



# MINUTES

## REGULAR MEETING OF THE LAKEPORT CITY COUNCIL

(ALSO MEETS AS THE CITY OF LAKEPORT MUNICIPAL SEWER DISTRICT, THE LAKEPORT INDUSTRIAL DEVELOPMENT AUTHORITY, THE MUNICIPAL FINANCING AGENCY OF LAKEPORT and THE SUCCESSOR AGENCY TO THE FORMER LAKEPORT REDEVELOPMENT AGENCY)

Tuesday, November 16, 2021, 6:00 p.m.

City Council Chambers, 225 Park Street, Lakeport, California 95453

**I. CALL TO ORDER & ROLL CALL:**

Mayor Parlet called the meeting to order at 6:00 p.m., with Council Members Froio, Green, Mattina, and Turner present in the Council Chamber, and Mayor Parlet and Council Member Green present via Zoom.

**II. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Council Member Froio.

**III. ACCEPTANCE OF AGENDA/ URGENCY ITEMS:**

A motion was made by Council Member Turner, seconded by Council Member Mattina, and passed 5-0-0 by the following roll call vote: Froio – aye; Green – aye; Mattina – aye; Turner – aye; Parlet – aye to accept agenda as posted.

**IV. CONSENT AGENDA:**

*The following Consent Agenda items are expected to be routine and noncontroversial. They will be acted upon by the Council at one time without any discussion. Any Council Member may request that any item be removed from the Consent Agenda for discussion under the regular Agenda. Removed items will be considered following the Consent Calendar portion of this 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. Minutes:**

Approve minutes of the City Council regular meeting of November 2, 2021.

**C. Warrants:**

Approve the warrant register of November 5, 2021.

**D. AB 361:**

Adopt a resolution authorizing continued remote teleconference meetings of the Lakeport City Council and its legislative bodies pursuant to *Government Code* section 54953(e).

**E. Renew Emergency Resolution: COVID-19**

Confirm the continuing existence of a local emergency for the COVID-19 Public Health Emergency.

**F. Application 2021-014 (Amended):**

Approve event application 2021-014, amended to request the closure of Second Street between Forbes and Main Streets, to cancel the closure of Main Street between Third and Fourth Streets, and to add a sled hill/slide to the Dickens Faire event.

**Vote on the Consent Agenda:**

Council Member Green requested that item IV.F. be pulled from the Consent Agenda.

A motion was made by Council Member Froio, seconded by Council Member Turner, and passed 5-0-0 by the following roll call vote: Froio – aye; Green – aye; Mattina – aye; Turner – aye; Parlet – aye to approve the Consent Agenda, items A-E.

Council Member Green expressed his opposition to the amended application.

Laurel McCarthy spoke in favor of approving the amended application.

A motion was made by Council Member Froio, seconded by Council Member Mattina, and passed 4-1-0 by the following roll call vote: Froio – aye; Green – no; Mattina – aye; Turner – aye; Parlet – aye to approve event application 2021-014, amended to request the closure of Second Street between Forbes and Main Streets, to cancel the closure of Main Street between Third and Fourth Streets, and to add a sled hill/slide to the Dickens Faire event.

**V. PUBLIC PRESENTATIONS/REQUESTS:**

**A. Public Input:**

*Any person may speak for 3 minutes about any subject within the authority of the City Council, provided that the subject is not already on tonight's agenda. Per *Government Code* §54954.3(a), the City Council cannot take action or express a*

*consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda*

Laurel McCarthy asked about the whether the outdoor dining parklets on Main Street would be continuing. She feels that they are affecting her business, and she is concerned with the Christmas season coming up.

Glen Milburn spoke about promoting PACE financing for wildfire resilience. He requested that the Council allow PACE Financing

Brad Rasmussen spoke about the crisis responder program. He introduced Alicia Adams as the new crisis responder, and Lisa Morrow from the Lake Family Resource Center.

**VI. COUNCIL BUSINESS:**

**A. City Manager**

1. California Citizens Redistricting Commission Redistricting (CRC) Process:

The staff report was presented by City Manager Ingram. A motion was made by Council Member Turner, seconded by Council Member Green, and passed 5-0-0-0 by the following roll call vote: Froio – aye; Green – aye; Mattina – aye; Turner – aye; Parlet – aye to direct staff to prioritize redistricting efforts to ensure that Lake County is not split into separate districts.

2. Meeting Cancellation:

The staff report was presented by City Manager Ingram. A motion was made by Council Member Turner, seconded by Council Member Froio, and passed 5-0-0-0 by the following roll call vote: Froio – aye; Green – aye; Mattina – aye; Turner – aye; Parlet – aye to authorize the cancellation of the regular meeting of December 21, 2021.

**VII. CITY COUNCIL COMMUNICATIONS:**

**A. Travel, Calendar, and Miscellaneous Reports, if any:**

Council Member Froio had no report.

Council Member Mattina wished everyone a happy Thanksgiving.

Mayor Parlet advised that there is a serious crime wave with AB109 and he supports a ballot measure to repeal it.

Council Member Turner reported she will be getting her Covid booster shot this week.

Council Member Green reported that he received his booster shot this week. He advised that Dr. Evans gave a presentation to the Board today and he urged people to watch it on YouTube. He also spoke highly of the Grapefruit Clinic testing center at the High School.

Administrative Services Director Buendia was absent.

City Attorney Ruderman had no report.

City Manager Ingram reported that there will be a workshop to get input on possible uses and improvements to the Community Center Dec 1, 2021.

He also advised he attended the Youth Governance Council meeting and they will be giving a presentation/update at the next Council.

Community Development Director Byers had no report.

Assistant City Manager Walker reported that the CalPERS voted to keep the discount rate at 6.8%.

Police Chief Rasmussen had no report.

Utilities Superintendent Harris had no report.

Public Works Superintendent Ladd had no report.

VIII. CLOSED SESSION:

Mayor Parlet adjourned the meeting to Closed Session at 6:43 p.m., to discuss:

- 1. Conference with Legal Counsel; Existing Litigation (Gov. Code § 54956.9(d)(1))

The City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

*City of Lakeport et al. v. Amerisourcebergen Drug Corporation et al.*

(NDO MDL 1:20-op-45242-DAP)

- 2. Conference with Legal Counsel; Initiation of Litigation (Gov. Code § 54956.9(d)(4))

Number of potential cases: One (1) case

IX. REPORT FROM CLOSED SESSION:

City Attorney Ruderman gave the following report on the Closed Session items:

- 1. The Council approved a settlement with McKesson, AmerisourceBergen, Cardinal Health, and Janssen regarding the City's lawsuit against them related to their contribution to the opioid epidemic of a vote of 5 to 0. The settlement will provide up to \$2.263 billion to California and its 431 eligible counties and cities. The specifics of the settlement agreement and intrastate allocation agreement can be found at [www.nationalopioidsettlement.com](http://www.nationalopioidsettlement.com).
- 2. The Council approved the initiation of litigation on a 5 to 0 vote, against McKinsey and Company, Inc. for its role in furthering the opioid epidemic. The action and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the City's ability to effectuate service of process on one or more unserved parties.

X. ADJOURNMENT:

Mayor Parlet adjourned the meeting at 7:37 p.m.

Kenneth Parlet, II, Mayor

Attest:

Hilary Britton, Deputy City Clerk