

MINUTES

CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT AGENCY

SPECIAL/REGULAR MEETING

MAY 26, 2011

CALL TO ORDER SPECIAL JOINT CITY COUNCIL & REDEVELOPMENT AGENCY MEETING: 5:30 P.M.

Special Meeting noticed May 23, 2011.

Roll Call.	Present:	Joey Luiz, Vice Mayor Curt Giambruno, Councilmember Jeri Spittler, Councilmember
	Absent:	Joyce Overton, Mayor (due to illness) Judy Thein, Councilmember (due to illness)
	Staff:	Stephen Albright, Interim City Administrator Mala Subramanian, City Attorney Melissa Swanson, City Clerk

SPECIAL CLOSED SESSION

1. PUBLIC EMPLOYEE APPOINTMENT – Pursuant to Government Code Section 54957: Title: City Administrator.
2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Pursuant to Section 54956.8: Property: 13981 Morgan Avenue; Agency negotiator: Redevelopment Agency Executive Director; Negotiating parties: Shandor Szentkuti; Under negotiation: Price and terms of payment.
3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS - Pursuant to Section 54956.8: Property: 14295 Lakeshore Dr; Agency negotiator: City Administrator; Negotiating parties: US Bank Association; Under negotiation: Price and terms of payment.

The meeting was adjourned at 6:20 p.m. with no reportable action.

CALL TO ORDER REGULAR JOINT CITY COUNCIL & REDEVELOPMENT AGENCY MEETING: 6:25 P.M.

A Moment of Silence and the Pledge of Allegiance were led by Vice Mayor Luiz.

Roll Call.	Present:	Joey Luiz, Vice Mayor Curt Giambruno, Councilmember Jeri Spittler, Councilmember
	Absent:	Joyce Overton, Mayor (due to illness) Judy Thein, Councilmember (due to illness)
	Staff:	Stephen Albright, Interim City Administrator

AGENDA APPROVAL, ADDITIONS AND/OR DELETIONS

There were no additions or deletions to the Agenda.

PUBLIC COMMENT –

Dante DeAmici spoke regarding candidate forums on TV8.

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.

05/12/2011	Warrant Register	\$86,516.44
05/12/2011	Warrant Register	42,561.35

2. Finance Department Monthly Report.
3. Consideration of Purchase of Police Vehicles.

ACTION: It was moved by Council Member Giambruno and seconded by Council Member Spittler to approve the Consent Calendar as presented. The motion passed with a voice vote of 3-0-2, with Mayor Overton and Council Member Thein absent.

BUSINESS

4. Public Hearing to Consider an Appeal of the Planning Commission Decision to Deny a Variance Application by Rebecca Whitmire, 14708 Palmer Avenue, APN 040-192-220.

The staff report was given by Stephen Albright.

Vice Mayor Luiz opened the Public Hearing at 6:33 p.m.

Karen Taylor spoke against granting the appeal.

Rebecca Whitmire spoke on her behalf and asked the Council to grant the appeal.

Jim Honegger spoke against granting the appeal.

Vice Mayor Luiz closed the Public Hearing at 6:40 p.m.

ACTION: It was moved by Council Member Giambruno and seconded by Vice Mayor Luiz to uphold the unanimous action of the Planning Commission disapproving Resolution No. PC-2011-02. The motion passed with a roll call vote of 2-1-2, with Council Member Spittler against and Mayor Overton and Council Member Thein absent.

5. Consideration of Adoption of the 2010/11 Redevelopment Agency Budget; Resolution No. RA-2011-03.

The staff report was given by Stephen Albright.

Vice Chair Luiz opened the Public Hearing at 6:52 p.m.

Jim Scholz had questions for staff regarding the Clearlake Housing Now settlement.

Bill Shields had questions regarding the closed session.

Joan Moss had questions for staff regarding the Clearlake Housing Now settlement.

Vice Chair Luiz closed the Public Hearing at 6:58 p.m.

ACTION: It was moved by Member Giambruno and seconded by Member Spittler to approve Resolution No. RA-2011-03, A RESOLUTION OF THE BOARD OF THE CLEARLAKE REDEVELOPMENT AGENCY ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2010-11. The motion passed with a voice vote of 3-0-2, with Chair Overton and Member Thein absent.

6. Consideration of Rescinding Approval of the Disposition and Development Agreement and Mitigated Negative Declaration; Resolution No. RA-2011-06.

The staff report was given by Stephen Albright.

ACTION: It was moved by Council Member Giambruno and seconded by Vice Mayor Luiz to approve Resolution No. 2011-06 that rescinds the Council approval of the Redevelopment Agency actions to approve a Disposition and Development Agreement between the Clearlake Redevelopment Agency and KK Raphael Properties, LLC and the Related Mitigated Negative Declaration for the Airport Development Project. The motion passed with a voice vote of 3-0-2, with Mayor Overton and Council Member Thein absent.

7. Consideration of Rescinding Approval of the Disposition and Development Agreement and Mitigated Negative Declaration; Resolution No. 2011-06.

The staff report was given by Stephen Albright.

ACTION: It was moved by Member Giambruno and seconded by Vice Chair Luiz to approve Resolution No. RA-2011-04 that rescinds the approval of the Disposition and Development Agreement between the Clearlake Redevelopment Agency and KK Raphael Properties, LLC and the Mitigated Negative Declaration for the Airport Development Project. The motion passed with a voice vote of 3-0-2, with Chair Overton and Member Thein absent.

8. Continuation of the Public Hearing to Consider the Proposed Ordinance Regulating Marijuana Distribution Facilities; Ordinance No. 150-2011.

The staff report was given by Stephen Albright

Vice Mayor Luiz reopened the Public Hearing at 7:25 p.m.

Ron Green provided written comments and had questions of staff. He opposed limiting the dispensaries to C-4 zoning.

Bill Shields had questions of staff.

Tony King opposed allowing the dispensaries in the Design District zoning and supported allowing four dispensaries.

Vice Mayor Luiz continued the Public Hearing at 7:50 p.m. to the June 9th Regular City Council Meeting.

CITY ADMINISTRATOR'S REPORT

COUNCIL MEMBERS CALENDAR, TRAVEL AND REPORTS

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:16 P.M.

Melissa Swanson
City Clerk