

# 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 LAKEPORT REDEVELOPMENT AGENCY)

Tuesday, December 19, 2017

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

### CLOSED SESSION:

Deputy City Clerk Britton opened the meeting at 5:05 p.m. and then adjourned the meeting to 5:30 p.m.

Mayor Mattina called the meeting to order at 5:32 p.m.

The meeting was adjourned to Closed Session at 5:32 p.m. to consider one (1) item:

1. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6): Name of City Negotiator to Attend Closed Session: Mayor Mattina & Council Member Turner;  
Unrepresented Employee: City Manager.

### REPORT OUT OF CLOSED SESSION:

There was no reportable action out of the Closed Session.

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

Mayor Mattina called the meeting to order at 6:00 p.m., with Council Members Barnes, Parlet, Spurr, and Turner present

### II. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Public Works Director Grider

### III. ACCEPTANCE OF AGENDA:

A motion was made by Council Member Parlet, seconded by Council Member Barnes, and unanimously carried by voice vote to accept agenda as posted.

Urgency Items:

There were no urgency items.

### 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 21, 2017, and the special meeting of December 4, 2017.

C. Warrants:

Approve the warrant registers of December 7, 2017

D. Application 2018-002:

Approve Application 2018-002, with staff recommendations, for the Shakespeare at the Lake production of "As You Like It" on July 28 & 29, 2018.

E. Maddy Act:

Direct the City Clerk to prepare the 2018 Maddy Act Appointments List and post at City Hall and the Lakeport Public Library.

F. Change Orders:

Authorize the City Manager to sign Contract Change Orders No. 1 through No. 7. with Granite Construction Co. for the additional work on the Lakeshore Blvd ER Project.

Vote on Consent Agenda:

A motion was made by Council Member Spurr, seconded by Council Member Turner, and unanimously carried by voice vote to approve the Consent Agenda, items A-F.

### V. PUBLIC PRESENTATIONS/REQUESTS:

A. Citizen Input:

Ruby Jones had questions regarding the streets:

- Regarding the Street Sweeper schedule, Public Works Director Grider will meet with Ruby regarding the schedule.
- Cracked pavement on streets – PW Grider will meet with her and tour the area.
- Striping on 11<sup>th</sup> street – PW Grider advised we have applied for a grant for striping projects, we are currently in the design phase which should

be complete within 60 – 90 days. Weather dependent, projects should commence by spring

- B. Presentation: Barbara Breunig of the Lakeport Main Street Association presented the winners of the 2017 Holiday Decoration Contest:

Business Category:

1<sup>st</sup> place: Redwood Community Services Home Program

2<sup>nd</sup> place: Renee's Café

3<sup>rd</sup> place: Main Street Bicycles

Residential Category:

1<sup>st</sup> place: Jeff and Jackie Hansen

2<sup>nd</sup> place: Rob and Lynette Alberigi

3<sup>rd</sup> place: Kayla Gondolfi

**VI. PUBLIC HEARING**

- A. Personal Cannabis Cultivation Ordinance: Community Development Director Ingram presented the staff report. Mayor Mattina opened the Public Hearing at 6:22 p.m. There was no citizen input. Mayor Mattina closed the Public Hearing at 6:22p.m. A motion was made by Council Member Turner, seconded by Council Member Parlet, and unanimously carried by voice vote to adopt the proposed ordinance amending Chapters 17.04, 17.05, 17.06, 17.07 and 17.38 of the Lakeport Municipal Code to permit and regulate personal cannabis cultivation within the City of Lakeport.
- B. Commercial Cannabis Ordinance: Community Development Director Ingram presented the staff report. Chief Rasmussen presented crime data in cities that allow retail cannabis sales. Mayor Mattina opened the Public Hearing at 6:27p.m.
- The following spoke in support of the draft ordinance: Michael Green, Chris Jennings (dispensary owner in Clearlake).
- The following spoke in opposition to the draft ordinance, specifically retail cannabis sales storefronts: Stan Jones, Annette Hopkins, Meredith Layman, Ruby Jones, David Velazquez, Mary Jo Velazquez, Ann Blue, Mike Ewing, and Sharon Witham.
- In addition, Annette Hopkins presented a letter to the Council, and Ruby Jones presented a petition opposing commercial cannabis sales, cultivation or delivery in the City.
- Kimberly Chilcutt opposed the Ordinance's provisions prohibiting Manufacturing/Microbusinesses in Residential Zones.
- Susan King asked supported issuing provisional licenses – Community Development Director Ingram advised permits will be evaluated annually.
- Andre Ross spoke in support of the work the Council, Commission and staff has done on the ordinance.
- Mayor Mattina closed the Public Hearing at 7:20 p.m.
- After discussion, the Council gave staff direction to make the following revisions to the Ordinance and to bring back the revised ordinance at the January 2, 2017 meeting:

- Use Type: only retail delivery will be allowed (5.34.09.E.1.iii)

- Specific Provisions: remove 5lb weight restriction (5.34.09.E.2.iv.)
- Specific Provisions: remove the cap on the number of permits issued (5.34.09.E.2.i.)
- Specific Provisions: remove the 1500 ft<sup>2</sup> limitations (5.34.09.E.2.ii.)
- Specific Provisions: remove the 50 ft<sup>2</sup> limitations (5.34.09.E.2.vii.)
- Section 3: prohibit retail delivery from C2 (17.10.050.N)

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

1. Approve the proposed revised ordinance, incorporating the changes referenced above, adding Chapter 5.34 and amending Chapters 17.08, 17.10, 17.11 and 17.13 of the Lakeport Municipal Code to permit and regulate commercial cannabis operations within the City of Lakeport
2. Bring back the revised ordinance for a second reading on January 2, 2018.

C. Hazard Mitigation Grant:

The staff report was presented by Community Development Director Ingram. Mayor Mattina opened the Public Hearing at 8:28 p.m.

There was no citizen input.

Mayor Mattina closed the Public Hearing at 8:28p.m.

A motion was made by Council Member Turner, seconded by Council Member Spurr, and unanimously carried by voice vote to adopt the proposed resolution approving the City of Lakeport’s Hazardous Mitigation Grant Program (HMGP) grant application for the creation of a Local Hazards Mitigation Plan and direct staff to submit a Notice of Intent (NOI) to Cal OES.

**VII. COUNCIL BUSINESS:**

A. Finance Director

1. Fiscal Year 2016/17 Unaudited Actual Report:

Finance Director Walker presented a report on the fiscal year ended June 30, 2017 unaudited actuals.

B. City Manager

1. Server Replacement:

Finance Director Walker presented the staff report.

A motion was made by Council Member Turner, seconded by Council Member Barnes, and unanimously carried by voice vote to approve the proposal for the replacement email server at City Hall awarded to Dell not to exceed \$12,519.29.

2. HVAC Replacement:

The staff report was presented by Public Works Director Grider.

A motion was made by Council Member Turner, seconded by Council Member Parlet, and unanimously carried by voice vote to approve the proposal for the replacement of an HVAC unit at 916 N. Forbes (former Lakeport Police Station) awarded to Economy Heating & Cooling not to exceed \$4100.00.

3. Holiday Resolution:

The staff report was presented by City Manager Silveira.

A motion was made by Council Member Council Member Turner, seconded by Council Member Barnes, and unanimously carried by voice vote to adopt a resolution to declare December 27, 2017 as a holiday for the employees of the City of Lakeport.

C. City Clerk

1. Appointment of Mayor and Mayor Pro Tem

Deputy City Clerk Britton requested nominations for Mayor. A nomination was made by Council Member Spurr, the nomination was unanimously confirmed by voice vote to appoint Mireya Turner as Mayor for a period of one year. Deputy City Clerk Britton requested nominations for Mayor Pro Tem. A nomination was made by Council Member Spurr, the nomination was unanimously confirmed by voice vote to appoint Tim Barnes as Mayor Pro Tem for a period of one year.

**VIII. CITY COUNCIL COMMUNICATIONS:**

A. Miscellaneous Reports, if any:

City Manager Silveira had no report.

City Attorney Ruderman reported had no report.

Public Works Director Grider wished the Council Merry Christmas.

Finance Director Walker reported that he attended the Municipal Finance Institute sponsored by the League of California Cities in Newport Beach last week.

Police Chief Rasmussen reported that he is currently researching surveillance cameras for the Parks and Downtown – he proposed creating a working group to provide input regarding this. Council Members Mattina and Spurr volunteered to serve on the working group.

Community Development Director Ingram wished the Council Merry Christmas.

Council Member Barnes thanked staff for a great job they have done in the last year.

Council Member Parlet reported Lakeport Rotary will give away 450 Christmas baskets and thanked the Lake County Family Resource Center for putting together the list of needy families.

Council Member Spurr wished the Council a glorious Christmas.

Council Member Mattina had no report.

Mayor Turner reported thanked the media for showing up and covering the Council meetings.

Mayor Turner adjourned the meeting at 8:59 p.m.

**IX. ADJOURNMENT:**

\_\_\_\_\_  
Mireya Turner, Mayor

Attest:

\_\_\_\_\_  
Hilary Britton, Deputy City Clerk