

**CLEARLAKE OAKS COUNTY WATER DISTRICT
AGENDA, CALL AND NOTICE
PUBLIC NOTICE
SPECIAL MEETING OF THE BOARD OF DIRECTORS
PUBLIC HEARING FOR EMINENT DOMAIN FOR 589 KEYS BLVD**

Clearlake Oaks County Water District Administration Building
12952 E. Hwy. 20 Clearlake Oaks, CA 95423 (707) 998-3322

January 5, 2017

This meeting will be conducted by Roberts Rule of Order.

Where appropriate or deemed necessary, the Board may take action on any item listed on the agenda, including items listed as information items. Public documents relating to any open session item listed on this agenda that are distributed to all or a majority of the members of the Board of Directors less than 72 hours before the meeting are available for public inspection in the customer service area of the District's Administrative Office at the above address.

The public may address the Board concerning an agenda item either before or during the Board's consideration of that agenda item. The President will call for comments at the appropriate time. Comments will be subject to reasonable time limits of three minutes.

In compliance with the Americans with Disabilities Act, if you have a disability, and you need a disability-related modification or accommodation to participate in this meeting, then please contact Clearlake Oaks County Water District Secretary to the Board at 707-998-3322. Requests must be made as early as possible, and at least one full business day before the start of the meeting.

Public comment on non-agenda items

This is the opportunity for the public to comment on non-agenda items within the Board's jurisdiction. Comments are limited to three (3) minutes

AGENDA

Legal Counsel, Scott Nave is on the phone

Call to Order – 9:00 a.m.

Pledge of Allegiance

Roll Call

Mrs. Margaret Medeiros, President Mr. Karl Hosier, Vice President Mrs. Judy Heeszal, Director
 Ms. Dena Barron, Director, Mr. Richard Kuehn, Director

Mr. Alan Gardner – General Manager Mr. Jason Mitchell – Operations Manager
 Mrs. Dianna Mann - Secretary to the Board

Old Business

- a. Public hearing for necessity of eminent domain for 589 Keys Blvd., Clearlake Oaks, CA 95423, and Notice of Exemption from CEQA

Action Taken: _____

- b. Resolution No. 17-01, Necessity adopted by the Board of Directors relating to acquisition of real property for district facilities

Action Taken: _____

- c. Update of grading design for easement road to Harvey Storage Tank

Action Taken: _____

Closed Session **Time:** _____

- a. Public Employee discipline/dismissal/release per GC 54956.9

Open Session **Time:** _____

Action taken in closed session: _____

Adjournment **Time:** _____

NOTICE OF EXEMPTION

TO: County Clerk
County of Lake
255 North Forbes St
Lakeport, CA 95453

FROM: Clearlake Oaks County Water District
12545 East Highway 20
Clearlake Oaks, CA 95423

Project Title: Clear Lake Keys Sewer Lift Station

Project Location - Specific: 589 Keys Blvd., Clearlake Oaks, CA

Project Location - City: Clearlake Oaks

Project Location – County: Lake

Description of Nature, Purpose, and Beneficiaries of Project:

Construction of sewer lift station to avoid future incidents involving sewage spills into Clear Lake.

Name of Public Agency Approving Project: Clearlake Oaks County Water District

Name of Person or Agency Carrying Out Project: Clearlake Oaks County Water District

Exempt Status: (Check One)

Ministerial (Public Resources Code § 21080(b)(1); CEQA Guidelines § 15268)

Declared Emergency (Public Resources Code § 21080(b)(3); CEQA Guidelines § 15269(a))

Emergency Project (Public Resources Code § 21080(b)(4); CEQA Guidelines § 15269(b),(c))

X Categorical Exemption – state type and section number: CEQA Guidelines Section 15303 –
New Construction of Small Structures

Statutory Exemption – state code number:

Reasons Why Project is Exempt:

The project consists of the construction of a small sewer lift station, necessary for the health and safety of local residents and users of Clear Lake, thus is exempt under CEQA Guidelines Section 15303.

Contact Person:

Title:

Signature:

Telephone:

Alan Gardner General Manager

707-998-3322

Date Received for Filing: _____

CLEARLAKE OAKS COUNTY WATER DISTRICT

RESOLUTION NO. 17-01

RESOLUTION OF NECESSITY ADOPTED BY THE BOARD OF DIRECTORS OF CLEARLAKE OAKS COUNTY WATER DISTRICT RELATING TO ACQUISITION OF REAL PROPERTY FOR DISTRICT FACILITIES

Pursuant to Code of Civil Procedure Section 1245.220, the Board of Directors of Clearlake Oaks County Water District (the "District") hereby resolves:

1. The District is a county water district, duly formed under Division 12 of the California Water Code, and is granted by Water Code Section 31040 the right of eminent domain to acquire any property necessary to carry out the business of the District.
2. The District requires certain property within its jurisdiction, legally described as follows, and designated by Lake County Assessor's Parcel Number 035-821-08-00 (which property is referred to herein as the "Property"):

Lot 616, as shown on that certain map entitled, "CLEAR LAKE KEYS UNIT NO. 6," filed in the office of the County Recorder of said Lake County on August 11, 1966, in Book 9 of Town Maps at Page(s) 52 to 54, inclusive.
3. As required by Government Code Section 7267.2, the District has attempted to negotiate a purchase of the Property from the record owner of the Property, but that attempt was unsuccessful.
4. In order to maintain the local public health, safety and well-being and to house necessary District facilities to be constructed on the Property, including a sewer lift station and appurtenant facilities (which facilities are collectively referred to herein as the "Facilities"), it is necessary for the District to acquire by eminent domain the above-described Property.
5. In making this resolution, the District's Board of Directors finds and determines the following:
 - A. The public interest and necessity require the proposed acquisition of the Property.

- B. The Property is located in a manner that will be most compatible with the greatest public good and the least private injury.
- C. The Property is necessary for the District to construct the necessary Facilities.
- D. The District has made the offer required by Government Code Section 7267.2, by letter dated November 28, 2016, sent to the record owner of the Property, and to date that offer has not been accepted.
- E. On or about December 20, 2016, the District gave the notice required under Code of Civil Procedure Section 1245.235 to the record owner of the Property.

THE ABOVE RESOLUTION is hereby passed and adopted by the Board of Directors of the Clearlake Oaks County Water District at a special meeting held on the 5th day of January, 2017 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

CLEARLAKE OAKS COUNTY WATER DISTRICT

By: _____
Margaret Medeiros, President

Attest: _____
Dianna Mann, Board Secretary