

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY SPECIAL MEETING OCTOBER 5, 2017

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

Roll Call.

Present:

Russell Perdock, Mayor
Bruno Sabatier, Vice Mayor
Nick Bennett, Councilmember
Joyce Overton, Councilmember
Phil Harris, Councilmember

Staff:

Greg Folsom, City Manager
Ryan Jones, City Attorney

(1) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Government Code Section 54956.9) Name of case: City of Clearlake vs. Williams, et al.; Case No. CV 417824, Lake County Superior Court

(2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (pursuant to Government Code Section 54956.9) Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of 54956.9: One Potential Case

There was no reportable action of the Council in Closed Session.

There being no further business of the Council, Closed Session adjourned at 5:47 p.m.

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

Roll Call.

Present:

Russell Perdock, Mayor
Bruno Sabatier, Vice Mayor
Nick Bennett, Councilmember
Phil Harris, Councilmember
Joyce Overton, Councilmember

Staff:

Greg Folsom, City Manager
Ryan Jones, City Attorney
Tim Celli, Acting Chief of Police
Melissa Swanson, City Clerk
Chris Becnel, Director of Finance
Adeline Brown, Engineering Technician
Steve Felder, Code Enforcement Officer
Tina Viramontes, Code Enforcement Officer

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

City Manager Folsom asked the Council to hear Item #15, Consideration of Award of Contract for Professional Engineering Design Services for the City of Clearlake Relating to the Country Club Drive Pavement Rehabilitation Preliminary Study Report, ahead of the Public Hearings.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Overton to adopt the agenda as amended. The motion passed with a unanimous voice vote.

Consent Items

Recommended Action

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| 1. Successor Agency Board: Consideration of Adoption of Resolution SA-2017-07, Approving Correction of the Deed and Re-Transfer of the Clearlake City Hall Property to the City of Clearlake from the Successor Agency | By motion, adopt Resolution No. SA-2017-07, A Resolution of the Successor Agency to the Redevelopment Agency of the City of Clearlake Approving the Transfer of the Clearlake City Hall Property to the City of Clearlake and directing the City Manager to Execute a Grant Deed and All Related Documents Necessary to Transfer the Clearlake City Located at 14050 Olympic Drive, Clearlake CA to the City of Clearlake |
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ACTION: It was moved by Councilmember Overton and seconded by Vice Mayor Sabatier to approve the Consent Calendar as presented. The motion passed with a unanimous voice vote.

BUSINESS:

- 15.** Consideration of Award of Contract for Professional Engineering Design Services for the City of Clearlake Relating to the Country Club Drive Pavement Rehabilitation Preliminary Study Report

City Manager Folsom gave the staff report.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Harris to authorize the City Manager to execute a contract with Coastland Civil Engineers to provide Engineering Design Services relating to the Country Club Drive Pavement Rehabilitation Preliminary Study for a not-to-exceed amount of \$27,032.00. The motion passed with a unanimous roll call vote.

PUBLIC HEARING:

2. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 4116 Sunset Avenue Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Officer Viramontes gave the staff report.

Mayor Perdock opened the Public Hearing for all items at 6:04 p.m.

Marshall Wisterman, appellant, spoke in favor of granting the appeal.

ACTION: It was moved by Councilmember Harris and seconded by Councilmember Overton to approve Resolution No. 2017-65, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

3. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 3900 Vista Robles Way, Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Officer Viramontes gave the staff report.

There was no comment on this item.

ACTION: It was moved by Councilmember Harris and seconded by Councilmember Bennett to approve Resolution No. 2017-66, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

4. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 15595 31st Avenue, Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Officer Felder gave the staff report.

There was no comment on this item.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Overton to approve Resolution No. 2017-67, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

5. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 3843 Emile Avenue Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Officer Felder gave the staff report.

Pedro Flores, appearing for the appellant, spoke in favor of granting the appeal.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Overton to approve Resolution No. 2017-68, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

6. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 15961 21st Avenue Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Officer Felder gave the staff report.

Victor Ignacio, appellant, spoke in favor of granting the appeal.

ACTION: It was moved by Councilmember Harris and seconded by Councilmember Overton to approve Resolution No. 2017-69, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

7. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 4075 Eureka Avenue Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Officer Felder gave the staff report.

Patrick Ritchie, appellant, spoke in favor of granting the appeal.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to approve Resolution No. 2017-70, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

8. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 4055 Eureka Avenue Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Officer Felder gave the staff report.

Patrick Ritchie, appellant, had questions regarding the appeal process.

ACTION: It was moved by Councilmember Bennett and seconded by Councilmember Harris to approve Resolution No. 2017-71, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

9. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 3051 6th Street Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Supervisor Lambert gave the staff report.

There was no public comment on this item.

ACTION: It was moved by Councilmember Harris and seconded by Vice Mayor Sabatier to approve Resolution No. 2017-72, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

10. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 3071 6th Street Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Supervisor Lambert gave the staff report. He requested this item be removed from Council action due to the appellant achieving compliance.

There was no action taken by Council on this item.

11. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 3347 7th Street Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Supervisor Lambert gave the staff report.

Presciliano Vargas, appellant, spoke in favor of granting the appeal.

ACTION: It was moved by Councilmember Harris and seconded by Vice Mayor Sabatier to approve Resolution No. 2017-74, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

12. Public Hearing to hear and act upon an Abatement Order Appeal Hearing referencing real property located at 3355 7th Street Clearlake, CA 95422 in accordance with C.M.C. section(s) 18-9.110, 18-9.120, 18-9.130 and 18-10 in its entirety

Code Enforcement Supervisor Lambert gave the staff report.

Pauly (No Last Name Given) had questions regarding the fines and costs for marijuana permits.

Chuck Leonard stated property owners receive notice of violations.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Overton to close the Public Hearing at 6:50 p.m. The motion passed with a unanimous voice vote.

ACTION: It was moved by Councilmember Harris and seconded by Vice Mayor Sabatier to approve Resolution No. 2017-75, denying the appeal and to read it by title only. The motion passed with a unanimous roll call vote.

BUSINESS:

13. Receipt of and Response to 2016-2017 Grand Jury Report

City Manager Folsom gave the staff report.

ACTION: It was moved by Councilmember Bennett and seconded by Councilmember Harris to authorize the City's response to the Report. The motion passed with a unanimous voice vote.

14. Consideration of Request for Approval of a Resolution for Criminal History Checks of Commercial Marijuana Dispensaries; Resolution No. 2017-76

Acting Chief Celli gave the staff report.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Harris to approve Resolution No. 2017-76 for disclosure of criminal history information for licensing of commercial marijuana dispensaries. The motion passed with a unanimous voice vote.

ADJOURNMENT

There being no further business of the Council, the meeting was adjourned at 6:56 p.m.

Melissa Swanson, City Clerk