

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY

REGULAR MEETING

JUNE 28, 2012

CALL TO ORDER REGULAR CITY COUNCIL MEETING: 6:03 P.M.

The Pledge of Allegiance was led by Council Member Overton.

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

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

There were no additions or deletions.

PRESENTATION

Mayor Luiz presented a Proclamation designating June as Lesbian, Gay, Bisexual, and Transgender Pride Month to Harold Riley, founder of the Lake County Chapter of the Stonewall Democratic Club.

PUBLIC COMMENT –

Bill Shields spoke regarding the poor people of Clearlake.

Alice Reece spoke regarding the need to be more environmentally responsible and the need for plasma incinerators.

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.

06/07/2012	Warrant Register	\$92,713.25
06/07/2012	Warrant Register	49,849.16

06/07/2012	Warrant Register	7,682.31
06/21/2012	Warrant Register	32,184.19
06/21/2012	Warrant Register	92,948.74

2. Minutes of June 14, 2012 City Council Meeting Receive and file

3. Request for Authorization to Sell City-Owned Approve the sale of the property
Property Located at 15760 40th Avenue

4. Consideration of Resolution No. 2012-24, A Adopt Resolution
Resolution of the City Council of the City of
Clearlake Authorizing the City Manager to Sign
Department of Boating and Waterways, Harbor
and Watercraft Funding Agreement for the
Redbud Park/Thompson Harbor Boat
Launching Facility Grant (Contract No. 11-101-
315)in the Amount of \$945,000, and Also
Authorizing the City Manager to Sign
Certifications and Amendments; Claims for
Reimbursement; Budget and Expenditure
Summary; Contractor's Release Form;
Certification of Project Completion and the
Final Release Form

5. Receipt and Approval of the Mandatory Approve
Commercial Recycling Plan

6. Second Reading and Adoption of Ordinance No. Hold the second reading of the ordinance, waive
155-2012, An Ordinance of the City of reading, and adopt Ordinance No. 155-2012
Clearlake Allowing Dogs in Parks

7. Receipt of Revised Budget Calendar Receive and file

8. Consideration of Resolution No. 2012-26, A Adopt Resolution
Resolution of the City Council of the City of
Clearlake Authorizing the Extension of the
2011-2012 Fiscal Year Budget

9. Consideration of a Lease for Public Easement Approve lease and authorize the City Manager to
Property to be Used as a Parking Lot at 14960 sign
Lakeshore Drive

10. Consideration of Calling the November 6, 2012 Adopt Resolution
Election; Resolution No. 2012-22, A Resolution
of the City Council of the City of Clearlake,
Calling and Giving Notice of a General
Municipal Election to be Held on Tuesday,
November 6, 2012 for the Election of Three
Council Members

City Manager Joan Phillipe pulled Item Nos. #4 and #9. Citizen Estelle Creel asked for Item #6 to be discussed and acted on separately.

ACTION: It was moved by Council Member Overton and seconded by Vice Mayor Spittler to approve Items #1, 2, 3, 5, 7, 8, and 10 as presented. The motion passed with a voice vote of 3-0-2, with Council Members Thein and Giambruno absent.

Item #4 was discussed by City Manager Phillipe. She stated there was a change in the wording of the resolution to add project budget adoption as follows:

“WHEREAS, on March 30, 2010, said City of Clearlake adopted a project budget totaling \$945,000; and”

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to adopt Resolution No. 2012-24, A Resolution of the City Council of the City of Clearlake Authorizing the City Manager to Sign Department of Boating and Waterways, Harbor and Watercraft Funding Agreement for the Redbud Park/Thompson Harbor Boat Launching Facility Grant (Contract No. 11-101-315) in the Amount of \$945,000, and Also Authorizing the City Manager to Sign Certifications and Amendments; Claims for Reimbursement; Budget and Expenditure Summary; Contractor’s Release Form; Certification of Project Completion and the Final Release Form, and read it by title only. The motion passed with a voice vote of 3-0-2, with Council Members Thein and Giambruno absent.

Item #6 was discussed at the request of Estelle Creel.

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to hold the second reading of the ordinance, waive the full reading, and adopt Ordinance No. 155-2012, An Ordinance of the City of Clearlake Allowing Dogs in Parks. The motion passed with a voice vote of 3-0-2, with Council Members Thein and Giambruno absent.

Item #9 was discussed by City Manager Phillipe. She stated the lease had been reviewed by the lessee and the lessee, Brian Paulick, was present to answer questions.

ACTION: It was moved by Council Member Overton and seconded by Vice Mayor Spittler to approve lease and authorize the City Manager to sign. The motion passed with a voice vote of 3-0-2, with Council Members Thein and Giambruno absent.

PUBLIC HEARING:

11. Public Hearing – Dam Road Extension Plan Line Adoption and Consideration of Resolution No. 2012-23, A Resolution of the City Council of the City of Clearlake Adopting the Official Plan Line for Dam Road Extension from South Center Drive to 18th Avenue and Approving the Environmental Document for this Project

Robert Galusha gave the staff report. Jerry Haag, Environmental Planning Consultant, and Paul Wade, with Coastland Civil Engineering, were present to answer questions.

Mayor Luiz opened the Public Hearing at 7:00 p.m.

Herb Gura spoke regarding the traffic impact, stating it would be significant. He stated he felt an Environmental Impact Report or mitigations should be looked at in the future.

Robin (no last name given) stated that 18th Avenue is already well-traveled and additional traffic will impact the neighborhood. She further stated a turn lane is needed and requested the road be widened.

Estelle Creel stated the street is narrow and traveled by pedestrians. She stated there is no room for a sidewalk and suggested alternatives.

Pete Gasgoigne had questions on the item.

Mayor Luiz closed the Public Hearing at 7:09 p.m.

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to adopt Resolution No. 2012-23, A RESOLUTION OF THE CITY OF CLEARLAKE, CALIFORNIA, ADOPTING THE OFFICIAL PLAN LINE FOR DAM ROAD EXTENSION FROM SOUTH CENTER DRIVE TO 18TH AVENUE AND APPROVING THE ENVIRONMENTAL DOCUMENT FOR THIS PROJECT, and read it by title only. The motion passed with a voice vote of 3-0-2, with Council Members Thein and Giambruno absent.

Mayor Luiz called for a ten minute break from 7:10 p.m. to 7:20 p.m.

BUSINESS

12. Introduction and First Reading of Ordinance No. 156-2012, An Ordinance of the City of Clearlake Banning Smoking in City Parks

Joan Phillipe gave the staff report.

ACTION: It was moved by Vice Mayor Spittler and seconded by Council Member Overton to introduce Ordinance No. 156-2012, An Ordinance of the City of Clearlake Banning Smoking in City Parks by title only, waive reading, and schedule for second reading at the July 12, 2012 regularly scheduled Council meeting. The motion passed with a voice vote of 3-0-2, with Council Members Thein and Giambruno absent.

13. Introduction and First Reading of Ordinance No. 153-2012, An Ordinance of the City of Clearlake Changing From a Council/City Administrator to Council/City Manager Form of Government

Joan Phillipe gave the staff report. She reported the following changes to the proposed ordinance by the City Attorney:

The removal of Section 2-3.4 Residence. Residence in the City at the time of appointment of a City Manager shall be required as a condition of employment.

The removal of Section 2-3.11 Exemption from Personnel Rules: The City Manager is exempt from the city's Personnel Rules, as he/she is employed at the pleasure of the City Council. In addition, there is no right to appeal any disciplinary action imposed by the City Council

ACTION: It was moved by Council Member Overton and seconded by Vice Mayor Spittler to introduce, as amended, Ordinance No. 153-2012, An Ordinance of the City of Clearlake Changing From a Council/City Administrator to Council/City Manager Form of Government by title only, waive reading, and schedule for second reading at the July 12, 2012 regularly scheduled Council meeting. The motion passed with a voice vote of 3-0-2, with Council Members Thein and Giambruno absent.

14. Continued Discussion on a County- or City-wide Ballot Measure to Implement Sales Tax for Road Improvements and Code Enforcement

Joan Phillipe gave the staff report.

ACTION: After discussion, it was moved by Vice Mayor Spittler and seconded by Council Member Overton to direct staff to develop a city-wide sales tax measure for the purpose of road improvements and code enforcement. The motion was amended to exclude a designation for the measure. The motion passed with a 3-0-2 voice vote, with Council Members Thein and Giambruno absent.

15. Discussion on Increasing Transient Occupancy Tax from Nine Percent and Possible Placement on the November 2012 Ballot

Joan Phillipe gave the staff report. She recommended this item be tabled to be discussed for the June 2014 election.

ACTION: It was the consensus of the Council to table this discussion until the June 2014 election.

CITY ADMINISTRATOR'S REPORT

COUNCIL MEMBERS CALENDAR, TRAVEL AND REPORTS

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:29 P.M.

Melissa Swanson
City Clerk