

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, July 7, 2020

CLOSED SESSION:

Mayor Spurr and Mayor Pro Tem Parlet were absent, Council Member Turner was nominated by Council Member Barnes to act as Chair Pro Tem. Chair Pro Tem Turner called the meeting to order at 5:34 p.m., to consider the following closed session item:

1. Conference with Labor Negotiator (Gov. Code § 54957.6)
Name of Agency Negotiators: Mayor Spurr and Councilmember Mattina
Unrepresented Employee: City Manager

CALL TO ORDER & ROLL CALL:

Mayor Pro Tem Parlet arrived at 6:00 p.m. Mayor Pro Tem Parlet called the open session to order at 6:01 p.m., with Council Members Barnes, Mattina, Turner, and Mayor Pro Tem Parlet present. Mayor Spurr was absent.

REPORT OUT OF CLOSED SESSION:

There was no reportable action out of closed session.

II. ACCEPTANCE OF AGENDA/ URGENCY ITEMS:

A motion was made by Council Member Turner, seconded by Council Member Mattina, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to accept agenda as posted.

III. 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 <i>Government Code</i> Section 36934. |
| B. | Minutes: | Approve minutes of the City Council regular meeting of June 16, 2020. |
| C. | Renew Emergency Resolution:
Mendocino Complex Fire | Confirm the continuing existence of a local emergency for the Mendocino Complex Fire. |
| D. | Renew Emergency Resolution:
February 2019 Storms | Confirm the continuing existence of a local emergency for the February 2019 Storms. |
| E. | Renew Emergency Resolution:
PG&E Public Safety Power Shutoffs
(PSPS) | Confirm the continuing existence of a local emergency for the October 2019 PSPS. |
| F. | Renew Emergency Resolution:
COVID-19 | Confirm the continuing existence of a local emergency for the COVID-19 Public Health Emergency. |
| G. | Ordinance Introduction: Safety
Assessment Placard Ordinance | Introduce the proposed ordinance to the Lakeport Municipal Code and schedule a public hearing for August 4, 2020. |
| H. | Electronic Signature Policy: | Adopt the resolution approving and adopting a policy authorizing the use and acceptance of electronic signatures (e-signatures) on City documents. |
| I. | City Manager Contract: | Approve the Retirement Incentive Agreement Between the City of Lakeport and Margaret Silveira. |
| | Vote on the Consent Agenda: | Prior to taking action on the Consent Agenda, City Attorney Ruderman read the following disclaimer: |

“Before we move on to taking action on the consent calendar, I’d like to publicly announce that under Government Code 54953.c.3, the City Council is required to

orally report a summary of any Council action on salaries, salary schedules, or fringe benefits for any executive managers.

Accordingly, before the City Council this evening, as part of agenda item III.I is a recommendation to approve a Retirement Incentive Agreement between the City of Lakeport and Margaret Silveira. The agreement includes a pay out of five month's salary that is anticipated to create salary savings due to Silveira's retirement 18 months prior to contract termination."

A motion was made by Council Member Barnes, seconded by Council Member Turner, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to approve the consent agenda, items A-I.

IV. 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. Persons wishing to address the City Council are required to complete a Citizen's Input form and submit it to the City Clerk prior to the meeting being called to order. While not required, please state your name and address for the record. NOTE: 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.

V. PUBLIC HEARINGS:

A. Housing Element:

The staff report was presented by Assistant City Manager Ingram, in conjunction with consultant Ben Ritchie for De Novo Planning.

A motion was made by Council Member Mattina, seconded by Council Member Turner, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to adopt the proposed Resolution to Adopt the Housing Element Update of the General Plan and finding this action exempt from CEQA.

B. Hazardous Weeds:

The staff report was presented by Assistant City Manager Ingram.

Mayor Pro Tem Parlet opened the Public Hearing at 6:23 p.m.

Mayor Pro Tem Parlet closed the Public Hearing at 6:24 p.m.

A motion was made by Council Member Turner, seconded by Council Member Barnes, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to continue the hearing on objections or protests by property owners who received notices of violation concerning nuisance dry vegetation to the City Council's regular meeting on August 4, 2020 at 6:00 p.m.

VI. COUNCIL BUSINESS:

A. City Manager

1. Westside Park Road:

The staff report was presented by City Manager Silveira.

A motion was made by Council Member Mattina, seconded by Council Member Turner, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to approve a resolution directing staff to begin the application process to change Westside Park Road to Charlie Jolin Way.

2. City Manager Contract:

City Attorney Ruderman presented the staff report, and delivered the orally reported summary required of any Council action on salaries, salary schedules, or fringe benefits for any executive managers, as follows:

"The proposed contract with Kevin Ingram will be effective August 1, 2020 and last for two years and eight months, through March 31, 2023. When the initial term ends, it will automatically renew in additional one-year increments unless the City Council provides advanced notice of non-renewal.

The contract provides that the City Manager is an “at will,” exempt employee with an initial base annual salary of \$140,844. He is entitled to an annual performance bonus of up to \$1,500 and to consideration of a cost of living adjustment when such is provided to other at-will management employees in the City.

The City Manager is entitled to his regular CalPERS retirement benefits for classic employees; health, vision and dental insurance as well as life insurance and long-term disability insurance equal to that provided to management employees. The contract provides vacation leave of 20 days per year, sick leave of one day per month and administrative leave of 80 hours per year. It also provides a car allowance of \$400 per month, a cell phone stipend and technology allowance.

The proposed contract requires the City Manager to reside within a 30-minute drive from City Hall. It also provides that the City Council may terminate the contract before the end of the term for cause but if it does so without cause, the City Manager will be entitled to severance equal to 6-months of his base salary, which increases by one month after each year of employment, capped at 12 months.”

A motion was made by Council Member Turner, seconded by Council Member Mattina, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to approve the Agreement for Services between the City of Lakeport and Kevin M. Ingram.

B. Finance Director

1. Delinquent Utility Bills:

The staff report was presented by Finance Director Walker.

A motion was made by Council Member Turner, seconded by Council Member Mattina, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to cause a written report (“Written Report”) to be prepared and filed with the City Clerk containing a description of each parcel of real property within the City/CLMSD to which delinquent water and sewer user charges, fees, and penalties are applicable and the amount of the delinquent water and sewer user charge, fee, and penalty for each such parcel the period of June 1, 2019 through May 31, 2020.

2. Solid Waste Contract:

The staff report was presented by Finance Director Walker.

A motion was made by Council Member Turner, seconded by Council Member Barnes, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to approve and authorize the City Manager to sign the amendment to the franchise agreement with Lakeport Disposal, Inc.

C. Administrative Services Director:

1. Community Center:

The staff report was presented by Administrative Services Director Buendia.

A motion was made by Council Member Mattina, seconded by Council Member Turner, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to adopt a resolution officially naming the building donated by the Bank of America, located at 500 N. Main Street the City of Lakeport Silveira Community Center.

D. Public Works Director:

1. Bid Award:

The staff report was presented by Public Works Director Grider.

A motion was made by Council Member Mattina, seconded by Council Member Barnes, and passed 4-0-1 by the following roll call vote: Barnes – aye; Mattina – aye; Parlet – aye; Turner – aye; Spurr – absent, to award a construction contract to Team Ghilotti, Inc. for the Second Street Sidewalk Improvement Project.

VII. CITY COUNCIL COMMUNICATIONS:

A. Miscellaneous Reports, if any:

Council Member Barnes had no report.

Council Member Parlet paid tribute to City Manager Silveira’s accomplishments with the City.

Council Member Mattina advised that she is serving on the PSPS committee with Council Member Turner. She advised people need to be preparing for possible power shut-offs.

Council Member Turner suggested joint communication between the Cities and Counties to request state funding to assist with behavioral health issues, particularly in regards to the homeless issue.

Police Chief Rasmussen updated Council on homeless issues. The shelter now has mental health support. He advised more agencies need to assist in the future.

City Manager Silveira thanked Council for naming the Silveira Community Center.

Assistant City Manager Ingram expressed his appreciation to the Council for the appointment to City Manager.

Mayor Pro Tem Parlet adjourned the meeting at 7:23 p.m.

VIII. ADJOURNMENT:

Kenneth Parlet III, Mayor Pro Tem

Attest:

Kelly Buendia, City Clerk