

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY REGULAR MEETING MAY 28, 2015

CALL TO ORDER CLOSED SESSION CITY COUNCIL MEETING: 5: 31 P.M.

Roll Call.	Present:	Denise Loustalot, Mayor Gina Fortino Dickson, Vice Mayor Russell Perdock, Councilmember Bruno Sabatier, Councilmember
	Absent:	Joyce Overton, Councilmember
	Staff:	Joan Phillipe, City Manager Ryan R. Jones, City Attorney

(1) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION

(Government Code Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: Anthony Spittler, Jeri Spittler, and Robin Farnham v. City of Clearlake Civil Action No.: CV 414715

Closed Session was continued at 5:42 P.M. with no reportable action.

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

Roll Call.	Present:	Denise Loustalot, Mayor Gina Fortino Dickson, Vice Mayor Russell Perdock, Councilmember Joyce Overton, Councilmember Bruno Sabatier, Councilmember
	Staff:	Joan Phillipe, City Manager Craig Clausen, Chief of Police Melissa Swanson, City Clerk Chris Becnel, Director of Finance Ryan R. Jones, City Attorney

INVOCATION/MOMENT OF SILENCE

Councilmember Perdock led a moment of silence.

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

City Manager Phillipe requested Item #9, Consideration of Proposal to Re-enter into An Exclusive Negotiation Agreement with Katz Kirkpatrick Properties for the 25.94 Acre Parcel of Property Located West of Highway 53 Between State Highway 53, Old Highway 53 and Extension of 18th Avenue, be moved to the June 11th City Council agenda.

ACTION: It was moved by Vice Mayor Fortino Dickson and seconded by Councilmember

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Sabatier to approve the agenda as amended. The motion passed with a unanimous roll call vote.

PUBLIC COMMENT –

Kelly Reed spoke regarding the need for code enforcement at a city-owned property and provided documentation to the City Council.

Bill Shields spoke regarding the purpose of incorporation and the lack of progress in the 25 years since incorporation.

Carlos Frasier spoke regarding a workshop on medical marijuana he would be holding on Saturday, May 30th at 10:30 a.m. at Redbud Library.

Consent Items

Recommended Action

- | | |
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| 1. Warrant Registers | Receive and file |
| 2. Minutes of the May 14, 2015 Meeting | Receive and file |
| 3. Minutes of the April 8, 2015 Lake County
Vector Control Board | Receive and file |
| 4. Request to Schedule June 4 th and June 18 th at
6:00 p.m. as Council Budget Workshop
Sessions | Approve schedule |

Councilmember Sabatier pulled items #2 and #4 for clarification and separate discussion.

Councilmember Sabatier made a correction to the May 14, 2015 minutes to correct the statement that the Council's direction to staff was to prepare an ordinance with no height limit. The correct direction was to limit height.

Councilmember Sabatier announced the Budget Workshop schedule to the public.

ACTION: It was moved by Vice Mayor Fortino Dickson and seconded by Councilmember Perdock to accept the remaining Consent Calendar items as presented. The motion passed with a unanimous roll call vote.

ACTION: It was moved by Councilmember Sabatier and seconded by Vice Mayor Fortino Dickson to accept Item #2 with the amendments. The motion passed with a unanimous roll call vote.

ACTION: It was moved by Councilmember Sabatier and seconded by Vice Mayor Fortino Dickson to accept Item #4 as presented. The motion passed with a unanimous roll call vote.

BUSINESS

5. Consideration of an Employment Contract between the City of Clearlake and Greg Folsom for City Manager

City Manager Phillipe gave the staff report.

ACTION: It was moved by Councilmember Perdock and seconded by Councilmember Sabatier to

approve an employment contract between the City of Clearlake and Greg Folsom for City Manager. The motion passed with a unanimous roll call vote.

6. Discussion on Proposed City Co-Sponsorship with the Koi Nation for Native American Day on July 18, 2015 and Request for Waiver of User Fee at the Senior Center

City Manager Phillipe gave the staff report. Dino Beltran of the Koi Nation and Henry Bornstein of the Anderson Marsh Interpretive Association were present to answer questions.

ACTION: It was moved by Councilmember Perdock and seconded by Councilmember Overton to co-sponsor Native American Day on July 18 and waive fees for use of the Senior Center. The motion passed with a unanimous roll call vote.

7. Consideration of Ordinance No. 174-2015, An Ordinance of the City Council of the City of Clearlake Repealing Ordinance No. 173-2015, Which Amended Chapter X of the Clearlake Municipal Code Adding Section 10-8 (Abatement of Public Nuisances) and 10-9 (Administrative Penalties) and Repealed and Replaced Section 10-7 (Medical Marijuana Cultivation), to Ban the Cultivation of Medical Marijuana

City Attorney Jones gave the staff report.

ACTION: It was moved by Councilmember Overton and seconded by Councilmember Sabatier to introduce Ordinance by title only, waive further reading, and schedule second reading and adoption at the June 11, 2015 regular City Council meeting. The motion passed with a unanimous roll call vote.

8. Consideration of Ordinance No. 175-2015, Amending Ordinance No. 2013-161A, An Ordinance of the City Council of the City of Clearlake Amending Chapter X of the Clearlake Municipal Code Adding Section 10-7 Prohibiting Commercial Medical Marijuana Cultivation and Cultivation on Vacant Properties and Limiting Cultivation Amounts in the City of Clearlake

Council instructed staff to make several changes to the proposed amended ordinance. The main changes were to keep the allowed number of marijuana plants the same as permitted in the current ordinance. The amended ordinance will also include specific language regarding the abatement procedures and penalties for violation. All of the other changes were relatively minor.

Councilmember Overton left the dais from 7:15 p.m. to 7:17 p.m.

ACTION: It was moved by Councilmember Sabatier and seconded by Councilmember Overton to hold the first reading of the ordinance, read it by title only, and set second reading for the June 11th Council meeting. The motion passed with a unanimous roll call vote.

9. Consideration of Proposal to Re-enter into An Exclusive Negotiation Agreement with Katz Kirkpatrick Properties for the 25.94 Acre Parcel of Property Located West of Highway 53 Between State Highway 53, Old Highway 53 and Extension of 18th Avenue

This item was continued to the June 11th, 2015 meeting.

10. Consideration of Appointing an Ad Hoc Committee to Review Proposal for Universal Waste Collection within the City Limits

City Manager Phillipe gave the staff report. Mayor Loustalot appointed Vice Mayor Fortino Dickson and Councilmember Perdock to the ad hoc committee.

ACTION: It moved by Councilmember Sabatier and seconded by Councilmember Overton to ratify Mayor's appointment of Vice Mayor Fortino Dickson and Councilmember Perdock to an ad hoc committee to review universal waste collection proposal for a report and recommendation back to the Council. The motion passed with a unanimous roll call vote.

11. Consideration of Adoption of Resolution No. 2015-13, Appropriating Funds from the Series A Bonds Issued by the Former Redevelopment Agency for Projects and Land Acquisition to Implement Portions of the Lakeshore Drive Downtown Corridor Plan as Wells as Possible Infrastructure Projects on the Highway 53 Corridor

City Manager Phillipe gave the staff report.

ACTION: It was moved by Vice Mayor Fortino Dickson and seconded by Councilmember Sabatier to adopt Resolution No. 2015-13 and read it by title only. The motion passed with a unanimous roll call vote.

CITY MANAGER AND COUNCILMEMBER REPORTS

Vice Mayor Fortino Dickson asked for and received Council consensus to discuss Council participation in the July 4th parade at a future meeting.

ADJOURNMENT

There being no further business of the Council, the meeting was adjourned at 8:30 p.m.

Melissa Swanson, City Clerk