



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 FORMER LAKEPORT REDEVELOPMENT AGENCY)

Tuesday, January 16, 2024 6:00 p.m.

City Council Chambers, 225 Park Street, Lakeport, California 95453

See Teleconferencing Instructions Below

If you cannot attend in person, and would like to speak on an agenda item, you can access the **Zoom meeting remotely:**

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

Please click this URL to join: <https://zoom.us/j/97368201787?pwd=a2NvVnN6MEFjQ2Exc2pTZkpldU1sQT09>

Passcode: 477973

Or join by phone:

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

US: +1 669 900 9128 or +1 346 248 7799 or +1 253 215 8782 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 973 6820 1787

Passcode: 477973

International numbers available: <https://zoom.us/u/abNyiaqY1I>

The City wants you to know that you can also submit your comments by email to virtualhost@cityoflakeport.com.

To give the City Clerk adequate time to print out your comments for consideration at the meeting, please submit your written comments prior to **3:30 p.m. on Tuesday, January 16, 2024.**

Please indicate in the email Subject Line "FOR PUBLIC COMMENT" and list the item number you wish to comment on.

Comments that you want read to the Council will be subject to the three minute time limitation (approximately 350 words).

Written comments that are only to be provided to Council and not read at the meeting will be distributed to the Council prior to the meeting.



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 FORMER LAKEPORT REDEVELOPMENT AGENCY)*
Tuesday, January 16, 2024, 6:00 p.m.
City Council Chambers, 225 Park Street, Lakeport, California 95453

**All references to “City Council” include those other agencies which are listed above*

The City Council may discuss and/or take action on any or all of the items listed on the agenda irrespective of how the agenda items are described. The council may establish and make appointments to a Council committee (made up of two Councilmembers) with respect to any item appearing on this agenda.

- 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 December 19, 2023.

C.

Application SCC2023-002:

Approve application SCC2023-002, with staff recommendations, for the street closure at 5th and Main for the Rotary Crab Feed.

D.

Application G2024-003:

Approve application G2024-003, with staff recommendations, for the reserved parking spaces on Park and Third Streets for the Clearlake Environmental Research Center (CLERC) Hometown Wildfire Safety Collaboration.

E.

The Successor Agency of the Lakeport Redevelopment Agency Recognized Obligation Payment Schedule (ROPS) 24-25:

Adopt a resolution approving ROPS 24-25 for the period of July 1, 2024 through June 30, 2025 for presentation and adoption by the Lake County Redevelopment Oversight Board.
- V.

PUBLIC PRESENTATIONS/REQUESTS:

A.

Public 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. Per Government Code §54954.3(a), the City Council cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda.

B.

Proclamation:

Present a proclamation designating January 2024 as Human Trafficking Awareness Month in the City of Lakeport.
- VI.

COUNCIL BUSINESS:

City Manager

A.

1.

Draft Clear Lake Integrated Preparedness and Resilience Plan for

Receive a presentation from the Lake County Water Resources Department regarding the Clear Lake Integrated Preparedness and Resilience Plan for Dreissenid Mussel Management: A Rapid Response and Transition to Containment Plan.

Dreissenid Mussel
Management:

B. Police Chief

1. Contract Extension - Automated License Plate Reader (ALPR) Cameras:

Authorize the 5-year agreement and direct the City Manager to sign the contract.

C. Community Development Director

1. Retail Storefront Cannabis Businesses / Temporary Cannabis Events Discussion:

Discussion on retail storefront cannabis businesses and temporary cannabis events and provide direction on the options.

D. Assistant City Manager

1. 1st Quarter Financial Statements:

Review and file the 1st Quarter Financial update.

E. Administrative Services Director

1. Contract and Budget Adjustment:

Authorize the City Manager to execute an agreement with Bob Hall and Associates for the executive recruitment of a new Chief of Police and approve a budget amendment in the amount of \$27,000 for the expenditure.
2. Council Liaison Appointments:

Adopt a resolution appointing representatives to represent and vote on behalf of the City at the League of California Cities, Redwood Empire Division Business meetings and represent the City and vote at Division Legislative Committee meetings.

VII. CITY COUNCIL COMMUNICATIONS:

- A. Travel, Calendar, and 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, subject to staff’s ability to post the documents before the meeting.

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

Hilary Britton, Deputy City Clerk



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 FORMER LAKEPORT REDEVELOPMENT AGENCY)*

Tuesday, December 19, 2023, 6:00 p.m.

City Council Chambers, 225 Park Street, Lakeport, California 95453

**All references to "City Council" include those other agencies which are listed above*

The City Council may discuss and/or take action on any or all of the items listed on the agenda irrespective of how the agenda items are described. The council may establish and make appointments to a Council committee (made up of two Councilmembers) with respect to any item appearing on this agenda.

- I. **CALL TO ORDER & ROLL CALL:** Mayor Mattina called the meeting to order at 6:00 p.m. with Council Members Costa, Disney, Froio, Parlet and Mayor Mattina present.
- II. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Dennis Rollins.
- III. **ACCEPTANCE OF AGENDA/ URGENCY ITEMS:** A motion was made by Council Member Froio, seconded by Council Member Disney, and unanimously carried by voice vote 5-0-0-0 to accept agenda as posted.
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.
- IV. **CONSENT 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 December 5, 2023.
 - C. Warrants: Approve the warrant register of November 30, 2023.
 - Vote on Consent Agenda: A motion was made by Council Member Disney, seconded by Council Member Costa, and unanimously carried by voice vote 5-0-0-0 to approve the Consent Agenda, items A-C.
- V. **PUBLIC PRESENTATIONS/REQUESTS:**
 - A. Public Input: Supervisor Michael Green thanked Mayor Mattina for the vision and pursuit of the Christmas tree in Xabatin park and he was happy to participate in the cost.
- VI. **COUNCIL BUSINESS:**

Administrative Services Director

 - A. 1. City Council Reorganization: The staff report was presented by City Clerk Buendia.

City Clerk Buendia requested nominations for Mayor. A nomination was made by Council Member Costa, to appoint Council member Froio. After acceptance of the nomination, Council Member Froio was voted as Mayor for a period of one year 5-0-0-0.

City Clerk Buendia requested nominations for Mayor Pro Tem. A nomination was made by Council Member Mattina, to appoint Council Member Disney who accepted the nomination. Another nomination was made by Council Member Froio, to appoint Council Member Costa, who accepted the nomination.

The City Clerk called for a vote. Council Member Costa was voted as Mayor Pro Tem for a period of one year 5-0-0-0.

2. Cell Phone Policy:

The staff report was presented by Administrative Services Director Buendia.

A motion was made by Council Member Mattina, seconded by Council Member Disney, and unanimously carried by voice vote 5-0-0-0 to adopt the City of Lakeport Cell Phone Policy for Management and City Council.

B. City Manager

1. Pickle Ball

The staff report was presented by City Manager Ingram.

Dennis Rollins of the Westside Community Park made remarks about the proposed pickleball courts. Mike Shay, President of the Tennis Association spoke to the Council regarding the relationship between Pickle Ball and Tennis.

A motion was made by Council Member Costa, seconded by Council Member Disney, and unanimously carried by voice vote 5-0-0-0 to adopt an amendment to the Westside Community Park, Phase II Master Plan to include a designated area for the future development of pickleball courts.

C. Police Chief

1. Behavioral Health:

The staff report was presented by Police Chief Rasmussen.

A motion was made by Council Member Costa, seconded by Council Member Parlet, and unanimously carried by voice vote 5-0-0-0 to approve the license agreement between the City of Lakeport and the County of Lake for Behavioral Health Staff to work out of the Lakeport Police Department station.

VII. CITY COUNCIL COMMUNICATIONS:

A. Travel, Calendar, and
Miscellaneous Reports, if any:

City Attorney Ruderman had no report.

City Manager Ingram wished everyone happy holidays and reflected on the accomplishments of the past year.

Police Chief Rasmussen reported that the Wreaths Across America event was well attended. He also announced the Dale Stoebe has been promoted to Captain, and will be attending the FBI academy in January, and Officer Moreno will be starting Detective training in the meantime.

Public Works Director Ladd was absent.

Chief Building Official Moss congratulated Mayor Froio on his appointment.

Administrative Services Director Buendia wished everyone a happy holiday.

Assistant City Manager Walker reported that he attended the Cal Cities Municipal Finance Institute last week in San Diego.

Utilities Superintendent Harris wished everyone a happy holiday.

Council Member Parlet thanked Council Member Mattina for all her work as Mayor in the past 2 years.

Council Member Costa reported on the Risk Reduction Authority’s pilot program to turn dried wood into biomass that could be then sold.

Council Member Disney reported that the Lakeport Fire Protection District will be holding a public hearing in January to consider raising the Fire Mitigation fee.

Council Member Mattina thanked the Public Works Department for assembling and installing the Christmas Tree at Xabatin Community Park.

Mayor Froio reported that he had attended the Wreaths Across America event for the first time and will attend going forward. He also wished all happy holidays.

VIII. ADJOURNMENT:

Mayor Froio adjourned the meeting at 7:08 p.m.

Attest:

Michael Froio, Mayor

Kelly Buendia, City Clerk



CITY OF LAKEPORT

225 Park Street Phone: (707) 263-5615, Ext. 12 Lakeport, CA 95453 Fax: (707) 263-8584

APPLICATION FOR USE OF PUBLIC AREAS

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 one month** prior to the Council meeting at which they will be considered.

This section to be completed by City:

Application Received (Date): Sept. 25, 2023	Application No. SCC2023-002 PL
\$15.00 Application Fee Paid	For Council Meeting of (Date):

This section to be completed by Applicant (please answer all questions with as much detail as possible):

Applicant Name: Judy Luchsinger (Pam Harpster started the process)		Organization Name: Rotary Club of Lakeport	
Address: 1825 Hartley St., Lakeport 95453		Address: P.O.Box 937 (we meet Wed. at O'Meara's)	
Home Phone: 7073212934	Work Phone: 7073212934	Mobile Phone: 7073212934	
Email Address: judy@isoqed.com		Website/Facebook Page: lakeportrotary.org	
Other Contact: Pam Harpster 7072456481		Phone for Other Contact:	
Organization is: Nonprofit Organization For Profit Organization Nonprofit			

Name of Event: Rotary Drive Through Crab Feed
Description of Event: People buy crab dinner online, pick it up during the drive through on Feb. 17, 2024
Public Area of Use: <input type="checkbox"/> Main Street <input type="checkbox"/> Library Park <input checked="" type="checkbox"/> Silveira Community Center Parking Lot <input type="checkbox"/> Other
Specific Location of Event (Map Must be Attached):
Does this use involve public right of way, streets, or sidewalk? Yes No If yes, please indicate specific location:
If requesting closure of streets, sidewalk, etc., please describe notification procedure for affected businesses and/or residences:

Date(s) of Event: Feb. 17, 2024	Total Number of Days: 1	Set Up Time: noon 12:00 Time of Event: 5-7pm Tear Down Time: until 9pm
Specify anticipated number of people (both participants and the public): Estimate 50 cars will drive through		
Will any vendors be present? Yes <u>No</u> Will any food booths be present? Yes <u>No</u>		
Requirements: Electricity (cannot be guaranteed by City) Barricades Street/Sidewalk Closures No irrigation in park prior to event Other (please specify): <i>Coordination of these requirements must be made through the Public Works Department: (707) 263-0751</i>	Specific City Staff Needs: Police Public Works Parks 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 and its agents and "employees" from and against any injury, damage, claims, actions or suits arising out of the herein described Event, including those caused by negligence of the parties being indemnified and/or any dangerous condition of property of the parties being indemnified, and further agrees to defend and indemnify the City of Lakeport from and against any injury, damage, claims, actions or suits arising out of or connected with the foregoing event(s).

COVID-19 WAIVER

I, the undersigned, acknowledge the contagious nature of COVID-19 and voluntarily assume the risk that myself and others attending my event may be exposed to or infected by COVID-19. I agree to having all attendees follow CDC and Lake County Department of Public Health recommendations for enhanced health and safety measures related to COVID-19 and follow all posted instructions while using City facilities; including requirements for social distancing, wearing of face coverings, participant grouping, types of activities allowed, and potential limits on event size.



Dated:

Signature of Applicant

Responsible Official of Applicant Organization

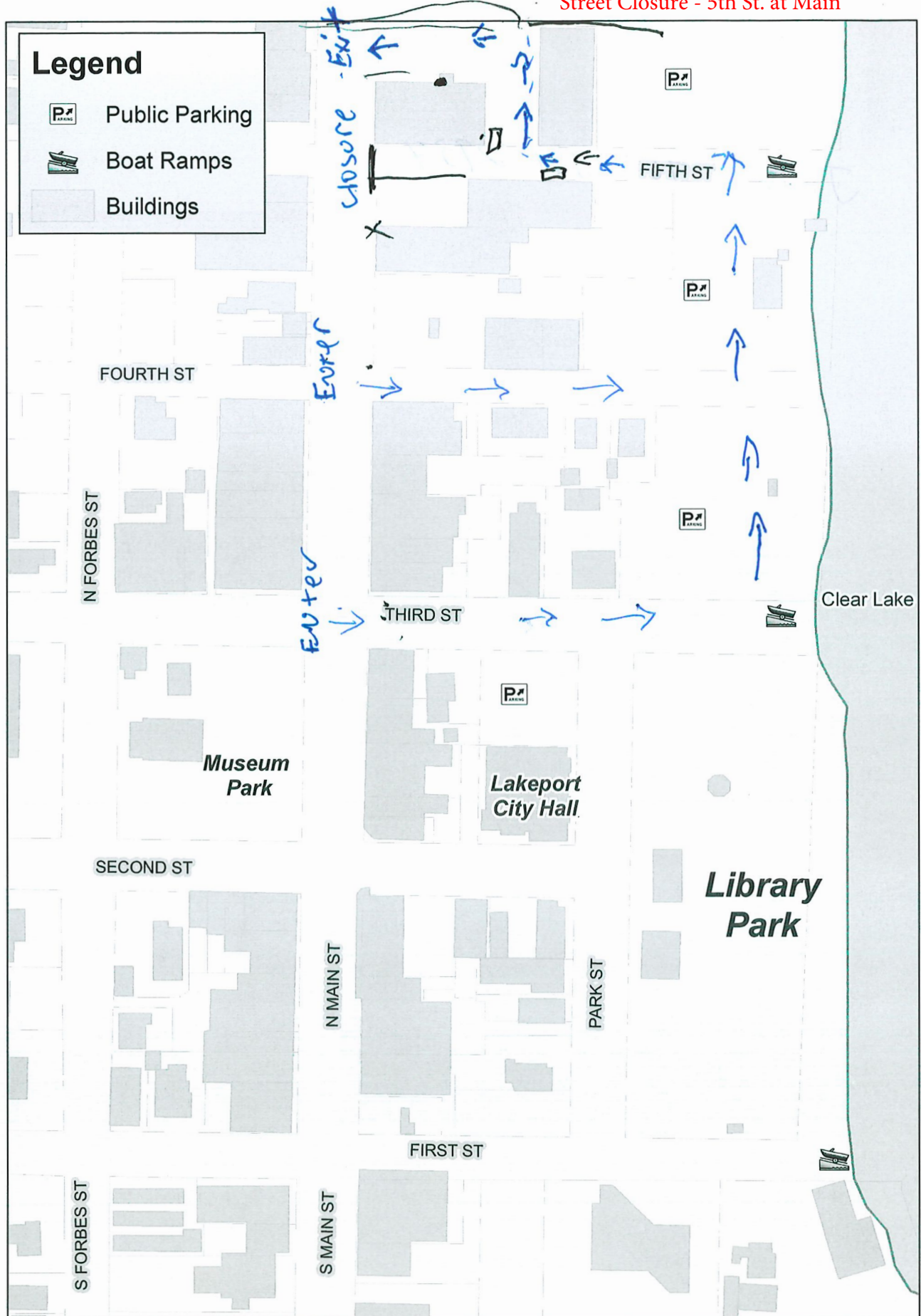
STAFF RESPONSE

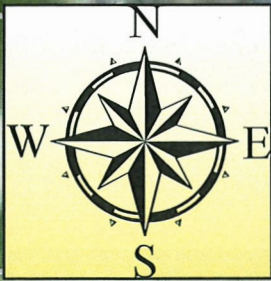
This section to be completed by City and Other Affected Agencies:

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

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

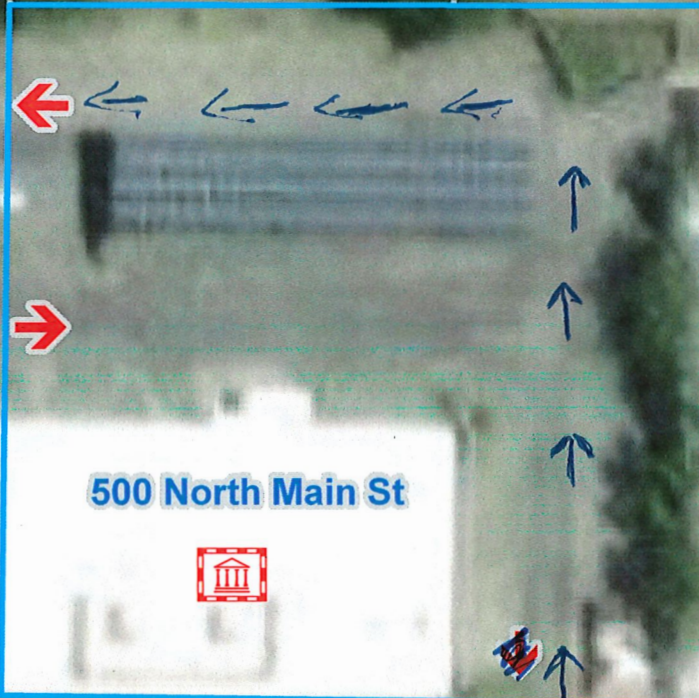
Considered at Council Meeting (Date):	Application Approved Application Denied Application Approved With Conditions (See Below)
Conditions of Approval:	





SIXTH ST

N MAIN ST



500 North Main St

FIFTH ST

Enter
Crab Feed
Entrance

5th Street Closed

Legend



Silveira Community Center



Lakeport Parcels 1.23

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Projected coordinate system name: NAD 1983 State Plane California II FIPS 0402 Feet
Geographic coordinate system name: GCS North American 1983
This data, although highly accurate, is not intended to depict
survey grade accuracy or be perceived in any circumstance as a binding or otherwise
declarative legal application.
Under no circumstances shall GIS mapping be used for final design purposes.

Map Prepared by City of Lakeport
Public Works Department
abritton@cityoflakeport.com

0 12.5 25 50 Feet
1 inch = 50 feet

City of Lakeport Community Center

500 North Main Street • Lakeport • CA • 95453 • 707.263.5615 • Fax 707.263.8584
admininfo@cityoflakeport.com

FACILITY USE APPLICATION

This reservation/contract is issued in accordance with the policies as established by the City Council, City of Lakeport. Failure to comply by any group/individual may cause reason to revoke this agreement. Reservations are on a first-come, first-served basis. **Your reservation date is not confirmed until reviewed and approved by the Facility Supervisor.**

Customer Information

Contact Person: _____
Street Address: _____
City, State, Zip: _____
Phone: _____
Alt Phone: _____
Email: _____

Company Information

Company Name: _____
Street Address: _____
City, State, Zip: _____
Phone: _____
Email: _____

☐ Government/School Other

☐ Non-Profit # _____

Please include a brief description of your event. If your event is a fundraiser or community event please include a complete agenda/description of your event.

Event Information

Name of Event: _____

Date of Event: _____

Attendance: _____ Guests over 21 years old
_____ Guests under 21 years old
_____ Total number of guests

Select Rental Type:

Week Day _____

Weekend _____

Friday Add-On to Weekend Rental _____

Kitchen Only _____

Reservation Date(s): _____

Arrival Time to Set Up: _____ am/pm

Departure Time After Clean Up: _____ am/pm

Arrival Time for Guests: _____ am/pm

Departure Time for Guests: _____ am/pm

Please answer the following:

	YES	NO
Is this open to the public?	<input type="checkbox"/>	<input type="checkbox"/>
Is this a fund-raiser?	<input type="checkbox"/>	<input type="checkbox"/>
Vendor/Booth Fee?	<input type="checkbox"/>	<input type="checkbox"/>
Entertainment Activities?	<input type="checkbox"/>	<input type="checkbox"/>
Admission charged / Tickets sold?	<input type="checkbox"/>	<input type="checkbox"/>
Donations requested?	<input type="checkbox"/>	<input type="checkbox"/>
Describe Donations _____		
Will alcohol be served?*	<input type="checkbox"/>	<input type="checkbox"/>
Type of alcohol: Beer / Wine / Hard Alcohol		
Will alcohol be sold?*	<input type="checkbox"/>	<input type="checkbox"/>

***Alcohol sales or consumption will require the appropriate permit from the Lakeport Police Department.**

USE OF THE COMMUNITY CENTER AND RENTAL INFORMATION

Rental rates: <i>*Events of 75 or more guests may be subject to additional cleaning fee</i>	Daily Rate (Government/Non-profit):	\$300.00 per day
	Daily Rate (Other):	\$500.00 per day
	Weekend Rate (Government/Non-profit):	\$700.00 per weekend
	Weekend Rate (Other):	\$1200.00 per weekend
	Friday Add-on for Weekend Rental:	\$100.00 per weekend
	Kitchen Only	\$150.00 per day
	Deposit:	\$250.00 per rental
	Deposit w/ Alcohol:	\$350.00 per rental
	*Cleaning Fee	\$150.00 per rental
	Cancellation/ Reschedule Service Fee:	\$30.00 Hourly
	Additional Time Charge:	\$50.00 per hour
Insurance Requirement:	Renters must provide the City of Lakeport with a Certificate of Insurance and Additional Insured Endorsement (Form CG 20 26 11 85) naming the City of Lakeport as additionally insured in the amount of \$1,000,000 (one million dollars).	
Renter's Responsibilities:	<ul style="list-style-type: none"> ◆ The renter acknowledges that he/she will contact the Administrative Services Department representative 3 days prior to the renter's event to review the facility and all available equipment to the renter. ◆ All equipment used must be returned to the proper location. ◆ Applicants and users of the facility assume full responsibility for any damage to the facility and equipment. ◆ Any additional "City" responsibilities or requested services related to the use of the facility must be received in writing and approved in advance of the scheduled dates by the City of Lakeport Administrative Services Department. 	
Americans with Disabilities Act:	If you have a special need regarding accessibility to this facility, please call the City Clerk's Office at 263-5615. Every effort will be made to assist in accommodating you.	



For Department Use Only

Rotary Crab Feed

Date Application Received:		Application No. SCC 2023-0020	
City Manager Approval: [Signature]		Date: 9/26/23	
Facility Use Fee: \$	Date Paid:	Receipt Number:	
Cleaning Fee: \$	Date Paid:	Receipt Number:	
Deposit: \$ (no alcohol)	Deposit: \$ (alcohol)	Check Number:	
Total Fees Due: \$	<input type="checkbox"/> Walk Through Inspection Before	<input type="checkbox"/> Walk Through Inspection After	
Less Costs: \$	(See attached itemized list)		
Less Damages: \$	(See attached itemized list)		
Refund Due: \$	Check Number:	Date:	
Insurance Provided: <input type="checkbox"/> Yes <input type="checkbox"/> No		Date Received:	

City of Lakeport
225 Park Street, Lakeport, CA 95453 • 707-263-5615 • Fax 707-263-8584
www.cityoflakeport.com

**SILVEIRA COMMUNITY CENTER
FACILITY USE POLICY**

This reservation/contract is issued in accordance with the policies as established by the City of Lakeport. Failure to comply by any group/individual may cause reason to revoke this agreement. Reservations are on a first-come, first-served basis, up to one year in advance of the rental date.

Your reservation date is not confirmed until reviewed and approved by the City of Lakeport.

A. FACILITY USE MINIMUMS

Initials

PJH

1. The Lakeport Community Center has a one-day minimum charge.
2. NO EVENTS CAN EXTEND BEYOND 12 a.m., including time spent for cleanup.
3. All individuals associated with your event will not be allowed to enter or remain in the facility before or after times reserved.
4. All permittees must accept the facilities and areas in the condition found. The City makes no warranty as to safety and usability of any facility beyond that afforded to the general public.

B. RESERVATION/DEPOSIT/REFUND

Initials

PJH

1. A deposit is required and is due at the time of booking. Deposits are processed immediately upon receipt and will be returned if no damages or violations occur. Deposits will not be returned if your event results in the need for any of the following:
 - Cleaning beyond the normal, daily Center maintenance.
 - Repairs or replacement due to structural or equipment damage.
 - Fire Department response due to false alarm or exceeding room capacity per the Fire Code.
 - Police Department response due to failure to follow all laws and ordinances, including, but not limited to, the City's sound ordinance and laws related to disturbing the peace.

The deposit will be used to pay for the additional fees. If fees exceed amount of the deposit, the renter will be required to pay the additional amount.

2. Facility inspections are conducted by city staff immediately following events to determine the condition of the facility (including common areas, restrooms and kitchen). Deposits will be refunded if all the clean-up criteria are met, the rental time was not exceeded, and no damage has occurred.
3. The City reserves the right to retain the entire security deposit if the applicant has knowingly made a false statement of material fact or has knowingly omitted a material fact in the rental application.

C. RENTAL FEES & CHANGES

Initials

PJH

1. All fees are due and payable 30 days prior to scheduled use. Payments may be in the form of a check, cash, or credit card (MC, Visa, or AmEx).
2. Failure to meet this deadline may result in cancellation of the permit and forfeiture of deposit and/or fees paid.
3. Renters who arrive earlier or stay later than the reserved time will be charged for the additional time.
4. Additional fees will be charged for any time necessary for cleanup, caterers, bands, DJ's, and permittee to depart facility. The hourly rate for any occupancy of the building past the contracted ending time will be charged to the permittee. Rental times must include your set-up and take-down/clean-up time. Tear-down/clean-up is defined as removing any garbage, decorating, and food remains.
5. Fees are not refunded for reserved time not used.
6. The City reserves the right to adjust fees at any time.
7. If renter wishes to change the event date(s), a \$30 service fee will be assessed for each date change.

- Only the person(s) listed as 'responsible' on the application is authorized to submit rental changes. Changes must be made in writing and be approved by staff; additional fees may apply.

D. LIABILITY/INSURANCE COVERAGE

Initials

PH

- Each permittee shall take out, at their expense, and keep in force during the period covered by the agreement, broad form comprehensive general liability insurance, naming the City of Lakeport, its officials, officers, employees, agents and volunteers as additional insured, at least 14 days prior to the event. The minimum required insurance liability coverage amount is \$1,000,000 (1 million per occurrence /\$2,000,000 aggregate).
- The certificate holder should be City of Lakeport, Office of the City Clerk, c/o 225 Park Street, Lakeport, CA 95453 and permittee agrees to hold harmless from any liability of damages and claim for damages for personal injury including death as well as for claims of property damage which might arise from the use of the rental facilities or furnishings.

E. CANCELLATIONS/RESCHEDULING

Initials

PH

- A \$30 service fee will be charged for any cancellation, refund, and/or re-scheduling of an event.
- If the nature of the event, or the number of participants changes, the City of Lakeport staff must be notified at least 10 days in advance, and if necessary, fees will be charged in accordance with applicable rates. The department reserves the right to disapprove of any such changes.
- Cancellation Policy
 - Cancellations made 20 or more days prior to the event will result in forfeiture of 100% of the deposit. All rental fees will be refunded.
 - Cancellations made less than (20) days prior to the event will result in forfeiture of 100% of all rental fees (your deposit will be returned to you as if the event occurred), regardless of when the event was reserved and the permit was issued, including regular renters who have ongoing files.
 - All cancellations are required to be in writing by the person who signed the contract.

F. CANCELLATION BY CITY

Initials

PH

- In addition to the right to terminate this rental agreement upon permittee's default, the City shall have the right to terminate part or all of this agreement at any time in the following circumstances:
 - Upon 30 days written notice.
 - Immediately without notice if the City Council, City Manager, or City Director of Emergency Services determines that the facility is required for public necessity or emergency use.
 - Immediately without notice if the facility is destroyed or damaged.
 - Neither City nor any of its officers, agents, or employees shall be liable to permittee for any damages that may be sustained by permittee through exercise by City of any of its rights to cancellation pursuant to this section. Upon such cancellation, any deposit and fees paid by permittee shall be refunded.

G. ALCOHOL/SMOKING

Initials

PH

- Intent to serve and/or sell alcoholic beverages must be noted on the application and must receive police department approval and is limited to hours set by the police department per event. Alcohol must be consumed only in the room(s) rented.
- Serving alcohol to minors is strictly prohibited and it is the responsibility of the permittee to ensure that minors are not permitted to consume alcoholic beverages at the park or facility. Groups where majority (51%) of participants are under 21 years of age will not be permitted to serve, consume, or have alcohol.
- No alcohol shall be served or sold prior to the arrival of security/event staff and/or one hour or one half hour prior to departure or as specified in the alcohol permit.
- Permittees who charge an admission fee or accept donations and serve alcohol must obtain a temporary alcohol sales permit

from the State of California Alcoholic Beverage Control Board. A copy of the license must be on file at the Department's office 30 days prior to the event. The original ABC license must be posted on site during the entire event.

5. Beverages must be served in plastic cups. Alcoholic drinks must be served in a different colored cup than non-alcoholic drinks.
6. Only one keg of beer per 100 adults is permitted.
7. Per City Ordinance, SMOKING IS NOT PERMITTED inside or within 20 feet of the facility. A \$100 fine will be assessed for each infringement. Absolutely no cannabis smoking is allowed on the premises.

H. STAFF/SECURITY/CHAPERONES

Initials

PJ

1. Based on the size and type of the event, additional event staff/private security may be required. Arrangements and costs are the responsibility of permittee. Private security may be obtained from any security agency licensed and bonded by the State of California. Each guard from the security agency must have and show a copy of his/her guard card. A copy of the security contract must be provided at least 30 days prior to the event.
2. When applicable, the City of Lakeport may require adult chaperones for youth activities. A list of chaperones must be submitted to the Department at least 30 days prior to the event, including addresses and phone numbers.
3. City shall have the absolute right to enter premises herein specified, or any portion thereof, at all times.

I. CLEAN-UP/DECORATING RESPONSIBILITIES

Initials

PJ

1. **Use of confetti, rice, glitter, candles, and fog machines** are prohibited. Use of screws or nails are prohibited. Use of any of these items will result in a forfeiture of the deposit and may result in additional fees.
2. Permittee is responsible for leaving the facility & kitchen in a clean condition in accordance with policy item J (see "J. KITCHEN CLEANING PROCEDURES"), in addition to those listed in this section (I "CLEAN-UP/DECORATING RESPONSIBILITIES). If additional cleaning of the facility is warranted via City staff or contracted janitorial services, the permittee will be responsible for additional charges and/or forfeiture of deposit.
3. All items brought into the building by permittee must be removed upon departure.
4. Dispose of all loose trash (cans, paper products, decorations) in receptacles provided.
5. Renters must place all garbage in the dumpster located outside the building.
6. All cardboard is to be broken down and placed in the cardboard recycling container outside.
7. Wipe off all table surfaces and counter areas.
8. Mop all liquid spills (including kitchen, stage and dressing room areas if applicable).
9. Remove all decorations, tape and equipment belonging to your group. Use of nails or screws are prohibited.
10. Return all property belonging to the City of Lakeport. This includes microphones, extension cords, projectors, etc.
11. Report all damages or injuries to the building attendant.
12. Advise building attendant of final departure time. It is your responsibility to leave promptly at the time indicated on your permit. If you do not leave on time, you will be charged overtime at 1 ½ times the rental rate.
13. Do not leave the sinks full. If there is any stoppage, please report it to the building attendant.
14. Do not dump ice or grease on landscaping or grass.
15. If Community Center dishware and utensils are used, it is your responsibility to run them wash and dry them and have the building attendant check them.

16. Remove all food items from refrigerators and freezer. Any items remaining will be removed by City staff.

J. KITCHEN CLEANING PROCEDURES

Initials

PS

***It is strongly suggested that renter also notify caterer of these kitchen-cleaning requirements. ***

1. Renter is responsible for kitchen cleaning requirements and failure to follow the guidelines listed below, may result in forfeit of rental deposit.
2. Place new liners in all trash receptacles. Each piece of equipment used must be cleaned and shut down according to directions provided.
3. Surface clean all appliances used. All surfaces (prep tables and work counters) must be washed with dish soap and hot water.
4. Remove all food particles from sinks and stove-tops; wash with dish soap and hot water.
5. Please do not put large amounts of food down the garbage disposal. Repairs and maintenance as a result of this will be renter's responsibility.
6. Empty, rinse, and make sure all food particles are removed from inside the dishwasher.
7. Empty refrigerator and freezers of all food and beverage. Clean inside of refrigerator, mop any spills, and wipe off all racks in the refrigerators with a damp cloth.
8. Sweep all debris from floor; mop all floor surfaces used with detergent and hot water.
9. Clean all stainless steel surfaces behind and above cooking areas.

K. DAMAGE OR LOSS

Initials

PS

1. Any damage or loss to facility or equipment is the responsibility of the permittee. The permittee shall be liable for costs associated with call outs of public safety officials and restoring and/or replacing any damages or losses.
2. The permittee's additional liability insurance shall not be limited to the amount of the deposit. If the permittee refuses to pay, legal action may be taken. In any case, the permittee will not be allowed to use any City facilities until full payment has been made.

L. PERMIT REVOCATION

Initials

PS

1. A permit may be revoked for failure to observe any rules, regulations, and ordinances of the City of Lakeport, for improper conduct or cancellation by City (see "F. CANCELLATION BY CITY" section).
2. If incomplete or incorrect information regarding the nature of the event or expected attendance on application is given to department staff, immediate cancellation of permit may result with no refund of fees and/or deposit.
3. Any publication of the proposed activity that occurs prior to the permit being approved shall cause the permit to be denied.
4. Not being in possession of their ABC license/permit, if applicable, will result in the immediate cancellation of the permit/and or event with no refund of fees and/or deposit.
5. Events that exceed expected attendance capacity may be immediately cancelled with no refund of fees and/or deposit.
6. Fights, vandalism, or unacceptable behavior occurring during an event shall cause immediate cancellation of the permit and no refund of fees and/or deposit.

M. OTHER

Initials

PS

1. In compliance with the Americans with Disabilities Act of 1990, renters are prohibited from discriminating against individuals

with disabilities in any events, programs, or activities. RECREATIONAL OPPORTUNITIES FOR PERSONS WITH DISABILITIES: We welcome persons with disabilities to participate in any class or activity offered by the City of Lakeport. We will make reasonable effort to accommodate the participants' special needs so that they may enjoy program opportunities offered by the City.

2. The City of Lakeport prohibits discrimination in all its programs, facilities, activities, on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program.
3. No animals, except seeing-eye dogs, canine companions, and certified service animals are permitted in the building.
4. Modification of electrical systems or hook up is prohibited unless prior approved is given by City personnel and or Maintenance Department.
5. Dining, food service, and/or congregating is/are prohibited within 10 feet of any exit. Congregating within 20 feet of the ATM is prohibited. Parking in designated ATM stalls is prohibited. Parking lot shall allow for the free flow of traffic.
6. The following is strictly prohibited:
 - Open flame candles (prior approval required).
 - Pyrotechnics or fireworks.
 - Blocking of exits or exit lights with curtain or booths, tables, chairs, or other objects.
 - Propane or flammable gas cylinders of any type.

N. ROOM SETUP

Initials



1. Customers are responsible for their own set-up and break-down. The City reserves the right to change the set-up if it is not in accordance with Fire Marshall Regulations and/or is not in compliance with maximum occupancy, which is 300 people.
2. If multiple set-ups are required during an event, they must be specified on the application and the patron will be charged the Building Attendant rate for the building attendants needed.
3. Guidelines for Set-Ups
 - Doorways may not be blocked.
 - Aisles must be a minimum 4 feet wide.
 - Exit pathways must be the same width as the doors.

O. INITIALS AND SIGNATURE

Initials

PH

Failure to comply with all the City of Lakeport's rental policies and procedures may result in loss of your deposit and/or your event being cancelled early or entirely.

PH

My signature below signifies that I have read and understand ALL the rental policies and rules outlined in the application.

PH

I agree to abide by all conditions outlined in this application and any permit(s) issued associated with this application.

PH

I also agree to pay the City of Lakeport all costs the City may incur as a result of any failure to fully comply with all these conditions

PH

To the extent a release and/or waiver of any type is obtained from any participant in the event/activity, said release and or waiver shall expressly include the City, its employees, agents and representatives as released parties. Said provision(s) shall confirm that the City, its employees, agents and/or representatives are released from all claims or damages of any type which may arise or are in any way related to participation in said event/activity.

My signature below signifies that: I am 21 years old or older; I agree to abide by all the conditions of this Facility Use Policy; and I also agree to pay to the City of Lakeport all costs the City may incur as a result of any failure to fully comply with all of these conditions.

Pam Harpster

Signature

9-13-2022

Today's Date

Pamela Harpster

Printed Name

K. M. Q.

Signature City Manager

9/26/23

Today's Date

ALCOHOL POLICY

ALCOHOLIC BEVERAGES:

Alcoholic beverages may only be served at City facilities upon City approval in accordance with this policy. Alcohol is strictly prohibited at events with more than 50% of participants being under the age of 21. Approval to sell liquor at City facilities must be obtained from the Lakeport Police Chief or authorized representative. An **ABC** license is also required to sell alcohol at City facilities. A copy of the ABC License must be on file with the City of Lakeport (10) ten days prior to scheduled event. Security or event staff may be required for any event serving or selling alcohol.

THE USE OF ALCOHOL AT CITY PARKS AND RECREATION FACILITIES IS ALSO SUBJECT TO THE FOLLOWING:

- Giving, serving, or selling alcoholic beverages to any person under age 21 is illegal. In addition to any sanctions under this policy, providing alcohol to minors is subject to criminal enforcement. Possession of alcohol by minors may result in the event being canceled and closed immediately.
- Upon such cancellation or closure, all fees and deposits paid for the event will be forfeited and may be retained by the City.
- The use of alcohol is restricted to hours set by the police department.
- All alcoholic beverage services must terminate one hour or one half hour before the scheduled end of the event, as specified in the permit.
- Beverage servers/sellers must refuse service/sale to anyone who appears to be intoxicated or under age 21. Minors who are in the possession of alcohol may result in the event being canceled and closed immediately. A security guard or event staff must stand next to the bar and monitor all sales and distribution of beverages and alcohol. The license holder/person(s) serving alcohol to minors during events held at the City Facilities are solely responsible for any criminal or civil penalties imposed.
- Proof of age must be required for anyone appearing to be 30 years of age or younger. Acceptable forms of identification are Military I.D., Passport, or Driver's License and must include date of birth, physical description, and photograph. Servers must confirm that the I.D. is that of the presenter.
- All beverages must be served in plastic cups. Alcoholic and non-alcoholic beverages must be served in distinctly different containers. Glassware may be used only with permission of the facility manager.
- Beer- Only one keg per 100 adults is permitted. (200 adults= 2 kegs, 300 adults = 3 kegs).
- Alcoholic beverage sales/services are not to exceed 2 standard drinks per person per visit to the point of service. For purposes of this policy, a standard drink is a 12-ounce beer, a 4-ounce glass of wine or a 1½-ounce glass of distilled spirits. Serving practices will reflect this equivalency.
- Non-alcoholic beers and wines may not be sold or served to minors.
- No alcoholic beverages may be brought into or taken out of the event by guests or participants.

NON-ALCOHOLIC BEVERAGES:

1. Non-alcoholic beverages (sodas, juices, waters, etc.) will be promoted and made available for the duration of any event where alcoholic beverages are sold or served.

FACILITY:

- All alcohol must be presented to and inventoried by City staff and private security prior to the event. Once alcohol is inventoried no further alcohol will be permitted at the facility.
- No alcohol may be served or sold prior to the arrival of security.
- No alcohol may be allowed outside the area where alcohol is permitted as designated in the contract between the City of Lakeport and permittee, including outside the building.
- Alcohol is prohibited in the parking lot.

STAFFING/SERVERS:

All events with 100 or more guests distributing alcohol, must either utilize the services of a caterer who is licensed and insured to serve alcohol at their client's event or at least one person trained in **Licensee Education on Alcohol and Drugs (LEAD)** must be present for the duration of the event to assist servers and monitor the event. Depending on the type and size of event, all servers may be required to participate in **LEAD** training. The **LEAD** trained personnel will assume responsibility for insuring that alcohol related policies are enforced. The name(s) of the designated **LEAD** person(s) will be submitted to facility management before the event. You can find an online training course at <https://www.abc.ca.gov/education/register-for-licensee-training/>

- Volunteers, event staff or those serving alcohol are not allowed to drink alcohol while working at the event.

TRANSPORTATION:

- At least one person present for the duration of the event will be designated to assist with arrangements for alternative transportation for alcohol impaired individuals, if requested by City staff or event participants. The name of this person will be submitted to City facility management before the event.

ENFORCEMENT:

- City facility management reserves the right to close any event that violates this policy or that poses a health or safety risk.
- Event staff or security (if required) must monitor the bar and/or alcohol serving area and monitor all sales and distribution of alcoholic beverages.
- Alcoholic beverage servers must be identified as such through the use of badges, buttons, pins, vests, etc.
- Conditions of sale, including the Police Department permit or ABC Permit if required, must be posted in a conspicuous place visible to the public and available upon request by any peace officer.



Signature

09-21-2023
Date

2-17-24
Date of Event

City of Lakeport
225 Park Street, Lakeport, CA 95453 • 707-263-5615 • Fax 707-263-8584
www.cityoflakeport.com

SECURITY POLICY

Arrangements and costs are the responsibility of the renter with all security arrangements confirmed in writing at least thirty (30) days prior to your event. Your signed security contract for paid services may be faxed to 707.656.4057.

Based on the nature, size and type of event, private security may be required and may be obtained from any security agency licensed and bonded by the State of California. It is up to each user group or renter to decide for themselves which security company they prefer to use.

1. Private Security Companies are **not** permitted to carry guns on the premises of the Lakeport Community Center, 510 North Main Street, Lakeport, CA, while hired to provide security services for private or public events.
2. All security guards are to be insured and bonded by the State of California and must provide a valid driver's license and guard card to the Building Attendants upon arrival at each event.
3. All guards must be identifiable by a guard uniform.
4. A supervising guard must be present at event.
5. Security guards must be willing to assist other events in the facility if needed although they may not be contracted for services by other facility events.
6. The number of security guards required for an event with alcohol is determined by the size and type of event.
7. We ask that the security guards monitor the number of people in a room not to exceed room capacity by limiting and controlling the number of people entering an event.
8. The security company will furnish the City of Lakeport incident reports and make them available upon our request. Each security person will be required to complete the Incident Report Form, provide a guard card number prior to the event, and sign form prior to leaving the premises.
9. Alcohol will not be permitted unless security services have been acquired.

A security company's purpose within the facility is to provide a safe environment for all individuals and to assist with the enforcement of the City of Lakeport's facility use policies and procedures, including use of alcohol.

I understand that I will be furnishing private security for my event and must provide a copy of the signed contract to the City of Lakeport.


Permittee Signature

09/2-2023
Date

02-17-24
Date of Event



COUNTY OF LAKE
Health Services Department
Environmental Health Division
922 Bevins Court
Lakeport, California 95453-9739
Telephone 707/263-1090
FAX 707/263-4395

Jonathan Portney
Health Services Director

Craig Wetherbee
Environmental Health Director

Promoting an Optimal State of Wellness in Lake County

Memorandum

DATE: October 11, 2023
TO: Hillary Britton, Deputy City Clerk/Records Supervisor
FROM: Ashley Brown, Senior EHS
RE: Application No. SCC2023-002 – Rotary Crab Feed
APN: 025-381-08 (SR0005022)

Environmental Health Division is requiring:

1. The sponsor must apply and pay for a sponsor Temporary Event application two weeks before the event takes place.





225 Park Street
Lakeport, CA 95453

CITY OF LAKEPORT

Please Note:

Bounce Houses and Waterslides are prohibited

Phone: (707) 263-5615
Fax: (707) 263-8584

APPLICATION FOR USE OF LIBRARY PARK GAZEBO AND FACILITIES

This section to be completed by City:

Application Received (Date):	<input type="checkbox"/> \$15.00 Application Fee Paid	Application No.
------------------------------	---	-----------------

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

Applicant Name:		Organization Name:
Address:		
Home Phone:	Work Phone:	Mobile Phone:
Email Address:		

Facility Requested:

☐ Gazebo ☐ Fifth Street Boat Ramp ☐ Third Street Boat Ramp ☐ Parking ☐ Xabatin Community Park Amphitheatre

Description of Event Proposed:

Date of Event:

Set Up Time:

☐ AM ☐ PM

Time of Event:

2

☐ AM ☐ PM

Tear Down Time:

☐ AM ☐ PM

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

Requirements: *Coordination of these requirements must be made through the Public Works Department: (707) 263-0751

- ☐ Electricity (not guaranteed by the City)
☐ No water in park prior to event
☐ Other (please specify):

*****It should be clearly understood that approval of your event does not convey exclusive use of the Park or the boat ramps and that there may be other events occurring in the Park or on the lake at the time of your 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.

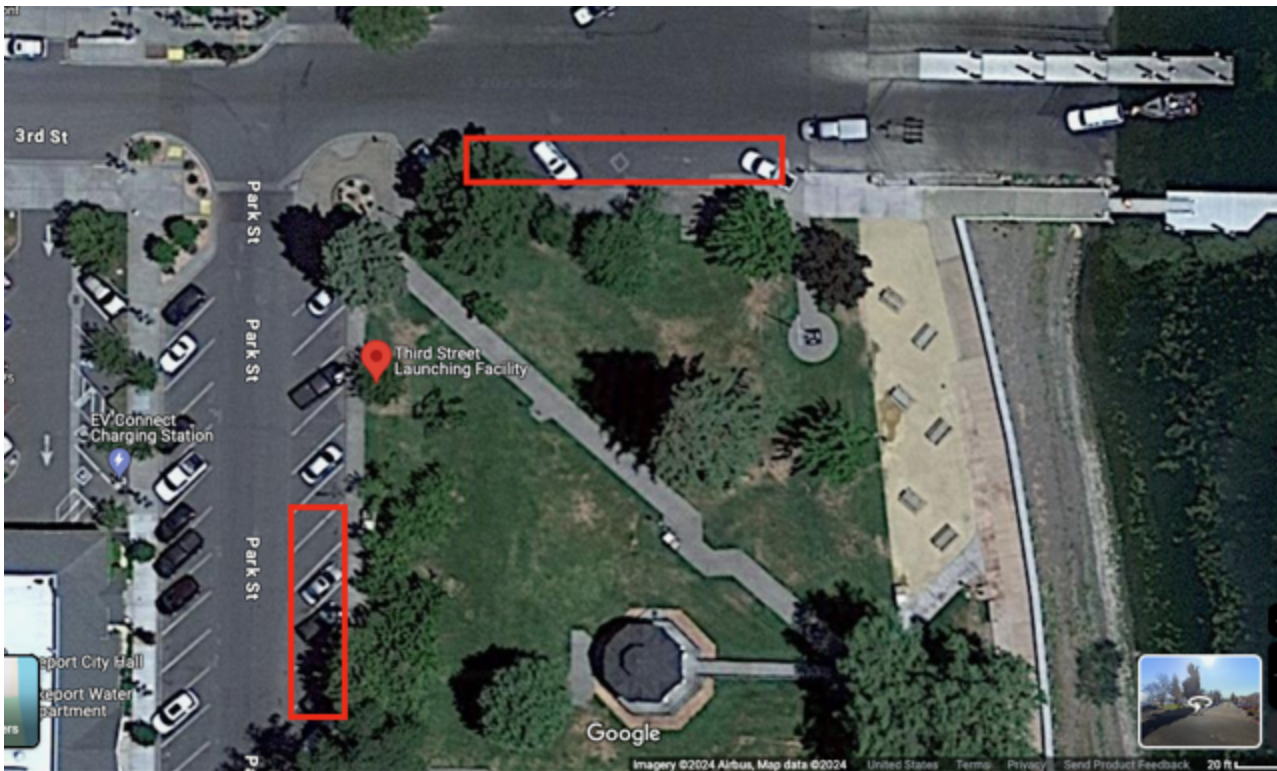
INSURANCE INFORMATION (Applies only to Public Events & Fishing Tournaments) The minimum coverage amount required is \$2,000,000.

The insurance certificate provided to the City by your organization's insurance company must name the City of Lakeport as an additional insured and must include a copy of any endorsements, including Waiver of Subrogation. The insurance provided to the City shall be primary to, and non-contributory with any insurance or self-insurance program maintained by the City.

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 and its agents and "employees" from and against any injury, damage, claims, actions or suits arising out of the herein described Event, including those caused by negligence of the parties being indemnified and/or any dangerous condition of property of the parties being indemnified, and further agrees to defend and indemnify the City of Lakeport from and against any injury, damage, claims, actions or suits arising out of or connected with the foregoing event(s).

Rachel Anilla
SIGNATURE OF APPLICANT

DATE





CITY OF LAKEPORT

City Council ☐

City of Lakeport Municipal Sewer District ☐

Lakeport Industrial Development Authority ☐

Municipal Financing Agency of Lakeport ☐

Successor Agency to the Lakeport Redevelopment Agency ☒

STAFF REPORT

RE: Recognized Obligation Payment Schedule (ROPS) 24-25

MEETING DATE: 1/16/2024

SUBMITTED BY: Nicholas Walker, ACM/ Finance Director

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

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The Board of Directors of the Successor Agency to the Lakeport Redevelopment Agency is being asked to adopt a resolution approving the ROPS 2024-25 for the period of July 1, 2024 through June 30, 2025.

BACKGROUND/DISCUSSION:

Following dissolution of the Redevelopment Agency of the City of Lakeport ("Agency"), the City elected to become the successor agency to the Agency by Resolution No. 2441, dated January 10, 2012 (the "Successor Agency"). Pursuant to Health and Safety Code Section 34173(b), the Successor Agency is now a separate legal entity from the City. One of the responsibilities of the Successor Agency is to prepare a Recognized Obligation Payment Schedule ("ROPS"), which sets forth the nature, amount, and source(s) of payment of all "enforceable obligations" of the Agency (as defined by law) to be paid by the Successor Agency.

Pursuant to AB 1484, passed by the State Legislature on June 27, 2012, a new schedule for submittal of a ROPS for periods subsequent to the period ending December 31, 2012 was established. Under AB 1484 a Successor Agency is required to submit the approved ROPS for the period July 1, 2024 through June 30, 2025 to the County of Lake Auditor Controller, the California State Controller, and the State of California Department of Finance and posted on the City's website by February 1, 2024.

Only payments required pursuant to the ROPS may be made by the Successor Agency.

The "enforceable obligations" listed in the ROPS may include the bonds; loans legally required to be repaid pursuant to a payment schedule with mandatory repayment terms; payments required by the federal government, preexisting obligations to the state or obligations imposed by state law; judgments, settlements or binding arbitration decisions that bind the agency; legally binding and enforceable agreements or contracts; contracts or agreements necessary for the continued administration or operation of the agency, including agreements to purchase or rent office space, equipment and supplies; and amounts borrowed from or payments owing to the Low and Moderate Income Housing Fund of a redevelopment agency, which had been deferred as of June 29, 2011. However, the ROPS is to exclude pass-through payments to be made by the county after dissolution of the Agency and any agreements, contracts or arrangements between the City and the Agency, except any of the following agreements between the City and the Agency: (1) any written agreements between the City and the Agency entered into prior to June 30, 2010, solely for the purpose of securing or repaying

indebtedness obligations to third parties; and (2) loan agreements entered into between the Agency and the City within two years of the date of creation of the Agency.

OPTIONS:

1. Adopt a resolution approving the Recognized Obligation Payment Schedule 23-24 covering the period July 1, 2024 to June 30, 2025 for presentation and adoption by the Lake County Redevelopment Oversight Board.
2. Do not approve and provide direction to staff

FISCAL IMPACT:

☐ None ☒ \$556,976 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: Successor Agency Fund

Comments: The ROPS lists existing enforceable obligations to be paid by the Successor Agency. Only payments listed on the approved ROPS and approved by DOF may be made by the Successor Agency.

COUNCIL PRIORITIES:



☐ Priority #1: Public Safety & Crisis Response



☐ Priority #2: Disaster Resiliency



☒ Priority #3: Good Governance & Fiscal Stability



☐ Priority #4: Capital Infrastructure Improvement



☐ Priority #5: Safe, Sustainable & Attractive Neighborhoods



☐ Priority #6: Economic Development

SUGGESTED MOTIONS:

Move to adopt a resolution approving ROPS 24-25 for the period of July 1, 2024 through June 30, 2025 for presentation and adoption by the Lake County Redevelopment Oversight Board.

☒ **Attachments:**

1. Resolution of the Successor Agency to the Lakeport Redevelopment Agency
2. Recognized Obligation Payment Schedule covering the period July 1, 2024 through June 30, 2025

RESOLUTION NO. XXXXX
**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE LAKEPORT
REDEVELOPMENT AGENCY, APPROVING AND ADOPTING A
RECOGNIZED OBLIGATION PAYMENT SCHEDULE COVERING THE
PERIOD JULY 1, 2024- THROUGH JUNE 30, 2025**

WHEREAS, pursuant to Health and Safety Code Section 34173(d), the City of Lakeport elected to become the successor agency to the Redevelopment Agency of the City of Lakeport (“Successor Agency”) by Resolution No. 2441 on January 10, 2012; and

WHEREAS, pursuant to Health and Safety Code Section 34173(g), the Successor Agency is a separate legal entity from the City; and

WHEREAS, Health and Safety Code Section 34177(o) requires the Successor Agency to prepare a recognized obligation payment schedule (“ROPS”) for the next fiscal year from July 1 to June 30, inclusive; and

WHEREAS, Health and Safety Code Section 34177(l)(2) requires the Successor Agency to submit the ROPS to the Successor Agency’s Oversight Board (“Oversight Board”) for its approval, and upon such approval, the Successor Agency is required to submit a copy of the approved ROPS (“Approved ROPS”) to the Lake County Auditor-Controller, the California State Controller, and the State of California Department of Finance, and post the Approved ROPS on the Successor Agency’s website; and

WHEREAS, AB 1484 passed by the State Legislature on June 27, 2012 establishes a new schedule for submittal of a ROPS for periods subsequent to the period ending December 31, 2012; and

WHEREAS, under AB 1484 a Successor Agency is required to submit the approved ROPS for the period July 1, 2024 through June 30, 2025 to the County of Lake Auditor Controller, the California State Controller, and the State of California Department of Finance by February 1, 2023; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

**NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE LAKEPORT
REDEVELOPMENT AGENCY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. CEQA Compliance. The approval of the ROPS 24-25 through this Resolution does not commit the Successor Agency or Oversight Board to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act (“CEQA”). Approval of the

ROPS 24-25 is also exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines because the proposed ROPS 24-25 will not cause a significant adverse physical change to the environment either directly or indirectly. The Clerk is authorized and directed to file a Notice of Exemption with the appropriate official of the County of Lake, California, within five (5) days following the date of adoption of this Resolution.

Section 3. Approval of ROPS. The Successor Agency to the Lakeport Redevelopment Agency hereby approves the Recognized Obligation Payment Schedule (ROPS) for the fiscal year July 1, 2024, through June 30, 2025, as prepared by City staff.

Section 4. Authorization to Submit to The Lake County Redevelopment Oversight Board. The Successor Agency to the Lakeport Redevelopment Agency hereby authorizes and directs the City staff to submit the approved ROPS for the period July 1, 2024, through June 30, 2025, to the Lake County Redevelopment Oversight Board for their consideration and approval.

Section 5. Effectiveness. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Successor Agency to the Lakeport Redevelopment Agency on the 16th day of January, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Michael Froio, Chair

ATTEST:

Kelly Buendia, Secretary

EXHIBIT A

RECOGNIZED OBLIGATION PAYMENT SCHEDULE

[Attached behind this page]

Recognized Obligation Payment Schedule (ROPS 24-25) - Summary
Filed for the July 1, 2024 through June 30, 2025 Period

Successor Agency: Lakeport

County: Lake

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	24-25A Total (July - December)	24-25B Total (January - June)	ROPS 24-25 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 406,319	\$ 150,657	\$ 556,976
F RPTTF	320,947	65,286	386,233
G Administrative RPTTF	85,372	85,371	170,743
H Current Period Enforceable Obligations (A+E)	\$ 406,319	\$ 150,657	\$ 556,976

Certification of Oversight Board Chairman:

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

Name Title

/s/ _____
Signature Date

Lakeport
Recognized Obligation Payment Schedule (ROPS 24-25) - ROPS Detail
July 1, 2024 through June 30, 2025

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 24-25 Total	ROPS 24-25A (Jul - Dec)					24-25A Total	ROPS 24-25B (Jan - Jun)					24-25B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
								\$7,405,711		\$556,976	\$-	\$-	\$-	\$320,947	\$85,372	\$406,319	\$-	\$-	\$-	\$65,286	\$85,371	\$150,657
2	2004 Series B Bonds	Bonds Issued On or Before 12/31/10	03/01/2005	03/01/2027	Union Bank of California	Bond indebtedness	Lakeport Project Area 1	266,047	N	\$91,583	-	-	-	86,922	-	\$86,922	-	-	-	4,661	-	\$4,661
17	Administrative Costs	Admin Costs	02/01/2012	09/01/2034	City of Lakeport	Administrative costs		3,105,139	N	\$170,743	-	-	-	-	85,372	\$85,372	-	-	-	-	85,371	\$85,371
18	2016 Tax Allocation Bonds	Bonds Issued After 12/31/10	11/02/2016	09/01/2034	Union Bank of California	Bond indebtedness		4,034,525	N	\$294,650	-	-	-	234,025	-	\$234,025	-	-	-	60,625	-	\$60,625

Lakeport
Recognized Obligation Payment Schedule (ROPS 24-25) - Report of Cash Balances
July 1, 2021 through June 30, 2022
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (I), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.							
A	B	C	D	E	F	G	H
	ROPS 21-22 Cash Balances (07/01/21 - 06/30/22)	Fund Sources					Comments
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	
1	Beginning Available Cash Balance (Actual 07/01/21) RPTTF amount should exclude "A" period distribution amount.	-	-	99,607	59,190	46,250	
2	Revenue/Income (Actual 06/30/22) RPTTF amount should tie to the ROPS 21-22 total distribution from the County Auditor-Controller					566,220	
3	Expenditures for ROPS 21-22 Enforceable Obligations (Actual 06/30/22)					474,940	
4	Retention of Available Cash Balance (Actual 06/30/22) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						
5	ROPS 21-22 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 21-22 PPA form submitted to the CAC		No entry required				
6	Ending Actual Available Cash Balance (06/30/22) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$99,607	\$59,190	\$137,530	

Lakeport
Recognized Obligation Payment Schedule (ROPS 24-25) - Notes
July 1, 2024 through June 30, 2025

Item #	Notes/Comments
2	
17	
18	

Proclamation

DESIGNATING THE MONTH OF JANUARY 2024 AS HUMAN TRAFFICKING AWARENESS MONTH IN THE CITY OF LAKEPORT

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT PROCLAIMED, that the City Council of the City of Lakeport does hereby designate January 2024 as

Human Trafficking Awareness Month

in the City of Lakeport, and our community is urged to support the efforts of the agencies assisting victims of human trafficking and urges all local governments, schools, businesses, and community members to be aware and report any suspicious activity to local police departments and help shine the light on trafficking.

I have hereunto set my hand and caused the Seal of the City of Lakeport to be affixed this 16th day of January 2024.

MICHAEL FROIO, Mayor



CITY OF LAKEPORT

City Council ☒
City of Lakeport Municipal Sewer District ☐
Lakeport Industrial Development Authority ☐
Municipal Financing Agency of Lakeport ☐

STAFF REPORT

RE: Presentation of the Clear Lake Integrated Preparedness and Resilience Plan for Dreissenid Mussel Management

MEETING DATE: 1/16/2024

SUBMITTED BY: Kevin M. Ingram, City Manager

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

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to receive a presentation from the Lake County Water Resources Department regarding the Clear Lake Integrated Preparedness and Resilience Plan for Dreissenid Mussel Management: A Rapid Response and Transition to Containment Plan.

BACKGROUND/DISCUSSION:

See attached Clear Lake Integrated Preparedness and Resilience Plan for Dreissenid Mussel Management (Attachment 2) and Executive Summary memorandum from Angela De Palma-Dow, Invasive Species Program Coordinator, County of Lake Water Resources Department (Attachment 1).

OPTIONS:

1. Receive report, with no suggested changes or alterations.
2. Receive report, and make recommended changes or suggest alterations.
3. Provide alternative direction.

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: No fiscal impact.

COUNCIL PRIORITIES:



☐ Priority #1: Public Safety & Crisis Response



☒ Priority #2: Disaster Resiliency



☒ Priority #3: Good Governance & Fiscal Stability



☐ Priority #4: Capital Infrastructure Improvement



☐ Priority #5: Safe, Sustainable & Attractive Neighborhoods



☒ Priority #6: Economic Development

SUGGESTED MOTIONS:

NONE



Attachments:

1. Executive Summary Memorandum from Angela De Palma-Dow, Invasive Species Program Coordinator, County of Lake Water Resources Department
2. Clear Lake Integrated Preparedness and Resilience Plan for Dresissenid Mussel Management: A Rapid Response and Transition to Containment Plan

TO: Lakeport City Council

FROM: Angela De Palma-Dow, Invasive Species Program Coordinator, County of Lake Water Resources

DATE: January 4, 2024

SUBJECT: **Council Agenda Item for January 16th, 2024**
Presentation of the Clear Lake Integrated Preparedness and Resilience Plan for Dreissenid Mussel Management: A Rapid Response and Transition to Containment Plan

EXECUTIVE SUMMARY:

Invasive Species, such as invasive Quagga and Zebra Mussels, significantly alter lake ecosystems and habitats. Invasive mussels can clog water intakes, making drinking water treatment costs increase. Shells from dead mussels can accumulate on beaches and shorelines, creating sharp, dangerous conditions for swimmers, waders, bathers, wildlife, and domesticated animals. Invasive mussels are filter feeders, and they consume large quantities of green algae – or phytoplankton – which is the base of Clear Lake's food web and the foundation of our world class fishery and its dependent economy.

Clear Lake is currently free of invasive mussels thanks to efforts by the Lake County Watershed Protection District's prevention program guided by the County Ordinance Chapter 15 IX that governs the local requirements for screenings and local boater stickers. Prevention program support is provided by annual grants from the California State Parks Division of Boating and Waterways and matched by revenues generated from the Lake County boater sticker program.

If invasive quagga or zebra mussels were to be introduced to Clear Lake, their presence would degrade the lake ecology and the associated tourism industry. Potential actions that could occur if invasive mussels were introduced and establish include restricted access and moratoriums on fishing tournaments and other water-based events to prevent spread to other Northern California regional waterbodies. Additional consequences include the termination of all current state prevention grants – shifting the entire financial burden to manage this program to the County.

To guide the process to protect the lake and prevent economic devastation if an invasive mussel population is discovered in Clear Lake, the Watershed Protection District was awarded a grant from the US Fish and Wildlife Service to create a Clear Lake Invasive Mussel Rapid Response and Containment Transition Plan.

The plan, titled "Clear Lake integrated Preparedness and Resilience Plan for Dressenid Mussel Management: A Rapid Response and Transition to Containment Plan,"-was developed with input from-State agency staff, environmental tribal leaders, water

purveyors, regional water body managers, County department staff and leaders, City of Lakeport Water Division, and was presented to the public in two virtual forums, and posted online with an open comment period. The final plan is now ready to be presented to the City Council and Lakeport, for any final review and discussion before the grant and planning period expires.

Angela De Palma-Dow, the Water Resources Invasive Species Program Coordinator, and the consultants Lisa DeBruyckere and Leah Elwell, will be presenting the plan, and the project website, to the Council and the public of Lakeport.

This presentation and the draft plan were presented to the BOS in October, 2023, and the plan provided today is the final plan based on that review.

This item will require about 20 minutes with question and answer time allocation.



Clear Lake Integrated Preparedness and Resilience Plan for Dreissenid Mussel Management

A Rapid Response and Transition to Containment Plan

Our goal is to improve the current aquatic invasive species prevention program while preparing for an invasive quagga or zebra mussel introduction into Clear Lake.



THIS PROJECT WAS FUNDED BY THE U.S. FISH AND WILDLIFE SERVICE AND THE COUNTY OF LAKE WATER RESOURCES DEPARTMENT.

ACKNOWLEDGEMENTS

Feedback from various agencies have assisted in a balanced and robust plan to guide in the management of one of the most important invasive species in North America. The completion of this document was supported by funding from the Quagga Zebra Mussel Action Plan (QZAP) administered by the U.S. Fish and Wildlife Service. A special thank you to the following individuals that contributed to the content and completion of this document:

- Angela DePalma-Dow, County of Lake Water Resources Department
- Angie Montalvo, California Department of Fish and Wildlife
- Dominique Norton, California Department of Fish and Wildlife
- Ben Ewing, California Department of Fish and Wildlife

This document was prepared for Lake County Water Resources Department by Lisa DeBruyckere of Creative Resource Strategies, LLC and Leah Elwell of Conservation Collaborations, LLC.

Recommended Citation: DeBruyckere, L.D., and L.Elwell. 2023. Clear Lake Integrated Preparedness Plan/Resilience Plan for Dreissenid Mussel Management: A Rapid Response and Transition to Containment Plan. 81pp.

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- Figure 3. Dreissenid management response decision matrix.
- Figure 4. Watercraft inspection and decontamination enhances prevention efforts at Clear Lake.
- Figure 5. Dreissenid management response decision matrix. This matrix provides a flow of possible steps upon the initial detection of dreissenids.
- Figure 6. The Incident Command System structure with identified roles and lines of communication.
- Figure 7. Potential Lake County entities that would be involved in a dreissenid response visualized in Incident Command System roles.
- Figure 8. Outreach materials to share information about a detection of dreissenids in Clear Lake include a social media post, flyer, and door hanger.
- Figure 9. Columbia River Basin Dreissenid Incident Response Toolkit (CRBDIRT) website.
- Figure 10. Timeline illustrating verification of identification, accompanying tasks, and water body status following a preliminary detection of dreissenids.
- Figure 11. Mussel sticker sales to residents and visitors, 2016-2022.
- Figure 12. Potential locations for permanent watercraft inspection and decontamination stations (yellow mark) based on the criteria for establishing stations.

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- Table 1. Summary of roles and responsibilities relative to dreissenid prevention and management.
- Table 2. Contact information for Clear Lake dreissenid prevention and mangement.
- Table 3. Three types of communication hubs for disseminating information on dreissenid mussel response, including the type of information shared, method of communication, frequency, and entities involved.
- Table 4. Total number of mussel stickers sold to residents and visitors, and income received, from 2016-2022.

EXECUTIVE SUMMARY

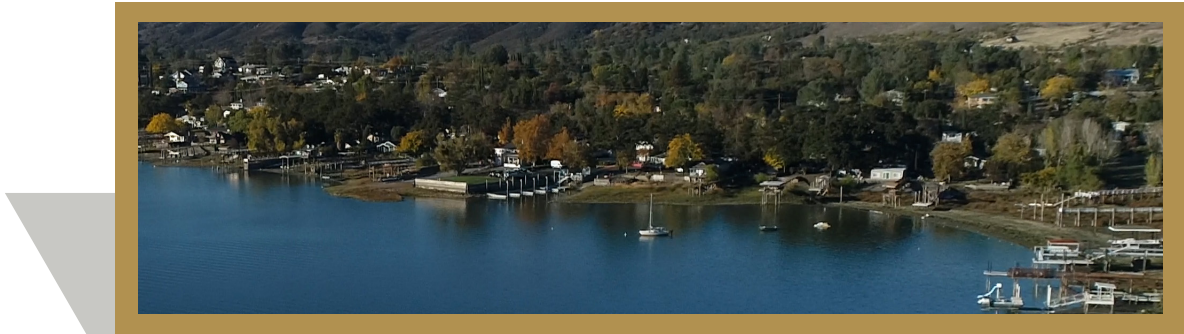
The County of Lake Watershed Protection District (the “District”) initiated the development of this *Invasive Mussel Introduction Rapid Response and Containment Transition Plan for Clear Lake, in Lake County, California* to improve the preparedness capabilities of Clear Lake water managers to protect Clear Lake water resources in the event of an invasive dreissenid mussel introduction and/or establishment. The plan provides guidance to prepare partners to efficiently and effectively respond to a dreissenid mussel detection to minimize spread within and beyond Clear Lake, and protect natural, recreational, cultural, economic, and other resources.

Clear Lake is at high risk for introduction of dreissenids because of the volume of out-of-county boaters that use the water body, its reputation nationally as a blue-ribbon warm water fishery, numerous and free access points for visiting boaters, and water chemistry conducive to invasive mussel establishment. The District administers the Q/Z mussel prevention program and monitors for Q/Z mussels in Blue Lakes, Clear Lake, Hidden Valley Lake, Highland Springs, Indian Valley

Reservoir, and Lake Pillsbury per CDFW monitoring protocols. The district monitors for Q/Z mussels using artificial substrates, infrastructure/surface structure observations, and veliger tows. District water purveyors (Appendix A) monitor for mussel presence during maintenance of facilities.

Potential effects of invasive mussels are numerous, and include, but are not limited to, ecological disruption, reduction in property values, increased maintenance costs, beaches and shorelines with sharp shells, loss of revenue to Lake County communities, restrictions on boating and fishing tournaments, and increase in costs to maintain boats and water infrastructure delivery systems.

The District is the primary agency responsible for managing the dreissenid mussel prevention program in Lake County and plans, manages, maintains, implements, and evaluates all Lake County aquatic invasive species programs. The California Department of Fish and Wildlife, California State Parks Division of Boating and Waterways, water supply system operators, citizen scientists, and Pacific Gas and Electric also



have roles and responsibilities relative to dreissenid prevention and management in the county. Numerous state statutes and county ordinances govern the implementation of this programs. Numerous recommendations were made to strengthen county ordinances to improve the ability and effectiveness of the District to prevent and ultimately contain dreissenids.

There are specific steps that can be taken during a dreissenid response, including confirmation of detection, declaration of emergency, notification communication, activation of the Incident Command System, communication and outreach, response actions, containment, monitoring, and termination of the Incident Command System.

Containment of dreissenids is costly. In Flaming Gorge Reservoir, annual containment costs exceed \$1 million; in Keyhole Reservoir, Wyoming, annual containment costs approach \$.75 million. Sources of funding available for containment include federal grant funding, state and regional funding, and fee-based user funding, e.g., funding from the sale of resident and visitor mussel stickers.

The District should consider making significant infrastructure investments around the perimeter of Clear Lake to prevent an introduction of dreissenids, and, in the case of an eventual introduction, have the capacity to decontaminate all watercraft exiting the lake to ensure minimal disruption to revenue-generating recreational activities. A permanent watercraft decontamination station feasibility analysis has identified the cost and criteria that should be considered to site stations.

Numerous long-term management recommendations will improve the ability of the District to prevent and ultimately contain dreissenids. Recommendations in funding, reporting, capital expenditures, containment and control, collaboration, and fishing regulations will enhance the readiness of the District.



CHAPTER ONE

1

Purpose of the Plan

The purpose of this Invasive Mussel Introduction Rapid Response and Containment Transition Plan for Clear Lake, in Lake County, California is to improve the preparedness capabilities of Clear Lake water managers to protect Clear Lake water resources in the event of an invasive dreissenid mussel introduction and/or establishment. The plan provides guidance to prepare partners and other entities to efficiently and effectively respond to a dreissenid mussel detection to minimize spread within and beyond Clear Lake, and protect natural, recreational, cultural, economic, and other resources. This plan is intended to build upon the Lake County Quagga and Zebra Mussel Prevention Plan (2019), which guides prevention efforts associated with an introduction and establishment of dreissenids in Lake County water bodies. The contents of this plan are limited to containment via overland transport (i.e., watercraft), which is within the jurisdiction of County of Lake Water Resources Department (LCWRD). This plan highlights the critical role LCWRD plays in preventing the spread of dreissenids through containment and potential control efforts.

Objectives and Capability Targets

The plan will be used to routinely test core capabilities associated with prevention and response:

- **Planning** – Identify critical objectives, describe the sequence and scope of tasks to achieve objectives, ensure objectives are implementable, and develop and execute actions in coordination with regional jurisdictions.
 - **Capability Target** – Within one week of a dreissenid confirmation, describe the roles and responsibilities of partner organizations involved in incident management response across all jurisdictions, and sequence the scope of tasks needed to prevent, protect, mitigate, and respond to the introduction.
 - **Capability Target** – Maintain, on a regular basis (i.e., quick annual review and thorough 5-year review), this Invasive Mussel Introduction Rapid Response and Containment Transition Plan for Clear Lake, in Lake County, California, to ensure roles and responsibilities across jurisdictions

as well as sequence and actions needed to prevent an introduction and/or establishment of dreissenids is understood by all jurisdictions.

- **Public Information** – Deliver coordinated, prompt, reliable, and actionable information to the whole community through clear, consistent, accessible, culturally competent and appropriate methods (based on best available science/laboratory methods and standardized field methodologies) to relay information regarding dreissenid detection as subsequent actions.
 - **Capability Target** – Within 24 hours of a dreissenid detection, notify California Department of Fish and Wildlife QZM-AIS Regional Coordinator (Environmental Scientist) and invasive species hotline @ invasives@wildlife.ca.gov and/or Invasive Species Program @ 866-440-9530.
 - **Capability Target** – Within one week of a dreissenid detection, and within three

days of a dreissenid confirmation, deliver reliable and actionable messages to the public and collaborators that define the threat, describe actions being taken, and include required actions by the public and collaborators.

- **Capability Target** – One month prior to taking action to attempt to eradicate, or limit the spread of dreissenids, deliver reliable messages to the public and collaborators about potential control actions and any necessary temporary closures, or shutdowns (e.g., municipal water suppliers, self-supplied water users).
- **Operational Coordination** – Establish and maintain a unified and coordinated operational structure and process that appropriately integrates all critical collaborators.
 - **Capability Target** – Within one week of a dreissenid detection, establish and maintain an Incident Command Structure (ICS) and process with partner organizations.
 - **Capability Target** – Annually test and update the Invasive Mussel Introduction Rapid Response and Containment Transition Plan for Clear Lake, in Lake County, California, validating roles and responsibilities and other core plan elements.
 - **Capability Target** – Ensure adequate resources exist to respond to an introduction of dreissenids in Clear Lake and neighboring regional water bodies by coordinating and positioning equipment (e.g., booms) in an easily accessible location, establishing protocols and procedures for accessing and replacing that equipment.
 - **Capability Target** – Share information about water body surveillance results across regional water body jurisdictions. Within one week of a dreissenid detection, provide notification to decision makers and partners involved in incident management of the current and projected situation.
- **Screening, Search, and Detection** – Identify, discover, or locate dreissenids through active

and passive surveillance and search procedures including assessments, surveillance methods, or physical investigation.

- **Capability Target** – Monitor Clear Lake and other county water bodies on a regular basis using plankton tows, settling plates, and physical observations to detect an introduction of dreissenids.
- **Capability Target** – Per Lake County Code Chapter 15, Article IX (https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeId=COOR_CH15RE_ARTIXWAVEINPR) ensure all watercraft launched in Clear Lake have both local inspection stickers and state mussel fee stickers, and are clean, drained, and dry prior to launch.
- **Capability Target** – Ensure all high-risk watercraft launched in Clear Lake are inspected prior to launch.
- **Risk Management for Protection Programs and Activities** – Identify, assess, and prioritize risks to inform activities, countermeasures, and investments.
 - **Capability Target** – Annually conduct a review of relevant threats and hazards, vulnerabilities, and strategies for risk management covering publicly managed and/or regulated critical infrastructure (e.g., water delivery).
- **Response** – Implement appropriate actions to eradicate an introduction of, or limit the spread of, dreissenids within Clear Lake and other regional water bodies.
 - **Capability Target** – Per California Code of Regulations Title 14, Section 672.1(a)(1), within 60 days of a dreissenid detection, describe the suite of options available to eradicate, or limit the spread of, the dreissenid population, and obtain the necessary permits and marshal the necessary resources to effect action.

CHAPTER TWO

2

Preparing for an Introduction of Dreissenids in Lake County

In December of 2022, the County of Lake Water Resources Department launched this project to develop an Invasive Mussel Introduction Rapid Response and Containment Transition Plan for Clear Lake, in Lake County, California. The overall goal for the project is to improve the current aquatic invasive species prevention program while preparing for an invasive quagga or zebra mussel (“QZ”) introduction into Clear Lake, or neighboring Lake County water bodies (Clear Lake, Indian Valley Reservoir, Lake Pillsbury, Blue Lakes, Hidden Valley Lake, and Highland Springs Reservoir). Preparing for an introduction is a process to understand and determine potential response options and develop a containment strategy that can be implemented quickly and efficiently to reduce local economic, environmental, cultural, and social impacts as well as prevent the spread of invasive mussels in northern California and other uninfested western waters. Any potential response to an introduction of dreissenids to Clear Lake will vary based on a variety of factors, including dreissenid life stage detected, and the scope of an infestation upon discovery. The materials and information provided in this document are guidelines for consideration of the actions that may be taken.

Clear Lake Water Management and History

Clear Lake and its associated 520 square mile watershed are a complex ecosystem consisting of a large, shallow, eutrophic lake that is used for recreation, tourism, and municipal, domestic, and agricultural water supply and provides important habitat for fish and wildlife. The lake is California’s largest, natural freshwater lake located entirely within the state, has 68 miles of surface area, and an average depth of 26 feet. The lake drains into the Sacramento River via Cache Creek (Lake County 2010). The major tributaries to Clear Lake, which flow primarily during the winter months and contribute 73 percent of the total stream flow into Clear Lake, include Scotts and Middle creeks (northwest) and Kelsey Creek in Big Valley (south) (Lake County 2010).

Extensive modifications of the lake, shoreline, and watershed since the mid-1800s have resulted in an 85 percent loss of natural wetlands as well as nitrogen and phosphorus cycling imbalance contributing to frequent cyanobacteria algal blooms (Giusti 2009). These algal blooms are predicted to worsen with climate

change stressors (Kennard 2021). Several Clear Lake water purveyors have developed cyanotoxin management plans (Highlands Mutual Water Company 2016) to prepare for and mitigate risks from harmful algal blooms and cyanotoxins to protect public drinking water. Clear Lake was added to the federal Clean Water Act Section 303(d) list of impaired water bodies for nutrients in 1986 (Lake County 2010). The Lake County Clean Water Program (LCCWP) established a Program Effectiveness and Improvement Plan in 2021 to mitigate polluted stormwater runoff, and in particular, high priority pollutants of concern (phosphorus associated with sediment and nutrients) and increases in peak flows caused by development (EOA 2021). Drought, mining, chemicals, and invasive species have contributed to water and natural resource impairments:

- Extended periods of drought correlate with increases in phosphorus in all three arms of the lake (Suchanek et al. 2002, DePalma-Dow et al. 2022). A major factor in the stimulation and persistence of cyanobacteria blooms in

Clear Lake relates to periods of anoxia (during periods of calm) that reduce dissolved oxygen and may act to release phosphorus from the sediments. This is followed by periods of active water column mixing (windy periods), which distribute those nutrients throughout the water column (Florea et al. 2022).

- Clear Lake contains elevated levels of mercury caused by the Sulphur Bank Mercury Mine, an open pit mercury mine on the Oaks Arm of Clear Lake. The mine opened in 1865, became an open pit mine in 1927, ceased operations in 1957, and is now a Superfund site (Lake County 2010).
- Dichlorodiphenyldichloroethane (DDD) was applied to Clear Lake in the 1940s and 1950s to control the Clear Lake gnat (*Chaoborus astictopus*), a nuisance to residents and recreationists (Giusti 2009). Contamination of the ecosystem and collapse of Western Grebe populations occurred.
- Introduction and establishment of non-native fishes and invasive plants, such as Hydrilla (*Hydrilla verticillata*), have displaced native fish species (Guisti 2009; Feyrer 2019).

Drinking Water Systems that Draw Water from the Clear Lake Watershed

Clear Lake provides drinking water to 60 percent (serving ~40,000 people) of the population of Lake County and provides a reliable water source for nearby agriculture production within the basin and downstream through Yolo County and to the California Central Valley. Clear Lake has been described as the county’s most valuable asset, providing economic and ecological stability to the entire region. The popularity and accessibility of Clear Lake combined with water quality conditions suitable for dreissenid mussel establishment, make the risk of an invasive mussel invasion extremely high (County of Lake Watershed Protection District 2019).

According to the California Rural Water Association (CRWA), there are a total of 17 utility surface water systems with a total of at least 17,545 service con-

nections that draw water from the lake (Appendix A) (<https://gispublic.waterboards.ca.gov/portal/apps/webappviewer/index.html?id=272351aa7db14435989647a86e6d3ad8>). Service area boundaries of Clear Lake drinking water have been verified by the Division of Drinking Water of the California Water Resources Control Board (Figure 1). Stored water is managed by Yolo County Flood Control and Water Conservation District.

The water level in Clear Lake has been manipulated by operation of the Cache Creek Dam since 1914 (Highlands Mutual Water Company 2016). The Yolo County Flood Control and Water Conservation District owns the rights to use the water in the lake (Suchanek et al. 2002) and regulates the depth of the lake (determined by the Rumsey gauge) between 0–7.56 feet, under non-flood conditions and 0–9.00 feet under flood conditions (Lake County 2010). Clear Lake can drop between 3–6.5 feet in any given summer and fluctuates 5.5 feet each year on average (Lake County 2010). If the lake falls below 3.22 Rumsey on May 1, Yolo County receives no water. However, when the lake is full, it receives increasing amounts of water up to 150,000 acre-feet (Lake County 2010).

There are numerous private self-supplied water users that remove water from Clear Lake. These entities are not required to report their water use. At this time, no estimates exist for the number of users, nor the amount of water removed from Clear Lake, from private self-supplied water users.

The drinking water treatment rates in Clear Lake are among the highest in the state of California because of existing Clear Lake water quality issues and conditions, including harmful algal blooms. Although Lake County surface water systems adequately remove microcystins from finished drinking water, the cost to treat the water is proportional to the presence of harmful algal blooms. Funding has not been identified to adequately address predicted water treatment costs (Kennard 2021).

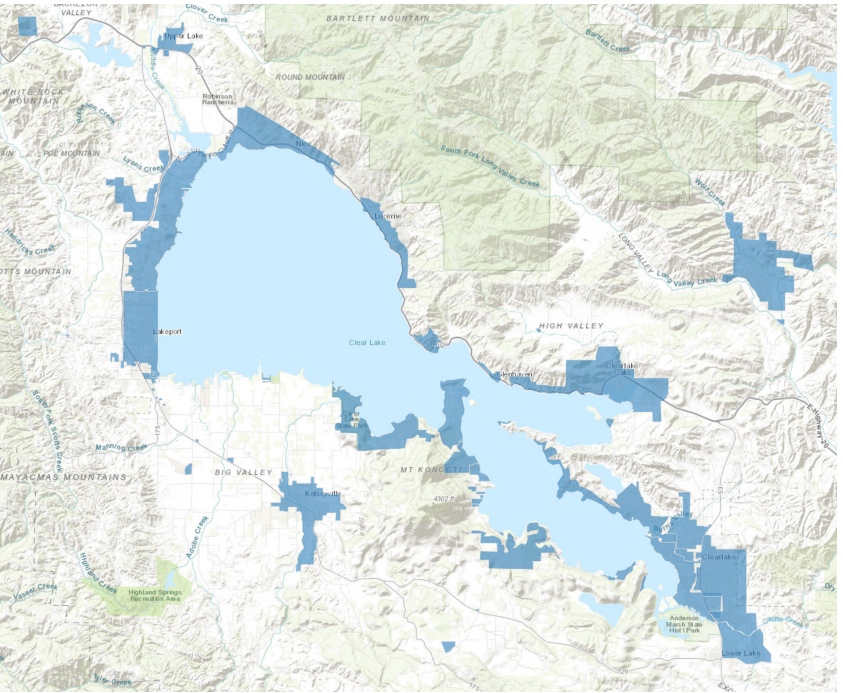


Figure 1. Clear Lake Water System Area Boundaries for Drinking Water. Purple areas represent verified service area boundaries. Source: California Water Boards Water System Area Boundaries map (September 2023).

Clear Lake Recreation, Tourism, and Access

Lake County’s economy is based largely on tourism and recreation. In 2021, travel-related spending totaled \$175.7 million, and state and local tax revenue totaled \$13.6 million (Dean Runyon Associates 2022). Travel-related industry employment in the county was the highest on record in 2021 and contributed to 1,820 jobs (Dean Runyon Associates 2022).

Clear Lake has about 100 miles of shoreline and nearly 10 miles of public access, including public parks, open space, Caltrans right-of-way, road ends, islands, and county-owned property (Konocti Regional Trails). An online map provides access points with and without amenities. Appendix B lists the Clear Lake marinas, boat rental facilities, public boat launches, marine services, and sailing facilities on Clear Lake. There are currently 11 free public boat launches, and five marinas and harbors that are open year-round to trailered vessels. Lake County Public Services Department maintains 13 free public swim beaches on Clear

Lake. California State Parks owns and operates Clear Lake State Park, which has both beach access, docks, and boat launch facilities, and Anderson Marsh State Historic Park, which boasts non-motorized water trails. Both parks are significant attractions for lake visitors. Clear Lake has at least 20 private resorts with launch ramps, and numerous private access points. There are at least 749 private or public access points on the lake; about 450 access points are accessible by motorized vessels. Clear Lake hosts thousands of visitors, and their watercraft, each year. The pre-pandemic 2017 Lake County Q/Z mussel mandatory boater sticker program documented the sale of more than 6,000 resident vessel stickers and more than 9,000 non-resident vessel stickers. Although global pandemic and drought conditions reduced travel and access to Clear Lake, about 15,000 stickers were sold annually from 2020–2022. There are multiple Mussel Screening Locations staffed by Lake County boat ramp monitors that are available for

recreationists to access prior to launch on Clear Lake (Appendix C).

Bass Master Magazine has ranked Clear Lake as one of the top six bass fishing lakes in the United States since 2013. In 2023, the California Department of Fish and Wildlife (CDFW) approved a total of 120 sport fishing tournaments on Clear Lake (the number of tournaments listed is as of 14 August 2023), including tournaments for crappie/sunfish, catfish, black bass, and carp. Tournaments range from one to three days in length. Each Clear Lake angler spends an average of about \$58 per day (U.S. Department of the Interior, U.S. Fish and Wildlife Service, and U.S. Department of Commerce, U.S. Census Bureau 2011). Fishing on Clear Lake is at least a million-dollar-a-year activity (Giusti 2016).

Climate Change Stressors: Lake County Water Bodies

Climate change adaptation is the adjustment of natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities (IPCC 2022). The goal of climate change adaptation is to reduce risk from climate-related hazards while seeking opportunities for other benefits and reducing vulnerabilities across community systems.

Physical changes drive response in individual species, communities, and whole lake ecosystems (Parmesan et al. 2022). Yet there remains high confidence that protection and restoration of natural and semi-natural ecosystems are key adaptation measures that can lessen the impacts of climate change on biodiversity and people (Parmesan et al. 2022).

Climate change is predicted to increase the frequency of 100-year storm events, which is projected to increase risk from natural flooding to lakeside real estate and public utilities, as well as additional risk of increased sedimentation, nutrient inputs, and acid mine drainage from the Sulphur Bank Mercury Mine (Suchanek et al. 2002). Conversely, climate change is forecasted to extend drought conditions (Gamelin et al. 2022). During the historic dry season, drought may cause lower lake levels that could condense and con-

centrate populations of dreissenids into smaller areas as shorelines become dry and exposed.

As diurnal temperatures (daytime highs/overnight lows) increase due to changing climate, water temperatures also will increase, keeping waters warmer and more hospitable to dreissenids. Although dreissenids prefer temperatures of 68–77 degrees F, which is a typical temperature range during the summer, dreissenids can persist in water temperatures up to 86 degrees F (Karateyev et al. 1998).

Climate change impacts could influence dreissenid prevention or containment management operations. Lake County would benefit from a comprehensive exploration of mitigating climate impacts and concurrent dreissenid management. Some factors that should be considered include:

- Watercraft decontamination stations that minimize the use of water, or use waterless cleaning systems, which would be especially important during times of drought.
- Watercraft decontamination stations that are energy contained units (e.g., solar powered), which may be important during times of wide-spread power outages.
- Modification of monitoring techniques to ensure lake locations with high risk of dreissenid introduction are regularly sampled, including during periods of drought. Moderate and high risk waters should be monitored monthly for dreissenids.
- Use of emerging technologies (e.g., eDNA and newly developed assays (Marshall et al. 2022)) to complement standardized prevention monitoring methods (e.g., veliger tows, visual surface surveys, reading artificial substrates) to efficiently and effectively detect dreissenids. Moderate and high calcium/risk waters would be sampled using the primary methods and supplemented using eDNA sampling.
- Human use patterns (e.g., boat ramp use, or concentrated use at specific boat ramps) that change because of severe climatic events and ramp closures caused by low lake water levels.

Vulnerability of Clear Lake and Regional Water Bodies to Dreissenids

Clear Lake is at high risk for introduction of dreissenids because of the volume of out-of-county boaters that use the water body, its reputation nationally as a blue-ribbon warm water fishery, numerous and free access points for visiting boaters, and water chemistry conducive to invasive mussel establishment (County of Lake Watershed Protection District 2019).

The lake is open year-round and provides access for trailered vessels, except during periods of extreme drought when low water levels prevent access to boaters. Clear Lake is a national fishing destination, hosting more than 100 sport fishing tournaments annually, from local club contests to large-scale commercial events that can each have more than 1,000 entries. A total of 1,094 approved fishing tournaments occurred between 1/1/2015 and 12/31/2022. The lake is also an attraction for water recreationist activities, including tubing, swimming, sailing, kayaking, paddle boarding, water skiing, jet skiing, and leisure boating. Because invasive mussels are primarily spread by adult mussels attached to boats or microscopic veligers in water within boat compartments (e.g., bilge, motor), there is a high probability of an invasive mussel introduction via one of at least 500 public or private boat ramps from a visiting vessel.

Environmental conditions (water temperature, calcium, pH, dissolved oxygen, turbidity, conductivity, and salinity) in Clear Lake and other water bodies located within Lake County, are well within the ranges preferred by dreissenids (Cohen 2005; Whittier et al. 2008; Pucherelli et al. 2016). The most important water characteristic that indicates a high risk of dreissenid colonization is a calcium level of 15 mg/L or greater. Clear Lake has an average 25 mg/L calcium level (Department of Water Resources) (<https://wdl.water.ca.gov/waterdatalibrary/Map.aspx>).

Extended drought periods expose more shoreline making motorized access to designated Clear Lake launch locations more difficult. This results in more boats being hand launched or launched in illegal launching locations. Hand launched watercraft are not required to participate in the mussel fee sticker program. In ad-

dition, ramp monitors are not located at every potential launch location along the lake shoreline. These factors make Clear Lake vulnerable to potential invasive mussel introductions.

Water Body Monitoring in Clear Lake and Other County Lakes

California Code of Regulations Title 14, Section 672.1 requires that any agency with a dreissenid prevention program submit an annual report by March 31 for the previous calendar year that summarizes any changes in the reservoir’s vulnerability, monitoring results, and management activities to the Regional CDFW Environmental Scientist. The information included herein was extracted from 2018–2021 reports from Lake County to CDFW.

The County of Lake Watershed Protection District (LCWPD) (“District”) administers the Q/Z mussel prevention program and monitors for Q/Z mussels in Blue Lakes, Clear Lake, Hidden Valley Lake, Highland Springs, Indian Valley Reservoir, and Lake Pillsbury per CDFW monitoring protocols (<https://www.wildlife.ca.gov/Conservation/Invasives/Quagga-Mussels>). The district monitors for Q/Z mussels as follows:

- Artificial substrates are monitored monthly per CDFW procedures, primarily near public boat ramps and access points. During extremely high or low water levels, some substrates are either removed, or not checked monthly.
- Infrastructure/surface structure (e.g., docks, buoys) are monitored by the district and citizens at the conclusion of the summer season, or when buoys are moved. During years of low water levels, shoreline surveys are conducted.
- Veliger tows using plankton nets are conducted per CDFW mussel tow protocols. These water samples, and others (e.g., Lake Pillsbury - Pacific Gas & Electric administers and Blues Lakes, Clear Lake, and Indian Valley Reservoir – CDFW- North Central Regional (NCR) environmental Scientist) are sent to CDFW’s Shellfish Health Lab in Bodega Bay for analysis using cross-polarized light microscopy.

- District water purveyors (Appendix A) monitor for mussel presence when maintenance is performed on inlet pipes, screens, and filters.

The specific details of each of these methods, the locations of surveys, and the results are documented in reports the district completes and sends to CDFW annually (<https://www.lakecountyca.gov/Archive.aspx?AMID=77>). Water levels, staffing, and other factors can affect the level of survey sampling, locations, and intensity on an annual basis. However, sample location, method and frequency should be standardized and based on the calcium value table.

Potential Effects of Mussels on Clear Lake

There are many factors to consider when estimating the potential effects of invasive mussels on a water body. Potential effects to Clear Lake (Figure 2) include a disrupted food chain, fouled infrastructure, shoreline degradation, recreation restrictions, increased cost and maintenance, tournament restrictions, loss of tourism revenue and reduction of property values.

A disrupted food chain that negatively affects fisheries and wildlife—Quagga and zebra mussels (*Dreissena* spp.) are known as ecosystem engineers because they control the availability of resources to other organisms by the physical changes they cause in the environment (Jones et al. 1994) and have profound effects on lake and river ecosystem function and structure (Zhu et al. 2006). The ecological effects of these mussels are considered the most far-reaching relative to other aquatic invasive species (AIS), causing local extinction of many native mollusks (Strayer and Malcom 2007; Burlakova et al. 2014), changing the structure of food webs and fish assemblages, and contributing to the collapse of valuable sport fish populations (Kelly et al. 2010; Bossenbroek et al. 2009; Strayer 2009; Pimentel et al. 2005). Increased occurrences of harmful algal blooms (Higgins and Vander Zanden 2010) can contribute to declines in fish populations (Knoll et al. 2008). Once established, invasive mussels commonly reach densities of more than 10,000 individuals per square meter (Depew 2021).

System-wide effects of quagga and zebra mussels depend on water mixing rates, lake morphology, and turnover rates (Karatayev et al. 2015). Quagga mussels can be found in all regions of a lake, form larger populations, may filter larger volumes of water, and may

have greater system-wide effects (especially in deep lakes) compared to zebra mussels, which are restricted to shallower portions of lakes (Karatayev et al. 2015). After initial invasion, invasive mussels have direct effects on ecological communities whereas post-invasion, impacts will likely be indirect effects that cause ecosystem changes (Karatayev et al. 2015). Proactive, pre-invasion management investments that emphasize the importance of prevention and early detection are less costly than re-active, post-invasion expenditures (Cuthbert et al. 2022).

Quagga and zebra mussels filter particles from the water, resulting in improved water clarity (Karatayev et al. 1997, 2002), and corresponding increases in benthification (Mills et al. 2003). Scientists refer to this as “turning ecosystems upside down” because of the transfer of energy to littoral areas with concurrent increases in benthic biomass (Mayer et al. 2014; Rumzie et al. 2021).

Boats, engines, docks, and other infrastructure (e.g., water delivery supply lines) encrusted with invasive mussels—Dreissenid mussels grow on a variety of infrastructure systems, including water intake pipes for drinking water, irrigation, power plants, locks, and dams and canal systems, impacting operation and maintenance costs (Invasive Species Advisory Committee 2016). Continual attachment of adults can increase corrosion rates of steel and concrete (US Geological Survey 2016), leaving equipment and infrastructure vulnerable to failure. Additionally, the mussels grow on navigational buoys, docks, and hulls of boats and ships—increasing drag, affecting steering, and clogging engine intakes—all of which can lead to overheating and engine malfunctions (Invasive Species Advisory Committee 2016).

Beaches and shoreline covered with sharp shells—The shells from dead dreissenid mussels can wash ashore, covering beaches and potentially injuring swimmers and other water recreationists from cuts sustained from the shells’ sharp edges (Nelson 2019).

Boating restrictions to reduce spread of mussels—Mandatory watercraft inspections prior to launch, closures of boat ramps, restrictions on shore launching, mandatory Mussel Fee Stickers, and closed water bodies are examples of effects on boating recreation that have been implemented as a result of dreissenid introductions. In 2008, zebra mussels were detected in

the San Justo Reservoir in San Benito County, California, a popular recreational area. Since their discovery, the reservoir, operated by the Bureau of Reclamation (BOR), was closed to any public use and has remained closed, “resulting in a dramatic, detrimental impact on the community, economy, and environment in San Benito County” (<https://panetta.house.gov/media/press-releases/rep-panetta-leads-letter-rep-lofgren-request-expedited-process-san-justo>).

Increased cost and maintenance for clogged, fouled, or contaminated water delivery infrastructure—Clear Lake is a source of water for several water districts, which treat and provide municipal drinking water for thousands of people. In addition, many individual homeowners with individual water systems draw water from the lake.

Invasive mussels pose serious threats to hydropower infrastructure and operations (Rumzie et al. 2021). Invasive mussels can affect all facility components exposed to raw water; mussels can clog pipelines and water intakes and disrupt operations at hydroelectric power plants, municipal water supply facilities, and conveyance systems used in irrigation, resulting in water lines incapable of supplying a consistent and reliable source of water (Vissicelli 2018). Smell, bacteria, and decay are other key issues associated with a mussel infestation. The management response is continual cleaning, treatment, mitigation filters, and other actions. A 2021 study associated with invasive mussel impacts and management at 13 hydropower facilities in Canada and the United States (Rumzie et al. 2021) described costs associated with addressing established invasive mussels:

- Preventative control capital costs (one-time costs) ranged from \$100,000 to \$200,000 per facility.
- Preventative control annual costs ranged from \$4,000 to \$141,700 per facility.
- Increased maintenance re-occurring costs ranged from \$22,000 to \$505,000 per facility.
- Increased maintenance annual costs ranged from \$26,000 to \$112,000 per facility.
- Annual monitoring costs ranged from \$1,970 to \$47,245 per facility.
- Unplanned outages cost per occurrence ranged from \$44,000 to \$80,000 per facility.
- Unplanned outages total cost was \$849,000.



Figure 2. Likely changes from an invasive mussel invasion in Clear Lake.

Examples of preventative and maintenance costs include treating with chlorine, cleaning generator coolers 3-4 times per year to remove mussel debris, and increased labor costs to maintain all hydropower equipment.

The cost to remove mussels and manage drinking water intakes at Hoover, Davis, and Parker Dams, three facilities with invasive mussel infestations on the Colorado River, was more than \$6,026,100 in 2016. Expected costs from 2017 to 2026 totaled \$10,372,108 (Boyd 2016). The State of Washington estimated direct impacts to dams from invasive mussels is \$42.9 million (Community Attributes 2017). The cost for the management response is passed to the consumer (Vissichelli 2018).

In British Columbia, where mussels are currently not found, domestic self-supply represents 21,495 licenses and routine maintenance costs vary between \$237–\$1,298 per license (British Columbia Ministry of Water, Land, and Resource Stewardship 2023). The average B.C. household pays about \$500 per year for water and sewer services. An infestation of invasive mussels would represent a significant increase in water costs for more than 21,495 households, which could have important distributional consequences for low-income households (British Columbia Ministry of Water, Land, and Resource Stewardship 2023).

Fishing tournament restrictions— The CDFW Guidance for Developing a Dreissenid Mussel Prevention Program (2020) acknowledges that fishing tournaments are a common human-mediated pathway of dreissenid mussel introduction. The document further states that “conditions on fishing tournaments” are a potential management action to prevent a dreissenid mussel introduction. Conditions might include mandatory decontamination of all participating watercraft, or additional measures that could change current tournament operations. Fishing regulations change on a regular basis; CDFW’s website should be consulted for the latest fishing regulations.

Loss of revenue to Lake County communities—To date there are no studies estimating the impact of invasive mussels on tourism (Nelson 2019). However, the State of Montana used a scenario-based approach for recreational fishing to estimate the economic damages at 2 percent, 5 percent, and 10 percent reductions

in visitation because of dreissenid establishment. Tourism spending was assumed to be proportional to visitation. Therefore, if visitation is reduced by two percent (the most conservative scenario), the amount of money spent by nonresident visitors would decrease by \$17.8 million. At the 10 percent reduction in visitation, tourism spending would decrease by \$89 million. Montana calculated estimated per day expenditures for resident anglers multiplied by the number of days of fishing, total angler expenditures for 2013 amounted to approximately \$193 million (Swanson 2016).

Reduction in property values— Mussels contribute to high filtration rates and are associated with increased water clarity and light penetration, leading to the proliferation of aquatic plants and algae, toxic algal blooms, and rotting plant material on beaches (Karatayev et al. 2015). In the nearshore, accumulated waste excreted by dreissenids contributes to excess nutrients, increased turbidity, and the development of muddy substrate, reducing water quality and causing shell build-up on shorelines and beaches (British Columbia Ministry of Water, Land, and Resource Stewardship 2023). The impacts of dreissenids on beaches, shorelines, and nearshore water quality may reduce the amenity value of waterfront properties because value of property adjacent to water can be sensitive to odor, water clarity, weed growth and eutrophication, beach closures due to bacteria and algal outbreaks, the quality of recreational fishing, and shoreline quality (Horsch and Lewis 2009; Nicholls and Crompton 2018). Residents of Lake Winnipeg reported odors from rotting shells that periodically wash up on the shores as well as negative impacts from sharp shells, which cover piers and beaches and pose a risk to people and animals (British Columbia Ministry of Water, Land, and Resource Stewardship 2023).

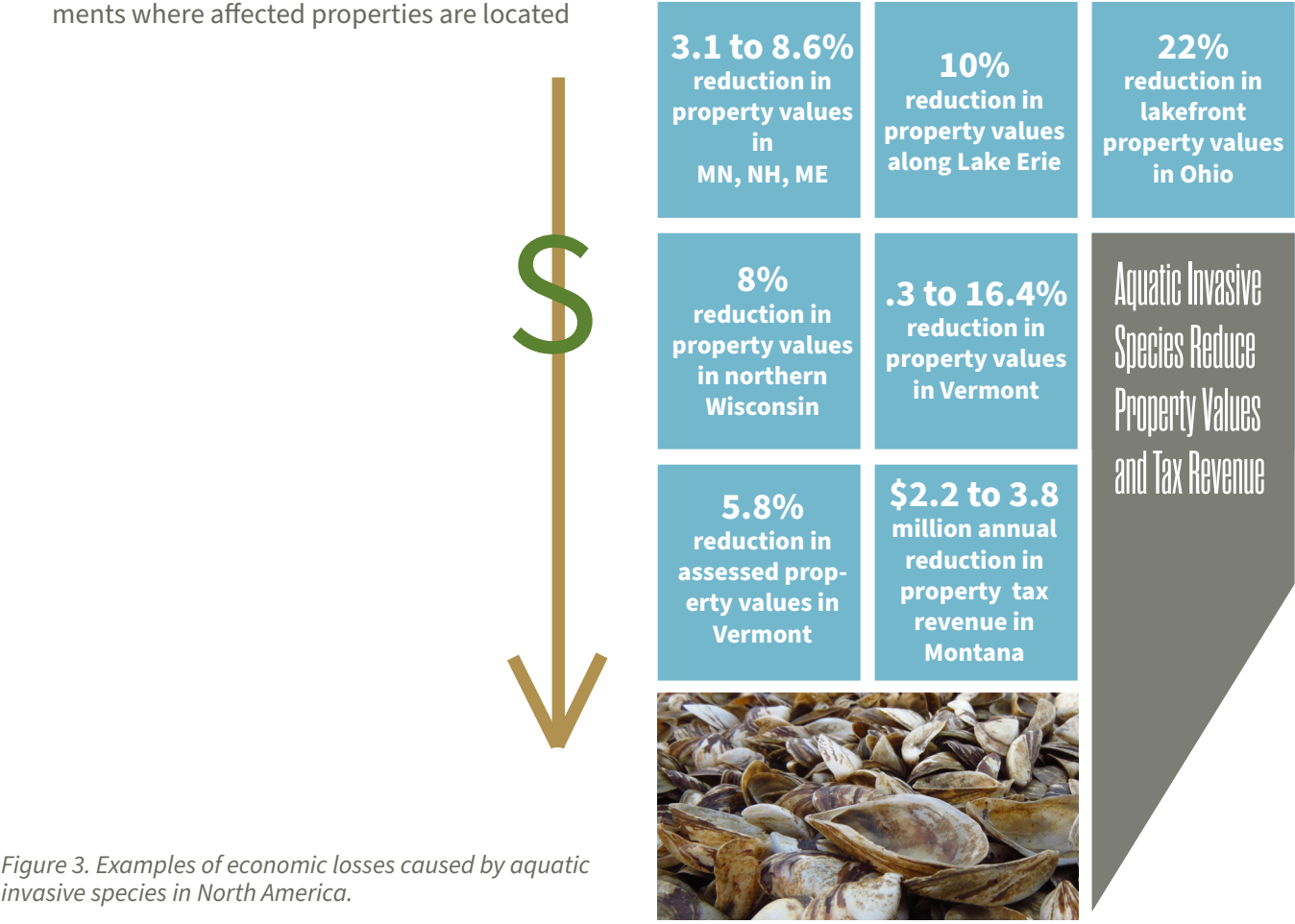
The economic impacts of invasive aquatic plants, algal blooms, and degraded water quality caused by excess nutrients is well documented (Ara et al. 2006; Horsch and Lewis 2009; Zhang and Boyle 2010; Walsh et al. 2011; Bingham et al. 2015; Baron et al. 2016).

- Multiple studies in Minnesota, New Hampshire and Maine demonstrated a 1-meter decrease in water clarity decreased property values from 3.1 to 8.6 percent with a median value of 5.8 percent (Jakus et al. 2013).

- The economic impact of harmful algal blooms (HAB) to property values on Lake Erie (Bingham et al. 2015) is a 10 percent reduction in value to shoreline properties.
- A study of Ohio lakes found harmful algal blooms with microcystin levels more than 1 µg/L reduced lakefront property values by 22 percent (Wolf and Klaiber 2017).
- In northern Wisconsin, lakefront property values decreased an average of 8 percent after invasion of Eurasian water milfoil (Horsch and Lewis 2009).
- The presence of milfoil and native aquatic vegetation in Vermont lakes decreased property value ranging from 0.3 percent to 16.4 percent depending on the degree of total macrophyte (aquatic plant) coverage (Zhang and Boyle 2010).
- Montana State General Fund and county governments where affected properties are located

estimated a decrease in property tax revenue from the lowered property values (Nelson 2019). Predicted losses in property tax revenue from decreases in lakefront property value ranged from \$2.2 to \$3.8 million per year.

- In British Columbia, using a low (high) impact scenario, reductions in the assessed value of representative waterfront housing range from \$15.9 million (\$27.5 million) in the Peace River region to \$141.0 million (\$239.9 million) in the Fraser Valley (British Columbia Ministry of Water, Land, and Resource Stewardship 2023). The British Columbia study predicted total one-time costs of \$812 million based on 5.8 percent reductions in assessed property values due to invasive mussels. These estimated one-time reductions result in an annualized cost of \$24.4 million (\$2,269 per property) and decreased annual municipal revenues of \$5.8 million (British Columbia Ministry of Water, Land, and Resource Stewardship 2023).



CHAPTER THREE

Legal Authorities and Statutes

The County of Lake accepted responsibility for the protection of Clear Lake’s basin from the State Lands Commission in 1973; this transfer of responsibility resulted in lakebed management and shoreline protection ordinances in Lake County’s Municipal Code. In 2009, Lake County’s Department of Water Resources (DWR) separated from the Department of Public Works, and responsibility for District management was transferred to DWR. California delegates the responsibility for preventing and managing dreissenid mussel infestations to local water body managers (Fish and Game Code Title 14). Local codes and ordinances are therefore critically important in establishing local authorities to establish prevention programs. Relevant regulations and their associated hyperlinks are included in Appendix D.

The primary agency responsible for managing the dreissenid mussel prevention program in Lake County is the County of Lake Watershed Protection District (LCWPD). The District, a management structure endowed with specific authorities by the U.S. Congress and the California State Legislature, is administered by the Director of Water Resources who reports to the County Board of Supervisors, which acts as its Board of Directors. The District plans, manages, maintains, implements, and evaluates all Lake County aquatic invasive species programs, such as the Aquatic Plant Management Program and the Q/Z Mussel Prevention Program. In March 2008, the Lake County Board of Supervisors passed an emergency ordinance establishing an inspection program for all water vessels launched in Lake County. This program, in its emergency form, introduced a mussel sticker program based on the honor system. Eventually the emergency ordinance was replaced by County Ordinances 2915 (2009), 2936 (2011), and 2976 (2012) that established a fee-based inspection program for all water vessels launched in the County of Lake. The mussel sticker ordinance is also located in Lake County Code Article IX of Chapter 15 (Appendix D). The physical prevention program is a three-tiered system based on the risk level (tier 1 - screening, tier 2 - inspection, tier 3 - decontamination) of the vessel for transporting invasive mussels to Lake County.

The District relies on several partners for program

implementation including:

- Pacific Gas and Electric (conducts dreissenid veliger tows in Lake Pillsbury)
- Citizen scientists (perform substrate monitoring in Blue Lakes, Lake Pillsbury, and Hidden Valley Lake)
- California Department of Fish and Wildlife North Central Region (conducting veliger tows, visual surface surveys, water quality, and calcium sampling at Clear Lake, Blue Lakes, and Indian Valley Reservoir)
- California State Parks Division of Boating and Waterways (provides grant funds to support the County’s boat ramp monitor network for Clear Lake, inspection training and equipment, and all essential educational materials).

Jurisdictional Roles and Responsibilities

Per California Fish and Game Code Section 2301, in the event of a dreissenid introduction in Clear Lake, the lead entity in the implementation of the rapid response containment and transition plan and the development of a Control Plan is “a public or private agency that operates a water supply system”.

California Fish and Game Code Sections 2301 and 2302 include the following key components:

Fish and Game Code, Section 2301

- Makes it illegal to possess, import, ship, or transport in the state, or place, plant, or cause to be placed or planted in any water within the state, dreissenid mussels.
- Gives the CDFW Director, or his/her designee, the authority to conduct watercraft inspections and stop conveyances, mandate decontaminations, and impound or quarantine conveyances. This section also provides authority to conduct watercraft inspections within waters that contain dreissenids, to close or restrict access to affected waters or facilities, and to inspect, quarantine, or disinfect conveyances removed from, or introduced to affected waters.
- A public or private agency that operates a water supply system shall cooperate with the department to implement measures to avoid infestation by dreissenid mussels and to control or eradicate any infestation that may occur in a water supply system. If dreissenid mussels are detected, the operator of the water supply system, in cooperation with the department, shall prepare and implement a plan to control or eradicate dreissenid mussels within the system.
- Any entity that discovers dreissenid mussels within this state shall immediately report the discovery to the department.
- Provides penalties for entities that violate this section.

Fish and Game Code, Section 2302

- Any person, or federal, state, or local agency, district, or authority that owns or manages a reservoir where recreational, boating, or fishing activities are permitted must assess the vulnerability of the reservoir for the introduction of dreissenid mussels and develop and implement public education, monitoring, and management of recreational, boating or fishing activities designed to prevent the introduction of dreissenids. The entity must also visually monitor for the presence of mussels.

- Provides penalties for entities that violate this section.

California Code of Regulations, Title 14 Section 672 relates to the possession, importation, and transportation of dreissenid mussels. Key elements include:

- Dreissenid Mussel Permits authorize entities to possess, import, ship, or transport dead dreissenids for the purposes of outreach, education, species verification, training, or other purposes deemed by CDFW.
- Provisions are included relative to denial and revocation of permits as well as requests for reconsideration.

California Code of Regulations, Title 14 Section 672.1 relates to dreissenid control and prevention. Key elements include:

- **Prevention Program** – Entities that own or manage a reservoir where recreational, boating, or fishing activities are permitting must implement a dreissenid mussel prevention program that includes a vulnerability assessment for dreissenids, a monitoring program, and management of recreational activities that prevent the introduction of mussels, and to keep them from being moved from the waterbody. Annual prevention program summary reports are due by March 31. This section provides penalties for violation of the section.
- **Inspection of Conveyances** – This section makes it unlawful for anyone to refuse to comply with or interfere with a CDFW employee or their designee for impounding or quarantining a conveyance suspected to contain dreissenids, and makes it unlawful to tamper with a method used to identify a conveyance as quarantined. This section provides penalties for violation of the section.
- **Control Plan** – Within 60 days of CDFW requesting, or within 60 days of dreissenids being detected, public or private agencies that operate water supply systems must immediately develop a dreissenid mussel control plan and implement measures to prevent further

spread. The plans must include a description of the status of the dreissenid population at the time of plan development, control activities, and monitoring to determine dreissenid population changes. The plan may also include maintenance activities to maintain functionality of the water supply facility. Annual reports are submitted by March 31 of each year, including information on changes in dreissenid populations, control activities implemented, and monitoring results. This section provides penalties for violations of the section.

California Code of Regulations, Title 14 Section 672.2 is related to dreissenid mussel penalty and appeal procedures.

Recommendations to Modify Current Ordinances to Strengthen Dreissenid Management Capabilities

The National Sea Grant Law Center reviewed existing ordinances and proposed Lake County consider the following to strengthen dreissenid prevention and containment efforts:

- Add a definition for “pollutant” and explicitly include a reference to aquatic invasive species (AIS). Aquatic invasive species are pollutants under the federal Clean Water Act; thus, the reference is probably not necessary from a legal standpoint.
- Add a definition of “significant impact” that includes the decision threshold. “Significant impact” is the term used in the “catch-all” permit procedure in Sec. 23-4.
- Consider mentioning AIS in Section 6.4(B) Construction (page 11) – e.g., materials used in construction should be free from AIS, materials should be decontaminated before moving to another site, etc.
- Ordinance sections that have the potential to include language associated with containment:
 - Sec. 6.8(D) for relocation of floating structures (page 14). Incorporate language that requires inspection and decontamination before relocation.

- Sec. 23-8 for Marinas and Harbors (page 15). The county could encourage/require marinas to offer decontamination facilities or require inspections before boats leave marinas, etc.
- Section 23.13.4 Removal of improvements (page 20). The county could require inspection/decontamination upon removal of an improvement if the structure is being moved to another location; or, the county could require proper disposal.
- Section 12.4 – Littering and pollution (page 18). Add a provision regarding AIS to reinforce that AIS are pollutants and introduction is prohibited.
- Section 12.6 for discharge. Explicitly reference AIS and potentially require use of best management practices.

- As a condition of the shoreline encroachment permit, the county could require an annual inspection/monitoring and reporting of results, and then identify actions that needed to be taken if mussels are detected.
- In addition, and outside the scope of the shoreline ordinance, but potentially associated with other statutes, the county could impose an annual inspection of structures as part of routine county inspections; these inspections could incorporate both safety issues as well as AIS.
- The county could state in its ordinances that it is unlawful to launch a boat from any place other than a ramp, private dock, pier, designated beach. This would allow the county to cite or fine people who are launching their watercraft from any shoreline or undeveloped location and help to ensure that watercraft are inspected prior to launch. There are examples of counties that define “boat launch facilities” as being “a boat ramp, dock, pier or other facility designated by the department for launching boats into the water” (e.g., Island County, Washington, Chapter 9.40). This Washington county states that “It is unlawful for any person to launch or recover a boat in any Island County

park except in areas specifically designated and/or marked for that purpose; provided, that this provision does not apply in case of an emergency (9.40.165).” Tempe, Arizona mandates that “all public watercraft must be launched at a designated boat launch facility.”



Figure 4. Watercraft inspection and decontamination enhances prevention efforts at Clear Lake.

Table 1. Summary of roles and responsibilities relative to dreissenid prevention and management.

Entity	Roles and Responsibilities
County of Lake Watershed Protection District (administered by the Director of Water Resources)	<ul style="list-style-type: none">• Prevent and manage mussel infestation.• Plan, manage, maintain, implement, and evaluate all Lake County aquatic invasive species programs.• Assess the vulnerability of Clear Lake for the introduction and establishment of dreissenid mussels.• Develop and implement public education, monitoring, and management of recreational, boating, or fishing activities designed to prevent the introduction of dreissenids.• Visually monitor for the presence of mussels.• Manage recreational activities to prevent the introduction of mussels, and to keep them from being moved from the waterbody.• Produce and submit to CDFW by March 31 an annual prevention program summary report.• Lakebed management and shoreline protection.• Immediately report any discovery of dreissenid mussels to CDFW’s Regional Environmental Scientist.
California Department of Fish and Wildlife North Central Region	<ul style="list-style-type: none">• Conduct veliger tows, visual surface surveys, water quality, and calcium sampling at Clear Lake, Blue Lakes, and Indian Valley Reservoir.• Issue Dreissenid Mussel Permits that authorize entities to possess, import, ship, or transport dead dreissenids for the purposes of outreach, education, species verification, training, or other purposes.• Work in partnership with Lake County staff and other water managers to develop and/or enhance existing dreissenid prevention efforts.• Work with water supply system operators to develop and monitor control plans.
California State Parks Division of Boating and Waterways	<ul style="list-style-type: none">• Provide grant funds to support the County’s boat ramp monitor network for Clear Lake, inspection training and equipment, and all essential educational materials.
Water Supply System Operators (e.g., Yolo County Flood Control & Water Conservation District, Solano County Water Agency)	<ul style="list-style-type: none">• Cooperate with CDFW to implement measures to avoid infestation by dreissenid mussels and to control or eradicate any infestation that may occur in a water supply system.• Within 60 days of CDFW requesting, or within 60 days of dreissenids being detected, cooperate with CDFW to develop a dreissenid mussel control plan and implement measures to prevent further spread. Annual reports are submitted by March 31 of each year.• Immediately report any discovery of dreissenid mussels to the department.
Citizen scientists	<ul style="list-style-type: none">• Conduct substrate monitoring in Blue Lakes, Lake Pillsbury, and Hidden Valley Lake.• Immediately report any discovery of dreissenid mussels to the department.
Pacific Gas and Electric	<ul style="list-style-type: none">• Conduct dreissenid veliger tows in Lake Pillsbury.• Immediately report any discovery of dreissenid mussels to the department.

CHAPTER FOUR

4

Rapid Response Strategy

Mechanisms of Response

In the event of a detection of dreissenid mussels, deliberate actions will be taken to determine the scope of the detection, and appropriate containment, control, and eradication responses. The District is engaged in active monitoring to detect dreissenid mussels through regular monitoring efforts for veligers and adults. Additional entities are also engaged in monitoring infrastructure or water delivery systems for adult dreissenids. Once a detection is made, key response activities may occur simultaneously at various stages of response but may also be influenced by the nature of the detection. The rapid response process begins the moment there is a report of a dreissenid detection.

Confirmation of Detection

Purpose: Determine if the report of detection is factual and confirm the species identification.
Lead: LCWPD in collaboration with CDFW

The nature of an initial dreissenid detection may be from routine monitoring by the District, partner monitoring, public surveillance, or public reporting. Regardless of the nature of the initial detection, per Fish and Game Code Section 2301, “any entity that discovers dreissenid mussels within the state shall immediately report the discovery to the CDFW.” The discovery should be reported to the CDFW Region 2 Quagga/Zebra Mussel Scientist (or CDFW wildlife officers if Region 2 Mussel Scientist is not available) and via the CDFW online Quagga Mussel Observation Report Form (Appendix E) (<https://wildlife.ca.gov/Conservation/Invasives/Quagga-Mussels/Observation-Report>). CDFW will work with the reporting entity to confirm the detection once the report is received. It may be possible that a detection is made of an adult or veliger, which will prompt action, however, methods of confirmation and speed at which actions are taken will vary. The dynamics of the situation may be highly variable.

- A detection of one or more adult mussels will be confirmed visually by CDFW.

- A detection of one or more veliger mussels will be verified by the best available laboratory methodologies. The independent identification methods will include cross-polarized light microscopy (CPLM) and polymerase chain reaction (PCR). The sample may also be sequenced for dreissenid mussel species differentiation. Veliger samples collected by CDFW, the District, and PG&E in the county are analyzed by CDFW Shellfish Health Lab in Bodega Bay, California. CDFW’s OSPR Santa Cruz Laboratory processes veliger samples collected by the Region 2 Quagga/Zebra Mussel Scientist.

Classification of a water body following confirmation of detection is important for communication purposes and to inform the level of decision-making needed by the District and CDFW.

Declaration of Emergency in Lake County

Purpose: Brings the situation of dreissenid detection and response into a county-wide scale of response.
Lead: LCWPD with Office of Emergency Services

Per County Ordinance 31, Lake County may declare a local state of emergency. The scope of a dreissenid situation will influence the level of response and the scale of that response. An emergency declaration helps

to inform the level of concern of the situation to all in Lake County and may be vital for the mobilization of funding to conduct response actions.

Notification Communication

Purpose: Ensure that factual and timely information is communicated with appropriate entities, including regional water body managers.
Lead: LCWPD

With the confirmation of detection and species identification complete, there will be multiple notifications made to allow area partners to respond in tandem to the developing situation. Communication is needed early in the response process.

1. CDFW requires immediate notification of a dreissenid detection. Once the District provides notification to CDFW, a recognition of that notification will be made by CDFW to ensure that it has been received.
2. Once the detection and species identification has been confirmed, detailed information will be provided to US Geological Survey’s Non-Indigenous Aquatic Species Database by CDFW. This information sharing allows for a broad distribution of information via the USGS national alert system.
3. All regional waterbody managers should be notified upon confirmation of dreissenids in Clear Lake (Table 2). Timing of communication to managers will vary and be based on the details of the scope of the situation.
4. The Office of Emergency Services (OES) in Lake County would play an important role in notification once a detection of dreissenids has been confirmed. OES staff can push Lake County Alerts (LakeCoAlerts), notifying residents that opt into the system that there has been a confirmed detection of invasive mussels. This system can also be used to provide any updates, such as notifications about mandatory decontaminations for watercraft, etc. In addition, numerous other tools exist to notify the public of a confirmation, including social media, press releases, radio advertisements, signage, Nixle 360 alerts, highway signs, and billboards entering Lake County.

Delineate Scope of Response

Purpose: Determine the scope of the dreissenid detection to inform management response.
Lead: LCWPD

Following the confirmation of detection, multiple strategies will be deployed to further delineate the scope of the infestation. To understand and characterize the nature of the detected population (e.g., if there are multiple age classes, multiple locations, or isolated populations), deliberate searches using canine shoreline teams, volunteer shoreline teams, eDNA samples, self-supplied water users (check water filters), and dive teams may be deployed simultaneously. A coordinated strategy will capture all search information into digital visualization to better understand the management scope and subsequent management actions. The timing to deploy delineation methods will be based on the details of a confirmed detection, in some cases delineation methods may be deployed immediately.

Activate Incident Command System and Response Team
Purpose: Engage in process to adequately address scale of management situation.
Lead: LCWPD

If it has been determined that there is potential to implement control options based on the scope and scale of the infestation, then containment options and monitoring options must be initiated. The incident command system (ICS) will be activated (Figure 4) to ensure that the response proceeds with adequate support. The ICS brings structure and organization to a complex management situation. Moreover, if the incident has important legal, political, and public ramifications, then ICS will be needed to support the management of the situation. The lead action agency/incident commander for a dreissenid response at Clear Lake is LCWRD.

Waterbody Classifications¹
Based on sampling results, waters are given classifications related to their dreissenid mussel status:

- U

Unknown/not tested
A water body that has not been sampled for aquatic invasive species.
- N

Negative
A water body at which sampling is ongoing and nothing has been detected (or nothing has been detected within the time frames for de-listing).
- I

Inconclusive
A water body that has not met the minimum criteria for detection but evidence of dreissenids has been documented. This is a temporary classification and additional sampling of this water will be conducted to determine whether the water body is classified as negative (no detections in subsequent sample) or suspect (verified detection in subsequent sample).
- S

Suspect
A water body at which one sample has been verified by visual confirmation (visual identification of adult or microscopy identification of veliger) and this sample was confirmed as dreissenid by DNA analysis (PCR and gene sequencing). Additional sampling will be conducted to determine whether another sample taken within 12 months detects evidence of dreissenids. If a subsequent sample does detect dreissenids, this water will then be classified as Positive.
- P

Positive
A water body at which two or more sampling events within a 12-month period meet the minimum criteria for detection. For example, samples from two different sampling events are verified by both visual identification (including microscopy) and DNA confirmation (PCR and gene sequencing).
- I

Infested
In many cases, a water classified as Positive will become Infested, which is a water body with an established (recruiting and reproducing) population of dreissenid mussels. For example, lakes Mead and Powell are considered infested waters as they have large populations of reproducing dreissenids and mussels are readily evident on the shoreline and submerged materials such as docks and buoys.

Notes

In some instances, the classification of a water body can be downgraded over time. The exact reasons why dreissenids are detected at a water once, then not again in subsequent sampling, or are detected in a water classified as Positive but never establish a population, remains unknown.

A water body initially classified as Inconclusive can be de-listed to Negative status after one year of negative testing results including at least one sample taken in the same month of subsequent year as the initial positive sample (to account for seasonal environment variability). The time frame for de-listing a water body extends from there with a water body initially classified as Suspect requiring three years of negative testing to re-classify to Negative, a Positive water body requiring five years of negative testing to re-classify to Negative, and an Infested water body requiring a successful eradication or extirpation event and a minimum of five years of negative testing results post-eradication event to re-classify to Negative.

¹ The State of California Developed waterbody classifications prior to the Building Consensus in the West Effort that culminated with new classifications developed by the Western Regional Panel on Aquatic Nuisance Species, Building Consensus in the West Committee (WRP 2019). The State of California is currently undergoing an effort to incorporate delisting guidelines into California Fish and Game Code. Currently, the State of California defines “detected” as a) There has been an observed presence of one or more adult dreissenid mussels, or; b) There has been an observed presence of one or more veliger dreissenid mussels that has been verified by the best available laboratory methodologies.

Table 2. Contact Information for Clear Lake dreissenid prevention and management.

Waterbody	Managing Agency	Key Contact	Email	Phone Number(s)
Clear Lake	Lake County	Angela DePalma-Dow	Angela.Depalma-Dow@lake-countyca.gov	Office: (707) 263-2344 Mobile: (530) 304-1809
Indian Valley Reservoir	Yolo County Flood Control and Water Conservation District	Jennifer Reed Kristin Sicke	jreed@ycfcwcd.org ksicke@ycfcwcd.org	Office: (530) 662-0265
Lake Mendocino	U.S. Army Corps of Engineers	Poppy Lozoff	Poppy.L.Lozaoff@usace.army.mil	Office: (707) 467-4200 Mobile: (707) 471-8350
Lake Pillsbury	U.S. Forest Service	Frank Aebly	faebly@fs.fed.us	Office: (707) 275-2361
	PG&E	Ray Swordle		Office: (707) 743-1513
Lake Sonoma	Sonoma County Water Agency	Hailey Norman	Lake.Sonoma@usace.army.mil Haileyrenee93@gmail.com	Office: (707) 431-4590
Lake Berryessa	U.S. Bureau of Reclamation	Nathan Kyle	nkyle@usbr.gov	Office: (707) 966-2111
Lake Shasta	U.S. Forest Service	Sara Acridge	Sara.acridge@usda.gov	Office: (503) 275-1587
Lake Tahoe	Tahoe Regional Planning Agency	Dennis Zabaglo	dzabaglo@trpa.gov	Office: (775) 589-5255
Solano County	Solano Parks and Recreation	Chris Drake	CRDrake@solanocounty.com	Office: (707) 784-6765
Solano County	Solano County Water Agency	Drew Gantner	dgantner@scwa2.com	Office: (707) 455-4450

The scope of a dreissenid infestation will influence the number of individuals needed for response. A veliger detection followed by unconfirmed results can be handled by several Lake County staff. However, a veliger detection that leads to an adult detection or established population likely will require staff from multiple agencies in addition to a cadre of volunteers. Suggested representation for a response at Clear Lake may include Yolo County Flood Control Water District, CDFW, the Lake County Office of Emergency Services, and other relevant partners (Figure 5). The operations of the incident will take multiple pathways to formulate and explore control, containment, and monitoring options. Control options may include small- or large-scale chemical application (in combination with mechanical methods such as curtains) to attempt to eradicate or minimize a population of dreissenids.

Activation of Communication

Purpose: Provide appropriate and timely information to specific entities.

Lead: LCWRD
Upon assembling the ICS team, a communication

strategy can inform key regional partners, collaborators, lake users, and the public (Table 3). Weekly public information sharing (e.g., meetings, webinars, or conference calls) and a web page may be created by the county. Press releases, social media, and other information products can be delivered. Clear communication will ensure affected parties understand activities and roles of everyone involved.

Draft templates of outreach materials (Figure 6) may be used to communicate with different entities about actions that may be taking place. The materials, which include an 8.5 x 11 flyer, door hanger, and social media post, and draft press release (Appendix F) allow district staff to modify and update the templates as needed.

There are numerous opportunities to communicate an introduction of mussels to residents and others in the Clear Lake region, including social media, press releases, radio advertisements, signage, Nixle 360 alerts, Lake County alerts, the California and U.S. Geological Survey infested waters maps, billboards, and outreach through neighboring water body managers.

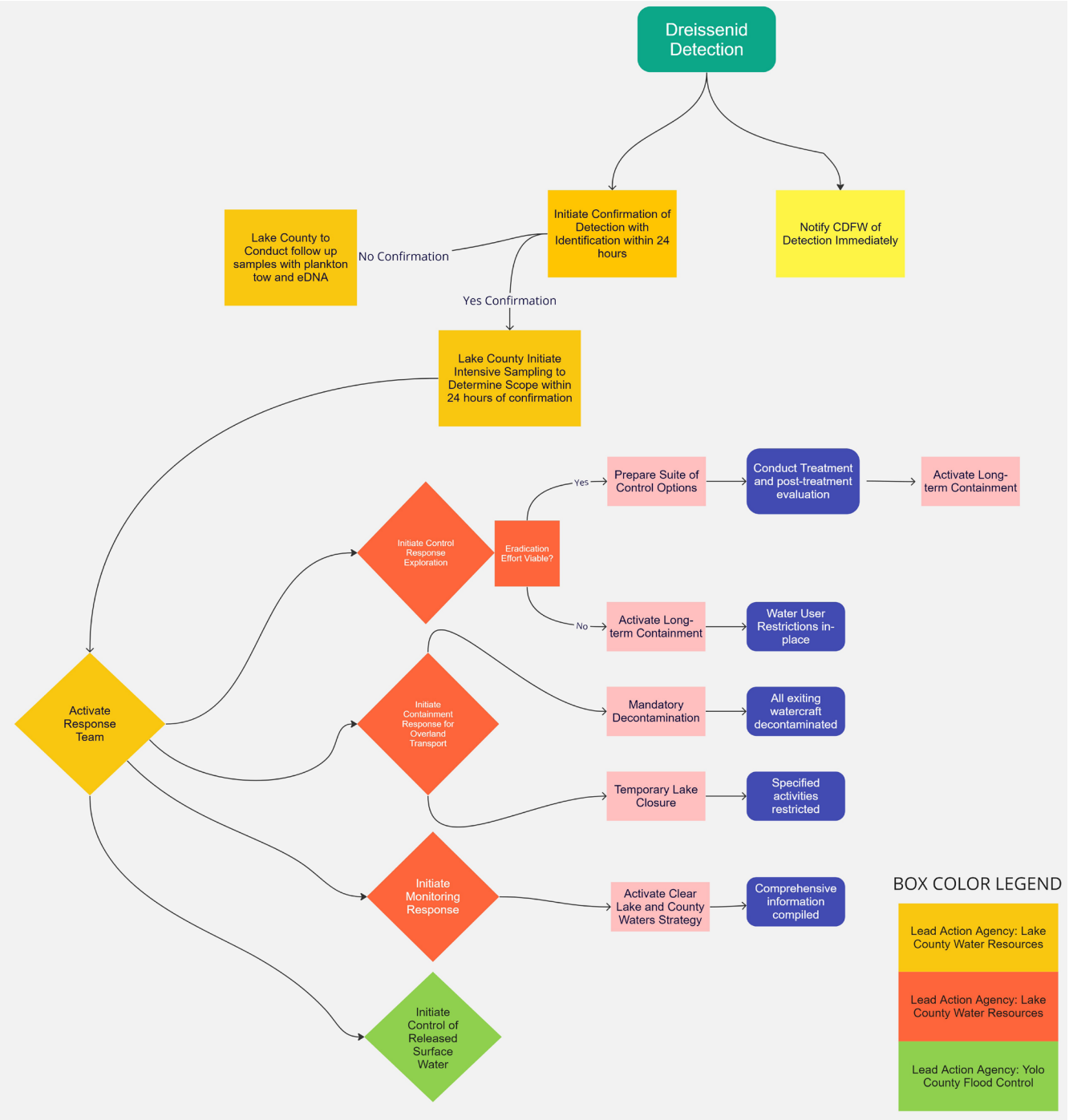


Figure 5. Dreissenid management response decision matrix. This matrix provides a flow of possible steps upon the initial detection of dreissenids.

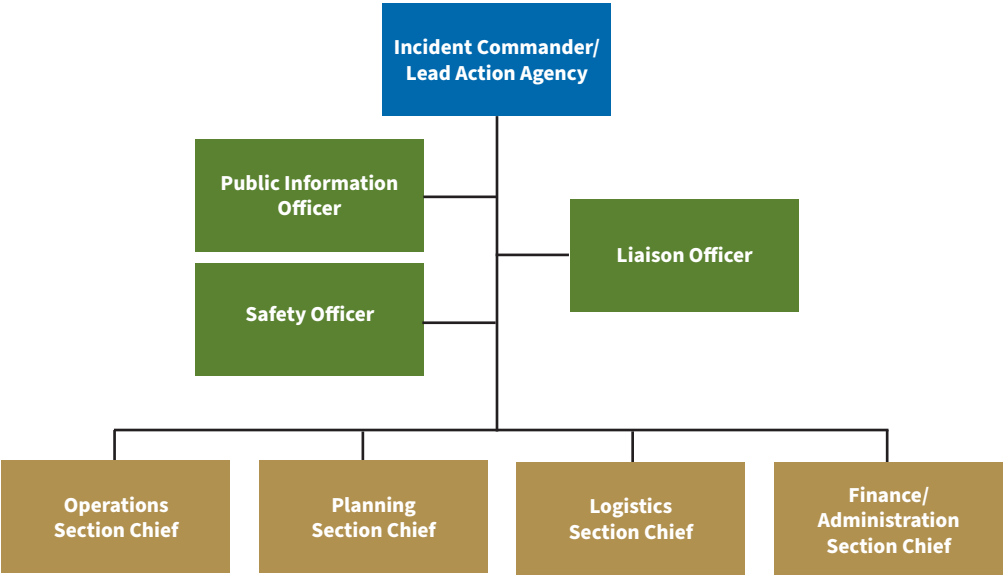


Figure 6. The Incident Command System structure with identified roles and lines of communication.

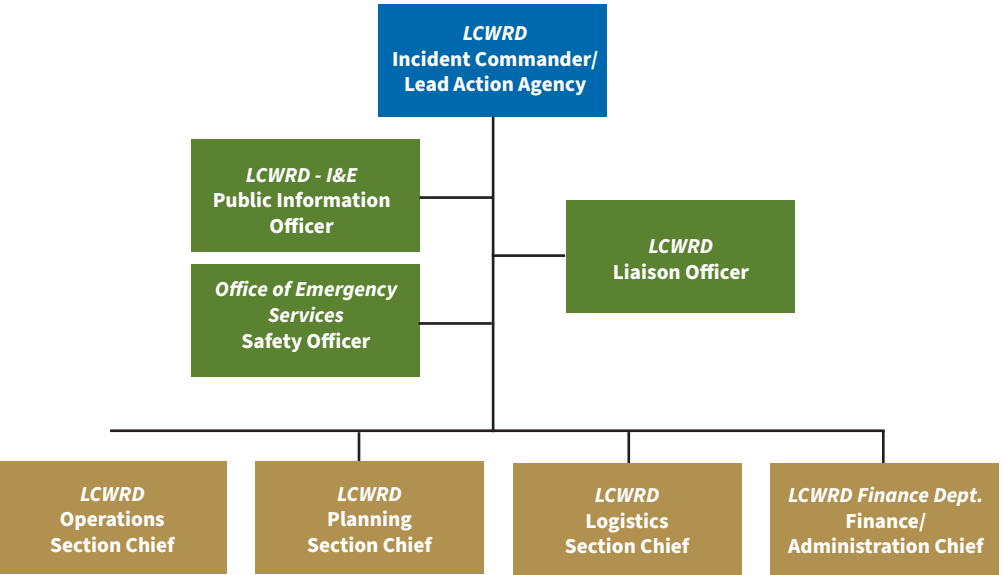


Figure 7. Potential Lake County entities that would be involved in a dreissenid response visualized in Incident Command System roles.

LCWRD = County of Lake Water Resources Department, the entity responsible for the stewardship of Clear Lake.

Table 3. Three types of communication hubs, including the type of information shared, method of communication, frequency, and entities involved.

	Communication Hub 1	Communication Hub 2	Communication Hub 3
Type of Information Shared	Initial confirmed detection Milestones	Waterbody status Management actions	Prevention requirements Closures Decontamination requirements and location
Method of Communication	Phone Briefing documents	Online meetings Email briefings	Social media Website Press releases
Frequency	Upon confirmed detection, weekly progress updates as needed with key decision points	Weekly	As new requirements are needed
Primary Entities	Governor staff County officials State legislators	Surrounding county managers Surrounding state AIS managers	Local businesses Boaters Recreationists Homeowners Area residents

Invasive Mussels Found in Clear Lake

What is the situation?
Invasive aquatic mussels were recently detected in Clear Lake. Sampling is continuing at the suspect locations, and the results will be used to develop a response plan.

What are invasive mussels?
Zebra and quagga mussels are small (¼ to 1½ inch long) freshwater mollusks with yellow and brown striped shells. Both mussel species can attach to hard surfaces in the water of lakes and rivers, and quagga mussels also attach to soft surfaces. Their microscopic larvae, called veligers, attach to suitable substrates to grow.

Why are we concerned?
Zebra and quagga mussels can:
• Disrupt the food chain in the lake, negatively affecting fish and other wildlife
• Reduce property values
• Increase costs to maintain and deliver water because of clogged, fouled, or contaminated water delivery infrastructure
• Result in fishing tournament and boating restrictions
• Increase costs to maintain docks and ramps
• Foul beaches and shorelines with sharp shells
• Increase costs to maintain encrusted boats and engines

What Can I Do to Prevent the Spread of Invasive Mussels in Lake County and Beyond?
• Clean, Drain, and Dry your watercraft and irrigation equipment before use in other water bodies.
• Spread the word to others about the importance about what each one of us can do to prevent the spread.

What is LCWRD doing about invasive mussels?
Lake County Water Resources Department has been preparing for an introduction of invasive mussels for more than a decade.

The mussel sticker program has funded numerous prevention efforts, including lake monitoring, watercraft inspections and decontaminations, staff to implement the program, prevention planning and coordination with regional water body managers, and planning and other activities to prepare for an introduction.

Our program staff and resources will be dedicated to transitioning from prevention to containment as we focus on containing the infestation and assessing whether or not it is possible to eradicate the invasive mussels.

Additional resources:
• <https://www.lakecountycalifornia.gov/1248/Invasive-Mussel-Prevention>
• <https://www.clearlakemusselprevention.org/>

What can I do?
• Clean, Drain, and Dry your watercraft and irrigation equipment before use in other water bodies.
• Spread the word to others.

STOP AQUATIC HITCHHIKERS!
Be A Good Steward.
Clean. Drain. Dry.
StopAquaticHitchhikers.org

Invasive Mussels Found in Clear Lake

Invasive mussels have been detected in Clear Lake. The Lake County Water Resources Department is implementing its containment plan to determine the extent of the invasion, prevent further spread in Lake County and beyond, and assess whether it is possible to eradicate the mussels.

To learn the latest about potential effects on Clear Lake water users, please check the county website and social media posts here:
• <https://www.lakecountycalifornia.gov/407/Water-Resources>
• <https://www.clearlakemusselprevention.org/>
• <https://www.facebook.com/lakecountycalifornia/>

What can you do?
• Clean, Drain, and Dry your watercraft and irrigation equipment before use in other water bodies.
• Spread the word to others.

We will also be providing regular updates on this Facebook page.

Figure 8. Outreach materials to share information about a detection of dreissenids in Clear Lake include a social media post, flyer, and door hanger.

Potential Solutions to Mitigate, or Eradicate, Invasive Mussels from Clear Lake

The Columbia River Basin Dreissenid Incident Response Toolkit website (<http://www.crbdirt.com>) (Figure 7) documents commonly used control methods to eradicate dreissenids. The website describes a suite of physical, biological, and chemical options for controlling invasive mussels (<http://www.crbdirt.com/control-methods>). Some methods are appropriate solely for hydropower facilities and water delivery systems, in which fish and other aquatic species are not present and the water can be treated before being released. Other methods, which may have reduced toxicity to fish and living organisms, are more appropriate for open water situations. Many treatments may not be appropriate, or feasible, for response in open water systems because of their toxicity to other aquatic species.

Dahlberg et al. (2023) documented lessons learned from an analysis of 33 open water dreissenid mussel control projects in 23 North America lakes, including:

- **Physical methods**, such as manual removal by divers, creating anoxia with benthic mats, and desiccation from waterbody drawdowns (Wimbush et al. 2009; Hargrove and Jensen 2012; Leuven et al. 2014).
- **Biological methods**, such as the use of fish, crayfish, parasites, and microbes intended to reduce mussel populations by predation or infection (Molloy 1998; Kirk et al. 2001; Reynolds and Donohoe 2001). Zequanox®, a U.S. Environmental Protection Agency registered molluscicide for dreissenid control, is included in this category.
- **Chemical methods**, including copper-based pesticides (e.g., Natrix™ and EarthTec QZ® are copper-based products registered by the U.S. Environmental Protection Agency for dreissenid control); potassium chloride (KCl), which is not registered by the U.S. Environmental Protection Agency as a molluscicide, but has been used in open water to control zebra mussels through the use of a Section 24c Local Needs exemption and Section 18 Emergency Exemption. Scientific studies on the

potential effects of dreissenid chemical treatments on listed species and critical habitats have been documented (DeBruyckere 2019).

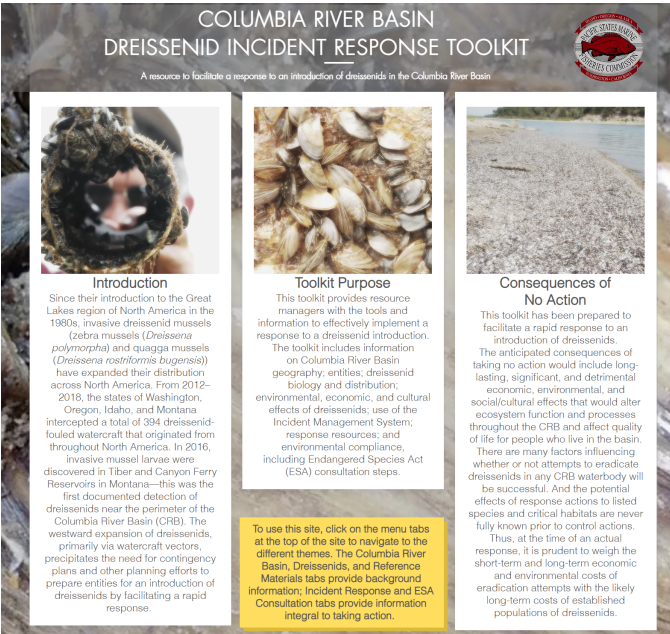


Figure 9. Columbia River Basin Dreissenid Incident Response Toolkit (CRBDIRT) website.

The potential methodology Clear Lake water managers would use to mitigate or eradicate invasive mussels would depend upon numerous factors, including, but not limited to, the extent of the infestation, whether or not adults were detected, if the preferred chemical control is registered for use as a molluscicide by the U.S. Environmental Protection Agency, and potential impacts to Clear Lake Hitch (*Lavinia exilicauda chi*) and its habitats. The website, <https://www.crbdirt.com>, documents the potential steps associated with a dreissenid response. Although the website is focused on the Columbia River Basin states, similar steps would occur for any jurisdiction, and include the steps described in this report (e.g., Initial Detections and Notifications, Verification, Activate Incident Management System).

Lake County has historically explored other treatment options for dreissenid mussels, including the use of redear sunfish stocked at high densities to reduce adult dreissenids (Wong et al. 2012) and increasing turbidity levels at detection sites (Steele and Wong 2015) (no longer considered a viable option). However, approaches to addressing dreissenid introductions are focused on eradication, and there are no published studies that indicate either of these two approaches achieve the eradication goal.

Response Actions

An exploration of a variety of responses will help determine the transition to successful long-term management and containment. As more information becomes available about the situation and a response progresses, existing prevention management actions will proceed in the protection of Clear Lake from all AIS, but likely with modifications. Considerations that may inform which response actions are taken include:

- Anticipated costs of eradication effort and subsequent monitoring, coupled with available funding.
- Available resources (personnel, equipment, etc.) for all aspects of response (e.g., signage, barrier curtains, chemicals, grants to partners, increased monitoring, additional oversight of watercraft monitoring).
- Regional and local distribution of dreissenids
 - single vs. multiple, continuous vs. patchy, isolated vs. widespread.
 - upstream vs. downstream, edge vs. interior.
- Dreissenid age class structure or life stages present.
- Pathways/source of introduction (if known) – identified, controlled, eliminated, etc.
- Species track record of eradication/control attempts.
- Ability to obtain required permits and permissions (e.g., application of chemicals to water) in an expedited time frame.
- Confidence in surveillance and subsequent results.
- Affected native fish and wildlife habitats.
- Time of year in relation to reproduction, migration, etc.
- Amount of water in the system to be treated. Consider the following:
 - Potential for drawdown or flows reduced before treatment.
 - Flow sources, including springs, and the potential to regulate that flow.
- Land use patterns.
- Presence of state or federally listed rare, threatened, or endangered species.
- Presence of critical or significant habitats.
- Regulatory hurdles associated with control actions (e.g., use of chemicals).

Prevention Response Actions

Purpose: Address active prevention program needs and adjustments as response is implemented.

Lead: LCWPD

As Control and Monitoring response teams are examining options, actions that address the current program may be implemented in recognition of modifications or adjustments that may be needed to conform to new needs to manage waterbody users and water usage users. Considerations of the following areas of the prevention operations will include:

- Directions and actions for local Lake County Mussel Sticker Program
- Alteration/amendments to Ordinance 15 of Lake County Code

Control Response Options

Purpose: Determine the possible eradication or control options and their feasibility to minimize spread.

Lead: LCWPD

Implementation of any control response may include chemical, biological, or physical methods, and all will require a full analysis of potential ecological, economic, cultural impacts to Clear Lake. An evaluation of all the possible actions or no-action will be needed to determine the best actions necessary.

There is a limited number of chemicals that currently exist for controlling dreissenid mussels, including potassium chloride (KCl or potash) and Earth TechQZ®. Methods to contain chemical control applications with the use of a temporary physical barrier or boom will be required. A suite of permits and compliance (Appendix G) will be required for any control response using chemicals and associated barriers. For example, a response action in a marina would involve temporarily installing vertical curtains/barriers from the surface of the water to the sediment to create an enclosed area for chemical treatment. If threatened or endangered species, or their critical habitats, exist within the geographic scope of the project, an Endangered Species Act consultation process will be triggered (see Fish and Wildlife Service Section 7 Consultation section of Appendix F) (<http://www.crbdirt.com/introduction>). Other considerations, including safety, best management practices, and tradeoffs associated with taking

no action should be considered.

Containment Response Options

Purpose: Determine containment response options and their feasibility to minimize spread.

Lead: LCWPD

Minimizing spread of dreissenid mussels from Clear Lake will require containment. Containment options may include a suite of strategies to address watercraft, infrastructure, water delivery systems, and other human activities. Containment options will be weighed by a response team and will be determined based on the specific details of the detection and scope.

Immediate containment will be implemented while Control Response Options are explored. Immediate containment response may require:

- Temporary closure of the lake to all motorized, non-motorized activity, including the installation of temporary signage and barriers. This could be achieved through County Ordinance 31, declaring a state of emergency, in which the Sheriff of Lake County, or their designee, can issue closure orders for water bodies.
- Mandatory decontamination of all watercraft exiting Clear Lake (note: It has been recommended that Lake County modify its ordinance to mandate mandatory decontamination of watercraft exiting Clear Lake upon infestation by dreissenids).
- A moratorium of all current and future fishing tournaments permitted within Clear Lake.

The District would make the determination if Clear Lake will be closed to use and for what duration. See section on Containment for further details.

Monitoring Response Options

Purpose: Address active prevention program needs and adjustments as response is implemented.

Lead: LCWPD

Monitoring options may include a strategy to understand dreissenid distribution within Clear Lake and relevant neighboring waterbodies. Monitoring options will be weighed by a response team and will be determined based on specific details of the detection and scope. Each category of management options must

identify staff and resource needs, budget requirements, feasibility of success, and results of taking a no-action approach. Additional monitoring of the waterbody and nearby waters will be important for understanding the scope and scale of the infestation. Expanded monitoring efforts will also be needed during implementation of control options. These include, but are not limited to, monitoring within the following systems:

- Municipal water intakes
- Private water intakes
- Thurston Lake (a private lake and would require discussions with landowners to expand monitoring efforts), Hidden Valley Lake, Indian Valley Reservoir, Lake Pillsbury, Lake Mendocino, Highland Spring Reservoir, Blue Lakes
- Cache Creek dam infrastructure
- High priority water delivery systems within the watershed

Appendix H includes several examples of monitoring strategies that can be employed in water bodies that have had detections of dreissenids.

Termination of ICS Response

Understanding when an ICS led response is complete will be determined by a variety of factors, but will be at the discretion of the lead action agency. However, there are valuable indicators that may help determine that the incident has shifted to a long-term management situation, rather than a response situation. In general, when all the actions for monitoring, containment, and control have been exhausted, a response team is terminated. Factors that may indicate there is no longer a need to operate ICS for the incident include:

- A shift to long-term monitoring strategies to understand dreissenid population dynamics has been initiated (e.g., all municipal water users are actively participating in strategic sampling in cooperation with Lake County) (Lake County mobile watercraft decontamination stations (3) are operational and staffed in designated areas with drains to water treatment systems).
- A shift to long-term containment has been initiated. Note: Lake County mobile watercraft decontamination stations (three) are operational and staffed in designated areas. Permanent decontamination stations are being considered.

- Control efforts have been conducted and post-monitoring efforts to understand the success/failure of control have been completed.
- The frequency of communication about the project to local collaborators becomes minimal. Communication about the status of the infestation will continue in perpetuity as part of ongoing containment efforts, however, the frequency of communications lessens.
- Emergency resources (e.g., signage, mobile watercraft decontamination stations) are dismantled/reassigned/returned.

A report post-response should be completed to help identify all aspects of the response and inform improvement of capabilities, capacity, and training. Documentation of the response will be a critical aspect to assist in improving response strategies for other natural resource emergency situations and may also be useful for surrounding jurisdictions to successfully respond to different dreissenid situations.

CHAPTER FIVE

5

Transition to Containment

Immediately after verification, short-term containment actions should be implemented. If dreissenids cannot be eradicated using chemical, biological, or mechanical methods, then long-term containment strategies must be implemented to contain dreissenids to the source water body.

The following timeline illustrates verification of identification, accompanying tasks, and water body status following a preliminary detection of dreissenid mussels (Figure 8). In this illustration, the assumption is that veligers were detected.

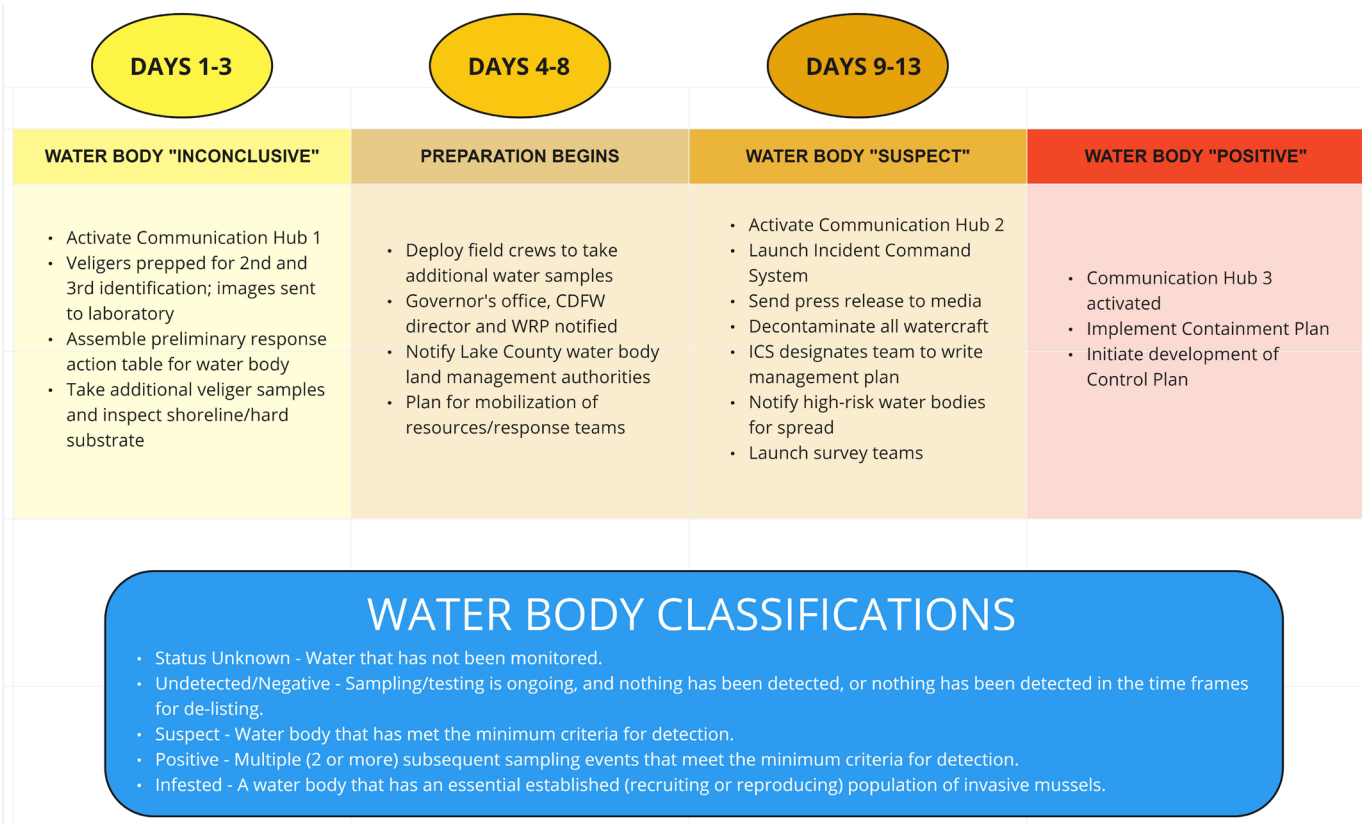


Figure 10. Timeline illustrating verification of identification, accompanying tasks, and water body status following a preliminary detection of dreissenids.

Initial Actions

The following actions should be implemented upon verification of dreissenids (modified from *State of Montana Dreissenid Mussel Rapid Response Guidelines* (2018)):

- Per Section 2301, any entity that discovers dreissenid mussels within this state shall immediately report the discovery to CDFW.
- Per Section 2301, public or private agencies that operate a water supply system shall co-operate with CDFW to implement measures to avoid infestation by dreissenid mussels and to control or eradicate any infestation that may occur in a water supply system. The operator of the water supply system, in cooperation with CDFW, shall prepare and implement a plan to control or eradicate dreissenid mussels within the system. In the case of Clear Lake, the County of Lake Water Resources Department has jurisdictional authority to manage Clear Lake per State Land Commission Chapter 639, adopted in 1973. This chapter authorizes Lake County to act on behalf of the State Lands Commission to manage the water ways and water supply to protect the assets described in 639. Lake County has jurisdiction to contain/control recreation activities and Yolo County Flood Control and Water District has jurisdiction to contain/control the flow of water out of Clear Lake.
- Work with CDFW to evaluate the need to quarantine Clear Lake as needed to prevent spread by watercraft. If the determination is made that the lake should be quarantined, close boat ramps and access points, and conduct public outreach to notify visitors and residents.
- If infrastructure is in place to inspect and decontaminate all watercraft exiting Clear Lake, implement mandatory watercraft inspection and decontamination program. Mandatory exit inspections and decontamination would occur at designated locations around the perimeter of Clear Lake by staff trained in Uniform Minimum Protocols and Standards for Watercraft Inspection and Decontamination procedures.

All vessels inspected or decontaminated will be identified with paperwork and if appropriate a seal. Inspections and decontamination records shall be captured in an online database.

- Identify all dispersal vectors (including movement by humans, fish and wildlife, water traffic, water flow, and other processes). Assume measures are needed to prevent the release of veligers as well as movement of adult mussels.
- Assess the likely movement of boats and other watercraft that recently used the mussel affected water body to identify inspection needs in other water bodies within the county.
- Develop and implement Hazard Analysis and Critical Control Point (HACCP) plans (Britton et al. 2014) to ensure that personnel (i.e., water quality monitoring staff) do not further spread dreissenids.
- Identify other aquatic operations (e.g., hatcheries, aquaculture) that are likely to spread the species outside the affected watershed(s). Consider temporary quarantine measures to prevent spread.
- Consider overland or aerial transport to other water bodies and implement any needed prevention.
- Working in partnership with water purveyors, stop or slow water release to potentially uninfested sites.
- Consider special management measures for operations of locks and commercial vessel traffic, if appropriate.
- Stop all sanctioned water related events (i.e., sport fishing tournaments) on the waterbody until appropriate containment protocols can be established.
- Watercraft inspection and decontamination stations
 - Establish inspection and decontamination requirements on boats and equipment

(following Uniform Minimum Protocols and Standards for Watercraft Inspection and Decontamination (Elwell and Phillips 2021) and CDFW Aquatic Invasive Species Decontamination Protocol) (Lake County will modify operations as standardized protocols are updated (if needed)).

- Secure all operational needs to effectively implement mandatory decontamination, including decontamination units, associated decontamination equipment, signage, safety equipment, and data collection tools.
- Ensure decontamination units are positioned at key points to capture the majority of watercraft exiting the waterbody.
- Implement mandatory inspection and decontamination of boats upon entry and exit of waterbody.

Dreissenid Mitigation by Water Purveyors

Dreissenids can colonize any surface where flows are less than 6.5 feet/second (O’Neill 1993). Costs associated with the management and control of dreissenid mussels varies with the extent of the mussel infestation in the source water and associated water treatment facility(ies), the complexity and size of the water treatment facility, the treatment goals, and other factors (Chakraborti et al. 2022). Maintaining adequate flow in pipelines and intakes adds to capital and annual operations and maintenance costs for a drinking water treatment facility (Chakraborti et al. 2022).

Most facilities apply chlorine or KMnO₄ to protect water intake structures, conveyance pipes, and pumps, whereas less common control methods included the use of chloramines and copper ion treatment (Chakraborti et al. 2022). The operations and maintenance (O&M) of 10 drinking water facilities addressing ongoing mussel infestations demonstrated operations and maintenance-based unit costs of mussel control varied from \$34.32/mil gal for 1-mgd capacity to \$12.63/mil gal for 2,640-mgd capacity. The capital cost and O&M-based equivalent annual unit cost for treatment varied from \$78.56/mil gal for 1-mgd capacity to \$13.41/mil gal for 2,640-mgd capacity, and costs for larger water treatment plants (i.e., >10 mgd) varied between \$1.00/mil gal and \$13.00/mil gal (Chakraborti

et al. 2022). The Coachella Valley Water District, an irrigation supplier in Southern California, assesses a quagga mussel mitigation surcharge of \$3.18-4.31 per acre-foot (2022 rates) (<http://www.cvwd.org/documentcenter/view/5381>), which pays for monitoring and to prevent dreissenid colonization in the Coachella Canal infrastructure (Nelson 2019).

Dreissenid Mitigation by Self-supply Drinking Water Systems

Self-supplied water users that extract their water from Clear Lake are not required to report their use. Currently, there is no estimate of self-supply domestic users, or the amount of water they withdraw for Clear Lake. Private residence water intake systems include an onshore component (pump and distribution pipes to residence) and an offshore component (the pipe from its intake in the lake to the onshore pump) (O’Neill 1993). Two strategies can address mussels in these systems: whole residence in-line filters that remove mussel veligers, and in-line chlorine injection systems, which kills mussel veligers, juveniles, and adults drawn into the system, which also address taste and odor issues caused by mussels (O’Neill 1993). Costs per Mg of water withdrawn to treat ranged from \$1,345 for in-line filters and \$7,348 for chlorine injection systems (O’Neill 1993).

Transition Goal

Upon an introduction of dreissenid mussels to Clear Lake, the initial goal is to avoid the risk of spreading mussels to other water bodies while follow-up sampling determines the extent of infestation. During this estimated six-week period, all watercraft leaving Clear Lake would be inspected and decontaminated at four inspection stations located around the perimeter to intercept all watercraft of Clear Lake. Ideally, these would be permanent watercraft inspection and decontamination stations already established prior to an introduction of dreissenids. Nightly boat ramp and shore launching closes would be implemented to ensure all watercraft are inspected.

The results of sampling efforts post-detection will determine if Clear Lake remains Suspect, or is elevated to Positive, or Infested, status. Regardless, longer-term response would require administration and oversight of check stations to inspect and decontaminate all

watercraft leaving Clear Lake. Implementation of a Local Boater Program, which identifies watercraft that recreate only in Clear Lake, would reduce staffing, equipment, and maintenance costs. Costs to operate the inspection stations includes initial capital costs for equipment and staff costs associated with training staff and operating check stations.

Short-Term Suspect Status

If Clear Lake is confirmed positive for dreissenid mussels, the lake will be considered Short-term Suspect. After the initial detection, follow-up sampling will occur while minimizing the risk of spreading mussels to other waters. Within one week, available resources will be necessary to perform required Clean, Drain, Dry exit inspections of all boats leaving the lake and decontamination of undrainable areas, such as ballast tanks. All watercraft leaving Clear Lake will receive a seal and paperwork to verify the watercraft received an exit inspection. Quick action will be needed to mobilize the necessary personnel and resources to effectively meet these obligations.

At Short-term Suspect Status, existing resources must be used to inspect, decontaminate, and seal boats. However, all financial support from the State of California ceases immediately upon detection, therefore it is imperative Clear Lake take steps now to create an emergency fund that can be used upon an initial detection. Immediately after initial detection, job announcements and requisitions should be prepared so personnel can be hired, and additional equipment can be purchased as quickly as possible.

Closures

Temporary, full closure of Clear Lake boat ramps and long-term closure of individual boat ramps to concentrate boating traffic are not recommended during the Short-term Suspect Status period. However, closure of shore launching is recommended during Short-term Suspect Status because vehicles accessing these areas do not encounter a check station. Night closure of boat ramps is recommended at this status level to ensure every vessel leaving Clear Lake receives an exit inspection. Boat ramps should be closed with a gate, or cable, and sign indicating the purpose and estimated duration of the closure. Hours when Clear Lake boat ramps are open will be ½ hour before sunrise to ½

hour after sunset. If a boat has not exited the water by ½ hour after sunset, it will remain in the water until the next day. Temporary full closure of Clear Lake boat ramps is recommended if the lake is immediately classified from Short-term Suspect Status to Infested Status.

Staffing Plan

Inspection stations will need to be staffed by a minimum of two inspectors per station per day. Staffing levels will depend on the time of year and anticipated boating traffic but could require 3–14 individuals per week based on a 40-hour work week.

Supplies and Equipment

If Lake County does not have four established permanent watercraft inspection and decontamination stations upon detection of dreissenids, existing trailered and other decontamination units within the county can be used. Camper trailers may need to be secured to accommodate housing for personnel. Dynamic messaging signs (DMS) will be rented (one sign for each check station) to direct boaters to the exit inspection locations. Additional signage will explain boat ramp nightly closures, shore launch closures, and mandatory exit inspections.

Rapid Response – Long-Term Suspect Status

If initial follow-up sampling does not yield a positive result, Clear Lake would enter Long-term Suspect Status and remain at this level for up to three years if no additional positive samples are found. The goal during the Long-term Suspect Status period is to minimize the risk of spreading mussels to other waters. During the first year (from initial detection through the following boating season), capacity must exist for all non-local boaters exiting Clear Lake to efficiently obtain a required clean, drain, dry inspection, motor flush, and decontamination of ballast tanks and other undrainable areas. All watercraft leaving Clear Lake will receive a red seal and seal receipt to verify the watercraft received an exit inspection. Red seals will be designated for use on a suspect, positive, or infested water.

If there is no confirmation of dreissenid mussel presence after the first full boating season, efforts will switch to a lower-level response, with a goal of contact-

ing a significant number of boaters leaving the water but shifting the responsibility to the boater to obtain a required inspection. Inspectors will still conduct clean, drain, dry exit inspections on boats leaving the water and decontaminate ballast tanks and other undrainable areas. If feasible, all motors will continue to be flushed. If not, all outboard motors will be drained and only inboard/outboard and inboard motors will be flushed. Public outreach will increase and vary using multiple outlets to highlight the potential threat at the suspect water.

Closures

Except for shore launching, no closures of individual boat ramps are recommended during year 1 of a Long-term Suspect Status period. During years 2 and 3 of Long-term Suspect Status, shore launching may be allowed in some areas. Shore launching prohibited signs will be changed to communicate that an exit inspection is required.

Night closure of boat ramps is also recommended during year 1 of a Long-term Suspect Status to ensure that every vessel leaving Clear Lake receives an exit inspection. Hours when Clear Lake boat ramps are open will be ½ hour before sunrise to ½ hour after sunset. If a boat has not exited the water by ½ hour after sunset, it will remain in the water until the next day.

Check Stations

During years 1 through 3 of Long-term Suspect Status, the number and location of the four exit inspection stations will remain the same as for Short-term Suspect Status. Check station hours of operation will coincide with boat ramp hours (½ hour before sunrise until ½ hour after sunset).

Local Boater Program

A local boater program would minimize staffing levels and reduce wear and tear on equipment with fewer decontaminations. A local boater program should be implemented during year 1 of Long-term Suspect Status.

Rapid Response – Positive Status

Clear Lake will be considered positive for dreissenid mussels if two or more sampling events within

a 12-month period meet the minimum criteria for detection (defined above). The goal during the Positive Status period is to minimize the risk of spreading mussels to other waters by providing capacity for all boaters coming off the water to efficiently obtain a required clean, drain, dry inspection, motor flush, and decontamination of ballast tanks and other undrainable areas. If live mussels are found on any boat during an exit inspection, they will be decontaminated, and consideration will be given to upgrading Clear Lake to Infested. All watercraft leaving Clear Lake will receive a red seal and paperwork to verify the watercraft received an exit inspection. All four permanent watercraft inspection stations will remain open from ½ hour before sunrise to ½ hour after sunset.

Closures

All shore launching is prohibited during Positive Status. Night closure of boat ramps is also recommended during Positive Status to ensure that every vessel leaving Clear Lake receives an exit inspection. Boat ramps will be closed with a gate, or cable, and sign indicating the reason for closure. Clear Lake boat ramps will be open will be ½ hour before sunrise to ½ hour after sunset. If a boat has not exited the water by ½ hour after sunset, it will remain in the water until the next day.

Rapid Response – Infested Status

Clear Lake will be considered Infested if an established (recruiting and reproducing) population of adult dreissenid mussels is found. The goal during Infested Status is to minimize the risk of spreading mussels to other waters by ensuring all boaters exiting the water are inspected and undergo decontamination. All watercraft leaving Clear Lake will receive a red seal and paperwork to verify the watercraft received an exit inspection. Boat ramp hours will undergo hour restrictions to ensure that watercraft decontamination does not occur during darkness (e.g., ramps close 2 hours prior to sunset). Lake County staff should consider an alternative method for identifying boats that cannot be decontaminated because check stations are understaffed.

Estimated Costs for Containment Operations

Containment of a dreissenid infestation will require significant personnel for supervision, operation of

inspection and decontamination stations; supplies in the form of new signage, decontamination units, possible water storage tanks for decontamination unit operation, hand held tablets to enter inspection and decontamination information, and watercraft seals; vehicles may be needed for personnel to travel between stations or to move equipment and supplies; housing for short-term inspection staff may be needed in peak watercraft access to Clear Lake this may come in the

form of movable campers/trailers. Additional infrastructure may be needed to control access to the lake with removable barriers or gates.

There are examples of operations costs that have been assembled for other western waterbodies. These are provided for reference here; however Clear Lake containment needs may differ. Clear Lake is 1,155,000 acre feet.

Example 1. Flaming Gorge Reservoir Wyoming – Utah (excerpted from Flaming Gorge Reservoir, Flaming Gorge Unit of the Colorado River Storage Project Interagency Rapid Response and Control Plan for Dreissenid Mussels. <https://wgfd.wyo.gov/Fishing-and-Boating/Aquatic-Invasive-Species-Prevention/AIS-Rapid-Response-Plans>). Reservoir size: 3,778,700 acre feet. The estimates describe inspection and decontamination operations for a positive waterbody.

Expenditure Categories		Description	Quantity	Cost Each	Total Cost
Personnel	21	Technicians, Feb 22 - Dec 7	339 months	\$2,160	\$732,564
	3	Technicians, May 1 - Sep 30	15 months	\$2,160	\$32,400
		Extra help - holidays, etc.	1 month	\$2,160	\$2,160
				SUBTOTAL	\$767,124
Vehicle	7	State Motor Pool Vehicles (8-9 mos. each)	62 months	\$700	\$43,400
				SUBTOTAL	\$43,400
Supplies		Dynamic Message Signs	3	\$17,000	\$51,000
		Generators	2	\$1,000	\$2,000
		Water Pump for Sheep Creek	1	\$500	\$500
		Gas - generator, decon. units/ month	26	\$700	\$18,200
		Light Tower (2 per station)	6	\$10,000	\$60,000
		Misc. supplies and repairs - cost/mo.	26	\$200	\$5,200
		Tablets	5	\$250	\$1,250
		Replacement signs	15	\$100	\$1,500
		Posts and hardware	15	\$18	\$263
		Storage (Dec-Feb; cost/mo.)	81	\$24	\$1,944
		Seals	31,000	\$0.03	\$806
		Wire for seals	31,000	\$0.09	\$2,635
				SUBTOTAL	\$145,298
Construction		HWY 191 exit inspection station construction	1	\$250,000	\$250,000
				SUBTOTAL	\$250,000
TOTAL					\$1,205,822

Example 2. Keyhole Reservoir, Wyoming (excerpted from *Rapid Response Plan Following Detection of Dreissenid Mussels in Keyhole Reservoir, Wyoming*). Reservoir size 334,200 acre feet. The estimates describe inspection and decontamination operations for an infested waterbody.

Expenditure Categories	Description	Quantity	Cost Each	Total Cost
Personnel	Contract Biologist	8 months	\$,543	\$36,344
	Technician; 2 @ 8 months	16 months	\$2,863	\$45,808
	Technicians; 6 @ 6 months	36 months	\$2,863	\$103,068
	Technicians; 6 @ 3 months	18 months	\$2,863	\$51,534
	SUBTOTAL			\$236,754
Vehicle	State Motor Pool Sedan 1	8 months	\$500	\$4,000
	State Motor Pool Sedan 2	8 months	\$500	\$4,000
			SUBTOTAL	\$8,000
Travel	Camp Groceries (person days)	1,558	\$24	\$37,392
			SUBTOTAL	\$37,392
Supplies	Camp Trailers	2	\$20,000	\$40,000
	Office Trailers	2	\$20,000	\$40,000
	Signs (one-time expense)	2	\$500	\$1,000
	Signs (local boat, infestation, decon)		\$2,000	\$2,000
	Recirculating Decontamination Unit	1	\$300,000	\$300,000
	Well drilling - East Side Check Station	1	\$20,000	\$20,000
	Asphalt - East Side Check Station	1	\$50,000	\$50,000
	Electrical to East Side Check Station	1	\$25,000	\$25,000
	Trailer slip rental (nights)	92	\$45	\$4,140
	SUBTOTAL			\$482,140
TOTAL			\$764,286	

Sources of Funding for Dreissenid Response and Containment

Numerous existing and potential sources of funding can support dreissenid efforts in Clear Lake. Some of the sources of funding listed below have specific uses, (e.g., some cannot be used for anything other than prevention efforts). Those listed here have the potential for Lake County to solicit funding to amplify prevention efforts, (e.g., permanent watercraft decontamination stations).

Federal

- U.S. Fish and Wildlife Service Quagga and Zebra Mussel Action Plan (QZAP) grant funding—This grant funds proposals listed in principal areas towards the fulfillment of the top priorities in the QZAP for western U.S. waters, including limiting the spread of invasive mussels via containment (e.g., inspection and decontamination of watercraft moving from invaded water bodies to jurisdictions free of dreissenids). Maximum grant award is \$600,000. Grant announcement contact: Barak Shemai, barak_shemai@fws.gov.
- U.S. Fish and Wildlife Service North American Wetlands Conservation Act (NAWCA) Small Grants—This program is a competitive, matching grants program that supports public-private partnerships implementing projects in the United States that further the goals of NAWCA. Maximum grant award is \$100,000. Grant announcement contact: Rodecia McKnight (Rodecia_McKnight@fws.gov).
- U.S. Bureau of Reclamation Invasive Dreissenid Mussel Activities (2024) (jtrujillo@usbr.gov)—The Bureau of Reclamation has been funding about \$2.6 annually for the past several years for projects that:
 - support Reclamation needs and impacts;
 - support one or more of the seven QZAP categories essential to dreissenid mussel management;
 - demonstrate mature planning/coordination, readiness to proceed, and pose a funding request that is reasonable, realistic, and commensurate with the approach; and
 - stimulate broader coordination and additional action on mussel management.

Regional

- The Westside Sacramento Integrated Regional Water Management (IRWM) Plan (<https://www.west-sideirwm.com/>) provides grant funding for water management as well as emergency disasters. This small grant program provides a maximum of \$25,000 per projects that align with its regional priorities, which include protecting and enhancing habitat and biological diversity; preserving, improving, and managing water quality for beneficial uses; and improving watershed and ecosystem education and awareness. Response and containment may qualify for this funding source.

State

Currently, no state funding sources exist for Lake County/Clear Lake to transition to containment. Upon an initial detection, **all prevention funding from the state ceases immediately.**

Fee-based, user funding

Recreational registered watercraft

- Per California Code of Regulations, Title 14, Section 5201, the State of California requires owners of motorized recreational vessels used in freshwater to purchase from the Department of Motor Vehicles an annual sticker, which is separate and in addition to the vessel registration. Funding from these stickers supports prevention efforts via a grant program administered by the California Division of Boating and Waterways.
 - The mussel fee amount shall be \$8 when first paid during an even-numbered calendar year and \$16 when first paid during an odd-numbered calendar year. The mussel fee amount shall be \$16 thereafter and shall be valid for a period of two calendar years. The mussel fee sticker shall be valid through December 31 of every odd-numbered year.
- Per Lake County regulations, all vessels launched in Lake County water bodies must have a Lake County Quagga/Zebra sticker (in addition to the sticker noted above) (<https://www.nomussels.com/>). Resident and visitor

stickers are \$20. The total number of stickers sold to residents and visitors and the total income received from 2016–2022 was \$832,180 and \$1,124,580, respectively (Table 3, Figure 9). The average income in 2016–2022 from sticker sales to residents and visitors was \$166,436 and \$224,916, respectively. These funds could be used for response and containment.

Seaplanes

- Seaplanes have the potential to introduce or spread dreissenids and other aquatic invasive species. An event, called the Clear Lake Splash In: Wings, Water & Wine (<https://www.facebook.com/splashin/about>), is hosted annually at Clear Lake (excluding 2022, when the event was canceled, in part because of the exceptionally low water level of Clear Lake). The Splash-In is one of the largest seaplane fly-ins on the West Coast. The event is organized by the Lake County Chamber of Commerce. The Lake County Quagga/Zebra sticker are issued to seaplane pilots to land on the lake.

Table 4. Total number of stickers sold to residents and visitors, and income received, from 2016-2022.

Year	# Resident Stickers Sold	# Visitor Stickers Sold	Total Income from Sticker Sales
2016	6,987	9,561	\$330,960
2017	8,978	6,279	\$305,140
2018	5,849	7,763	\$272,240
2019	6,282	8,872	\$303,080
2020	4,981	8,480	\$191,233
2021	4,939	8,851	\$186,501
2022	3,593	6,423	\$135,577

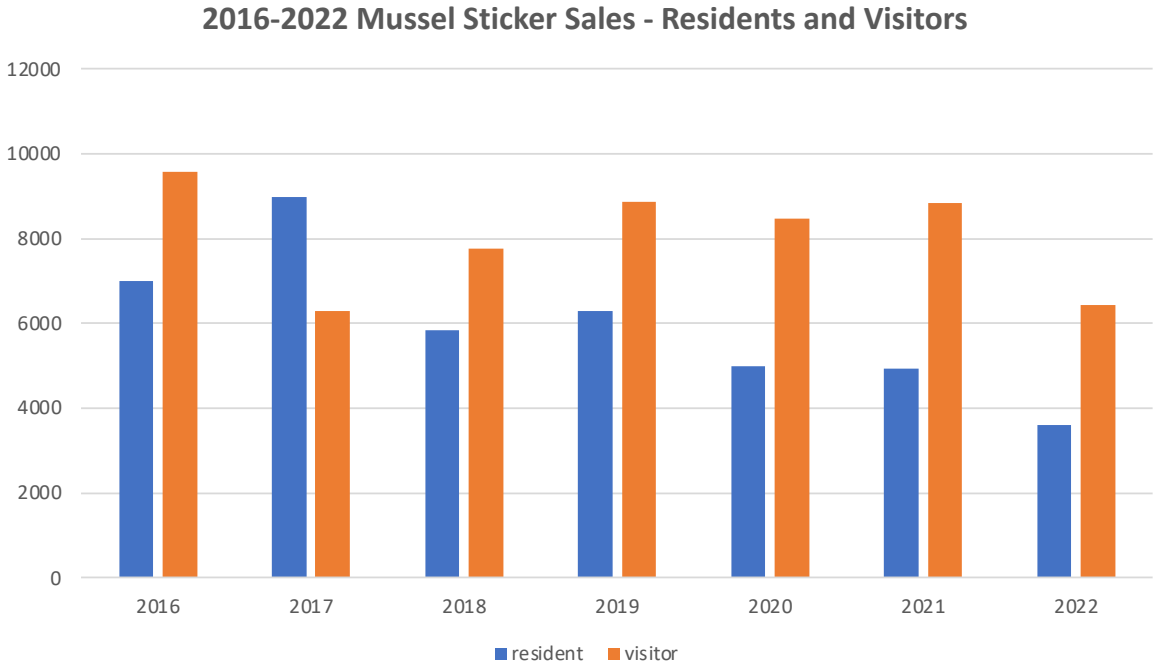


Figure 11. Mussel sticker sales to residents and visitors, 2016-2022.

CHAPTER SIX

6

Permanent Decontamination Station Feasibility Analysis

If eradication of dreissenids is not possible upon detection, actions must be taken to prevent spread of mussels from Clear Lake to other water bodies. Installation of adequate water/energy efficient watercraft decontamination stations must be completed to ensure that all watercraft leaving Clear Lake have no mussels on board, either attached to the vessel or floating in vessel/engine compartments, bilges, and other places that hold water.

Options for decontamination stations:

- Fixed base systems (\$225,000 to \$450,000)—Hydro Engineering, LLC (<https://www.hydro-blaster.com>) produces high-capacity fixed based systems consisting of a Hydrosite insulated equipment building connected to utilities (water, power, and fuel) as well as portable systems. Permanent decontamination stations range from \$225,000 (single station systems with one wash pad – drive on, drive off ramp) to \$400,000-plus multiple (4-station) systems (e.g., 2 wash pads).
- Dip Tank (\$800,000)—Clean Wake LLC (<https://www.cleanwake.net/>) developed a dip tank that lowers a boat into the tank and fills and empties the ballast tank while the watercraft engine is running. This type of system was first used in Utah in 2021, and decontaminates vessels faster than manual decontamination, including those with complex systems.

The Model Regulation for State Watercraft Inspection and Decontamination Program (Otts and Nanjappa 2016) notes an agency may establish inspection stations:

- At or along publicly accessible boat ramps and conveyance launch sites, roads and highways

- At ports of entry (if the Department of Transportation authorizes the agency to use the port of entry);
- At agency facilities;
- Where there is a high probability of intercepting conveyances transporting aquatic invasive species.
- Where there is typically a high level of boat and trailer traffic; and/or
- Where the inspection of conveyances will provide increased protection against the introduction of aquatic invasive species into a water body. In addition, Otts and Nanjappa (2016) encourages stations be sited in locations that are convenient and readily accessible to boaters, in locations with the greatest chance of intercepting high-risk conveyances, and in locations with adequate space for conveyances to be stopped, inspected, and in some cases, decontaminated, without presenting a safety risk or significantly interfering with the public’s use of the waterbody or highway. Otts and Nanjappa (2016) also emphasize environmental considerations if decontamination occurs at an inspection station because of the need for proper handling and disposal of potentially

- contaminated effluent.

Other criteria to consider:

- Locations that intercept the greatest number of watercraft.
 - Fishing tournament watercraft launch locations.
 - Proximity or accessibility to water, power, and sewer connections.
 - Surface, slope, and distance to Clear Lake.
 - Traffic patterns that capture major/preferred routes.
 - Traffic patterns at proposed station location (e.g., safety considerations including preventing left-hand turns across lanes, overflow of waiting watercraft, surrounding speed limit allows ease of access and if not then adequate signage).
 - Area surrounding station has clear control points to prevent boats from launching/leaving until they have been decontaminated.
 - Minimal disturbance to natural landscape.

- Adequate space to house decontamination unit, structure for staff to remain safe, structure to house operational equipment, etc.
 - Near interstate roads coming into county from direction of infested waterbodies (Hwy 20 by Hwy 53).
 - Near or at County- or City-owned property or empty/vacant parcel that could be acquired with minimal capital.
 - Near City/County services to tap into municipal water and special districts water treatment lines for the discharge.
 - A location that is easily accessible and County/ City owned in Lakeport.
 - Use of www.AISexplorer.umn.edu may be considered for prioritization of inspection stations.

Based on these criteria and ingress and egress associated with Clear Lake, likely locations for permanent stations are Upper Lake Park or Upper Lake Roads Yard, Moose Lodge, Konocti USD Bus Yard or the industrial area north of the town of Clear Lake, the Vista Point Shopping Center, or the Lakeport Public Works Yard (Figure 10) as well as the interaction of highways 29 and 175, which is government-owned land.

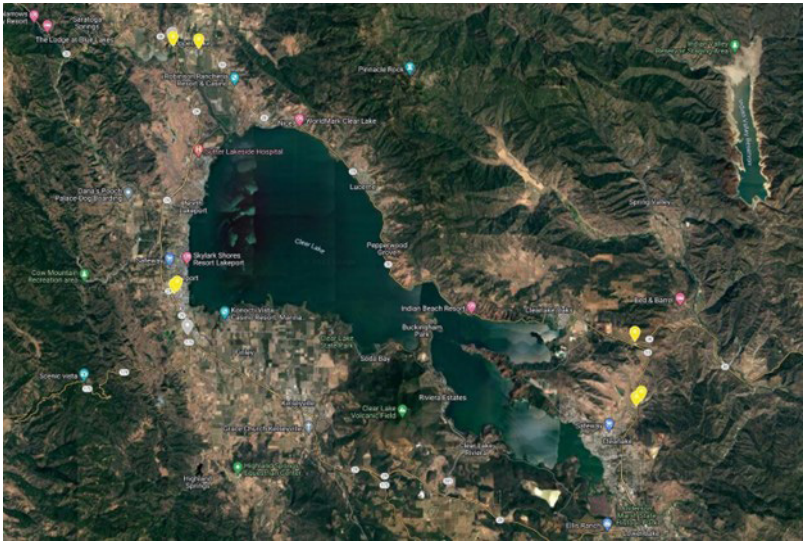


Figure 12. Potential locations for permanent watercraft inspection and decontamination stations (yellow mark) based on the criteria for establishing stations.

Case Studies: Optimizing the Location of Watercraft Inspection Stations

These case studies illustrate a variety of factors that can be considered when developing policy associated with citing watercraft inspection and decontamination stations.

Case Study #1 – Stearns County, Minnesota

An integer programming model was developed to allocate scarce inspection resources among lakes with a county, using species-specific infestations status of lakes and estimates of boat movement among lakes to maximize the number of high-risk boats inspected (Haight et al. 2021). High-risk boats were defined as those that move from infested to uninfested lakes. Modelers determined locating inspection stations at infested lakes that have the greatest number of boats moving to uninfested lakes both inside and outside the county would achieve the objective of protecting uninfested lakes. Alternatively, locating stations at both infested and uninfested lakes having the highest-risk boats arriving from within and outside the county and departing to in-county lakes would achieve the objectives of protecting only county lakes. The authors noted the tradeoffs between the objectives is significant.

Case Study #2 – British Columbia

Watercraft inspection policies that prevent the spread of dreissenids can be optimized under budget constraints using linear integer programming techniques (Fischer et al. 2020). Authors noted that inspection stations should be placed close to the border of the uninfested region (emphasizing cross-border collaborations between uninvaded jurisdictions); if traffic flows merge close to the border, inspections are most cost-effective after the merging point; if traffic predictions involve a high level of uncertainty, inspection efforts should be distributed over many locations; and if a high reduction of propagule inflow is desired, it may be cost-effective to implement measures increasing the compliance rate rather than operating more inspection stations for longer hours.

Case Study #3 – Deep Creek Lake, Maryland

Deep Creek Lake in Maryland sought to reduce the number of instances of visiting watercraft arriving at the lake contaminated with aquatic invasive species (Chase et al. 2020). Defining barriers and behavior drivers is critical to changing human behavior. The study determined that the Deep Creek Lake website and associated Maryland Department of Natural Resources sites were disconnected and difficult to navigate, including difficulty accessing information on boat launch inspection and aquatic invasive species prevention measures. Recommendations included enhancing community partnering to improve communication in the tourism community and leverage nonprofit organization funding grants, creating focus groups through boater/fishing license registrations or in-person launch steward interactions to define barriers/drivers to behavior change, improving website design, streamlining digital media to coherently and consistently communicate AIS impacts, prevention, and expected actions, and empowering boaters with on-site cleaning equipment at high-use ramps.

Suggested Training for Watercraft Inspection and Decontamination Program Staff

If the District determines that mandatory watercraft decontamination operations would be conducted, proper staff training and equipment will be needed to ensure that operations meet minimum guidelines to prevent the spread of dreissenids. The minimum standards for programs are based on the Uniform Minimum Protocols and Standards for Watercraft Inspection and Decontamination. The goal of a watercraft decontamination is to remove and kill driessenid mussels from watercraft. The basis for standard procedures is derived from applied studies that examined the lethal times and temperatures of hot water for dreissenid mussel mortality. Watercraft decontamination procedures not only include proper use of the equipment, but also personal safety, watercraft owner permission, and detailed documentation.

There are several documents that regional AIS programs align with when conducting decontaminations, including:

- Uniform Minimum Protocols and Standards for Watercraft Inspection and Decontamination in the Western United States (Elwell and Phillips 2021)
- Watercraft Inspection and Decontamination Manual (Western Regional Panel on ANS 2021)
- Student Training Curriculum for Watercraft Inspectors and Decontaminators to Prevent and Contain Invasive Species in the USA (Western Regional Panel on ANS 2016)
- Watercraft Inspection and Decontamination Trainer’s Manual (Western Regional Panel on ANS 2021)

All staff conducting decontaminations must complete training that provides a thorough understanding of the risks from invasive species and the role that watercraft play in their spread, as well as full knowledge of the proper use of all decontamination equipment. Most comprehensive watercraft inspection and decontamination programs conduct annual training events based on the curriculum noted above. Training typically occurs during a 2-day period, and includes both classroom and hands-on activities to familiarize staff with basic steps on watercraft decontamination. Different

types of watercraft (size and complexity) require different amounts of time to complete decontamination, therefore training should include different watercraft types. Multi-day training is offered regularly by Pacific States Marine Fisheries Commission (see <https://www.westernais.org/>, Training menu tab) and Tahoe Regional Planning Agency. Appropriate decontamination units are also an important part of the decontamination process. Minimum standards for both trailered and non-trailered units can be accessed at <https://westernregionalpanel.org/key-documents>. Adhering to the guidelines presented in the documents in the bulleted list (above) will align Lake County program operations with western regional programs. County staff could consider the use of on-the-job training that could follow immediately after hire to enforce objectives that were covered during the training.

CHAPTER SEVEN7

Management Recommendations

This section of the document includes a suite of recommendations the District could implement to enhance its readiness to respond to an introduction of dreissenids to Clear Lake and transition to containment.

Funding	Reporting	Capital Expenditures
<p>a. Develop a \$1,000,000 to \$1,500,000 emergency fund to prepare for an introduction of dreissenids to Clear Lake and neighboring water bodies.</p> <p>b. Consider changes to mussel sticker pricing to increase the cost of stickers to non-resident boaters and seaplane pilots.</p> <p>c. Consider establishing a mussel sticker for non-motorized non-resident watercraft.</p> <p>d. Consider establishment of a local municipal fee to offset and support operational expenses of prevention and containment programs.</p> <p>e. Consider a county ordinance that establishes special event fees for recreational activities occurring on Clear Lake (e.g., fishing tournaments, etc.) (see Appendix I).</p>	<p>a. Develop an online reporting system that requires self-supplied water users to register their water use with the District and to create a database of self-supplied water users for notification purposes. Create a database of self-supplied water users.</p> <p>b. Develop and implement a monitoring program by self-supplied water users with intake sources (e.g., citizen science monitoring).</p> <p>c. Increase and diversify monitoring operations annually to reach maximum capacity for sampling.</p>	<p>a. Purchase and staff four permanent watercraft inspection and decontamination units for both existing prevention and potential future containment purposes.</p> <p>b. Work with other government agencies and landowners to find suitable locations for stations.</p> <p>c. Purchase adequate signage and work with local Caltrans maintenance staff to sign inspection stations.</p> <p>d. Acquire all necessary infrastructure for safe and successful WID station operations.</p>



Containment and Control

- Initiate long-term containment program to prevent the spread of invasive mussels (and other AIS) to other water bodies via overland transport.
- Initiate internal ongoing evaluation of WID programming to identify areas of compliance, improvement, and redundancy.
- Consider using the Tahoe Regional Planning Agency model to staff inspection stations, make appointments for boat decontaminations, and purchase decontamination units.
- Convene regional water body managers to discuss and strategize citing watercraft inspection and decontamination stations for all water bodies in the region.

Fishing Regulations

- Consider revising Clear Lake fishing regulations (CDFW) to reduce the allowable daily take of redear sunfish because they have been proven to remove adult quagga mussels efficiently while suppressing growth and recruitment when stocked at a high density (0.42 fish/m³ or 1.90 fish/m²) (Wong et al. 2012).
- Consider habitat enhancements for Clear Lake to improve habitat for redear sunfish. Note: Lake County is promoting a natural shoreline program that encourages property owners along the edge of Clear Lake to remove hardscapes and encourage natural habitat. Shoreline ordinance amendments (in progress at the time of this report) will increase costs and processes associated with installation of hardscapes.

Collaboration

- Conduct periodic preparedness exercises with regional partners and collaborators to identify areas for improvement.
- Work with regional water body managers to mirror and advance funding, reporting and containment recommendations.
- Work with county water body managers to foster prevention-to-containment processes that result in maintained recreational opportunities and self-water user abilities; serve as a model for other California affected water bodies and regions.
- Work with collaborators to better connect water use values with protection of the lake from invasive species.
- Create an inventory of equipment and resources available locally/regionally in the event of an infestation or a determination is made to implement a control action.
- Identify suitable communication pathways for reporting detections of dreissenid mussels for “on-hours” and “after-hours” situations.
- Update regional waterbody manager contact information.
- Convene stakeholders to assess pros/cons of various biological and chemical treatments associated with ecosystem and human health risk assessments.

Local Ordinances

- Develop and adopt ordinance that requires sticker purchase by non-motorized boat owners.
- Develop and adopt ordinance that requires mandatory decontamination for motorized, non-motorized watercraft, and seaplanes upon exiting an infested waterbody.
- Propose changes to other ordinances as described in section Recommended Amendments to Ordinances in Chapters 15 and 23 and other Code Ordinances in this document.
- Consider amending the ordinance to mandate that property owners with access to the lake post county-supplied signage stating QZ program requirements.
- Clearly state in the ordinance the primary county authority that has responsibility for enforcing mandatory watercraft decontamination when watercraft leave an infested waterbody.
- Require property owners with short-term/vacation rentals to include verbiage about AIS inspections and QZ program requirements in their house rules.



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Appendices

Appendix A. List of Surface Water Systems that Draw from Clear Lake.

Appendix B. Clear Lake Marinas, Boat Rentals, Public Boat Launches, Marine Services, and Sailing Facilities.

Appendix C. Current Invasive Mussel Screening Locations.

Appendix D. California Regulations Pertaining to Dreissenids.

Appendix E. CDFW Quagga Mussel Observation Report Form.

Appendix F. SAMPLE Draft press release.

Appendix G. Potential Permit Considerations for a Clear Lake Dreissenid Control Action.

Appendix H. Examples of Water Body Monitoring Strategies that can be Employed in Water Bodies in Which Dreissenids Have Been Detected.

Appendix I. Sample County Ordinance and Potential Clear Lake Fishing Contest Activity Fee Schedule.

Appendix J. Comments received on draft plan.

Appendix A. List of Surface Water Systems that Draw from Clear Lake.

#	Public Water System ID	System Name	Contact Person	Phone #/Email	Waste-water Treatment Plant Class	# Water Connections
1	CA1710011	Buckingham Park Water District	Ahimsah Wonderwheel	(707) 279-8568/ gm@buckinghamparkwater.us	T3	457
2	CA17100546	Clear Water Mutual Water Company	Michael Reust	(707) 349-0022 clearwtr.water@sbcglobal.net	T3	90
3	CA1710001	Clearlake Oaks County Water District	Dianna Mann	(707) 998-3322 d.mann@clocwd.org	T3	1,961
4	CA1700519	Crescent Bay Improvement Company	Mary Benson	(707) 994-1005 mary.benson.ca@gmail.com	T2	24
5	CA1710002	Golden State Water Company Clear Lake System	Keith Ahart	(707) 994-6035 kahart@gswater.com	T3	2,104
6	CA1700568	Harbor View Mutual Water Company	Jerimiah Fossa	(707) 994-9944 Jeremiahfossa@yahoo.com	T3	248
7	CA1710003	Highlands Mutual Water Company	Magen Estep	(707) 994-2393 magen@highlandswater.com	T4	2,877
8	CA1710006	Konocti County Water District	Frank Costner	(707) 994-2561 kcwd@mchsi.com	T4	1,796
9	NA - Private	Konocti Harbor Resort & Spa	Ken Lambert	(707) 461-9203 rhamel@konoctiresort.com ; klambert@konoctiresort.com	T2	NA
10	CA1710022	Lake County CSA 20 (Soda Bay)	Scott Harter/ Scott Hornung	(707) 263-0119/ (707) 263-0119 scott.harter@lakecountyca.gov scott.hornung@lakecountyca.gov	T3	647
11	CA1710021	Lake County CSA 21 (North Lakeport)			T3	1,196
12	CA1710004	City of Lakeport	Paul Harris	(707) 263-5615 (ex 402) pharris@cityoflakeport.com	T4	2,232
13	CA1710005	California Water Service – Lucerne	Meaghann Tenuta	(530)433-8737 mtenuta@calwater.com	T4	1,209
14	CA1710014	Mt. Konocti Mutual Water Company	Alan Farr	(707) 277-7466 mkonocti@yahoo.com	T3	1,572
15	CA1710008	Nice Mutual Water Company	David Fultz	(707) 274-1149 nicemwmng@mchsi.com	T4	1,064
16	CA17100603	Richmond Park Resort	Carl Olson	(415)721-0772 cedolson@yahoo.com	T3	30
17	CA1700584	Westwind Mobile Home Park	Bill Lee	(503) 702-3955 billkimlee@comcast.net	T2	38

Appendix B. Clear Lake Marinas, Boat Rentals, Public Boat Launches, Marine Services, and Sailing Facilities.

Marina	Address	Facilities	Contact Information
Braito’s Buckingham Marina	1555 Eastlake Drive Kelseyville, CA	Launch Ramp, Dock (covered and open slips, dry storage), facilities (boating repairs and accessories)	(707) 279-4868
Blue Fish Cove Resort	10573 East Highway 20, Clearlake Oaks, CA	Launch Ramp, Dock (slips), facilities (picnic area, fish cleaning stations, fishing pier, private swimming beach, lodging)	(707) 998-1769
Konocti Vista Casino Resort and Marina	2755 Mission Ranche- ria Rd Lakeport, CA	Launch Ramp (free for hotel guests), Dock (slips), facilities (gas, convenience store, parking for boats and trailers, casino, hotel)	http://www.kvcasino.com/
Clear Lake Cottages & Marina	138885 Lakeshore Drive Clearlake, CA	Launch Ramp, Dock (10-slip marina, \$10/night), facilities (trailer parking, electrical hookups at marina, swimming pool, Wi-Fi, lodging)	(707) 995-5253
Clear Lake Vista Resort	6190 Soda Bay Road Kelseyville, CA	Launch Ramp (free for resort guests, \$10 for others), dock (free to resort guests), facilities (fuel dock, store, Restaurant, bait shop, lodging, kayak rentals)	http://www.kvcasino.com/

Boat Rentals	Address	Facilities	Contact Information
Disney’s Boat Rentals	401 S. Main St Lakeport, CA	Jet skis, kayaks, pedal boats, paddleboards, ski and touring boat, ski/wake boat w/ tower, 115HP deluxe patio boat, fishing boat with trolling motor	(707) 263-0969

Marine Services	Address	Facilities	Contact Information
Bayshore Marine Service	7723 Hwy 29 Kelseyville, CA	Marc Linscott	(707) 279-1094 support@bayshoremarineservice.net
McAtee’s Marine Repair	90 Soda Bay RD Lakeport, CA	Garret and Debi McAtee	(707) 263-0440 mcateesmarine707@gmail.com
White & Sons Boat-works		Ryan and Pilar White	(707) 279-1325 ryan@wsboatworks.com

Clear Lake Public Launch Ramps	Address	Facilities	Contact Information
Redbud Park (city park)	14655 Lakeshore Drive Clearlake, CA	Restrooms, fishing pier, park	(707) 994-8201, ext. 131
Clear Lake State Park (fees apply)	5300 Soda Bay Rd Kelseyville, CA	Docks, swimming, restrooms, picnic area, camping	(707) 279-2267
Library Park (3) (city park)	222 Park Street Lakeport, CA	Docks, swimming	(707) 263-3578 PWinfo@cityoflakeport.com
Lakeside County Park	1985 Park Street Lakeport, CA	Swimming, restrooms, picnic	(707) 262-1618
Lucerne Harbor (county park)	6225 E Hwy 20 Lucerne, CA	Fishing pier, picnic, restrooms	(707) 262-1618 parks@lakecountyca.gov
Rodman Slough County Park (undeveloped)	1005 Nice/Lucerne Cutoff Lakeport, CA	Primitive ramp, swimming, picnic	(707) 262-1618
Clearlake Oaks	12684 Island Dr Clearlake Oaks	Fishing pier, swimming, restrooms, picnic	(707) 262-1618
Nice Community Beach	647 Lakeshore Dr Nice, CA	Fishing pier, restrooms, swimming	(707) 262-1618
Keeling County Park	3000 Lakeshore Dr Nice, CA	Fishing pier, restrooms, picnic, swimming	(707) 262-1618 parks@lakecountyca.gov

Sailing/Boat Tours	Address	Facilities	Contact Information
Disney’s Boat Rentals	401 S. Main St Lakeport, CA	Jet skis, kayaks, pedal boats, paddleboards, ski and touring boat, ski/wake boat w/tower, 115HP deluxe patio boat, fishing boat with trolling motor	(707) 263-0969
Konocti Bay Sailing Club	1555 Eastlake Dr Kelseyville, CA	Sponsors events at Clear Lake	(707) 572-KBSC
Clear Lake Sailing Charters	Lakeport, CA	Scott Bennett, Captain	(707) 349-2584
Lakeport Yacht Club	PO Box 313 Lakeport, CA	Promotes sailing and power boating; holds regattas and other boating events	(707) 263-5078

Appendix C. Current Invasive Mussel Screen Locations.

Entity	Address	Days/Hours Open	Phone
Indian Beach Resort	9945 Hwy 20, Clearlake Oaks	Everyday 7:00am- 6:00pm	707-998-3760
Limit Out Tackle	12607 E. Hwy 20, Clearlake Oaks	Mon-Sun 6:00am-5:00pm	707-998-1006
Clearlake Bait & Tackle	14699 Lakeshore Dr., Clear-lake	Mon-Thur 6:00am-5pm, Fri-Sat 6:30am-6pm Sun 6:30am-2pm	707-994-4399
Clear Lake Campground	7805 Cache Creek Way, Clearlake	1:00pm-4:00pm daily, by ap-pointment	707-994-2236
McAtee's Marine Repair	3450 Hill Road, Lakeport	Mon-Fri 8:00am-5:00pm	707-263-0440
Hillside Powersports	460 S. Main St, Lakeport	Tues-Sat 9:00am-3:00pm	707-263-9000
Clearlake Outdoors	96 Soda Bay Rd., Lakeport	Mon-Sat 7:00am-6:00pm, Sun 7:00am-5:00pm	707-262-5852
Lake County Chamber of Com-merce	875 Lakeport Blvd., Lake-port	Mon-Fri 9:00am-5:00pm	707-263-5092
Konocti Vista Casino Resort Marina	2755 Mission Rancheria Rd., Lakeport	Seven days a week 7:00am-Midnight	707-262-1900
Skylark Shores	1120 N. Main St., Lakeport	Seven days a week 8am-8pm	707-263-6151
Braitto's Marina	1555 East Lake Drive, Kelseyville	9:00am-4:00pm daily	707-279-4868
Clearlake State Park	5300 Soda Bay Road, Kelseyville	Sun - Fri 8:00am- 6:00pm, Sat- 9:00am- 5:00pm	707-279-4293
Kelseyville Lumber & Supply Co.	3555 N. Main Street, Kelseyville	Mon-Fri 7:00am-5:30pm, Sat 8:00am-5:30pm, Sun 8:00am-4:30pm	707-279-4297
Borenbega	9080 Soda Bay Road, Kelseyville	Please call, by appointment	707-530-4541
Clear Lake Vista Resort	6190 Soda Bay Road, Kelseyville	9:00am-5:00pm daily	707-289-4017
Lake Builders Supply	3694 Highway 20, Nice	Mon- Fri 7:30am- 5:30pm, Sat- Sun 8:00am- 5:00pm	707-274-6607
Narrows Resort	5690 Blue Lakes Rd, Blue Lakes	Call Ahead	707-477-8360
Konocti Bait Shop	6199 Hwy 20, Lucerne	Call Ahead	707-349-8963
Lake Pillsbury Resort	2756 Kapronos Rd, Potter Valley	Call for summer hours	707-743-9935
Soda Creek Store	26853 Elk Mountain Road, Potter Valley	Seven days a week 9:00am-9:00pm	707-743-2148
Suzanne L-B	Indian Valley Reservoir, Mobile	Call for Appointment	707-489-6792
Bob Sullivan Screening	Flexible, Mobile	Flexible, by appointment	707-337-0480
Conrad Clobrandt	Flexible, Mobile	Call for Appointment	707-245-9181
Mark Holloway	Flexible, Mobile	Call for Appointment	707-295-9112
Robert Valdez	Flexible, Mobile- Lakeport/ Kelseyville	Call for Appointment	408-691-7726

Appendix D. California Regulations Pertaining to Dreissenids.

[California Aquatic Invasive Species Regulations](#) (updated 12/16/2022)

[California Aquatic Invasive Species Statutes](#) (updated 12/16/2022)

[Comparison of California’s watercraft inspection and decontamination programs to the model legal framework](#) (2018)

[California Environmental Quality Act](#) (CEQA) (CA Public Resources Code 21000 et seq)—Requires public disclosure of all significant environmental effects of proposed discretionary projects. If a project is estimated to cause significant effects, documents must describe the mitigation measures and provide justifications for approval of the project with significant effects left unmitigated.

[California Porter-Cologne Water Quality Control Act](#) (CA Water Code 1300 et seq)—A report of any discharge of waste within a region that could affect the quality of waters of the state must be filed with the appropriate Regional Water Quality Control Board. The State Water Resources Control Board considers application of pesticides to control aquatic invasive species in waters of the state as discharge of a pollutant requiring an NPDES permit.

[Fish and Game Code and Title 14 of the California Code of Regulations](#)

- Fish and Game Code Section [2301 and 2302](#)
- California Code of Regulations, Title 14 Section [672](#), [672.1](#) and [672.2](#)

The importation or interstate transport of zebra and quagga mussels is prohibited by the federal Lacey Act, 16 U.S.C. §§ 3371-3378 (for current list of injurious wildlife: https://www.fws.gov/injuriouswildlife/pdf_files/Curent_Listed_IW.pdf).

Appendix E. CDFW Quagga Mussel Observation Report Form.

<https://wildlife.ca.gov/Conservation/Invasives/Quagga-Mussels/Observation-Report>

Quagga Mussel Observation Report Form

Observer

FullName

First Name

Last Name

Email

Phone

Phone Number

Would you like CDFW to follow up with you?

Yes

No

Would you like to receive an email summary of the citizen monitoring results?

Yes

No

Survey Details

Waterbody Name

County

Number of Sites

Site 1

Latitude

Longitude

Site name / description of geographic location

Description of aquatic area surveyed

Approximate distance surveyed (feet)

Quagga / Zebra mussels observed?

Yes

No

Other aquatic invasive species observed?

Yes

No

If Yes, which species?

Photo Upload

0 / 5 MB

0 / 5 MB

(max. file size: 5 MB)

Site 2


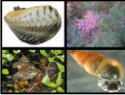
Site 3

Site 4

0 / 5 MB

0 / 5 MB

Submit



CDFW Invasive Species Program

P.O. Box 944209

Sacramento CA 94244-2090

invasives@wildlife.ca.gov

Invasive Species Program

> What are invasive species?

> Species profiles

> Nutria discovery in California

> Quagga / Zebra mussel management

- Quagga Mussel Observation Report Form
- 2017 Quagga / Zebra Mussel Water Agency Summit
- Quagga / Zebra Mussels Incident Description
- Quagga / Zebra Mussel Prevention Program Resources

> New mussel infestations

> How can I help?

> Invasive Species Action Week

- Youth Art and Video Contest

> Don't Let it Loose!

> Citizen science

> Report a sighting

> Eye on Invasives newsletter

> California Aquatic Invasive Species Management Plan

> Laws and regulations

> Marine Invasive Species Monitoring Program

Appendix F. SAMPLE Draft Press Release.

Contact: Angela DePalma-Dow, Water Resources Department, County of Lake, CA, 255 N. Forbes St. Lakeport, CA 95453, O: (707)263-2344, C: (530)304-1809

The County of Lake Water Protection District (LCWPD) has declared Clear Lake a “suspect location” for infestation of invasive mussels. This report has been initially verified by California Department of Fish and Wildlife.

Efforts are underway to determine the extent of the invasive mussel infestation. This discovery is a serious environmental and economic concern for Clear Lake, Lake County water bodies, and Northern California. Invasive quagga and zebra mussels are small nonnative freshwater mollusks that have caused major problems in the United States after their introduction in the 1980s.

Officials have not yet determined how these mussels entered Clear Lake. Recreational boats are known to be a major vector of invasive mussel spread in the United States, and there are a number of past incidents where boats fouled by invasive mussels have been intercepted prior to launching in waters in the western states.

In preparation for an introduction of invasive mussels in Clear Lake, officials developed a rapid response and transition to containment plan outlining a set of actions to address the initial finding and monitor the situation long term.

Until additional surveys are conducted, the extent of the infestation is unknown. During this phase of rapid response, the District has closed all access to Clear Lake (through the Lake County Sheriff and use of Ordinance 31) to help prevent further potential dispersal of the invasive mussels. The public can help by avoiding Clear Lake and following general guidelines to prevent the spread of invasive mussels. Boaters should clean, drain, and dry all boats, trailers, and other equipment after leaving a lake or stream and never release any live organisms into the wild.

The District’s Angela DePalma Dow administers Clear Lake’s boat inspection program and commented on its importance. “We recognize the inconvenience to boaters and understand the need for additional sampling and identification to determine if this water body is positive for quagga mussels,” said DePalma-Dow. “Our staff will ensure that boats will go through the inspection process as efficiently as possible.”

Boaters can assist with the process by arriving at Clear Lake with a clean, drained, and dry vessel. For more information, visit the District’s website at <https://www.nomussels.com/>.

##

Appendix G. Potential Permit Considerations for a Clear Lake Dreissenid Control Action.

Federal

- **National Pollutant Discharge Elimination System Permit**—The application of chemicals to control of dreissenid mussels at Clear Lake would require a National Pollutant Discharge Elimination System (NPDES) permit under Section 402 of the Clean Water Act. The U.S. Environmental Protection Agency has delegated to the State of California the NPDES Program through the State Water Resources Control Board and the nine Regional Water Quality Control Boards. Lake County falls within Region 5; the Regional Water Board NPDES Program Manager is Jim Marshall, Supervising Water Resource Control Engineer, james.marshall@waterboards.ca.gov, (916) 464-4772. California’s Aquatic Animal Invasive Species Control Permit covers the discharges of biological and residual chemical pesticide applications into waters of the United States for aquatic animal invasive species control. The current permit is Statewide NPDES Permit No. CAG 990006; the permit contact is Gurgagn Chand, Gurgagn.Chand@waterboards.ca.gov, (916) 341-5780. The NPDES permit does not authorize any act that results in the taking of a threatened or endangered species under the California Endangered Species Act (CEQA) (Fish and Game Code sections 2050 et. seq) or the Federal Endangered Species Act (16 U.S.C.A. sections 1531 et. seq). An emergency exemption would be requested for the use of the chemical potassium chloride, because it is not registered as a molluscicide in the United States, or California.
- **Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)-Section 18 exemption**—Control actions to address dreissenids have been exempted from FIFRA if an emergency exemption is declared. An Emergency Quarantine Exemption under Section 18 of FIFRA would be required because the use of chemical, potassium chloride, is not registered for pesticide use.
- **National Historic Preservation Act Permit**—Any dreissenid control project undertaken with federal funds requires an evaluation according to Section 106 of the National Historic Preservation Act (NHPA). California’s Office of Historic Preservation (OHP) would conduct the evaluation and determine whether historic properties are affected. The OHP assists local governments with meeting CEQA responsibilities with regard to historical resources.
- **Fish and Wildlife Service Section 7 Consultation**—The Endangered Species Act (ESA) directs federal agencies to conserve endangered and threatened species. Under Section 7 of the Act, federal agencies must consult with the U.S. Fish and Wildlife Service (USFWS) when an action the agency carries out, funds, or authorizes may affect a listed endangered or threatened species. Emergency consultation is an expedited consultation process that considers listed species while allowing an action agency to respond to an emergency situation. Even if a non-federal jurisdiction is leading a rapid response operation, an associated federal action may trigger a need for compliance with Section 7 of the ESA, such as actions that require a federal permit, or actions using federal funds. In general, state response actions involving emergency circumstances and take of listed species are likely to have a federal nexus that will facilitate take coverage under the emergency consultation providing of the implementation regulations for Section 7 of the ESA. Take is defined under the ESA to include: kill, harm, harass, capture, pursue, hunt, shoot, wound, trap, capture, or collect, or attempt to engage in such conduct. In addition, Section 6 of the ESA allows for the take of listed species by a state agency when it is either:
 - (a) an action carried out by the state agency (or its designated agent) that is signatory to a current and valid Section 6 cooperative agreement with the Service; is carried out for conservation purposes consistent with the cooperative agreement, a species’ specific recovery plan, and the ESA; and is not reasonably anticipated to result in death, disabling, out-of-state removal, introduction outside of native range, or captivity exceeding 45 days of any federally-endangered species. See Appendix A for

the underlying regulatory provision from 50 CFR § 17.21(c)(5).

(b) in accordance with a Section 10 permit issued by the Service.

Rapid response to eradicate an incipient introduction of zebra or quagga mussels would fall under the “conservation purposes” criterion in (a).

In emergency situations, consultation does not occur on the emergency; rather, consultation is conducted on the agency response to the emergency, and consultation is handled in an expedited manner. If a formal consultation is required, it is initiated as soon as practicable after the emergency is under control. Typically, when an emergency situation occurs, the federal action agency (or its designee) contacts the USFWS Regional Ecological Services Office by telephone if an emergency event is determined to be in proximity to listed species or critical habitat and warrants Section 7 consultation. The ESA consultation process is further described here: <http://www.crbdirt.com/process>.

After containing the infestation and defining the extent of the infestation, Clear Lake authorities must define any threatened or endangered species and their critical habitats within the proposed action area as well as compile relevant information that would influence potential control actions (e.g., water depth, water quality information). Threatened or endangered species and their critical habitats are defined for the proposed action area using Information for Planning and Consultation (IPaC). Then potential response actions are defined based on those species and habitats and any other relevant information about the proposed action area and its footprint. At this stage, local authorities should engage regional USFWS staff to initiate an emergency consultation. The goal of this activity is to inform the federal agency of the detection and its estimated extent, describe the listed species and critical habitats within the potential action area, and discuss the suite of potential actions and the recommended action to control, or eradicate, the dreissenids. Even if no listed species and habitats are detected using IPaC, it is a good practice to consult regional USFWS staff as a check on local authority analyses and to discuss other native fish and wildlife considerations with the partner federal agency.

Note: At the time this plan was developed, the Clear Lake hitch (*Lavinia exilicauda chi*) and the Foothill Yellow-legged frog (*Rana boylei*) were state listed. In December of 2022, the Center for Biological Diversity requested an emergency listing for the Clear Lake hitch, noting the fish was at significant risk of extinction. The Clear Lake hitch was designated a threatened species under the California’s Endangered Species Act in 2014; spawning has been limited since 2017. A draft conservation strategy (<https://lakecountyca.gov/DocumentCenter/View/5951>) exists for the Clear Lake hitch. The strategy is intended to guide conservation actions to increase reproduction and recruitment, continue and expand monitoring efforts, continue water quality monitoring, develop, and support research projects to inform adaptive management and success criteria for conservation actions, and expand outreach and education programs relating to the hitch. The USFWS is scheduled to re-evaluate the status of the Clear Lake hitch in January of 2025.

State

California Department of Fish and Wildlife

- **California Environmental Quality Act (CEQA)**—CEQA requires state and local agencies to identify any significant environmental impacts of a project and if feasible, avoid or mitigate those impacts. Generally, CDFW acts as a responsible or trustee agency, supporting a lead agency in determining potentially significant environmental impacts. CDFW provides informal consultation and comments on CEQA documents. When CDFW is required to act as lead agency, the department may charge and collect a reasonable fee

from the entity to recover its estimated CEQA-related costs ranging from \$7,500 to \$44,000 (in 2023). CEQA requires lead agencies to submit draft environmental impact reports (EIR), proposed negative declarations (ND), and proposed mitigated negative declarations (MND) to the State Clearinghouse (SCH) at the Office of Planning and Research. A future Clear Lake Dreissenid Control Plan may need to go through the CEQA process and conduct various studies and surveys to support the associated CEQA document. Depending on the scope of a proposed project, this process can be very time-consuming, taking months or years.

- **California Department of Pesticide Regulation (CDPA)**—CDPA protects human health and the environment by regulating pesticide sales and use, and by fostering reduced-risk pest management.
- **Specific use Scientific Collecting Permit (CDFW)**—Fish and Game Code (FGC) sections 1002, 1002.5 and 1003 authorize the California Department of Fish and Wildlife (Department) to issue permits for the take or possession of wildlife, including mammals, birds and the nests and eggs thereof, reptiles, amphibians, fish, certain plants and invertebrates for scientific, educational, and propagation purposes. The Department currently implements this authority through Section 650, Title 14, California Code of Regulations (CCR), by issuing Scientific Collecting Permits (SCP) to take or possess wildlife for such purposes. For more information on SCPs and the associated fee schedule please refer to the following link: [Scientific Collecting Permits](#) (ca.gov).
- **California Endangered Species Act (CESA) Permits** (<https://wildlife.ca.gov/Conservation/CESA/Permitting>)—A Clear Lake Dreissenid Control Action Plan may also include activities that would result in the take of one or more state listed species, including the Clear Lake hitch Lavinia exilicauda chi. If it is determined project activities included in the action plan will result in the take of hitch or other protected plant or animal species, an Incidental Take Permit (ITP) will be required by CDFW. If the proposed action plan has already acquired take authorization from a federal entity, a consistency determination (CD) can be obtained from CDFW instead of an ITP. The cost associated with ITPs and CDs can be found at: FileHandler.ashx (ca.gov). The timeline for acquiring these permits is contingent on the complexity of the project as well as how prepared the environmental documents are, therefore, early consultation with CDFW is highly recommended. Generally, 3–6 months is a reasonable timetable to complete the ITP process.
- **Lakebed Alteration Agreement (CDFW)**—A Clear Lake Dreissenid Control Action Plan may include activities that would require a Lakebed Alteration Agreement (LAA) from CDFW. CDFW requires notification by an entity that proposes an activity that will substantially divert or obstruct the natural flow of any river, stream, or lake, substantially change or use any material from the bed, bank or channel of any river, stream, or lake, or deposit or dispose of material into any river, stream, or lake. After submitting a notification, the department has 30 days to review the notification for completeness and an additional 60 days to provide a draft Agreement. The costs associated with LAA can be found in the attached fee schedule. An additional attachment provides instructions on acquiring an LAA Agreement.

To obtain a streambed alteration agreement from CDFW using the Environmental Permit Information Management System (EPIMS), register with EPIMS for an external account and submit a notification application.

California Regional Water Quality Control Boards

- The State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs) are housed within the California Environmental Protection Agency. The SWRCB allocates the rights to the use of surface water, and the RWQCBs protect surface, ground, and coastal waters statewide. The RWQCBs also issue permits that govern and restrict the amount of pollutants that can be discharged

into the ground or a water body.

- Any activities or discharges that affect California’s surface, coastal, or ground waters require a permit from the appropriate RWQCB. Dreissenid control activities would require an NPDES permit from the appropriate RWQCB (see NPDES permit information above).
- A report of Waste Discharge would be required to be completed to the local RWQCB.
- A Water Quality Certification would be required to be completed for discharges of dredged and fill materials. Under the Clean Water Act Section 401 Certification Rule, a “pre-filing meeting” is required with the appropriate Water Board at least 30 days prior to submitting an application for an individual Clean Water Action Section 401 Water Quality Certification. CentralValleySacramento@waterboards.ca.gov and Stephanie.Tadlock@waterboards.ca.gov

For more information on the Clean Water Act Section 401 Certification Rule, visit the [Environmental Protection Agency’s webpage](#).

- [Application for Water Quality Certification and/or Waste Discharge Requirements](#) - (MS Word)
- [Application for Water Quality Certification and/or Waste Discharge Requirements](#) - (PD)
- [Dredge and Fill Fee Calculator](#) (effective 11/28/2022)
 - Application fees shall be based on the current fee schedule. After the certification has become effective, annual fees will be based on the fee schedule at the time of billing.
- [Application Information](#) - (updated 01/05/2021)
- General Orders
 - [Issued for Coverage under Federal Permits](#)
 - [Issued for Coverage under State Water Board initiatives](#)
- [More Information on the Water Quality Certificate Program](#)

Appendix H. Examples of Water Body Monitoring Strategies That Can Be Employed in Water Bodies in Which Dreissenids have Been Detected.

The following are examples of monitoring strategies in water bodies in which dreissenids have been detected. The purpose of including these in Lake County’s plan is to illustrate the types and quantities of resources that may be needed to monitor a water body after an initial detection. Clear Lake is estimated to be about 43,520 acres in size. The water bodies used as examples range from 267 acres to 21,244 acres.

Christmas Lake (Minnesota) (excerpted from Lund et al. 2017) — 267 acres

2010-2014 Pre-detection monitoring included surveying for all AIS using snorkels, plant and invertebrate sampling, plankton tows for zebra mussel veligers, and settling plates checked twice monthly during open water season.

August 2014 A total of four attached mussels were observed near a settling plate. Within four days of the discovery, a containment barrier (vinyl floating curtain) was placed around the 15m × 18m area to confine the zebra mussels. Plankton tows were taken at three sites across the lake, and no veligers were found using cross-polarized light microscopy analysis. In the following weeks, a systematic zebra mussel population assessment using SCUBA, snorkel, and wading was conducted within the containment area. About 5,500 zebra mussels were found ranging in size from 2mm to 11mm.

September 2014 Treatment occurred. Following treatment, monitoring occurred every 1–2 days for 14 days post-treatment. Monitoring consisted of collecting surface water samples at various locations inside the treatment area.

Post-treatment Belt transect surveys (30m transect line) parallel to shore were conducted regularly using SCUBA, snorkel, and wading. A comprehensive search of the entire shoreline was also conducted by 18 surveyors using both SCUBA and snorkel gear. In addition to active searches, settlement samplers (four stacked grey PVC plates, 15cm × 15cm) were suspended from docks and buoys at several locations around the lake perimeter. Samplers were checked for juvenile zebra mussels periodically throughout the 2015 summer and removed in the fall. In May 2015, an extensive lake-wide search led to the discovery of 10 zebra mussels attached to native freshwater mussels outside of previously treated areas at distances ranging from about 10m to 50m from the previous containment barrier’s edge.

After the final 27 June potash treatment, monthly zebra mussel searches occurred in July, August, and September of 2015. Searches consisted of 2–5 divers examining multiple areas around the lake either using snorkeling or SCUBA gear. Zebra mussel sampler plates were checked weekly at the public access dock; 13 volunteer homeowners had zebra mussel sampling plates attached to their docks in various locations on the lake. After more than a year of extensive efforts to eradicate zebra mussels in Christmas Lake, 16 zebra mussels were found attached to docks, boat lifts, and sampler plates in untreated areas in October 2015.

Tiber Reservoir (Montana) — 21,244 acres

Prior to detection in 2016, 18 plankton tows and two shoreline surveys were conducted annually. In 2017, Tiber was labeled positive for dreissenid mussels based on a plankton tow sample. A total of 85 plankton tows, 28 eDNA samples, 86 shoreline surveys, four substrate samples, four scuba surveys and 14 canine shoreline surveys were conducted in 2017. In 2018, a similar number of samples and sample methods were used, but significantly fewer shoreline surveys were done. In 2019, 120 plankton tow samples and 205 substrate samples were taken. In 2020, a similar number of samples and sample methods were used, but with very few substrate samples taken. In 2021, 258 plankton tow and 59 eDNA samples were taken, in addition to similar numbers using the remaining previously used methods. In 2022, 70 plankton tow, 4 eDNA, and 12 substrate and 12 shoreline samples were taken. Between 2017–2022, mussels were not detected. Tiber was delisted from mussel positive status that same year. In 2023, sampling effort will mirror the 2022 effort.

Canyon Ferry (Montana) — 9,360 acres

In 2016, 31 plankton tows and three shoreline surveys were conducted. In 2017, Canyon Ferry was labeled as suspect for dreissenid mussels. A total of 148 plankton tows, seven shoreline surveys, 20 substrate samplers, four scuba surveys, and two canine shoreline surveys occurred in 2017. In 2018, 84 plankton tows were conducted, and a similar number of samples and sample methods used similar to the previous year. In 2019, the number of samples taken and sample methods used were similar to the previous year, with the exception of canine shoreline surveys, which were not conducted. Between 2017–2020, mussels were not detected. In 2020, Canyon Ferry was delisted as suspect. Since 2020, annual sampling includes 60 plankton tows and 10 shoreline surveys.

Highline Reservoir (Colorado) — 563 acres

Colorado Parks and Wildlife staff discovered zebra mussels during a routine AIS inspection in September of 2022. Highline Reservoir was sampled monthly from May–October, including three plankton tows and three settler plates. eDNA sampling was not conducted. A dive team was deployed, however water clarity limited their success. After control actions were taken in early 2023, the reservoir is now monitored on a weekly basis, and will continue to be monitored through October using plankton tows (10 tows per week) that are evaluated via both microscopy and eDNA (50-50). A total of 10 settler plates have been deployed on the reservoir and are checked monthly.

Appendix I. Sample County Ordinance and Potential Clear Lake Fishing Contest Activity Fee Schedule.

ORDINANCE NO. _____

RESOLUTION ESTABLISHING SPECIAL EVENT FEES FOR ACTIVITIES OCCURRING ON
CLEAR LAKE, LAKE COUNTY, CA

WHEREAS, Chapter 23.4.2 of the Lake County Code states that The Board of Supervisors shall establish by ordinance fees for an administrative encroachment permit, a buoy permit, and for a special event permit which shall be paid to Lakebed Management; and

WHEREAS, the existing ordinance chapter 23.3.60 defines “Special events” as any organized or planned event taking place on the lake that requires exclusive use of a defined area of the lake for which a publicly recognized organization, business, person, or other entity (profit or non-profit) advertises, invites, or seeks entrants to participate; and

WHEREAS, the existing ordinance chapter 23.3.55 also defines a “Racing event” as a planned event wherein participants compete against each other or are timed or where awards, prizes or points are issued; and

WHEREAS, Chapter 23.4.1 specifies that No person shall undertake or carry out [D] any use, operation, or activity with a significant impact on the public trust purposes of commerce, navigation, recreation, and fisheries ... without first obtaining an administrative encroachment permit from the Lakebed Management; and

WHEREAS, The fees will be used to support continued operations by Lakebed Management and the Water Resources Department to continue the needed and required monitoring and management of Clear Lake, to ensure that the items listed in Chapter 23.5.1 are being maintained with minimal to no significant harm from racing or special events; and

WHEREAS, the fees being proposed will follow a tiered schema that will have no / minimum financial impact to local, charitable events, or non-profit organizations, and be commiserate with the special event fees being issued in other areas or regions with similar facilities, fisheries, and events.

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE ORDAINS AS FOLLOWS:

The proposed fee schedule was introduced before the Board of Supervisors on the _____ day of _____, 2020, and passed by the following vote on the ____ day of _____, 2020.

AYES:

NOES:

ABSENT OR NOT VOTING:

Chair Board of Supervisors

ATTEST:
CAROL J. HUTCHINGSON
Clerk of the Board

APPROVED AS TO FORM:
ANITA L. GRANT
Legal Counsel

By: _____

By: _____

DRAFT Proposed 2020 -2021 Clear Lake Fishing Contest Activity Fee schedule

Lake County Tier #1	CDFW Category	Lake County Contest Description	MAXIMUM Proposed Fee Assessed	Example Events
1	Annual	Local & High School Clubs (25 vessels or less)	\$0	High School Bass Club Clear Lake Bassmasters
2	Annual	Non-local Clubs & organizations, Non-Profit (must show 301c ID # or charitable event information), school clubs, high school tournaments (25 vessels or less)	\$50	Team Tournaments Annual Leukemia Benefit Soldiers Wish Annual
3	Annual	Local and non-local club events, organization events non-commercial (25 – 49 vessels)	\$200	American Bass NewGen
4	Event	Major Non-local Commercial Tournaments (50 vessels or more)	\$500	FLW W.O.N. Bass

1. Fees can be paid over the phone or in person at Water Resources prior to a scheduled contest event.
2. Fees not paid prior to an event will be issued via invoice retroactively, either hand delivered to event director during event or via USPS, after the event based on registered participating boats present on the day of tournament, according to posted standings at the end of the first day.

Table 1. Example of could-be dollars generated based on 2018 & 2019 contest schedule.			
2018	Tier 2	Tier 3	Tier 4
Number of Events	27	55	59
Max Price	\$50	\$200	\$500
Subtotal Range	\$0-\$1350	\$11,000	\$29,000
Total for 2018	Max = \$42,700		

2019	Tier 2	Tier 3	Tier 4
Number of Events	27	55	61
Max Price	\$50	\$200	\$500
Subtotal Range	0-\$1350	\$11,000	\$30,500
Total for 2019	Max = \$42,850		
GRAND TOTAL FOR 2018 AND 2018	Max = \$85,550 (2 years)		

Discussion of Fees proposed:

Unlike many of the public-access lakes in Northern California, Clear Lake does not have daily use or launch fees. The above proposed fee amounts are based on the expected number of vessels participating in the event and the estimated amount generated during other lake’s day use vessel fees. Currently, Clear Lake does not impose any day-use fees or launch fees for any water craft, vessels, or activities on the lake. This is in comparison to other regional lakes which do impose small, similarly-priced fees (Table 3).

The cost for maintaining the water quality and quantity of Clear Lake to a standard that supports a beneficial fishery is increasing every year and the funds generated to maintain the level of management and maintenance on the Lake are stagnant. The County has proposed several tax-generating water quality related ballot measures over the last ten years, although none of them have passed the majority needed to raise revenue. Implementing a special event “fishing contest” fee system will help the County maintain and improve the current standard of management and maintenance of the lake and its physical, chemical, and biological quality.

Participants of fishing contests travel long distances to experience the Clear Lake fishery (Figure 1.), sometimes participating in highly competitive large-scale commercial multi-day fishing tournaments that sometimes require a \$500 entrance fee or more. The proposed one-time contest fee of \$10 or less per boat, per event, is miniscule compared to the overall investment of what these participants are paying to travel to, prepare, and participate in these contests.

Additionally, this small fee per event is going to help maintain the lake to a standard that will only continue to support the fisheries that is the main draw for these contests while simultaneously providing support for improved management for a resource that locals depend on for fishing, swimming, boating, and drinking.

Table 3. Current day-use or launch fees for northern California regional lakes.

Lake / Reservoir Name	Use / Launch fee per day as of December 2020
Folsom	\$10
Natoma	\$10
Berryessa	\$10
Sonoma	\$15
Shasta	\$12
Tahoe	\$55-75
Mendocino	\$3
New Hogan	\$4
Almanor	\$0

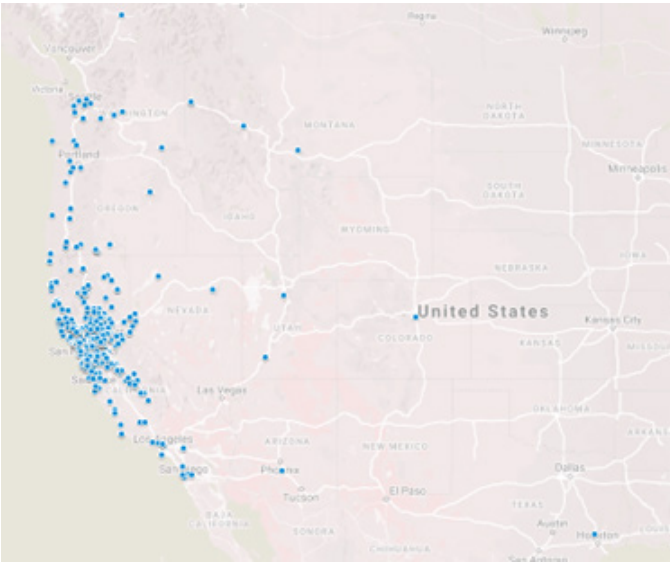


Figure 1. Map of source locations of vessels that visited Clear Lake in 2018 only. Data derived from QZ screening from zipcodes.

Appendix J. Comments Received on Draft Plan.

From: Betsy Cawn <epi-center@sbcglobal.net>
Date: Mon, Sep 4, 2023, 3:04 PM
Subject: Q/Z Containment Plan - Summary Comments and detailed list of concerns
To: Angela DePalma-Dow <Adepalmadow@gmail.com>

Dear Angela,

In addition to the detailed items listed below (my way of taking in the specific contents and then musing upon them), I would summarize my reaction to the proposal as follows:

1. It is imperative to make the Board of Supervisors understand that:
 - a. The huge impacts of Q/Z on Lake County — including horrific water plant expenditures, loss of tourism, loss of property values, and LOSS OF PREVENTION FUNDING (which you explained to me on the phone) — in comparison to the investment in prevention needs to be prominent in the explanation to them.
 - b. The “every minute counts” prioritization of this project cannot be overstated. Is there an up-to-date map showing the state’s and region’s infested water bodies, that might be illustrated with the costs of management? For example, after their diversion pipes became packed with Q/Z in Colorado River waters, Metropolitan Water District of Southern California paid for diving teams to go in and scrape them off the insides of the pipes. I think injections of chlorine into upstream locations were also tried, and probably pre-filtration treatment facilities to finish the purification process before aggregating supplies to distribute to their (then) 19M+ customers. The made a very cool video of the dive team but it has long since been lost on the internet.
 - c. The vulnerability of the hundreds of access points, private and public, should warrant both strong ordinances and seeking the state (DWR and Lands Commission) authority to control public access points and implement updated ordinances applicable to private parcels on the shoreline.

[We spent a lot of time looking at alternatives, but the most favored were 24-hour operable gates at launch ramps. A complementary technical solution was to install transponders on all vessels, which would contain locations of every reservoir check point that could be read by local reading devices programmed to prevent unlocking of the gate if the vessel was shown to have been in an infected water body, tied to the state-wide notification system.]
2. Agonizing lag-times in between detection and notification steps cannot possibly be reasonable. Emergency status needs to be given to lab testing for confirmation, warnings, public access closures (temporary during confirmation step), etc., and all of the response steps require advanced implementation BEFORE the incident in which waterborn veligers are found. Hell of a lot of work, but if it is not done (partner agreements, communication systems, etc.) then the inevitable scramble to cobble together the agreements and preparedness of the partner agencies will delay the “rapid response” quality of emergency status.
3. Promoting the public awareness of the existing prevention program is one of the priorities considered by the Clear Lake Advisory Committee (between 2010 and 2014), and all the same (nearly standard) marketing ideas that we put together for the Clean Water Program could be revived. For that matter, the Clean Water Program Management Council should be one of those “partners” in the INVESTMENT in prevention and strengthening of the county’s “instruments of authority” (ordinances).
4. Please identify any water body similar to Clear Lake (not some small isolated man-made reservoir that can

tolerate the total eradication of all species for the sake of killing the dreissenids) that has used the recommended chemical treatment, at what cost, and using what emergency response methods (closure to public uses, notification, monitoring, etc.) that indicates that the proposed “containment” will work.

I fully support the pro-active effort to address this critical issue and appreciate the opportunity to add my concerns to your thinking on this project. If it were not for your work, we would not even have a Clean Water Program, let alone a renewed effort to protect our beautiful ecosystem.

Betsy

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Page by page content review comments:

1. P.8 - Objectives and Capability Targets, 1st bullet point (Planning):

“Capability Target — Within one week of a dreissenid confirmation, describe the roles and responsibilities of partner organizations involved in incident management response across all jurisdictions, and sequence the scope of tasks needed to prevent, protect, mitigate, and respond to the introduction.”

Comment: The model for creating pre-designed scenarios and identifying the “roles and responsibilities of partner organizations” — for example, the City of Lakeport’s executable “Emergency Operations Plan” (unlike our county’s EOC) — should be developed along with the rest of this plan could easily be established ahead of time — ready to deploy as soon as the presence of any form of Q/Z mussel (veliger, “infant” and “mature” individual specimens) is detected. Waiting a week increases the chances of exposure to vessels launched in the lake that, in theory, could be stopped from entering the identified “area” where the specimen(s) are found, at the very least. I would personally halt all watercraft from entering the entire water body until the hypothetically possible segregation of the “area” from the rest of the water body is deemed successful.

Likewise, the time allowed for notifying the state’s QZM-AIS Regional Coordinator) is too long. Immediate or A.S.A.P. (top priority action) should be one of the steps identified in the action plan described in the previous paragraph.

Ditto the “Within one week of a dreissenid detection, and within three days of a dreissenid confirmation” delivery of “reliable and actionable message within the public and collaborators that define the threat, describe actions being taken, and include required actions by the public and collaborators.” Alerts need to be crafted in advance, ready to launch by all agencies using every available form of media, in the manner prescribed by the federal Emergency Alert System operation instructions. The State’s Emergency Management agency designation of the Mendocino-Lake operational area is described in document found here:

<https://www.caloes.ca.gov/wp-content/uploads/Warning-Center/Documents/03-Mendo-Lake-Comp-Public.pdf>

Short of issuing a “Nixle” or “Lake County” Alert by the Sheriff’s Office of Emergency Services, the local OES relies heavily on “social media” which is often slow, at best. All out social media, television, radio, and newspaper announcement campaigns need to be laid out ahead of time, and the Sheriff’s Public Information Office needs to be a major “partner” in the scheme of pre-determined action plans, as described above.

Methods for restricting access at all public facilities and private properties with launch capabilities — similar to the actions taken by the Tahoe Regional Planning Agency after the 2005 discovery of Q/Z in Lake Havasu — which were deemed impossible in the Clear Lake basin because of the State Lands Commission delegation of lakebed

management to the County as a “public trust asset.” This is the nut to crack, and needs to be taken up by the many agencies who are officially lobbying the state and federal authorities in fora such as the CSAC and RCRC, League of Cities, etc. to which individual Supervisors are appointed.

As I recall, the determination that Clear Lake is the only recreational water body in the state that does not have control of its access points and does not charge “entrance” or “use” fees, was made back around 2010 or 2011, during the time when alternatives for restricting access to actually inspected vessels were being posited, considered by (among others) the Clear Lake Advisory Committee. Contentious meetings of that BoS-appointed body led to its ultimate dissolution in 2014 by the Board of Supervisors.

Ditto the second “Capability Target” (continued on Page 9), “[O]ne month prior to taking action to attempt to eradicate, or limit [“limit” — really?] the spread of dreissenids, deliver reliable messages to the public and collaborators about potential control actions [“control actions”?] and any necessary temporary closures, or shut-downs (e.g., municipal water suppliers, self-supplied water users).”

2. P.9, Operational Coordination:

“Capability Target: Within one week of a dreissenid detection, establish and maintain an Incident Command Structure (ICS) and process with partner organizations.”

Comment: Same as above; use the City of Lakeport’s Emergency Operations Plan model to establish pre-incident command systems and partnership roles and responsibilities. Any amount of time spent on trying to catch up after the detection only adds to the potential for further spread.

Ditto “Within one week of a dreissenid detection, provide notification to decision makers and partners involved in incident management of the current and projected situation.”

Likewise, the action taken to “ensure all watercraft launched in Clear Lake have both local inspection stickers and state mussel fee stickers, and are clean, drained, and dry prior to launch” needs to be enforceable and comprehensive, neither of which are capacities we have at this time.

3. P.10, continuation of Screening, Search, and Detection targets:

“Ensure all high-risk watercraft launched in Clear Lake are inspected prior to launch.” Not possible under the current program’s scope and abilities. Keep in mind that the contamination of the San Luis State Recreation Area was contaminated by a fisherman whose gear was loaded with Q/Z mussels — not a vessel of any kind, let alone those considered to be “high risk.”

Annual review of relevant threats and hazards, vulnerabilities, and strategies for risk management covering publicly managed and/or regulated critical infrastructure is insufficient to provide rapid response. This process should be on the radar of all agencies and “partner” organizations at all times.

Likewise, “. . .within 60 days of a dreissenid detection,” etc., all too little, too late. See above comments.

4. P.16 - Vulnerability of Clear Lake and Regional Water Bodies to Dreissenids:

“Clear Lake is at a high risk for introduction of dreissenids because of the volume of out-of-county boaters that use the water body, the reputation nationally as a blue-ribbon warm water fishery, numerous and free access points for visiting boaters, and water chemistry conducive to invasive mussel establishment (Lake County Watershed Protection District 2019).”

Comment: Clear Lake is at EXTREME risk for introduction of dreissenids because of the inability to prevent contaminated vessels from entering the lake at all locations and at all times, and the stated environmental conditions in Clear Lake “and other water bodies within Lake County” and other vulnerabilities explained in the chapter.

5. P.17 - Potential Effects of Invasive Mussels on Clear Lake (continued on P.18):

“Increased occurrences of harmful algal blooms (Higgins and Vander Zanden 2010) can contribute to declines in fish populations (Knoll et al. 2008).”

Comment: The term “harmful algal blooms” should be replaced with “potentially toxic cyanobacterial blooms,” which is a condition well documented in Lake Erie, where the reduction of beneficial algae — nutrient sources for the entire “food web” supporting the abundant wildlife population in the basin and lake — and the overabundance of cyanobacteria caused the 4-day shutdown of the public water system in Toledo, Ohio, in 2014. Rapid notification of water users was accomplished so quickly that no one became ill as a consequence of the detection of Microcystins in the city’s water supply. [I’d love to know how they did that.]

“Proactive, pre-invasion management investments that emphasize the importance and early detection are much lower than reactive, post-invasion expenditure (Cuthbert et al. 2022).” Exactly the reason why the County (a.k.a., the “Watershed Protection District) and all “partner” agencies — which must include the Yolo County Flood Control & Water Conservation District — should take immediate strong action to control access to the lake from public and private locations of all kinds, as was recommended unanimously by the Clear Lake Advisory Committee years ago.

The litany of other impacts is well rehearsed in subsequent sections of the chapter through the end of “Page 21” — note that after Page 19 there are no more page numbers to refer to. I’ll try to keep them counted in my head for further comments.

6. P.22 Chapter 3 - Rapid Response Strategy, Confirmation of Detection:

“Regardless of the nature of the initial detection, per Fish and Game Code Section 2301, ‘any entity that discovers dreissenid mussels within the state shall immediately report the discovery to the CDFW.’”

Comment: Immediacy of the actions taken following an “initial detection” need to be prioritized, defined in the pre-detection Incident Command plan, and take precedence over other actions of responsible agencies, including confirmation and rapid closure of the water body as soon as humanly possible.

7. P.24, Declaration of Emergency in Lake County and Notification Communication:

See previous comments about pre-detection Incident Command planning and top-priority communication capacities.

[Fig. 3 = P.25]

8. P.26, Activate Incident Command System and Response Team, Containment:

“Containment options may include a suite of strategies to address any possible vector of spread leaving Clear Lake, including watercraft, infrastructure, water delivery systems, and other human activities.”

Comment: Preventing the spread by restricting the travel of vessels from Lake County would be very difficult, unless there is a mechanism for identifying every vessel that is launched into the lake during the period of time prior to the initial detection — which can only be accomplished by controlling access 24 hours a day. Possibly, rapid releases of Nixle alerts might be helpful, but for those vessels belonging to our-of-county visitors who may have already left the county, a statewide alert — to every vessel with the state stickers, for example — might be in order.

9. P.27, Activation of Communication

Comment: signage, signage, signage. State highway electric info signs, 610 AM radio, etc., electric signage at the entrances and exits to the county — as was also recommended many years ago — starting with major units at the bottom of the hill where Highway 20 takes off from Highway 101 and at the junction of Highway 16 and Highway 20 on the eastern end for preventing ingress to a contaminated water body; bottom of the hill at the beginning of the Highway 29 access to the southern side, outside of Calistoga, and Highway 175 just outside Hopland at the bottom of the Hopland Grade.

10. P.28, Response Actions

“Considerations that may inform response actions include

“o Anticipated costs of eradication effort and subsequent monitoring, couple with available funding”

Comment: First, the anticipated costs of eradication efforts should be compared with the costs of actual prevention, and responsible County officials need to ensure that allocation of actual prevention and response costs are identified in budget allocations (including “contingency” and “disaster response” reserve funds).

Ditto “[A]vailable resources” — realistic estimates need to be weighed in making any decision about how to proceed with this proposed plan.

That is a great list of the factors and possible actions to be prioritized well before creation of a failure-based response plan.

11. P.29, Control Response Options

Comment: despite the invention of new products that may be safely applied in drinking water reservoirs, the size of the lake, its constant circulation (making it hard to “contain” a given area of the lake), and porosity (uncontrolled points of access) make it highly unlikely that anything less than a full-scale (and immediate) treatment for the lake, especially the 17 agencies that extract and distribute lake water for domestic and commercial uses, would be nearly impossible.

I would like to see any report that describes “control” or “eradication” of a water body with similar size, environmental characteristics, and degrees of vulnerability (vulnerabilities that include lack of local or state funding for responses, given that once the species is detected, the Department of Boating and Waterways — the only current source of revenue for “prevention” funding — no longer provides funding). As I understand it, there is no county general fund allocation for the proposed or alternative response activities, and the economic impacts to the entire county (loss of property values, escalating drinking water treatment costs, loss of water-based recreational tourism, increased public health and emergency management costs, and progressive losses of natural resources) can be just as catastrophic as any of the major wildfires that have occurred.

12. P.32, Transition to Containment

Comment: absolute prevention first, based on cost-tradeoff analysis and up-to-date risk assessments of the region, state, and across-the-country to inform the determination of the “worst case scenario” of Q/Z introduction and proliferation over time in all of our water bodies and the millions of systems outside the county that are fed by our headwater original geophysical formations.

In 2008, the head scientist of the Metropolitan Water District of Southern California (William Taylor) attended a California Lake Management Society at the Yacht Club in Lakeport. He described to me their response plan at its costs that were necessary after the discovery of the Q/Z mussels in the Colorado River (source of a significant percentage of MWD’s input flows), and the tremendous fear the District has of the possibiity of an investation of Clear Lake becoming the source of downstream species spread through the Delta Mendota Canal fed by the Clifton Forebay in the San Francisco Bay Delta area.

[There used to be a great video recording of the MWD’s underater divers scraping the screens and other raw water filtration systems in the major distribution pipes leading to MWD facilities from the Colorado River. That’d scale the bejeezus out of anyone, and that was back in 2008.]

“If dreissenids cannot be eradicated using chemical, biological, or mechanical methods, containment strategies must be implemented long-term to contain dreissenids to the source water body.” We should ask Las Vegas odd makers to calculate the chances of that not happening (see the previous two paragraphs). Maybe we could fund the necessary development of strict shoreline protection with gambling devices and tailored on line betting at the casinos.

13. P.33, Outreach Materials to Inform Public of Transition Strategy

As a critical part of the County’s Clean Water Program, vastly improved signage and communication systems must be created and deployed. Among the many missing elements of outreach and education, the real estate industry (including builders, bankers, brokers and bureaucrats) need to be put to the task of supporting public education at all levels. We proposed the use of the State’s “Environmental Education Initiative” many years ago, responding to other programs which highlighted the use of underage residents to reach their parents and neighborhoods. Still haven’t seen much of that with the exception of pre-incident drills responding to “active shooter” incidents and COVID-19 practices.

14. P.35, Chapter 4 - Legal Authorities and Statutes

Comment: The county’s punitive ordinance for owners of vessels or other equipment lacking the appropriate local “stickers” is barely enforceable (ref. Judge Shanda Harry personal comments to me in 2012) and utterly futile given that once a non-compliant vessel has deposited any form of Q/Z mussel into the lake, fining them \$1,000 is absurd. While the current ordinance may be helpful in forcing errant vessel owners to pay the price of local stickering (with attendant flaws in the validation of “affidavit” self-assertions of vessel sanitation and lack of exposure to water bodies with known Q/Z presence).

15. P.36, California Fish and Game Code Sections 2301 and 2302:

Comment: as a result of the CalTrans designation of Highway 20 between the intersections of Highways 29 and 53 as restricted to only transport of volatile fuels specifically making local deliveries, with CHP enforceable designated Highway 29 (on the northern end) and Highway 53 (on the eastern end) for volatile fuel transport vehicle restrictions, the U.S. Army Corps of Engineers was required to change the designation of Clear Lake from a “natural water body” to a “reservoir.”

As the legally authorized “manager” of the reservoir known as Clear Lake, under Supreme Court adjudication,

the Yolo County Flood Control & Water Conservation District should be required to participate in the cost and enforcement of access restrictions that are currently unobtainable because of the “public trust asset” status of the State Lands Commission (1973) and consequent levels of uncontrolled access to the lake. (CDFW Code Sections 2301 and 2302)

16. P.37, California Code of Regulations, Title 14 Section 672.1, Control Plan:

“Within 60 days of CDFW requesting, or within 60 days of dreissenids being detected, public or private agencies that operate water supply systems must immediately develop a dreissenid mussel control plan and implement measures to prevent further spread.”

Comment: Again, too late, insufficient, and virtually useless unless the Incident Command system is developed in advance of detection. If the County and “partner” agencies — including YCFC&WCD — do not allocate funding and prioritize the development of this component, every property owner and all water systems in the county are threatened by the vulnerabilities inherent in the current level of prevention.

17. P.38, Recommended Amendments to Ordinances in Chapters 15 and 23 and other Code Ordinances:

“Add a definition for ‘pollutant’ and explicitly include a reference to aquatic invasive species (AIS). Aquatic invasive species are pollutants under the federal Clean Water Act, thus the reference is probably not necessary from a legal standpoint.”

Comment: In addition to the prohibition against releasing anything into the lake except proven “clean water,” as per the US Clean Water Act and the National Pollutant Discharge & Elimination System state and regional permitting programs, the specific responsibility for prevention of pollution of the lake is cited in the State Lands Commission delegation of authority for lakebed management to the County of Lake in 1973 (reference document found on the Lake County Water Resources website).

“Add a definition of ‘significant impact’ that includes the decision threshold. ‘Significant impact’ is the term used in the ‘catch-all’ permit procedure in Section 23-4.”

Comment: The correct term should be “catastrophic impact.” The reference to “Section 23-4” is presumed to be to the Lake County Municipal Code Section 23?

“Consider mentioning AIS in Section 6.4(B) Construction (page 11) — e.g., materials used in construction should be free from AIS, materials should be decontaminated before moving to another site, etc.”

Comment: (a) what is “Section 6.4(b) Construction (page 11)? (b) I know of no defined process for decontamination of construction materials in any of the existing literature, including instruments of authority such as ordinances and statutory code. Imagining the materials that might be subject to this rule, such as docks and piers and other structures protruding into the margin of the lake subject to encroachment permits (“far shore” underwater areas of private property that can be “leased” from the County for construction permitting and annual fees), by what wild imagining is the notion of decontaminating them and then transporting them to any other location for what purpose? Well beyond the capacity of private property owners and surely a massive impact on public access location managers.

“Several sections in ordinances that have the potential to include language associated with containment:” and “As a condition of the shoreline encroachment permit, the county could require . . .”

Comment: Sure.

“In addition, and outside the scope of the shoreline ordinance, but potentially associated with other statutes, the county could likely impose an annual inspection of structures as part of routine county inspections; these inspections could incorporate both safety issues as well as AIS.”

Comment: The county is unable to muster the levels of inspection and enforcement that resulted in many neighborhoods being terrorized by vandalism, squatters in abandoned/foreclosed homes (with banks walking away from their losses, rather than protecting them), illicit drug activities, and “side effects” such as fires and contamination of the watershed.

Unable to “compete” with other regional counties for state mandated workforces, agencies such as the Department of Social Services, Behavioral Health, and law enforcement sectors, how would the county staff and support the additional inspectors? What ordinances and approved worker classifications would be required to add these duties to existing overloaded staff? How will the law enforcement and courts be able to take action once violations are certified? Just can’t see this happening, even if it makes perfect sense.

18. P.39, Recommended Amendments to Ordinances in Chapters 15 and 23 and other Code Ordinances (continued):

“The county could state in its ordinances that it is unlawful to launch a boat from any place other than a ramp, private dock, pier, designated beach.” The section goes on to cite examples in Washington state and Arizona.

Comment: Again, please consider the Tahoe Regional Planning Agency rules that govern Lake Tahoe, which has a minimum requirement of full inspection prior to issuance of launch permits, a \$5,000 fine for any shoreline property owner that launches his or her privately owned water vessel from their dock, pier, or ramp, and a \$5,000 fine for any vessel owner that does the same thing at the location of the privately owned launch site, with both the owner of the vessel and the property owner fined for the same incident.

Funding provides for enforcement patrols with the authority to impound vessels and issue citations resulting in the \$5K fines, and the limited number of controlled access points are provided with instruments of authority that enable them to impound vessels found to be contaminated with the Q/Z mussel species for decontamination.

The Shoreline Protection Ordinance lacks the necessary “teeth” to overcome property owner unwillingness to comply, and tools for all levels of enforcement to stop the illegal introduction of possibly infested vessels (of all kinds, not just motorized and “trailerred”) to the water bodies in Lake County.

19. P.40, Chapter 5 - Transition to Containment

Comment: Given the preceding comments, the “Initial Actions” are inadequate, since they occur after the discovery of the invasive species already present in the infested water body.

20. P.41, Dreissenid Mitigation by Water Purveyors

Comparison to Coachella Valley Water District program.

Comment: The source of flowing source water for the CVWD is the canal constructed for diversion of Colorado River water, totally under the control of the water district? [LOOK UP]

21. P.42, Potential Solutions to Mitigate, or Eradicate, Invasive Mussels from Clear Lake.

“Some methods are appropriate solely for hydropower facilities and water delivery systems, in which fish and

other aquatic species are not present and the water can be treated before being released into a sewage system.” “Although the website [Columbi River Basin response toolkit and control methods] outlines numerous potential control options, many treatments may not be appropriate or feasible for response in open-water systems because of their toxicity to other aquatic species, including fishes, native bivalves, shellfish, and aquatic invertebrates.”

Comment: Could there be a detailed map of the lake features, including water plant and self-provided water system types, possible treatment types for those features, public access points, critical habitats, locations of inspection and decontamination stations, and a list of the allowable substances and “methods” that can be applied to the drinking water supply?

What is the equipment that would guarantee the separation of an infested water area from the rest of the water body? How is it deployed? Are there studies that describe its effectivity, and costs for initial purchase, maintenance, repair, replacement, and installation?

22. P.43 - Transition Goal:

“...the initial goal is to avoid the risk of spreading mussels to other water bodies while follow-up sampling determines the extent of infestation. During this estimated six-week period, all watercraft leaving Clear Lake would be inspected and decontaminated at four inspection stations located around the perimeter of Clear Lake. Ideally, these would be permanent watercraft inspection stations already established prior to the introduction of dreissenids. However, if these are not established stations, check stations would be created at four optimal locations to intercept all watercraft leaving Clear Lake. Nightly boat ramp and shore launching closes [sic, “closures”?] would be implemented to ensure all watercraft are inspected.”

Comments: Six weeks? Can’t the turn-around time be expedited in some way? Shouldn’t an emergency declaration occur as soon as the early detection is confirmed, and a preliminary declaration be required, then triggering the appropriate rapid notifications?

The Clear Lake Advisory Committee recommended the placement of inspection stations at the primary points of ingress to the county (major highways 29 [south], 20 [east and west], and 175 [west]) and the cost and complexity of siting these stations was found to be insurmountable.

A system that would implant computerized registration devices on every vessel, which could be “read” before controlled access systems could be activated (electronic gates) to stop any vessel for screening if it did not display the local sticker and/or had been previously launched in an infested water body, was rejected. Cost estimates varied widely between the projections from the County Departments of Public Works and Public Services and those of private contractors.

Methods for ensuring the closure of boat ramp and shore launching [sites] would entail some form of barrier installations and enforcement staff covering all of the shoreline locations, another expense that was deemed unachievable in the conceptual designs of automated electronic gates and sensors that private contractors recommended as a method of site controls.

Likewise, the implementation of a “Local Boater Program” does not prevent local vessel owners from traveling out of the county to possibly infested water bodies, and those who ignore the requirement to have their vessels recertified as mussel-free. (Lakeport City Councilman Roy Parmentier openly stated that he frequently traveled out of county for water-based recreation and would not comply with the requirement to have his vessel re-screened when he return. As a prominent local official with long-standing admiration for his earlier water skiing and speed-boat championships, his announcement was widely hailed as another indication of the sticker-based

“prevention” program flaws.)

Short-Term Suspect Status:

“After the initial detection, follow-up sampling will occur and results will take about six weeks to be reported.”
[See comments above.] “Within one week, available resources will be necessary to perform required clean, drain, dry exit inspections of all boats leaving the lake and decontamination of undrainable areas, such as ballast tanks. All watercraft leaving Clear Lake will receive a seal and seal receipt to verify the watercraft recieved an exit inspection. Quick action will be needed to mobilize the necessary personnel and resources to effectively meet these obligations.”

Comment: Sounds like a very expensive prospect, and one that needs to support by the Board of Supervisors for funding, staffing, planning, inspection station design and placement, launch site closures, the whole kit and kaboodle. I would support that as long as it is a commitment made by the BoS in conjunction with the authorization of this “plan.”

23. P.44, Short-Term Suspect Status (continued from P.43):

Comments: The first paragraph needs to be at the head of the line in the introduction.

“Immediately after initial detection, job announcements and requisitions should be prepared so personnel can be hired and additional equipment can be purchased as quickly as possible once follow-up results are available.”

Comment: Given the complexity of the existing hiring process for the county’s HR system, and the specificity of skills and training requirements, the job descriptions need to be established with program outreach to prepare for willing local participants to step into these situations A.S.A.P. (very short number of days, if not immediately after detection).

I definitely support the use of physical barriers controlling all public access points and closure of the lake 1/2 hour after sunset until 1/2 hour before sunrise, in any event, along with full closure of said access points if the lake is immediately classified fro “suspect” to “infested” status.

Rapid Response — Long-Term Suspect Status

Comment: all of which still require controlling access, and all other preventive measures, not just for three years but in perpetuity.

24. P.46, Estimated Costs (Table to be Completed)

Comment: Can’t wait to see this one.

25. P.50 - Chapter 6, Permanent Decon Station Feasibility Analysis

26. P.53 - Long-term Management Recommendations (This section is incomplete)

Comment: “Reporting” is covered by many comments above, but definitely needs to be the horse before the cart (along with “Collaboration” and “Local Ordinances”), as my summary comments will state.

27. P.55 - References (and see the webpages provided for this project with hyperlinks to some important reports that are the basis for developing the project proposal)

28. P.61 - Appendices [VERY IMPORTANT CONTENT — extremely useful also for new General Plan, Area Plan, Safety & Health & Land Use & Water Resources element updates on the horizon]

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CITY OF LAKEPORT

City Council ☒

City of Lakeport Municipal Sewer District ☐

Lakeport Industrial Development Authority ☐

Municipal Financing Agency of Lakeport ☐

STAFF REPORT

RE: Authorize the Continuance of Automated License Plate Reader (ALPR) Cameras for 5 additional years

MEETING DATE: 01/16/2024

SUBMITTED BY: Chief of Police Brad Rasmussen

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

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

In January of 2022, the City Council authorized the Chief of Police to implement an Automated License Plate Recognition (ALPR) Program and expend the necessary funding to fulfill a 2-year contract for 8 cameras in the City of Lakeport. After this authorization, the Lakeport Unified School District (LUSD) entered into an agreement with the city to add 2 more cameras to our system, which covered entry and exit of school district property. To continue this valuable program and save money, I am now asking the council to authorize the city to enter into a 5-year agreement for the 10 cameras with the school continuing to pay for 2 of the cameras over the 5-year term.

BACKGROUND/DISCUSSION:

The ALPR technology allows for the automated detection of license plates from video streams placed at fixed locations and on mobile vehicles. It is used to convert data associated with vehicle license plates for official law enforcement purposes, including identifying stolen or wanted vehicles, stolen license plates and missing persons. It may also be used to gather information related to active warrants, homeland security, electronic surveillance, suspect interdiction, and stolen property recovery.

ALPR technology is widely deployed within law enforcement and has proven useful in solving multiple types of cases. It is also a force multiplier by allowing computers to catalog license plate info from many hours, days and weeks of data into a searchable format, readily accessible for law enforcement officers. In the absence of this technology, officers would have to manually review the video footage to try and find a plate of interest for an investigation.

Since implementation, Lakeport Police Department has successfully used the ALPR system in 70 investigations to include: drunk driving, possession of stolen property, hit and run, vehicle theft, burglary, trespassing, prowling, assault, vandalism, domestic violence, possession of drugs for sale, grand theft, missing persons, false crime reports, contributing to a minor, identity theft, assault with a deadly weapon, false vehicle registration, check fraud, misappropriation of property, terrorist threats, child sexual assault, stalking, illegal firearm possession and tracking an out of area homicide suspect who was in our city.

In addition to tracking and apprehending dangerous suspects, recovering stolen vehicles and property, and seizing drugs and illegal firearms, this system has proved invaluable to helping us protect victims, school campuses and the general public.

The reason for the 5-year contract request is that the ALPR company, Flock Safety, is raising the cost per year per camera by \$500.00. By entering this contract, we would avoid the cost increase and stay at \$2500.00 per year per camera for a total of \$25,000.00 per year for the 10 cameras with the total contract cost being \$125,000.00.

Contracts for these savings were originally required by December 31, 2023, however Flock Safety allowed us to place a draft contract in their system pending signature prior to the end of January, should the City Council authorize this request tonight.

LUSD Superintendent Matt Bullard has submitted a letter to the city and police department indicating the district is in support of this contract and it is anticipated that the school board will allocate \$25,000.00 for the project at their February 15, 2024, meeting.

OPTIONS:

Authorize the 5-year contract request.

Do not authorize the contract and enter into a shorter contract at a higher cost.

Remove the cameras and terminate the program.

FISCAL IMPACT:

☐ None ☒ \$125,000.00 Budgeted Item? ☒ Yes ☒ No

Budget Adjustment Needed? ☒ Yes ☐ No If yes, amount of appropriation increase: \$5,000

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

Comments: \$20,000 is budgeted for FY 23-24. The budget adjustment of \$5,000 will cover the current year. \$25,000 will need to be budgeted each year for the remainder of the contract.

COUNCIL PRIORITIES:



☒ Priority #1: Public Safety & Crisis Response



☐ Priority #2: Disaster Resiliency



☒ Priority #3: Good Governance & Fiscal Stability



☐ Priority #4: Capital Infrastructure Improvement



☒ Priority #5: Safe, Sustainable & Attractive Neighborhoods



☐ Priority #6: Economic Development

SUGGESTED MOTIONS:

Move to authorize the 5-year agreement and direct the City Manager to sign the contract.

- ☒ **Attachments:**
1. Flock Safety Contract
 2. LUSD Support Letter

Flock Safety + CA - Lakeport PD

Flock Group Inc.
1170 Howell Mill Rd, Suite 210
Atlanta, GA 30318

MAIN CONTACT:
Ashlee Adeli
ashlee.adeli@flocksafety.com
(470) 508-5771

flock safety

Company Overview

At Flock Safety, technology unites law enforcement and the communities they serve to eliminate crime and shape a safer future, together. We created the first public safety operating system to enable neighborhoods, schools, businesses, and law enforcement to work together to collect visual, audio, and situational evidence across an entire city to solve and prevent crime.

Our connected platform, comprised of License Plate Recognition (LPR), live video, audio detection, and a suite of integrations (AVL, CAD & more), alerts law enforcement when an incident occurs and turns unbiased data into objective answers that increase case clearance, maximize resources, and reduce crime -- all without compromising transparency or human privacy.

Join thousands of agencies reducing crime with Flock Safety's public safety operating system

2000+	120	1B+	<60%*
communities with private-public partnerships	incident alerts / minute	1B+ vehicles detected / month	<60% local crime reduction in Flock cities

*According to a 2019 study conducted by Cobb County Police Department

Introduction

Layer Intelligence to Solve More Crime

The pathway to a safer future looks different for every community. As such, this proposal presents a combination of products that specifically addresses your public safety needs, geographical layout, sworn officer count, and budget. These components make up your custom public safety operating system, a connected device network and software platform designed to transform real-time data into a panoramic view of your jurisdiction and help you zero in on the leads that solve more cases, prevent future crimes, and foster trust in the communities you serve.

Software Platform

Flock Safety's out-of-box software platform collects and makes sense of visual, audio, and situational evidence across your entire network of devices.

Out-of-Box Software Features	
Simplified Search	<p>Get a complete view of all activity tied to one vehicle in your network of privately and publicly owned cameras. The user-friendly search experience allows officers to filter hours of footage in seconds based on time, location, and detailed vehicle criteria using patented Vehicle Fingerprint™ technology. Search filters include:</p> <ul style="list-style-type: none"> • Vehicle make • Body type • Color • License plates <ul style="list-style-type: none"> ○ Partial tags ○ Missing tags ○ Temporary tags ○ State recognition • Decals • Bumper stickers • Back racks • Top racks
National and Local Sharing	<p>Access 1B+ additional plate reads each month without purchasing more cameras. Solve cross-jurisdiction crimes by opting into Flock Safety's sharing networks, including one-to-one, national, and statewide search networks. Users can also receive alerts from several external LPR databases:</p> <p><i>California SVS</i> <i>FDLE</i> <i>FL Expired Licenses</i> <i>FL Expired Tags</i> <i>FL Sanctioned Drivers</i> <i>FL Sex Offenders</i> <i>Georgia DOR</i> <i>IL SOS</i> <i>Illinois Leads</i> <i>NCIC</i> <i>NCMEC Amber Alert</i> <i>REJIS</i> <i>CCIC</i> <i>FBI</i></p>
Real-time Alerts	Receive SMS, email, and in-app notifications for custom Hot Lists, NCIC wanted lists, AMBER alerts, Silver alerts, Vehicle Fingerprint matches, and more.
Interactive ESRI Map	View your AVL, CAD, traffic, and LPR alerts alongside live on-scene video from a single interactive map for a birdseye view of activity in your jurisdiction.
Vehicle Location Analysis	Visualize sequential Hot List alerts and the direction of travel to guide officers to find suspect vehicles faster.

Out-of-Box Software Features (Continued)

Transparency Portal	Establish community trust with a public-facing dashboard that shares policies, usage, and public safety outcomes related to your policing technology.
Insights Dashboard	Access at-a-glance reporting to easily prove ROI, discover crime and traffic patterns and prioritize changes to your public safety strategy by using data to determine the most significant impact.
Native MDT Application	Download FlockOS to your MDTs to ensure officers never miss a Hot List alert while out on patrol.
Hot List Attachments	Attach relevant information to Custom Hot List alerts. Give simple, digestible context to Dispatchers and Patrol Officers responding to Hot List alerts so they can act confidently and drive better outcomes. When you create a custom Hot List Alert, add case notes, photos, reports, and other relevant case information.
Single Sign On (SSO)	Increase your login speed and information security with Okta or Azure Single Sign On (SSO). Quickly access critical information you need to do your job by eliminating the need for password resets and steps in the log-in process.

License Plate Recognition

The Flock Safety Falcon® LPR camera uses Vehicle Fingerprint™ technology to transform hours of footage into actionable evidence, even when a license plate isn't visible, and sends Hot List alerts to law enforcement users when a suspect vehicle is detected. The Falcon has fixed and location-flexible deployment options with 30% more accurate reads than leading LPR.*

*Results from the 2019 side-by-side comparison test conducted by LA County Sheriff's Department

Flock Safety Falcon® LPR Camera	Flock Safety Falcon® Flex	Flock Safety Falcon® LR
<p>Fixed, infrastructure-free LPR camera designed for permanent placement.</p> <p>✓ 1 Standard LPR Camera</p> <p>✓ Unlimited LTE data service + Flock OS platform licenses</p> <p>✓ 1 DOT breakaway pole</p> <p>✓ Dual solar panels</p> <p>✓ Permitting, installation, and ongoing maintenance</p>	<p>Location-flexible LPR camera designed for fast, easy self-installation, which is ideal for your ever-changing investigative needs.</p> <p>✓ 1 LPR Camera</p> <p>✓ Unlimited LTE data service + software licenses</p> <p>✓ 1 portable mount with varying-sized band clamps</p> <p>✓ 1 Charger for internal battery</p> <p>✓ 1 hardshell carrying case</p>	<p>Long-range, high-speed LPR camera that captures license plates and Vehicle Fingerprint data for increasing investigative leads on high-volume roadways like highways and interstates.</p> <p>✓ 1 Long-Range LPR Camera</p> <p>✓ Computing device in protective poly case</p> <p>✓ AC Power</p> <p>✓ Permitting, installation, and ongoing maintenance</p>

Your Flock Safety Team

Flock Safety is more than a technology vendor; we are a partner in your mission to build a safer future. We work with thousands of law enforcement agencies across the US to build stronger, safer communities that celebrate the hard work of those who serve and protect. We don't disappear after contracts are signed; we pride ourselves on becoming an extension of your hard-working team as part of our subscription service.

Implementation	Meet with a Solutions Consultant (former LEO) to build a deployment plan based on your needs. Our Permitting Team and Installation Technicians will work to get your device network approved, installed, and activated.
User Training + Support	Your designated Customer Success Manager will help train your power users and ensure you maximize the platform, while our customer support team will assist with needs as they arise.
Maintenance	We proactively monitor the health of your device network. If we detect that a device is offline, a full-time technician will service your device for no extra charge. <i>Note: Ongoing maintenance does not apply to Falcon Flex devices.</i>
Public Relations	Government Affairs Get support educating your stakeholders, including city councils and other governing bodies. Media Relations Share crimes solved in the local media with the help of our Public Relations team.



EXHIBIT A
ORDER FORM

Customer: CA - Lakeport PD
Legal Entity Name: CA - Lakeport PD
Accounts Payable Email: nwalker@cityoflakeport.com
Address: 2025 S Main St Lakeport, California 95453

Initial Term: 60 Months
Renewal Term: 24 Months
Payment Terms: Net 30
Billing Frequency: Annual - First Year at Signing.
Retention Period: 30 Days

Hardware and Software Products

Annual recurring amounts over subscription term

Item	Cost	Quantity	Total
Flock Safety Platform			\$25,000.00
Flock Safety Flock OS			
FlockOS ™	Included	1	Included
Flock Safety LPR Products			
Flock Safety Falcon ®	Included	10	Included

Professional Services and One Time Purchases

Item	Cost	Quantity	Total
One Time Fees			

Subtotal Year 1:	\$25,000.00
Annual Recurring Subtotal:	\$25,000.00
Discounts:	\$25,000.00
Estimated Tax:	\$0.00
Contract Total:	\$125,000.00

*Taxes shown above are provided as an estimate. Actual taxes are the responsibility of the Customer. This Agreement will automatically renew for successive renewal terms of the greater of one year or the length set forth on the Order Form (each, a “**Renewal Term**”) unless either Party gives the other Party notice of non-renewal at least thirty (30) days prior to the end of the then-current term.*

Billing Schedule

Billing Schedule	Amount (USD)
Year 1	
At Contract Signing	\$25,000.00
Annual Recurring after Year 1	\$25,000.00
Contract Total	\$125,000.00

*Tax not included

Discounts

Discounts Applied	Amount (USD)
Flock Safety Platform	\$25,000.00
Flock Safety Add-ons	\$0.00
Flock Safety Professional Services	\$0.00

Product and Services Description

Flock Safety Platform Items	Product Description	Terms
Flock Safety Falcon ®	An infrastructure-free license plate reader camera that utilizes Vehicle Fingerprint® technology to capture vehicular attributes.	The Term shall commence upon first installation and validation of Flock Hardware.
One-Time Fees	Service Description	
Installation on existing infrastructure	One-time Professional Services engagement. Includes site & safety assessment, camera setup & testing, and shipping & handling in accordance with the Flock Safety Advanced Implementation Service Brief.	
Professional Services - Standard Implementation Fee	One-time Professional Services engagement. Includes site and safety assessment, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief.	
Professional Services - Advanced Implementation Fee	One-time Professional Services engagement. Includes site & safety assessment, camera setup & testing, and shipping & handling in accordance with the Flock Safety Advanced Implementation Service Brief.	

FlockOS Features & Description

Package: Essentials

FlockOS Features	Description
Community Cameras (Full Access)	Access to all privately owned Flock devices within your jurisdiction that have been shared with you.
Unlimited Users	Unlimited users for FlockOS
State Network (LP Lookup Only)	Allows agencies to look up license plates on all cameras opted in to the statewide Flock network.
Nationwide Network (LP Lookup Only)	Allows agencies to look up license plates on all cameras opted in to the nationwide Flock network.
Direct Share - Surrounding Jurisdiction (Full Access)	Access to all Flock devices owned by law enforcement that have been directly shared with you. Have ability to search by vehicle fingerprint, receive hot list alerts, and view devices on the map.
Time & Location Based Search	Search full, partial, and temporary plates by time at particular device locations
License Plate Lookup	Look up specific license plate location history captured on Flock devices
Vehicle Fingerprint Search	Search footage using Vehicle Fingerprint™ technology. Access vehicle type, make, color, license plate state, missing / covered plates, and other unique features like bumper stickers, decals, and roof racks.
Flock Insights/Analytics page	Reporting tool to help administrators manage their LPR program with device performance data, user and network audits, plate read reports, hot list alert reports, event logs, and outcome reports.
ESRI Based Map Interface	Flock Safety’s maps are powered by ESRI, which offers the ability for 3D visualization, viewing of floor plans, and layering of external GIS data, such as City infrastructure (i.e., public facilities, transit systems, utilities), Boundary mapping (i.e., precincts, county lines, beat maps), and Interior floor plans (i.e., hospitals, corporate campuses, universities)
Real-Time NCIC Alerts on Flock ALPR Cameras	Alert sent when a vehicle entered into the NCIC crime database passes by a Flock camera
Unlimited Custom Hot Lists	Ability to add a suspect’s license plate to a custom list and get alerted when it passes by a Flock camera

By executing this Order Form, Customer represents and warrants that it has read and agrees all of the terms and conditions contained in the Terms of Service located at <https://www.flocksafety.com/terms-and-conditions>

The Parties have executed this Agreement as of the dates set forth below.

FLOCK GROUP, INC.

Customer: CA - Lakeport PD

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

PO Number: _____



Date: January 5, 2024

Re: Flock Safety Camera System

From: Matt Bullard, Superintendent

A handwritten signature in black ink, appearing to read "Matt Bullard", is placed to the right of the "From:" line.

To: City of Lakeport / Lakeport Police Department

It has recently come to the Lakeport Unified School District's (LUSD) attention that Flock Safety is planning a rate increase associated with the monitoring of the two networked cameras at LUSD. An option available to avoid the monitoring increase is to enter a five-year agreement with Flock Safety. LUSD is in support of this solution. If the District is able to save money through a multi-year contract, we will enter into a long-term contract.

In order to facilitate formal school board action, please provide contract terms and conditions to LUSD no later than Wednesday, February 7, 2024 for inclusion on our agenda for the regularly scheduled school board meeting on Thursday, February 15, 2024.

Feel free to contact me directly if you have any additional questions or concerns.



CITY OF LAKEPORT

City Council ☒

City of Lakeport Municipal Sewer District ☐

Lakeport Industrial Development Authority ☐

Municipal Financing Agency of Lakeport ☐

STAFF REPORT

RE: Retail Storefront Cannabis Businesses / Temporary Cannabis Events

MEETING DATE: 01/16/2024

SUBMITTED BY: Joey Hejnowicz, 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 receive a study session on retail storefront cannabis businesses and temporary cannabis events and provide direction on the topics. Staff requests the City Council recommend whether or not Lakeport should permit retail storefront cannabis businesses and/or temporary cannabis events.

If City Council elects to permit retail storefront cannabis businesses and/or temporary cannabis events staff would come back to the Planning Commission at a future date with a draft ordinance for review. Once the prospective draft ordinance(s) are reviewed by the Planning Commission, staff will bring the item back to City Council for further review and potential action.

BACKGROUND

California became the first state to allow medicinal marijuana or cannabis use when voters passed the Compassionate Use Act in 1996. On November 8, 2016, California voters passed Proposition 64, the California Marijuana Legalization Initiative. Proposition 64, commonly referred to as the Adult Use of Marijuana Act, legalized recreational marijuana by allowing adults aged 21 years or older to possess and use marijuana for recreational purposes. The measure created two new excise taxes on marijuana:

- A cultivation tax of \$9.25 per ounce for flowers and \$2.75 per ounce for leaves, with exceptions for certain medical marijuana sales and cultivation (the Legislature subsequently ended this cultivation tax on July 1, 2022); and
- A 15 percent tax on the retail price of marijuana that goes to the state.

The main statute for cannabis businesses is in the California Business and Professions Code. It is called the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA). MAUCRSA sets up a basic framework for licensing, oversight, and enforcement related to cannabis businesses. In addition to cannabis-specific laws, cannabis businesses must follow the same rules that other businesses in California must follow. For example, there are rules and regulations about waste disposal, protecting the environment, vehicle registration and paying taxes.

The California Department of Cannabis Control (DCC) licenses and regulates cannabis businesses on the state level. DCC regulates the:

- Growing of cannabis plants;

- Manufacture of cannabis products;
- Transportation and tracking of cannabis goods throughout the state;
- Sale of cannabis goods;
- Events where cannabis is sold or used; and
- Labeling of goods sold at retail.

All commercial cannabis activity must be licensed by the state. The cannabis industry is strictly regulated to make sure businesses operate safely, products are contaminant free and labeled to inform purchasers and cannabis is kept away from children. DCC's mission is to facilitate a well-regulated, legal market for cannabis that benefits all Californians.

DISCUSSION

Commercial Cannabis Businesses

In addition to state regulation by the DCC, local agencies also have the authority to regulate commercial cannabis activity and all commercial cannabis businesses require local approval to operate lawfully. Each city or county can decide whether to license cannabis businesses in their respective jurisdictions. Local jurisdictions may license all cannabis businesses, license some types and prohibit others or prohibit all cannabis businesses. As a result, the state has a patchwork of local laws surrounding cannabis businesses. A few statewide cannabis statistics reflecting this patchwork of local laws are found below.

- 44% of cities and counties allow at least one type of cannabis business
- 56% of cities and counties allow no type of cannabis business
- 61% of cities and counties allow no retail cannabis business

The DCC issues licenses based on the type of cannabis activity performed. If you do more than one activity, you may need more than one license. You must have a valid DCC license before performing any commercial cannabis activity, including:

- Growing cannabis (Cultivation)
- Transporting cannabis (Distribution)
- Making cannabis products (Manufacturing)
- Testing cannabis or cannabis products (Testing Laboratory)
- Selling Cannabis (Retail)
- Holding an event where cannabis will be sold (Event Organizers)

Lakeport Commercial Cannabis Landscape

The Lakeport City Council codified certain commercial cannabis business regulations in 2018 through the creation of [Chapter 5.34 \(COMMERCIAL CANNABIS\)](#) of the Lakeport Municipal Code. Chapter 5.34 regulates commercial cannabis activities in the City and is described in further detail below. For further reference, the City of Lakeport Zoning Map can be found [here](#).

Lakeport Municipal Code - Cannabis Cultivation

The Lakeport Municipal Code allows personal cultivation in these residential zoning districts: *Urban Reserve (UR)*, *Low Density Residential (R1)*, *Medium Density Residential (R2)*, *High Density Residential (R3)* and *Resort/Residential (R5)*. Cultivation shall only be permitted in detached, fully enclosed and secure accessory structures and cultivation area shall be limited to eighty square feet per parcel or residence, or six plants, whichever is less. The accessory structure shall be in the rear portion of the lot and maintain a ten-foot setback from the side and rear property lines and from any other building on the parcel. Additionally, the accessory structure used for cannabis cultivation must have a ventilation and filtration system to prevent nuisance cannabis plant odors from exiting the interior of the structure.

Lakeport Municipal Code – Commercial Cannabis Testing

Commercial Cannabis Testing is allowed in the following zoning districts subject to the regulations listed in Chapter 5.34 (Commercial Cannabis) and a Use Permit: *Professional Office (PO)*, *Major Retail (C2)*, *Service Commercial (C3)*, and *Industrial (I)*.

Lakeport Municipal Code – Commercial Cannabis Distribution

Commercial Cannabis Distribution is allowed in the following zoning districts subject to the regulations listed in Chapter 5.34 (Commercial Cannabis) and a Use Permit: *Service Commercial (C3)* and *Industrial (I)*.

Lakeport Municipal Code – Commercial Cannabis Manufacturing (without volatile solvents)

Commercial Cannabis Manufacturing (without volatile solvents) is allowed in the following zoning districts subject to the regulations listed in Chapter 5.34 (Commercial Cannabis) and a Use Permit: *Service Commercial (C3)* and *Industrial (I)*.

Lakeport Municipal Code – Commercial Cannabis Manufacturing (with volatile solvents)

Commercial Cannabis Manufacturing (with volatile solvents) is allowed in the following zoning districts subject to the regulations listed in Chapter 5.34 (Commercial Cannabis) and a Use Permit: *Industrial (I)*.

Lakeport Municipal Code – Commercial Cannabis Retailers Activities

The only commercial cannabis retail activity allowed in Lakeport is retail delivery of cannabis, cannabis products or devices. Retail delivery may not include a retailer with a storefront business.

Temporary Cannabis Events

Temporary cannabis events where sales and consumption may occur on-site is permitted under the California Code of Regulations Title 4, Division 19, Department of Cannabis Control, Chapter 5, Cannabis Events. To host temporary cannabis events where sales and consumption occur, event organizers must receive approval from the local jurisdiction where the event is proposed. It should be noted that Chapter 5.34.090(F) of the Lakeport Municipal Code prohibits cannabis events where sales and consumption take place. An overview of cannabis event regulations at the state level is found below.

Cannabis Event Organizer License

- Cannabis events can only be held by a person who has been issued a cannabis event organizer license by the DCC.
- The cannabis event organizer license is an annual license, with fees based on the number of events organized by the licensee per year.
- The cannabis event organizer may not cultivate, distribute, manufacture, or sell cannabis or cannabis products, unless the licensee holds a separate license for that activity.

Cannabis Event Sales & Consumption

All temporary cannabis event sales must adhere to the rules and requirements for on-site sales and consumption of cannabis goods:

- All cannabis goods shall be transported to the event site by a licensed distributor.
- All cannabis goods must be tested before retail sale.

- Only a licensed retailer or microbusiness licensed to sell cannabis goods to retail customers can sell at a temporary cannabis event.
- All cannabis goods shall adhere to retailer requirements pertaining to displays, exit packaging, customer returns, daily sales limits, and free samples.
- All cannabis goods sales at the event must be limited to persons 21 years of age or older.
- Licensees engaging in sales of cannabis goods shall only conduct sales activities within their designated area. Sales through use of a mobile cart or similar means are prohibited.
- Access to the area where cannabis consumption is allowed shall be restricted to persons 21 years of age or older and shall not be visible from any public place or non-age-restricted area.
- Consumption of alcohol or tobacco shall not be allowed on the cannabis event premises.
- Payment to a cannabis event organizer may not be determined based on, or tied to, the sale of cannabis goods.

Temporary Cannabis Event License

- To obtain a temporary cannabis event license, the cannabis event organizer licensee must apply to the DCC at least 60 days before the first day of the cannabis event.
- Each temporary cannabis event must be issued a separate temporary cannabis event license by the DCC for the specific date(s) and location of the event.
- A temporary cannabis event license will not be issued for over four (4) consecutive days.
- Cannabis events must be held at a county fair or district agricultural association event, or at another venue approved by a local jurisdiction for temporary cannabis events.
- Written approval from the local jurisdiction authorizing on-site cannabis sales and consumption by persons aged 21 or older at the event is required for all temporary cannabis events.
- The cannabis event organizer must provide the following to the DCC:
 - A diagram of the physical layout of the event, which includes information in section 5601 (h)(5) of the DCC's regulations.
 - A list of all licensees providing on-site sales at the event.
 - Contact information for a designated contact person(s) who shall be on-site at the event and reachable by phone during the event.
- The licensed cannabis event organizer shall hire or contract for security personnel to provide security services at the licensed temporary cannabis event. The Bureau of Security and Investigative Services must license security personnel.
- The DCC may require the event organizer and all participants to cease operations without delay if, in the opinion of the DCC or local law enforcement, it is necessary to protect the immediate public health and safety of the people of the state.

Retail Storefront Cannabis Businesses and Temporary Cannabis Event Considerations

Chapter 5.34 (Commercial Cannabis) of the Lakeport Municipal code was passed by City Council in 2018 regulating commercial cannabis activities in the City. Cannabis retailers with storefront sales is not included in Chapter 5.34. Nearby jurisdictions including Clearlake, Ukiah, Willits, Ft. Bragg and the County of Lake, among others, all permit retail storefront cannabis sales to various degrees. A City Council goal for FY 23/24 was to revisit the retail storefront cannabis business issue. Staff would like to provide City Council the opportunity to revisit this discussion understanding that City Council's views on the matter may have changed.

Staff would also like to bring the discussion of temporary cannabis events in Lakeport to City Council for their review and direction. Chapter 5.34.090(F) currently prohibits cannabis events within the City. City staff was contacted by the Lake County Fairgrounds about the potential of hosting future cannabis events. Cannabis events are legally permitted through the state of California 's Department of Cannabis Control. Written approval from the local jurisdiction authorizing on-site cannabis sales and consumption by persons aged 21 or older at the event is required for all temporary cannabis events.

Lakeport Planning Commission Support

On October 11, 2023, staff brought forth this discussion to the Lakeport Planning Commission for review and direction. Most of the Planning Commissioners supported permitting retail cannabis storefront businesses and permitting temporary cannabis events. Discussion around the topic included a comment by one Planning Commissioner that this should be permitted in any zoning district and that dispensaries that have been seen in other jurisdictions have no issues or dereliction to the community. Another Planning Commissioner mentioned that these items should have been approved back in 2018 and there should be no difference when comparing it to alcohol sales and consumption in the City. If you can have a few beers at the Fair, why shouldn't we allow you to consume legal cannabis products in a regulated setting separate from any other type of event. Another Planning Commissioner mentioned now that cannabis is legal at the state level, we should craft local cannabis regulations like the booming wine industry here as people drink all the time. Cannabis should have the same rules that apply to alcohol businesses and regulation. Another Planning Commissioner mentioned that permitting cannabis businesses could be an investment in the community by increasing economic development and vitality. This comment was furthered with the notion that many if not all the retail cannabis facilities are designed very nicely and have significantly better security presence than a liquor store. All the supportive Planning Commissioners agreed that the City would have the opportunity to review each individual project through the Use Permit process to ensure the location, design, aesthetics, impact to the neighborhood, etc. would be appropriate. Any retail use would be subject to all components of the Lakeport Municipal Code 5.34 regardless of allowance in the Zoning Ordinance.

One of the only concerns discussed was regarding temporary cannabis events and the potential for intoxicated drivers after the event. While there was some back and forth on this topic eventually the Planning Commission came to a consensus that government can't control everything, everyone has their own personal responsibility and that this should be no different than having drinks at a local bar or other event where alcohol is served.

The only Planning Commissioner not in support of permitting retail cannabis and cannabis events discussed that cannabis businesses and cannabis events are not appropriate for Lakeport. This discussion already occurred back in 2018 and the City Council determined the negative impacts to outweigh the positive impacts. Negative impacts to nearby businesses are real and the potential public safety issues around cannabis businesses exceeds any potential economic benefit. Most Lakeport citizens were against permitting retail storefront cannabis businesses with concerns over the image and perception of drug use and abuse in our town.

Ultimately, the Planning Commission voted 4-1 in favor of permitting retail storefront cannabis businesses and voted 4-1 in favor of permitting temporary cannabis events at the Lake County Fairgrounds.

Questions for City Council Discussion and Direction

1. Should the city permit retail cannabis storefront businesses? If so, in what zoning districts?
2. Should the city allow temporary cannabis events?

If City Council elects to permit retail storefront cannabis businesses and/or temporary cannabis events staff would come back to the Planning Commission at a future date with a draft ordinance for review. Once the prospective draft ordinance(s) are reviewed by the Planning Commission, staff will bring the item back to City Council for further review and potential action. So, staff welcomes any additional direction and feedback on policy relating to retail cannabis storefront businesses and/or temporary cannabis events.

Potential policy items for further consideration could include whether Lakeport would want to enact a retail cannabis sales tax (above the 15% state tax), whether to permit on-site consumption, whether to enact a retail cannabis storefront license site limit within the City, or any other pertinent policy matters that may be essential to the City Council to include in a draft ordinance(s).

The City is currently facing a notable concentration in its general fund revenue sources. Specifically, around 70% of the total general fund revenue is derived from sales tax, and within that, approximately 80% is contributed by the City's top 25 sales tax remitters. Although the introduction of a retail cannabis industry is not anticipated to have a substantial impact on the revenue landscape, the objective is to enhance diversity. Permitting such an industry would serve as an additional instrument in our strategic toolkit, facilitating one of the many incremental changes required to achieve a more diversified revenue stream.

OPTIONS:

1. Direct staff to prepare a retail storefront cannabis ordinance and return to City Council at a future date for review, discussion, and potential action.
2. Direct staff to prepare a temporary cannabis event ordinance and return to City Council at a future date for review, discussion, and potential action.
3. Direct staff to prepare a retail storefront cannabis ordinance and a temporary cannabis event ordinance and return to City Council at a future date for review, discussion, and potential action.
4. Direct staff to take no further action as the City Council is not inclined to permit retail storefront cannabis businesses and temporary cannabis events.

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:

COUNCIL PRIORITIES:



☐ Priority #1: Public Safety & Crisis Response



☐ Priority #2: Disaster Resiliency



☐ Priority #3: Good Governance & Fiscal Stability



☐ Priority #4: Capital Infrastructure Improvement



☐ Priority #5: Safe, Sustainable & Attractive Neighborhoods



☒ Priority #6: Economic Development

SUGGESTED MOTIONS:

Discuss and provide staff direction

- ☒ **Attachments:**
1. City of Lakeport Land Use – Cannabis
 2. Retail Cannabis Environmental Scan


City of Lakeport Land Use - Cannabis		
Zoning Districts	Cannabis Uses Permitted	Notes
<i>Urban Reserve (UR)</i>	Personal cultivation	In conformance with Proposition 215 (Compassionate Use Act of 1996) & Proposition 64 (Adult Use of Marijuana Act) where cultivation shall only be permitted in detached, fully enclosed and secure accessory structures and said cultivation area shall be limited to eighty square feet per parcel or residence, whichever is less, or six plants. Cultivated cannabis may not be sold.
<i>Low Density Residential (R1)</i>	Personal cultivation	In conformance with Proposition 215 (Compassionate Use Act of 1996) & Proposition 64 (Adult Use of Marijuana Act) where cultivation shall only be permitted in detached, fully enclosed and secure accessory structures and said cultivation area shall be limited to eighty square feet per parcel or residence, whichever is less, or six plants. Cultivated cannabis may not be sold.
<i>Medium Density Residential (R2)</i>	Personal cultivation	In conformance with Proposition 215 (Compassionate Use Act of 1996) & Proposition 64 (Adult Use of Marijuana Act) where cultivation shall only be permitted in detached, fully enclosed and secure accessory structures and said cultivation area shall be limited to eighty square feet per parcel or residence, whichever is less, or six plants. Cultivated cannabis may not be sold.
<i>High Density Residential (R3)</i>	Personal cultivation	In conformance with Proposition 215 (Compassionate Use Act of 1996) & Proposition 64 (Adult Use of Marijuana Act) where cultivation shall only be permitted in detached, fully enclosed and secure accessory structures and said cultivation area shall be limited to eighty square feet per parcel or residence, whichever is less, or six plants. Cultivated cannabis may not be sold.
<i>Resort/Residential (R5)</i>	Personal cultivation	In conformance with Proposition 215 (Compassionate Use Act of 1996) & Proposition 64 (Adult Use of Marijuana Act) where cultivation shall only be permitted in detached, fully enclosed and secure accessory structures and said cultivation area shall be limited to eighty square feet per parcel or residence, whichever is less, or six plants. Cultivated cannabis may not be sold.
<i>Professional Office (PO)</i>	Testing	Subject to regulations set forth in Chapter 5.34 (Commercial Cannabis) and Use Permit
<i>Light Retail (C1)</i>	N/A	
<i>Major Retail (C2)</i>	Testing	Subject to regulations set forth in Chapter 5.34 (Commercial Cannabis) and Use Permit
<i>Service Commercial (C3)</i>	Cultivation, manufacturing without volative solvents, testing, distribution, and retailers activities (delivery)	Subject to regulations set forth in Chapter 5.34 (Commercial Cannabis) and Use Permit
<i>Open Space (OS)</i>	N/A	
<i>Industrial (I)</i>	Cultivation, manufacturing with and without volatile solvents, testing, distribution, and retailers activities (delivery)	Subject to regulations set forth in Chapter 5.34 (Commercial Cannabis) and Use Permit

Retail Cannabis Environmental Scan

City	County	Population	Retail Cannabis Allowed	Zoning Districts	Notes
Clearlake	Lake	16,777	Yes	CBR (Commercial Cannabis Dispensary Combining Zone) <i>Specific for commercial cannabis dispensaries within limited areas of community commercial zones</i>	(3) Dispensary Permit limit; Use Permit Required
Ukiah	Mendocino	16,728	Yes	C1 (Community Commercial), C2 (Heavy Commercial), CN (Neighborhood Commercial), DC (Downtown Core), Urban Center (UC), General Urban (GU), M (Manufacturing) PD Commercial (Planned Development Industrial/Light Manufacturing/Mixed Use)	Use Permit Required
Willits	Mendocino	4,969	Yes	C2 (Heavy Commercial), ML (Limited Industrial) MH (Heavy Industrial) IP (Industrial Park)	(3) Dispensary Permit limit; Use Permit Required
Ft. Bragg	Mendocino	6,970	Yes	CBD (Central Business District), CG (General Commercial), CH (Highway Visitor Commercial)	Use Permit Required
Willows	Glenn	6,244	Yes	CH (Highway Commercial), ML (Light Industrial), CG (General Commercial)	(2) Dispensary Permit limit; Use Permit Required

Colusa	Colusa	6,428	No		Inconsistent with Federal law and would create public nuisance
Crescent City	Del Norte	6,676	Yes	C1 (Downtown Business District), C2 (General Commercial District), CW (Waterfront Commercial), HS (Highway Services)	Use Permit Required
Williams	Colusa	5,615	No		Inconsistent with Federal law and would create public nuisance
St. Helena	Napa	5,386	No		To protect the public health, safety and welfare of residents
Woodside	San Mateo	5,131	No		To protect the public health, safety and welfare of residents
Winters	Yolo	7,305	No		To protect the public health, safety and welfare of residents
Gridley	Butte	7,356	No		To protect the public health, safety and welfare of residents
Sebastopol	Sonoma	7,448	Yes	CO (Office Commercial), CG (General Commercial), CD (Central Core), CM (Commercial Industrial), M (Industrial), O/LM (Office/Light Industrial),	(2) Dispensary Permit limit; Use Permit Required
Cotati	Sonoma	7,498	Yes	CG (Gravenstein Highway Corridor)	(2) Dispensary Permit limit; Use Permit Required

Cloverdale	Sonoma	8,954	Yes	DTC (Downtown Commercial), TOD (Transit Oriented Commercial), GC (General Commercial), SC (Service Commercial), MP (Industrial Park), MI (General Industrial)	(2) Dispensary Permit limit; Use Permit Required
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RETAIL STOREFRONT CANNABIS BUSINESS / TEMPORARY CANNABIS EVENTS DISCUSSION

City Council – January 16, 2024

Joey Hejnowicz – Community Development Director

PURPOSE FOR DISCUSSION

- Chapter 5.34 (Commercial Cannabis) of the Lakeport Municipal Code was passed by City Council in 2018 regulating commercial cannabis activities
- Five (5) years has passed since Chapter 5.34 was enacted and staff would like to provide City Council the opportunity to revisit the retail storefront cannabis discussion, especially as this was a City Council 2023/24 goal, in case views on the matter have changed over time
- Staff was contacted by the Lake County Fairgrounds regarding temporary cannabis events and would also like to bring this discussion to City Council for their review and direction
- On October 11, 2023, the Lakeport Planning Commission voted 4-1 in favor of permitting retail storefront cannabis businesses and temporary cannabis events at the Lake County Fairgrounds
- Staff is seeking City Council's input and ultimate recommendation whether to permit retail storefront cannabis businesses and/or temporary cannabis events in Lakeport

BACKGROUND



On November 8, 2016, California voters passed proposition 64 (Adult Use of Marijuana Act), legalizing recreational marijuana for adults aged 21 years or older



The main statute for cannabis businesses in the California Business and Professions Code is called the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).



MAUCRSA sets up a basic framework for licensing, oversight, and enforcement related to cannabis businesses.

DEPARTMENT OF CANNABIS CONTROL

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graph TD; A[The California Department of Cannabis Control (DCC) licenses and regulates cannabis businesses.] --> B[DCC regulates:]; B --> A;
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The California Department of Cannabis Control (DCC) licenses and regulates cannabis businesses.

DCC regulates:


- Growing of cannabis plants
- Manufacture of cannabis products
- Transportation and tracking of cannabis goods throughout the state
- Sale of cannabis goods
- Events where cannabis is sold or used
- Labeling of goods sold at retail

CANNABIS REGULATION

All commercial cannabis activity must be licensed by the state.



The cannabis industry is strictly regulated to make sure businesses operate safely, products are contaminant free, labeled to inform purchasers and cannabis is kept away from children.



DCC's mission is to facilitate a well-regulated, legal market for cannabis that benefits all Californians.

CALIFORNIA CANNABIS OVERVIEW

- In addition to state regulation by the DCC, local agencies also have the authority to regulate commercial cannabis activity and all commercial cannabis businesses require local approval to operate lawfully.
- The type of cannabis business licenses allowed in California: cultivation, distribution, manufacturing, testing, retail and events.
 - 44% of cities and counties allow at least one type of cannabis business
 - 56% of cities and counties allow no type of cannabis business
 - 61% of cities and counties allow no retail cannabis business

Retail Cannabis Environmental Scan					
City	County	Population	Retail Cannabis Allowed	Zoning Districts	Notes
Clearlake	Lake	16,777	Yes	CBR (Commercial Cannabis Dispensary Combining Zone) <i>Specific for commercial cannabis dispensaries within limited areas of community commercial zones</i>	(3) Dispensary Permit limit; Use Permit Required
Ukiah	Mendocino	16,728	Yes	C1 (Community Commercial), C2 (Heavy Commercial), CN (Neighborhood Commercial), DC (Downtown Core), UC (Urban Center), GU (General Urban), M (Manufacturing) PD Commercial (Planned Development Industrial/Light Manufacturing/Mixed Use)	Use Permit Required
Willits	Mendocino	4,969	Yes	C2 (Heavy Commercial), ML (Limited Industrial) MH (Heavy Industrial) IP (Industrial Park)	(3) Dispensary Permit limit; Use Permit Required
Ft. Bragg	Mendocino	6,970	Yes	CBD (Central Business District), CG (General Commercial), CH (Highway Visitor Commercial)	Use Permit Required
Willows	Glenn	6,244	Yes	CH (Highway Commercial), ML (Light Industrial), CG (General Commercial)	(2) Dispensary Permit limit; Use Permit Required
Colusa	Colusa	6,428	No		Inconsistent with Federal law and would create public nuisance
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Cotati	Sonoma	7,498	Yes	CG (Gravenstein Highway Corridor)	(2) Dispensary Permit limit; Use Permit Required
Cloverdale	Sonoma	8,954	Yes	DTC (Downtown Commercial), TOD (Transit Oriented Commercial), GC (General Commercial), SC (Service Commercial), MP (Industrial Park), MI (General Industrial)	(2) Dispensary Permit limit; Use Permit Required



LAKEPORT CANNABIS LANDSCAPE

Cannabis Cultivation

- Personal cultivation is allowed in these residential zoning districts: Urban Reserve (UR), Low Density Residential (R1), Medium Density Residential (R2), High Density Residential (R3) and Resort/Residential (R5)
- Cultivation shall only be permitted in detached, fully enclosed and secure accessory structures
- Limited to 80 square feet per parcel or residence, or six plants, whichever is less
- Ten-foot setback from side and rear of property lines and any other building on property
- Structure must have ventilation and filtration system to prevent nuisance odors



LAKEPORT CANNABIS LANDSCAPE

Commercial Cannabis Testing

- Commercial Cannabis Testing is allowed in the following zoning districts: Professional Office (PO), Major Retail (C2), Service Commercial (C3), and Industrial (I)
- Subject to regulations listed in Chapter 5.34 (Commercial Cannabis)
- Subject to Use Permit



LAKEPORT CANNABIS LANDSCAPE

Commercial Cannabis Distribution

- Commercial Cannabis Distribution is allowed in the following zoning districts: Service Commercial (C3) and Industrial (I)
- Subject to regulations listed in Chapter 5.34 (Commercial Cannabis)
- Subject to Use Permit



LAKEPORT CANNABIS LANDSCAPE

Commercial Cannabis Manufacturing (without volatile solvents)

- Commercial Cannabis Manufacturing (without volatile solvents) is allowed in the following zoning districts:
Service Commercial (C3) and Industrial (I)
- Subject to regulations listed in Chapter 5.34 (Commercial Cannabis)
- Subject to Use Permit



LAKEPORT CANNABIS LANDSCAPE

Commercial Cannabis Manufacturing (with volatile solvents)

- Commercial Cannabis Manufacturing (without volatile solvents) is allowed in the following zoning districts:
Industrial (I)
- Subject to regulations listed in Chapter 5.34 (Commercial Cannabis)
- Subject to Use Permit

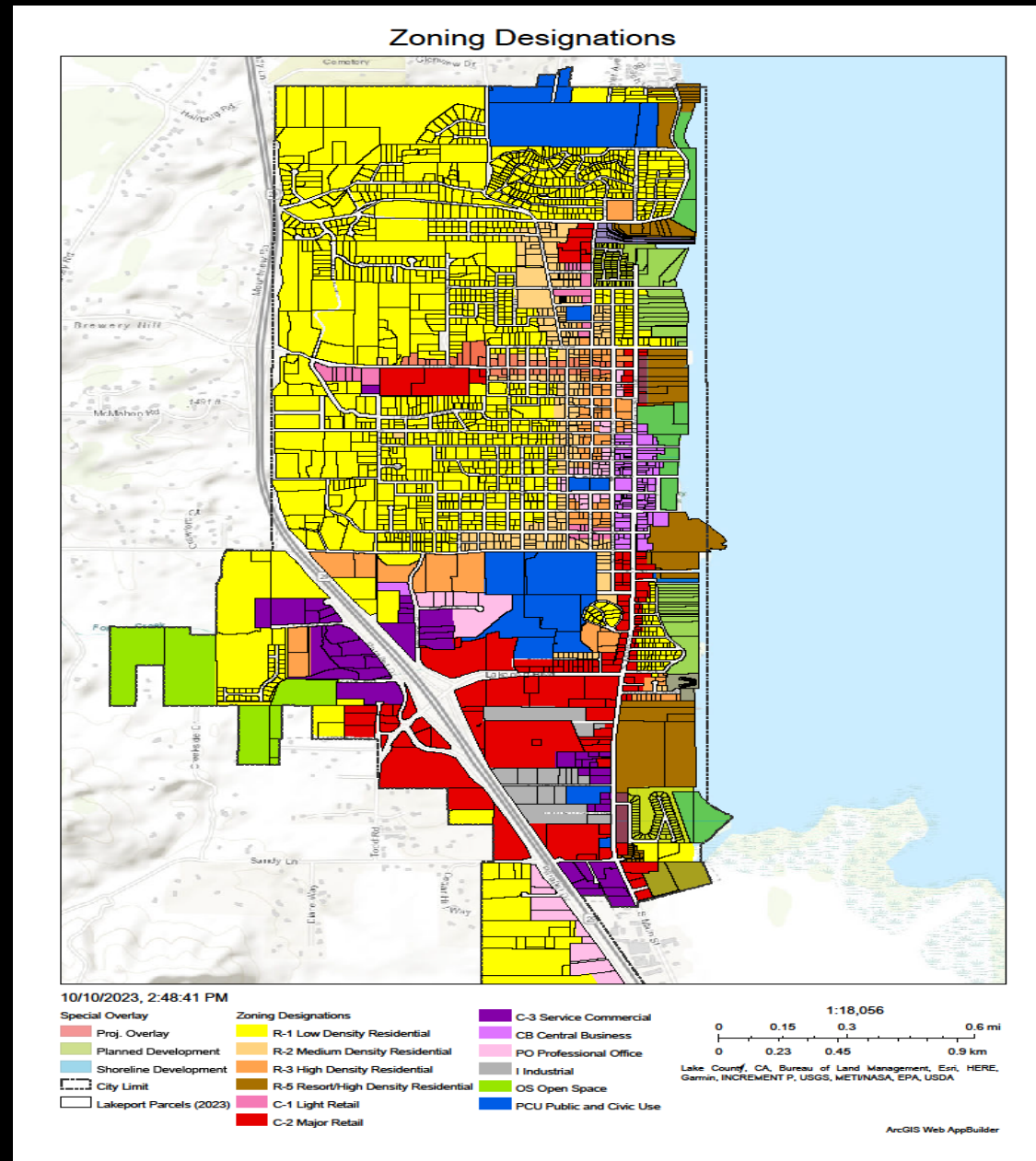


LAKEPORT CANNABIS LANDSCAPE

Commercial Cannabis Retailers Activities

- Commercial Cannabis Retailers Activities are only permitted for retail delivery of cannabis, cannabis products or devices
- Retail delivery may not include a retailer with a storefront business
- Subject to regulations listed in Chapter 5.34 (Commercial Cannabis)
- Subject to Use Permit
- Retail delivery authorized into “any jurisdiction in the state”

ZONING CODE MAP





TEMPORARY CANNABIS EVENTS

Cannabis events where sales and consumption occur on-site is permitted under the California Code of Regulations Title 4, Division 19, Department of Cannabis Control, Chapter 5, Cannabis Events.

Chapter 5.34.090(F) prohibits cannabis events within the City

The City was approached by the Lake County Fairgrounds regarding the possibility of hosting temporary cannabis events

A close-up photograph of a calendar page, likely from a desk calendar, showing dates from 1 to 28. The calendar is white with red and blue text. Overlaid on the calendar is the text 'CANNABIS EVENT REGULATIONS' in a bold, white, sans-serif font. The background of the slide is dark grey.

CANNABIS EVENT REGULATIONS

Cannabis Event Organizer License

- Cannabis events can only be held by a person who has been issued a cannabis event organizer license by the DCC
- The cannabis event organizer license is an annual license, with fees based on the number of events organized by the licensee per year
- The cannabis event organizer may not cultivate, distribute, manufacture, or sell cannabis or cannabis products, unless the licensee holds a separate license for that activity



CANNABIS EVENT REGULATIONS

Cannabis Event Sales & Consumption

All temporary cannabis event sales must adhere to the rules and requirements for on-site sales and consumption of cannabis goods:

- All cannabis goods shall be transported to the event site by a licensed distributor
- All cannabis goods must be tested before retail sale
- Only a licensed retailer or microbusiness licensed to sell cannabis goods to retail customers can sell at a temporary cannabis event
- All cannabis goods shall adhere to retailer requirements pertaining to displays, exit packaging, customer returns, daily sales limits, and free samples



CANNABIS EVENT REGULATIONS

Cannabis Event Sales & Consumption (cont'd)

- All cannabis goods sales at the event must be limited to persons 21 years of age or older
- Licensees engaging in sales of cannabis goods shall only conduct sales activities within their designated area. Sales through use of a mobile cart or similar means are prohibited.
- Access to the area where cannabis consumption is allowed shall be restricted to persons 21 years of age or older and shall not be visible from any public place or non-age restricted area
- Consumption of alcohol or tobacco shall not be allowed on the cannabis event premises
- Payment to a cannabis event organizer may not be determined based on, or tied to, the sale of cannabis goods



CANNABIS EVENT REGULATIONS

Temporary Cannabis Event License

- To obtain a temporary cannabis event license, the cannabis event organizer licensee must apply to the DCC at least 60 days before the first day of the cannabis event
- Each temporary cannabis event must be issued a separate temporary cannabis event license by the DCC for the specific date(s) and location of the event
- A temporary cannabis event license will not be issued for over four (4) consecutive days
- Cannabis events must be held at a county fair or district agricultural association event, or at another venue approved by a local jurisdiction for temporary cannabis events



CANNABIS EVENT REGULATIONS

Temporary Cannabis Event License (cont'd)

- Written approval from the local jurisdiction authorizing on-site cannabis sales and consumption by persons aged 21 or older at the event is required for all temporary cannabis events
- The cannabis event organizer must provide the following to the DCC:
 - A diagram of the physical layout of the event
 - A list of all licensees providing on-site sales at the event
 - Contact information for a designated contact person(s) who shall be on-site at the event and reachable by phone during the event



CANNABIS EVENT REGULATIONS

Temporary Cannabis Event License (cont'd)

- The licensed cannabis event organizer shall hire or contract for security personnel to provide security services at the licensed temporary cannabis event
- The Bureau of Security and Investigative Services must license all temporary cannabis event security personnel
- The DCC may require the event organizer and all participants to cease operations without delay if, in the opinion of the DCC or local law enforcement, it is necessary to protect the immediate public health and safety of the people of the state



RETAIL STOREFRONT CANNABIS BUSINESSES & TEMPORARY CANNABIS EVENT CONSIDERATIONS

- Chapter 5.34 (Commercial Cannabis) of the Lakeport Municipal Code was passed by City Council in 2018 regulating commercial cannabis activities
- Cannabis retailers with storefront sales is not permitted in Chapter 5.34
- Nearby jurisdictions including Clearlake, Willits, Ft. Bragg and the County of Lake, among others, all permit retail storefront cannabis sales to various degrees.
- Temporary cannabis events are legally permitted through California's Department of Cannabis Control. Written approval from the local jurisdiction authorizing on-site cannabis sales and consumption by persons aged 21 or older at the event is required.
- Staff contacted by Lake County Fairgrounds regarding the potential to host future temporary cannabis events

LAKEPORT PLANNING COMMISSION SUPPORT

- Reviewed during October 11, 2023, Planning Commission Meeting
- Dispensaries seen in other jurisdictions have no issues or dereliction to community and are generally designed very nicely with much better security than liquor stores
- Should align similarly to alcohol sales and consumption regulations
- Permitting cannabis businesses is an investment in our community by increasing economic development and vitality
- Use Permit allows for individual project review and would still be subject to regulations set forth in Municipal Code 5.34
- Some concern around potential for intoxicated drivers after a cannabis event, but this should really be no different than having a drink at a bar or event
- One Planning Commissioner not in favor due to negative outcomes outweighing positive outcomes and concern over image and perception of drug use in our town
- Planning Commission voted 4-1 in favor of permitting retail storefront cannabis businesses and voted 4-1 in favor of permitting temporary cannabis events at the Lake County Fairgrounds

The background of the left half of the slide is a solid teal color. It features several large, dark blue question marks of varying sizes. Three yellow lightbulbs with black bases and radiating lines are scattered across the upper right portion. Two hands, rendered in a light orange color, are shown at the bottom, palms up, as if presenting or holding the lightbulbs. The text 'QUESTIONS FOR DISCUSSION' is centered in the middle of the teal area.

QUESTIONS FOR DISCUSSION

1. Should the city permit retail cannabis storefront businesses? If so, in what zoning district?
2. Should the city permit temporary cannabis events?



CITY OF LAKEPORT

City Council ☒

City of Lakeport Municipal Sewer District ☐

Lakeport Industrial Development Authority ☐

Municipal Financing Agency of Lakeport ☐

STAFF REPORT

RE: 1st Quarter Update, FY 2023/24

MEETING DATE: 01/16/2024

SUBMITTED BY: Nicholas Walker, ACM/ Finance 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 review and file the 1st Quarter Financial Update.

BACKGROUND/DISCUSSION:

Financial Update

Attachment A to this staff report includes summarized unaudited financial statements for the general fund, water operating and maintenance fund, and the sewer operating and maintenance fund, which include revenue and expense activity through September 30, 2023. The format in which the statements are prepared is similar to the annual budget. The schedule includes amounts available for discretionary spending for each fund anticipated to be presented in the 2022-23 audited financial statements, in accordance with Generally Accepted Accounting Principles (GAAP), as well as the amounts of anticipated ending discretionary spending expected to be available at the 2022-23 year-end. In the enterprise funds this term “working capital” is defined as current assets minus current liabilities. For budgeting purposes, the modified accrual method is used and this is common practice among governmental agencies. Working capital is the enterprise funds equivalent of the general funds amounts available for discretionary spending.

In accordance with GAAP, financial statements in the Annual Comprehensive Financial Report (ACFR) are presented in two distinctly different ways, (1) the governmental fund financial statements and (2) government wide and enterprise fund financial statements. Governmental fund financial statements present balances using a current financial resources measurement focus which emphasizes the current available spendable resources available for appropriation. This method of accounting is known as modified accrual. Government wide and enterprise fund financial statements are presented on a flow of economic resources measurement focus which reports all assets and liabilities whether current or long term. This method is referred to as accrual accounting and is similar to the type of presentation that is used in private industry.

Investments

According to the idle funds investment policy for the City of Lakeport, the City of Lakeport Municipal Sewer District (CLMSD) and Municipal Financing Agency of Lakeport (MFAL) quarterly updates are to be provided to the City Council for review.

This schedule provides detailed information on each individual CD as of September 30, 2023:

General Fund			Settlement			Original	Estimated Current	Accrued Interest	
CD Title	Yield	FDIC #	Date	Term		Amount	Market Value	Through 9/30/23	Total
Fidelity Govt MMKT Capital	4.22%						77,341.50		77,341.50
Morgan Stanley Bank	3.55%	61690UAZ3	11/8/2023	5 Years		200,000.00	199,576.00	2,840.00	202,416.00
UBS Bank Salt Lake	3.09%	90348J3H1	11/18/2024	2 Years		200,000.00	194,108.00	213.70	194,321.70
Capital One National	3.21%	14042TGE1	5/19/2025	3 Years		200,000.00	192,180.00	2,310.14	194,490.14
State Bank India	1.03%	856283P26	7/10/2025	5 Years		200,000.00	184,376.00	432.05	184,808.05
Discover Bank	3.18%	254673Z74	11/15/2027	5 Years		243,000.00	242,479.98	4,626.99	247,106.97
Total						1,043,000.00	1,090,061.48	10,422.88	1,100,484.36
Wastewater			Settlement			Original	Estimated Current	Accrued Interest	
CD Title	Yield	FDIC #	Date	Term		Amount	Market Value	Through 9/30/23	Total
Fidelity Govt MMKT Capital	4.22%						89,201.66		89,201.66
Morgan Stanley Private Bank	3.58%	61760ARS0	11/8/2023	5 Years		200,000.00	199,562.00	2,840.00	202,402.00
Northern Bank	4.76%	66476QDC9	8/15/2024	1 Years		244,000.00	242,123.64	4,413.73	246,537.37
Wells Fargo Bank	2.05%	949763R73	1/17/2025	5 Years		200,000.00	190,712.00	149.59	190,861.59
American Express National	3.21%	02589ACS9	5/19/2025	3 Years		200,000.00	192,180.00	2,310.14	194,490.14
Synchrony Bank	3.21%	87165HP79	5/20/2025	3 Years		200,000.00	192,168.00	2,276.16	194,444.16
Total						1,044,000.00	1,105,947.30	11,989.62	1,117,936.92

This schedule provides balances and concentration percentages of the City-wide cash and investment balances as of September 30, 2023:

Investment Type	Fair Value	Concentration
Local Agency Investment Fund (LAIF)	\$ 2,768,160	13.83%
Certificates of Deposit	2,218,421	11.08%
PARS Mutual Funds	958,193	4.79%
Demand Deposits (checking)	14,071,385	70.30%
Total Funds	\$ 20,016,159	100.00%

OPTIONS:

1. Review and file the 1st Quarter Financial Update.
2. Do not review and file but provide direction to staff.

FISCAL IMPACT:

☒ None ☐ \$ Budgeted Item? ☐ Yes ☐ No

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

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

Comments:

COUNCIL PRIORITIES:



☐ Priority #1: Public Safety & Crisis Response



☐ Priority #2: Disaster Resiliency



☒ Priority #3: Good Governance & Fiscal Stability



☐ Priority #4: Capital Infrastructure Improvement



☐ Priority #5: Safe, Sustainable & Attractive Neighborhoods



☐ Priority #6: Economic Development

SUGGESTED MOTIONS:

Receive and file the First Quarter Financial Statements.

☒ **Attachments:**

1. Summarized unaudited financial statements for the general fund, water operating and maintenance fund and the sewer operating and maintenance fund.

Fiscal Year 2023-24
Fund: 110
Name: General Fund

	2023-24 Adjusted Budget	2023-24 As of September 30, 2023	Remaining \$	% Collected/ Used
Revenue Sources				
Taxes	\$ 5,507,335	\$ 1,096,508	\$ 4,410,827	20%
Franchises	326,000	63,665	262,335	20%
Licenses	200	55	145	28%
Permits	107,500	18,897	88,603	18%
Fines, forfeitures, and penalties	11,000	1,372	9,628	12%
Use of money and property	87,000	5,121	81,879	6%
Income from other agencies	244,000	-	244,000	0%
Federal funding	1,000	-	1,000	0%
State funding	102,500	103	102,397	0%
Charges for service	80,000	27,122	52,878	34%
Other revenue	34,300	58,419	(24,119)	170%
Total revenue	6,500,835	1,271,262	5,229,573	20%
Expenditures				
Salaries and benefits	3,967,068	718,444	3,248,624	18%
Operations	2,319,053	373,715	1,945,338	16%
Capital outlay/CIP	610,038	115,764	494,274	19%
Total expenditures	6,896,159	1,207,923	5,688,236	18%
Financing Sources (Uses)				
Use of fund balance	-	-	-	
Transfers in	35,000	-	-	
Transfers (out)	(457,810)	-	-	
Net sources (uses)	(422,810)	-	-	
Resources - Use				
Surplus (deficit)	\$ (818,134)	\$ 63,339		

Beginning General Fund Balance	6,732,550	6,523,962
Nonspendable	(289,481)	(289,481)
Restricted	(24,462)	(24,462)
Operating Reserve	(1,101,595)	(926,118)
Reserve for Economic Uncertainties	(1,468,794)	(1,234,824)
Disaster Reserve	(734,397)	(617,412)
VERF	(147,735)	(117,735)
RIMF	(214,253)	(114,492)
PORF	(986,866)	(946,490)
Beginning Discretionary General Fund Balance	1,764,967	2,252,948
Inflows	6,535,835	1,271,262
Outflows	7,353,969	1,207,923
Change to fund balance	(818,134)	63,339
Anticipated Ending Discretionary General Fund Balance	\$ 946,833	\$ 2,316,287

Departmental Use	Adjusted Budget	As of September 30, 2023		
Non-Departmental	794,811	1,983	792,828	0%
Legislative	115,476	14,650	100,826	13%
Administration	430,142	65,410	364,732	15%
Economic Development	117,000	23,170	93,830	20%
City Attorney	50,000	18,099	31,901	36%
Finance and Information Technology	405,227	75,366	329,861	19%
Community Development:				
Planning	490,233	79,567	410,666	16%
Building	371,478	89,680	281,798	24%
Engineering	154,203	16,664	137,539	11%
Police	3,073,539	563,472	2,510,067	18%
Public Works:				
Administration and Compliance	141,105	23,571	117,534	17%
Roads and Infrastructure	577,206	126,055	451,151	22%
Parks, Buildings, and Grounds	633,549	110,236	523,313	17%
Total use	7,353,969	1,207,923	6,146,046	16%

Fiscal Year 2023-24
Fund: 501
Name: Water Utility M & O Fund

	2023-24 Adjusted Budget	2023-24 As of September 30, 2023	Remaining \$	% Collected/ Used
Revenue Sources				
Charges for service	2,827,000	807,192	2,019,808	29%
Interfund services provided	120,000	-	120,000	0%
Total revenue	2,947,000	807,192	2,139,808	27%
Expenditures				
Salaries and benefits	1,376,277	250,110	1,126,167	18%
Operations	781,839	128,280	653,559	16%
Debt service	756,891	255,732	501,159	34%
Capital outlay/CIP	5,159,061	40,984	5,118,077	1%
Total expenditures	8,074,068	675,106	7,398,962	8%
Financing Sources (Uses)				
Net sources (uses)	-	-	-	-
Resources - Use				
Surplus (deficit)	(5,127,068)	132,086	-	-

Beginning Working Capital	1,949,860	1,949,860
Inflows	2,947,000	807,192
Outflows	8,074,068	675,106
Change to fund balance	(5,127,068)	132,086
Anticipated Ending Working Capital	\$ (3,177,208)	\$ 2,081,946

Departmental Use	Adjusted Budget	As of September 30, 2023		
Non-Departmental	826,891	257,221	569,670	31%
Legislative	17,000	3,943	13,057	23%
Administration	140,864	25,051	115,813	18%
City Attorney	28,000	4,263	23,737	15%
Finance and Information Technology	318,806	55,849	262,957	18%
Community Development:			-	
Planning	24,306	3,031	21,275	12%
Building	29,358	6,863	22,495	23%
Engineering	64,298	12,647	51,651	20%
Public Works:			-	
Administration and Compliance	215,596	25,271	190,325	12%
Water O&M	6,408,949	280,967	6,127,982	4%
Total use	8,074,068	675,106	7,398,962	8%

Fiscal Year 2023-24
Fund: 601
Name: Sewer Utility M & O Fund

	2023-24 Adjusted Budget	2023-24 As of September 30, 2023	Remaining \$	% Collected/ Used
Revenue Sources				
Taxes	\$ 55,050	\$ -	\$ 55,050	0%
Use of money and property	52,500	7,500	45,000	14%
Charges for service	3,071,000	764,843	2,306,157	25%
Interfund services provided	18,000	-	18,000	0%
Total revenue	3,196,550	772,343	2,424,207	24%
Expenditures				
Salaries and benefits	1,393,118	242,051	1,151,067	17%
Operations	1,058,472	205,560	852,912	19%
Debt service	675,367	334,566	340,801	50%
Capital outlay/CIP	1,435,211	7,394	1,427,817	1%
Total expenditures	4,562,168	789,571	3,772,597	17%
Financing Sources (Uses)				
Net sources (uses)	-	-		
Resources - Use				
Surplus (deficit)	(1,365,618)	(17,228)		
Audited Beginning Working Capital	6,320,690	6,320,690		
Inflows	3,196,550	772,343		
Outflows	4,562,168	789,571		
Change to fund balance	(1,365,618)	(17,228)		
Anticipated Ending Working Capital	\$ 4,955,072	\$ 6,303,462		
Departmental Use	Adjusted Budget	As of September 30, 2023		
Non-Departmental	745,367	336,054	409,313	45%
Legislative	17,000	3,942	13,058	23%
Administration	140,814	25,051	115,763	18%
City Attorney	28,000	4,263	23,737	15%
Finance and Information Technology	316,755	58,168	258,587	18%
Community Development:				
Planning	24,306	3,031	21,275	12%
Building	29,358	6,913	22,445	24%
Engineering	64,298	14,185	50,113	22%
Public Works:				
Administration and Compliance	215,596	25,159	190,437	12%
Sewer O&M	2,980,674	312,805	2,667,869	10%
Total use	4,562,168	789,571	3,772,597	17%



CITY OF LAKEPORT

City Council ☒

City of Lakeport Municipal Sewer District ☐

Lakeport Industrial Development Authority ☐

Municipal Financing Agency of Lakeport ☐

STAFF REPORT

RE: Contract Award and Budget Adjustment Executive
Recruitment Firm

MEETING DATE: 01/16/2024

SUBMITTED BY: Kelly Buendia, Administrative Services 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 authorize the City Manager to execute an agreement with Bob Hall and Associates for the executive recruitment of a new Chief of Police and approve a budget amendment in the amount of \$27,000 for the same.

BACKGROUND/DISCUSSION:

Several months ago, Lakeport Chief of Police, Brad Rasmussen, announced his intention to retire by the fall of 2024. In anticipation of such, the Administrative Services Director, at the direction of the City Manager, issued a Request for Quote and Qualifications to solicit the services of an executive recruiting firm.

Among other services, the recruitment firm was asked to conduct a comprehensive outreach campaign aimed at producing the highest quality candidate pool; coordinate the interview selection process; assist in compensation negotiations and conduct a POST-level background investigation. There were five responsive proposals.

A selection committee made up of the City Manager, Administrative Services Director, Assistant City Manager and Police Chief met and selected the top three firms based upon cost, experience and overall fit for the City of Lakeport. The firms were interviewed, and Bob Hall and Associates was selected. Bob Hall and Associates demonstrated the strongest law enforcement experience and credentials. They also exhibited experience in understanding and working with the challenges of small agencies. While, they were not the lowest bidder, Bob Hall was also not the highest bidder, falling somewhere in the middle.

The basic bid amount fell at \$23,500 with an additional \$3500 built in to cover the POST level background investigation and any additional travel costs. The City Council is asked to authorize the City Manager to execute the attached agreement with Bob Hall and Associates in an amount not to exceed \$27,000 and approve a budget amendment for this expenditure.

OPTIONS:

1. Authorize the City Manager to execute the agreement and budget amendment.
2. Provide alternative direction.

FISCAL IMPACT:

☐ None ☒ \$27,000 Budgeted Item? ☐ Yes ☒ No

Budget Adjustment Needed? ☒ Yes ☐ No If yes, amount of appropriation increase: \$27,000

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

Comments: None

COUNCIL PRIORITIES:



☒ Priority #1: Public Safety & Crisis Response



☒ Priority #2: Disaster Resiliency



☒ Priority #3: Good Governance & Fiscal Stability



☐ Priority #4: Capital Infrastructure Improvement



☒ Priority #5: Safe, Sustainable & Attractive Neighborhoods



☐ Priority #6: Economic Development

SUGGESTED MOTIONS:

Move to authorize the City Manager to execute an agreement with Bob Hall and Associates for the executive recruitment of a new Chief of Police and approve a budget amendment in the amount of \$27,000 for the expenditure.

☒ **Attachments:**

1. Professional Services Agreement with Bob Hall and Associates
2. Proposal from Bob Hall and Associates

PROFESSIONAL SERVICES AGREEMENT FOR CONSULTANT SERVICES
(City of Lakeport / Bob Hall and Associates)

1. IDENTIFICATION

This PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into as of the last date indicated below by and between the City of Lakeport, a California municipal corporation (“City”), and Bob Hall and Associates, a California Sole (“Consultant”) (collectively, “parties”).

2. RECITALS

- 2.1** City has determined that it requires the following professional services from a consultant: Executive search for a new Police Chief.
- 2.2** Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

3. DEFINITIONS

- 3.1** “Scope of Services” means such professional services as are set forth in Consultant’s October 23, 2023 proposal to City attached hereto as “Exhibit A” and fully incorporated herein by this reference.
- 3.2** “Approved Fee Schedule” means such compensation rates as are set forth in Consultant’s October 23, 2023 fee schedule to City attached hereto as “Exhibit B” and fully incorporated herein by this reference. This fee schedule shall remain in effect for the duration of this Agreement unless modified in writing by mutual agreement of the parties.
- 3.3** “Commencement Date” means February 1, 2024.
- 3.4** “Termination Date” means January 31, 2025.
- 3.5** “City Agreement Administrator” means Kelly Buendia.

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(City of Lakeport / Company or Individual)

3.6 “Consultant Project Administrator” means Kelly Buendia.

4. TERM

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall terminate at 11:59 p.m. on the Termination Date unless extended in writing by mutual agreement of the parties or terminated earlier in accordance with Section 18 (“Termination”) below.

5. CONSULTANT’S SERVICES

- 5.1 Time is of the essence in Consultant’s performance of services under this Agreement.
- 5.2 Consultant shall perform the services identified in the Scope of Services. City shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement. In no event shall the total compensation and costs payable to Consultant under this Agreement exceed the sum of Twenty-Seven Thousand dollars (\$27,000.00) unless specifically approved in advance and in writing by City. Consultant shall notify the City Agreement Administrator, in writing, when fees and expenses incurred under this Agreement have reached eighty percent (80%) of the maximum amount payable above. Consultant shall concurrently inform the City Agreement Administrator, in writing, of Consultant’s estimate of total expenditures required to complete its current assignments before proceeding, when the remaining work on such assignments would exceed the maximum amount payable above.
- 5.3 Consultant shall perform all work to the highest standards of Consultant’s profession and in a manner reasonably satisfactory to City. Consultant shall comply with all applicable federal, state and local laws and regulations, including the conflict-of-interest provisions of Government Code Section 1090 and the Political Reform Act (Government Code Section 81000 *et seq.*).
- 5.4 Consultant represents that it has advised City in writing prior to the date of signing this Agreement of any known relationships with third parties, City Council Members, or employees of City which would (1) present a conflict of interest with the rendering of services under this Agreement under Government Code Section 1090, the Political Reform Act (Government Code Section 81000 *et seq.*), or other applicable law, (2) prevent Consultant from performing the terms of this

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Agreement, or (3) present a significant opportunity for the disclosure of confidential information.

- 5.5** During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if both (i) such work would require Consultant to abstain from a decision under this Agreement pursuant to a conflict-of-interest statute and (ii) City has not consented in writing to Consultant's performance of such work.
- 5.6** Consultant represents that it has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. Bob Hall shall be the Consultant Project Administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No other person shall serve as Consultant Project Administrator without City's prior written consent.
- 5.7** This Agreement covers professional services of a specific and unique nature. Except as otherwise provided herein, Consultant shall not assign or transfer its interest in this Agreement or subcontract any services to be performed without amending this Agreement.
- 5.8** Consultant shall be responsible to City for all services to be performed under this Agreement. All subconsultants shall be approved by the City Agreement Administrator and their billing rates identified in the Approved Fee Schedule, Exhibit B. City shall pay Consultant for work performed by its subconsultants (including labor) only at Consultant's actual cost plus an approved mark-up as set forth in the Approved Fee Schedule, Exhibit B. Consultant shall be liable and accountable for any and all payments, compensation, and federal and state taxes to all subconsultants performing services under this Agreement. City shall not be liable for any payment, compensation, or federal and state taxes for any subconsultants.
- 5.9** Consultant shall notify the City Agreement Administrator, in writing, of any change in name, ownership or control of Consultant's firm or of any subconsultant. Change of ownership or control of Consultant's firm may require an amendment to the Agreement.
- 5.10** This Agreement is subject to prevailing wage law, for all work performed under the Agreement for which the payment of prevailing wages is required under the

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California Labor Code. In particular, Consultant acknowledges that prevailing wage determinations are available for the performance of inspection and survey work.

6. COMPENSATION

- 6.1** City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept payment in accordance with the Approved Fee Schedule in full satisfaction for such services.
- 6.2** Consultant shall submit to City an invoice, on a monthly basis or less frequently, for services performed pursuant to this Agreement. Each invoice shall identify the maximum amount payable above, the services rendered during the billing period, the amount due for the invoice, and the total amount previously invoiced. All labor charges shall be itemized by employee name and classification/position with the firm, the corresponding hourly rate, the hours worked, a description of each labor charge, and the total amount due for labor charges. City shall not withhold applicable taxes or other payroll deductions from payments made to Consultant except as otherwise required by law. Consultant shall include a copy of each subconsultant invoice for which reimbursement is sought in the invoice.
- 6.3** The parties agree to meet and confer at mutually agreeable times to resolve any disputed amounts contained in an invoice submitted by Consultant.
- 6.4** Payments for any services requested by City and not included in the Scope of Services may be made to Consultant by City on a time-and-materials basis pursuant to the Approved Fee Schedule and without amendment of this Agreement, so long as such payment does not cause the maximum amount payable above to be exceeded.

7. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material, and all electronic files, including computer-aided design files, developed by Consultant in the performance of this Agreement (such written material and electronic files are collectively known as "written products") shall be and remain the property of City without restriction or limitation upon its use or dissemination by City except as provided by law. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

8. RELATIONSHIP OF PARTIES

Consultant is, and shall at all times remain as to City, a wholly independent contractor. Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of City.

Under no circumstances shall Consultant look to the City as its employer. Consultant shall not be entitled to any benefits. City makes no representation as to the effect of this independent contractor relationship on Consultant's previously earned California Public Employees Retirement System ("CalPERS") retirement benefits, if any, and Consultant specifically assumes the responsibility for making such a determination. Consultant shall be responsible for all reports and obligations including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, workers' compensation, and other applicable federal and state taxes.

9. AGREEMENT ADMINISTRATOR

In performing services under this Agreement, Consultant shall coordinate all contact with City through its City Agreement Administrator. City reserves the right to change this designation upon written notice to Consultant. All services under this Agreement shall be performed at the request of the City Agreement Administrator, who will establish the timetable for completion of services and any interim milestones.

10. INDEMNIFICATION

10.1 The parties agree that City, its officers, agents, employees and volunteers should, to the fullest extent permitted by law, be protected from any and all loss, injury, damage, claim, lawsuit, cost, expense, attorneys' fees, litigation costs, taxes, or any other cost arising out of or in any way related to the performance of this Agreement. Accordingly, the parties intend the provisions of this indemnity provision to be interpreted and construed to provide the City with the fullest protection possible under the law. Consultant acknowledges that City would not enter into this Agreement in the absence of Consultant's commitment to indemnify and protect City as set forth herein.

10.2 To the fullest extent permitted by law, Consultant shall indemnify, hold harmless, and when the City requests with respect to a claim provide a deposit for the defense of, and defend City, its officers, agents, employees and volunteers from and against

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any and all claims, losses, costs and expenses for any damage due to death or injury to any person, whether physical, emotional, consequential or otherwise, and injury to any property arising out of or in connection with Consultant's alleged negligence, recklessness or willful misconduct or other wrongful acts, errors or omissions of Consultant or any of its officers, employees, servants, agents, or subcontractors, or anyone directly or indirectly employed by either Consultant or its subcontractors, in the performance of this Agreement or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole active negligence or willful misconduct of the City. Such costs and expenses shall include reasonable attorneys' fees due to counsel of City's choice, expert fees and all other expenses of litigation. Consultant shall not be entitled to any refund of attorneys' fees, defense costs or expenses in the event that it is adjudicated to have been non-negligent.

- 10.3** City shall have the right to offset against any compensation due Consultant under this Agreement any amount due City from Consultant as a result of Consultant's failure to pay City promptly any indemnification arising under this Section 10 of this Agreement and any amount due City from Consultant arising from Consultant's failure either to (i) pay taxes on amounts received pursuant to this Agreement or (ii) comply with applicable workers' compensation laws.
- 10.4** The obligations of Consultant under this Section 10 of this Agreement are not limited by the provisions of any workers' compensation or similar statute. Consultant expressly waives its statutory immunity under such statutes as to City, its officers, agents, employees and volunteers.
- 10.5** Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in Section 10 of this Agreement from each and every subcontractor or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. If Consultant fails to obtain such indemnity obligations from others, Consultant agrees to indemnify, hold harmless and defend City, its officers, agents, employees and volunteers from and against any and all claims, losses, costs and expenses for any damage due to death or injury to any person and injury to any property resulting from any alleged intentional, reckless, negligent, or otherwise wrongful acts, errors or omissions of Consultant's subcontractors or any other person or entity involved by, for, with or on behalf of Consultant in the performance of this Agreement. Such costs and expenses shall include reasonable attorneys' fees incurred by counsel of City's choice.
- 10.6** City does not, and shall not, waive any rights that it may possess against Consultant because of the acceptance by City, or the deposit with City, of any insurance policy

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or certificate required pursuant to this Agreement. This hold harmless and indemnification provision shall apply whether or not any insurance policies apply to a claim, demand, damage, liability, loss, cost or expense.

- 10.7** In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement claims or is determined by a court of competent jurisdiction or CalPERS to be eligible for enrollment in CalPERS as an employee of the City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for CalPERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.
- 10.8** Notwithstanding any federal, state, or local policy, rule, regulation, law or ordinance to the contrary, Consultant and any of its employees, agents, and subcontractors providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by City, including but not limited to eligibility to enroll in CalPERS as an employee of City and entitlement to any contribution to be paid by City for employer contribution and/or employee contributions for CalPERS benefits.

11. INSURANCE

- 11.1** During the term of this Agreement, Consultant shall carry, maintain, and keep in full force and effect insurance against claims for death or injuries to persons or damages to property that may arise from or in connection with Consultant's performance of this Agreement.
- 11.2** Any available insurance proceeds broader than or in excess of the specified minimum Insurance coverage requirements or limits shall be available to City as an Additional Insured as provided below. Furthermore, the requirements for coverage and limits shall be the greater of (1) the minimum coverage and limits specified in this Agreement, or (2) the broader coverage and maximum limits of coverage of any Insurance policy or proceeds available to the named Insured.
- 11.3** Insurance required under this Agreement shall be of the types set forth below, with minimum coverage as described:
- 11.3.1** Comprehensive General Liability Insurance with coverage limits of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million

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Dollars (\$2,000,000) general aggregate, including products and operations hazard, contractual insurance, broad form property damage, independent consultants, personal injury, underground hazard, and explosion and collapse hazard where applicable.

- 11.3.2** Automobile Liability Insurance for vehicles used in connection with the performance of this Agreement with minimum limits of One Million Dollars (\$1,000,000) per claimant and One Million dollars (\$1,000,000) per incident.
- 11.3.3** Worker's Compensation insurance if and as required by the laws of the State of California.
- 11.3.4** Professional Errors and Omissions Insurance with coverage limits of not less than One Million Dollars (\$1,000,000) per occurrence and Two Million Dollars (\$2,000,000) aggregate.
- 11.4** Consultant shall require each of its subconsultants to maintain insurance coverage that meets all of the requirements of this Agreement provided however, that the City Agreement Administrator may waive the provision of Errors and Omissions Insurance by subconsultants in his or her sole discretion.
- 11.5** The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a rating of at least A:VII in the latest edition of Best's Insurance Guide.
- 11.6** Consultant agrees that if it does not keep the insurance coverages required by this Agreement in full force and effect, City may either (i) immediately terminate this Agreement; or (ii) take out the necessary insurance and pay the premium(s) thereon at Consultant's expense.
- 11.7** At all times during the term of this Agreement, Consultant shall maintain on file with City's Risk Manager a certificate or certificates of insurance showing that the required coverages are in effect and naming City and its officers, employees, agents and volunteers as Additional Insureds. Prior to commencement of work under this Agreement, Consultant shall file with City's Risk Manager such certificate(s) and Forms CG 20 10 07 04 and CG 20 37 07 04 or the substantial equivalent showing City as an Additional Insured.
- 11.8** Consultant shall provide proof that policies of insurance required by this Agreement expiring during the term of this Agreement have been renewed or replaced with

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other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages.

- 11.9** The general liability and automobile policies of insurance required by this Agreement shall contain an endorsement naming City and its officers, employees, agents and volunteers as Additional Insureds. All of the policies required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty days' prior written notice to City. Consultant agrees to require its insurer to modify the certificates of insurance to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.
- 11.10** The insurance provided by Consultant shall be primary to any other coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers shall be in excess of Consultant's insurance and shall not contribute with it.
- 11.11** All insurance coverage provided pursuant to this Agreement shall not prohibit Consultant, and Consultant's employees, agents or subcontractors, from waiving the right of subrogation prior to a loss. Consultant hereby waives all rights of subrogation against the City.
- 11.12** Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of City, Consultant shall either reduce or eliminate the deductibles or self-insured retentions with respect to City, or Consultant shall procure a bond in the amount of the deductible or self-insured retention to guarantee payment of losses and expenses.
- 11.13** Procurement of insurance by Consultant shall not be construed as a limitation of Consultant's liability or as full performance of Consultant's duties to indemnify, hold harmless and defend under Section 10 of this Agreement.
- 11.14** Consultant may be self-insured under the terms of this Agreement only with express written approval from the City.
- 11.14.1** All self-insured retentions (SIR) must be disclosed to the City for approval and shall not reduce the limits of liability.

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11.14.2 Policies containing any SIR provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named Insured or the City.

11.15 City reserves the right to obtain a full certified copy of any Insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of the right to exercise later.

12. MUTUAL COOPERATION

12.1 City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.

12.2 If any claim, action, or proceeding is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require in the defense of that claim, action, or proceeding.

13. CONFIDENTIALITY

All data, documents, discussion, or other information developed or received by Consultant or provided for performance of this Agreement are deemed confidential and shall not be disclosed by Consultant without prior written consent by City. City shall grant such consent if disclosure is legally required. Upon request, all City data shall be returned to City upon the termination or expiration of this Agreement.

14. RECORDS AND INSPECTIONS

Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to Consultant under this Agreement. All such documents shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of City. City shall further have the right to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities.

In addition, pursuant to Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds ten thousand dollars, all such documents and this Agreement shall be subject to the examination and audit of the State Auditor, at the request of City

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or as part of any audit of City, for a period of three (3) years after final payment under the Agreement.

15. PERMITS AND APPROVALS

Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary for Consultant's performance of this Agreement. This includes, but shall not be limited to, professional licenses, encroachment permits and building and safety permits and inspections.

16. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City:

Kelly Buendia
City of Lakeport
Administrative Services
225 Park Street
Lakeport, CA 95453
Telephone: (707) 263-5615
Facsimile: (707) 263-8584

If to Consultant:

Bob Hall
Bob Hall and Associates
4336 Guava Ct
Las Vegas, NV 89135
Telephone: 714.309.9104

With courtesy copy to:

David J. Ruderman, City Attorney
Colantuono, Highsmith & Whatley, PC
420 Sierra College Drive, Suite 140
Grass Valley, California 95945-5091
Telephone: (530) 432-7357
Facsimile: (530) 432-7356

17. SURVIVING COVENANTS

The parties agree that the covenants contained in Section 10, Section 13, Paragraph 12.2 and Section 14 of this Agreement shall survive the expiration or termination of this Agreement.

18. TERMINATION

- 18.1** City may terminate this Agreement for any reason on five calendar days' written notice to Consultant. Consultant may terminate this Agreement for any reason on thirty calendar days' written notice to City. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be promptly returned to City upon the termination or expiration of this Agreement.
- 18.2** If City terminates this Agreement due to no fault or failure of performance by Consultant, then Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement as provided in Section 5.2 above and as otherwise provided in this Agreement.

19. GENERAL PROVISIONS

- 19.1.** Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.
- 19.2.** In the performance of this Agreement, Consultant shall not discriminate against any employee, subcontractor, or applicant for employment because of race, color, creed, religion, sex, marital status, sexual orientation, national origin, ancestry, age, physical or mental disability, medical condition or any other unlawful basis.
- 19.3.** The captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the section or paragraph shall govern construction of this Agreement. Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular and vice versa, in any place or places herein in which the context requires such substitution(s).
- 19.4.** The waiver by City or Consultant of any breach of any term, covenant or condition herein contained shall not be deemed to be a waiver of any other term, covenant or condition or of any subsequent breach of the same or any other term, covenant or condition herein contained. No term, covenant or condition of this Agreement shall

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be deemed to have been waived by City or Consultant unless in writing signed by one authorized to bind the party to be charged with the waiver.

- 19.5.** Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in City's sole judgment, that such failure was due to causes beyond the control and without the fault or negligence of Consultant.
- 19.6.** Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance from the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any or all of such other rights, powers or remedies. If legal action shall be necessary to enforce any term, covenant or condition contained in this Agreement, the party prevailing in such action, whether or not reduced to judgment, shall be entitled to its reasonable court costs, including any accountants' and attorneys' fees expended in the action. The venue for any litigation shall be Lake County, California and Consultant hereby consents to jurisdiction in Lake County for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.
- 19.7.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to the extent necessary to, cure such invalidity or unenforceability, and in its amended form shall be enforceable. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 19.8.** This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 19.9.** All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the provisions of this Agreement and those of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon

C# _____

Professional Services Agreement
(City of Lakeport / Company or Individual)

the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed on behalf of the City and Consultant.

19.10. Consultant shall not discriminate against any employee or applicant for employment because of race, sex (including pregnancy, childbirth, or related medical condition), creed, national origin, color, disability as defined by law, disabled veteran status, Vietnam veteran status, religion, age (40 and above), medical condition (cancer-related), marital status, ancestry, or sexual orientation. Consultant shall take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to race, sex (including pregnancy, childbirth, or related medical condition), creed, national origin, color, disability as defined by law, disabled veteran status, Vietnam veteran status, religion, age (40 and above), medical condition (cancer-related), marital status, ancestry, or sexual orientation. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; or in terms, conditions or privileges of employment, and selection for training. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, the provisions of this nondiscrimination clause.

19.11. This Agreement may be signed in one or more counterparts, each of which shall be deemed an original, but all of which together shall be deemed one and the same instrument. The parties acknowledge and agree that this Agreement may be executed by electronic signature, which shall be considered as an original signature for all purposes and shall have the same force and effect as an original signature. Without limitation, "electronic signature" shall include faxed or emailed versions of an original signature, electronically scanned and transmitted versions (e.g., via pdf) of an original signature, or a digital signature.

TO EFFECTUATE THIS AGREEMENT, the parties have caused their duly authorized representatives to execute this Agreement as of the last date indicated below:

"City"

"Consultant"

Bob Hall and Associates

By _____
Kevin M. Ingram, City Manager

By: _____
Bob Hall, Founder/Owner

Date: _____

Date: _____

C# _____

Professional Services Agreement
(City of Lakeport / Company or Individual)

Attest:

By: _____

By _____

Date: _____

Date: _____

Approved as to form:

By _____
David J. Ruderman, City Attorney

Date: _____

**“EXHIBIT A”
SCOPE OF WORK**

**“EXHIBIT B”
APPROVED FEE SCHEDULE**

Professional Services Agreement
(City of Lakeport / [Company or Individual])



October 23, 2023

Dear Ms. Kelly Buendia:

Bob Hall & Associates is pleased to submit this proposal to conduct recruitments for Chief of Police for the City of Lakeport.

If selected, Bob Hall along with Joe Gorton will be the points of contact and lead project directors for this search. Bob, former City Manager of Laguna Niguel, Stanton, and Fountain Valley and Joe, the former City Manager and Police Chief of the City of San Ramon together provide substantial knowledge and experiences will help the City of Lakeport find a candidate that fits the ideal criteria for the position. No one has a better pulse on the challenges that California cities face than the Bob Hall & Associates team. Recent recruitments by Bob Hall and Associates team includes the Cities of Salinas, Shafter, Tracy, American Canyon, Morro Bay, Marina, Imperial, Signal Hill, Costa Mesa, Seal Beach, San Clemente, El Segundo, and Pomona.

Bob Hall & Associates' network encompasses a strong talent pool and will add the personal, individualized attention that each search requires. Attached is a summary of the search process and the services that the Bob Hall & Associates team is willing and able to offer the City of Lakeport.

For more information or clarification, do not hesitate to contact Bob Hall at (714) 309-9104 or by email at bob@bobhallandassociates.com. We appreciate the opportunity to be considered to aid in the search for the Chief of Police vacancy. Should you select our team, we are prepared to proceed immediately.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Bob Hall', written over a light blue circular stamp.

Bob Hall



Executive Summary

We are excited to submit our proposal to the City of Lakeport for the opportunity to assist with the identification and recruitment for the Chief of Police. The Bob Hall & Associates team is well connected throughout California with a keen knowledge of talent and is prepared to offer a strong pool of top candidates. At Bob Hall & Associates, we pride ourselves in adding a personal, individualized touch to each recruiting search. In the last 48 months, the Bob Hall & Associates team has conducted more than 85 recruitments across the state of California.

We provide an alternative to the large recruitment firms by providing excellent customer service focused specifically on our clients' needs to ensure we meet or exceed their expectations on every recruitment. Our individualized service helps target candidates who are equipped to specific needs within the region. We do not stray from a challenge and thrive in filling the tough to find positions at all levels throughout the organization. Our work ethic and desire to help our clients succeed is second to none. Given the structure of our firm, we have the ability to adjust our processes to fit the specific needs of our customers, whether it is recruitment timeline, outreach strategies, or even interview structures.

Bob Hall brings over 30 years of experience in municipal government and leadership. Hall has served as City Manager for Fountain Valley, Laguna Niguel, and Stanton. His prior City Manager experience gives him a unique perspective on the recruiting process. He knows first-hand the talent it takes to build a high-performance operation and wants to share that knowledge and experience with candidates and municipalities. His wide variety of experience throughout municipal organizations provides a strong understanding of the diverse needs throughout the City. Before assuming the leadership role in Orange County, he worked in many departments, including General Services Director for the City of Riverside.

Bob Hall holds a Master's degree in Public Administration from California State University, San Bernardino. Hall is a member of ICMA, former Board Member of Cal ICMA and has been an invited guest lecturer at Cal-State Northridge, Cal-State Fullerton and Long Beach State University.



Company Background

Bob Hall & Associates was formed in August 2019 as a unique take on the typical recruiting process. Having over 30 years of experience in city government, Bob's innate ability to cultivate relationships across California has allowed for his network of contacts to grow exponentially. As he switched roles from City Manager to Recruiter, Bob emphasized the importance of adding that personal touch to the recruiting process that tends to be forgotten in the bigger businesses. His goal is to connect and place candidates in environments that will help them be successful and accomplish the projects they set out to achieve.

Mailing Address: 4336 Guava Court, Las Vegas, Nevada, 89135.

We have consultants throughout California and will be utilizing our Northern California consultants and those who specialize in law enforcement recruitments to help tap into the local talent pool and that across the state.

Robert "Bob" Hall is the Founder of Bob Hall & Associates and is a US citizen, as are all members of the Bob Hall & Associates team.

Client Base

City of Stanton
City of Laguna Niguel
City of Costa Mesa
City of Stanton
City of Seal Beach
City of Placentia
City of Manteca
City of San Bernardino
City of Tracy
City of Morro Bay
City of San Clemente
City of Signal Hill
City of Paramount
City of San Luis Obispo
City of American Canyon
City of Palmdale
City of Pomona

City of Moorpark
City of Fountain Valley
City of El Segundo
City of San Marino
City of Escalon
City of Imperial
City of Marina
City of Shafter
City of Salinas
City of Laguna Hills
Kern County
Orange County Fire Authority
Laguna Woods Village
Rancho Santa Fe Association
Association of California Cities, Orange County



Company Qualifications

Our Recruitment Team

Bob Hall

Founder, Bob Hall & Associates

With Bob's 30 plus years of experience serving in most departments within a municipal organization, he brings a strong knowledge and understanding of city operations. This diverse knowledge has translated into Bob Hall & Associates keen ability to place highly qualified candidates in key positions. Bob's niche is finding that "perfect fit", especially in positions that traditionally are more challenging to fill. Bob Hall provides individualized customer service and responsiveness resulting in successful placements and ultimately, client satisfaction.

Joe Gorton

Executive Recruiter

Joe Gorton is the former City Manager of the City of San Ramon, California, for over six years. Joe managed an operating budget of approximately eighty million dollars and a thirty-million-dollar capital budget in the city of 85,000 residents. Joe has over 35 years of experience in local government.

Joe started his career in law enforcement at the Contra Costa County Sheriff's Office and later transferred to the San Ramon Police Department when the City Council voted to form their own police department after years of contracting police service with the Sheriff's Office. Joe ultimately ascended the ranks to the Chief of Police for the San Ramon Police Department. Joe has over twenty-eight years of experience in law enforcement. One of the highlights of Joe's career was being selected as the second in command of the newly formed San Ramon Police Department and put in charge of its creation from the ground up. Joe was tasked with leading the transition team and was instrumental in the formation of the department. The transition team's primary task was hiring fifty-six sworn police officers and several civilian staff members. This endeavor entailed creating comprehensive background checks, training, and orientation of new employees.

Joe holds a Master of Science degree in Organizational Development from the University of San Francisco (USF) where he graduated in the top ten percent of his class. He also holds a Bachelor of Public Administration degree, receiving college honors, from USF and an Associates of Science degree in Administration of Justice from Butte College. Joe is graduate of the California Command College and ranked number one in his academy class.

Richard Twiss
Executive Recruiter

Richard Twiss is the former Chief of Police for the Indio, CA Police Department (retired August 2016). He has served as a Subject Matter Expert for the Bureau of Justice Assistance (BJA) Smart Policing Initiative (SPI) and the Office of Justice Programs Diagnostic Center. He has over 32 years combined law enforcement and military experience, which began as a police officer with the Indio Police Department. He also served with the Riverside County District Attorney's Office, Bureau of Investigation the California Department of Justice, Firearms Division, Bureau of Narcotic Enforcement and is a veteran of the United States Marine Corps. Under Chief Twiss' leadership the Indio Police Department was selected as one of fifteen agencies nationwide to participate in the President's Advancing 21st Century Policing Project, a one-year study of agencies implementing the Task Force recommendations. Chief Twiss participated in the President's National Committee on 21st Century Policing and served as a member of the California Attorney General's Community Oriented Policing Subcommittee. He was also appointed to the California Police Chiefs Association Homelessness and Mental Health working group. He holds a Master's Degree in Organizational Leadership and Bachelor's Degree in Social Sciences from Chapman University.

Dr. Marcella Marlowe
Executive Recruiter

Marcella Marlowe has over 25 years of public sector municipal experience, having most recently served as City Manager for the City of San Marino from October 2017 to November 2022. Prior to San Marino, she was the Assistant City Manager for the City of San Gabriel for six-and-a-half years and, before that, Dr. Marlowe served as the Human Resources Manager for the City of Duarte, the only person to ever hold that position there. She started her career with the City of Calabasas as a human resources generalist, and spent two years with the City of Phoenix, AZ, specializing in classification & compensation and benefits administration.

Dr. Marlowe is a devoted Trojan, having received all of her degrees from the University of Southern California: B.A. in Classical Greek Civilization, M.A. in Political Science, and Ph.D. in Political Science. In addition, she holds a senior adjunct professor appointment with the University of La Verne's College of Law and Public Service, having also taught at Cal State Fullerton's Department of Political Science and USC's Sol Price School of Public Policy as an Adjunct Associate Professor. She is the author of *Jurisprudential Regimes: The Supreme Court, Civil Rights, and the Life Cycle of Judicial Doctrine*, published in 2011.



Rachel Hall
Recruitment Manager

Rachel has a Bachelor of Arts in Communications from the University of Arizona and brings a background in marketing and writing to the team. Rachel has experience working within municipal government and provides support services for Bob Hall & Associates recruitments. She is proficient in Adobe Suite, Microsoft Office, Google Workspace, and NeoGov.

References and Recent Searches

Jarad Hildenbrand, City Manager of Laguna Hills
jhildenbrand@lagunahillscsca.gov
(949) 707-2610

Damien Arrula, City Administrator of Placentia
darrula@placentia.org
(714) 993-8171

Patrick Harper, Mayor of Fountain Valley
patrick.harper@fountainvalley.org
(714) 593-4403

Karin Schnaider, Assistant City Manager, Tracy
karin.schnaider@cityoftracy.org
(209) 831-6800

Johanne Thordahl, Human Resources Manager of San Clemente
thordahlj@san-clemente.org
(949) 441-8127

Matthew Mogensen, Assistant City Manager of Marina
mmogensen@cityofmarina.org
(831) 884-1278

Recent Recruitments

City Manager - Stanton
City Manager - Laguna Niguel
City Manager - Manteca
City Manager - San Bernardino
City Manager - Fountain Valley
City Manager - Tracy
City Manager - Laguna Hills
City Manager - San Clemente
Chief of Police - Signal Hill
Chief of Police - Imperial
Police Captain - Signal Hill
Fire Chief - Placentia

Deputy Fire Chief - Placentia
Fire Chief - Morro Bay
Assistant City Manager - Costa Mesa
City Attorney - Manteca
Assistant to City Manager - San Luis Obispo
IT Director - San Bernardino
Director of Parks & Recreation - American Canyon
Director of Human Resources - Marina
Director of Public Works - Manteca
Director of Finance - Salinas
Violence Prevention Manager - Pomona

Proposed Services Description

Below, you will find our proposed recruiting process, schedule, and cost breakdown for your consideration. During the recruitment process, we will require the following specific assistance from the City: a draft job description (we will work with the City to craft language), any other legal descriptions or City language and guidelines; City logo, high resolution photography, review of the brochure and other marketing materials and timely feedback; and logistics coordination with any City staff and our team.





Create Position Profile

The Bob Hall & Associates team will meet with the City to discuss the strategy for the search as well as communication preferences and project timeline. It is at this time that the team will collaborate with the City to determine characteristics of the ideal candidate. Communication and customer service is a priority, as the Bob Hall & Associates team will stay in touch with the City throughout the recruitment keeping them up to date. In the meeting, the search criteria will be determined to help aid the Bob Hall & Associates team in narrowing the search to appropriate candidates based on the specific goals and qualities of the organization.

Outreach and Recruiting

Outreach

Outreach begins with the creation of a job announcement and brochure that will be advertised for the public to see on platforms such as *California Police Chiefs Association*, *PORAC*, *Public CEO*, *IACP*, *GovernmentJobs.com* and in *Western City* magazine. Position-specific job boards will be used as appropriate. We will also utilize social media engagement on LinkedIn, networking with top industry leaders throughout the nation, and personal outreach.

Candidate Identification

Following the creation of the job announcement and advertisement of the position, the Bob Hall & Associates team will actively seek out qualified candidates by tapping into the network of talented prospects both local to California and across the country. Unlike other firms, Bob Hall & Associates focuses on adding a personal touch to the identification process by tailoring the recruiting process to the needs and desires of the organization. Our active recruiting style has proved to increase the number of applications and resumes from potential candidates leading to a deeper evaluation of each individual.

Candidate Assessment

Screening

Every application is promptly acknowledged and carefully examined. Those that most closely fit the criteria indicated by the organization will be subject to a more thorough evaluation. Such evaluation will focus on aspects such as professional experience, size and complexity of current organization as compared to the advertised position.

Initial Research and Interviews

Research will be conducted on top candidates in the form of Internet searches and other public profiles to ensure prospects' values, experiences, and history match the criteria established by the organization. Following research, preliminary interviews will be conducted via phone, video-conferencing, or face-to-face, depending on candidates' location.

Selection and Presentation of Top Candidates

Bob Hall & Associates will manage the selected finalist candidates. Top candidates will be presented to the City for consideration to determine which candidates will be interviewed. City will be provided with detailed description of work history and other important information about each candidate prior to selection and scheduling of interviews.

Negotiations

The Bob Hall & Associates team is willing and able to support the City in the negotiation process of the selected candidate's compensation package.

Close Out

After the organization has successfully chosen a candidate, the search will be closed out. This includes informing finalist candidates of the status of the search via telephone.

Project Timeline

A typical search will be conducted in a 90 to 120-day period from start to finish. Following the final selection, negotiations can take up to two weeks. The proposed schedule includes four to five weeks of active recruitment, which reflects our suggested minimum timeline. However, this can be adjusted if the City would prefer a longer or accelerated process. An exact schedule will be provided once a firm start date has been provided by the City.



Project Costs

The Chief of Police recruitment will be complete and comprehensive searches to present the City of Lakeport with the most capable, talented, candidates available. The fee to conduct this search will be \$23,500 plus expenses not to exceed \$26,500. This fee will include advertising, printing, four in-person visits to the city and unlimited virtual meetings with City staff. Additional trips to the city will be billed at \$900 per trip. Top candidates will be subject to DMV, civil and criminal background, and credit checks.

Should the City want the Bob Hall & Associates team to perform a POST level background check, there will be an additional fee of \$1,300.

Fees will be collected in three installments as follows:

1. Upon Execution of the Agreement – \$8,000
2. Following Presentation of Candidates – \$8,000
3. Upon Acceptance of Offer – \$7,500

Bob Hall & Associates' Guarantee

The Bob Hall & Associates team guarantees industry-standard services. If within one year following appointment, selected candidate resigns or is terminated for cause, our team will conduct another search free of professional services charges. However, the organization will be expected to pay for incurred costs.



CITY OF LAKEPORT

City Council ☒
City of Lakeport Municipal Sewer District ☐
Lakeport Redevelopment Successor Agency ☐
Lakeport Industrial Development Authority ☐
Municipal Financing Agency of Lakeport ☐

STAFF REPORT

RE: Mayoral Appointment of Liaisons to Commissions, Boards, and Committees

MEETING DATE: 01/16/2024

SUBMITTED BY: Kelly Buendia, City Clerk

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

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The Mayor is being asked to appoint members as liaisons to commissions, boards, and committees. In addition, the Council is being asked to adopt a resolution appointing representatives to represent and vote on behalf of the City at the League of California Cities, Redwood Empire Division Business meetings and represent the City and vote at Division Legislative Committee meetings.

BACKGROUND/DISCUSSION:

Annual appointments are made to several commissions, committees, and boards. Some of these appointments are advisory only and some of them require active participation. The Mayor has authority to appoint members to these commissions, committees, and boards.

These annual appointments run from January through December of the coming calendar year. The following is brief information on each of the commissions/ boards/committees:

- Lakeport Fire Protection District: The board meets the second Tuesday of each month at 5:00 p.m. at the Fire Department. One Council member and an alternate are appointed (not voting or acting members) to attend meetings and report to the City Council.
- Lake County Chamber of Commerce: The board meets the fourth Tuesday of each month at 7:30 a.m. at Umpqua Bank. There are also monthly dinner meetings. One Council member and an alternate are appointed (not voting or acting members) to attend meetings and report to the City Council.
- Lakeport Main Street Association: The Board of Directors meets on the 3rd Monday of every month at the Lakeport City Hall at 5:00 pm. One Council Member is appointed (not voting or acting member) to attend meetings and report to the City Council.
- League of California Cities, Redwood Empire Division, Division Business Meeting Voting Delegate: This board meets quarterly. One Council member and one alternate are appointed to attend the League's Division meetings.
- League of California Cities, Redwood Empire Division, Legislative Committee Voting Delegate: One Council member and one alternate is appointed to attend the League's Legislative Committee meetings.
- Lake County/City Area Planning Council (APC): This committee handles transportation issues and meets the second Wednesday of each month. The location alternates between the City of Lakeport Council Chambers and the Lake Transit offices in Lower Lake. Two Council members and an alternate are appointed and are active, voting members of the APC.

- County of Lake Solid Waste Management Task Force: This is a County committee on which the City has a liaison. Typically, the City appoints one Council member and the City Manager to attend any meetings of the Task Force.
- SB 621 Indian Gaming Funds Committee: This committee meets on as "as needed basis" as funding becomes available. The City appoints one active voting member and one alternate.
- Local Agency Formation Commission (LAFCO): This board meets monthly and alternates meetings between Lakeport and Clearlake. The City appoints a Council member who acts as a voting member of LAFCO. An alternate is also appointed. An alternate commissioner is rotated between the City of Clear Lake and the City of Lakeport every two years. It will be the City's turn to appoint an alternate for the years 2022 and 2023.
- Invasive Species Task Force Committee: This committee meets on monthly on a Monday TBA from 10:00 a.m. to 12:00 at the Agriculture Office. The City appoints one member as an active, voting member.
- Clean Water Program Committee (formerly TMDL): This board meets on a monthly basis, and the City appoints one member as an active, voting member.
- Lakeport Unified School District Committee: This committee meets quarterly, TBA. The City appoints two Council members to sit on the committee and report to Council.
- Lake County Abandoned Vehicle Abatement Service Authority: Meetings are called by the County on an "as-needed" basis. The Council appoints one member who acts a voting member and an alternate is also appointed.
- Lake County Airport Land Use Commission: This committee is not currently active, however, the Mayor may wish to appoint a Council Member to the Commission should a project arise needing city participation in the Commission.
- Lake County Risk Reduction Authority: The meetings of the Board of Directors shall be held on the third Monday of each month at 3:00 p.m. The City appoints one member and one alternate.
- Lake County Recreation Agency: The meetings of the Board of Directors are currently held on the last Thursday of each month. The City appoints two members of the City Council and one alternate.

OPTIONS:

The Mayor can make appointments to the various commissions, boards, and committees as listed or give further direction.

The Council can adopt a resolution appointing voting delegates to the League's Division Business and Legislative Committee meetings or decline to appoint a voting delegate to either/both meetings.

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:

COUNCIL PRIORITIES:



☐ Priority #1: Public Safety & Crisis Response



☐ Priority #2: Disaster Resiliency



☒ Priority #3: Good Governance & Fiscal Stability



☐ Priority #4: Capital Infrastructure Improvement



☐ Priority #5: Safe, Sustainable & Attractive Neighborhoods



☐ Priority #6: Economic Development

SUGGESTED MOTIONS:

No motion is necessary for the Mayoral appointments.

Move that the City Council adopt a resolution appointing representatives to represent and vote on behalf of the City at the League of California Cities, Redwood Empire Division Business meetings and represent the City and vote at Division Legislative Committee meetings.



Attachments:

1. List of current liaisons to commissions, boards, and committees.
2. Proposed resolution for League of California Cities, Redwood Division appointments

LAKEPORT CITY COUNCIL
EFFECTIVE JANUARY 16, 2024
LIAISONS TO COMMISSIONS, BOARDS, COMMITTEES

LIAISONS

2023

2024

Lakeport Fire Protection District	Council Member Disney Council Member Parlet	Council Member Disney Council Member Parlet
Lake County Chamber of Commerce	Council Member Parlet Mayor Mattina, Alt.	Council Member Parlet Council Member Mattina, Alt.
Lakeport Main Street Association	Mayor Pro Tem Froio	Council Member Disney

APPOINTMENTS

2023

2024

League of California Cities Redwood Empire Division Division Business Meeting Voting Delegate	Mayor Mattina Mayor Pro Tem Froio	Council Member Mattina Mayor Froio
League of California Cities Redwood Empire Division Legislative Committee Voting Delegate	Mayor Mattina Mayor Pro Tem Froio	Council Member Mattina Mayor Froio
Lake County/City Area Planning Council	Mayor Mattina Council Member Parlet Council Member Costa, Alt.	Council Member Mattina Council Member Parlet Mayor Pro Tem Costa, Alt.
Right of Way Ordinance Advisory Ad-Hoc Committee	Mayor Pro Tem Froio Council Member Disney	Mayor Froio Council Member Disney
PEG Board	Council Member Froio	Council Member Froio
Vector Control District Board	George Spurr Council Member Disney, Alt.	George Spurr Council Member Disney, Alt.
County of Lake Solid Waste Management Task Force	Mayor Pro Tem Froio Council Member Parlet	Mayor Froio Council Member Parlet
SB 621 Indian Gaming Funds Committee	Council Member Parlet Mayor Mattina	Council Member Parlet Council Member Mattina
Local Agency Formation Commission & LAFCO Alternate^ ^Rotates to City of Lakeport in 2026 & 2027	Mayor Mattina Council Member Parlet^	Council Member Mattina Council Member Parlet, Alt.
Invasive Species Task Force Committee	Council Member Disney	Council Member Disney
Clean Water Program Committee	Council Member Costa Council Member Disney, Alt.	Council Member Disney Mayor Pro Tem Costa, Alt.
Lakeport Unified School District Committee	Mayor Mattina Council Member Costa	Council Member Mattina Mayor Pro Tem Costa
Abandoned Vehicle Service Authority	Mayor Pro Tem Froio Council Member Parlet	Mayor Froio Council Member Parlet

Risk Reduction Authority	Council Member Costa	Council Member Costa Kevin Ingram, City Manager, Alt
Lakeport Solid Waste Committee	Mayor Pro Tem Froio Council Member Parlet	Mayor Froio Council Member Parlet
Lake County Recreational Agency, JPA (LCRA)	Mayor Mattina Council Member Disney	Mayor Froio Council Member Disney
Tribal Consultation Committee (New Committee)		Mayor Froio Council Member Costa

RESOLUTION NO. _____ (2024)

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

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

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

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

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

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

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

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

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

WHEREAS, appointments should be reviewed and updated annually.

NOW, THEREFORE, BE IT RESOLVED that the 2024 appointments for the Redwood Empire Division are as follows:

Division Business Meeting Primary: _____

Division Business Meeting Alternate: _____

Legislative Committee Primary: _____

Legislative Committee Alternate: _____

It is hereby certified that the foregoing Resolution No. ____ was duly introduced and adopted by the City Council of the City of Lakeport at its regular meeting held on the 16th day of January 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

Michael Froio, Mayor

Attested:

Kelly Buendia, City Clerk