

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY REGULAR MEETING JANUARY 26, 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) LIABILITY CLAIMS: Government Code Section 54956.9 and 54961 Claimant: Gage Thayer

ACTION: It was moved by Councilmember Harris and seconded by Councilmember Overton to deny the claim presented by Gage Thayer. The motion passed with a unanimous roll call vote.

There being no further business of the Council, Closed Session adjourned at 5:55 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 Joyce Overton, Councilmember
	Staff:	Greg Folsom, City Manager Ryan Jones, City Attorney Tim Celli, Police Lieutenant Adeline Brown, Deputy City Clerk Chris Becnel, Director of Finance Doug Herren, Public Works Director Tina Viramontes, Code Enforcement Officer

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

There were no changes to the agenda.

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

PRESENTATION

1. Presentation of a Plaque to Former Planning Commissioner Cheryl Hutchinson by Mayor Perdock
2. Acceptance of Annual Audit Report for FYE 2016; including the Report to Those Charged with Governance and the Appropriations Limit Report, presented by Terry Krieg, CPA

PUBLIC COMMENT

Jeremy Mayfield congratulated the new Council Members.

Bill Shields also congratulated the Council on the election.

Consent Items

Recommended Action

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| 3. Warrant Registers | Receive and file |
| 4. Minutes of the January 12, 2017 Meeting | Receive and file |
| 5. Minutes of the December 14, 2016 Lake County Vector Control District Board Meeting | Receive and file |
| 6. Review and Consider Submittal of the ROPS FY 17-18 for Both Periods A (July to December) and B (January to June) to the Oversight Board | Approve Resolution No. SA-2017-01 Authorizing Submission of ROPS FY 17-18 for July 1, 2017 to June 30, 2018 and prior action of the Oversight Board |
| 7. Award of Contract for Construction Management Services – Phillips and 18 th Avenue Class II Bicycle Lanes and Roadway Reconstruction | Authorize the City Manager to Execute a Contract with Greene Valley Consulting Engineers for a Not to Exceed Amount of \$130,710.00 |

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Harris to approve the Consent Calendar as presented. The motion passed with a unanimous voice vote.

PUBLIC HEARING

8. Public Hearing to Confirm Assessment(s) in the Total Amount of \$35,000.00 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; Resolution No. 2017-06

Code Enforcement Officer Viramontes gave the staff report.

Mayor Perdock opened the Public Hearing at 6:20 p.m.

1. Location: 3380 Amber Ave. Clearlake, CA 95422 A.P.N.# 039-475-160
Owner: Anderson, Kenneth
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

Kenneth Anderson spoke against the assessment.

ACTION: It was moved by Councilmember Overton and seconded by Vice Mayor Sabatier to close the Public Hearing at 6:26 p.m. The motion passed with a unanimous voice vote.

2. Location: 3556 Madrone St. Clearlake, CA 95422 A.P.N.# 039-164-090
Owner: Wong, Peter
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

Peter Wong submitted a letter to the Council regarding his property. The letter is attached to these minutes and hereby made a part of the record.

Mayor Perdock opened the Public Hearing at 6:32 p.m.

There was no further public comment.

ACTION: It was moved by Councilmember Overton and seconded by Vice Mayor Sabatier to close the Public Hearing at 6:33 p.m. The motion passed with a unanimous voice vote.

3. Location: 15345 Mason St. Clearlake, CA 95422 A.P.N.# 041-342-050
Owner: Burgess, William
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

Mayor Perdock opened the Public Hearing at 6:37 p.m.

There was no public comment on this item.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to close the Public Hearing at 6:37 p.m. The motion passed with a unanimous voice vote.

4. Location: 3619 Sycamore St. Clearlake, CA 95422 A.P.N.# 039-203-540

Owner: Tillman, Edward G. & Lila L.
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$7,500.00

Vice Mayor Sabatier recused himself from this item because it is near his home. He left the dais and the room at 6:38 p.m.

Mayor Perdock opened the Public Hearing at 6:39 p.m.

There was no public comment on this item.

Vice Mayor Sabatier returned to the dais at 6:40 p.m.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to close the Public Hearing at 6:39 p.m. The motion passed with a unanimous voice vote, with Vice Mayor Sabatier abstaining.

5. Location: 15210 Cass Ave. Clearlake, CA 95422 A.P.N.# 040-354-090
Owner: Kenyon Sr., Richard E.
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

Mayor Perdock opened the Public Hearing at 6:42 p.m.

There was no public comment on this item.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to close the Public Hearing at 6:42 p.m. The motion passed with a unanimous voice vote.

6. Location: 4397 Old Hwy 53. Clearlake, CA 95422 A.P.N.# 040-225-060
Owner: Villalobos, Gerado & Palomar Celilia Velazquez
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$5,000.00

Mayor Perdock opened the Public Hearing at 6:45 p.m.

Gerado Villalobos spoke against the assessment.

ACTION: It was moved by Councilmember Harris and seconded by Vice Mayor Sabatier to close the Public Hearing at 6:51 p.m. The motion passed with a unanimous voice vote.

7. Location: 3604 Harrison St. Clearlake, CA 95422 A.P.N.# 039-497-140
Owner: Murray, Michael S.
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$7,500.00

Mayor Perdock opened the Public Hearing at 6:53 p.m.

There was no public comment on this item.

ACTION: It was moved by Councilmember Harris and seconded by Councilmember Overton to close the Public Hearing at 6:54 p.m. The motion passed with a unanimous voice vote.

- 8. Location: 14845 Highlands Way Clearlake, CA 95422 A.P.N.# 039-302-100
Owner: Hickey, Denis M. & Donna D.
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

Councilmember Overton recused herself from this item because of a personal relationship with the owner. She left the dais and the room at 6:56 p.m.

Mayor Perdock opened the Public Hearing at 6:56 p.m.

The son of the property owner (no name given) spoke against the assessment.

ACTION: It was moved by Councilmember Harris and seconded by Vice Mayor Sabatier to close the Public Hearing at 7:02 p.m. The motion passed with a unanimous voice vote, with Councilmember Overton abstaining.

Councilmember Overton returned to the dais at 7:03 p.m.

- 9. Location: 15100 Lakeview Ave. Clearlake, CA 95422 A.P.N.# 040-340-130
Owner: Harvey, Barbara E. Trustee
Action(s): Failure to abate Public Nuisance
Administrative Penalty Assessment: \$2,500.00

This property was removed from the agenda due to the property owner's compliance.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Harris to adopt Resolution No. 2017-06, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE CONFIRMING SPECIAL ASSESSMENTS CONSISTING OF ADMINISTRATIVE PENALTIES FOR FAILURE TO ABATE PUBLIC NUISANCE AND APPROVING LIEN AGAINST REAL PROPERTY IN ACCORDANCE WITH SECTIONS 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 OF THE CLEARLAKE MUNICIPAL CODE, and read it by title only. The motion passed with a unanimous roll call vote.

Vice Mayor Sabatier left the dais at 7:06 for the following vote:

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Harris to adopt Resolution No. 2017-08, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE

CONFIRMING SPECIAL ASSESSMENTS CONSISTING OF ADMINISTRATIVE PENALTIES FOR FAILURE TO ABATE PUBLIC NUISANCE AND APPROVING LIEN AGAINST REAL PROPERTY IN ACCORDANCE WITH SECTIONS 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 OF THE CLEARLAKE MUNICIPAL CODE for property located at 3619 Sycamore Street, and read it by title only. The motion passed with a unanimous roll call vote, with Vice Mayor Sabatier abstaining.

Vice Mayor Sabatier returned to the dais at 7:07 p.m.

Councilmember Overton left the dais at 7:07 p.m. for the following vote:

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Bennett to adopt Resolution No. 2017-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE CONFIRMING SPECIAL ASSESSMENTS CONSISTING OF ADMINISTRATIVE PENALTIES FOR FAILURE TO ABATE PUBLIC NUISANCE AND APPROVING LIEN AGAINST REAL PROPERTY IN ACCORDANCE WITH SECTIONS 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 OF THE CLEARLAKE MUNICIPAL CODE for property located at 14845 Highlands Way, and read it by title only. The motion passed with a unanimous roll call vote, with Councilmember Overton abstaining.

Councilmember Overton returned to the dais at 7:09 p.m.

Mayor Perdock called for a five minute break.

BUSINESS

9. Consideration of Appointment of the Measure V Oversight Committee

City Manager Folsom gave the staff report.

ACTION: Councilmember Overton appointed Mike Vandiver.

ACTION: Councilmember Harris appointed Ray Silva.

ACTION: Councilmember Bennett appointed Curt Giambruno.

ACTION: Vice Mayor Sabatier appointed Henry Bornstein.

ACTION: Mayor Perdock appointed Dirk Slooten. Mayor Perdock appointed Curt Giambruno as Chair for one year.

ACTION: It was moved by Vice Mayor Sabatier and seconded by Councilmember Harris to adopt Resolution No. 2017-07, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE APPOINTING FIVE MEMBERS OF THE MEASURE V CITIZEN OVERSIGHT COMMITTEE, with the

members listed above and Curt Giambruno as the Chair for one year. The motion passed with a unanimous roll call vote.

10. Consideration of Abandoned Vehicle Abatement (AVA) Fees

City Manager Folsom gave the staff report.

ACTION: It was moved by Councilmember Harris and seconded by Vice Mayor Sabatier to authorize City Manager to accept Abandoned Vehicle Abatement Fees for use in Abating Abandoned Vehicles. The motion passed with a unanimous roll call vote.

CITY MANAGER AND COUNCILMEMBER REPORTS

FUTURE AGENDA ITEMS

Vice Mayor Sabatier asked for and received consensus to discuss at a future Council meeting forming an ad hoc committee to discuss and review Code Enforcement processes and procedures and security issues at red-tagged buildings.

ADJOURNMENT

There being no further business of the Council, the meeting was adjourned at 8:08 p.m.

Melissa Swanson, City Clerk