

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY REGULAR MEETING APRIL 27, 2017

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

Roll Call.	Present:	Russell Perdock, Mayor Bruno Sabatier, Vice Mayor Nick Bennett, Councilmember
	Absent:	Phil Harris, Councilmember (arrived at 5:35 p.m.) Joyce Overton, Councilmember
	Staff:	Greg Folsom, City Manager Ryan Jones, City Attorney Chris Becnel, Director of Finance

(1) CONFERENCE WITH LABOR NEGOTIATORS: Agency designated representatives: City Manager Greg Folsom; Employee organization: Clearlake Municipal Employees Association, Clearlake Police Officers Association, Clearlake Middle Management Association and Clearlake Management Employees

(2) CONFERENCE WITH REAL PROPERTY NEGOTIATOR: Property: Represented by David Hughes; Location: 14060 Olympic Drive; City negotiator: City Manager, Greg Folsom; Negotiating party: David Hughes; Under negotiation: Price and Terms of Payment.

The Council took no reportable action in Closed Session, which adjourned at 5:52 p.m.

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

Roll Call.	Present:	Russell Perdock, Mayor Bruno Sabatier, Vice Mayor Nick Bennett, Councilmember Phil Harris, Councilmember
	Absent:	Joyce Overton, Councilmember
	Staff:	Greg Folsom, City Manager Crystal Hodgson, Deputy City Attorney Tim Celli, Police Lieutenant

Melissa Swanson, City Clerk
Chris Becnel, Director of Finance
Steve Felder, Code Enforcement Officer
Chelsea Banks, Code Enforcement Technician

INVOCATION

Pastor Chris Gravesen gave the invocation.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

City Manager Folsom stated the minutes of March 23, under Item #6, and Item #7, Second Reading of Ordinance No. 196-2017, An Ordinance of the City Council of the City of Clearlake Adding Article 5-24 to the Clearlake Municipal Code Entitled “Marijuana Dispensary Regulations” and Repealing Article 5.20 of the Clearlake Municipal Code Entitled “Medical Marijuana Dispensary Regulations” would be pulled from the Consent Calendar.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Council Member Harris to approve the agenda as amended. The motion passed with a 4-0-1 voice vote, with Council Member Overton absent.

PUBLIC COMMENT

Rita with the Animal Coalition offered assistance to the Animal Control Department. She also stated the fees for the department are too high.

Jean Yanich spoke regarding Animal Control and the need for additional services. The Animal Coalition is planning a fundraiser called “New Beginnings for Clearlake Animal Control” on July 8th at the Moose Lodge.

Stephanie Hampton spoke regarding the need for additional animal control services and loose dogs in her neighborhood that mauled her daughter.

Allan Fillipal spoke regarding animal control services and loose dogs in his neighborhood.

PRESENTATION

1. Presentation of a Proclamation Declaring April 2017 as Autism Awareness Month
2. Presentation by Ed Robey, Chair of the Public, Education and Government (PEG) Channel of the PEG Board Annual Report
3. Presentation by Citizens Caring For Clearlake (CC4C) on the “Gems of Clearlake” Contest
4. Presentation by the Children’s Museum of Art and Science on the Wildlife of Clearlake Youth Public Art Project

Consent Items

Recommended Action

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| 5. | Warrant Registers | Receive and file |
| 6. | Minutes of the March 9, March 23, 2017(Removed) Meetings | Receive and file |
| 7. | Second Reading of Ordinance No. 196-2017, An Ordinance of the City Council of the City of Clearlake Adding Article 5-24 to the Clearlake Municipal Code Entitled "Marijuana Dispensary Regulations" and Repealing Article 5.20 of the Clearlake Municipal Code Entitled "Medical Marijuana Dispensary Regulations" | Hold second reading by title only, waive further reading and adopt Ordinance No. 196-2017 |
| 8. | Second Reading of Ordinance No. 197-2017, An Ordinance of the City Council of the City of Clearlake Amending Article 18-9 of the Clearlake Municipal Code Entitled "Medical Marijuana Cultivation" and Retitling It "Personal Marijuana Cultivation," Amending Article 18-10 Entitled "Public Nuisances Created By the Cultivation of Medical Marijuana" and Retitling It "Public Nuisances Created By Cultivation of Marijuana," and Amending Article 18-11 Entitled "Administrative Penalties for Public Nuisances Created By Cultivation of Medical Marijuana" and Retitling It "Administrative Penalties for Public Nuisances Created By Cultivation of Marijuana" | Hold second reading by title only, waive further reading and adopt Ordinance No. 197-2017 |
| 9. | Consideration of Amendment to the Contract with Raney Planning and Management, Inc. for Preparing an Environmental Impact Report for the Wal-Mart Expansion Project | Approve Contract Amendment No. 3 |

ACTION: It was moved by Councilmember Bennett and seconded by Councilmember Harris to approve the Consent Calendar as amended. The motion passed with a 4-0-1 voice vote, with Council Member Overton absent.

Mayor Perdock called for a break between 6:51 p.m. and 6:56 p.m.

Item #7 was discussed. City Manager Folsom and City Attorney Hodgson gave the staff report. Comments submitted for the record by Beck Law, PC are attached.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Mayor Perdock to hold the second reading by title only, waive further reading and adopt Ordinance No. 196-2017. The

motion passed with a 3-1-1 roll call vote, with Council Member Bennett voting against, and Council Member Overton absent.

PUBLIC HEARING

10. Public Hearing to Confirm Assessment(s) in the Total Amount of \$52,500.00 for Administrative Penalties for Failure to Abate Public Nuisance(s) in Accordance with C.M.C. Section(s) 1-5, 1-9, 10-1.6, 10-1.7, 10-1.9, 10-1.12, 10-2.2(b), 10-2.4, 10-2.5, 10-2.6, 10-2.7, 10-2.8, 10-3.1, 10-3.3, 10-5 and 10-5.6

Code Enforcement Officer Felder and Code Enforcement Technician Banks gave the staff reports.

Mayor Perdock opened the Public Hearing at 7:17 p.m.

1. Location: 3925 Eureka Ave. Clearlake, CA 95422 A.P.N.# 039-406-690
Owner: Goodrich, Elaine
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

Levi Venuto spoke against the assessment. He stated he has been cleaning the property and has receipts to prove so. This item was continued to the May 25th Council meeting.

2. Location: 15654 38th Ave. Clearlake, CA 95422 A.P.N.# 041-382-320
Owner: Sweet, Anthony & Jennifer
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

Pete Loustalot asked a question on the ownership of the property.

3. Location: 15871 29th Ave. Clearlake, CA 95422 A.P.N.# 041-164-340
Owner: Pope, Kimble
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

There was no public comment on this item.

4. Location: 15989 32nd Ave. Clearlake, CA 95422 A.P.N.# 041-165-330
Owner: Austin, James & Ashley
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$10,000.00

There was no public comment on this item.

5. Location: 15770 29th Ave. Clearlake, CA 95422 A.P.N.# 041-415-360
Owner: Whipple, Evelyn J Estate of

Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

There was no public comment on this item.

6. Location: 16133 28th Ave. Clearlake, CA 95422 A.P.N.# 042-185-010
Owner: Kouninos, John
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

There was no public comment on this item.

7. Location: 16303 27th Ave. Clearlake, CA 95422 A.P.N.# 042-263-320
Owner: Bouldin, William
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

A neighbor of the property spoke on this item. He stated the owner died, leaving no heir, and no one responsible for cleanup of the property. Finance Director Becnel addressed the neighbor's concerns.

8. Location: 16092 10th Ave. Clearlake, CA 95422 A.P.N.# 042-343-220
Owner: Aguilar, Leonardo
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

There was no public comment on this item.

9. Location: 3923 Oak Ave. Clearlake, CA 95422 A.P.N.# 039-403-580
Owner: Gallacher, Thomas
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

Pursuant to the owner's request, this item was continued to the May 25th Council meeting.

10. Location: 16184 13th Ave. Clearlake, CA 95422 A.P.N.# 042-336-310
Owner: Libro, Carrol L
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

There was no public comment on this item.

ACTION: It was moved by Council Member Harris and seconded by Council Member Bennett to adopt Resolution No. 2017-23 confirming assessments for properties #2, #3, #4, #5, #6, #7, #8 and #10. The motion passed with a 4-0-1 roll call vote, with Council Member Overton absent.

11. Continued From April 13th: Public Hearing to Adopt Certain Findings and Approving Energy Service Contract for Energy Related Improvements to City Facilities with Aircon Energy, Inc.

Finance Director Becnel gave the staff report. Representatives from Aircon were present to answer questions.

Mayor Perdock opened the Public Hearing at 8:27 p.m.

There was no public comment.

Mayor Perdock closed the Public Hearing at 8:28 p.m.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Council Member Harris to adopt Resolution No. 2017-22, A Resolution of the City Council of the City of Clearlake Adopting Findings and Approving Authority to Enter into Financing Agreements and to Execute Related Financing Documents to Fund Energy Related Improvements to City Facilities. The motion passed with a 4-0-1 roll call vote, with Council Member Overton absent.

12. Continued From April 13th: Public Hearing to Adopt Certain Findings and Approving Financing Terms and Related Loan Documents to Fund Energy Related Improvements at City Facilities

Finance Director Becnel gave the staff report. Representatives from Aircon were present to answer questions.

Mayor Perdock opened the Public Hearing at 8:36 p.m.

There was no public comment.

Mayor Perdock closed the Public Hearing at 8:36 p.m.

ACTION: It was moved by Council Member Bennett and seconded by Vice Mayor Sabatier to adopt Resolution No. 2017-21, A Resolution of the City Council of the City of Clearlake Adopting Findings Regarding Energy Related Improvements to City Facilities and Authorizing and Approving an Energy Service Contract Relating to Such Improvements with Aircon Energy, Inc. The motion passed with a 4-0-1 roll call vote, with Council Member Overton absent.

Mayor Perdock called for a break from 8:36 p.m. to 8:43 p.m.

BUSINESS

13. Consideration of Approval of Sole Source Purchase of Eighteen (18) Mobile Data Computers, Vehicle Mounts and RIMS Software; Resolution No. 2017-19, A Resolution of the City of Clearlake Authorizing the Police Department to Purchase Eighteen (18) Mobile Data Computers (MDCs), MDC Vehicle Mounts, and RIMS Software

City Manager Folsom and Lieutenant Celli gave the staff report. Sgts. Hobbs and Lenz were present to answer questions.

ACTION: It was moved by Council Member Harris and seconded by Council Member Bennett to adopt Resolution No. 2017-19. The motion passed with a 4-0-1 voice vote, with Council Member Overton absent.

14. Consideration of a Memorandum of Understanding (MOU) with the County for Use of County-Owned Property Located on Pond Road

City Manager Folsom gave the staff report.

ACTION: It was moved by Council Member Bennett and seconded by Council Member Harris to approve MOU and authorize the City Manager to sign. The motion passed with a 4-0-1 voice vote, with Council Member Overton absent.

15. Consideration of Award of Bid for Abandoned Vehicle Authority-Funded Tows

Finance Director Becnel gave the staff report.

ACTION: It was moved by Council Member Harris and seconded by Council Member Bennett to award bid to Enterprise Towing. The motion passed with a 3-1-1 roll call vote, with Vice Mayor Sabatier voting against, and Council Member Overton absent.

16. Consideration of Award of Bid for Demolition of Buildings at the Following Locations: 5768 Crawford Avenue, 2971 6th Street, 3292 9th Street, 3114 8th Street, 2944 5th Street, 3182 Park Street, 3373 11th Street, 13940 Manatee Avenue

City Manager Folsom gave the staff report.

ACTION: It was moved by Council Member Harris and seconded by Council Member Bennett to reject all bids. The motion passed with a 4-0-1 voice vote, with Council Member Overton absent.

CITY MANAGER AND COUNCILMEMBER REPORTS

FUTURE AGENDA ITEMS

ACTION: Vice Mayor Sabatier asked for and received consensus of the Council to bring forward a discussion to appoint an ad hoc homeless committee to a future agenda.

ACTION: Mayor Perdock asked for and received consensus of the Council to bring forward a discussion on sponsorship of the Children's Museum of Art and Science's Wildlife of Clearlake Youth Public Art Project.

ADJOURNMENT

There being no further business of the Council, the meeting was adjourned at 9:36 p.m.

Melissa Swanson, City Clerk