of the city of ~~Lakeport~~.

**SECTION 2. Section 17.04.030.I of 17.04, Regulations for the Low Density Residential or “R-1” District, of the Lakeport Municipal Code is hereby added as follows:**

- I. Personal cannabis cultivation subject to the regulations as set forth in Chapter 17.38.

**SECTION 3. Section 17.05.030.I of 17.05, Regulations for the Medium Density Residential or “R-2” District, of the Lakeport Municipal Code is hereby added as follows:**

- I. Personal cannabis cultivation subject to the regulations as set forth in Chapter 17.38.

**SECTION 4. Section 17.06.030.H of 17.06, Regulations for the High Density Residential or “R-3” District, of the Lakeport Municipal Code is hereby added as follows:**

- H. Personal cannabis cultivation subject to the regulations as set forth in Chapter 17.38.

**SECTION 5. Section 17.07.030.G of 17.07, Regulations for Resort/Residential or “R-5” District, of the Lakeport Municipal Code is hereby added as follows:**

- G. Personal cannabis cultivation subject to the regulations as set forth in Chapter 17.38.

**SECTION 6. Severability:** Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, to that end, the provisions hereof are severable.

**SECTION 7. CEQA.** This ordinance is exempt from review under the California Environmental Quality Act (CEQA). Pursuant to section 15061(b)(3) of the CEQA Guidelines, CEQA applies only to projects which have the potential for causing a significant effect on the environment. Additionally, the revision to the Lakeport Municipal Code will not result in a direct or reasonably foreseeable indirect physical change in the environment and thus is exempt from CEQA pursuant to CEQA Guidelines Section 15060(c)(2). Furthermore, the ordinance constitutes a regulatory action to assure the protection of the environment and is categorically exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines.

**SECTION 8. Effective Date.** This ordinance shall take effect thirty (30) days after adoption as provided by Government Code section 36937.

**SECTION 9. Certification.** The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting the entire text.

INTRODUCED and first read at a regular meeting of the City Council on the 21<sup>st</sup> day of November, 2017, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

FINAL PASSAGE AND ADOPTION by the City Council of Lakeport occurred at a meeting thereof held on the 5<sup>th</sup> day of December 2017, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

STACEY MATTINA, MAYOR

ATTEST:

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KELLY BUENDIA, City Clerk

DRAFT





# CITY OF LAKEPORT

- City Council
- City of Lakeport Municipal Sewer District
- Lakeport Redevelopment Successor Agency
- Lakeport Industrial Financing Authority
- Municipal Financing Agency of Lakeport

<b>STAFF REPORT</b>	
<b>RE:</b> 10 Wheel Dump Truck Purchase	<b>MEETING DATE:</b> 11/21/2017
<b>SUBMITTED BY:</b> Douglas Grider, Public Works Director	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

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

The City Council is being asked to authorize the City Manager to sign a purchase order and the purchase agreement for the purchase of a new 10 Wheeler Dump Truck.

**BACKGROUND/DISCUSSION:**

The City of Lakeport Public Works Department currently utilizes two 1980 5 yard dump trucks for the transport of materials including asphalt. It has become apparent that Public Works needs larger capacity dump trucks in order to meet the rising demand for paving projects and material hauling. The requested 10-Wheeler Dump Truck has a 10 yard capacity therefore doubling the load capacity of each trip resulting in larger payloads using less fuel and less miles driven. The two 1980 dump trucks in use now have exceeded their useful life span by a few years and are in need of replacement.

Appropriations were approved for this purchase in the current fiscal year budget in the amount of \$110,000 from anticipated Measure Z revenues. When staff obtained cost estimates for the dump truck during the budget development process it was not realized that the dump body was a separate cost and that with an informal quote sales tax was not included. With these 2 items added in the total purchase cost for the 10-Wheeler Dump Truck comes to \$154,245.93.

Staff has also been working on the purchases of the Roller and Utility Vehicle also included in this year's budget and have found government pricing programs and rebates which staff believes will reduce the budgeted amount by \$20,000.00. The Public Works Director worked with Peterson Trucks Co. to secure a government pricing program to ensure the best possible government pricing for this purchase. The pricing program is through the NJPA (National Joint Powers Alliance) which uses a bidding process like US Community's and GSA.

**OPTIONS:**

Move to authorize the purchases of a 10 Wheeler Dump Truck and Budget adjustments; or provide alternative direction to staff.

**FISCAL IMPACT:**

None     \$154,245.93    Budgeted Item?  Yes \$110,000     No budget shortfall \$44,245.93 with \$20,000 savings from other budget items Net shortfall of approximately \$25,000. To account 110-3020.

Budget Adjustment Needed?  Yes     No    If yes, amount of appropriation increase: \$25,000

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

Comments:

**SUGGESTED MOTIONS:**

Move to approve a budget adjustment for an additional \$25,000 for the purchase of a 10-Wheeler Dump Truck and authorize the City Manager to sign the associated purchase order and purchase agreement.

**Attachments:**

1. Quote
2. NJPA Certificate

**INTERNATIONAL®**

October 23, 2017

**Prepared For:**  
 City of Lakeport  
 Jim Kennedy  
 591 Martin St.  
 Lakeport, CA 95453-5224  
 (707)484 - 5948  
 Reference ID: N/A

**Presented By:**  
 PETERSON TRUCKS, INC  
 Karen L Stumbaugh  
 2718 TEAGARDEN STREET  
 SAN LEANDRO CA 94577 -  
 (510)618-5550

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.

**Model Profile**  
**2018 7600 SBA 6X4 2010 (SF667)**

<b>APPLICATION:</b>	Construction Dump
<b>MISSION:</b>	Requested GVWR: 54000. Calc. GVWR: 54000 Calc. Start / Grade Ability: 22.78% / 3.38% @ 55 MPH Calc. Geared Speed: 79.0 MPH
<b>DIMENSION:</b>	Wheelbase: 199.00, CA: 131.90, Axle to Frame: 57.00
<b>ENGINE, DIESEL:</b>	{Navistar N13} EPA 2010, SCR, 430HP @ 1700 RPM, 1550 lb-ft Torque @ 1000 RPM, 2100 RPM Governed Speed, 430 Peak HP (Max)
<b>TRANSMISSION, AUTOMATIC:</b>	{Allison 4000 RDS} 5th Generation Controls, Close Ratio, 5-Speed with Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, On/Off Highway
<b>CLUTCH:</b>	Omit Item (Clutch & Control)
<b>AXLE, FRONT NON-DRIVING:</b>	{Meritor MFS-14-143A} Wide Track, I-Beam Type, 14,000-lb Capacity
<b>AXLE, REAR, TANDEM:</b>	{Meritor MT-40-14X-4DER} Single Reduction, 40,000-lb Capacity, 0.433"(11mm) Wall Housing Thickness, Driver Controlled Locking Differential in Rear-Rear Axle, R Wheel Ends Gear Ratio: 4.33
<b>CAB:</b>	Conventional
<b>TIRE, FRONT:</b>	(2) 315/80R22.5 Load Range L HSC1 (CONTINENTAL), 484 rev/mile, 68 MPH, All-Position
<b>TIRE, REAR:</b>	(8) 11R22.5 Load Range G HSR2 (CONTINENTAL), 498 rev/mile, 75 MPH, All-Position
<b>SUSPENSION, REAR, TANDEM:</b>	{Hendrickson HMX-400-52} Walking Beam Type 52" Axle Spacing; 40,000-lb Capacity, with Rubber End Bushings, Transverse Torque Rods, Less Shock Absorbers
<b>PAINT:</b>	Cab schematic 100GS Location 1: 9219, Winter White (Std) Chassis schematic N/A

**INTERNATIONAL®**

**Vehicle Specifications**  
**2018 7600 SBA 6X4 2010 (SF667)**

October 23, 2017

<u>Description</u>	<u>F/R Wt</u>	<u>Tot Wt</u>
	(lbs)	(lbs)
Base Chassis, Model 7600 SBA 6X4 2010 with 199.00 Wheelbase, 131.90 CA, and 57.00 Axle to Frame.	8748/6547	15295
FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.250" x 3.610" x 0.375" (260.4mm x 91.7mm x 9.5mm); 456.0" (11582mm) Maximum OAL	183/160	343
BUMPER, FRONT Steel, Swept Back	0/0	0
<u>Includes</u>		
: BUMPER, FRONT Powder Coated Gray (Argent) Color		
TOW PIN, FRONT (2)	6/-1	5
WHEELBASE RANGE 183" (465cm) Through and Including 248" (630cm)	0/0	0
AXLE, FRONT NON-DRIVING {Meritor MFS-14-143A} Wide Track, I-Beam Type, 14,000-lb Capacity	69/0	69
<u>Notes</u>		
: The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.		
SUSPENSION, FRONT, SPRING Parabolic, Taper Leaf, 14,000-lb Capacity; with Shock Absorbers	28/0	28
<u>Includes</u>		
: SPRING PINS Rubber Bushings, Maintenance-Free		
<u>Notes</u>		
: The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.		
BRAKE SYSTEM, AIR Dual System for Straight Truck Applications	0/0	0
<u>Includes</u>		
: BRAKE LINES Color and Size Coded Nylon		
: DRAIN VALVE Twist-Type		
: GAUGE, AIR PRESSURE (2) Air 1 and Air 2 Gauges; Located in Instrument Cluster		
: PARKING BRAKE CONTROL Yellow Knob, Located on Instrument Panel		
: PARKING BRAKE VALVE For Truck		
: QUICK RELEASE VALVE On Rear Axle for Spring Brake Release: 1 for 4x2, 2 for 6x4		
: SLACK ADJUSTERS, FRONT Automatic (with Air Cam Brakes)		
: SLACK ADJUSTERS, REAR Automatic (with Air Cam Brakes)		
: SPRING BRAKE MODULATOR VALVE R-7 for 4x2, SR-7 with relay valve for 6x4/8x6		
<u>Notes</u>		
: Rear Axle is Limited to 46,000-lb GAWR with Code 04091 BRAKE SYSTEM, AIR and Standard Rear Air Cam Brakes Regardless of Axle /Suspension Ordered.		
BRAKES, FRONT, AIR CAM 16.5" x 5", Includes 24 SqIn Long Stroke Brake Chambers	0/0	0
<u>Notes</u>		
: The following features should be considered when calculating Front GAWR: Front Axles; Front Suspension; Brake System; Brakes, Front Air Cam; Wheels; Tires.		
TRAILER CONNECTIONS Four-Wheel, with Hand Control Valve and Tractor Protection Valve, for Straight Truck	2/0	2
AIR BRAKE ABS {Bendix AntiLock Brake System} Full Vehicle Wheel Control System (4-Channel)	0/0	0
AIR DRYER {Bendix AD-9} with Heater	23/4	27
<u>Includes</u>		
: AIR DRYER LOCATION Inside Left Rail, Back of Cab		
BRAKE CHAMBERS, REAR AXLE {Bendix EverSure} 30/30 Spring Brake	0/0	0

<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
BRAKE CHAMBERS, FRONT AXLE {Bendix} 24 Sqli	0/0	0
SLACK ADJUSTERS, FRONT {Haldex} Automatic	6/0	6
SLACK ADJUSTERS, REAR {Haldex} Automatic	0/0	0
BRAKES, REAR, AIR CAM S-Cam; 16.5" x 7.0"; Includes 30/30 Sq.In. Long Stroke Brake Chamber and Spring Actuated Parking Brake	0/0	0
<u>Notes</u> : The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires.		
AIR COMPRESSOR {Bendix BA-921 Head Unload} 15.9 CFM Capacity, Single Cylinder	0/0	0
BRAKE CHAMBERS, SPRING on Rear/Rear Axle Located Inside Rear Tire Envelope (Meets Asphalt Spreader/Paver Clearance Requirements)	0/0	0
DRAIN VALVE (3) with Pull Chains for Air Tanks	3/0	3
STEERING COLUMN Tilting and Telescoping	10/0	10
STEERING WHEEL 2-Spoke, 18" Dia., Black	0/0	0
STEERING GEAR {Sheppard M100} Power	0/0	0
EXHAUST SYSTEM Switchback Horizontal Aftertreatment Device, Frame Mounted Right Side Under Cab; Includes Single Vertical Tail Pipe, Frame Mounted Right Side Back of Cab	29/-3	26
<u>Includes</u> : EXHAUST HEIGHT 10' Exhaust Height - Based on Empty Chassis with Standard Components (+ or - 1" Height)		
ENGINE COMPRESSION BRAKE by Jacobs; for N13/A26 Engines, with Selector Switch and On/Off Switch	0/0	0
TAIL PIPE (1) Turnback Type, Non-Bright, for Single Exhaust	0/0	0
EXHAUST HEIGHT 10' 11"	2/0	2
ELECTRICAL SYSTEM 12-Volt, Standard Equipment	0/0	0
<u>Includes</u> : DATA LINK CONNECTOR For Vehicle Programming and Diagnostics In Cab : HAZARD SWITCH Push On/Push Off, Located on Top of Steering Column Cover : HEADLIGHT DIMMER SWITCH Integral with Turn Signal Lever : HEADLIGHTS (2) Halogen, Round, with Chrome Plated Bezels : JUMP START STUD Located on Positive Terminal of Outermost Battery : PARKING LIGHT Integral with Front Turn Signal and Rear Tail Light : STARTER SWITCH Electric, Key Operated : STOP, TURN, TAIL & B/U LIGHTS Dual, Rear, Combination with Reflector : TURN SIGNAL SWITCH Self-Cancelling for Trucks, Manual Cancelling for Tractors, with Lane Change Feature : WINDSHIELD WIPER SWITCH 2-Speed with Wash and Intermittent Feature (5 Pre-Set Delays), Integral with Turn Signal Lever : WINDSHIELD WIPERS Single Motor, Electric, Cowl Mounted : WIRING, CHASSIS Color Coded and Continuously Numbered		
CIGAR LIGHTER Includes Ash Cup	1/0	1
FOG LIGHTS Prewire; Includes Auxiliary Switch and Wiring to Front Bumper, for Driving Lights or Fog Lights Mounted by Customer	1/0	1
POWER SOURCE Cigar Type Receptacle without Plug and Cord	1/0	1

<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
ALTERNATOR {Leece-Neville AVI160P2013} Brush Type; 12 Volt 160 Amp. Capacity, Pad Mount	0/0	0
BODY BUILDER WIRING Rear of Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/ Accessory Power/Ground and Sealed Connector for Stop/Turn	0/3	3
BATTERY SYSTEM {International} Maintenance-Free, (3) 12-Volt 1950CCA Total	0/0	0
CB ANTENNA (2) {Pana-Pacific} Full Wave; 4.0' Length Includes "International" Name on Top	3/0	3
CB RADIO Accommodation Package; Header Mounted; Feeds From Accessory Side of Ignition Switch; Includes Power Source and Two Antenna Bases with Wiring	2/0	2
<u>Notes</u> : NOT INCLUDED: Antenna		
RADIO AM/FM/WB/Clock/Bluetooth/USB Input/3MM Auxiliary Input, MP3, Apple Device Play & Control, Bluetooth for Phone & Music, with Multiple Speakers	1/0	1
BACK-UP ALARM Electric, 102 dBA	0/3	3
TURN SIGNAL SWITCH with Hazard Flasher Overrides Brake, To be Done with Programming System Controller	1/0	1
TRAILER CONNECTION SOCKET 7-Way; Mounted at Rear of Frame, Wired for Turn Signals Independent of Stop, Compatible with Trailers That Have Amber or Side Turn Lamps	0/7	7
SWITCH, AUXILIARY Accessory Control; for Wiring in Roof, with Maximum of 20 amp Load with Switches In Instrument Panel	1/0	1
HORN, ELECTRIC Disc Style	2/0	2
BATTERY BOX Steel with Plastic Cover, 18" Wide, 2, 3, or 4 Battery Capacity, Mounted Left Side Back of Cab	0/0	0
BEACON MOUNTING BRACKET Cab Provision Includes Roof Fairing Extender Brackets for Use with Customer Lighting	0/0	0
HORN, AIR Black, Single Trumpet, Air Solenoid Operated	0/0	0
WINDSHIELD WIPER SPD CONTROL Force Wipers to Slowest Intermittent Speed When Park Brake Set and Wipers Left on for a Predetermined Time	0/0	0
SOLENOID, AIR for Customer Use; Provides (6) Normally Open Pilot Air Source, Approx. 4 CFM; Includes Latched Switch in Cab; Air Exhausted Only with Key in "Ignition" or "Accessory" position; Air Will be Supplied with Key in "Off" Position	4/0	4
<u>Notes</u> : To Be Used as a Pilot Air and NOT as an Air Supply.		
CLEARANCE/MARKER LIGHTS (5) {Truck Lite} Amber LED Lights, Flush Mounted on Cab or Sunshade	0/0	0
TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights	0/0	0
HEADLIGHTS ON W/WIPERS Headlights Will Automatically Turn on if Windshield Wipers are turned on	0/0	0
COURTESY LIGHT (2) Mounted In Front Map Pocket Left and Right Side	1/0	1
<u>Notes</u> : Feature included with CAB INTERIOR TRIM, Premium		
ALARM, PARKING BRAKE Electric Horn Sounds in Repetitive Manner When Vehicle Park Brake is "NOT" Set, with Ignition "OFF" and any Door Opened	0/0	0
STARTING MOTOR {Mitsubishi Electric Automotive America 105P} 12-Volt, with Soft-Start	0/0	0
CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III with Trip Indicators, Replaces All Fuses	0/0	0

**INTERNATIONAL®****Vehicle Specifications**  
**2018 7600 SBA 6X4 2010 (SF667)****October 23, 2017**

<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
TURN SIGNALS, FRONT Includes LED Side Turn Lights Mounted on Fender	0/0	0
FENDER EXTENSIONS Rubber	0/0	0
GRILLE Chrome	-5/0	-5
INSULATION, SPLASH PANELS for Sound Abatement	3/0	3
BUG SCREEN Mounted Behind Grille	5/0	5
FRONT END Tilting, Fiberglass, with Three Piece Construction Includes Long Hood, Sloped Front	24/0	24
PAINT SCHEMATIC, PT-1 Single Color, Design 100	0/0	0
<u>Includes</u>		
: PAINT SCHEMATIC ID LETTERS "GS"		
PAINT TYPE Base Coat/Clear Coat, 1-2 Tone	0/0	0
OVER THE AIR PROGRAMMING for Navistar or International Engines	0/0	0
LABEL, DEF "DEF ONLY"	0/0	0
VEHICLE REGISTRATION IDENTITY ID for the State of California	0/0	0
SAFETY TRIANGLES	0/62	62
PROMOTIONAL PACKAGE Government and Municipal Silver Package; Two Year Limited Subscription of On-Command Service Information (Formerly Fleet ISIS), and On-Command Parts Information (Formerly Fleet Parts Catalog), Requires Specific Feature Combinations	0/0	0
CLUTCH Omit Item (Clutch & Control)	-133/-23	-156
ANTI-FREEZE Red, Extended Life Coolant; To -40 Degrees F/ -40 Degrees C, Freeze Protection, for N13 Engines	0/0	0
BLOCK HEATER, ENGINE {Phillips} 120V/1500W	2/0	2
<u>Includes</u>		
: BLOCK HEATER SOCKET Receptacle Type; Mounted below Drivers Door		
ENGINE, DIESEL {Navistar N13} EPA 2010, SCR, 430HP @ 1700 RPM, 1550 lb-ft Torque @ 1000 RPM, 2100 RPM Governed Speed, 430 Peak HP (Max)	0/0	0
FAN DRIVE {Horton Drivemaster} Direct Drive Type, Two Speed with Residual Torque Device for Disengaged Fan Speed	3/0	3
<u>Includes</u>		
: FAN Nylon		
FEDERAL EMISSIONS {Navistar N13} EPA, OBD and GHG Certified for Calendar Year 2017	0/0	0
AIR CLEANER Single Element	0/0	0
<u>Includes</u>		
: AIR CLEANER with Vacuator		
: GAUGE, AIR CLEANER RESTRICTION Air Cleaner Mounted		
ENGINE CONTROL, REMOTE MOUNTED for PTO with N13/A26 Engines	0/0	0
COLD STARTING EQUIPMENT Automatic; with Engine ECM Control	0/0	0
FAN DRIVE SPECIAL EFFECTS Fan Cooling Ring with Fan Shroud Effects, Engine Mounted	0/0	0
EMISSION COMPLIANCE Low NOx Idle Engine, Complies with California Clean Air Regulations; Includes "Certified Clean Idle" Decal located on Driver Door	0/0	0



**INTERNATIONAL®**

**Vehicle Specifications  
2018 7600 SBA 6X4 2010 (SF667)**

**October 23, 2017**

<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
RADIATOR Aluminum; Welded, Front to Back Down Flow System, 1429 SqIn, 740 SqIn CAC, 1099 SqIn 3 Core LTR	0/0	0
TRANSMISSION, AUTOMATIC {Allison 4000 RDS} 5th Generation Controls, Close Ratio, 5-Speed with Overdrive, with PTO Provision, Less Retarder, Includes Oil Level Sensor, On/Off Highway	212/83	295
OIL COOLER, AUTO TRANSMISSION {Modine} Water to Oil Type	25/0	25
TRANSMISSION SHIFT CONTROL {Allison} Push-Button Type; for Allison 3000 & 4000 Series Transmission	0/0	0
TRANSMISSION OIL Synthetic; 63 thru 76 Pints	0/0	0
ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS); General Purpose Trucks, Construction	0/0	0
SHIFT CONTROL PARAMETERS Allison 3000 or 4000 Series Transmissions, 5th Generation Controls, Performance Programming	0/0	0
PTO CONTROL, DASH MOUNTED For Customer Provided PTO; Includes Switch, Electric/Air Solenoid, Piping and Wiring	3/0	3
PTO LOCATION Left Side of Transmission	0/0	0
AXLE, REAR, TANDEM {Meritor MT-40-14X-4DER} Single Reduction, 40,000-lb Capacity, 0.433"(11mm) Wall Housing Thickness, Driver Controlled Locking Differential in Rear-Rear Axle, R Wheel Ends . Gear Ratio: 4.33	0/141	141
<u>Includes</u>		
: POWER DIVIDER LOCK Electric over Air Operated, Cab Control with Indicator Light		
: REAR AXLE DRAIN PLUG (2) Magnetic, For Tandem Rear Axle		
<u>Notes</u>		
: The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires.		
SUSPENSION, REAR, TANDEM {Hendrickson HMX-400-52} Walking Beam Type 52" Axle Spacing; 40,000-lb Capacity, with Rubber End Bushings, Transverse Torque Rods, Less Shock Absorbers	0/0	0
<u>Includes</u>		
: CROSSMEMBER, SUSPENSION Stamped Steel Double Dogbone		
<u>Notes</u>		
: The following features should be considered when calculating Rear GAWR: Rear Axles; Rear Suspension; Brake System; Brakes, Rear Air Cam; Brake Shoes, Rear; Special Rating, GAWR; Wheels; Tires.		
DEF TANK 9.5 U.S. Gal. 35.9L Capacity, Frame Mounted Outside Left Rail, Under Cab	0/0	0
FUEL/WATER SEPARATOR {Racor} Fuel Pre-Filter and Filter Base, Includes Water-In-Fuel Sensor	0/0	0
FUEL TANK Top Draw, Non-Polished Aluminum, D-Style, 19" Tank Depth, 70 US Gal (265L), with Quick Connect Outlet, Mounted Left Side, Under Cab	10/3	13
CAB Conventional	0/0	0
<u>Includes</u>		
: ARM REST (2) Molded Plastic; One Each Door		
: COAT HOOK, CAB Located on Rear Wall, Centered Above Rear Window		
: CUP HOLDERS Two Cup Holders, Located in Lower Center of Instrument Panel		
: DOME LIGHT, CAB Rectangular, Door Activated and Push On-Off at Light Lens, Timed Theater Dimming, Integral to Console, Center Mounted		
: GLASS, ALL WINDOWS Tinted		
: GRAB HANDLE, CAB INTERIOR (1) "A" Pillar Mounted, Passenger Side		
: GRAB HANDLE, CAB INTERIOR (2) Front of "B" Pillar Mounted, One Each Side		
: INTERIOR SHEET METAL Upper Door (Above Window Ledge) Painted Exterior Color		
: STEP (4) Two Steps Per Door		



**INTERNATIONAL®****Vehicle Specifications  
2018 7600 SBA 6X4 2010 (SF667)**

October 23, 2017

<u>Description</u>	<u>F/R Wt</u> (lbs)	<u>Tot Wt</u> (lbs)
GAUGE CLUSTER English with English Electronic Speedometer	0/0	0
<u>Includes</u>		
: GAUGE CLUSTER (6) Engine Oil Pressure (Electronic), Water Temperature (Electronic), Fuel (Electronic), Tachometer (Electronic), Voltmeter, Washer Fluid Level		
: ODOMETER DISPLAY, Miles, Trip Miles, Engine Hours, Trip Hours, Fault Code Readout		
: WARNING SYSTEM Low Fuel, Low Oil Pressure, High Engine Coolant Temp, and Low Battery Voltage (Visual and Audible)		
GAUGE, OIL TEMP, AUTO TRANS for Allison Transmission	1/0	1
IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster	0/0	0
GAUGE, DEF FLUID LEVEL	0/0	0
SEAT, DRIVER {National 2000} Air Suspension, High Back with Integral Headrest, Cloth, Isolator, 1 Chamber Lumbar, 2 Position Front Cushion Adjust, -3 to +14 Degree Back Angle Adjust	0/0	0
<u>Includes</u>		
: SEAT BELT 3-Point, Lap and Shoulder Belt Type		
SEAT, PASSENGER {National} Air-Suspension, High Back with Integral Headrest, Cloth, Isolated, 1 Chamber Lumbar, 2 Position Front Cushion Adjustment, -3 to +14 Degree Seat Back Adjustment	57/22	79
MIRRORS (2) {Lang Mekra} Rectangular, Thermostatically Controlled Heated Heads, Black Heads, Brackets and Arms, Breakaway Type, 7.55" x 14.1" Integral Convex Both Sides, 102" Inside Spacing	-3/0	-3
ARM REST, RIGHT, DRIVER SEAT	3/0	3
AIR CONDITIONER {Blend-Air} with Integral Heater & Defroster	48/6	54
<u>Includes</u>		
: HEATER HOSES Premium		
: HOSE CLAMPS, HEATER HOSE Mubea Constant Tension Clamps		
: REFRIGERANT Hydrofluorocarbon HFC-134A		
INSTRUMENT PANEL Center Section, Flat Panel	0/0	0
HVAC FRESH AIR FILTER	0/0	0
STORAGE POCKET, DOOR Molded Plastic, Full Width; Mounted on Passenger Door	0/0	0
FRESH AIR FILTER Attached to Air Intake Cover on Cowl Tray in Front of Windshield Under Hood	1/0	1
CAB INTERIOR TRIM Deluxe	0/0	0
<u>Includes</u>		
: CAB INTERIOR TRIM PANELS Cloth Covered Molded Plastic, Full Height; All Exposed Interior Sheet Metal is Covered Except for the Following: with a Two-Man Passenger Seat or with a Full Bench Seat the Back Panel is Completely Void of Covering		
: CAB, INTERIOR TRIM, CLOSEOUT Lower Dash Closeout Panel; Molded Plastic; Under Instrument Panel Driver Side		
: CONSOLE, OVERHEAD Molded Plastic; With Dual Storage Pockets with Retainer Nets and CB Radio Pocket		
: DOOR TRIM PANELS Molded Plastic; Driver and Passenger Doors		
: FLOOR COVERING Rubber, Black		
: HEADLINER Soft Padded Cloth		
: INSTRUMENT PANEL TRIM Molded Plastic with Black Center Section		
: STORAGE POCKET, DOOR (1) Molded Plastic, Full-Length; Driver Door		
: SUN VISOR (2) Padded Vinyl with Driver Side Toll Ticket Strap, Integral to Console		
CAB REAR SUSPENSION Air Bag Type	0/0	0
WHEELS, FRONT {Accuride 29039} DISC; 22.5x9.00 Rims, Powder Coat Steel, 5-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with Steel Hubs, Non-Standard Offset, with .5" Thick Disc	0/0	0

**INTERNATIONAL®**

**Vehicle Specifications**  
**2018 7600 SBA 6X4 2010 (SF667)**

**October 23, 2017**

**Description**

	<b>F/R Wt</b>	<b>Tot Wt</b>
	(lbs)	(lbs)
WHEELS, REAR {Accuride 28828} DUAL DISC; 22.5x8.25 Rims, Powder Coat Steel, 2-Hand Hole, 10-Stud, 285.75mm BC, Hub-Piloted, Flanged Nut, with .472" Thick Increased Capacity Disc and with Steel Hubs	0/0	0
WHEEL BEARING, FRONT, LUBE {EmGard FE-75W-90} Synthetic Oil	0/0	0
BDY INTG, REMOTE POWER MODULE Mounted Under Cab or On Battery Box; Up to 6 Outputs & 6 Inputs, Max. 20 amp. per Channel, Max. 80 amp. Total (Includes 1 Switch Pack with Latched Switches)	4/0	4
BDY INTG, INDICATOR LIGHTS (2) 1 for Body Up, 1 for Gate Open, Includes Audible Alarm, Programmable Mode for Various Switch Actions. (Requires 2 Remote Power Module Inputs)	0/0	0
(8) TIRE, REAR 11R22.5 Load Range G HSR2 (CONTINENTAL), 498 rev/mile, 75 MPH, All-Position	0/0	0
(2) TIRE, FRONT 315/80R22.5 Load Range L HSC1 (CONTINENTAL), 484 rev/mile, 68 MPH, All-Position	82/0	82

**Services Section:**

WARRANTY Standard for Paystar 5000, and Workstar 7500/7600, Effective with Vehicles Built January 2, 2015 or Later, CTS-2003Z	0/0	0
SRV CONT, EXT AFTERTREATMENT {Navistar} To 84-Month/150,000 Miles (240,000 km), 5,400 Hours; Afterservice Coverage for MaxxForce 10, Navistar N10 and Navistar N13 Engines	0/0	0
SRV CONTRACT, EXT ENGINE {Navistar} To 84-Month/150,000 Miles (240,000 km), 5,400 Hours; Includes Engine, Engine Electronics, Turbocharger, Water Pump and Fuel Injectors, for Navistar N13 Engines	0/0	0

**Total Component Weight:**

**9469/7014 16483**

Enoven 15' elliptical dump body	0/0	0
---------------------------------	-----	---

**Total Body Allied:**

**0/0 0**

Dealer PAK	0/0	0
------------	-----	---

**Total Goods Purchased:**

**0/0 0**

The weight calculations included in this proposal are an estimate of future vehicle weight. The actual weight as manufactured may be different from the estimated weight. Navistar, Inc. shall not be liable for any consequences resulting from any differences between the estimated weight of a vehicle and the actual weight.

**INTERNATIONAL®**

**Financial Summary**  
**2018 7600 SBA 6X4 2010 (SF667)**

October 23, 2017

<u>Description</u>	<u>(US DOLLAR)</u>	<u>Price</u>
Factory List Prices:		
Product Items	\$97,744.88	
Service Items	\$6,400.00	
Total Factory List Price Including Options:		\$104,144.88
Total Goods Purchased:		\$1,500.00
Freight	\$2,200.00	
Total Freight:		\$2,200.00
Total Factory List Price Including Freight:		\$107,844.88
Total Vehicle Price:		\$107,844.88
Total Body/Allied Equipment:		\$33,770.00
Total Sale Price:		\$141,614.88
Total Per Vehicle Sales Price:		\$141,614.88
Total Net Sales Excluding Taxes:		\$141,614.88
Doc fees	\$100.00	
CA tire tax @ \$1.75 per tire	\$17.50	
CA sales tax @ 8.75%	\$12,522.55	
Total Taxes:		\$12,640.05
Net Sales Price:		\$154,254.93

Please feel free to contact me regarding these specifications should your interests or needs change. I am confident you will be pleased with the quality and service of an International vehicle.

**Approved by Seller:**

**Accepted by Purchaser:**

\_\_\_\_\_  
**Official Title and Date**

\_\_\_\_\_  
**Firm or Business Name**

\_\_\_\_\_  
**Authorized Signature**

\_\_\_\_\_  
**Authorized Signature and Date**

**This proposal is not binding upon the seller without Seller's Authorized Signature**

\_\_\_\_\_  
**Official Title and Date**

**The TOPS FET calculation is an estimate for reference purposes only. The seller or retailer is responsible for calculating and reporting/paying appropriate FET to the IRS.**



# Enoven Truck Body & Equipment

2904 Duluth St  
West Sacramento, CA 95691  
916-372-9692

## Quote #: 73039

Date: 9/20/2017  
CustID: 32905

Thank you for the opportunity to quote your business, please call if you have any questions.

City of Lakeport  
Corporation Yard  
591 Martin Street  
Lakeport, CA 95453

City of Lakeport  
Corporation Yard  
591 Martin Street  
Lakeport, CA 95453

Attn:

Qty>=	Description	Unit Price	Ext Price
1	<p><b>Dump Body: 15', Williamsen-Godwin WG15-4250HD-HL</b></p> <p>(REQUIRES 132" C/T)</p> <ul style="list-style-type: none"> <li>- 13.9 to 16.5 cu.yd.</li> <li>- 15' Long X 86" ID</li> <li>- Floor: 1/4" AR450 with radius to sides, 8" I-Beam Long Sills</li> <li>- Sides: 42", 10ga Hi-Tensile Steel outer wall with 1/4" AR450 Inner Wall with 6" sloping boxed top rail, (2) horizontal side braces, and cheater board holders               <ul style="list-style-type: none"> <li>- (4) 1" D-Rings welded to outside face of lower rail for securement of water tank</li> <li>- Tarp hooks on both side of body</li> <li>- Wood cheater board installed</li> </ul> </li> <li>- Tailgate: 50", 10ga Hi-Tensile Steel Outer Panel with 1/4" AR450 Inner Panel, (2) horizontal braces, air release and air high lift from OEM dash switches, (1) patch gate</li> <li>- Headboard: 62", 3/16" AR450 with 20" 10ga cab shield               <ul style="list-style-type: none"> <li>- (1) shovel and (1) broom holder mounted to front of headboard</li> </ul> </li> <li>- 7ga X 8" Bolt On Spreader Apron</li> <li>- Three rung pull out ladder at front driver side corner with two rung fixed ladder on side of body</li> <li>- Front Mounted, Inverted Lift, Trunnion mount Telescopic Cylinder giving 45.1 tons at 50 degree dump angle</li> <li>- Hotshift PTO with direct mount dump pump with internal relief valve</li> <li>- 30gal steel hydraulic reservoir with internal return line filter and 1/4 turn valves mounted to driver side frame rail</li> <li>- Cable control console mounted in cab between seats</li> <li>- 6" Oval LED S/T/T lamps and B/U in rear posts</li> <li>- 2.5" LED Clearance Lamps in rear posts</li> <li>- 2.5" LED Marker Lamps</li> <li>- ID Lamps mounted above hitch plate</li> </ul>	\$29,638.00	\$29,638.00

ATTACHMENT 1

Qty>=	Description	Unit Price	Ext Price
1	<ul style="list-style-type: none"> <li>- OEM S/T/T/BU Lamps and license plate lamp mounted at end of frame</li> <li>- "PETERSON" mudflaps aft of tires</li> <li>- Plastic splash guards in front of tires</li> <li>- Body up lamp, body prop, back up alarm</li> <li>- Painted WHITE</li> <li>- Installed and Certified</li> </ul> <p><b>Accessories: 5/8" Buck Plate with Hitch</b></p> <ul style="list-style-type: none"> <li>- 45ton Pintle Hitch (Hitch Height TBD)</li> <li>- (2) 5/8" D-Rings</li> <li>- 7-way Round Pin Socket</li> <li>- Glad Hands (provided with truck)</li> <li>- Painted Black</li> </ul>	\$1,289.00	\$1,289.00
1	<p><b>Accessories: Manual Pulltarp</b></p> <ul style="list-style-type: none"> <li>- Super Shield assembly mounted to top of headboard</li> <li>- Ashphalt Vinyl Tarp with Grommets and Side Flaps</li> </ul>	\$1,680.00	\$1,680.00
1	<p><b>Accessories: Toolbox, 48"</b></p> <ul style="list-style-type: none"> <li>- 48" X 18" X 18" Pro-Tech steel toolbox mounted to frame rail, passenger side</li> <li>- Powdercoated Black</li> </ul>	\$555.00	\$555.00
1	<p><b>Accessories: Strobe Lamp</b></p> <ul style="list-style-type: none"> <li>- Whelen L31 Beacon Lamp mounted to top of cab protector and wired to dash switch</li> </ul>	\$608.00	\$608.00
		<b>TOTAL</b>	<b>\$33,770.00</b>

All prices are FOB unless stated otherwise. This quotation is good for 30 days, subject to our inspection and/or rejection of any materials that might be received by us for processing and subject to change or withdrawal without notice. Materials or parts to be plated must be of plating quality. Acceptance of this quotation is confirmed by issue and acceptance of a purchase order and/or receipt and processing of the parts with reference to this quotation. This quotation was made expressly upon your request and is confidential and non transferable. We will exercise the utmost care while processing your parts or order but limit our liability to the quoted price.

**Terms of Sale:**

Net15

**Enoven Truck Body & Equipment**

Authorized by: senochian

Date: 9/20/2017



## NJPA VENDOR CONTRACT SUMMARY – Navistar

<b>DATE</b> November 15, 2016	<b>RFP #</b> 081716
<b>AWARDED CONTRACT NUMBER</b> <b>081716-NVS</b>	<b>NJPA RFP TITLE &amp; CATEGORY</b> CLASS 6, 7, AND 8 CHASSIS WITH RELATED EQUIPMENT, ACCESSORIES, AND SERVICES
<b>CONTRACT PERIOD</b> November 15, 2016 – November 15, 2020	<b>PRICING MODEL</b> Percent Discount Off List: 31%-47%
<b>DESCRIPTION</b> Class 6-8 Chassis	
<b>VENDOR NAME AND ADDRESS</b> Navistar 2701 Navistar Drive Lisle, IL 60532 <a href="http://www.navistar.com">www.navistar.com</a>	<b>VENDOR CONTACT</b> Martin White 331-332-2370 <a href="mailto:martin.white@navistar.com">martin.white@navistar.com</a>

<b>NJPA CONTRACTS CONSIST OF THE FOLLOWING DOCUMENTS</b> "Contract" as used herein shall mean this RFP, pricing, and fully executed forms P, C, D and E ("Acceptance and Award") with final terms and conditions. <a href="#">Request for Proposal (RFP)</a> <a href="#">Contract Acceptance &amp; Award</a> Pricing and Forms P and C - Available upon request from the NJPA Contract Manager	<b>RELATED CONTRACT DOCUMENTATION</b> <a href="#">Affidavit of Advertisement</a> <a href="#">Proposal Opening Witness Page</a> <a href="#">Proposal Evaluation</a>
--	---

## NJPA INFORMATION

<b>NJPA CONTACT</b> Andy Campbell	<b>TITLE</b> NJPA Contract Administrator
<b>PHONE</b> 218-895-4145	<b>EMAIL</b> <a href="mailto:Andy.campbell@njpacoop.org">Andy.campbell@njpacoop.org</a>
<b>ADDRESS</b> 202 12th Street NE, P.O. Box 219, Staples, MN 56479	<b>WEBSITE</b> <a href="http://www.njpacoop.org">www.njpacoop.org</a>

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Contract Purchasing Department







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- ☑ Reduced vendor protests
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- ☑ NJPA is a government entity
- ☑ NJPA staff are public employees
- ☑ Function as our own lead agency
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  - 500+ construction related contracts

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Contract #081716-NVS

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# CITY OF LAKEPORT

- City Council
- City of Lakeport Municipal Sewer District
- Lakeport Redevelopment Successor Agency
- Lakeport Industrial Development Agency
- Municipal Financing Agency of Lakeport

<b>STAFF REPORT</b>	
<b>RE:</b> Police Vehicle purchase	<b>MEETING DATE:</b> 11/21/2017
<b>SUBMITTED BY:</b> Brad Rasmussen, Chief of Police	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

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

The City Council is being asked to authorize the City Manager to sign a purchase order, and supporting contract documents, for the procurement of two, 2018 fully outfitted Dodge Charger Police Vehicles for the Police Department.

**BACKGROUND/DISCUSSION:** During the 2017/2018 budget process funds were appropriated in the amount of \$115,000.00 for the purchase of one new 2018 Chevy Tahoe fully equipped SUV (with supplemental USDA funds) and two 2018 fully equipped Dodge Chargers to replace aging or damaged vehicles. The specifications for these vehicles and equipment were provided to dealerships in accordance with the bid process. The City received three bids meeting our specifications for vehicles.

Matt Mazzei Chevrolet	\$31,424.09
Elk Grove Auto Group	\$29,492.88
Thurston Auto	\$27,142.92

The City received two bids meeting our specifications for equipment upgrades. The third bidder declined to bid.

Precision Wireless Service	\$11,819.52
LEHR	\$11,713.12

Watch Guard is a sole source provider for Mobile Audio Video (MAV) units which are required for each police vehicle. The majority of the current police vehicle fleet is already equipped with Watch Guard MAV units that are compatible with the new units. The total cost for each unit is **\$6,281.82**.

New vehicle graphics are also required for each police vehicle. The cost for each vehicle is estimated at **\$291.00**.

The total cost for each police vehicle is estimated at **\$45,535.26**.

Per City of Lakeport Purchasing Policy 3.04.060 bidders that are within the City limits are subject to local preference and are entitled to have their bid tabulated as if it were 10% lower than the figure actually set forth in the bid proposal. Both Matt Mazzei and Precision Wireless are local businesses who have chosen to request this local preference under subsection (D) of the aforementioned policy.

**OPTIONS:**

Take no action

Return to staff for further investigation

Award bids to lowest bidder, after calculating 10 percent local preference, and authorize the City Manager to sign purchase order documents, or 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     Water OM Fund     Sewer OM Fund     Other:

Comments:

**SUGGESTED MOTIONS:**

Move to authorize the City Manager to sign a purchase order and supporting documents for the procurement of two fully equipped 2018 Dodge Charger police vehicles for the Police Department, using lowest bidding vendors (Thurston Auto, Precision Wireless and sole source MAV vendor Watch Guard).

**Attachments:**

1. RFP for vehicle and bids
2. RFP for equipment and bids
3. Quote for Watch Guard MAV units
4. Quote for Vehicle Graphics
5. Letter from Matt Mazzei
6. Letter from Precision Wireless

## 2018 Dodge Charger Pursuit Vehicle Specs

Exterior Color-Pitch Black

Fleet protection package (AWC)

### **Mechanical Features:**

3.6L Pentastar® V6 24V VVT Engine (ERB)

### **Exterior Features:**

Black left spot lamp (LNF)

LED spot lamps (LNX) (requires Black left spot lamp (LNF))

Matching right spot lamp (LNA) (requires Black left spot lamp (LNF))

Spare Tire Relocation Bracket (TBH)

### **Interior Features:**

Mirrors — Power, heated with manual foldaway (GUK)

Heavy-duty cloth bucket with vinyl rear (\*X5)

### **Keys:**

Entire Fleet-alike Key, (FREQ 2) (GXA) (not available with (GXE), (GXF) or (GXG))

### **Safety & Security:**

Fleet Safety Group (AWC)-Exterior mirrors w/heating element, Blind Spot Power Fol Pursuit mirrors, Blind Spot & Cross Path Detection, Park Sense Rear Park Assist System

Security Alarm (LSA)

### **Packages & Equipment Groups:**

Convenience Group 1 (AHM) — Includes power adjustable pedals (XAP), power driver and front-passenger seats (JPT), and power driver/passenger four-way lumbar adjuster (JRN)

ATTACHMENT 1 - VEHICLE SPECS

Fleet Park Assist Group (AMV) — Includes ParkSense Rear Park Assist(1) System (XAA) with ParkView® Rear Back-Up Camera(1) (XAC

Patrol Package Wiring Prep package (AYW) — Includes front and rear wire harness (XPW), Power Distribution Center (XWK).



### Retail Worksheet

Make Primary

Deal #

Deal Date

Deal Type

Financial Inst.

Program

Deal Status

Sales Price

MSRP

Discount

Selling Price

Aftermarkets

Doc Fee

VST Premium

ESC Premium

Maintenance

GAP Premium

LAH/JUI

Prior Lease Bal

License Fee

Dealer Fees

Total Fees

Total Taxes

Total Price

Trade Difference

Down Payment

Customer Cash

Deposit

Total Rebates

Total Trade Allow

Total Trade Payoff

Total Net Trade

Total Def Down

Total Down Payment

Payment

Term

Sell Rate

AOR

# Days 1st Payment

Payments Per Year

1st Payment Date

Prepaid Fin Charge

APR

Amount Financed

Finance Charge

Total of Payments

Total Sales Price

**Payment 27,142.92**

Vehicle

New  Used  Demo  Cert.

Stock #

Year

Make

Model

Style

Odometer

Buyer

Customer #

Last

First

Company

Reg State

County

**ATTACHMENT 1 - THURSTON QUOTE**

**THURSTON CHRYSLER DODGE JEEP RAM**  
**4 THURSTON WAY**  
**UKIAH, CA 954827300**

**Configuration Preview**

<b>Date Printed:</b>	2017-11-14 1:30 PM	<b>VIN:</b>	<b>Quantity:</b>	1
<b>Estimated Ship Date:</b>		<b>VON:</b>	<b>Status:</b>	BA - Pending order
			<b>FAN 1:</b>	00L2R County of Lake CA
			<b>FAN 2:</b>	
			<b>Client Code:</b>	
			<b>Bid Number:</b>	TB8054
<b>Sold to:</b>		<b>Ship to:</b>	<b>PO Number:</b>	
THURSTON CHRYSLER DODGE JEEP RAM (26987)		THURSTON CHRYSLER DODGE JEEP RAM (26987)		
4 THURSTON WAY		4 THURSTON WAY		
UKIAH, CA 954827300		UKIAH, CA 954827300		

**Vehicle: 2018 CHARGER POLICE RWD (LDDE48)**

	<b>Sales Code</b>	<b>Description</b>	<b>MSRP(USD)</b>
<b>Model:</b>	LDDE48	CHARGER POLICE RWD	32,020
<b>Package:</b>	27A	Customer Preferred Package 27A	0
	ERB	3.6L V6 24V VVT Engine	0
	DGJ	5-Speed Auto W5A580 Transmission	0
<b>Paint/Seat/Trim:</b>	PX8	Pitch Black Clear Coat	0
	APA	Monotone Paint	0
	*X5	HD Cloth Bucket Seats w/Vinyl Rear	120
	-X9	Black	0
<b>Options:</b>	LSA	Security Alarm	150
	LNK	LED Spot Lamps	300
	LNF	Black Left Spot Lamp	210
	4DH	Prepaid Holdback	0
	LNA	Matching Right Spot Lamp	210
	4ES	Delivery Allowance Credit	0
	GXA	Entire Fleet Alike Key (FREQ 2)	140
	MAF	Fleet Purchase Incentive	0
	CUG	Police Floor Console	465
	YEP	Manuf Statement of Origin	0
	AYE	Patrol Package Base Prep	2,000
	XKN	Flex Fuel Vehicle	0
	AHM	Convenience Group I	480
	TBH	Full Spare Tire Relocation Bracket	145
	AWC	Fleet Safety Group	595
	MDA	Front License Plate Bracket	0
	5N6	Easy Order	0
	4FM	Fleet Option Editor	0
	4FT	Fleet Sales Order	0
	171	Zone 71-Los Angeles	0
	4EA	Sold Vehicle	0
<b>Non Equipment:</b>	4FA	Special Bid-Ineligible For Incentive	0
<b>Bid Number:</b>	TB8054	Government Incentives	0
<b>Discounts:</b>	3B7	Officer Protection Package Discount	-595
	YGF	8 Additional Gallons of Gas	0
<b>Destination Fees:</b>			1,095

**Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.**

ATTACHMENT 1 - THURSTON QUOTE

Total Price: 37,335

Order Type: Fleet  
Scheduling Priority: 1-Sold Order  
Customer Name:  
Customer Address: USA  
Instructions:

PSP Month/Week:  
Build Priority: 99

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.

Prepared For:  
Michael Sobieraj  
Lakeport P.D.  
Phone: (707) 263-9656

Prepared By:  
Dwane Galatti  
Fleet Sales Officer  
Phone: (916) 429-4702

## 2018 Dodge Charger

LDDE48 Police RWD

STATE CONTRACT 1-15-23-14A C.H.P. LINE 1 F.O.B. SACRAMENTO

\$23,695.00  
4,345.00 Options (see attached)  
<250.00> Credit for Solid Paint  
<1,000.00> Ballistic Door Delete Credit

---

\$26,790.00  
2,344.13 9% Tax @ 8.75%  
8.75 TIRE FEE  
350.00 DELIVERY

---

\$29,492.88

ELK GROVE AUTO GROUP  
8575 LAGUNA GROVE DRIVE  
ELK GROVE, CA 95757



## STANDARD EQUIPMENT

### STANDARD EQUIPMENT - 2018 Fleet/Non-Retail LDDE48 Police RWD

#### ENTERTAINMENT

- Radio: Uconnect 4 w/7" Display
- Radio w/Seek-Scan, MP3 Player, Clock, Speed Compensated Volume Control, Aux Audio Input Jack, Steering Wheel Controls and Uconnect External Memory Control
- 6 Speakers
- Wireless Streaming
- Window Grid Antenna
- Uconnect w/Bluetooth Wireless Phone Connectivity
- 2 LCD Monitors In The Front

#### EXTERIOR

- Wheels: 18" x 7.5" Steel
- Tires: P225/60R18 BSW Performance
- Wheels w/Black Accents w/Chrome Hub Covers
- Goodyear Brand Tires
- Steel Spare Wheel
- Full-Size Spare Tire Mounted Inside Under Cargo
- Clearcoat Paint
- Body-Colored Front Bumper
- Body-Colored Rear Bumper
- Black Side Windows Trim
- Body-Colored Door Handles
- Power Side Mirrors w/Manual Folding
- Body Color Exterior Mirrors
- Fixed Rear Window w/Defroster
- Light Tinted Glass
- Speed Sensitive Variable Intermittent Wipers w/Heated Jets
- Galvanized Steel/Aluminum Panels
- Black Grille
- Trunk Rear Cargo Access
- Fully Automatic Projector Beam Halogen Daytime Running Headlamps w/Delay-Off
- Perimeter/Approach Lights
- LED Brakelights
- Laminated Glass
- High Speed Engine Controller

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 515.0, Data updated 10/31/2017  
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Customer File:

## STANDARD EQUIPMENT

### STANDARD EQUIPMENT - 2018 Fleet/Non-Retail LDDE48 Police RWD

#### INTERIOR

- Power 6-Way Driver Seat
- 8-Way Driver Seat -inc: Manual Recline
- 4-Way Passenger Seat -inc: Manual Recline and Fore/Aft Movement
- Front Facing Rear Seat
- Manual Tilt/Telescoping Steering Column
- Gauges -inc: Speedometer, Odometer, Oil Pressure, Engine Coolant Temp, Tachometer, Oil Temperature, Transmission Fluid Temp, Engine Hour Meter, Trip Odometer and Trip Computer
- Power Rear Windows
- Leather/Metal-Look Steering Wheel
- Front Cupholder
- Rear Cupholder
- Compass
- Proximity Key For Doors And Push Button Start
- Valet Function
- Power Fuel Flap Locking Type
- Remote Keyless Entry w/Integrated Key Transmitter, 4 Door Curb/Courtesy, Illuminated Entry and Panic Button
- Remote Releases -Inc: Power Cargo Access and Power Fuel
- Cruise Control w/Steering Wheel Controls
- Dual Zone Front Manual Air Conditioning
- HVAC -inc: Underseat Ducts
- Illuminated Locking Glove Box
- Driver Foot Rest
- Full Cloth Headliner
- Vinyl Door Trim Insert
- Interior Trim -inc: Chrome Interior Accents
- Urethane Gear Shift Knob
- Heavy Duty Cloth Bucket & Rear Bench Seats
- Day-Night Rearview Mirror
- Driver And Passenger Visor Vanity Mirrors w/Driver And Passenger Illumination, Driver And Passenger Auxiliary Mirror
- Partial Floor Console, Mini Overhead Console w/Storage and 1 12V DC Power Outlet
- Regular Dome Lighting
- Full Vinyl/Rubber Floor Covering
- Vinyl/Rubber Floor Trim
- Underhood And Cargo Space Lights
- FOB Controls -inc: Trunk/Hatch/Tailgate

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Customer File:

## STANDARD EQUIPMENT

### STANDARD EQUIPMENT - 2018 Fleet/Non-Retail LDDE48 Police RWD

- Instrument Panel Bin, Driver / Passenger And Rear Door Bins
- Power 1st Row Windows w/Driver And Passenger 1-Touch Up/Down
- Delayed Accessory Power
- Power Door Locks w/Autolock Feature
- Systems Monitor
- Redundant Digital Speedometer
- Trip Computer
- Outside Temp Gauge
- Digital/Analog Display
- Manual Anti-Whiplash Adjustable Front Head Restraints and Fixed Rear Head Restraints
- Sentry Key Engine Immobilizer
- Air Filtration
- 1 12V DC Power Outlet

#### MECHANICAL

- Engine: 3.6L V6 24V VVT
- Transmission: 5-Speed Automatic (W5A580)
- 50 State Emissions
- Transmission w/AUTOSTICK Sequential Shift Control
- Rear-Wheel Drive
- 2.62 Axle Ratio
- Engine Oil Cooler
- 220 Amp Alternator
- 800CCA Maintenance-Free Battery w/Run Down Protection
- Police/Fire
- 5250# Gvwr
- Gas-Pressurized Front Shock Absorbers and Air Rear Shock Absorbers
- Rear Auto-Leveling Suspension
- Front Anti-Roll Bar and Rear HD Anti-Roll Bar
- HD Suspension
- Electric Power-Assist Steering
- 18.5 Gal. Fuel Tank
- Dual Stainless Steel Exhaust
- Short And Long Arm Front Suspension w/Coil Springs
- Multi-Link Rear Suspension w/Coil Springs
- 4-Wheel Disc Brakes w/4-Wheel ABS, Front And Rear Vented Discs, Brake Assist and Hill Hold Control

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Customer File:

## **STANDARD EQUIPMENT**

### **STANDARD EQUIPMENT - 2018 Fleet/Non-Retail LDDE48 Police RWD**

#### *SAFETY*

- Electronic Stability Control (ESC) And Roll Stability Control (RSC)
- ABS And Driveline Traction Control
- Side Impact Beams
- Dual Stage Driver And Passenger Seat-Mounted Side Airbags
- Tire Specific Low Tire Pressure Warning
- Dual Stage Driver And Passenger Front Airbags
- Curtain 1st And 2nd Row Airbags
- Airbag Occupancy Sensor
- Rear Child Safety Locks
- Outboard Front Lap And Shoulder Safety Belts -inc: Rear Center 3 Point, Height Adjusters and Pretensioners
- ParkView Back-Up Camera

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Customer File:

**SELECTED MODEL & OPTIONS****SELECTED MODEL - 2018 Fleet/Non-Retail LDDE48 Police RWD**

<u>Code</u>	<u>Description</u>
LDDE48	2018 Dodge Charger Police RWD

**SELECTED VEHICLE COLORS - 2018 Fleet/Non-Retail LDDE48 Police RWD**

<u>Code</u>	<u>Description</u>
-	Interior: No color has been selected.
-	Exterior 1: No color has been selected.
-	Exterior 2: No color has been selected.

**SELECTED OPTIONS - 2018 Fleet/Non-Retail LDDE48 Police RWD****CATEGORY**

<u>Code</u>	<u>Description</u>	
<b>ENGINE</b>		
ERB	ENGINE: 3.6L V6 24V VVT (FFV) (Requires XKN)	
<b>TRANSMISSION</b>		
DGJ	TRANSMISSION: 5-SPEED AUTOMATIC (W5A580) (STD)	
<b>CPOS PKG</b>		
27A	QUICK ORDER PACKAGE 27A -inc: Engine: 3.6L V6 24V VVT, Transmission: 5-Speed Automatic (W5A580)	
<b>TIRES</b>		
TWW	TIRES: P225/60R18 BSW PERFORMANCE (STD)	
<b>PRIMARY PAINT</b>		
PX8	PITCH BLACK CLEARCOAT	
<b>PAINT SCHEME</b>		
—	STANDARD PAINT	
<b>SEAT TYPE</b>		
X5X9	BLACK, HEAVY DUTY CLOTH BUCKET SEATS W/VINYL REAR	\$120.00
<b>ADDITIONAL EQUIPMENT</b>		
AHM	CONVENIENCE GROUP I -inc: Power Driver/Passenger 4-Way Lumbar Adjust, Power Front Driver/Passenger Seats, Power Adjustable Pedals	\$480.00
AWC	FLEET SAFETY GROUP -inc: Exterior Mirrors w/Heating Element, Blind Spot Power Fold Pursuit Mirrors, Blind Spot & Cross Path Detection, ParkSense Rear Park Assist System *GROSS* (Requires Fleet Safety Group savings)	
AYE	PATROL PACKAGE BASE PREP -inc: Power Distribution Center, Front & Rear Wire Harness, Siren Speaker & Bracket, Trunk Tray & Cooling Fan <i>Include (AYW)</i>	\$2,000.00
GUK	POWER HEATED MIRRORS W/MAN F/AWAY -inc: Exterior Mirrors w/Heating Element	
MDA	FRONT LICENSE PLATE BRACKET	
LNK	LED SPOT LAMPS (Requires LNF)	\$300.00
LNF	BLACK LEFT SPOT LAMP	\$210.00

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Customer File:

**SELECTED MODEL & OPTIONS****SELECTED OPTIONS - 2018 Fleet/Non-Retail LDDE48 Police RWD****CATEGORY**

<u>Code</u>	<u>Description</u>	<u>MSRP</u>
ADDITIONAL EQUIPMENT		
LNA	MATCHING RIGHT SPOT LAMP (Requires LNF)	\$210.00
XKN	FLEX FUEL VEHICLE (Requires ERB)	
TBH	FULL SPARE TIRE RELOCATION BRACKET	\$145.00
GXA	ENTIRE FLEET ALIKE KEY (FREQ 2)	\$140.00
CKD	FLOOR CARPET -inc: Front & Rear Floor Mats	\$125.00
CUG	POLICE FLOOR CONSOLE	\$465.00
LSA	SECURITY ALARM	\$150.00

**OPTIONS TOTAL****\$4,345.00**

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Customer File:

BID FOR LAKEPORT POLICE DEPARTMENT

11/06/2017



RAM



LDDE48 2018 DODGE CHARGER POLICE

27A CUSTOMER PREFERRED PACKAGE

3.6L V6 ENGINE

OPTIONS :

X5/X9 HD CLOTH BUCKET SEATS W/VINYL REAR

AHM CONVENIENCE GROUP I

AWC FLEET SAFETY GROUP

AYE PATROL PACKAGE

GXA FLEET ALIKE KEY

LNA MATCHING RIGHT SPOT LAMP

LNF BLACK LEFT SPOT LAMP

LNX LED SPOT LAMPS

LSA SECURITY ALARM

MDA FRONT LICENSE PLATE BRACKET

TBH FULL SPARE TIRE RELOCATION

\$31424.09 INCLUDING TAX AND FEES

 11/6/17



ATTACHMENT 1 - MATT MAZZEI QUOTE

Buyer LAKEPORT POLICE DEPT-CHARGER

(Last; 1st - ?)

LuxTx N

LenderCd C ?=HLP Stock# CHARGER ?=HLP N/U/D/W N TaxState CA SlsTx 8.750 %

Price & Down Payment

Selling Price 28781.00  
 Trade Allowance .00  
 Less Payoff .00  
 Cash Deposit .00  
 Cash on Delivery 31424.09  
 Rebate Total .00  
 Deferred Pmt Total .00

Service Contract Total .00  
 Accessory Total .00  
 Fee Total 117.75

Insurance

GAP

Insur Co CD  
 CreditLife N (S/J/N)  
 Acc&Health N (Y/N)  
 GAP PROTECTION  
 Amount .00  
 Taxed N (Y/N)  
 GAP TaxRt 8.750 %

Finance Terms

Term of Loan 1 Interval 01 (?=Lst)  
 Rate/APR 0.000000 28781  
 DaysTo1st 1 SaleDate 11 / 6 / 2017  
 FirstPay 11 / 7 / 2017

Deal Recap

TotCash 31424.09 TotTax 2525.34  
 TotDown 31424.09 AmtFin .00  
 CASH

CA..PP:N OOS:N 95453

Lease

MSRP Amount .00  
 Residual Percent% .00  
 or Amount .00

PAYMENT AMOUNT IS	.00
Drive Off Amt Due	31424.09

Save Skip Gross Discl Jump Oth ScAccFeeRebPy



# Fleet Safety Group (AWC)

Image not available at this time. Please try again later.

## Details:

- Blind Spot,Pwr,Fold Pursuit Mrrs (GPB)
- Exterior Mirrors w/Heating Element (NHJ)
- ParkSense Rear Park Assist System (XAA)
- Blind Spot and Cross Path Detection (XAN)

# Convenience Group I (AHM)

Image not available at this time. Please try again later.

## Details:

- Pwr Driver/Pass 4-Way Lumbar Adjust (JRN) ✓
- Power Front Driver/Passenger Seats (JPT) ✓
- Power Adjustable Pedals (XAP) ✗

Package Details		Customer Preferred Package 27A	
Package Contents	FWP (USD)	MSRP (USD)	
3.6L V6 24V VVT Engine	0	0	
5-Speed Auto W5A580 Transmission	0	0	
Package Value Price	0	0	
<b>NET PACKAGE PRICE</b>	<b>0</b>	<b>0</b>	

ATTACHMENT 1 - MATT MAZZEI QUOTE

Standard Features - LBDE48-CHARGER POLICE RWD	
Code	Description
JKV	12V Center Console Power Outlet
JCC	160 MPH Primary Speedometer
NLQ	18.5 Gallon Fuel Tank
WEJ	18X7.5 Steel Wheels
DR2	195MM Rear Axle
DLL	2.62 Rear Axle Ratio
BAJ	220 Amp Alternator
ERB	3.6L V6 24V VVT Engine
DGJ	5-Speed Auto W5A580 Transmission
NAS	50 State Emissions
RCG	6 Speakers
RFJ	7.0" Touch Screen Display
BCF	800 Amp Maintenance Free Battery
GAP	Acoustic Front Door Glass
GAK	Acoustic Windshield
CBD	Active Head Restraints
CG3	Advanced Multistage Front Air Bags
HAD	Air Cond'ng w/Dual Zone Temp Cntrl
JMA	Air Filtering
BNP	All Speed Traction Control
X8N	Alumn Front Suspension Parts Module
LMG	Automatic Headlamps
DHD	AutoStick (R) Automatic Transmission
LMC	Bi-Function Halogen Projector H/Lamp
MFA	Black Headlamp Bezels
XSB	Black Interior Accents
CKJ	Black Vinyl Floor Covering
MNK	Body Color Door Handles
LEP	Body Color Exterior Mirrors
MRC	Bodycolor Lower Body/side Cladding
X8X	Brake & Knuckle Parts Module
BGE	Brake Assist
XSL	Brake/Park Interlock
WMMH	Bright Hub Caps
XJM	Capless Fuel Fill w/o Discriminator
CKM	Cargo Compartment Dress-Up
CG6	Center Rear 3-Point Seat Belt
MT1	Charger Badge
CF4	Child Seat Upper Tether Anchorages
LPA	CHMSL Lamp
CV8	Column Mount Automatic Shift Lever
JFA	Compass Gauge
DS8	Conventional Differential Rear Axle



ATTACHMENT 1 - MATT MAZZEI QUOTE

Standard Features - LDDE48-CHARGER POLICE RWD	
Code	Description
LAT	Custom Defined Color Display Monitor
X82	Door Parts Module
JJB	Dual Note Electric Horns
NER	Dual Rear Exhaust
SBL	Electric Power Steering
BNS	Electronic Roll Mitigation
BNB	Electronic Stability Control
XAX	Engine Hour Meter
XXW	Engine Mount Heat Shield
NHA	Engine Oil Cooler
CFW	Fixed Rear Seat
GBC	Front & Rear Solar Control Glass
LCK	Front Dome Lamp
X8W	Front Fascias Parts Module
CGD	Front Height Adjust Shoulder Belts
LAX	Front Passenger Seat Belt Alert
X89	Front Suspension Damper Parts Module
X84	Front Suspension Parts Module
TBW	Full Size Spare Tire
MCH	Gloss Black Fascia Applique
MAE	Gloss Blk Grille-Gloss Blk Xhairs
LBC	Glove Box Lamp
TZA	Goodyear Brand Tires
JLP	GPS Antenna Input
Z1A	GVW Rating - 5250#
*C8	HD Cloth Bucket & Rear Bench Seats
SDB	Heavy Duty Suspension
NZ5	High Speed Engine Controller
BNG	Hill Start Assist
BPT	Hydraulic Assist Brake Booster
JKK	Inside Emergency Trunk Lid Release
JAY	Instrument Cluster w/Tach
JAA	Instrument Panel
X81	Instrument Panel Parts Module
RTF	Integrated Center Stack Radio
XRB	Integrated Voice Command w/Bluetooth
RDL	Integrated Window Antenna
GX4	Keyless Go
SCV	Leather Wrapped Steering Wheel
LM5	LED Daytime Running Lamps
SER	Load Leveling and Height Control
CUM	Mini Floor Console
APA	Monotone Paint

ATTACHMENT 1 - MATT MAZZEI QUOTE

Standard Features - LDDE48-CHARGER POLICE RWD	
Code	Description
RG8	No Radio Amplifier
XA8	Non Adjustable Pedals
LAH	Outside Temp Display
TWW	P225/60R18 BSW Performance Tires
XAC	Park/View Rear Back-up Camera
CXN	Part Tracking
CSR	Passenger Assist Handles
BR9	Police ABS 4-Wheel Hd Disc Brakes
AHB	Police Group
JPS	Power 6-Way Driver Seat
JKY	Power Accessory Delay
GTF	Power Mirrors w/Manual Foldaway
X87	Power Train Parts Module
JPC	Power Trunklid Release
JP3	Pwr Front Windows, 1-Touch, Up & Down
BHC	Rain Brake Support
BHD	Ready Alert Braking
GXT	Rear Door Child Protection Locks
X8U	Rear Fascias Parts Module
X91	Rear Suspension Damper Parts Module
X85	Rear Suspension Parts Module
GNA	Rear View Day/Night Mirror
GFA	Rear Window Defroster
LHL	Remappable Steering Wheel Buttons
JKD	Remote Fuel Door Release
GXD	Remote Proximity Keyless Entry
RSX	Remote USB Port
AXR	Secure Park
GXX	Sentry Key Theft Deterrent System
XDK	Severe Duty Engine Cooling
GAM	Solar Control Glass
AHV	Special Service Group
NHM	Speed Control
JPH	Speed Sensitive Power Locks
LNQ	Spot Lamp Prep.
RDZ	Steering Wheel Mounted Audio Crls
GNC	Sun Visors w/Illum Vanity Mirrors
CJ2	Supp. Side Curtain Ft/Rr Air Bags
CJ1	Supplemental Ft Seat Side Air Bags
SUE	Tilt/Limited Telescope Steering Col
XBN	Tip Start
X88	Tire & Wheel Parts Module
XGM	Tire Pressure Monitoring Display

ATTACHMENT 1 - MATT MAZZEI QUOTE

Standard Features - LDDE48-CHARGER POLICE RWD	
Code	Description
LDC	Trunk Lamp
UAG	Uconnect 4 with 7" Display
LDA	Underhood Lamp
JHA	Var Intermittent Windshield Wipers
CKL	Vinyl Trunk Liner & Cover



## 2018 Dodge Charger Pursuit Build Specifications

### Equipment

Whelen Liberty II Light Bar-Red/Blue/TD/TA

Light Bar Strap Kit

Whelen Cencom Sapphire light/siren controller

Setina 450-L Led Push Bumper-2 lights R/B Split

Setina Total Transport System

“Officer Safety” Center Pull seatbelts

½ mesh ½ poly Front XL Partition

Vertical Steel Window bars

Setina replacement prisoner seat

Trunk Tray with optional 12V Cooling Fan and Steel Fan Guard and weapon mount

Exterior Mirror lights-Red/Blue

Straight, 25” Center console (Havis C-VS-2500 CHG-1)

Console Face Plates-Radio(Kenwood NX-700 provided), Cencom, Watchguard (provided)

Console Cup Holder

Console arm rest

Console Blanks (to fill)



ATTACHMENT 2 - EQUIPMENT SPECS

Front Passenger Door VHF Radio Microphone for Kenwood NX-700

Antenna's & Kits

Install Kenwood NX-700 (provided) with speaker and bracket

Whelen Siren Speaker

Siren/Speaker Bracket

Whelen Howler Siren with bracket

Corner Strobes-Taillight B/A Split

Corner Strobes-Taillight R/A Split

Havis Charge Guard Timer

Install Watchguard 4RE in car video system with integrated Vista body cam  
(provided)

Install current map light and flashlight charger onto new Console

Include Tax, misc parts and Labor

# Precision Wireless Service

## Vehicle Upfitting Division

791 Bevins Street  
 Lakeport, CA 95453  
 707-262-5815  
 www.precisionradio.com  
 www.facebook.com/pwslakeport  
 www.instagram.com/pwslakeportca



# Equipment Proposal

Date	Quote Number
11/2/2017	5019b

<b>Name</b>
<b>Lakeport Police Department</b> 2025 South Main St. Lakeport, CA 95453 <b>Sgt. Mike Sobieraj</b> 707-972-7429 <b>msobieraj@lakeportpolice.org</b>

<b>Ship To:</b>

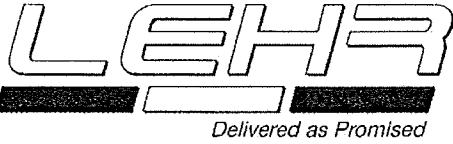
<b>P. O. Number</b>	<b>Terms</b>	<b>Due Date</b>
2017 Dodge Charger	Net 30	12/2/2017

ITEM	DESCRIPTION	QTY	COST	TOTAL
IW8RRBB	LIBERTY II - RED/BLUE/TD/TA	1	1750.00	1750.00
MKEZ82	LIGHTBAR STRAP KIT	1	74.00	74.00
CCSRNTA3	CENCOM SAPHIRE LIGHT/SIREN CONTROLLER	1	725.00	725.00
BK2005CGR15	PUSH BUMPER - 2 LIGHTS R/B SPLIT	1	600.00	600.00
PK1130CGR11	SETINA FRONT PARTITION - RECESSED	1	690.00	690.00
QK0494CGR11	SETINA REAR SEAT COVER	1	700.00	700.00
WK0513CGR11	SETINA WINDOW BARS - VERTICAL STEEL	1	180.00	180.00
DK0100CGR11	SETINA DOOR PANELS	1	221.00	221.00
GK10301S1UXL	SETINA DUAL GUN LOCK - KEYED DIFFERENTLY	1	395.00	395.00
MBDC11RB	MIRROR BEAMS RED & BLUE	1	318.00	318.00
C-VS-0812-CHGR-1	CENTER CONSOLE	1	380.00	380.00
SA315P	SIREN SPEAKER	1	300.00	300.00
SAK37	SPEAKER BRACKET - CHARGER	1	41.00	41.00
ELUC2S010M	CORNER STROBE - TAILLIGHT B/A SPLIT	1	120.00	120.00
ELUC2S010K	CORNER STROBE - TAILLIGHT R/A SPLIT	1	120.00	120.00
CG-X	HAVIS CHARGE GUARD TIMER	1	99.00	99.00
C-CUP2-I	CONSOLE CUP HOLDER	1	44.00	44.00
14.0553	ACC OUTLET	1	33.00	33.00
MISC BLANKS	CONSOLE BLANKS	4	Included	Included
MISC FACEPLATE	FACEPLATE - RADIO, CENCOM, SCANNER, WATCHGUARD	4	Included	Included
VHF ANT	VHF ANTENNA & KIT	2	40.00	80.00
C-MC	MIC CLIP	1	12.00	12.00
ACC DOOR MIC	ACC DOOR MIC	1	100.00	100.00
SP-35	ICOM SPEAKER (RADIO)	1	20.00	20.00
HWLDC15	HOWLER W/ BRACKET	1	486.00	486.00
ETFBSN-P	TAILLIGHT FLASHER MODULE	1	67.00	67.00
GK10261LT	SETINA SINGLE RAIL GUNLOCK - KEYED DIFFERENTLY	1	255.00	255.00
TK1189CGR11	SETINA TRUNK TRAY - CHARGER	1	302.00	302.00
AT7858	SETINA FAN KIT	1	98.00	98.00
IHK KIT	INSTALLATION HARDWARE	1	300.00	300.00
TECH SERVICE	TECHNICIAN LABOR (INCLUDES INSTALLATION WATCHGUARD CAMERA SYSTEM)	1	2500.00	2500.00
FREIGHT	FREIGHT/SHIPPING	1	150.00	150.00

Information herein is proprietary and confidential and cannot be shared outside of your company without written consent from owners of Precision Wireless Service.

<b>Subtotal</b>	\$ 11,160.00
Sales Tax 7.75%	\$ 659.52
<b>Total:</b>	\$ 11,819.52

Accepted By: \_\_\_\_\_



ATTACHMENT 2 - LEHR QUOTE

4707 Northgate Blvd.  
 Sacramento, CA. 95834  
 Parts Dept. 916-646-6626  
 Service Dept 916-646-6636  
 Fax 916-646-6656

\*\* QUOTATION \*\*

Ord # 01 75491  
 P/O # 2017 CHARGER

Br Acct  
 00 00002

CASH

INSTALLED

TN

S  
 O MICHAEL SOBIERAJ  
 L LAKEPORT POLICE DEPT  
 D 2025 SOUTH MAIN ST  
 T LAKEPORT CA 95453

S MICHAEL SOBIERAJ  
 H LAKEPORT POLICE DEPT  
 I 2025 SOUTH MAIN ST  
 P LAKEPORT CA 95453

11/02/17  
 10:09:39  
 Expires  
 2/09/2018

Lin	Qty	Part Number	S Description	Wt.Each	Net	Value
001	1	WH IW8RRBB	F LIBERTY II		1650.0000	1650.00
002	1	WH STPKT82	F STRAP KIT CHRGR			
003	1	WH CCSRNTA	CENCOM SIREN W/		979.3000	979.30
004	1	SE BK2005CGR15	2 LGHT BUMPER		535.2000	535.20
005	1	SE QK0494CGR11	F TPO SEAT COVER		647.2100	647.21
006	1	SE PK1134CGR11	8XL CHGR		607.2000	607.20
007	1	SE WK0513CGR11	WINDOW BARS		167.2100	167.21
008	1	SE TK1167CGR11	TRUNK TRAY		393.6000	393.60
009	1	SE AT7858	F FAN KIT		95.2000	95.20
010	1	WH MBDC11JJ	MIRRORBEAMS CHG		276.5000	276.50
011	1	TP CC-BPD-15	15" CONSOLE		328.8600	328.86
012	1	TP FP-KTK7180/8180	F 2" FP FOR KENWO			
		Part Ordered: ## FPKTK7180/8180				
013	1	TP FP-WG4RE	F 3" FACE PLATE			
014	1	TP FP-WCENCOM-JD	F 4" FP CENCOM			
015	1	TP AC-INBHG	F 4"INT BEV HLDR		37.8000	37.80
016	1	TP FP-BLNK1	F 1" BLANK FP			
017	1	RD KMC35	MICROPHONE		58.0000	58.00
018	1	RD NMO-K-DS	COAX CABLE		18.9900	18.99
019	1	RD QWFT120	F ANTENNA WHIP		19.0000	19.00
020	1	WH SA315P	SIREN SPEAKER		229.6000	229.60
021	1	WH SAK37	F SPEAKER BRACKET		28.7000	28.70
022	1	WH HWLDC15	HOWLER SIREN		422.8000	422.80
023	1	WH VTX609M	F VERTEX SPLT B/A		98.0000	98.00
024	1	WH VTX609K	VERTEX SPLT R/A		98.0000	98.00
025	1	WH WPKM1	F PARK-KILL MODUL		44.8000	44.80
026	1	LA L	LABOR CHARGE		3208.7500	3208.75
027	1	MS INSTALL-KIT	INSTALL-KIT		85.0000	85.00
028	1	PP 02-0411	F CHARGER HARNESS		695.0000	695.00
029	1	SE GK10301S1USSCAXL	F DUAL WEAPON MNT		327.2000	327.20
030	1	SE DK0100CGR11	F DOOR PANEL COVR		196.0000	196.00
031	1	SE GK10251ST	F S T-RAIL TRUNK		215.2000	215.20

31	11463.12		250.00			
TOTAL UNITS	PART TOTAL	CORE TOTAL	FREIGHT	HANDLING	OTHER	TAX
					PAY THIS AMOUNT	\$ 11713.12

RCVD. BY: \_\_\_\_\_



## 4RE/VISTA Price Quote

CUSTOMER: Lakeport Police Department

ISSUED: 11/7/2017 10:41 AM

EXPIRATION: 12/31/2017 6:00 AM

Attn: Accounts Payable,  
916 N Forbes Street,,  
Lakeport, CA, United States,  
95453-4339

**TOTAL PROJECT ESTIMATED AT:  
\$6,281.82**

ATTENTION: Michael Sobieraj

SALES CONTACT: Kevin Peoples

PHONE: 707-263-5491

DIRECT: (214) 785-2632

E-MAIL:

E-MAIL: KPeoples@WatchGuardVideo.com

### 4RE and VISTA Proposal

#### VISTA HD Cameras and Options

Part Number	Detail	Qty	Direct	Discount	Total Price
VIS-EXT-WIF-BUN	VISTA HD WiFi and 4RE System Bundle. Includes 4RE Standard DVR Camera System with integrated 200GB automotive grade hard drive, ZSL camera, 16GB USB removable thumb drive, rear facing cabin camera, GPS, hardware, cabling and your choice of mounting bracket. It will also include the VISTA HD Wi-Fi Extended Capacity Wearable Camera with 9 hours continuous HD recording, one camera mount, 32 GB of storage, Wi-Fi docking base, Power over Ethernet Smart Switch	1.00	\$5,550.00	\$0.00	\$5,550.00

#### VISTA HD Warranties

Part Number	Detail	Qty	Direct	Discount	Total Price
WAR-VIS-CAM-1ST	Warranty, VISTA 1st Year (Months 1-12) Included	1.00	\$0.00	\$0.00	\$0.00

#### Evidence Library 4 Web Software and Licensing

Part Number	Detail	Qty	Direct	Discount	Total Price
KEY-EL4-DEV-004	Evidence Library 4 Web VISTA Combo-Discout Device License Key	1.00	\$75.00	\$0.00	\$75.00
KEY-EL4-DEV-001	Evidence Library 4 Web 4RE In-Car Device License Key	1.00	\$150.00	\$0.00	\$150.00

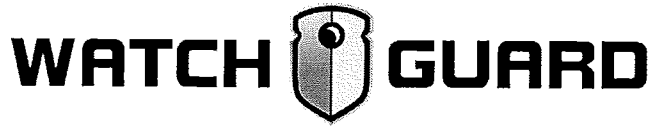
#### 4RE Hardware Warranties

Part Number	Detail	Qty	Direct	Discount	Total Price
WAR-4RE-CAR-1ST	Warranty, 4RE, In-Car, 1st Year (Months 1-12)	1.00	\$0.00	\$0.00	\$0.00

#### Shipping and Handling

Part Number	Detail	Qty	Direct	Discount	Total Price
Freight	Shipping/Handling and Processing Charges	1.00	\$55.00	\$0.00	\$55.00
					<b>\$5,830.00</b>

415 Century Parkway • Allen, TX • 75013  
Toll Free (800) 605-6734 • Main (972) 423-9777 • Fax (972) 423-9778  
[www.WatchGuardVideo.com](http://www.WatchGuardVideo.com)



# 4RE/VISTA Price Quote

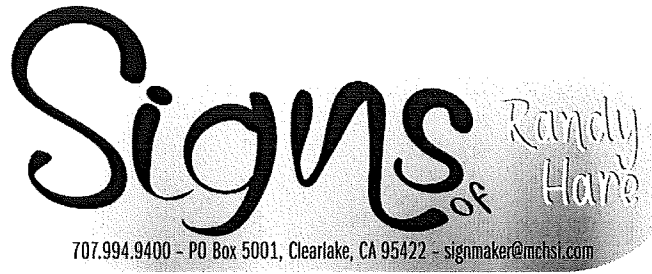
---

Total Estimated Tax, may vary from State to State \$451.82

Configuration Discounts	\$0.00
Additional Quote Discount	\$0.00
<b>Total Amount</b>	<b>\$6,281.82</b>

NOTE: This is only an estimate for 4RE & VISTA related hardware, software and WG Technical Services. Actual costs related to a turn-key operation requires more detailed discussion and analysis, which will define actual back-office costs and any costs associated with configuration, support and installation. Please contact your sales representative for more details.

To accept this quotation, sign, date and return with Purchase Order: \_\_\_\_\_ DATE: \_\_\_\_\_



QUOTE

Name

**Lakeport Police Department**

Address

City

St

Zip

**Lakeport**

Phone

Invoice  
Number

**2148**

Date

**07/03/17**

Otv	Description	Price	Total
1	New vehicle graphics	200.00	200.00
3	Create and apply	225.00	675.00

Sub-Total 875.00

Tax

Install/Labor

Total 875.00

less Deposit 0.00

Balance due: 875.00

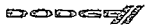
Paid Check#:
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MATT MAZZEI

CHEVROLET - CHRYSLER, JEEP, DODGE, RAM

"The biggest little dealer in the west"

November 8, 2017



To: City of Lakeport  
255 Park Street  
Lakeport, Ca. 95453

From: Todd Norwood  
Matt Mazzei Chrysler Dodge Jeep Ram  
1175 Parallel Dr.  
Lakeport, Ca. 95453

To Whom it may concern,

This letter is to inform you that Matt Mazzei Chrysler Dodge Jeep Ram of Lakport, a business located within the city limits, wishes to exercise our option of the 10% preference that the City of Lakeport offers to local business

Thank you for your consideration in this matter.

A handwritten signature in black ink, appearing to read "Todd Norwood".

Todd Norwood  
Matt Mazzei Chrysler Dodge Jeep Ram





## Precision Wireless Service



November 14, 2017

City of Lakeport  
Nicholas Walker  
225 Park Street  
Lakeport, CA. 95453

Dear Mr. Walker:

My companies, Precision Wireless Service and Advanced Communication Systems are located at 791 Bevins Street in Lakeport. Advanced Communication Systems has been in the City of Lakeport for over 25 years. Our business license number is 1028.

We would like to claim the local business preference for work we do with your city.

Any sales tax from sales will be attributed to the City of Lakeport.

Thank you for this opportunity.

Best regards,

Sam Whitehead  
Owner

Precision Wireless Service  
Advanced Communication Systems  
(707) 262-5815  
(707) 246-4794 Cell



# CITY OF LAKEPORT

- City Council
- Lakeport Redevelopment Agency
- City of Lakeport Municipal Sewer District
- Lakeport Redevelopment Successor Agency
- Lakeport Industrial Development Agency
- Municipal Financing Agency of Lakeport

<b>STAFF REPORT</b>	
<b>RE:</b> Amendment to Application 2017-015 – Dickens’ Faire	<b>MEETING DATE:</b> 11/21/2017
<b>SUBMITTED BY:</b> Margaret Silveira, City Manager	
<b>PURPOSE OF REPORT:</b> <input type="checkbox"/> Information only <input type="checkbox"/> Discussion <input checked="" type="checkbox"/> Action Item	

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

The Council is being asked to approve the following amendments to Application 2017-015 (Dickens’ Faire):

1. Allow the closure of Main Street, between Second and Third Streets, at 2 p.m. on Friday, November 24, 2017 until the conclusion of the Dickens’ Faire event on Saturday, November 25, 2017.
2. Reduce the original requested street closures for the event on Saturday. They now request to close Main Street between First and Third Streets instead.

### BACKGROUND/ DISCUSSION:

The City Council approved Application 2017-015 for the annual Dickens’ at the regular Council meeting of April 4, 2017. The original application called for the closure of Main Street between First and Fourth Street on Saturday, November 25<sup>th</sup>, 2017, from 8:00 am to approximately 9:00 pm on that Saturday.

Due to the possibility of inclement weather, the event sponsor, Lakeport Main Street Association (LMSA), has requested to erect a tent on Main Street at Third Street to provide shelter for vendors, children’s activities and Santa Claus. They would like to put the tent up on Friday at 2:00 p.m., due to the amount of time required for the tent set-up. For safety reasons, this would require the closure of the entire block between Second and Third Streets.

### OPTIONS:

Approve the requested changes to Application No. 2017-015 for the LMSA’s Dickens’ Faire

Give staff direction.

### FISCAL IMPACT:

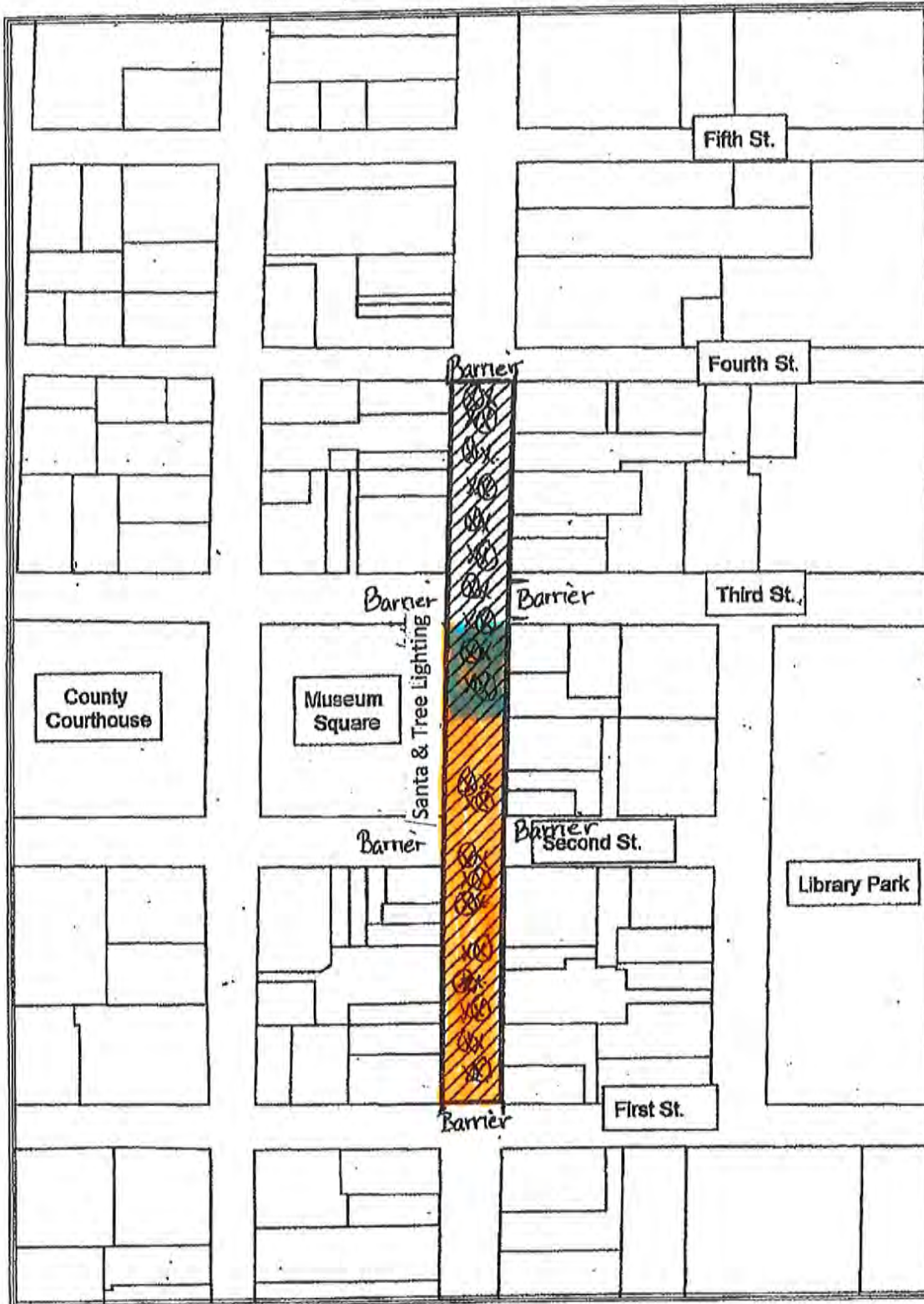
None     \$     Account Number:

### SUGGESTED MOTION:

Move to approve the amendments to Application No. 2017-015 for the LMSA’s Dickens’ Faire allowing the closure of Main Street, between Second and Third Streets, starting at 2 p.m. on Friday, November 24, 2017.

- Attachments:**
1. Revised Map showing street closures and tent location
  2. Application 2017-015 (Original)

Dickens' Faire  
10 AM - 6 PM



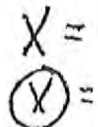
 Event Location  
(N. Main St. between First & Fourth Streets)

Revised  
Event  
AREA  
Tent

Barriers to include "no alcohol beyond this point"



This map was prepared for information purposes only. No liability is assumed for the accuracy of the data shown.



Food & Vendor Booths





# CITY OF LAKEPORT

225 Park Street  
Lakeport, CA 95453

Phone: (707) 263-5615, Ext. 12  
Fax: (707) 263-8584

## APPLICATION FOR USE OF PUBLIC AREAS

**Please note:** City Council meetings are held the **FIRST** and **THIRD TUESDAY** of the month. Application forms require City Council approval and must be completed and submitted to the City Clerk at least ten working days before the Council meeting at which they will be considered.

This section to be completed by City:

Application Received (Date): February 25, 2017	Application No. 2017-015
<input type="checkbox"/> \$15.00 Application Fee Paid	For Council Meeting of (Date): 4/4/2017

This section to be completed by Applicant (please answer all questions):

Applicant Name: Panette Talia		Organization Name: Lakeport Main Street Association	
Address: 225 Park St., Lakeport, CA 95453		Address: Same	
Home Phone: 707-263-8843	Work Phone:	Mobile Phone:	
Email Address: info@lakeportmainstreet.com			
Other Contact: Barbara Breunig		Phone for Other Contact: 707-263-9000 Ext.101	
Organization is: <input checked="" type="checkbox"/> Nonprofit Organization <input type="checkbox"/> For Profit Organization			

Name of Event: Dickens' Faire		
Description of Event: Street fair with beverages and food available for purchase. Tree lighting and carolers.		
Specific Location of Event (Map Must be Attached): See map attached		
Does this use involve public right of way, streets, or sidewalk? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please indicate specific location:		
If requesting closure of streets, sidewalk, etc., please describe notification procedure for affected businesses and/or residences: We will notify businesses via email and flyer along with media sources promoting the event.		
Date(s) of Event: November 25, 2017	Total Number of Days: 1	Set Up Time: 8 AM
		Time of Event: - 10 AM-6 PM
		Tear Down Time: 6 PM

Specify anticipated number of people (both participants and the public): 500

Will any vendors be present? Yes  No  Will any food booths be present? Yes  No

<b>Requirements:</b> <input checked="" type="checkbox"/> Electricity (cannot be guaranteed by City) <input checked="" type="checkbox"/> Barricades <input checked="" type="checkbox"/> Street/Sidewalk Closures <input type="checkbox"/> No irrigation in park prior to event <input type="checkbox"/> Other (please specify):  <i>Coordination of these requirements must be made through the Public Works Department: (707) 263-0751</i>	<b>Specific City Staff Needs:</b> <input checked="" type="checkbox"/> Police <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Parks <input type="checkbox"/> Other (please specify):  <i>The City reserves the right to bill applicant for related City costs.</i>
---	---

Insurance Information:

Specify Insurance Company:

Policy Number:

Expiration Date:

Limits of Coverage:

**INSURANCE CERTIFICATE REQUIRED**

**Note:** The insurance certificate provided to the City by your organization's insurance company must name the City of Lakeport as an additional insured for the event specified in this application and must include a copy of any endorsements. The minimum coverage amount required is \$2,000,000. The certificate and endorsements must also be in a form acceptable to risk management and available for review 15 working days prior to the scheduled event.

USE OF ALCOHOL: Is a permit for alcoholic beverages requested?  Yes  No

If you have checked yes, you must obtain a signed permit from the Lakeport Police Department and attach it to this application. This will allow for consumption of alcoholic beverages in connection with the event but will NOT allow for the SALE of alcoholic beverages. If alcoholic beverages are going to be sold or included with the price of any ticket or admission to the event, then the applicant is required to obtain a one-day license from the California Department of Alcoholic Beverage Control. This one-day permit would be required in addition to a permit by the Lakeport Police Department.

#### HOLD HARMLESS AGREEMENT

In consideration of allowing the event(s) specified in this application, and to the fullest extent permitted by law, I/we agree to indemnify and hold harmless the City of Lakeport, its officers, agents, employees, and volunteers against and from any and all liability claims, lawsuits, damages, losses, expenses, and costs brought for, or on account of, injuries to or death of any person or persons, including myself and this organization, or damage to or destruction of property, arising out of, or other occurrence during or in connection with the foregoing event(s).

Panette Salva

Dated: 3/8/17

Signature of Applicant

Responsible Official of Applicant Organization

#### STAFF RESPONSE

This section to be completed by City and Other Affected Agencies:

Staff Name:		Department:	
<input type="checkbox"/> No Fiscal Impact	<input type="checkbox"/> Fiscal Impact (Describe/Include Estimated Costs)	<input type="checkbox"/> Police <input type="checkbox"/> Public Works <input type="checkbox"/> Parks	<input type="checkbox"/> Other (please specify):
The following will be Required:			
<input type="checkbox"/> Business License	<input type="checkbox"/> Health Department Permit		
<input type="checkbox"/> ABC License	<input type="checkbox"/> Other (Specify):		
Staff Comments:			

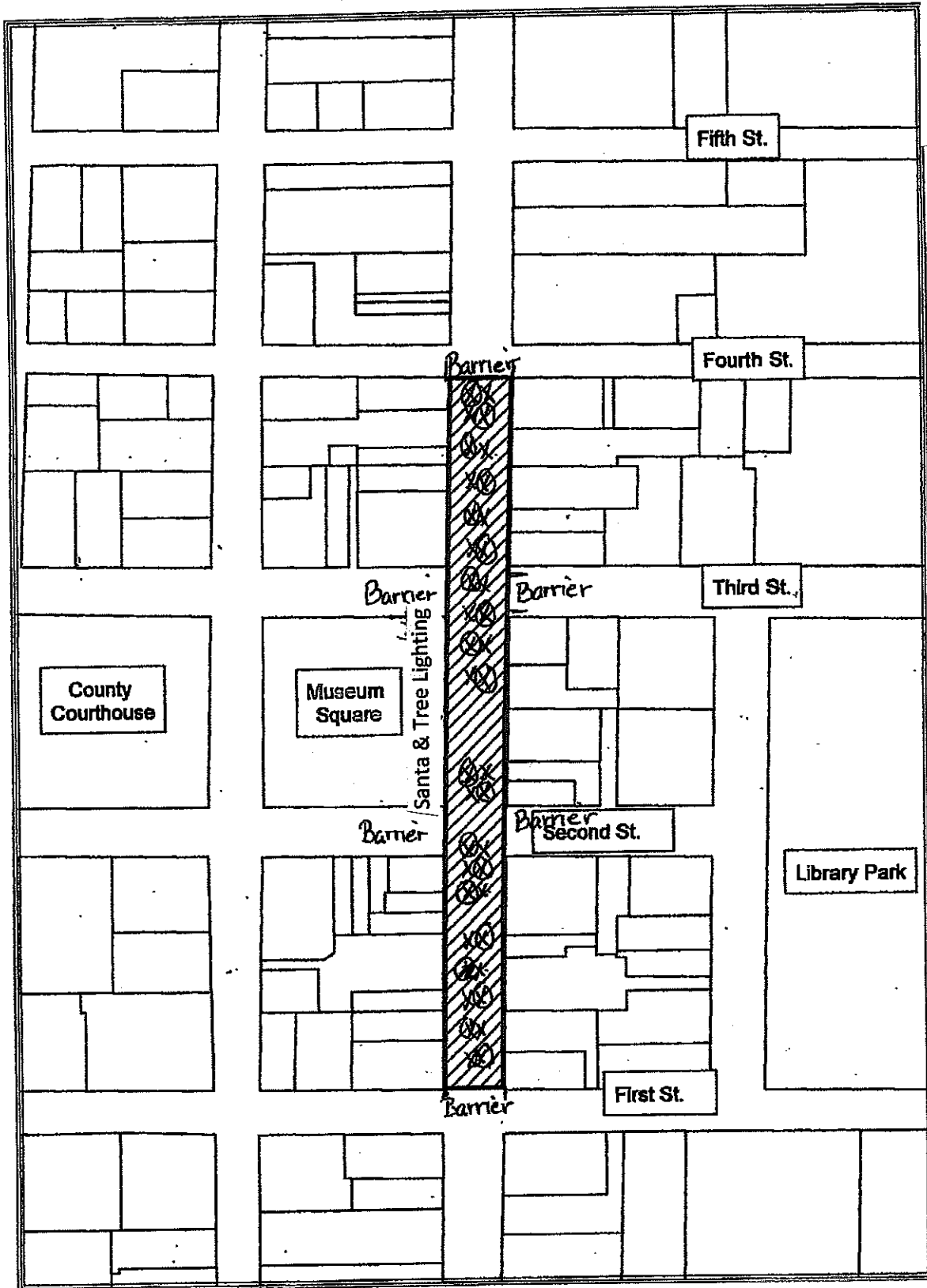
This section to be completed by City Clerk following Council meeting:

Considered at Council Meeting (Date):	<input type="checkbox"/> Application Approved <input type="checkbox"/> Application Denied <input type="checkbox"/> Application Approved With Conditions (See Below)
Conditions of Approval:	

Attachments (specify):



Dickens' Faire  
10 AM - 6 PM




 Event Location  
(N. Main St. between First & Fourth Streets)

*Barriers to include "no alcohol beyond this point"*



This map was prepared for information purposes only. No liability is assumed for the accuracy of the data shown.

X =  
 =

Food & Vendor Booths

**DAILY LICENSE APPLICATION/AUTHORIZATION - Non Transferable**

*Instructions: Complete all items. Submit to local ABC District Office with required fee (Cashier's Check or Money Order) payable to ABC. Once license is issued, fee cannot be refunded. For a listing of ABC District Offices please visit <http://www.abc.ca.gov/distmap.html>*

*Pursuant to the authority granted by the organization named below, the undersigned hereby applies for the license(s) described below.*

LICENSE NUMBER	GEO CODE
RECEIPT NUMBER	
FEE	
<b>\$ 25.00</b>	

1. ORGANIZATION'S NAME Lakeport Main Street Association	CONDITIONS REQUIRED <input type="checkbox"/> Yes <input type="checkbox"/> No	DIAGRAM REQUIRED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---	---

2. LICENSE TYPE (Check appropriate license type AND organization type)

a.  **Daily General (\$25.00)** (Includes beer, wine and distilled spirits)

<input type="checkbox"/> Political Party/Affiliate Supporting Candidate for Public Office or Ballot Measure	<input type="checkbox"/> Fraternal Organization in Existence Over Five Years with Regular Membership
<input checked="" type="checkbox"/> Organization Formed for Specific Charitable or Civic Purpose	<input type="checkbox"/> Religious Organization
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Vessel per Section 24045.10 B&P (\$50.00)

NUMBER OF DISPENSING POINTS
-----------------------------

b.  **Special Daily Beer (\$25.00)**  **Special Daily Beer & Wine (\$50.00)**  **Special Daily Wine (\$25.00)**

<input type="checkbox"/> Charitable	<input type="checkbox"/> Fraternal	<input type="checkbox"/> Social	<input type="checkbox"/> Political	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Civic	<input type="checkbox"/> Religious	<input type="checkbox"/> Cultural	<input type="checkbox"/> Amateur Sports Organization	

NUMBER OF DISPENSING POINTS
-----------------------------

c.  **Special Temporary License (\$100.00)** (Different privileges depending on statute)

<input type="checkbox"/> Television Station per Section 24045.2 or 24045.9 B&P	<input type="checkbox"/> Person conducting Estate Wine Sale per Section 24045.8 B&P
<input type="checkbox"/> Nonprofit Corporation per Sections 24045.4 and 24045.6 B&P	<input type="checkbox"/> Women's Educational and Charitable Organization per Section 24045.3 B&P

**Other Special Temporary Licenses, per Section**

License number _____	Amount \$ _____
----------------------	-----------------

3. EVENT TYPE

<input type="checkbox"/> Dinner	<input type="checkbox"/> Dance	<input type="checkbox"/> Wedding	<input type="checkbox"/> Lunch	<input type="checkbox"/> Picnic	<input type="checkbox"/> Barbeque	<input type="checkbox"/> Social Gathering	<input checked="" type="checkbox"/> Festival
<input type="checkbox"/> Sports Event	<input type="checkbox"/> Concert	<input type="checkbox"/> Birthday	<input type="checkbox"/> Mixer	<input type="checkbox"/> Carnival	<input type="checkbox"/> Dinner Dance	<input type="checkbox"/> Other: _____	

4. TOTAL # OF DAYS <b>one (1)</b>	5. ESTIMATED ATTENDANCE <b>500</b>	6. HOURS OF ALCOHOLIC BEVERAGE SALES, SERVICE AND/OR CONSUMPTION From <b>10 AM</b> To <b>6 PM</b>
--------------------------------------	---------------------------------------	--

7. EVENT DATE(S) <b>November 25, 2017</b>	8. EVENT IS OPEN TO THE PUBLIC <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
--	---

9. EVENT LOCATION (Give facility name, if any, street number and name, and city)  
**Main Street, between 1st and 4th Sts. Lakeport, CA**

10. LOCATION IS WITHIN THE CITY LIMITS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	11. TYPE OF ENTERTAINMENT <b>Dickens' Faire</b>	12. SECURITY GUARDS <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how many? _____
---	--	--

13. AUTHORIZED REPRESENTATIVE'S NAME <b>Panette Talia</b>	14. REPRESENTATIVE'S TELEPHONE NUMBER <b>707-263-8843</b>
--	--

15. REPRESENTATIVE'S ADDRESS  
**225 Park St., Lakeport, CA 95453**

16. ORGANIZATION'S MAILING ADDRESS (If different from #15 above)  
**PO Box 1032, Lakeport, CA 95453**

17. AUTHORIZED REPRESENTATIVE'S SIGNATURE <i>Panette Talia</i>	18. DATE SIGNED <b>2/8/17</b>
---	----------------------------------

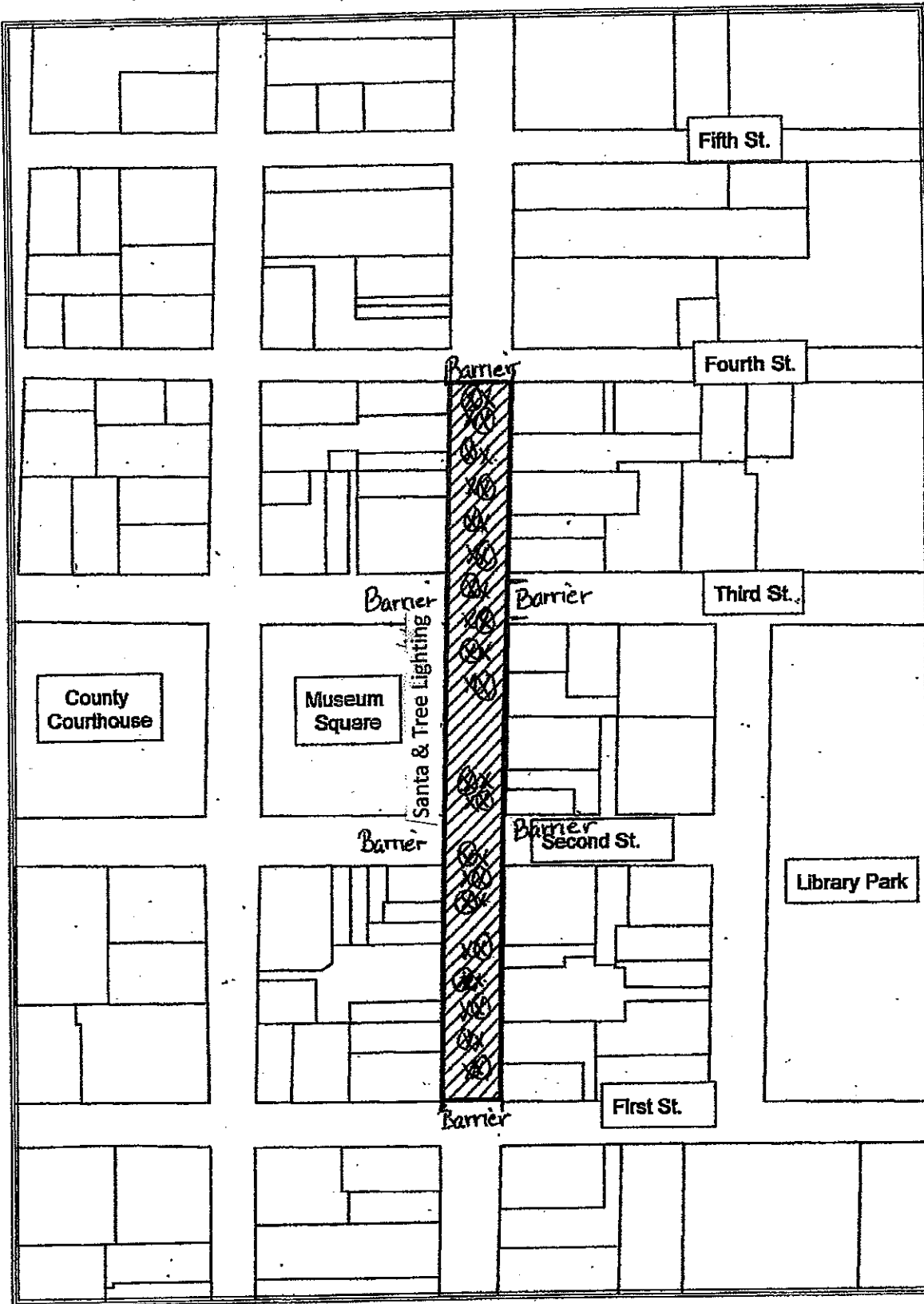
PROPERTY OWNER APPROVAL BY (Name), REQUIRED	PHONE NUMBER	PROPERTY OWNER SIGNATURE	DATE SIGNED
LAW ENFORCEMENT APPROVAL BY (Name), IF APPLICABLE	PHONE NUMBER	LAW ENFORCEMENT SIGNATURE	DATE SIGNED
DISTRICT OFFICE APPROVAL BY (Name)		ABC EMPLOYEE SIGNATURE	ISSUANCE DATE

The above-named organization is hereby licensed, pursuant to the California Business and Professions Code Division 9 and California Code of Regulations, to engage in the temporary sale of alcoholic beverages for consumption at the above named location for the period authorized above. This license does not include off-sale ("to-go") privileges.

**This license may be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State.**



Dickens' Faire  
10 AM - 6 PM

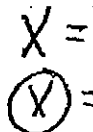


 Event Location  
(N. Main St. between First & Fourth Streets)

*Barriers to include "no alcohol beyond this point"*



This map was prepared for information purposes only. No liability is assumed for the accuracy of the data shown.



Food & Vendor Booths

Map Date 7.17.13

Map Prepared by the City of Lakeport Community Development Department

Projected coordinate system name: NAD 1983 State Plane California II FIPS 0402 Feet Geographic coordinate system name: GCS North American 1983

**CITY OF LAKEPORT**  
**POLICE DEPARTMENT**



**BRAD RASMUSSEN, CHIEF OF POLICE**

916 NORTH FORBES STREET  
LAKEPORT, CALIFORNIA 95453

TELEPHONE: (707) 263-5491  
FAX: (707) 263-3846  
E-MAIL: info@lakeportpolice.org

**SPECIAL EVENT**

**Permit for Special Events (No Alcohol Sales)**

Applicant's Name: <i>Lakeport Main Street Association</i>			
Address: <i>225 Park St Lakeport, CA</i>		Phone: <i>263-8843</i>	
Number of people attending: <i>500</i>		Type of Event: <i>Street Fair</i>	
Event Date: <i>11/25/17</i>	Event Time:	Start: <i>10 AM</i>	End: <i>6 PM</i>
Event Location: <i>Main St. Between 1st &amp; 4th</i>			
Permit requested to allow alcohol be consumed at event requested? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Facility Requested: <input type="checkbox"/> Library Park <input type="checkbox"/> Westside Park	
Signature of Applicant: <i>Pamela Loria, Executive Dir</i>			
<b>Alcohol Restrictions</b> <ul style="list-style-type: none"><li>▪ No kegs or other large alcohol storage/dispensing containers</li><li>▪ No glass containers</li><li>▪ Public intoxication prohibited</li><li>▪ No sales of alcohol allowed</li><li>▪ No alcohol consumption in playground area</li></ul>			
<b>Noise Restrictions</b> <ul style="list-style-type: none"><li>▪ No amplified music outside of facility or event location</li></ul>			
<b>Park Rules</b> <ul style="list-style-type: none"><li>▪ Park lands closed between midnight and 6:00 am</li><li>▪ Obey all posted rules and regulations.</li></ul>			
Other:			



**CITY OF LAKEPORT**  
**POLICE DEPARTMENT**

**BRAD RASMUSSEN, CHIEF OF POLICE**

916 NORTH FORBES STREET  
LAKEPORT, CALIFORNIA 95453

TELEPHONE: (707) 263-5491  
FAX: (707) 263-3846  
E-MAIL: [info@lakeportpolice.org](mailto:info@lakeportpolice.org)

Failure to abide by the conditions herein may result in the immediate suspension of the alcohol permit and possible forfeiture of future special events in the City of Lakeport. Ineligibility may apply to the individual or the organization.

**A PERMIT FOR ALCOHOLIC BEVERAGES CAN BE REVOKED AT ANY TIME BY THE LAKEPORT POLICE DEPARTMENT IF IT IS DETERMINED THAT THE EVENT POSES A THREAT TO PUBLIC SAFETY, OR INJURY OR DAMAGE TO CITY PROPERTY, PRIVATE PROPERTY, OR ANY PERSON AT THE EVENT**

Representative Signature:

Print name:

The above permit with noted restrictions is approved

Alcohol permit request:

- Approved  
 Not approved

---

Lakeport Police Department Representative

Date

**From:** [Jason D. Ferguson](#)  
**To:** [Hilary Britton](#)  
**Subject:** Re: Application 2017-015 - Dickens Faire (LMSA)  
**Date:** Thursday, March 09, 2017 8:09:28 AM  
**Attachments:** [image002.png](#)

---

No police concerns but have yet to see the ABC license and permit for alcohol use.

*Jason Ferguson  
Lieutenant  
Lakeport Police Department  
2025 S. Main St.  
Lakeport, Ca. 95453  
Office (707) 263-9654*

*A true hero is not defined simply by the uniform he or she is wearing but rather the person who's wearing it!*

-----Original Message-----

**From:** Hilary Britton [mailto:[hbritton@cityoflakeport.com](mailto:hbritton@cityoflakeport.com)]  
**Sent:** Thursday, March 9, 2017 08:05 AM  
**To:** Amanda Frazell ([Dean.Eichelmann@lakecountyca.gov](mailto:Dean.Eichelmann@lakecountyca.gov)), Cheryl Bennett ([cheryl.bennett@lakecountyca.gov](mailto:cheryl.bennett@lakecountyca.gov)), 'Cynthia Ader', 'Daniel Chance', 'Doug Grider', 'Executive Management', 'Gary Basor', 'Jason Ferguson', 'Jim Kennedy', 'Linda Sobieraj', Lori Price ([lorip@co.lake.ca.us](mailto:lorip@co.lake.ca.us)), Mark Wall ([mwaconsulting@comcast.net](mailto:mwaconsulting@comcast.net)), 'Matt Hartzog', 'Mike Sobieraj', Pheakdey Preciado ([pheakdey.preciado@lakecountyca.gov](mailto:pheakdey.preciado@lakecountyca.gov)), 'Rebekah Dolby', 'Ron Ladd', Tina Rubin ([Tina.Rubin@lakecountyca.gov](mailto:Tina.Rubin@lakecountyca.gov))  
**Subject:** Application 2017-015 - Dickens Faire (LMSA)

Hi all,

Please find attached application 2017-015 for the Annual Dickens Faire to be held on Main Street, for your review.

We would like to submit this to Council for approval at the 03/20/2017 meeting, so please have your comments back to me by 3/16/2017.

As always, thank you for your input.

Hilary Britton  
Deputy City Clerk  
City of Lakeport  
225 Park Street  
Lakeport, CA 95453  
(707) 263-5615 x12  
[hbritton@cityoflakeport.com](mailto:hbritton@cityoflakeport.com)

**From:** [Lori Price](#)  
**To:** [Hilary Britton](#)  
**Subject:** RE: Application 2017-015 - Dickens Faire (LMSA)  
**Date:** Thursday, March 09, 2017 11:33:40 AM  
**Attachments:** [image002.png](#)

---

Good morning Hilary,

I have reviewed the above subject application and it does not appear that it will impact county roads. We therefore have no comments or conditions to add to this permit. Thank you for the opportunity to comment.

Sincerely,

Lori Price  
Secretary III  
Lake County Department of Public Works  
255 N. Forbes Street, Rm 309  
Lakeport, CA 95453  
(707) 263-2341  
[lorip@co.lake.ca.us](mailto:lorip@co.lake.ca.us)

---

**From:** Hilary Britton [mailto:[hbritton@cityoflakeport.com](mailto:hbritton@cityoflakeport.com)]  
**Sent:** Thursday, March 09, 2017 8:06 AM  
**To:** Dean Eichelmann; Cheryl Bennett; Cynthia Ader; Daniel Chance; Doug Grider; Executive Management; Gary Basor; Jason Ferguson; Jim Kennedy; Linda Sobieraj; Lori Price; Mark Wall ([mwaconsulting@comcast.net](mailto:mwaconsulting@comcast.net)); Matt Hartzog; Mike Sobieraj; Pheakdey Preciado; Rebekah Dolby; Ron Ladd; Tina Rubin  
**Subject:** Application 2017-015 - Dickens Faire (LMSA)

Hi all,

Please find attached application 2017-015 for the Annual Dickens Faire to be held on Main Street, for your review.

We would like to submit this to Council for approval at the 03/20/2017 meeting, so please have your comments back to me by 3/16/2017.

As always, thank you for your input.

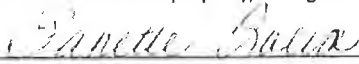
Hilary Britton  
Deputy City Clerk  
City of Lakeport  
225 Park Street  
Lakeport, CA 95453  
(707) 263-5615 x12  
[hbritton@cityoflakeport.com](mailto:hbritton@cityoflakeport.com)

USE OF ALCOHOL: Is a permit for alcoholic beverages requested?  Yes  No

If you have checked yes, you must obtain a signed permit from the Lakeport Police Department and attach it to this application. This will allow for consumption of alcoholic beverages in connection with the event but will NOT allow for the SALE of alcoholic beverages. If alcoholic beverages are going to be sold or included with the price of any ticket or admission to the event, then the applicant is required to obtain a one-day license from the California Department of Alcoholic Beverage Control. This one-day permit would be required in addition to a permit by the Lakeport Police Department.

### HOLD HARMLESS AGREEMENT

In consideration of allowing the event(s) specified in this application, and to the fullest extent permitted by law, I/we agree to indemnify and hold harmless the City of Lakeport, its officers, agents, employees, and volunteers against and from any and all liability claims, lawsuits, damages, losses, expenses, and costs brought for, or on account of, injuries to or death of any person or persons, including myself and (his organization, or damage to or destruction of property, arising out of, or other occurrence during or in connection with the foregoing event(s).




Dated: 2/8/17

Signature of Applicant

Responsible Official of Applicant Organization

### STAFF RESPONSE

This section to be completed by City and Other Affected Agencies:

Staff Name:		Department:	
<input type="checkbox"/> No Fiscal Impact	<input type="checkbox"/> Fiscal Impact (Describe/Include Estimated Costs)	<input type="checkbox"/> Police <input type="checkbox"/> Public Works <input type="checkbox"/> Parks	<input type="checkbox"/> Other (please specify):
The following will be Required:			
<input type="checkbox"/> Business License	<input checked="" type="checkbox"/> Health Department Permit	<input type="checkbox"/> Other (Specify):	
<input type="checkbox"/> ABC License			
Staff Comments:			
All food vendors must have a temporary health permit to sell or give away food at this event and must submit their application 7 days prior to the event. The event sponsor must submit their sponsor temporary health permit application 14 days prior to the event.			
 3/9/17			

This section to be completed by City Clerk following Council meeting:

Considered at Council Meeting (Date):	<input type="checkbox"/> Application Approved <input type="checkbox"/> Application Denied <input type="checkbox"/> Application Approved With Conditions (See Below)
Conditions of Approval:	

Attachments (specify):



