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www.bluelake.ca.gov



**CITY OF BLUE LAKE**  
CALIFORNIA

111 Greenwood Road

P.O. Box 458

## Blue Lake City Council Agenda

December 27, 2022 ~ 6:30 p.m. ~Regular Council Meeting  
**Skinner Store, 111 Greenwood Road, Blue Lake, CA**

<https://us02web.zoom.us/j/83945723838?pwd=RvdZZGFIWjdGSWIPMFV6d1kycGpidz09>

Meeting ID: 839 4572 3838

Passcode: 515009

***Unless Otherwise Noted, All Items on the Agenda are Subject to Action.***

1. **Pledge of Allegiance and Establish a Quorum of the Council**
2. **Approve Agenda**
3. **Public Comment** – *The Public is invited to present petitions, make announcements, or provide other information to the City Council that is relevant to the scope of authority of the City of Blue Lake that is not on the Agenda. The Council may provide up to 15 minutes for this public input session. To assure that each individual presentation is heard, the Council may uniformly impose time limitations of 3 minutes to each individual presentation. The public will be given the opportunity to address items that are on the agenda at the time the Council takes up each specific agenda item.*
4. **PUBLIC HEARING: Proposition 218 Majority Protest Process Relative to Proposed Increase to Water Rates**
  - Recommendation: That the Council:
    - Receive a report from staff
    - Conduct a public hearing to receive all written and verbal testimony regarding the proposed wastewater (sewer) rates and consider the results of protest proceedings in accordance with Proposition 218.
    - Adopt one of the following resolutions certifying the protest results:
      - For a **majority** protest – Draft Resolution **1204-A** certifying that the number of valid written protests were received from property owners representing a majority of the parcels subject to the proposed rate increase.
  - **OR**
  - For a **non-majority protest** – Draft Resolution **1204-B** certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase
5. **PUBLIC HEARING: Proposition 218 Majority Protest Process Relative to Proposed Increase to Wastewater Rates**
  - Recommendation: That the Council:
    - Receive a report from staff



- Conduct a public hearing to receive all written and verbal testimony regarding the proposed wastewater (sewer) rates and consider the results of protest proceedings in accordance with Proposition 218.
- Adopt one of the following resolutions certifying the protest results:
  - For a **majority** protest – Draft Resolution **1205-A** certifying that the number of valid written protests were received from property owners representing a majority of the parcels subject to the proposed rate increase.

**OR**

- For a **non-majority** protest – Draft Resolution **1205-B** certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase.

6. **Public Hearing:** Amendment of Section 17.16.111 (Opportunity or O Zone) of the Municipal Code for the following purposes: 1) To allow emergency shelters as a principally permitted use type without discretionary review and subject to objective standards addressing onsite management and security, a limitation on the maximum number of beds, and the distance required between shelters. This use type would allow housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person; and 2) Revision of some of the stated purposes of the zone for internal consistency purposes-Hearing

7. **Blue Lake Public Safety Commission Work Plan Presentation**-Presentation/Action

8. **Public Hearing:** City of Blue Lake Permanent Local Housing Allocation Work Plan (PLHA): Approving activities associated with the predevelopment, development, acquisition, rehabilitation and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low, very low-, low-, or moderate-income households, including necessary operating subsidies

9. **Resolution 1210:** A Resolution Authorizing the Application to the State of California Permanent Local Housing Allocation Program-Action

10.**State of California Transaction and Use Tax Agreement Package-Measure R:**

**a. Resolution Number 1211:** A Resolution Authorizing the City Manager to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax-Action

**b. Resolution Number 1212:** A Resolution Authorizing Examination of the Sales or Transactions and Use Taxes Records-Action

**c. Agreement Authorizations:** Authorize the City Manager to Execute the Agreement Authorizations Required by the State of California to Implement the City of Blue Lake Sales and Use Tax (Measure R)-Action

11.**City of Blue Lake Wastewater Treatment Plant Solar Installation Contract Award**-Action

12.**Consent Agenda:** Nothing to Report

13.**Council Correspondence:** Nothing to Report

14.**Reports of Council and Staff:**





A. City Manager Report

**14.Future Agenda Items**

**A request for disability-related modification or accommodation, including auxiliary aid or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting, by contacting City Manager Amanda Mager, 668-5655, at least 24 hours prior to the commencement of the meeting.**





# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

## AGENDA REPORT

**Item #:** 4 + 5  
**Date:** December 20, 2022  
**Item Subject:** Water and Wastewater Rate Increase-Public Hearing  
**Submitted By:** Mandy Mager, City Manager

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### **General Information:**

The City of Blue Lake has conducted a rate analysis for the City’s water and wastewater systems. With technical support from the Rural Community Action Agency, the City’s capital improvement, operation, maintenance, and administration needs have been analyzed and tied back to a proposed rate structure.

The City’s water and wastewater systems have been losing ground to inflation and large-scale infrastructure improvement needs, along with system breaks that are reflective of aging infrastructure. The rate increases proposed and recommended by staff and our technical advisors will allow the City to make much needed improvements, replace failing equipment and retain critical staffing levels.

On October 25, 2022, City staff, the City Attorney and a representative from the City’s technical advisory consultant, presented the rate study, the proposed rate structure and the process mandated by Proposition 218 to initiate the public notice and hearing process. Council took action on October 25, 2022 to initiate the 218 process with a public hearing date scheduled for December 20, 2022.

Staff recommends that the City Council conduct the public hearing as mandated by Proposition 218 and direct staff to collect and tally protest votes. Upon completion of the tallying process, the City Attorney will report the results of the protest vote to determine if sufficient, or insufficient protest votes have been cast.

Council will then consider adoption of Resolution 1204 (A or B) and Resolution 1205 (A or B) dependent upon the vote tally results.

**Background Material Provided:** Draft Resolution 1204 (A and B) and Draft Resolution 1205 (A and B)

**Fiscal Impact:** Impacts have been identified in the rate analysis

**Recommended Action:** Adopt Resolution 1204 (A/B) and Resolution 1205 (A/B) dependant upon the protest vote final tally.

### **Review Information:**

City Manager Review:       Legal Review:       Planner Review:       Engineer:



## RESOLUTION 1205 (A)

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE, CALIFORNIA, SETTING FORTH THE RESULTS OF PROTESTS IN CONNECTION WITH WASTEWATER (SEWER) RATE HEARING CONDUCTED PURSUANT TO THE REQUIREMENTS OF PROPOSITION 218

**WHEREAS**, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

**WHEREAS**, a Wastewater Rate Study was prepared for the City of Blue Lake by RCAC and recommends increases to wastewater rates to meet the on-going operational needs of the enterprise and needed funding for capital infrastructure requirements; and

**WHEREAS**, the City Council reviewed the Wastewater Rate Study at their regular meeting on October 25, 2022 and directed staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all parcel owners subject to the increase and set a Public Hearing for December 20, 2022, to consider proposed wastewater rate increases; and

**WHEREAS**, notices of the proposed wastewater rates and Public Hearing were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the Public Hearing; and

**WHEREAS**, the City Council conducted a Public Hearing for proposed water rates on December 20, 2022, to receive public comment and consider the results of protest proceedings in accordance with Proposition 218; and

**WHEREAS**, the City Clerk has tabulated all valid protests received by the conclusion of the December 20, 2022, Public Hearing and has determined that the number of valid protests received is sufficient to constitute a majority protest (50% plus 1).

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Blue Lake:

**SECTION 1: Recitals**. The above recitals are true and correct and are hereby incorporated by reference.

**SECTION 2: Protest Votes**. The number of unique parcels eligible to file a protest was 644. The number of valid protests required to prevent adoption of the proposed rate increases is 323. The number of valid protests received by the City at the end of the December 20, 2022 Public Hearing was \_\_\_\_\_.

**SECTION 3: Results of Protests**. The tabulation by the City Clerk of the number of valid

protests received on proposed wastewater rates is accepted and sets forth that the protest results conclude that there is a sufficient number of valid protests received to constitute a majority protest to the proposed water rates, whereby disallowing the consideration to adopt proposed wastewater rates.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Blue Lake held on the 20<sup>th</sup> day of December, 2022.

On motion by \_\_\_\_\_ and seconded by \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF BLUE LAKE

\_\_\_\_\_  
Adelene Jones, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Mager, City Manager/Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ryan Plotz, City Attorney



## RESOLUTION 1205 B

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE, CALIFORNIA, SETTING FORTH THE RESULTS OF PROTESTS IN CONNECTION WITH WASTEWATER (SEWER) RATE HEARING CONDUCTED PURSUANT TO THE REQUIREMENTS OF PROPOSITION 218

**WHEREAS**, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

**WHEREAS**, a Wastewater Rate Study was prepared for the City of Blue Lake by RCAC and recommends increases to wastewater rates to meet the on-going operational needs of the enterprise and needed funding for capital infrastructure requirements; and

**WHEREAS**, the City Council reviewed the Wastewater Rate Study at their regular meeting on October 25, 2022 and directed staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all parcel owners subject to the increase and set a Public Hearing for December 20, 2022, to consider proposed wastewater rate increases; and

**WHEREAS**, notices of the proposed wastewater rates and Public Hearing were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the Public Hearing; and

**WHEREAS**, the City Council conducted a Public Hearing for proposed water rates on December 20, 2022, to receive public comment and consider the results of protest proceedings in accordance with Proposition 218; and

**WHEREAS**, the City Clerk has tabulated all valid protests received by the conclusion of the December 20, 2022, Public Hearing and has determined that the number of valid protests received is sufficient to constitute a majority protest (50% plus 1).

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Blue Lake:

**SECTION 1: Recitals**. The above recitals are true and correct and are hereby incorporated by reference.

**SECTION 2: Protest Votes**. The number of unique parcels eligible to file a protest was 644. The number of valid protests required to prevent adoption of the proposed rate increases is 323. The number of valid protests received by the City at the end of the December 20, 2022 Public Hearing was \_\_\_\_\_.

**SECTION 3: Results of Protests**. The tabulation by the City Clerk of the number of valid

protests received on proposed wastewater rates is accepted and sets forth that the protest results conclude that there is an insufficient number of valid protests received to constitute a majority protest to the proposed water rates, whereby allowing the consideration to adopt proposed wastewater rates.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Blue Lake held on the 20<sup>th</sup> day of December, 2022.

On motion by \_\_\_\_\_ and seconded by \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF BLUE LAKE

\_\_\_\_\_  
Adelene Jones, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Mager, City Manager/Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ryan Plotz, City Attorney

## RESOLUTION NO. 1204 (A)

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE, CALIFORNIA, SETTING FORTH THE RESULTS OF PROTESTS IN CONNECTION WITH WATER RATE HEARING CONDUCTED PURSUANT TO THE REQUIREMENTS OF PROPOSITION 218

**WHEREAS**, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

**WHEREAS**, a Water Rate Study was prepared for the City of Blue Lake by RCAC and recommends increases to water rates to meet the on-going operational needs of the enterprise and needed funding for capital infrastructure requirements; and

**WHEREAS**, the City Council reviewed the Water Rate Study at their regular meeting on October 25, 2022 and directed staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all parcel owners subject to the increase and set a Public Hearing for December 20, 2022, to consider proposed water rate increases; and

**WHEREAS**, notices of the proposed water rates and Public Hearing were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the Public Hearing; and

**WHEREAS**, the City Council conducted a Public Hearing for proposed water rates on October 25, 2022, to receive public comment and consider the results of protest proceedings in accordance with Proposition 218; and

**WHEREAS**, the City Clerk has tabulated all valid protests received by the conclusion of the December 20, 2022, Public Hearing and has determined that the number of valid protests received is sufficient to constitute a majority protest (50% plus 1).

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Blue Lake:

**SECTION 1: Recitals**. The above recitals are true and correct and are hereby incorporated by reference.

**SECTION 2: Protest Votes**. The number of unique parcels eligible to file a protest was 644. The number of valid protests required to prevent adoption of the proposed rate increases is 323. The number of valid protests received by the City at the end of the December 20, 2022 Public Hearing was \_\_\_\_\_.

**SECTION 3: Results of Protests**. The tabulation by the City Clerk of the number of valid

protests received on proposed water rates is accepted and sets forth that the protest results conclude that there is a sufficient number of valid protests received to constitute a majority protest to the proposed water rates, whereby disallowing the consideration to adopt proposed water rates.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Blue Lake held on the 20<sup>th</sup> day of December, 2022.

On motion by \_\_\_\_\_ and seconded by \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF BLUE LAKE

\_\_\_\_\_  
Adelene Jones, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Mager, City Manager/Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ryan Plotz, City Attorney



**RESOLUTION NO. 1204 (B)**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BLUE LAKE, CALIFORNIA, SETTING FORTH THE RESULTS OF  
PROTESTS IN CONNECTION WITH WATER RATE  
HEARING CONDUCTED PURSUANT TO THE REQUIREMENTS OF  
PROPOSITION 218**

**WHEREAS**, Article XIID, Section 6 of the California Constitution requires the City Council to consider written protests to certain proposed increases to rates (fees or charges) for utility services; and

**WHEREAS**, a Water Rate Study was prepared for the City of Blue Lake by RCAC and recommends increases to water rates to meet the on-going operational needs of the enterprise and needed funding for capital infrastructure requirements; and

**WHEREAS**, the City Council reviewed the Water Rate Study at their regular meeting on October 25, 2022 and directed staff to administer the Proposition 218 majority protest process and send out notice of the proposed increases to all parcel owners subject to the increase and set a Public Hearing for December 20, 2022, to consider proposed water rate increases; and

**WHEREAS**, notices of the proposed water rates and Public Hearing were mailed to all parcel owners subject to the proposed increases at least 45 days prior to the Public Hearing; and

**WHEREAS**, the City Council conducted a Public Hearing for proposed water rates on October 25, 2022, to receive public comment and consider the results of protest proceedings in accordance with Proposition 218; and

**WHEREAS**, the City Clerk has tabulated all valid protests received by the conclusion of the December 20, 2022, Public Hearing and has determined that the number of valid protests received is insufficient to constitute a majority protest (50% plus 1).

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Blue Lake:

**SECTION 1: Recitals**. The above recitals are true and correct and are hereby incorporated by reference.

**SECTION 2: Protest Votes**. The number of unique parcels eligible to file a protest was 644. The number of valid protests required to prevent adoption of the proposed rate increases is 323. The number of valid protests received by the City at the end of the December 20, 2022 Public Hearing was \_\_\_\_\_.

**SECTION 3: Results of Protests**. The tabulation by the City Clerk of the number of valid

protests received on proposed water rates is accepted and sets forth that the protest results conclude that there is an insufficient number of valid protests received to constitute a majority protest to the proposed water rates, whereby allowing the consideration to adopt proposed water rates.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Blue Lake held on the 20<sup>th</sup> day of December, 2022.

On motion by \_\_\_\_\_ and seconded by \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF BLUE LAKE

\_\_\_\_\_  
Adelene Jones, Mayor

ATTEST:

\_\_\_\_\_  
Amanda Mager, City Manager/Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Ryan Plotz, City Attorney





# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road,  
Phone 707.668.5655

Blue Lake, CA 95525  
Fax 707.668.5916

## AGENDA REPORT

**Item #:** 6

**Date:** December 27, 2022

**Item Subject:** **Continuation of Public Hearing**-Amendment of Section 17.16.111 (Opportunity or O Zone) of the Municipal Code for the following purposes: 1) To allow emergency shelters as a principally permitted use type without discretionary review and subject to objective standards addressing onsite management and security, a limitation on the maximum number of beds, and the distance required between shelters. This use type would allow housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person; and 2) Revision of some of the stated purposes of the zone for internal consistency purposes-Hearing

**Submitted By:** Garry Rees, City Planner

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### **General Information:**

See Attached Staff Report

**Background Material Provided:** Staff Report

**Fiscal Impact:** N/A

**Recommended Action:** Conduct the Public Hearing

### **Review Information:**

City Manager Review:       Legal Review:       Planner Review:       Engineer:

Comments:





# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

DATE: December 5, 2022

FROM: Garry Rees, City Planner

TO: Blue Lake City Council

**RE: Amendment of Section 17.16.111 (Opportunity or O Zone) of Title 17 (Zoning) of the Blue Lake Municipal Code**

As previously discussed with the City Council, City staff is in the process of updating the General Plan Housing Element for the 6<sup>th</sup> cycle planning period (2019-2017). As part of this process, City staff submitted the draft Housing Element Update to the California Department of Housing and Community Development (HCD) at the end of May for a 90-day review period. On August 29, 2022, the City received a letter from HCD with comments on the Draft Update. One of the comments from HCD states that, prior to the Housing Element Update being considered for certification, the City must amend the Zoning Code to allow emergency shelters by right in a zone in the City. To address this requirement, the Planning Commission adopted a recommendation to the City Council on October 17, 2022 that proposes to amend the Opportunity (O) zone to allow emergency shelters. The Planning Commission recommendation also proposes revision of some of the stated purposes of the O zone for internal consistency purposes. Below is a discussion of the requirements for emergency shelters and the Planning Commission recommendation for amendment of the O zone.

## **Emergency Shelters**

Emergency shelters are defined by HCD as “*Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.*” Every jurisdiction must identify a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit (Government Code Section 65583.(a)(4)). The identified zone or zones must include sufficient capacity to accommodate the need for emergency shelters as identified in the Housing Element, and each jurisdiction must identify a zone or zones to accommodate at least one year-round shelter. Adequate sites can include sites with existing buildings that can be converted to emergency shelters to accommodate the need for emergency shelters.

Shelters may be subject only to development and management standards that apply to residential or commercial development in the same zone. A local government may apply written and objective standards that include all of the following:

- Maximum number of beds.
- Off-street parking based upon demonstrated need.
- Size and location of onsite waiting and intake areas.
- Provision of onsite management.
- Proximity to other shelters.
- Length of stay.
- Lighting.
- Security during hours when the shelter is open.

In the Draft Housing Element Update, it identifies the Mixed-Use (MU), Opportunity (O), or Planned Development Residential (PDR) zoning districts as potential locations for the development of emergency shelters. Since the properties in the MU and O zones are located in the Downtown and Powers Creek Districts, these areas are considered more suitable for emergency shelters due to their proximity to services and transit, and the limited environmental constraints on the available sites. Due to the limited availability of vacant land and lack of suitable vacant buildings in the Downtown area, the Planning Commission is recommending that the O zone be amended to allow emergency shelters since there are several vacant sites in the City with this zoning.

#### **Proposed Amendments to Opportunity (O) Zone**

Attached to this staff report is Resolution No. 3-2022, which contains the findings for the Planning Commission’s recommendation to the City Council for amendment of the O zone to allow emergency shelters (see **Attachment 1**). Exhibit “A” to the resolution contains the Planning Commission recommended text amendments to the O zone.

As shown in Exhibit “A”, the Planning Commission is recommending that the O zone be amended to include emergency shelters as a principally permitted use under Section 17.16.111.B.8. Additionally, the Planning Commission is recommending that emergency shelters be subject to the following objective standards:

- The shelters shall have onsite management and security shall be provided during hours when the shelter is open.
- Each shelter shall be limited to a maximum of 15 beds. The maximum number of beds is based on data for Blue Lake from the 2019 Unsheltered Point-in-Time (PIT) count conducted by the Humboldt Housing and Homeless Coalition. This PIT count identified 14 unsheltered persons in the greater Blue Lake area.  
<https://humboldt.gov/DocumentCenter/View/71341/20190220---HHHC-News-Release---Point-in-Time-Count-2019>  
 The PIT count from 2022 was not used because it lumped McKinleyville and Blue Lake together (total 32 unsheltered persons identified for both communities). Additionally, PIT counts were not conducted in 2020 and 2021.  
<https://humboldt.gov/DocumentCenter/View/107776/20220621---HHHC-Point-in-Time-Count-2022>
- There shall be a minimum separation of 300 feet between emergency shelters, which is the maximum separation allowed under State law.



The Planning Commission is also recommending that the discussion of Site Plan Approval requirements in Section 17.16.111.D.11 be amended to clearly state that no discretionary permit (such as Site Plan Approval) shall be required for emergency shelters.

Lastly, the Planning Commission is recommending that some of the stated purposes of the O zone be amended for internal consistency purposes. The stated purpose in Section 17.16.111.A.2 is not consistent with the development standards of the O zone, which allow up to 65 percent of the floor area of a structure to be developed with residential units. The zone is intended to allow for a compatible and beneficial mixture of commercial, manufacturing, and residential uses. Although the development standards of the zone prohibit residential-only development, they do not necessarily treat residential dwellings as a secondary use to commercial and manufacturing uses. To ensure the stated purposes of the O zone are consistent with the development standards, the Planning Commission is recommending that Sections 17.16.111.A.2 and 17.16.111.A.3 be amended to state the following:

2. This zone is ~~primarily intended for commercial and manufacturing uses with residential dwellings as a secondary use to promote~~ **encourage** a live-work type environment. ~~As a secondary use, residential dwellings shall be located above or behind the primary commercial or manufacturing uses.~~
3. This zone encourages craft-type manufacturing businesses with **and** retail commercial spaces on the ground floor **of structures and with multi-family residential development units on the upper floors located above or behind the commercial or manufacturing uses.**

#### **Ordinance 542**

This item is scheduled for hearing at the December 13, 2022 City Council meeting for the Council to introduce and conduct the first reading, by title only, of Ordinance 542 (see **Attachment 2**), an Ordinance of the City Council of the City of Blue Lake Amending Section 17.16.111 (Opportunity or O Zone) of Title 17 (Zoning) of the Blue Lake Municipal Code.

#### **RECOMMENDATION:**

Staff recommends that the City Council:

- 1) Receive a report from staff about Ordinance 542.
- 2) Open the public hearing and take public testimony.
- 3) Close the public hearing.
- 4) Introduce and perform the first reading of Ordinance 542 by title only.
- 5) Continue the public hearing to the December 27, 2022 City Council meeting for the second reading and adoption of Ordinance 542.

## **ATTACHMENT 1**

**Planning Commission Resolution No. 3-2022**



**RESOLUTION NO. 3-2022**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BLUE LAKE RECOMMENDING AMENDMENT OF SECTION 17.16.111 (OPPORTUNITY OR O ZONE) OF TITLE 17 (ZONING) OF THE BLUE LAKE MUNICIPAL CODE**

**WHEREAS**, the Blue Lake Planning Commission has before it for consideration the project defined as amendment of the following Section of Title 17 (Zoning) of the Blue Lake Municipal Code, to wit:

- A. Amendment of Section 17.16.111, Opportunity or O Zone, as set forth in Exhibit “A”, attached hereto and made a part hereof; and,

**WHEREAS**, after due notice of hearing, a public hearing was held at the regular meeting of the Blue Lake Planning Commission on October 17, 2022, to consider said project;

**NOW, THEREFORE**, be it resolved by the Planning Commission of the City of Blue Lake as follows:

1. The Planning Commission finds that the project is categorically exempt from CEQA pursuant to Section 15305 of the CEQA Guidelines allowing for minor alterations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density.
2. The Planning Commission finds that the proposed Zoning Code amendment is consistent with the existing applicable general and specific plans.
3. Pursuant to Government Code Section 65855 the Planning Commission hereby recommends to the City Council that the following Section of Title 17 (Zoning) of the Blue Lake Municipal Code be amended as follows:
  - A. Section 17.16.111, Opportunity or O Zone, be amended to read as set forth in Exhibit “A”, attached hereto and made a part hereof.
4. The reasons for this recommendation are set forth in the staff reports and minutes of September 19<sup>th</sup>, 2022 and October 17<sup>th</sup>, 2022 (Public Hearing), copies of which shall be transmitted to the Blue Lake City Council.
5. The Secretary of the Planning Commission is authorized and directed to transmit this resolution to the City Council of the City of Blue Lake.

**INTRODUCED, PASSED, AND ADOPTED** this 17<sup>th</sup> day of October 2022, by the following vote:

RESOLUTION NO. 3-2022

AYES: Eddy, Chapman, Pryor, Schang, Platz

NAYS: 0

ABSENT: 0

ABSTAIN: 0

  
Chairman, Planning Commission,  
City of Blue Lake

ATTEST:  
  
Secretary, Planning Commission

**Exhibit "A"**  
**To Resolution 3-2022**

**17.16.111 Opportunity or O Zone.**

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A. Purpose

1. The Opportunity Zone or O Zone is intended to allow for the compatible and beneficial mixture of commercial, manufacturing, and residential uses in a single structure or on a single or multiple sites in a manner consistent with the City's General Plan Goals and Policies.
2. This zone is ~~primarily intended for commercial and manufacturing uses with residential dwellings as a secondary use to promote~~ **encourage** a live-work type environment. ~~As a secondary use, residential dwellings shall be located above or behind the primary commercial or manufacturing uses.~~
3. This zone encourages craft-type manufacturing businesses with **and** retail commercial spaces on the ground floor **of structures** and **with** multi-family residential development **units** on the upper floors **located above or behind the commercial or manufacturing uses.**
4. This zone is designed to achieve a convenient business and residential environment in areas where multiple activities and an increased degree of pedestrian orientation and open space are considered to be desirable.
5. New structures and additions to existing structures shall be required to meet specific design standards.
6. Land uses in this zone shall be required to meet specific performance standards.

B. Principal Permitted Uses.

1. Light Manufacturing and Processing. This use type allows craft and art manufacturing businesses which manufacture items from wood, ceramics, fabric, metals or glass; food and beverage processing and bottling; and light to moderate manufacturing of products such as household goods, clothing, recreational goods, electrical products, furniture, architectural products, and automotive goods. This use type can include other light manufacturing and processing uses not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.
2. Distribution and Associated Warehousing. This use type allows nurseries and greenhouses (non-cannabis), distribution warehouses for consumer

**Exhibit "A"**  
**To Resolution 3-2022**

products, and indoor and outdoor storage facilities. This use type can include other distribution and associated warehousing uses not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.

3. **Commercial Services.** This use type allows a variety of commercial services of both a light and heavy commercial character. Light commercial uses means stores, agencies, and services such as food markets, bakery shops, restaurants, bars, art galleries, book stores, clothing stores, pharmacies, beauty and barber shops, hardware and appliance stores, laundry facilities (excluding dry cleaning), florists, tailor shops, enclosed theaters, and music venues. Heavy commercial uses mean equipment rental, repair of engines or appliances, furniture repair shops, contractor shops and yards (including carpentry, electrical, plumbing, painting, printing, publishing, lithograph shops and other artistic endeavors). This use type can include other commercial services not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.
4. **Professional Offices and Services.** This use type allows administrative and research activities; radio and television broadcasting stations and offices; medical, dental and related services; and professional consulting, real estate and financial services. It also allows personal service shops, such as banks, grooming services, visitor service facilities or businesses of a similar nature. This use type can include other professional offices and services not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.
5. **Recreation and Education.** This use type allows trails and outdoor recreational uses (e.g. sports fields, sports complex, outdoor performance venues, etc.), public and commercial recreational facilities and schools and training programs in the areas of arts, crafts and light manufacturing. It can include RV/camping facilities, performance or art studios, theaters, or other venues for public assembly. This use type can include other recreation and education uses not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.
6. **Public Works Facilities.** This use includes a City corporation yard and includes but is not limited to public works improvements, storage of materials, temporary holding of animals, and maintenance and repair of City equipment and vehicles.

**Exhibit "A"**  
**To Resolution 3-2022**

7. Four or Fewer Residential Dwellings Units. This use type allows up to four residential units per parcel at a maximum density of 1 unit per 2,500 square feet of lot area. Such residential units can include, but are not limited to, studios, condominiums, townhouses, and apartments. To be principally permitted, the residential units shall not be located on the ground floor of a structure and shall not exceed 35 percent of the floor area of a structure. For the purposes of the Opportunity (O) Zone, a residential dwelling unit is defined as having two or more bedrooms. One-bedroom units are allowed at a density of 1 per 1,250 square feet of lot area, or a total of 8 one-bedroom units per parcel as a principally permitted use.

**8. Emergency Shelters. This use type allows housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. The shelters shall have onsite management and security shall be provided during hours when the shelter is open. Each shelter shall be limited to a maximum of 15 beds. There shall be a separation of 300 feet between emergency shelters.**

C. Uses Permitted with a Use Permit.

1. Five or More Residential Dwelling Units. This use type allows five or more residential units per parcel at a maximum density of 1 unit per 2,500 square feet of lot area. Such dwellings can include, but are not limited to, studios, condominiums, townhouses, and apartments. With a use permit, the residential units shall not exceed 65 percent of the floor area of a structure. With a use permit, the residential units may also be located on the ground floor of a structure, but shall not front directly on the street or other non-vehicular access corridor (e.g. pedestrian/bicycle trails) and shall not exceed 50% of the floor area of the ground floor. For the purposes of the Opportunity Zone, a residential unit is defined as having two or more bedrooms. One-bedroom units are allowed at a density of 1 per 1,250 square feet of lot area. This use type allows nine or more one-bedroom units per parcel.

2. Other Uses. Listed uses that are not specifically principally permitted in the O Zone or not determined by the City Planner to be consistent with other principally permitted uses in the O Zone. This includes any other use which, in the opinion of the Planning Commission, is consistent with the intent of the zone, and will not constitute a nuisance or be detrimental to the district or surrounding land uses.

3. Exception to Development Standards. Projects that do not meet all the requirements in subsection D (Other Regulations), but, due to specific

**Exhibit "A"**  
**To Resolution 3-2022**

project design and amenities, conform to the purpose and intent of this section. As part of the review for this application type, additional technical studies may be required at the discretion of City staff to address potential impacts of the proposed exceptions. This could include, but is not limited to, preparation of a visual impact assessment, shadow analysis, biological report, lighting study, and noise study. Any technical studies required shall be prepared by a qualified professional as determined by City staff.

D. Other Regulations.

Specific site development guidelines have been prepared based on the design intent for the Opportunity (O) Zone. The objective of the guidelines is to help integrate buildings and other improvements with the topography and landscape to create a unified environment which is harmonious with the adjacent visual panorama.

1. Minimum lot area: 15,000 square feet.
2. Building coverage shall not exceed 70% of lot area.
3. Building height limit:
  - a. North of Taylor Way: Building height limits for properties north of Taylor Way are allowed to increase with distance from the trail that runs parallel to Powers Creek, as prescribed below.
    - i. Not exceeding 25 feet vertical within 50 feet horizontal of the closest edge of the trail that runs parallel to Powers Creek.
    - ii. Not exceeding 35 feet vertical from 50-100 feet horizontal of the closest edge of the trail that runs parallel to Powers Creek.
    - iii. Not exceeding 45 feet vertical beyond 100 feet horizontal of the closest edge of the trail that runs parallel to Powers Creek.
  - b. South of Taylor Way: Not exceeding 45 feet vertical.
4. Setbacks:
  - a. No building or parking or storage area shall be constructed within 50 feet horizontal of the centerline of the main branch of Powers Creek or its tributaries (e.g., South Fork Powers Creek). The zone



**Exhibit "A"**  
**To Resolution 3-2022**

thus created, 50 feet horizontal from the centerline of Powers Creek outward, shall be preserved primarily as an area of riparian vegetation. Trails, art installations, interpretive signs, lighting, benches, picnic areas, and habitat enhancement projects are allowable within this setback area.

- b. North of Taylor Way: For properties west of Monda Way and for parcel 025-201-018, no building or parking or storage area shall be constructed within 25 feet horizontal of the closest edge of the trail that runs parallel to Powers Creek. This area is intended to be reserved for open space and other amenities such as landscaping, art, and benches.

For properties east of Monda Way, excluding parcel 025-201-018, no building or parking or storage area shall be constructed within 10 feet horizontal of the property line that runs parallel to Powers Creek or its tributaries.

- c. South of Taylor Way: Buildings that exceed 25 feet vertical shall be required to be located a minimum of 25 feet horizontal from any public right-of-way.
  - d. No building or parking or storage area shall be constructed within 50 feet horizontal of the boundary of the Blue Lake Rancheria. The zone thus created, 50 feet horizontal from the boundary of the Blue Lake Rancheria, shall be preserved as an undeveloped area of open space or riparian vegetation.
- 5. Manufacturing uses in this zone are required to be located on the ground floor of a structure.
  - 6. Residential uses in this zone are required to be situated and designed to minimize impacts from adjacent heavy commercial and industrial uses.
  - 7. Parking and loading areas:
    - a. Sufficient onsite parking, as prescribed in Sections 17.24.100 and 17.24.230, shall be provided for employees, visitors and company vehicles.
    - b. The City Planner may waive off-street parking otherwise required if sufficient parking is proposed to be provided at a common off-site parking area. This shall not apply to accessible off-street parking spaces required by the American with Disabilities Act (ADA) or California Building Code.

**Exhibit “A”  
To Resolution 3-2022**

- c. Off-street loading as prescribed in Section 17.24.110.
8. Utilities:
- a. All site improvements shall be designed to accommodate underground utilities and shall be required to convert to such as they become available. Utilities shall include, but are not limited to, drainage systems, sanitary sewers, gas, water, power, cable and telephone.
  - b. Within each site, utility lines may be located above ground if they are incorporated and concealed within buildings, trellises, or special architectural features.
  - c. Temporary overhead power and telephone lines will be permitted during construction, but are to be removed upon completion of construction.
9. Landscaping: A landscaping plan will be required for each site showing the locations, names, and initial sizes of plant materials, irrigation plan and groundcover materials. Ongoing maintenance and replacement (when needed) is a requirement of all uses within the O Zone. The City Planner will review each landscaping plan for approval. Landscape requirements are defined in Section 17.24.240. Where possible, required landscaping areas may also serve as areas for infiltration of stormwater runoff, subject to review and approval by the City Engineer. Landscaping shall be maintained to comply with the requirements of the Solar Shade Protection Act (Public Resources Code § 25980 – 25986).
10. Open Space: Common usable open space shall be required for all residential development. There shall be one hundred (100) square feet of common usable open space required for each bedroom. Usable open space may consist of outdoor area on the ground, in required setbacks or on any balcony, deck, porch, or rooftop which is designed and accessible for outdoor living, recreation, and pedestrian access complying with the following provisions:
- a. Required parking areas and their driveways and required minimum landscaping areas shall not be included in computing usable open space.
  - b. Areas included in computing common usable open space shall be accessible to all units in common and no such required space shall be less than three hundred (300) square feet in area and shall have no dimension less than fifteen (15) feet. Rooftop gardens and rooftop landscaping may be used to satisfy this requirement. No

**Exhibit "A"**  
**To Resolution 3-2022**

more than 50% of the required usable open space area shall be hardscape (e.g. concrete, asphalt, etc.), except in the case of private open space provided on the upper floors of a structure as allowed under subsection g.

- c. Each element of usable open space shall be completely open on at least one (1) side and shall have a clear vertical height of not less than seven (7) feet, and not less than fifty (50) percent of the total required usable open space shall be unobstructed to the sky.
  - d. Usable open space shall be improved to support passive or active use by residents. The computation of such open space shall include no obstructions other than devices and structures designed to enhance its usability, such as art, planters, benches, fountains, and landscaping.
  - e. Usable open space shall be situated and designed to minimize impacts from adjacent heavy commercial and industrial uses.
  - f. Where possible, pervious areas set aside as usable open space may also serve as areas for infiltration of stormwater runoff, subject to review and approval by the City Engineer.
  - g. Private usable open space may be substituted for common usable open space at a ratio three (3) square feet of private open space for every two (2) square feet of common open space required, provided such element of open space either has an area of at least one hundred fifty (150) square feet, with no dimension less than ten (10) feet, if located at ground level, or an area of at least fifty (50) square feet, with no dimension less than six (6) feet, if located above ground level.
  - h. The City Planner may waive the requirement to provide usable open space on-site if sufficient usable open space is proposed to be provided at a common off-site area.
11. Site Plan Approval, as prescribed in Section 17.24.250, is required for new development, exterior additions to existing development, and the permanent or temporary placement and use of large stationary equipment outdoors. **Pursuant to Government Code Section 65583(a)(4), emergency shelters must be allowed as a permitted use without discretionary review such as Site Plan Approval.** The Planning Commission may develop additional guidelines in written form that provides direction for meeting criteria listed in Section 17.24.250.

**Exhibit "A"**  
**To Resolution 3-2022**

E. Performance Standards.

Projects must be designed and operated to comply with the following performance standards to minimize potential impacts during long-term operation. Special studies (e.g. noise studies, lighting plans, etc.), as determined by the City Planner, may be required to be submitted during processing of planning or building permit applications to provide evidence that compliance can be achieved prior to consideration of the project by the Planning Commission or issuance of building permits.

1. Toxic Substances. Any use which involves processes that will result in toxic substances or pollutants escaping (by air or water) from the site shall comply with all applicable Local, State and Federal regulations and shall require a use permit from the Planning Commission. Medical wastes are to be disposed of according to all applicable regulations. All processes shall comply with the applicable Local, State and Federal laws regarding airborne and waterborne emissions.
2. Signs. Any signs that will be used on-site, as well as signs on buildings, must be approved by the City Planner before they are posted. Free-standing signs shall be limited to 50 square feet in size and the top thereof shall not be higher than 10 feet above the ground. Signs shall be consistent with the general sign motif established for the Opportunity (O) Zone.
3. Lighting/Glare. Outdoor lighting shall be approved by the Planning Commission through the Site Plan Approval process as specified in Section 17.24.250. All outdoor lighting shall be designed to meet the following requirements:
  - a. All lighting fixtures shall comply with the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light ("dark sky compliant"). This includes, but is not limited to, requirements for acceptable fixture types and maximum color temperature.
  - b. All lighting fixtures shall be the minimum lumens required for safety and security.
  - c. All lighting fixtures shall be shielded and directed downward to minimize lighting shining on adjacent properties or natural areas. Shielded shall mean that the light rays are directed onto the site, and the light source (e.g., bulb, tube, etc.) is not visible beyond the property boundary of the site of the light source.



**Exhibit "A"**  
**To Resolution 3-2022**

- d. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness.
- e. Stand-alone light fixtures shall be limited to a maximum of 20 feet vertical.
- f. No lighting shall produce an illumination level greater than one-foot candle beyond the property boundary of the site of the light source.

Building materials or other site improvements that cause glare to nearby properties are prohibited.

- 4. Noise. No use, activity, or process shall generate noise in excess of the noise level standards in Section 17.24.280(C)(3). New uses that are estimated to exceed the noise level standards in Section 17.24.280(C)(3), shall be required to incorporate noise mitigation measures into the project design to ensure compliance. Existing uses that are determined to exceed the noise level standards in Section 17.24.280(C)(3), shall be required to implement effective noise mitigation measures to achieve compliance.
- 5. Dust. Any use that results in dust escaping from the site is required to mitigate to reduce the dust. Refer to North Coast Unified Air Quality Management District regulations for current limitations and requirements.
- 6. Sewage. Sewage disposal shall require on-site improvements (interceptor tanks, grease traps, etc.) for those uses that are determined by the Public Works Director to generate wastes that may cause a difficulty to the treatment system.
- 7. Odors. No use shall be permitted which creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the zoning district.
- 8. Storage, Service and Loading Areas.
  - a. Storage, service and loading areas shall be recessed or screened with fences, walls, berms, or plantings to reduce their visibility from adjacent streets or properties.
  - b. Materials, equipment, supplies, trash containers, inoperable vehicles, etc. shall be stored within an enclosed building or behind visual barriers such as fences, walls, berms, or plantings.
- 9. No use shall be permitted which does not comply with State and Federal laws.



**Exhibit "A"**  
**To Resolution 3-2022**

F. Zoning Map Designation.

The Zoning Map designation for the O Zone shall be "O".

## **ATTACHMENT 2**

**Ordinance 542**

**ORDINANCE NO. 542**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE  
AMENDING SECTION 17.16.111 (OPPORTUNITY OR O ZONE) OF TITLE 17  
(ZONING) OF THE BLUE LAKE MUNICIPAL CODE**

WHEREAS, pursuant to its broad police powers, the City Council of the City of Blue Lake is authorized to adopt reasonable regulations governing the use of real property within the City of Blue Lake;

WHEREAS, pursuant to Section 17.28.010 of Title 17 of the Blue Lake Municipal Code, the City Council has the authority to amend the Zoning Code of the City of Blue Lake to, among other things, adopt reasonable land use regulations within such zones;

WHEREAS, pursuant to timely notice as required by to Section 17.28.010 of the Blue Lake Municipal Code, the Planning Commission of the City of Blue Lake held a public hearing on October 17, 2022 to study and make recommendations to the City Council on the proposed amendments contained herein, at which hearing members of the public were invited to provide input;

WHEREAS, pursuant to Resolution No. 3-2022, adopted by the Planning Commission on October 17, 2022, the Planning Commission submitted its written recommendations to the City Council on the proposed amendments contained herein;

WHEREAS, pursuant to Section 17.28.010(J) of the Blue Lake Municipal Code, the City Council held a public hearing on December 13, 2022, to consider approving, modifying or disapproving the recommendation of the Planning Commission;

WHEREAS, the City Council has approved, with minor modification previously considered by the Planning Commission, the recommendations of the Planning Commission, as hereinafter set forth;

WHEREAS, the City Council has considered the staff report, supporting documents, public testimony, Planning Commission Resolution No. 3-2022, and all appropriate information that has been submitted with this Ordinance; and

WHEREAS, the City Council finds that the regulations set forth below are consistent with the General Plan of the City of Blue Lake and are reasonable.

**NOW THEREFORE, the City Council of the City of Blue Lake does ordain as follows:**

**Section 1. Code Amendment.** Section 17.16.111 of Title 17 of the Blue Lake Municipal Code is hereby amended as set forth in Exhibit "1" to this Ordinance as if set forth in full herein. All deletions to Section 17.16.111 are shown as strike out text and all additions to Section 17.16.111 are shown in bold, underlined text. Without modifying the substance, following approval of this Ordinance, the City Clerk shall cause the amendments adopted herein to be

consistent in form and style with the Blue Lake Municipal Code.

**Section 2. Findings. The City Council hereby finds as follows:**

A. The above recitals are each incorporated by reference and adopted as findings by the City Council.

B. The proposed amendments to Section 17.16.111 of Title 17 of the Blue Lake Municipal Code, as set forth in Section 1 are consistent with the General and Specific Plans of the City of Blue Lake, in that the additional land use authorized by the proposed amendments are compatible with the objectives, policies, general land uses, and programs specified in the general plan.

C. The additional land use proposed in the Opportunity Zone (i.e., emergency shelters) is consistent and compatible with those uses currently existing or allowed and/or are further limited by the existing development standards and performance standards in the zone and by the proposed objective standards specific to emergency shelters.

D. The public necessity, convenience and general welfare requires, and is best promoted by, the adoption of the zone amendment set forth in Section 1, above.

**Section 3. CEQA.** The City has reviewed the Ordinance for compliance with the California Environmental Quality Act (CEQA) and has determined that the Ordinance is Categorical Exempt pursuant to Section 15305 of the CEQA Guidelines allowing minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density.

**Section 4. Severability.** If any subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each and every subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

**Section 5. Effective Date.** The effective date of this Ordinance is thirty (30) days after its adoption by the City Council.

**INTRODUCED AND FIRST READING PERFORMED** on the 13th day of December, 2022 by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_

**SECOND READING PERFORMED AND ADOPTED** on the 27th day of December, 2022, at a regular meeting of the City Council, by the following vote:

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:  
ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_



## EXHIBIT "1"

### 17.16.111 Opportunity or O Zone.

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#### A. Purpose

1. The Opportunity Zone or O Zone is intended to allow for the compatible and beneficial mixture of commercial, manufacturing, and residential uses in a single structure or on a single or multiple sites in a manner consistent with the City's General Plan Goals and Policies.
2. This zone is ~~primarily intended for commercial and manufacturing uses with residential dwellings as a secondary use to promote~~ **encourage** a live-work type environment. ~~As a secondary use, residential dwellings shall be located above or behind the primary commercial or manufacturing uses.~~
3. This zone encourages craft-type manufacturing businesses ~~with~~ **and** retail commercial spaces on the ground floor ~~of structures and with~~ multi-family residential development ~~units on the upper floors~~ **located above or behind commercial or manufacturing spaces.**
4. This zone is designed to achieve a convenient business and residential environment in areas where multiple activities and an increased degree of pedestrian orientation and open space are considered to be desirable.
5. New structures and additions to existing structures shall be required to meet specific design standards.
6. Land uses in this zone shall be required to meet specific performance standards.

#### B. Principal Permitted Uses.

1. Light Manufacturing and Processing. This use type allows craft and art manufacturing businesses which manufacture items from wood, ceramics, fabric, metals or glass; food and beverage processing and bottling; and light to moderate manufacturing of products such as household goods, clothing, recreational goods, electrical products, furniture, architectural products, and automotive goods. This use type can include other light manufacturing and processing uses not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.

2. Distribution and Associated Warehousing. This use type allows nurseries and greenhouses (non-cannabis), distribution warehouses for consumer products, and indoor and outdoor storage facilities. This use type can include other distribution and associated warehousing uses not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.
3. Commercial Services. This use type allows a variety of commercial services of both a light and heavy commercial character. Light commercial uses means stores, agencies, and services such as food markets, bakery shops, restaurants, bars, art galleries, book stores, clothing stores, pharmacies, beauty and barber shops, hardware and appliance stores, laundry facilities (excluding dry cleaning), florists, tailor shops, enclosed theaters, and music venues. Heavy commercial uses mean equipment rental, repair of engines or appliances, furniture repair shops, contractor shops and yards (including carpentry, electrical, plumbing, painting, printing, publishing, lithograph shops and other artistic endeavors). This use type can include other commercial services not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.
4. Professional Offices and Services. This use type allows administrative and research activities; radio and television broadcasting stations and offices; medical, dental and related services; and professional consulting, real estate and financial services. It also allows personal service shops, such as banks, grooming services, visitor service facilities or businesses of a similar nature. This use type can include other professional offices and services not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.
5. Recreation and Education. This use type allows trails and outdoor recreational uses (e.g. sports fields, sports complex, outdoor performance venues, etc.), public and commercial recreational facilities and schools and training programs in the areas of arts, crafts and light manufacturing. It can include RV/camping facilities, performance or art studios, theaters, or other venues for public assembly. This use type can include other recreation and education uses not described above which in the opinion of the City Planner are of the same general character, are consistent with the purpose and intent of this section, and will not be obnoxious or detrimental to the O Zone.
6. Public Works Facilities. This use includes a City corporation yard and includes but is not limited to public works improvements, storage of materials, temporary holding of animals, and maintenance and repair of City equipment and vehicles.

7. Four or Fewer Residential Dwellings Units. This use type allows up to four residential units per parcel at a maximum density of 1 unit per 2,500 square feet of lot area. Such residential units can include, but are not limited to, studios, condominiums, townhouses, and apartments. To be principally permitted, the residential units shall not be located on the ground floor of a structure and shall not exceed 35 percent of the floor area of a structure. For the purposes of the Opportunity (O) Zone, a residential dwelling unit is defined as having two or more bedrooms. One-bedroom units are allowed at a density of 1 per 1,250 square feet of lot area, or a total of 8 one-bedroom units per parcel as a principally permitted use.
8. **Emergency Shelters. This use type allows housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. The shelters shall have onsite management and security shall be provided during hours when the shelter is open. Each shelter shall be limited to a maximum of 15 beds. There shall be a separation of 300 feet between emergency shelters.**

C. Uses Permitted with a Use Permit.

1. Five or More Residential Dwelling Units. This use type allows five or more residential units per parcel at a maximum density of 1 unit per 2,500 square feet of lot area. Such dwellings can include, but are not limited to, studios, condominiums, townhouses, and apartments. With a use permit, the residential units shall not exceed 65 percent of the floor area of a structure. With a use permit, the residential units may also be located on the ground floor of a structure, but shall not front directly on the street or other non-vehicular access corridor (e.g. pedestrian/bicycle trails) and shall not exceed 50% of the floor area of the ground floor. For the purposes of the Opportunity Zone, a residential unit is defined as having two or more bedrooms. One-bedroom units are allowed at a density of 1 per 1,250 square feet of lot area. This use type allows nine or more one-bedroom units per parcel.
2. Other Uses. Listed uses that are not specifically principally permitted in the O Zone or not determined by the City Planner to be consistent with other principally permitted uses in the O Zone. This includes any other use which, in the opinion of the Planning Commission, is consistent with the intent of the zone, and will not constitute a nuisance or be detrimental to the district or surrounding land uses.
3. Exception to Development Standards. Projects that do not meet all the requirements in subsection D (Other Regulations), but, due to specific project design and amenities, conform to the purpose and intent of this section. As part of the review for this application type, additional technical studies may be required at the discretion of City staff to address potential impacts of the proposed exceptions. This could include, but is not limited to, preparation of a visual impact assessment, shadow analysis, biological report, lighting study, and noise



study. Any technical studies required shall be prepared by a qualified professional as determined by City staff.

D. Other Regulations.

Specific site development guidelines have been prepared based on the design intent for the Opportunity (O) Zone. The objective of the guidelines is to help integrate buildings and other improvements with the topography and landscape to create a unified environment which is harmonious with the adjacent visual panorama.

1. Minimum lot area: 15,000 square feet.
2. Building coverage shall not exceed 70% of lot area.
3. Building height limit:
  - a. North of Taylor Way: Building height limits for properties north of Taylor Way are allowed to increase with distance from the trail that runs parallel to Powers Creek, as prescribed below.
    - i. Not exceeding 25 feet vertical within 50 feet horizontal of the closest edge of the trail that runs parallel to Powers Creek.
    - ii. Not exceeding 35 feet vertical from 50-100 feet horizontal of the closest edge of the trail that runs parallel to Powers Creek.
    - iii. Not exceeding 45 feet vertical beyond 100 feet horizontal of the closest edge of the trail that runs parallel to Powers Creek.
  - b. South of Taylor Way: Not exceeding 45 feet vertical.
4. Setbacks:
  - a. No building or parking or storage area shall be constructed within 50 feet horizontal of the centerline of the main branch of Powers Creek or its tributaries (e.g., South Fork Powers Creek). The zone thus created, 50 feet horizontal from the centerline of Powers Creek outward, shall be preserved primarily as an area of riparian vegetation. Trails, art installations, interpretive signs, lighting, benches, picnic areas, and habitat enhancement projects are allowable within this setback area.
  - b. North of Taylor Way: For properties west of Monda Way and for parcel 025-201-018, no building or parking or storage area shall be constructed within 25 feet horizontal of the closest edge of the trail that runs parallel to Powers Creek. This area is intended to be reserved for open space and other amenities such as landscaping, art, and benches.

For properties east of Monda Way, excluding parcel 025-201-018, no building or parking or storage area shall be constructed within 10 feet horizontal of the property line that runs parallel to Powers Creek or its tributaries.

- c. South of Taylor Way: Buildings that exceed 25 feet vertical shall be required to be located a minimum of 25 feet horizontal from any public right-of-way.
  - d. No building or parking or storage area shall be constructed within 50 feet horizontal of the boundary of the Blue Lake Rancheria. The zone thus created, 50 feet horizontal from the boundary of the Blue Lake Rancheria, shall be preserved as an undeveloped area of open space or riparian vegetation.
- 5. Manufacturing uses in this zone are required to be located on the ground floor of a structure.
  - 6. Residential uses in this zone are required to be situated and designed to minimize impacts from adjacent heavy commercial and industrial uses.
  - 7. Parking and loading areas:
    - a. Sufficient onsite parking, as prescribed in Sections 17.24.100 and 17.24.230, shall be provided for employees, visitors and company vehicles.
    - b. The City Planner may waive off-street parking otherwise required if sufficient parking is proposed to be provided at a common off-site parking area. This shall not apply to accessible off-street parking spaces required by the American with Disabilities Act (ADA) or California Building Code.
    - c. Off-street loading as prescribed in Section 17.24.110.
  - 8. Utilities:
    - a. All site improvements shall be designed to accommodate underground utilities and shall be required to convert to such as they become available. Utilities shall include, but are not limited to, drainage systems, sanitary sewers, gas, water, power, cable and telephone.
    - b. Within each site, utility lines may be located above ground if they are incorporated and concealed within buildings, trellises, or special architectural features.



- c. Temporary overhead power and telephone lines will be permitted during construction, but are to be removed upon completion of construction.
9. Landscaping: A landscaping plan will be required for each site showing the locations, names, and initial sizes of plant materials, irrigation plan and groundcover materials. Ongoing maintenance and replacement (when needed) is a requirement of all uses within the O Zone. The City Planner will review each landscaping plan for approval. Landscape requirements are defined in Section 17.24.240. Where possible, required landscaping areas may also serve as areas for infiltration of stormwater runoff, subject to review and approval by the City Engineer. Landscaping shall be maintained to comply with the requirements of the Solar Shade Protection Act (Public Resources Code § 25980 – 25986).
10. Open Space: Common usable open space shall be required for all residential development. There shall be one hundred (100) square feet of common usable open space required for each bedroom. Usable open space may consist of outdoor area on the ground, in required setbacks or on any balcony, deck, porch, or rooftop which is designed and accessible for outdoor living, recreation, and pedestrian access complying with the following provisions:
- a. Required parking areas and their driveways and required minimum landscaping areas shall not be included in computing usable open space.
  - b. Areas included in computing common usable open space shall be accessible to all units in common and no such required space shall be less than three hundred (300) square feet in area and shall have no dimension less than fifteen (15) feet. Rooftops gardens and rooftop landscaping may be used to satisfy this requirement. No more than 50% of the required usable open space area shall be hardscape (e.g. concrete, asphalt, etc.), except in the case of private open space provided on the upper floors of a structure as allowed under subsection g.
  - c. Each element of usable open space shall be completely open on at least one (1) side and shall have a clear vertical height of not less than seven (7) feet, and not less than fifty (50) percent of the total required usable open space shall be unobstructed to the sky.
  - d. Usable open space shall be improved to support passive or active use by residents. The computation of such open space shall include no obstructions other than devices and structures designed to enhance its usability, such as art, planters, benches, fountains, and landscaping.
  - e. Usable open space shall be situated and designed to minimize impacts from adjacent heavy commercial and industrial uses.

- f. Where possible, pervious areas set aside as usable open space may also serve as areas for infiltration of stormwater runoff, subject to review and approval by the City Engineer.
  - g. Private usable open space may be substituted for common usable open space at a ratio three (3) square feet of private open space for every two (2) square feet of common open space required, provided such element of open space either has an area of at least one hundred fifty (150) square feet, with no dimension less than ten (10) feet, if located at ground level, or an area of at least fifty (50) square feet, with no dimension less than six (6) feet, if located above ground level.
  - h. The City Planner may waive the requirement to provide usable open space on-site if sufficient usable open space is proposed to be provided at a common off-site area.
11. Site Plan Approval, as prescribed in Section 17.24.250, is required for new development, exterior additions to existing development, and the permanent or temporary placement and use of large stationary equipment outdoors. **To the extent required by Government Code Section 65583(a)(4), emergency shelters shall be allowed as a permitted use without a conditional use or other discretionary permit.** The Planning Commission may develop additional guidelines in written form that provides direction for meeting criteria listed in Section 17.24.250.

E. Performance Standards.

Projects must be designed and operated to comply with the following performance standards to minimize potential impacts during long-term operation. Special studies (e.g. noise studies, lighting plans, etc.), as determined by the City Planner, may be required to be submitted during processing of planning or building permit applications to provide evidence that compliance can be achieved prior to consideration of the project by the Planning Commission or issuance of building permits.

- 1. Toxic Substances. Any use which involves processes that will result in toxic substances or pollutants escaping (by air or water) from the site shall comply with all applicable Local, State and Federal regulations and shall require a use permit from the Planning Commission. Medical wastes are to be disposed of according to all applicable regulations. All processes shall comply with the applicable Local, State and Federal laws regarding airborne and waterborne emissions.
- 2. Signs. Any signs that will be used on-site, as well as signs on buildings, must be approved by the City Planner before they are posted. Free-standing signs shall be limited to 50 square feet in size and the top thereof shall not be higher than 10 feet above the ground. Signs shall be consistent with the general sign motif established for the Opportunity (O) Zone.

3. Lighting/Glare. Outdoor lighting shall be approved by the Planning Commission through the Site Plan Approval process as specified in Section 17.24.250. All outdoor lighting shall be designed to meet the following requirements:
  - a. All lighting fixtures shall comply with the International Dark Sky Association's (IDA) requirements for reducing waste of ambient light ("dark sky compliant"). This includes, but is not limited to, requirements for acceptable fixture types and maximum color temperature.
  - b. All lighting fixtures shall be the minimum lumens required for safety and security.
  - c. All lighting fixtures shall be shielded and directed downward to minimize lighting shining on adjacent properties or natural areas. Shielded shall mean that the light rays are directed onto the site, and the light source (e.g., bulb, tube, etc.) is not visible beyond the property boundary of the site of the light source.
  - d. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness.
  - e. Stand-alone light fixtures shall be limited to a maximum of 20 feet vertical.
  - f. No lighting shall produce an illumination level greater than one-foot candle beyond the property boundary of the site of the light source.

Building materials or other site improvements that cause glare to nearby properties are prohibited.

4. Noise. No use, activity, or process shall generate noise in excess of the noise level standards in Section 17.24.280(C)(3). New uses that are estimated to exceed the noise level standards in Section 17.24.280(C)(3), shall be required to incorporate noise mitigation measures into the project design to ensure compliance. Existing uses that are determined to exceed the noise level standards in Section 17.24.280(C)(3), shall be required to implement effective noise mitigation measures to achieve compliance.
5. Dust. Any use that results in dust escaping from the site is required to mitigate to reduce the dust. Refer to North Coast Unified Air Quality Management District regulations for current limitations and requirements.
6. Sewage. Sewage disposal shall require on-site improvements (interceptor tanks, grease traps, etc.) for those uses that are determined by the Public Works Director to generate wastes that may cause a difficulty to the treatment system.

7. Odors. No use shall be permitted which creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the zoning district.
8. Storage, Service and Loading Areas.
  - a. Storage, service and loading areas shall be recessed or screened with fences, walls, berms, or plantings to reduce their visibility from adjacent streets or properties.
  - b. Materials, equipment, supplies, trash containers, inoperable vehicles, etc. shall be stored within an enclosed building or behind visual barriers such as fences, walls, berms, or plantings.
9. No use shall be permitted which does not comply with State and Federal laws.

F. Zoning Map Designation.

The Zoning Map designation for the O Zone shall be "O".







# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

## AGENDA REPORT

**Item #:** 7  
**Date:** December 27, 2022  
**Item Subject:** Blue Lake Public Safety Commission 2023 Work Plan Presentation  
**Submitted By:** Mandy Mager, City Manager

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### **General Information:**

The Blue Lake Public Safety Commission will present their Annual Work Plan for 2023; Commissioner Jason Crews will be available to present the plan for Council's consideration.

**Background Material Provided:** Draft Work Plan

**Fiscal Impact:** N/A

**Recommended Action:** Accept the Commission's 2023 Work Plan

### **Review Information:**

City Manager Review:  Legal Review:  Planner Review:  Engineer:

Comments:



# Public Safety Commission

## 2023 Work Plan

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### Wildfire Safety & Preparedness



- Work with resource agencies and the City on wildfire preparedness issues, including specific objectives identified in the City's Hazard Mitigation Plan and the Community Wildfire Protection Plan

### Community Observe and Report Program

### Community Surveillance Program



### Community Watch

- Actively engage with area resource providers including Neighborhood Watch, PODS, Sheriff, SCOP, Fire District, CERT, etc...
- Pursue ongoing training for community members and continue to develop capacity to increase security measures in the community.
- Encourage and promote Neighborhood Watch Programs

### Tabletop Exercise



- Plan and execute a Blue Lake specific tabletop exercise in partnership with local and regional response agencies and partners, including the Blue Lake Fire District, CERT and Humboldt County OES.

### Community Empowerment & Outreach



- Update the public safety brochure and develop additional outreach methods for public dissemination
- Meet with individual neighborhoods to assess area specific concerns
- Actively promote the Humboldt Alert System through social media, tabling, events, etc....





# CITY OF BLUE LAKE

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Blue Lake, CA 95525  
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## AGENDA REPORT

**Item #:** 8

**Date:** December 27, 2022

**Item Subject:** **Public Hearing:** City of Blue Lake Permanent Local Housing Allocation Work Plan (PLHA): Approving activities associated with the predevelopment, development, acquisition, rehabilitation and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low, very low-, low-, or moderate-income households, including necessary operating subsidies

**Submitted By:** Mandy Mager, City Manager

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### General Information:

The City of Blue Lake is eligible for funding from the State of California's Permanent Local Housing Allocation Program. The City is eligible for approximately \$290,000 in funding to support affordable housing development. The City is eligible for the funding due to the City's progress in attaining a certified housing element.

As part of the funding process, the State requires that the City conduct a public hearing regarding the City's proposed work plan. Council may then take action on an adopting resolution that identifies the work plan activities.

**Background Material Provided:** Draft Work Plan

**Fiscal Impact:** Funding allocation of \$290,000.00

**Recommended Action:** Conduct the Public Hearing

### Review Information:

City Manager Review:  Legal Review:  Planner Review:  Engineer:

Comments:







# CITY OF BLUE LAKE

Post Office Box 458,  
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Blue Lake, CA 95525 Phone  
Fax 707.668.5916

## NOTICE OF PUBLIC HEARING

Notice is Hereby given that the City Council of the City of Blue Lake will conduct a Public Hearing on the City of Blue Lake's Permanent Local Housing Allocation Work Plan on December 27, 2022.

The City Council meeting will be held at 6:30 PM at the Skinner Store behind Blue Lake City Hall, 111 Greenwood Road, Tuesday, December 27, 2022. Public input can also be given to the City Council by emailing [citymanager@bluelake.ca.gov](mailto:citymanager@bluelake.ca.gov) until 4:30 PM on Tuesday, December 27, 2022. The City Council may continue the public hearing to a specified date.

**All interested parties are invited to attend and provide comment.**

Documents relating to the public hearing will be available for review on the City's website ([www.bluelake.ca.gov](http://www.bluelake.ca.gov)) and at City Hall, 111 Greenwood Road, Blue Lake, CA, weekdays, 9:00 AM to noon, and 1:00 PM to 4:00 PM after December 15, 2022.

Posted: December 15, 2022





**Local Government Formula Allocation for New Applicants**

Rev. 2/16/22

<b>Eligible Applicant Type:</b> Nonentitlement.	
<b>Local Government Recipient of PLHA Formula Allocation:</b> Blue Lake	
2020 PLHA NOFA Formula Allocation Amount:	\$68,285
2021 PLHA NOFA Formula Allocation Amount:	\$105,521
2022 PLHA NOFA Formula Allocation Amount:	\$117,957
2020 NOFA Allowable Local Admin (5%):	\$3,414
2021 NOFA Allowable Local Admin (5%):	\$5,276
2022 NOFA Allowable Local Admin (5%):	\$5,898
Instructions: If the Local Government Recipient of the PLHA Formula Allocation delegated its PLHA formula allocation to a Local Housing Trust Fund or to another Local Government, the Applicant (for which information is required below) is the Local Housing Trust Fund or administering Local Government. The PLHA award will be made to the Applicant (upon meeting threshold requirements) and the Applicant is responsible for meeting all program requirements throughout the term of the Standard Agreement.	
The 302(c)(4) Plan template worksheet requires first choosing one or more of the Eligible Activities listed below. If "Yes" is clicked, the 302(c)(4) Plan worksheet opens a series of questions about what precise activities are planned. Some specific activities, such as providing downpayment assistance to lower-income households for acquisition of an affordable home, could be included under either Activity 2 or 9. Please only choose one of those Activities; don't list the downpayment assistance under both Activities.	
If the PLHA funds are used for the same Activity but for different Area Median Income (AMI) level, select the same Activity twice (or more times) and the different AMI level the Activity will serve. Please enter the percentage of funds allocated to the Activity in only the first Activity listing to avoid double counting the funding allocation.	
<b>For each year (2019-2023), allocations must equal 100% annually including the allowable administrative costs of up to 5%.</b>	
<b>Eligible Applicants §300</b>	
§300(a) and (b) Eligible Applicants for the Entitlement and Non-Entitlement formula component described in Section §100(b)(1) and (2) are limited to the metropolitan cities and urban counties allocated a grant for the federal fiscal year 2017 pursuant to the federal CDBG formula specified in 42 USC, Section §5306 and Non-entitlement local governments.	
Applicant: City of Blue Lake	
Address: 111 Greenwood Road	
City: Blue Lake	State: CA
Zip:	County: Humboldt
Auth Rep Name: Mandy Mager	Title: City Manager
Auth Rep. Email: citymanager@bluelake.ca.gov	Phone: 707-668-5655
Address: 111 Greenwood Road	City: Blue Lake
State: CA	Zip Code: 95525
Contact Name: Chris Westlake	Title: Consultant
Contact Email: chris@chriswestlake.net	Contact Phone: 916-872-3132
Address: 3075 Aspen Drive	City: Penryn
State: CA	Zip Code: 95663
§300(d) Is Applicant delegated by another Local government to administer on its behalf its formula allocation of program funds? <span style="float:right">No</span>	
§300(d) If Applicant answered "Yes" above, has the Applicant attached the legally binding agreement required by §300 (c) and (d)? <span style="float:right">A sample agreement can be found by double clicking on the icon to the right</span>	
File Name: <a href="#">Application and Adopting the PLHA Plan (2019-2023 Allocations) Reso</a>	Pursuant to section 302(c)(4) of the Guidelines, Applicant's PLHA Plan for 2019-2023 allocations is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.
File Name: <a href="#">App1 TIN</a>	Legally binding agreement between Delegating and Administering Local Governments (sample provided—just click on icon in row 17, column A)
File Name: <a href="#">Applicant Delegation Agreement</a>	Legally binding agreement between Delegating and Administering Local Governments (sample provided—just click on icon in row 17, column A)
Yes	Uploaded to HCD? Yes
Yes	Uploaded to HCD? Yes
Yes	Uploaded to HCD? N/A
<b>Eligible Activities, §301</b>	
§301(a) Eligible activities are limited to the following:	
§301(a)(1) The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary operating subsidies.	<input checked="" type="checkbox"/> YES
§301(a)(2) The predevelopment, development, acquisition, rehabilitation, and preservation of affordable rental and ownership housing, including Accessory Dwelling Units (ADUs), that meets the needs of a growing workforce earning up to 120 percent of AMI, or 150 percent of AMI in high-cost areas. ADUs shall be available for occupancy for a term of no less than 30 days.	<input type="checkbox"/> YES
§301(a)(3) Matching portions of funds placed into Local or Regional Housing Trust Funds.	<input type="checkbox"/> YES
§301(a)(4) Matching portions of funds available through the Low- and Moderate-Income Housing Asset Fund pursuant to subdivision (d) of HSC Section 34176.	<input type="checkbox"/> YES
§301(a)(5) Capitalized Reserves for services connected to the preservation and creation of new permanent supportive housing.	<input type="checkbox"/> YES
§301(a)(6) Assisting persons who are experiencing or At-risk of homelessness, including, but not limited to, providing rapid re-housing, rental assistance, supportive/case management services that allow people to obtain and retain housing, operating and capital costs for navigation centers and emergency shelters, and the new construction, rehabilitation, and preservation of permanent and transitional housing.	<input type="checkbox"/> YES
§301(a)(7) Accessibility modifications in Lower-income Owner-occupied housing.	<input type="checkbox"/> YES
§301(a)(8) Efforts to acquire and rehabilitate foreclosed or vacant homes and apartments.	<input type="checkbox"/> YES
§301(a)(9) Homeownership opportunities, including, but not limited to, down payment assistance.	<input type="checkbox"/> YES
§301(a)(10) Fiscal incentives made by a county to a city within the county to incentivize approval of one or more affordable housing Projects, or matching funds invested by a county in an affordable housing development Project in a city within the county, provided that the city has made an equal or greater investment in the Project. The county fiscal incentives shall be in the form of a grant or low-interest loan to an affordable housing Project. Matching funds investments by both the county and the city also shall be a grant or low-interest deferred loan to the affordable housing Project.	<input type="checkbox"/> YES
<b>Threshold Requirements, §302</b>	
§302(a) The Applicant's Housing Element and Delegating Local Government's Housing Element (if applicable) was/were adopted by the Local Government's governing body by the application submittal date subsequently determined to be in substantial compliance with state Housing Element Law pursuant to Government Code Section 65585.	Yes
§302(b) Applicant or Delegating Local Government has submitted the current or prior year's Annual Progress Report to the Department of Housing and Community Development pursuant to Government Code Section 65400.	Yes
§302(c)(2) Applicant certified in the Resolution submitted with this application that submission of the application was authorized by the governing board of the Applicant.	Yes
§302(c)(3) Applicant certified in the Resolution submitted with this application that, if the Local Government proposes allocation of funds for any activity to another entity, the Local government's selection process had no conflicts of interest and was accessible to the public.	Yes
§302(c)(4) Applicant certified in the Resolution submitted with this application that the application include a Plan in accordance with §302(c)(4)?	Yes
§302(c)(4)(D) Applicant certified in the Resolution submitted with this application that the Plan was authorized and adopted by resolution by the Local Government and that the public had an adequate opportunity to review and comment on its content.	Yes
§302(c)(5) Applicant certified in the Resolution submitted with this application that the Plan submitted is for a term of five years (2019-2023). Local Governments agree to inform the Department of changes made to the Plan in each succeeding year of the term of the Plan.	Yes
§302(c)(6) Applicant certified in the Resolution submitted with this application that it will ensure compliance with §302(c)(6) if funds are used for the acquisition, construction, or rehabilitation of for-sale housing projects or units within for-sale housing projects.	Yes
§302(c)(7) Applicant certified in the Resolution submitted with this application that it will ensure that the PLHA assistance is in the form of a low-interest, deferred loan to the Sponsor of the Project, if funds are used for the development of an Affordable Rental Housing Development. The loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with the Local government-approved underwriting of the Project for a term of at least 55 years.	Yes
§302(c)(8) Has Applicant attached a program income reuse plan describing how repaid loans or accrued interest will be reused for eligible activities specified in Section 301?	Yes
File Name: <a href="#">Reuse Plan</a>	Program Income Reuse Plan describing how repaid loans or accrued interest will be used
	Narrative uploaded to HCD?
<b>Administration</b>	
Applicant agrees to adhere to §500, Accounting Records.	
Applicant agrees to adhere to §501, Audits/Monitoring of Project Files.	
	Yes
	Yes

Applicant agrees to adhere to §502, Cancellation/Termination.				Yes
Applicant agrees to adhere to §503, Reporting.				Yes
<b>Certifications</b>				
On behalf of the entity identified below, I certify that: The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct and I possess the legal authority to submit this application on behalf of the entity identified in the signature block.				
Mandy Mager		City Manager		
Authorized Representative Printed Name		Title	Signature	Date



**§302(c)(4) Plan**

Rev. 2/16/22

**§302(c)(4)(A)** Describe the manner in which allocated funds will be used for eligible activities.  
 There will be a public notice for a Notice of Funding Availability (NOFA) from affordable housing developers looking to develop multifamily apartments within the City limits. The City staff will review the submittals and make a selection to the City Council for final decision. The PLHA funds can be used for predevelopment and other soft costs, financing costs, site and building construction costs, lease-up costs, and contingencies and developer fees.

**§302(c)(4)(B)** Provide a description of the way the Local government will prioritize investments that increase the supply of housing for households with incomes at or below 60 percent of Area Median Income (AMI).  
 The NOFA will be only eligible for affordable multifamily developments that are targeted from 30% to 60% of Area Median Income (AMI).

**§302(c)(4)(C)** Provide a description of how the Plan is consistent with the programs set forth in the Local Government's Housing Element.  
 By developing affordable housing in the City, it assists the City in meeting their RHNA goals and provides safe affordable housing for the residents.

**Activities Detail (Activities Detail (Must Make a Selection on Formula Allocation Application worksheet under Eligible Activities, §301))**

**§301(a)(1)** The predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to extremely low-, very low-, low-, or moderate-income households, including necessary operating subsidies.  
**§302(c)(4)(E)(i)** Provide a detailed and complete description of how allocated funds will be used for each proposed Affordable Rental Housing Activity.  
 The proposed plan directs 100% of the City's PLHA funding to the development of new affordable rental housing projects serving households earning up to 60% of the Area Median Income. Use of PLHA funds for this unmet housing need is consistent with the City's 5th Cycle Certified Housing Element. The City currently has several proposed projects needing financial gap assistance. These projects serve a variety of household types and income levels. One or more of the projects can utilize PLHA funds for the predevelopment, development, acquisition, rehabilitation, and preservation of multifamily, residential live-work, rental housing that is affordable to Extremely low-, Very low-, Low-, or Moderate-income households, including necessary operating subsidies, as described in section § 301(a)(1) of the PLHA guidelines.

Complete the table below for each proposed Affordable Rental Housing Activity to be funded with 2019-2023 PLHA allocations. If a single Activity will be assisting households at more than one level of Area Median Income, please list the Activity as many times as needed to capture all of the AMI levels that will be assisted, but only show the percentage of annual funding allocated to the Activity one time (to avoid double counting).

Funding Allocation Year	2019	2020	2021	2022	2023										
<b>§302(c)(4)(E)(i)</b> Percentage of Funds Allocated for the Proposed Affordable Rental Housing Activity	100.0%	100.0%	100.0%	100.0%	100.0%										
<b>§302(c)(4)(E)(ii)</b> Area Median Income Level Served	60%	60%	60%	60%	60%										<b>TOTAL</b>
<b>§302(c)(4)(E)(ii)</b> Unmet share of the RHNA at the AMI Level <b>Note: complete for years 2019, 2020, 2021 only</b>	11	11	11												33
<b>§302(c)(4)(E)(ii)</b> Projected Number of Households Served	5	5	5												15
<b>§302(c)(4)(E)(iv)</b> Period of Affordability for the Proposed Affordable Rental Housing Activity (55 years required for rental housing projects)	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	55 Years	

**§302(c)(4)(E)(iii)** A description of major steps/actions and a proposed schedule for the implementation and completion of the Activity.  
 Within 60 days of receiving a fully executed Standard Agreement, the City will release a NOFA for interested developers to apply for the funds for 2019-2021. Upon selection of the qualified developer and final approval by the City Council, then a loan agreement, deed of trust and regulatory agreement will be executed between the City and the Developer. All funds will be disbursed on a cost reimbursement with submitted invoices from the Developer.





# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road,  
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## AGENDA REPORT

**Item #:** 9

**Date:** December 27, 2022

**Item Subject:** Resolution 1210- A Resolution Authorizing the Application to the State of California Permanent Local Housing Allocation Program-Action

**Submitted By:** Mandy Mager, City Manager

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### **General Information:**

Resolution Number 1210 Authorizes the City to submit an application to the State of California's Permanent Local Housing Allocation Program

**Background Material Provided:** Draft Work Plan

**Fiscal Impact:** The City is eligible for a allocation of approximately \$290,000.00

**Recommended Action:** Adopt Resolution Number 1210

### **Review Information:**

City Manager Review:       Legal Review:       Planner Review:       Engineer:

Comments:





## RESOLUTION NUMBER 1210

### AUTHORIZING RESOLUTION OF THE CITY OF BLUE LAKE AUTHORIZING THE APPLICATION FOR THE STATE OF CALIFORNIA PERMANENT LOCAL HOUSING ALLOCATION PROGRAM

- A. **WHEREAS**, the Department of Housing and Community Development is authorized to provide up to \$195 million under the SB 2 Permanent Local Housing Allocation Program Formula Component from the Building Homes and Jobs Trust Fund for assistance to Cities and Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)).
- B. **WHEREAS**, the State of California (the “State”), Department of Housing and Community Development (“Department”) issued a re-opening of Notice of Funding Availability (“NOFA”) dated 10/23/2020 under the Permanent Local Housing Allocation (PLHA) Program;
- C. **WHEREAS**, the City of Blue Lake (“applicant”) is an eligible Local government who has applied for program funds to administer one or more eligible activities, or a Local or Regional Housing Trust Fund to whom an eligible Local government delegated its PLHA formula allocation.
- D. **WHEREAS** the Department may approve funding allocations for PLHA Program, subject to the terms and conditions of the Guidelines, NOFA, Program requirements, the Standard Agreement and other contracts between the Department and PLHA grant recipients;

#### **NOW THEREFORE BE IT RESOLVED THAT:**

1. If Applicant receives a grant of PLHA funds from the Department pursuant to the above referenced PLHA NOFA, it represents and certifies that it will use all such funds in a manner consistent and in compliance with all applicable state and federal statutes, rules, regulations, and laws, including without limitation all rules and laws regarding the PLHA Program, as well as any and all contracts Applicant may have with the Department.
2. Applicant is hereby authorized and directed to receive a PLHA grant, in an amount not to exceed the five-year estimate of the PLHA formula allocations, as stated in Appendix C of the current NOFA in accordance with all applicable rules and laws.
3. Applicant hereby agrees to use the PLHA funds for eligible activities as approved by the Department and in accordance with all Program requirements, Guidelines, other rules and laws, as well as in a manner consistent and in compliance with the Standard Agreement and other contracts between the Applicant and the Department.
4. Pursuant to section 302(c)(4) of the Guidelines, Applicant’s PLHA Plan is attached to this resolution, and Applicant certifies compliance with all public notice, comment, and hearing requirements in accordance with the Guidelines.
5. ***If applicable:*** Applicant certifies that it has or will subgrant some or all of its PLHA funds to another entity or entities. Pursuant to Guidelines Section 302(c)(3), “entity” means a housing developer or program operator, but does not mean an administering Local government to whom a Local government may delegate its PLHA allocation
6. ***If applicable:*** Applicant certifies that its selection process of these subgrantees was or will be accessible to the public and avoided or shall avoid any conflicts of interest.





7. ***If applicable:*** Pursuant to Applicant's certification in this resolution, the PLHA funds will be expended only for eligible Activities and consistent with all program requirements.
8. ***If applicable:*** Applicant certifies that, if funds are used for the acquisition, construction or rehabilitation of for-sale housing projects or units within for-sale housing projects, the grantee shall record a deed restriction against the property that will ensure compliance with one of the requirements stated in Guidelines Section 302 (c) (6) (A), (B) and (C).
9. ***If applicable:*** Applicant certifies that, if funds are used for the development of an Affordable Rental Housing Development, the Local government shall make PLHA assistance in the form of a low-interest, deferred loan to the Sponsor of the Project, and such loan shall be evidenced through a Promissory Note secured by a Deed of Trust and a Regulatory Agreement shall restrict occupancy and rents in accordance with a Local government-approved underwriting of the Project for a term of at least 55 years.
10. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement, the PLHA Program Guidelines and any other applicable SB 2 Guidelines published by the Department.
11. **Amanda Mager, City Manager** is authorized to execute the PLHA Program Application, the PLHA Standard Agreement and any subsequent amendments or modifications thereto, as well as any other documents which are related to the Program or the PLHA grant awarded to Applicant, as the Department may deem appropriate.

PASSED AND ADOPTED at a regular meeting of the *City of Blue Lake* this \_\_\_\_th day of December, 2022 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

\_\_\_\_\_  
Angela Shull, Mayor Pro Tem

\_\_\_\_\_  
Adelene Jones, Mayor

### **CERTIFICATE OF THE ATTESTING OFFICER**

The undersigned, Officer of the City of Blue Lake does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of the City of Blue Lake, County of Humboldt, which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

ATTEST: \_\_\_\_\_  
Signature of Attesting Officer  
**Angela Shull, Mayor Pro Tem**





# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road,  
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## AGENDA REPORT

**Item #:** 10 a .

**Date:** December 27, 2022

**Item Subject:** Resolution 1211: A Resolution Authorizing the City Manager to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax

**Submitted By:** Mandy Mager, City Manager

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### **General Information:**

The residents of Blue Lake passed a local sale and use tax on November 8, 2022; in order to implement the tax measure, the City must file various forms, agreements and resolutions with the State. Resolution 1211 authorizes the City Manager to execute various agreements with the State, necessary to implement the tax.

**Background Material Provided:** Resolution 1211

**Fiscal Impact:** N/A

**Recommended Action:** Adopt Resolution Number 1211

### **Review Information:**

City Manager Review:       Legal Review:       Planner Review:       Engineer:

Comments:





**RESOLUTION NO. 1211**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE AUTHORIZING THE CITY MANAGER, TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX.**

**WHEREAS**, on July 26, 2022, the City Council approved Ordinance No. 541 amending the City Municipal Code and providing for a local transactions and use tax; and

**WHEREAS**, the California Department of Tax and Fee Administration (Department) administers and collects the transactions and use taxes for all applicable jurisdictions within the state; and

**WHEREAS**, the Department will be responsible to administer and collect the transactions and use tax for the City; and

**WHEREAS**, the Department requires that the City enter into a “Preparatory Agreement” and an “Administration Agreement” prior to implementation of said taxes, and

**WHEREAS**, the Department requires that the City Council authorize the agreements;

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Blue Lake that the “Preparatory Agreement” attached as Exhibit A and the “Administrative Agreement” attached as Exhibit B are hereby approved and the City Manager is hereby authorized to execute each agreement.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Blue Lake held on the 27<sup>th</sup> day of December, 2022.

On motion by \_\_\_\_\_ and seconded by \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF BLUE LAKE

\_\_\_\_\_  
Amanda Mager, City Manager/Clerk

\_\_\_\_\_  
Adelene Jones, Mayor





# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

## AGENDA REPORT

**Item #:**

**Date:** December 20, 2022

**Item Subject:** Water and Wastewater Rate Increase-Public Hearing

**Submitted By:** Mandy Mager, City Manager

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### **General Information:**

The City of Blue Lake has conducted a rate analysis for the City’s water and wastewater systems. With technical support from the Rural Community Action Agency, the City’s capital improvement, operation, maintenance, and administration needs have been analyzed and tied back to a proposed rate structure.

The City’s water and wastewater systems have been losing ground to inflation and large-scale infrastructure improvement needs, along with system breaks that are reflective of aging infrastructure. The rate increases proposed and recommended by staff and our technical advisors will allow the City to make much needed improvements, replace failing equipment and retain critical staffing levels.

On October 25, 2022, City staff, the City Attorney and a representative from the City’s technical advisory consultant, presented the rate study, the proposed rate structure and the process mandated by Proposition 218 to initiate the public notice and hearing process. Council took action on October 25, 2022 to initiate the 218 process with a public hearing date scheduled for December 20, 2022.

Staff recommends that the City Council conduct the public hearing as mandated by Proposition 218 and direct staff to collect and tally protest votes. Upon completion of the tallying process, the City Attorney will report the results of the protest vote to determine if sufficient, or insufficient protest votes have been cast.

Council will then consider adoption of Resolution 1204 (A or B) and Resolution 1205 (A or B) dependent upon the vote tally results.

**Background Material Provided:** Draft Resolution 1204 (A and B) and Draft Resolution 1205 (A and B)

**Fiscal Impact:** Impacts have been identified in the rate analysis

**Recommended Action:** Adopt Resolution 1204 (A/B) and Resolution 1205 (A/B) dependant upon the protest vote final tally.

### **Review Information:**

City Manager Review:       Legal Review:       Planner Review:       Engineer:





# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road,  
Phone 707.668.5655

Blue Lake, CA 95525  
Fax 707.668.5916

## AGENDA REPORT

**Item #:** 10b.  
**Date:** December 27, 2022  
**Item Subject:** Resolution 1212: A Resolution Authorizing Examination of the Sales or Transactions and Use Taxes Records  
**Submitted By:** Mandy Mager, City Manager

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### **General Information:**

The residents of Blue Lake passed a local sale and use tax on November 8, 2022; in order to implement the tax measure, the City must file various forms, agreements and resolutions with the State. Resolution 1212 authorizes the City Manager to examine records associated with the sales and/or transaction and use tax records.

**Background Material Provided:** Resolution No. 1212

**Fiscal Impact:** N/A

**Recommended Action:** Adopt Resolution Number 1212

### **Review Information:**

City Manager Review:       Legal Review:       Planner Review:       Engineer:

Comments:





## RESOLUTION NO. 1212

### A RESOLUTION OF THE CITY OF BLUE LAKE AUTHORIZING EXAMINATION OF SALES OR TRANSACTIONS AND USE TAXES RECORDS

**WHEREAS**, pursuant to Ordinance Number 541 of the City of Blue Lake (City), and Revenue and Taxation Code section 7270, the City entered into a contract with the California Department of Tax and Fee Administration (Department) to perform all functions incident to the administration and collection of transactions and use taxes; and

**WHEREAS**, the Board of the District deems it desirable and necessary for authorized officers, employees and representatives of the City to examine confidential sales or transactions and use tax records of the Department pertaining to transactions and use taxes collected by the Department for the City pursuant to that contract; and

**WHEREAS**, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Department records, and Section 7056.5 of the California Revenue and Taxation Code establishes criminal penalties for the unlawful disclosure of information contained in, or derived from, the sales or transactions and use tax records of the Department;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLUE LAKE HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** That the City Manager or other officer or employee of the City designated in writing by the City Manager to the California Department of Tax and Fee Administration is hereby appointed to represent the City with authority to examine sales or transactions and use tax records of the Department pertaining to transactions and use taxes collected for the City by the Department pursuant to the contract between the City and the Department.

**Section 2.** The information obtained by examination of Department records shall be used only for purposes related to the collection of District transactions and use taxes by the Department pursuant to that contract.

**BE IT FURTHER RESOLVED** that the information obtained by examination of Department records shall be used only for purposes related to the collection of City transactions and use taxes by the Department pursuant to the contract between the City and the Department.

**Section 3.** That this resolution supercedes all prior resolutions of the City Council of the City of Blue Lake adopted pursuant to subdivision (b) of Revenue and Taxation Code section 7056.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Blue Lake held on the 27<sup>th</sup> day of December, 2022.

On motion by \_\_\_\_\_ and seconded by \_\_\_\_\_, the foregoing



Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

CITY OF BLUE LAKE

\_\_\_\_\_  
Amanda Mager, City Manager/City Clerk

\_\_\_\_\_  
Adelene Jones, Mayor







# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road,  
Phone 707.668.5655

Blue Lake, CA 95525  
Fax 707.668.5916

## AGENDA REPORT

**Item #:** 10C.

**Date:** December 27, 2022

**Item Subject:** State of California Tax Agreement Authorizations for the Implementation of the City of Blue Lake's Sales and Use Tax Measure

**Submitted By:** Mandy Mager, City Manager

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### **General Information:**

The residents of Blue Lake passed a local sale and use tax on November 8, 2022; in order to implement the tax measure, the City must file various forms, agreements and resolutions with the State. Resolution 1212 authorizes the City Manager to examine records associated with the sales and/or transaction and use tax records.

**Background Material Provided:** Email from State of California Identifying the Tax Agreement Authorizations Required to Implement the City's Tax Measure

**Fiscal Impact:** N/A

**Recommended Action:** Authorize the City Manager to Execute the Agreements as Required by the State of California to Implement, Monitor and Maintain the Tax Measure.

### **Review Information:**

City Manager Review:       Legal Review:       Planner Review:       Engineer:

Comments:



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## New District Agreement Package

1 message

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Wong, Judy <Judy.Wong@cdtfa.ca.gov>

Thu, Nov 17, 2022 at 1:28 PM

Congratulations on the passage of the transactions and use tax (TUT) measure from the November 8, 2022 election!

In order for CDTFA to implement the changes resulting from the recently approved measure, please complete and return the following items as **soon as possible** or no later than **January 2, 2023**:

### Items Required

1. Five (5) original **Preparatory Agreement**—template attached
2. Five (5) original **Administrative Agreement**—template attached
3. Five (5) certified copies of **Resolution Authorizing the Execution of Agreements**—template attached
4. Five (5) certified copies of the **Transactions and Use Tax Ordinance**
5. One (1) certified copy of **Certification of Final Election Results**
6. One (1) **Contact Form for Warrants**—template attached
  - *Please mark Transactions and Use Tax*
7. One (1) **Resolution for Examination of Confidential Records**—template attached
8. One (1) copy of **Consultant Agreement**—if applicable
9. One (1) **Designation Letter**—template attached
  - *Please leave Jurisdiction Number blank*
10. One (1) **Contact Form for Notifications & Appeals**—template attached
  - *Please leave Tax Area Code blank*
11. One (1) **EFT Authorization Agreement plus copy of a voided check OR an account confirmation letter from the bank**—template attached
  - *Please select New EFT Account and Add-on (Special District) Tax and leave the Jurisdiction Code section blank*
12. One (1) **Media and Registration Request Form**—template attached
  - *Please select District (add-on) and leave Tax Area Code blank*

\*\*Please note that no changes should be made to the language of original California Department of Tax and Fee Administration documents without prior approval.\*\*



**Submission Instructions**

**Step 1 - Scan one copy of Items #1-12 into individual files and email to:**

Judy.Wong@cdtfa.ca.gov

Olivia.Siu@cdtfa.ca.gov

**Step 2 - Mail the required documents to:**

CA Department of Tax and Fee Administration

Local Revenue Branch

Attn: Judy Wong

450 N Street, MIC: 27

Sacramento, CA 95814

**Important Note**

Submitting the required documentations does not automatically guarantee CDFTA will implement the new transactions and use tax. Once received, we will review the documents to ensure that all statutory requirements have been met prior to implementation. Also, a new Jurisdiction Code will be assigned to the new transactions and use tax.

Pursuant to Revenue and Taxation Code section 7265, new tax or changes approved by voters in November 2022 is scheduled to become operative on **April 1, 2023** (unless specified otherwise in the ordinance).

If you have any questions regarding the preparation and execution of these documents, feel free to contact:

Judy Wong

(916) 309-5868

Judy.Wong@cdtfa.ca.gov

Olivia Siu

(916) 309-5946

Olivia.Siu@cdtfa.ca.gov





Please confirm upon receipt. Thank you

Sincerely,

*Judy Wong*

Local Revenue Branch



450 N Street, MIC:27, Sacramento, CA 95814

Phone: 916-309-5868 | Fax: 916-324-3001

E: [Judy.wong@cdtfa.ca.gov](mailto:Judy.wong@cdtfa.ca.gov) | [www.cdtfa.ca.gov](http://www.cdtfa.ca.gov)

**Connect with Us:**



*The answer given is intended to provide general information regarding the application of the tax and will not serve as a basis for relief of liability under Revenue and Taxation Code Section 6596.*


*Confidential information of the California Department of Tax and Fee Administration – unauthorized use or disclosure is strictly prohibited by law. If you receive this e-mail in error, please immediately notify the Board by return e-mail and delete this message from your computer, without printing the message, and without disclosing its contents to any person other than the sender or recipient. Persons who copy or disclose such confidential information are subject to applicable legal penalties.*

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**10 attachments**

-  **02\_City\_Administration Agreement\_rev2017.doc**  
44K
-  **03\_City\_Resolution to Execute Agreements\_rev2017.doc**  
25K
-  **01\_City\_Preparatory Agreement\_rev2017.doc**  
30K
-  **06\_Contact Form for All Communications.pdf**  
61K




 **09\_Designation Letter.doc**  
30K

 **10\_Contact Form For Notifications Appeals.pdf**  
165K

 **11\_EFT Authorization Agreement (cdtfa555LJ\_5-22).pdf**  
92K

 **12\_Media and Registration Request Form.pdf**  
130K

 **Agreement Package Checklist.docx**  
16K

 **07\_District\_Updated Resolution For Examination of Confidential Records.doc**  
66K







# CITY OF BLUE LAKE

Post Office Box 458 • 111 Greenwood Road • Blue Lake, CA 95525

Phone 707.668.5655 Fax 707.668.5916

Date: December 27, 2022

CA Department of Tax and Fee Administration  
Local Revenue Branch  
Attn: Warrant Desk  
450 N Street, MIC: 27  
Sacramento, CA 95814

Subject: City of Blue Lake Authorization to Review Confidential Sales and Use Tax and Transactions and Use Tax Information per Section 7056 of the Revenue and Taxation Code.

Dear Ms. Anh Huang:

Resolution Number 1212 authorizes the City Manager to designate in writing to the CA Department of Tax and Fee Administration other officers and/or employees of the jurisdiction with authority to receive and examine sales and use tax records for the jurisdiction.

Accordingly, the City Manager for the City of Blue Lake is hereby authorized to receive and review sales or transactions and use tax records for the City of Blue Lake from the CA Department of Tax and Fee Administration.

Sincerely,

---

Adelene Jones, Mayor  
City of Blue Lake



## LOCAL REVENUE BRANCH – CONTACT FORM

Please complete and return this form to our office any time there is a change of information to ensure our records are always up to date. Thank you!

City/County: City of Blue Lake/Humboldt

Please check one:  Local Tax    Transactions and Use Tax    Mobile Telephony Surcharge

**All legal correspondence should be mailed to the following address:**

Jurisdiction: \_\_\_\_\_

Name: Amanda Mager Position Title: City Manager

Address: PO Box 458 Blue Lake, CA 95525

Phone: 707-668-5655 Email: citymanager@bluelake.ca.gov

**Financial correspondence should be mailed to the following address:**

*Note: Confidential information may be sent only to positions authorized by resolution*

Jurisdiction: \_\_\_\_\_

Name: Amanda Mager Position Title: City Manager

Address: PO Box 458 Blue Lake, CA 95525

Phone: 707-668-5655 Email: citymanager@bluelake.ca.gov

**Paper warrants (if issued) and monthly/quarterly statements should be mailed to the following address:**

Jurisdiction: City of Blue Lake

Name: Amanda Mager Position Title: City Manager

Address: PO Box 458 Blue Lake, CA 95525

Phone: 707-668-5655 Email: citymanager@bluelake.ca.gov

**General Office Contact—for general information and reminders:**

Jurisdiction: City of Blue Lake

Address: PO Box 458 Blue Lake, CA 95525

Phone: 707-668-5655 Email: cityclerk@bluelake.ca.gov

**Completed by:**

Print Name: Amanda Mager

Signature: \_\_\_\_\_

Position Title: City Manager Date: \_\_\_\_\_



Department Use Only

Juris. I.D. # \_\_\_\_\_  
Resolution verified: YES \_\_\_ NO \_\_\_  
Update \_\_\_\_\_  
By \_\_\_\_\_

**REGISTRATION/ALLOCATION MEDIA REQUEST**

Please complete Sections I, II, & III, and forward this form to the address at the bottom of this page.

**IMPORTANT:** Each jurisdiction must have a resolution on file with the California Department of Tax and Fee Administration (CDTFA) to examine allocation and/or registration data. A sample resolution is included in Publication 28 which is available on our Website [www.boe.ca.gov/pdf/pub28.pdf](http://www.boe.ca.gov/pdf/pub28.pdf) or by calling the Department's Local Revenue Branch at (916) 309-5800.

**SECTION I: MEDIA RECIPIENT CONTACT INFORMATION**

(If the name/position below is not authorized by resolution or letter of designation, this form must be signed by a position authorized by resolution to designate other officials or employees)  County  City  District (add-on)

Your name: Amanda Mager Jurisdiction: City of Blue Lake  
Title: City Manager Tax Area Code: \_\_\_\_\_  
Address: 111 Greenwood Road Telephone: 707-668-5655  
City, State, Zip: Blue Lake, CA 95525 FAX: 707-668-5916  
E-Mail Address citymanager@bluelake.ca.gov

**SECTION II: REGISTRATION DATA REQUEST** (List of name, address and CDTFA account number for each business)

A. Do you require a one-time registration listing (Start-up) showing all sales and use tax accounts in your jurisdiction, Indicate yes or no:  Yes  No

**SECTION III: ALLOCATION DATA REQUEST** (List of local tax dollars distributed to your jurisdiction by CDTFA account number)

A. Do you wish to receive monthly allocation and registration media Indicate yes or no:  Yes  No

B. If you require prior period local tax data\*, indicate the periods below:  
(MMYY) From: \_\_\_\_\_ To: \_\_\_\_\_

\*AVAILABLE HISTORY IS LIMITED TO PREVIOUS 36 MONTHS.

Signed by individual (or designee) authorized by resolution to receive confidential CDTFA information:

Amanda Mager

City Manager

(Print Name)

(Signature)

(Title)

(Date)

**RETURN THIS FORM TO:**

CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION LOCAL  
REVENUE BRANCH  
450 N STREET MIC 27  
PO BOX 942879  
SACRAMENTO CA 94279-0027  
FAX to (916) 324-3001  
For assistance in completing this form, contact Harmeen Grewal at (916) 309-5883.





**EFT AUTHORIZATION AGREEMENT FOR LOCAL JURISDICTIONS**

- > Please type or print clearly in ink.
- > See reverse for complete instructions.

**SELECT ACTION REQUESTED**

- New EFT Account
- Change EFT Bank Account – *(see instructions)*
- Cancel EFT

**SELECT TAX PROGRAM**

- 1 percent Local Tax
- ¼ percent (County) Transportation Fund
- Add-on (Special District) Tax
- Local Utility User Tax/Local 911 Charges

**SECTION I**

NAME OF LOCAL JURISDICTION OR SPECIAL DISTRICT <i>(payee)</i> City of Blue Lake		JURISDICTION CODE
CONTACT PERSON <i>(name and title)</i> Amanda Mager, City Manager		EMAIL ADDRESS Citymanager@bluelake.ca.gov
MAILING ADDRESS PO Box 458	CITY, STATE, ZIP CODE Blue Lake, CA 95525	
CONTACT TELEPHONE NUMBER 707-668-5655	CONTACT FAX NUMBER 707-668-5916	

**SECTION II**

The State Controller's Office, on behalf of the California Department of Tax and Fee Administration (CDTFA), is hereby authorized to make direct deposit (EFT) of any amounts distributed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law, the Transactions and Use Tax Law, or the Local Prepaid Mobile Telephony Services Collection Act less any mandatory withholding or deductions therefrom to the designated bank account identified below. If the designated EFT account is a checking account, **a voided check or copy must be attached to the completed authorization agreement.** If the account is a savings or other deposit-only account, **an account confirmation from the bank must be attached.** The voided check or confirmation will be used to verify the bank account and transit routing numbers.

BANK NAME

---

BANK ACCOUNT NUMBER *(not to exceed 17 digits)*

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

TRANSIT ROUTING NUMBER

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

TYPE OF ACCOUNT

CHECKING       SAVINGS

**IMPORTANT**

*Payee agrees that in the event that the payee owes a debt determined either by court order, or otherwise by operation of law, and for which CDTFA has been notified according to law, to make repayments by deductions from Local Sales and Use Tax transmittals, the payee will be removed from the EFT program until the debt is extinguished.*

*I affirm that deposits received from CDTFA **will not** be forwarded in their entirety to a foreign financial institution.*

SIGNATURE	TITLE City Manager	DATE
-----------	-----------------------	------

**Return this form to:**  
California Department of Tax and Fee Administration  
Local Revenue Branch  
**Warrant Desk**  
PO Box 942879, MIC:27  
Sacramento, CA 94279-0027  
Fax Number: 1-916-324-8117  
Email to: JServices@cdtfa.ca.gov  
For EFT assistance call 1-916-309-5800

This information is confidential and not for public release.



## INSTRUCTIONS FOR LOCAL JURISDICTIONS FOR COMPLETING THE EFT AUTHORIZATION AGREEMENT FORM

### GENERAL

- Read this agreement carefully, and if you have questions call 1-916-309-5800.
- Please type or print clearly.
- Check one action box and one tax program box. Your jurisdiction's tax program can be found on the title line of the remittance advice received from the State Controller's Office.
- Complete all information blocks.

### SECTION I

- Your jurisdiction code can be found on the remittance advice immediately above the word "Payee."
- Please enter the jurisdiction code for the corresponding jurisdiction type:
  - City or County (1 percent Local Tax) Code (five digits)
  - County (1/4 percent Tax) Code (two digits)
  - Redevelopment Agency Code (four digits)
  - District Add-on Code (three digits)
  - Local Utility User Tax/Local 911 (Prepaid Mobile Telephony Services) Code (four digits)
- A contact person and telephone number **are required** to process your authorization agreement.

### SECTION II

- The Transit Routing Number (nine digits) typically can be found in the bottom left-hand corner of your check.
- Please indicate the type of account (checking or savings).
- Be sure to include a voided check or bank confirmation with your authorization agreement.

### ADDITIONAL INFORMATION

- **Changing EFT Bank Account**
  - **IMPORTANT: DO NOT CLOSE YOUR OLD ACCOUNT UNTIL THE FIRST EFT PAYMENT IS DEPOSITED INTO THE NEWLY DESIGNATED ACCOUNT.**
  - This agreement will remain in effect until CDTFA is notified in writing that you wish to redesignate your account and/or your financial institution or that you wish to cancel EFT service.
  - To redesignate, please submit a new CDTFA-555-LJ, *EFT Authorization Agreement for Local Jurisdictions*. Be sure to check the correct action box on the front of the form and provide the correct new information.
  - The first deposit into a new account should be made within 60 days from CDTFA's receipt of the completed EFT Authorization Agreement.
  - In the interim between the closing of the old account and opening of the new account, you may receive a warrant via U.S. Mail.
- **Canceling EFT Service**
  - To cancel EFT service, submit a new CDTFA-555-LJ, *EFT Authorization Agreement for Local Jurisdictions*, and check the Cancel EFT box. Be sure to complete all information blocks.
- **EFT Direct Deposit Posting Dates**
  - Funds will be deposited on the Warrant Issue Date as shown on CDTFA's Disbursement Calendar. The current calendar can be found on CDTFA's website at [www.cdtfa.ca.gov/taxes-and-fees/local-and-district-taxes.htm#calendar](http://www.cdtfa.ca.gov/taxes-and-fees/local-and-district-taxes.htm#calendar).
  - Most financial institutions post funds to accounts at the beginning of the bank business day; however, you should confirm your particular bank's practice to determine when funds will be available.





**JURISDICTION CONTACT FORM**  
**NOTIFICATIONS & APPEALS**

City/County: Blue Lake Tax Area Code: \_\_\_\_\_ Sales and Use Tax / Transactions & Use Tax

*Pursuant to Revenue and Taxation Code § 7056, you may select only officers and employees authorized by Resolution or letter of designation to examine the Department's tax records for your Jurisdiction. If the officer or employee's title has not yet been formally authorized, please include a designation letter. See attached sample designation letter.*

**Primary Contact**

City Manager

Title of Authorized Officer/Employee

Amanda Mager

Name of Authorized Officer/Employee

PO Box 458

Mailing Address

Blue Lake, CA 95525

City, State, Zip

707-668-5655

Phone

707-668-5916

Fax

citymanager@bluelake.ca.gov

Email

It is recommended, if possible, that you use an Email address that coincides with the authorized position title. For example: citymanager@cityof\_\_.gov.

**Secondary Contact**

Finance Manager

Title of Authorized Officer/Employee

Vicki Hutton

Name of Authorized Officer/Employee

PO Box 458

Mailing Address

Blue Lake, CA 95525

City, State, Zip

707-668-5655

Phone

707-668-5916

Fax

vhutton@bluelake.ca.gov

Email

It is recommended, if possible, that you use an Email address that coincides with the authorized position title. For example: citymanager@cityof\_\_.gov.

**DEPARTMENT USE ONLY**

**Pursuant to Section 7056(b), this form is ineffective unless signed by one of the following (boxes checked):**

City/County Administrator       Administrative Officer       City/County Controller     

\_\_\_\_\_ (Specify)

**Print Name:** Amanda Mager

**Title:** City Manager

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Return this form by e-mail to: [JServices@cdtfa.ca.gov](mailto:JServices@cdtfa.ca.gov)**

**QUESTIONS: CALL THE WARRANT DESK AT (916) 309-5802**

Note: Titles held by more than one employee need to be made a unique identifier for function. For example: Accountant II (Revenue Desk)



**AGREEMENT FOR STATE ADMINISTRATION  
OF CITY TRANSACTIONS AND USE TAXES**

The City Council of the City of Blue Lake has adopted, and the voters of the City of Blue Lake (hereafter called "City" or "District") have approved by the required majority vote, the City of Blue Lake's Transactions and Use Tax Ordinance (hereafter called "Ordinance"), a copy of which is attached hereto. To carry out the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code and the Ordinance, the California State Department of Tax and Fee Administration, (hereinafter called the "Department") and the City do agree as follows:

**ARTICLE I  
DEFINITIONS**

Unless the context requires otherwise, wherever the following terms appear in the Agreement, they shall be interpreted to mean the following:

1. "District taxes" shall mean the transactions and use taxes, penalties, and interest imposed under an ordinance specifically authorized by Revenue and Taxation code Section \_\_\_\_\_, and in compliance with Part 1.6, Division 2 of the Revenue and Taxation Code.

2. "City Ordinance" shall mean the City's Transactions and Use Tax Ordinance referred to above and attached hereto, Ordinance No. 541, as amended from time to time, or as deemed to be amended from time to time pursuant to Revenue and Taxation Code Section 7262.2.

**ARTICLE II  
ADMINISTRATION AND COLLECTION  
OF CITY TAXES**

**A. Administration.** The Department and City agree that the Department shall perform exclusively all functions incident to the administration and operation of the City Ordinance.



**B. Other Applicable Laws.** City agrees that all provisions of law applicable to the administration and operation of the Department Sales and Use Tax Law which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code shall be applicable to the administration and operation of the City Ordinance. City agrees that money collected pursuant to the City Ordinance may be deposited into the State Treasury to the credit of the Retail Sales Tax Fund and may be drawn from that Fund for any authorized purpose, including making refunds, compensating and reimbursing the Department pursuant to Article IV of this Agreement, and transmitting to City the amount to which City is entitled.

**C. Transmittal of money.**

1. For the period during which the tax is in effect, and except as otherwise provided herein, all district taxes collected under the provisions of the City Ordinance shall be transmitted to City periodically as promptly as feasible, but not less often than twice in each calendar quarter.

2. For periods subsequent to the expiration date of the tax whether by City's self-imposed limits or by final judgment of any court of the State of California holding that City's ordinance is invalid or void, all district taxes collected under the provisions of the City Ordinance shall be transmitted to City not less than once in each calendar quarter.

3. Transmittals may be made by mail or electronic funds transfer to an account of the City designated and authorized by the City. A statement shall be furnished at least quarterly indicating the amounts withheld pursuant to Article IV of this Agreement.

**D. Rules.** The Department shall prescribe and adopt such rules and regulations as in its judgment are necessary or desirable for the administration and operation of the City Ordinance and the distribution of the district taxes collected thereunder.

**E. Preference.** Unless the payor instructs otherwise, and except as otherwise provided in this Agreement, the Department shall give no preference in applying money received for state sales and use taxes, state-administered local sales and use taxes, and district transactions and use taxes owed by a taxpayer, but shall apply moneys collected to the satisfaction of the claims of the State, cities, counties, cities and counties, redevelopment agencies, other districts, and City as their interests appear.





**F. Security.** The Department agrees that any security which it hereafter requires to be furnished by taxpayers under the State Sales and Use Tax Law will be upon such terms that it also will be available for the payment of the claims of City for district taxes owing to it as its interest appears. The Department shall not be required to change the terms of any security now held by it, and City shall not participate in any security now held by the Department.

**G. Records of the Department.**

When requested by resolution of the legislative body of the City under section 7056 of the Revenue and Taxation Code, the Department agrees to permit authorized personnel of the City to examine the records of the Department, including the name, address, and account number of each seller holding a seller's permit with a registered business location in the City, pertaining to the ascertainment of transactions and use taxes collected for the City. Information obtained by the City from examination of the Department's records shall be used by the City only for purposes related to the collection of transactions and use taxes by the Department pursuant to this Agreement.

**H. Annexation.** City agrees that the Department shall not be required to give effect to an annexation, for the purpose of collecting, allocating, and distributing District transactions and use taxes, earlier than the first day of the calendar quarter which commences not less than two months after notice to the Department. The notice shall include the name of the county or counties annexed to the extended City boundary. In the event the City shall annex an area, the boundaries of which are not coterminous with a county or counties, the notice shall include a description of the area annexed and two maps of the City showing the area annexed and the location address of the property nearest to the extended City boundary on each side of every street or road crossing the boundary.

**ARTICLE III**

**ALLOCATION OF TAX**

**A. Allocation.** In the administration of the Department's contracts with all districts that impose transactions and use taxes imposed under ordinances, which comply with Part 1.6 of Division 2 of the Revenue and Taxation Code:

1. Any payment not identified as being in payment of liability owing to a designated district or districts may be apportioned among the districts as their interest appear, or, in the discretion



of the Department, to all districts with which the Department has contracted using ratios reflected by the distribution of district taxes collected from all taxpayers.

2. All district taxes collected as a result of determinations or billings made by the Department, and all amounts refunded or credited may be distributed or charged to the respective districts in the same ratio as the taxpayer's self-declared district taxes for the period for which the determination, billing, refund or credit applies.

**B. Vehicles, Vessels, and Aircraft.** For the purpose of allocating use tax with respect to vehicles, vessels, or aircraft, the address of the registered owner appearing on the application for registration or on the certificate of ownership may be used by the Department in determining the place of use.

#### **ARTICLE IV COMPENSATION**

The City agrees to pay to the Department as the State's cost of administering the City Ordinance such amount as is provided for by law. Such amounts shall be deducted from the taxes collected by the Department for the City.

#### **ARTICLE V MISCELLANEOUS PROVISIONS**

**A. Communications.** Communications and notices may be sent by first class United States mail to the addresses listed below, or to such other addresses as the parties may from time to time designate. A notification is complete when deposited in the mail.



Communications and notices to be sent to the Department shall be addressed to:

California State Department of Tax and Fee Administration  
P.O. Box 942879  
Sacramento, California 94279-0027

Attention: Administrator  
Local Revenue Branch

Communications and notices to be sent to the City shall be addressed to:

City of Blue Lake  
PO Box 458  
Blue Lake, CA 95525

Attention: Vicki Hutton  
Finance Manager

**Unless otherwise directed, transmittals of payment of District transactions and use taxes will be sent to the address above.**

**B. Term.** The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on \_\_\_\_\_. This Agreement shall continue until December 31 next following the expiration date of the City Ordinance, and shall thereafter be renewed automatically from year to year until the Department completes all work necessary to the administration of the City Ordinance and has received and disbursed all payments due under that Ordinance.

**C. Notice of Repeal of Ordinance.** City shall give the Department written notice of the repeal of the City Ordinance not less than 110 days prior to the operative date of the repeal.





**ARTICLE VI**  
ADMINISTRATION OF TAXES IF THE  
ORDINANCE IS CHALLENGED AS BEING INVALID

**A. Impoundment of funds.**

1. When a legal action is begun challenging the validity of the imposition of the tax, the City shall deposit in an interest-bearing escrow account, any proceeds transmitted to it under Article II. C., until a court of competent jurisdiction renders a final and non-appealable judgment that the tax is valid.

2. If the tax is determined to be unconstitutional or otherwise invalid, the City shall transmit to the Department the moneys retained in escrow, including any accumulated interest, within ten days of the judgment of the trial court in the litigation awarding costs and fees becoming final and non-appealable.

**B. Costs of administration.** Should a final judgment be entered in any court of the State of California, holding that City's Ordinance is invalid or void, and requiring a rebate or refund to taxpayers of any taxes collected under the terms of this Agreement, the parties mutually agree that:

1. Department may retain all payments made by City to Department to prepare to administer the City Ordinance.

2. City will pay to Department and allow Department to retain Department's cost of administering the City Ordinance in the amounts set forth in Article IV of this Agreement.

3. City will pay to Department or to the State of California the amount of any taxes plus interest and penalties, if any, that Department or the State of California may be required to rebate or refund to taxpayers.

4. City will pay to Department its costs for rebating or refunding such taxes, interest, or penalties. Department's costs shall include its additional cost for developing procedures for processing



the rebates or refunds, its costs of actually making these refunds, designing and printing forms, and developing instructions for Department's staff for use in making these rebates or refunds and any other costs incurred by Department which are reasonably appropriate or necessary to make those rebates or refunds. These costs shall include Department's direct and indirect costs as specified by Section 11256 of the Government Code.

5. Costs may be accounted for in a manner, which conforms to the internal accounting, and personnel records currently maintained by the Department. The billings for such costs may be presented in summary form. Detailed records will be retained for audit and verification by City.

6. Any dispute as to the amount of costs incurred by Department in refunding taxes shall be referred to the State Director of Finance for resolution and the Director's decision shall be final.

7. Costs incurred by Department in connection with such refunds shall be billed by Department on or before the 25th day of the second month following the month in which the judgment of a court of the State of California holding City's Ordinance invalid or void becomes final. Thereafter Department shall bill City on or before the 25th of each month for all costs incurred by Department for the preceding calendar month. City shall pay to Department the amount of such costs on or before the last day of the succeeding month and shall pay to Department the total amount of taxes, interest, and penalties refunded or paid to taxpayers, together with Department costs incurred in making those refunds.

CITY OF Blue Lake

CALIFORNIA STATE DEPARTMENT OF  
TAX AND FEE ADMINISTRATION

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

By \_\_\_\_\_  
Administrator  
Local Revenue Branch

\_\_\_\_\_  
Amanda Mager

\_\_\_\_\_  
City Manager



**AGREEMENT FOR PREPARATION TO ADMINISTER AND OPERATE  
CITY'S TRANSACTIONS AND USE TAX ORDINANCE**

In order to prepare to administer a transactions and use tax ordinance adopted in accordance with the provision of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, the City of Blue Lake, hereinafter called *City*, and the CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION, hereinafter called *Department*, do agree as follows:

1. The Department agrees to enter into work to prepare to administer and operate a transactions and use tax in conformity with Part 1.6 of Division 2 of the Revenue and Taxation Code which has been approved by a majority of the electors of the City and whose ordinance has been adopted by the City.

2. City agrees to pay to the Department at the times and in the amounts hereinafter specified all of the Department's costs for preparatory work necessary to administer the City's transactions and use tax ordinance. The Department's costs for preparatory work include costs of developing procedures, programming for data processing, developing and adopting appropriate regulations, designing and printing forms, developing instructions for the Department's staff and for taxpayers, and other appropriate and necessary preparatory costs to administer a transactions and use tax ordinance. These costs shall include both direct and indirect costs as specified in Section 11256 of the Government Code.

3. Preparatory costs may be accounted for in a manner which conforms to the internal accounting and personnel records currently maintained by the Department. The billings for costs may be presented in summary form. Detailed records of preparatory costs will be retained for audit and verification by the City.

4. Any dispute as to the amount of preparatory costs incurred by the Department shall be referred to the State Director of Finance for resolution, and the Director's decision shall be final.

5. Preparatory costs incurred by the Department shall be billed by the Department periodically, with the final billing within a reasonable time after the operative date of the ordinance. City shall pay to the Department the amount of such costs on or before the last day of the next succeeding month following the month when the billing is received.

6. The amount to be paid by City for the Department's preparatory costs shall not exceed one hundred seventy-five thousand dollars (\$175,000) (Revenue and Taxation Code Section 7272.)





7. Communications and notices may be sent by first class United States mail. Communications and notices to be sent to the Department shall be addressed to:

California Department of Tax and Fee Administration  
P.O. Box 942879 MIC: 27  
Sacramento, California 94279-0027

Attention: Administrator  
Local Revenue Branch

Communications and notices to be sent to City shall be addressed to:

City of Blue Lake  
PO Box 458  
Blue Lake, California 95525

Attention: Vicki Hutton  
Finance Manager

8. The date of this agreement is the date on which it is approved by the Department of General Services. This agreement shall continue in effect until the preparatory work necessary to administer City's transactions and use tax ordinance has been completed and the Department has received all payments due from City under the terms of this agreement.

CITY OF Blue Lake

CALIFORNIA DEPARTMENT OF TAX  
AND FEE ADMINISTRATION

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

By \_\_\_\_\_  
Administrator  
Local Revenue Branch

\_\_\_\_\_  
Amanda Mager

\_\_\_\_\_  
City Manager





# CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525  
Phone 707.668.5655 Fax 707.668.5916

## AGENDA REPORT

**Item #:** 11  
**Date:** December 27, 2022  
**Item Subject:** Blue Lake Wastewater Treatment Plant Solar Installation Contract Award  
**Submitted By:** Mandy Mager, City Manager

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### General Information:

The City of Blue Lake has received funds from the State of California Office of Emergency Services to address impacts to the City’s wastewater treatment plant during power outages. The funding was originally identified for the purchase and installation of a generator at the plant, but due to COVID impacts with supply chains and the significant increase in costs associated with the procurement of a generator, City staff amended the original project scope to include the installation of a solar system.

The original budget allocation for the generator is not adequate to make the purchase, however, the budget is adequate to purchase and install a solar array that will provide immediate benefit to the treatment plant operation and has been designed for future investment.

City staff have worked with Redwood Coast Energy Authority on the development of a bid package; the package was released in November and the City has received a qualified bid. The City Manager is requesting authorization to award the bid to the lowest qualified bidder.

**Background Material Provided:** Solar Bid Scope of Work

**Fiscal Impact:** Funding has been received from Cal OES

**Recommended Action:** Authorize the City Manager to execute a contract with the lowest qualified bidder.

### Review Information:

City Manager Review:       Legal Review:       Planner Review:       Engineer:

Comments:





# CITY OF BLUE LAKE

## REQUEST FOR PROPOSALS (RFP)

### Wastewater Treatment Plant Solar Installation

<u>Request Release Date:</u>	October 26, 2022
<u>Request Closing Date:</u>	November 18, 2022
<u>Pre-Bid Site Visit:</u>	November 8, 2022-1:00 PM (City Hall)
<u>Request Contact Person:</u>	Amanda Mager, City Manager City of Blue Lake Phone: (707) 668-5655 Fax: (707) 668-5916 Email: <a href="mailto:citymanager@bluelake.ca.gov">citymanager@bluelake.ca.gov</a>

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#### INTRODUCTION:

The City of Blue Lake is soliciting proposals from qualified solar installation firms to design, fabricate, store, deliver, install and commission a fully operational grid-tied solar photovoltaic (PV) system for the City's wastewater treatment plant.

The wastewater treatment plant is located in the City of Blue Lake, behind the Blue Lake Casino. The PV system should be designed in a manner that allows for future growth as funding becomes available.

Funding for the project is provided by the California Office of Emergency Services (CalOES).

A non-mandatory pre-bid site visit will take place on November 8, 2022 at 1:00 PM. Interested parties will meet at Blue Lake City Hall, located at 111 Greenwood Road. Interested parties will be taken out to the site; the site is NOT accessible to the public.

**Deadline Submission:** All proposals must be received no later than 4:00 p.m. on November 22, 2022.







# City of Blue Lake

## City Manager Report

**December 2022**

### **Economic Development**

Commercial Kitchen Development: Work continues on the upgrade of City facilities to increase food production opportunities in the park. The kitchen in Prasch Hall is being upgraded with new electrical, plumbing, wall coverings and flooring. The City has funding from the State Park Per Capita Program to fund the renovation work, along with funding from USDA to purchase new commercial kitchen equipment. Work is approximately 65% complete.

We are pursuing options under SB 972, the Street Food Vendor Bill, which allows a local jurisdiction to permit non-conforming kitchens if they can be shown to have the capacity to safely prepare foods for resale purposes. The bill is specifically written to address smaller scale producers that cannot obtain full permit status under the onerous retail food code. This option would greatly expand food production opportunities in Blue Lake and would allow facilities like the Prasch Hall kitchen and the Mad River Grange kitchen to be permitted.

RV Park and Campground: The RV Park and Campground development project is in its final stages of refinement. The project has been presented to all of the City commissions, as well as to our local and regional tourism and economic development partners and agencies. The City has received positive and constructive feedback and Storyland Studios is finalizing the final report, which will be used to seek investment opportunities. The



City has been granted an extension on the grant funding in order to expend remaining grant dollars. As a result of the work done under the RV park project, the City has gained various levels of interest in developing businesses in the Powers Creek District. The goal of the EDA project was to determine the viability of recreation centric development for economic purposes in Blue Lake; the funding has proven to be a catalyst for development interest, and we will be working with our grant manager to develop a revised scope of work that will bring additional value to the district. Additional work may include special studies to aid in the future development of the district.-On-Going

**Parks and Recreation**

- State Park Per Capita Grant-\$177,000: Work is fully underway on Prasch Hall, Perigot Park, Iorg Field, Clemence Field, the basketball/tennis courts, as well as the horse arena. Upgrades to Prasch Hall include all new electrical, renovation of the existing kitchen, installation of new flooring, interior painting, data improvements and more. Prasch Hall is scheduled to have the main gym floor sanded and refinished during the second week of January. The improvements to the floor will allow the City to market the gym for increased activities, including basketball, volleyball, exercise classes, dances and more.
- Town Square Grant: The City has received the updated appraisal and filed the deed restrictions for the town square grant. We are in the process of packaging the necessary documents to send to the State to request reimbursement for the acquisition loan. We have found a third-party appraiser to review the appraisal documents and will be sending the State the review letter once it's received. This is the final step in the State reimbursing the City for the loan payments, as well as paying off the loan balance. We are working with SHN Engineering on the final design and layout of the park; this includes engineered



drawings for the electrical, lighting, water/wastewater/irrigation and more. The Arts and Heritage Commission has developed an Ad Hoc Committee to work with the design team; the A & H Commission will assist with the final design elements, including art installations and the water feature. We anticipate releasing the project out to bid in the Spring of 2023.

- Skate Program: The skate program is in full operation and we have seen increased revenues due to increased attendance and the addition of a higher level concession and merchandise center. The party room has been renovated and is now open for use. We are still working on final design elements, but the room has new paint, new carpet, new electrical and additional arcade games. We will be moving the concession stand over to the party room side once the new kitchen is complete. We will also be adding a heat press/merchandise counter to increase revenue. The skate program has been increasingly popular; with the addition of themed skate nights, and a higher level of outreach and marketing, we are seeing revenues at historic levels. We are continuing to refine party packages and special events; the rink is transitioning from a "gym" to a family fun center and the opportunities for revenue growth are exponential.

**City Infrastructure**

- Wastewater Treatment Plant Power Project: The City has gone out to bid for a solar array at the treatment plant; we have received a qualified bid and have brought an action item to Council for consideration. The solar array is designed for future growth and we are exploring funding opportunities to add additional capacity.

We have several projects taking place at the treatment





plant and in support of City's stormwater system. Work continues on upgrades to the treatment plant, including the procurement and installation of a new headworks grinder. We have several grants pending that would fund improvements to the system and the City and our engineering team continue to seek resources to alleviate system failures and capital outlay.

- Water Tank Replacement: Grant application submitted to CalOES/FEMA-**Waiting to hear back on funding**
- Sanitary Sewer Survey: **Grant submitted; waiting on funding notice**
- ADA Library Project: Improvements are being designed and engineered; construction delayed due to staffing shortages; project is projected to go out-to-bid in January-**On-going**
- Gas Line Replacement Project: PG&E is continuing with the gas line replacement project; City staff are meeting with PG&E reps to determine options for recovery paving. Due to early rains, paving will be scheduled for the Spring.**On-going**
- **Water and Wastewater Rate Study**-The City is in the process of conducting the 218 process.-**On-Going**

**Policy Updates and Studies**

Housing Element Update: Staff have submitted the draft housing element to the State for comment and we are working through comments received to update the draft. We are working closely with HCD to reach compliance and anticipate reaching compliance by January-**On-Going**

Truck Route Study and Design: Work continues on the truck route project; the City has a draft plan that is being used to conduct environmental and cultural studies. The City's project has been approved for funding by the CTC; it is anticipated that the City will receive funding in the amount of \$1.6 million to make much needed safety improvements to Greenwood. The



City will continue to pursue funding for additional improvements to the truck route as the design progresses-**On-going**

