

**MINUTES
LAKEPORT CITY COUNCIL
REGULAR MEETING
April 7, 2009**

- I. **CALL TO ORDER:**
ROLL CALL: Mayor Bertsch called the regular meeting of the City Council of the City of Lakeport to order at 6:02 p.m. with Council Members, Roy Parmentier, Jim Irwin, and Suzanne Lyons present. Council Member Rumpfelt was absent.
- II. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by City Attorney Brookes.
- III. **ACCEPTANCE OF AGENDA:** A motion was made by Council Member Parmentier, seconded by Council Member Irwin, and unanimously carried by voice vote to accept the agenda as amended.
- IV. **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 April 7, 2009.
- C. Minutes Approve minutes of the regular City Council meeting of March 24, 2009.
- D. Agreement with Community Development Services Approve Agreement with Community Development Services to administer the Program Income component of the CDBG City Business Loan Program and authorize the Mayor to execute the Agreement
- Vote on Consent Agenda A motion was made by Council Member Irwin, seconded by Council Member Parmentier, and unanimously carried by voice vote to approve the Consent Agenda as presented.
- V. **PUBLIC PRESENTATIONS/ REQUESTS:**
- A. Citizen Input Pete McCrae would like to see the use of off-road vehicle operation prohibited within the City limits. Staff was directed to review this matter and bring it back to the Council with a recommendation for the first meeting in May.
- J. R. Rose, a Senior Advocate from Ukiah addressed the Council regarding cost of living expenses and their effects on seniors. The Lake County Board of Supervisors passed a resolution. Staff will follow up on this.
- VI. **CONVENE JOINT MEETING OF THE LAKEPORT CITY COUNCIL AND LAKEPORT REDEVELOPMENT AGENCY:**
- A. Call to Order and Roll Call: Chairman Bertsch called the regular meeting of the Redevelopment Agency to order at 6:19 p.m. with Agency Members Roy Parmentier, James Irwin, and Suzanne Lyons present. Agency Member Rumpfelt was absent.
- B. Minutes A motion was made by Agency Member Parmentier, seconded by Agency Member Lyons, and carried by voice vote, with Agency Member Irwin abstaining, to approve the minutes of March 24, 2008.
- C. Avalon Cottages A proposed Agency Loan Agreement for a Predevelopment Loan for 1240 Berry Street was discussed. Exhibit E-1 (Eligible uses for the loan) was discussed. Agency Member Irwin has objections regarding the paying for interest for the site acquisition and Payment of AC, LLC acquisition and development loan. He was also concerned with all of the blanks in the contract. Bruce Shimizu was present and pointed out that the Agency has already approved the funding commitment of \$173,220. A motion was made by Agency Member Parmentier, seconded by Agency Member Lyons, and carried by voice vote to hold this matter over to such time as all agency members can be present.

D. Adjourn The Redevelopment Agency meeting was adjourned at 6:47 p.m.

VII. CONVENE JOINT MEETING OF THE LAKEPORT CITY COUNCIL AND CLMSD:

A. Call to Order & Roll Call Chairman Bertsch called the regular meeting of the CLMSD to order at 6:48 p.m. with Board Members Roy Parmentier, James Irwin, and Suzanne Lyons present. Board Member Rumfelt was absent.

B. Resolution No. 2350 (2009) A motion was made by Board Member Parmentier, seconded by Board Member Lyons, and unanimously carried by voice vote to adopt Resolution No. 2350 (2009) authorizing signatory authority for any amendments to Agreement No. 07-708550 with the State Board of Water Resources.

C. Adjourn The meeting of CLMSD was adjourned at 6:52 p.m.

VIII. COUNCIL BUSINESS:

A. Finance Director

1. Golden Handshake Calculation A motion was made by Council Member Parmentier, seconded by Council Member Lyons, and unanimously carried by voice vote to receive the report identifying the estimated costs of the proposed CalPERS Golden Handshake program to be posted and direct staff to prepare a resolution approving a Golden Handshake retirement period to be considered at the April 21, 2009, meeting.

B. City Engineer

1. Resolution No. 2348 (2009) Race Conscious DBE Program A motion was made by Council Member Lyons, seconded by Mayor Bertsch and carried by voice vote, with Council Member Irwin voting no, to adopt Resolution No. 2348 (2009) adopting a Race Conscious DBE program for the City of Lakeport.

2. Award Contract for Design of Hartley Street Safe Routes to School Project Nancy Ruzicka addressed the Council regarding the award process and the need to use local businesses. A motion was made by Council Member Parmentier, seconded by Council Member Lyons, and carried by voice vote, with Council Member Irwin voting no, to award design of the Hartley Street Safe Routes to School project to Green Valley Consulting Engineers consistent with the recommendation of the Consultant Selection Board and authorize the City Manager to sign the contract subject to approval by the City Attorney.

3. Resolution No. 2349 (2009) Safe Routes to School Project A motion was made by Council Member Irwin, seconded by Council Member Lyons, and unanimously carried by voice vote to adopt Resolution No. 2349 (2009).

C. Interim City Manager

1. Yacht Club Interim City Manager Burke presented three requests that have come in from the Lakeport Yacht Club. Members of the Yacht Club were present to address questions. Staff was directed to prepare an amendment to the agreement to the lease to include an area for dry storage. This will be agendized for the meeting of May 5, 2009.

2. Animal Control A motion was made by Council Member Lyons, seconded by Council Member Irwin, and unanimously carried by voice vote to enter into the proposed agreement for Animal Control Services with the County of Lake and authorize the Mayor to sign on behalf of the City of Lakeport.

IX. CITY COUNCIL COMMUNICATIONS:

A. Miscellaneous Reports: Council Member Parmentier reported that the Indian Gaming Meeting will be held April 29 and he was able to get recommendations for two of the tribes for our projects.

Council Member Parmentier will probably not be at the first meeting in May because he has to have surgery.

The Measure I Committee applications will be placed on the next agenda for approval.

Mayor Bertsch met with the Lakeport Main Street Association. They are doing a dinner and movie (American Graffiti) on May 24 in the park.

Mayor Bertsch is working with the Senior Center on the garden. They are doing a spaghetti feed fundraising dinner on April 17 from 6:00 to 8:00 p.m.

The Westside Park Committee wants to begin moving dirt in April.

There have been several meetings with the Fireworks Committee and they hope to come back to the Council on April 21, 2009, for discussion.

Mayor Bertsch will be meeting with the Grand Jury.

Interim City Manager Burke will be out for the next three days due to surgery. Community Development Director Brannigan will be the acting City Manager.

City Engineer Harter met with CalTrans last week regarding our Forbes Creek projects. The Department of State Architect will have to approve our plans.

City Engineer Harter reported that the South Main Street project will start next week.

City Attorney Brookes is attending the REMIF quarterly meeting next week.

Community Development Director Brannigan reported that Dan Buffalo will be attending a clean water workshop. They are looking at projects for stimulus projects.

The City Clerk will be on vacation next week.

Council Member Irwin reported that he requests that the fireworks sales be reconsidered. At the last meeting applications for sales were denied, but the future of the ordinance was not discussed. Review of the ordinance will be addressed at the next meeting.

X. CLOSED SESSION:

The meeting was adjourned to closed session at 8:46 p.m. pursuant to Government Code Section 54956.8 (Property Negotiations): 1473 Martin Street (APN 005-030-20)

Pursuant to *Government Code* Section 54956.9(b) (Existing Litigation): *City of Lakeport v. Vincent* (Lake County Superior Court No. VC405609)

Pursuant to *Government Code* Section 54957 (Public Employee Performance Evaluation) Title: City Manager

XI. REPORT FROM CLOSED SESSION:

The meeting reconvened to open session at 9:30 p.m. A motion by Council Member Parmentier, seconded by Council Member Lyons, and unanimously carried by voice vote to approve a sales and leaseback agreement for the purchase of the property at 1473 Martin Street (APN 005-030-20) at the sales price of \$329,800 with a five-year leaseback at \$750 per month.

XII. ADJOURNMENT:

Mayor Bertsch adjourned the meeting at 9:32 p.m.

ATTEST

APPROVED

JANEL M. CHAPMAN, City Clerk

RONALD BERTSCH, Mayor