

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY REGULAR MEETING AUGUST 9, 2012

CALL TO ORDER REGULAR CITY COUNCIL MEETING: 6:07 P.M.

The Pledge of Allegiance was led by Mayor Luiz.

Roll Call.	Present:	Joey Luiz, Mayor Jeri Spittler, Vice Mayor Curt Giambruno, Councilmember Joyce Overton, Councilmember
	Absent:	Judy Thein, Councilmember
	Staff:	Joan Phillipe, City Manager Craig Clausen, Chief of Police Melissa Swanson, City Clerk Robert W. Galusha, City Engineer Doug Herren, Director of Public Works Sandra Sato, Interim Director of Finance

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

There were no additions or deletions from the agenda.

PRESENTATIONS

Chief Clausen introduced Officer Michael Ray and his new police dog, Harley.

Mayor Luiz presented a Certificate of Appreciation to the Lakeshore Lions Club and Pacific Gas and Electric Company for the 4th of July Festivities.

PUBLIC COMMENT –

Bill Shields spoke regarding Special Districts' holding ponds.

CONSENT CALENDAR

1. Warrant Registers – Ratification and Approval of Warrants and Expenditures Certified by the Director of Finance as Conforming with the Adopted Budget Pursuant to Government Code section 37208.

08/02/2012	Warrant Register	\$250.00
08/02/2012	Warrant Register	25,288.61
08/02/2012	Warrant Register	26,535.87
08/02/2012	Warrant Register	36,418.23

- | | |
|--|------------------|
| 2. Receipt of County of Lake Report on Applying Agreed-Upon Procedures to the City of Clearlake Redevelopment and Success Agency in Accordance with ABX1 26 | Receive and File |
| 3. Request to Approve ROPS (Recognized Obligation Payment Schedule) For the Period January – June 2013 | Approve |
| 4. Second Reading of Ordinance No. 154-2012: An Ordinance of the City Council of the City of Clearlake Adding Section 21 of Chapter 5, Police Regulations, of the Municipal Code of the City of Clearlake Prohibiting Aggressive Panhandling | Adopt Ordinance |

ACTION: It was moved by Council Member Overton and seconded by Vice Mayor Spittler to approve the Consent Calendar as presented. The motion passed with a voice vote of 4-0-1, with Council Member Their absent.

PUBLIC HEARING

5. Consideration of Adoption of Resolution No. 2012-28: A Resolution of the City Council of the City of Clearlake Changing the Street Name for that Portion of Ridge Road Between Howard Avenue and Oakland Avenue to Ridge Avenue

Joan Phillipe gave the staff report.

Mayor Luiz opened the Public Hearing at 6:36 p.m.

Robert Aguado spoke in favor of the item.

Estelle Creel asked questions regarding the item and was answered by City Manager Phillipe.

City Manager Phillipe noted there is a correction needed on the resolution to change “Ridge Road” to “Ridge Avenue” in the second paragraph.

Mayor Luiz closed the Public Hearing at 6:41 p.m.

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to adopt Resolution No. 2012-28, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE CHANGING THE STREET NAME FOR THAT PORTION OF RIDGE ROAD BETWEEN HOWARD AVENUE AND OAKLAND AVENUE TO RIDGE AVENUE, as corrected, and read it by title only. The motion passed with a 4-0-1 voice vote, with Council Member Their absent.

6. Consideration of Adoption of Resolution No. 2012-29 and the Second Reading and Adoption of Ordinance No. 157-2012 Submitting to the City of Clearlake’s Voters a Measure Seeking Approval of a Transactions and Use Tax of One Percent for Street and Road Maintenance and Code Enforcement

Melissa Swanson gave the staff report.

Mayor Luiz opened the Public Hearing for Ordinance No. 157-2012 at 6:45 p.m.

Eddie Miller spoke against the item.

Cheryl Allman spoke in favor of the item.

Bill Shields had questions on the item.

Dante DeAmicis spoke against the item.

Chuck Leonard spoke in favor of the item.

Estelle Creel spoke against the item.

Bob Kiel spoke in favor of the item.

Jeff Smith spoke in favor of the item.

Mayor Luiz closed the Public Hearing at 7:02 p.m.

Mayor Luiz opened the Public Hearing for Resolution No. 2012-29 at 7:03 p.m.

There was no public comment on this item.

Mayor Luiz closed the Public Hearing at 7:04 p.m.

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to adopt Ordinance No. 157-2012 An Ordinance of the City Council of the City of Clearlake Adding Chapter 3-7 to the Clearlake Municipal Code Related to a Transactions and Use Tax for Street and Road Maintenance and Code Enforcement Purposes to be Administered by the State Board of Equalization, and read it by title only. The motion passed with a 4-0-1 roll call vote, with Council Member Their absent.

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to adopt Resolution No. 2012-29, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE, LAKE COUNTY, STATE OF CALIFORNIA, SUBMITTING TO THE CITY OF CLEARLAKE'S QUALIFIED VOTERS AT THE NOVEMBER 6, 2012 GENERAL MUNICIPAL ELECTION A MEASURE SEEKING VOTER APPROVAL OF A TRANSACTIONS (SALES) AND USE TAX OF ONE PERCENT FOR STREET AND ROAD MAINTENANCE AND CODE ENFORCEMENT; ESTABLISHING POLICIES AND PROCEDURES IN CONNECTION WITH SUCH AN ELECTION; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE; AUTHORIZING ARGUMENTS AND THE FILING OF REBUTTAL ARGUMENTS FOR OR AGAINST THE MEASURE; AUTHORIZING THE CITY MANAGER TO APPROPRIATE THE FUNDS NECESSARY TO PAY THE CITY'S COST OF PLACING THE MEASURE ON THE ELECTION BALLOT; DIRECTING THE CITY CLERK TO TAKE STEPS NECESSARY TO PLACE THE MEASURE ON THE BALLOT; AND REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF LAKE DIRECT THE COUNTY ELECTIONS DEPARTMENT TO CONSOLIDATE THE ELECTION WITH THE ESTABLISHED STATEWIDE GENERAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, AND CONDUCT THE ELECTION ON THE CITY'S BEHALF, and read it by title only. The motion passed with a 4-0-1 voice vote, with Council Member Their absent.

BUSINESS

7. Introduce and hold the first reading of Ordinance No. 151-2012, An Ordinance Adding Section 12-27 of Chapter XII, Cable Communication Franchise of the Municipal Code of the City of Clearlake to Provide Support for Public, Educational, and Governmental Cable Television Access

Joan Phillipe gave the staff report.

ACTION: It was moved by Council Member Overton and seconded by Vice Mayor Spittler to introduce Ordinance by title only, waive further reading, and schedule second reading and adoption at the August 23, 2012 regular City Council meeting. The motion passed with a 3-1-1 voice vote, with Council Member Giambruno opposed and Council Member Their absent.

8. Adoption of 2012-2013 Fiscal Year Preliminary Budget: a) A Resolution of the City Council of the City of Clearlake Adopting the City of Clearlake Preliminary Budget FY 2012-2013; and b) A Resolution of the City Council of the City of Clearlake Adopting the Appropriations Limit for FY 2012-2013 and Designating the Formula to be Used for Calculation of Same

Joan Phillipe and Sandra Sato gave the staff report.

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to adopt Resolution No. 2012-30, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE ADOPTING THE CITY OF CLEARLAKE PRELIMINARY BUDGET FY 2012-13, and read it by title only. The motion passed with a 4-0-1 voice vote, with Council Member Their absent.

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to adopt Resolution No. 2012-31, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE ADOPTING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2012-2013 AND DESIGNATING THE FORMULA TO BE USED FOR CALCULATION OF SAME, and read it by title only. The motion passed with a 4-0-1 voice vote, with Council Member Their absent.

9. Discussion on Smoking Ordinance No. 156-2012: An Ordinance of the City Council of the City of Clearlake Adding Chapter 5-11 to the Clearlake Municipal Code Regulating Smoking in Parks and Certain Public Places

Joan Phillipe gave the staff report. The Council took no action on this item.

CITY MANAGER'S REPORT

COUNCIL MEMBERS CALENDAR, TRAVEL AND REPORTS

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:36 P.M.

Melissa Swanson
City Clerk