

**MINUTES
LAKEPORT CITY COUNCIL
REGULAR MEETING
February 3, 2009**

- I. **WORKSHOP:** The workshop began at 5:01 p.m.
- A. The Brown Act City Attorney Brookes and City Clerk Chapman presented a workshop regarding the Brown Act.
- II. **CALL TO ORDER:** Mayor Bertsch called the regular meeting of the City Council of the City of Lakeport to order at 6:14 p.m. with Council Members, Roy Parmentier, Bob Rumpfelt, Jim Irwin, and Suzanne Lyons present.
- ROLL CALL:**
- III. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Sergeant Dale Stoebe.
- IV. **ACCEPTANCE OF AGENDA:** A motion was made by Council Member Parmentier, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to discuss the Golden Handshake as it arose after the posting of the agenda and must be acted on prior to the next meeting.
- A motion was made by Council Member Parmentier, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to direct staff to initiate the Golden Handshake, identify possible employees, and bring back financial information to the next meeting.
- A motion was made by Council Member Parmentier, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to accept the agenda as posted.
- V. **CONSENT AGENDA:**
- A. Ordinances Waive reading except by title, of any ordinances under consideration at this meeting for either introduction or passage per *Government Code* Section 36934.
- B. Warrants Approve warrants as listed on Warrant Register dated February 3, 2009.
- C. Minutes Approve minutes of the regular City Council meeting of January 20, 2009.
- D. Payment to Legal Counsel: Approve payment to McDonough, Holland & Allen for fees relating to litigation.
- Vote on Consent Agenda A motion was made by Council Member Parmentier, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to approve the Consent Agenda as presented.
- VI. **PUBLIC PRESENTATIONS/ REQUESTS:**
- A. Citizen Input Gerri Loeb Sloper from Loeb's Ink Spot addressed the Council regarding the effects of the Redevelopment Agency project on her business.
- Betsy Cawn commented on the Brown Act and how important it is to her to participate in the governmental process.
- B. Traffic Impact Fee Program Council Member Irwin stepped down due to a potential conflict of interest. Brent Siemer, Public Works Director from the County of Lake, addressed the Council regarding the traffic Impact Fee Program. Phil Dow from the Area Planning Council (APC) addressed the Council. He was involved in the traffic studies that were done as part of this program. Jim Irwin addressed the Council as a citizen and had questions regarding implementation of the program. He would like the City to be cautious in being involved in area-wide program. He wants to see more local control.
- A motion was made by Council Member Parmentier, seconded by Council Member Lyons, and carried by voice vote, with Council Member Irwin abstaining, to accept the Draft Report and direct staff to work with the APC Technical Advisory Committee to develop a leveled fee structure between communities within a maximum range and bring back at a later date.

- C. Application No. 2009-03 A motion was made by Council Member Parmentier, seconded by Council Member Lyons, and unanimously carried by voice vote to approve Application No. 2009-03 for the Norcal Airpooled Group for a VW car show on June 27, 2009 from 8:00 a.m. to 4:00 p.m.
- D. Application No. 2009-04 Public Works Director Grider indicated that for large events, the applicant should be required to provide dumpster. Our facilities may not have the capacity to service a large movie screen. A motion was made by Council Member Rumfelt, seconded by Council Member Lyons, and unanimously carried by voice vote to approve Application No. 2009-04 for multi-events including Taste of Lakeport on August 21, 2009; July 4 craft booths and beer booth; Dinner and Movie Night on May 24, 2009; and a Children's Push Pull and Doggie Parade on December 11, 2009, from 5:00 to 7:00 p.m. Proponents shall supply waste receptacles and power as needed. This will be coordinated with the Public Works Department.

VII. COUNCIL BUSINESS:

A. Community Development Director:

1. Reconsideration of Previous Action Community Development Director Brannigan gave a background regarding the need to have the general plan item reconsidered. In order to have it legally defensive to add to our sphere of influence, certain language must be included in the general plan. The General Plan must include the intent of the City. The following members of the public spoke to this issue: Betsy Cawn, Jo Gossett, and Amanda Lyons.

Community Development Director Brannigan reported that the General Plan is scheduled to go to Planning Commission on February 26, 2009. There will be a staff report that includes stronger language for the specific area plan that looks to include language from the golf course committee reported adopted by the Planning Commission and City Council in 2007, comments from public workshops, and replies from public input through the 45-day public input process. The Planning Commission will make a written recommendation to the City Council.

B. Redevelopment Director:

1. Expansion of Business Loan Program A motion was made by Council Member Rumfelt, seconded by Council Member Lyons, and carried by voice vote, with Council Member Irwin voting no, to adopt the Business Stabilization Loan Program Guidelines dated January 2, 2009, and direct staff to bring back the capitalization of the program as a separate and distinct action for consideration.

VIII. CITY COUNCIL COMMUNICATIONS:

- A. Formation of Citizen Committee Council Member Rumfelt would like to see each Council Member recommend a person to be on the committee. The committee should consist of residents of the City of Lakeport. Council Member Lyons will head up this committee formation.
- B. Miscellaneous Reports: Council Member Parmentier reported that there will be an APC meeting tomorrow. He will also be attending a meeting on February 11 with the principal and student body regarding a program to include students in our process.

Council Member Rumfelt attended a policy committee meeting in Sacramento. The State budget was discussed. The local regional meeting was held in Willits on January 30. The next meeting will be in Lakeport on May 1, 2009. There will be a workshop regarding the role of Council Members in an emergency.

Council Member Lyons asked about the shelf ready and green project ideas. She wants to know if we can be prepared to do bike lanes as a green project. Public Works Superintendent Grider indicated that the bike lanes on Lakeshore Boulevard have been identified as part of a project.

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Council Member Irwin asked about the South Main Street Project. This project will probably not start until spring. City Engineer Harter reported that he has heard from the state regarding Proposition 1B monies. To revise our list, we must adopt another resolution regarding a revised list. He can bring resolution back at the first meeting in March. He will be on vacation February 8-13, 2009.

Acting City Manager Burke reported that he will be gone for the rest of the week. Public Works Director Grider will be the acting City Manager. If the stimulus package goes through as presented, there will be monies available to hire a police officer for three years. There would also be monies available to hire a civilian position was well. This could cover our community service officer for code enforcement.

Public Works Director Grider reported that the waste bags have been installed at the dog park. New signage has been put up. Grindings have been rolled in so there will be an all-weather surface for the dogs.

Council Member Lyons reported that she has been meeting with Acting City Manager Burke and City Clerk Chapman regarding getting our meetings video-taped. Her daughter has video-taped the last two meetings.

Mayor Bertsch has met with Community Development Director Brannigan about doing a community garden across from the Senior Center.

IX. CLOSED SESSION:

The meeting was adjourned to closed session at 9:22 p.m. (1) Pursuant to *Government Code* Section 54956.8 (Property Negotiations): 1473 Martin Street (APN 005-030-20), 902 Bevins Court (APN 025-462-11), and Green Ranch (APN 005-025-11); (2) Pursuant to *Government Code* Section 54956.9(b) (Existing Litigation): *City of Lakeport v. Browning* (Lake County Superior Court No. CV405610) and *City of Lakeport v. Vincent* (Lake County Superior Court No. CV405609); and (3) Pursuant to *Government Code* Section 54957.6 (Conference with Labor Negotiators): Employee Groups: Lakeport Employees Association, Lakeport Police Officers Association, Management Employees; Negotiators: City Attorney and Interim City Manager

X. REPORT FROM CLOSED SESSION:

The meeting reconvened to open session at 11:17 p.m. The Mayor announced that the City Council has unanimously agreed to sell property located at 902 Bevins Court to the Lakeport Redevelopment Agency for \$405,000 plus broker fees of 0.5 percent and title and escrow expenses to be paid by the buyer subject to a General Plan Consistency Report to be prepared by the Lakeport Planning Commission with funding to come from 212-7010-990 (Land, Structures, and Improvements).

Staff was given direction to have further discussion with the defendant's counsel in *City of Lakeport v. Browning* (Lake County Superior Court Case No. CV405610).

XI. ADJOURNMENT:

Mayor Bertsch adjourned the meeting at 11:18 p.m.

ATTEST

APPROVED

JANEL M. CHAPMAN, City Clerk

RONALD BERTSCH, Mayor