

**MINUTES
SPECIAL 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 SUCCESSION AGENCY TO THE LAKEPORT REDEVELOPMENT AGENCY)

Monday, December 4, 2017

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

CLOSED SESSION:

Mayor Mattina opened the meeting at 5:05 p.m.

Nancy Ruzicka asked for a continuance on the Verizon item and is opposed to the cell phone tower.

Suzanne Lyons stated that she was unable to access the agenda online.

Mayor Mattina adjourned the meeting to Closed Session at 5:15 p.m. to consider:

1. Conference with Legal Counsel; Anticipated Litigation (Gov. Code § 54956.9(d)(2) & (d)(3)) A point has been reached where, in the opinion of the City Council on the advice of its legal counsel, based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City:

Statement made at an open meeting of City (Gov. Code § 54956.9(e)(4)): Name of Person: Paul B. Albritton.

Nature of Specific Matter: Appeal of Verizon Wireless Application UP 14- 04, AR 14-12, CE 14-24.

Number of potential cases: one (1)

2. Public Employee Performance Evaluation (Gov. Code § 54957) Title: City Manager

REPORT OUT OF CLOSED SESSION

There was no report out of closed session.

CALL TO ORDER & ROLL CALL:

Mayor Mattina called the Special Meeting to order at 6:02 p.m., with Council Member Spurr, Council Member Parlet, Council Member Turner and Mayor Mattina present and Council Member Barnes absent. (Council Member Barnes was present for the Closed Session.)

**COMMERCIAL CANNABIS
ORDINANCE:**

The staff report was presented by Community Development Director Ingram.

Kimberly Chilcutt, owner of a cannabis medicinal company, would like certain types of manufacturing (such as infusion with vegetable glycerin) allowed in R-1. Her proposed business would be defined as medicinal, type 6 and type N under the state permitting. She further commented that deliveries are dangerous.

Stan Jones is opposed to store front operations in the City of Lakeport but could live with delivery. He is against onsite consumption.

Michael Green thought the five pound limit was too low; questioned the 50 ft² limit for non-cannabis items in retail stores; he opposes any commercial cannabis activities in residential zones; he noted that neither the Counsel nor the Planning Commission had considered regulations for mini collectives or cooperatives, and he recommended that these uses not be permitted in residential zones.

He also asked that Council to consider the potential consumer demand for retail establishments, be they medicinal or commercial.

Melissa Fulton, CEO of Lake County Chamber of Commerce, asked whether the County Board of Supervisors had decided upon a policy for retail in the unincorporated areas.

Chief Doug Hutchison, Lakeport Fire Protection District, stated that solvents are a big concern in any allowed processes. He requested that the District be notified of any solvents/chemicals listed in a permitted operation.

Gary Reese asked if home-based businesses are required to notify neighbors.

Kari Smith was not in favor of store front retail cannabis in C-2.

Ruby Jones was not in favor of any cannabis sales, store-front or delivery.

Michael Froio asked if there is sales tax on medical cannabis.

Council discussed and gave staff direction to:

1. Explore the possibility of creating an overlay zoning district for the South area of town.
2. Prohibit retail in C-2 on 11th street and North Main Street.

3. Determine appropriate zoning for microbusinesses which may be involved in distribution.
4. Remove the term “dispensary”, replace with “retail”
5. Replace “Commercial Cannabis Activities” throughout the ordinance rather than the term “Commercial Cannabis Uses”.
6. Remove reference to the Lake County Agriculture Commissioner in Section 5.34.09.A.2(vi), replace with language recommended by the Planning Commission
7. Remove “testing” as an allowed use for microbusinesses
8. Consider banning cannabis related special events at fairgrounds/agricultural district properties.
9. Amend language in Section 5.34.09.B.1 concerning Commercial Cannabis Manufacturing to be consistent with State definition.
10. Remove reference to ‘testing’ regarding microbusinesses within draft ordinance to be consistent with State licensing regulations.
11. Prohibit special cannabis related events.

These changes will be incorporated into a draft ordinance that will be considered at the December 19, 2017 public hearing.

**I. WASTEWATER
ENTERPRISE REVENUE
BONDS:**

The staff report was presented by Finance Director Walker.

1. Sitting as the City of Lakeport City Council:

A motion was made by Council Member Parlet, seconded by Council Member Turner, and unanimously carried by voice vote, with Council Member Barnes absent, to

Adopt (i) Resolution No. ____ (2017) adopting the USDA RUS Bulletin 1780-27 Loan Resolution, and (ii) Resolution No. ____ (2017) Approving a Trust Agreement, Installment Sale Agreement and Grant agreement and Certain Other Documents in Connection with the Authorization, Preparation, Sale and Delivery of Municipal Financing Agency of Lakeport, Series 2017 Wastewater Enterprise Revenue Bonds, and Authorizing and Directing Certain Actions with Respect thereto,
and

2. Sitting as the Board of Directors of the Municipal Financing Agency of Lakeport:

A motion was made by Board Member Turner, seconded by Board Member Spurr, and unanimously carried by voice vote, with Board Member Barnes absent, to

Adopt Resolution No. JPA-__ (2017) Approving a Trust Agreement, Installment Sale Agreement, Assignment

Agreement and Certain Other Documents in Connection with the Authorization, Preparation, Sale and Delivery of Municipal Financing Agency of Lakeport, Series 2017 Wastewater Enterprise Revenue Bonds, and Authorizing and Directing Certain Actions with Respect thereto.

II. NEW CLASSIFICATION:

The staff report was presented by Administrative Services Director/City Clerk Buendia.

A motion was made by Council Member Spurr, seconded by Council Member Turner, and unanimously carried by voice vote, with Council Member Barnes absent, to

1. Approve a new classification for a Police Detective with a salary range 43.6 earning \$4,708 to \$6,012 per month, and
2. Reclassify one Police Officer position from the 2017/18 budget to Police Detective.

III. PURCHASE AGREEMENT:

The staff report was presented by Public Works Director Grider.

A motion was made by Council Member Parlet, seconded by Council Member Turner, and unanimously carried by voice vote, with Council Member Barnes absent, to authorize the City Manager to sign the associated purchase order and purchase agreement for a 2017 Hamm Model HD-14-VV double drum vibratory roller.

IV. ADJOURNMENT:

Mayor Mattina adjourned the meeting at 8:00 p.m.

Stacey Mattina, Mayor

Attest:

Kelly Buendia, City Clerk