

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY REGULAR MEETING SEPTEMBER 8, 2016

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

Roll Call.

Present:

Russell Perdock, Mayor
Nick Bennett, Councilmember
Joyce Overton, Councilmember
Bruno Sabatier, Councilmember

Staff:

Greg Folsom, City Manager
Ryan Jones, City Attorney
Tim Celli, Police Lieutenant
Melissa Swanson, City Clerk
Chris Becnel, Director of Finance
Bill Clemans, Deputy Public Works
Director/City Engineer
Lee Lambert, Code Enforcement Supervisor
Tina Viramontes, Code Enforcement Officer
Steve Felder, Code Enforcement Officer

INVOCATION/MOMENT OF SILENCE

Mayor Perdock led a moment of silence for the victims of September 11th.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

There were no changes to the agenda.

PUBLIC COMMENT

Sheryl Almon spoke regarding tax sales of properties with squatters and suggested a task force for such properties.

Bill Shields spoke regarding the lack of city services since incorporation. He stated the incorporation of the city has not benefitted the people, but the employees.

Consent Items

Recommended Action

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| 1. Warrant Registers | Receive and file |
| 2. Minutes of the June 8 and July 13, 2016 Lake County Vector Control Board Meetings | Receive and file |
| 3. Consideration of Second Reading and Adoption of Ordinance No. 190-2016, An Ordinance Of the City Council of the City of Clearlake Amending Section 2-2 of the Clearlake Municipal Code Entitled "Elections" and amending Section 18-5 of the Clearlake Municipal Code Entitled "Signs" | Hold second reading of Ordinance No. 190-2016 by title only, waive further reading, and adopt ordinance |
| 4. Amendment to the Contract with Raney Planning & Management for Preparing an Environmental Impact Report for the Wal-Mart Expansion Project | Approve Contract Amendment No. 2 per attachment |

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

PUBLIC HEARING

5. Public Hearing to Consider Development Agreement DA 2016-01

City Manager Folsom gave the staff report. Developer Julien Hoisington, of Orosco Development No. 19, LLC, was present to answer questions.

Mayor Perdock opened the Public Hearing at 6:16 p.m.

Jim Scholtz asked questions of the developer.

Bill Shields asked questions of staff about the developers.

ACTION: It was moved by Councilmember Sabatier and seconded by Councilmember Overton to close the Public Hearing at 6:28 p.m. The motion passed with a unanimous voice vote.

ACTION: It was moved by Councilmember Sabatier and seconded by Councilmember Overton to approve the resolution and authorize approval of a Development Agreement with Orosco Development No. 19, LLC for the proposed development of property located at 15885 Dam Road Extension, APN 010-043-250. The motion passed with a unanimous roll call vote.

6. Public Hearing to Hold and Act Upon an Abatement Order Appeal Hearing Referencing Real Property Located at 15315 Mason Street in Accordance with C.M.C. Section(s) 18-8.110, 18-8.120, 18-8.130, and 18-10 in its Entirety; Resolution No. 2016-31

City Manager Folsom, Code Enforcement Supervisor Lambert and Code Enforcement Officer Viramontes gave the staff report.

Mayor Perdock opened the Public Hearing at 6:35 p.m.

Louis Hamil, appellant, spoke against the abatement order.

Chuck Leonard spoke in favor of the abatement order.

Sheryl Almon spoke regarding the process of merging lots and how it relates to applicants.

ACTION: It was moved by Councilmember Sabatier and seconded by Councilmember Overton to take a five minute break. The motion passed with a unanimous voice vote.

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

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Sabatier to adopt Resolution No. 2016-31, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE DENYING THE APPEAL OF AN ABATEMENT ORDER AT REAL PROPERTY LOCATED AT 15315 MASON STREET IN ACCORDANCE WITH SECTIONS 18-8.110, 18-8.120, 18-8.130, AND 18-10 IN IT'S ENTIRETY, OF THE CLEARLAKE MUNICIPAL CODE, and waive the one (1) year suspension if the property is cleaned within ten (10) days, and read it by title only. The motion passed with a unanimous roll call vote.

7. Public Hearing to Hold and Act Upon an Abatement Order Appeal Hearing Referencing Real Property Located at 3401 Lilac Avenue in Accordance with C.M.C. Section(s) 18-8.110, 18-8.120, 18-8.130, and 18-10 in its Entirety; Resolution No. 2016-32

Code Enforcement Supervisor Lambert and Code Enforcement Officer Viramontes gave the staff report.

Mayor Perdock opened the Public Hearing at 7:12 p.m.

Sheila Humphrey-McCarty and Sharon Bristol, appellants, spoke against the abatement order.

Marie Weathers spoke in favor of the abatement order.

Estella Creel spoke off topic and Councilmember Overton called a Point of Order.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Sabatier to close the Public Hearing at 7:28 p.m. The motion passed with a unanimous voice vote.

ACTION: It was moved by Councilmember Sabatier and seconded by Councilmember Overton to adopt Resolution No. 2016-32, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE

DENYING THE APPEAL OF AN ABATEMENT ORDER AT REAL PROPERTY LOCATED AT 3401 LILAC AVENUE IN ACCORDANCE WITH SECTIONS 18-8.110, 18-8.120, 18-8.130, AND 18-10 IN IT'S ENTIRETY, OF THE CLEARLAKE MUNICIPAL CODE, and read it by title only. The motion passed with a unanimous roll call vote.

8. Public Hearing to Hold and Act Upon an Abatement Order Appeal Hearing Referencing Real Property Located at 16076 25th Avenue in Accordance with C.M.C. Section(s) 18-8.110, 18-8.120, 18-8.130, and 18-10 in its Entirety; Resolution No. 2016-33

Code Enforcement Supervisor Lambert and Code Enforcement Officer Felder gave the staff report.

Mayor Perdock opened the Public Hearing at 7:38 p.m.

The appellant, Marisol Aguilar, sent a letter opposing the abatement order which is attached to the minutes and entered as part of the record herein.

There was no further public comment.

ACTION: It was moved by Councilmember Sabatier and seconded by Councilmember Overton to close the Public Hearing at 7:39 p.m. The motion passed with a unanimous voice vote.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Sabatier to adopt Resolution No. 2016-33, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE DENYING THE APPEAL OF AN ABATEMENT ORDER AT REAL PROPERTY LOCATED AT 16076 25TH AVENUE IN ACCORDANCE WITH SECTIONS 18-8.110, 18-8.120, 18-8.130, AND 18-10 IN IT'S ENTIRETY, OF THE CLEARLAKE MUNICIPAL CODE, and read it by title only. The motion passed with a unanimous roll call vote.

9. Public Hearing to Hold and Act Upon an Abatement Order Appeal Hearing Referencing Real Property Located at 15957 27th Avenue in Accordance with C.M.C. Section(s) 18-8.110, 18-8.120, 18-8.130, and 18-10 in its Entirety; Resolution No. 2016-34

Code Enforcement Supervisor Lambert and Code Enforcement Officer Felder gave the staff report.

Mayor Perdock opened the Public Hearing at 7:43 p.m.

Lanny Jay, attorney for appellant Benjamin M. Finneston, spoke against the abatement order.

Sheryl Almon spoke against the abatement order.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Sabatier to close the Public Hearing at 7:54 p.m. The motion passed with a unanimous voice vote.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to adopt Resolution No. 2016-34, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE

DENYING THE APPEAL OF AN ABATEMENT ORDER AT REAL PROPERTY LOCATED AT 15957 27TH AVENUE IN ACCORDANCE WITH SECTIONS 18-8.110, 18-8.120, 18-8.130, AND 18-10 IN IT'S ENTIRETY, OF THE CLEARLAKE MUNICIPAL CODE, and read it by title only. The motion passed with a unanimous roll call vote.

BUSINESS

10. Introduction and first reading of Ordinance Number 192-2016, an Ordinance Amending Chapter V, Section 10 "Conduct in Public Parks and Beaches" of the "Police Code" of the Clearlake Municipal Code

City Manager Folsom gave the staff report. The language was corrected to clarify the definition of alcoholic beverages.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Sabatier to introduce Ordinance No. 192-2016 by title only, waive further reading, and schedule for second reading and adoption at the September 22, 2016 regularly scheduled Council meeting, with changes to the language as stated. The motion passed with a unanimous roll call vote.

11. Submittal of the League of California Cities 2016 Annual Conference Resolutions Packet for Review and Determination of City Position

City Manager Folsom gave the staff report.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to authorize the City's delegate to vote in support of the League of California Cities proposed resolution regarding Vision Zero, Toward Zero Deaths. The motion passed with a unanimous voice vote.

CITY MANAGER AND COUNCILMEMBER REPORTS

Appointment of the Vice Mayor for the Remainder of 2016

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Bennett to nominate Councilmember Sabatier as Vice Mayor for the remainder of 2016. The motion passed with a unanimous voice vote.

FUTURE AGENDA ITEMS

ACTION: Councilmember Overton asked for and received consensus to direct staff to review building a storage unit at the Senior Community Center and bring forward proposals to a future agenda.

ACTION: Councilmember Sabatier asked for and received consensus to discuss traffic issues at the local elementary schools on a future agenda.

ADJOURNMENT

There being no further business of the Council, the meeting was adjourned at 8:25 p.m.

Melissa Swanson, City Clerk

Marisol Aguilar
16086 25th Ave.
Clearlake, CA 95422
September 6, 2016

Case# MC-16-07023
APN# 042-183-350

RECEIVED

SEP 08 2016

NOTICE OF ABSENCE

To whom it may concern; CITY OF CLEARLAKE

I am writing this letter to let you know that I will not be able to appear at the appeal hearing scheduled for September 8, 2016 at 6:00 pm at the Clearlake city hall due to the fact that I have to take one of my children to a very important appointment that we have been waiting for since two months ago it's not in town and I am not going to make it back on time for the hearing. Thank you for your comprehension, attached are my protests to the hearing.

Sincerely,

Marisol Aguilar
Marisol Aguilar

Meeting of 9/8/16
Item #8

Marisol Aguilar
16086 25th Ave.
Nearbike, CA 95422
September 6, 2016

Case #MC-16-07-023
APN #042-183-350

PROTEST

To whom it may concern;

This protest is to defend what I have already said in my written appeal. I am a qualified patient under the Compassionate Use Act passed by California voters in 1996. I have already said everything I believe about this abatement order. I've explained as well all my reasons to grow the plants where they were at. There is not much more to be said but to thank you for your time and consideration regarding this matter and that I trust in your best decision for our wellbeing.

Sincerely;

Marisol Aguilar

Marisol Aguilar