

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY REGULAR MEETING DECEMBER 13, 2018

CALL TO ORDER CLOSED SESSION: 5:30 P.M.

Roll Call.	Present:	Bruno Sabatier, Mayor Phil Harris, Vice Mayor Nick Bennett, Councilmember Joyce Overton, Councilmember Russ Cremer, Councilmember
	Staff:	Ryan Jones, City Attorney Greg Folsom, City Manager Alan Flora, Assistant City Manager Andrew White, Chief of Police Melissa Swanson, Admin. Svcs. Dir.

(1) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION pursuant to Government Code §54956.9 – Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 2 potential cases.

(2) CONFERENCE WITH REAL PROPERTY NEGOTIATOR: Pursuant to Government Code Section 54956.8: Property: Owned by Victor Hunt; Location: 14130 Tuli Lane, Clearlake; City negotiator: City Manager Greg Folsom; Negotiating party: Victor Hunt; Under negotiation: Price and Terms of Payment.

There was no action taken in closed session.

CALL TO ORDER REGULAR CITY COUNCIL MEETING: 6:00 P.M.

Roll Call.	Present:	Bruno Sabatier, Mayor Phil Harris, Vice Mayor Nick Bennett, Councilmember Russ Cremer, Councilmember Joyce Overton, Councilmember
	Staff:	Greg Folsom, City Manager Alan Flora, Assistant City Manager Ryan Jones, City Attorney Andrew White, Chief of Police Melissa Swanson, Admin. Svcs. Dir./City Clerk

INVOCATION

Dale Rogers gave the invocation.

ADOPTION OF THE AGENDA

City Manager Folsom asked the Council to move Item #19, Amendment of Contract with Foster Morrison to add the Lake County Fire Protection District to the Clearlake Local Hazard Mitigation Plan, to after Item #15 on the Business Calendar.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Cremer to approve the changes to the agenda as presented. The motion passed with a unanimous voice vote.

REDEVELOPMENT SUCCESSOR AGENCY CONSENT ITEMS:

1. Approval of Request for Consent by the Redevelopment Successor Agency of the City of Clearlake for Withdrawal of Casitas De Mendota, LLC of its interest in the Partnership of "O" Village Investors (Related to the Development of Olympic Village Apartments), and Approval of Request for the Redevelopment Successor Agency of the City of Clearlake to Sign a Subordination Agreement in Reference to the Same Project

Assistant City Manager Flora gave the staff report.

ACTION: It was moved by Vice Mayor Harris and seconded by Councilmember Cremer to approve the Form of Consent for Withdrawal of Administrative General Partner in the "O" Village Investors Partnership and Authorize the Mayor to Sign the Agreement, further Approve the Request to Enter into Subordination Agreement Related to the Same Project, Authorizing the Chair to Execute Said Documents. The motion passed with a unanimous roll call vote.

PRESENTATION

2. Presentation to Outgoing Mayor Sabatier
3. Swearing-In of New Police Dept. Lieutenant, Police Officer, Code Enforcement Officer, Kennel Technician and Dispatcher

BUSINESS:

4. Consideration of Acceptance of the November 2018 Election Results, Resolution No. 2018-54

Administrative Services Director Swanson gave the staff report.

ACTION: It was moved by Vice Mayor Harris and seconded by Councilmember Overton to adopt Resolution No. 2018-54, A Resolution of the City Council of the City of Clearlake Reciting the Facts of the General Municipal Election Held on November 6, 2018, Declaring the Results and such other matters as Provided By Law. The motion passed with a unanimous roll call vote.

5. Administration of Oaths of Office to Newly Elected Council Members

Administrative Services Director Swanson administered the oaths of office to Dirk C. Slooten and Russell Cremer.

City of Clearlake Consent Items

Recommended Action

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| 6. | Warrant Registers | Receive and file |
| 7. | Continuation of Local Emergency Issued on October 9, 2017 and Ratified by Council Action October 12, 2017 | By motion keep declaration of emergency active and set next review for the next Council meeting |
| 8. | Approval of Appointment of Curt Giambruno to the Lake County Vector Control District Board for a Term of Four Years | Approve appointment |
| 9. | Adoption of the 2018 Conflict of Interest Code; Resolution No. 2018-55 | Adopt resolution |
| 10. | Amendment of Contract with the Melton Design Group | Authorize the City Manager to amend the contract with Melton Design Group for an additional \$6,270 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments |
| 11. | Flooring for Police Department and City Hall | Authorize the Assistant City Manager to contract with Mendo-Lake Interiors for the replacement of flooring in the Police Department and City Hall lobby and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments; Resolution No. 2018-58 |
| 12. | Cubicles for Police Department | Authorize the Chief of Police to purchase remanufactured cubicles from Eco Office for the Police Department and waive the competitive bidding process, and further adopt Resolution No. 2018-56 amending the FY 2018-19 Budget to appropriate funds for said purchase |

Councilmember Slooten pulled item #10, Amendment of Contract with the Melton Design Group for discussion and separate action.

City Manager Folsom gave the staff report for Item #10.

ACTION: It was moved by Councilmember Bennett and seconded by Councilmember Slooten to authorize the City Manager to amend the contract with Melton Design Group for an additional \$6,270 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments. The motion passed with a unanimous voice vote.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to approve the Consent Calendar as amended. The motion passed with a unanimous voice vote.

PUBLIC COMMENT

Betty Pine spoke regarding tenant issues at the Adagio and Olympic Village Apartments.

PUBLIC HEARING:

- 13. Public Hearing to Consider Development Agreement with Justin Jones for Commercial Cannabis Operations; Ordinance No. 217-2018**

Assistant City Manager Flora gave the staff report.

There was no public comment on this item.

ACTION: It was moved by Councilmember Cremer and seconded by Councilmember Overton to hold first reading of Ordinance No. 217-2018 by title only, waive further reading, and set second reading and adoption for January 10, 2019. The motion passed with a unanimous roll call vote.

- 14. Public Hearing to Consider Development Agreement with Steven Malone for a Commercial Cannabis Operation; Ordinance No. 218-2018**

Assistant City Manager Flora gave the staff report.

There was no public comment on this item.

ACTION: It was moved by Councilmember Cremer and seconded by Councilmember Overton to hold first reading of Ordinance No. 218-2018 by title only, waive further reading, and set second reading and adoption for January 10, 2019. The motion passed with a unanimous roll call vote.

BUSINESS:

- 15. Consideration of the 2018 City Photo Contest Entries**

Administrative Services Director Swanson gave the staff report.

ACTION: The Council reviewed the entries and awarded the winner \$200 donated by former Mayor Sabatier and Councilmember Overton.

- 19. Amendment of Contract with Foster Morrison to add the Lake County Fire Protection District to the Clearlake Local Hazard Mitigation Plan**

City Manager Folsom and Assistant City Manager Flora gave the staff report.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to authorize the City Manager to amend the contract with Foster Morrison. The motion passed with a unanimous roll call vote.

16. Automated License Plate Recognition Program

Chief White gave the staff report on this item.

ACTION: It was moved by Councilmember Bennett and seconded by Councilmember Cremer to adopt Resolution No. 2018-59 authorizing the Chief of Police to implement an Automated License Plate Recognition Program. The motion passed with a unanimous roll call vote.

17. Contract for Transportation Improvement Program Study

City Manager Folsom gave the staff report.

ACTION: It was moved by Councilmember Slooten and seconded by Councilmember Cremer to approve contract with W-Trans for Preparation of a Transportation Improvement Study not to exceed \$23,250 and authorize the City Manager to approve up to 10% for additional unforeseen contract amendments. Additionally, it was included in the motion to approve Price Consulting to study police facilities, government facilities, parks and stormwater for a cost not-to-exceed \$20,000 and a contract coming to the Council in January for approval. The motion passed with a unanimous voice vote.

18. First Reading of Ordinance to Amend Section 6-4 of the Clearlake Municipal Code "Sidewalk Vendors and Door-to-Door Sales" and Amending Sections 6-1 And 6-9 Of The Clearlake Municipal Code Regulating Itinerant Businesses

Chief White gave the staff report on this item. Chief White recommended adding the definition of "City Event Holder" being exempt if a Special Event Permit has been issued.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to hold First Reading of Ordinance No. 216-2018: AN ORDINANCE AMENDING SECTION 6-4 OF THE CLEARLAKE MUNICIPAL CODE REGULATING SIDEWALK VENDOR AND DOOR-TO-DOOR SALES ACTIVITY AND AMENDING SECTIONS 6-1 AND 6-9 OF THE CLEARLAKE MUNICIPAL CODE REGULATING ITINERANT BUSINESSES, with proposed changes, read by title only and set second reading for the January 10, 2019 meeting. The motion passed with a unanimous roll call vote.

20. Consideration of Fourth Amendment to Employment Services Agreement for City Manager Greg Folsom

City Attorney Jones gave the staff report.

ACTION: It was moved by Councilmember Cremer and seconded by Councilmember Overton to approve Fourth Amendment to Employment Services Agreement for City Manager Greg Folsom. The motion passed with a unanimous roll call vote.

APPOINTMENT OF THE 2019 MAYOR AND VICE MAYOR

ACTION: It was moved by Councilmember Slooten and seconded by Vice Mayor Harris to appoint Councilmember Bennett as 2019 Mayor and Councilmember Cremer as 2019 Vice Mayor. The motion passed with a unanimous voice vote.

CITY MANAGER AND COUNCILMEMBER REPORTS

FUTURE AGENDA ITEMS:

ADJOURNMENT

There being no further business of the Council, the meeting was adjourned at 8:09 p.m.

Melissa Swanson, City Clerk