

# 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, November 21, 2017

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

**CLOSED SESSION:**

City Clerk Buendia announced at 5:05 p.m. that the meeting would be adjourned to 5:30 p.m. Mayor Mattina called the meeting to order at 5:30 p.m. and announced that the following item would not be discussed in closed session:

1. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code § 54957.6): Name of City Negotiator to Attend Closed Session: Margaret Long and Administrative Services Director Kelly Buendia; Employee Organizations: Lakeport Police Officer's Association, Lakeport Employees Association (LEA) and the Unrepresented Management (UM) group.

Mayor Mattina adjourned the meeting to Closed Session at 5:33 p.m. to consider:

2. CONFERENCE WITH LEGAL COUNCIL; Initiation of Litigation (Gov. Code § 54956.9(d)(4)) Number of Potential Cases: One (1) case.

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

Mayor Mattina called the meeting to order at 6:13 p.m., with Council Member Barnes, Council Member Turner, Council Member Parlet, and Council Member Spurr present.

**II. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Michael Green.

**III. ACCEPTANCE OF AGENDA:**

A motion was made by Council Member Turner, seconded by Council Member Barnes, and unanimously carried by voice vote to accept agenda as amended, noting that the closed session item entitled Conference with Labor Negotiator was removed from the agenda and removing item VI.D.1 Application 2017-015 Amendment.

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 7, 2017.

C. Warrants:

Approve the warrant registers of November 14, 2017

D. Notice of Completion:

Adopt the proposed resolution accepting construction of the Downtown Tree Installation Project by Neary Landscape, Inc., and authorize the filing of the Notice of Completion.

E. Claim Rejection:

Reject Claim No. 2017-005, filed by Laurel Garabiles, as recommended by REMIF.

F. Measure Z Advisory Committee (MZAC):

Receive and file draft minutes of the November 6, 2017 Measure Z Advisory Committee.

Vote on Consent Agenda:

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

**V. PUBLIC PRESENTATIONS/REQUESTS:**

A. Citizen Input:

There was no input offered by the public.

**VI. COUNCIL BUSINESS:**

A. Community Development Director

1. Ordinance Introduction:  
Commercial Cannabis

The staff report was presented by Community Development Director Ingram. Mayor Mattina accepted public comment at 6:30 p.m.

George Smith was not in favor of retail in the C-2 Zone from Clearlake Avenue to Eighth Street or Ninth Street. Ann Blue asked about police staffing, if the ordinance is enacted. Michael Green spoke in favor of the ordinance for several reasons including potential positive effects on the local economy.

Mayor Mattina closed the public comment at 6:44 p.m.

Michael Green, Ken Wicks, and Michael Froio of the Planning Commission commented and answered questions from the Council regarding the Commission's recommendations.

At 7:18 p.m. Mayor Mattina called for a short recess. The meeting resumed at 7:23 p.m.

Mayor Mattina clarified that Council agrees to:

1. Accept the City Attorney's changes to the ordinance, shown in blue on the proposed ordinance.
2. Allow testing in Professional Office zone.

The City Council gave staff direction:

Mayor Mattina requested data and information on the following topics to be brought as an agenda item at the next regular meeting for discussion only:

1. Retail Sales – whether to allow, zoning, quantity restrictions, delivery, and inventory quantity restrictions
2. LPD to gather crime statistics relative to dispensary activity in similar cities.
3. CDD to research a potential Commercial Cannabis overlay zone.
4. Staff will bring back a revised draft removing the Cannabis Lounges and on site consumption, as well as clarifying the potential zoning for retail sales.

Subsequently, a motion was made by Council Member Parlet, seconded by Council Member Barnes, and unanimously carried by voice vote, with Council Member Turner temporarily absent, to introduce the proposed ordinance 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 and set a public hearing for December 19, 2017.

*(Council Member Turner briefly stepped out of the Chamber for an emergency phone call and was present for discussion but not vote on this item.)*

2. Ordinance Introduction:  
Personal Cultivation of  
Cannabis

The staff report was presented by Community Development Director Ingram.

The City Council gave staff direction:

1. Amend section 17.38.050 to change "opaque" to "solid"

Subsequently, a motion was made by Council Member Turner, seconded by Council Member Parlet, and unanimously carried by voice vote to introduce 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 and set a public hearing for December 19, 2017.

B. Public Works Director

1. Budget Amendment: Dump  
Truck Purchase

The staff report was presented by Public Works Director Grider.

A motion was made by Council Member Barnes, seconded by Council Member Spurr, and unanimously carried by voice vote to approve a budget adjustment for an additional \$25,000 for the purchase of a 10-Wheeler Dump Truck and

authorize the City Manager to sign the associated purchase order and purchase agreement.

C. Police Chief

2. Vehicle Purchase

The staff report was presented by Police Chief Rasmussen.

A motion was made by Council Member Spurr, seconded by Council Member Barnes, and unanimously carried by voice vote to authorize the City Manager to sign a purchase order and supporting documents for the procurement of two fully equipped 2018 Dodge Charger police vehicles for the Police Department, using lowest bidding vendors (Thurston Auto, Precision Wireless and sole source MAV vendor Watch Guard).

D City Manager

1. Application 2017-015 Amendment

This item was removed from the agenda.

**VII. CITY COUNCIL COMMUNICATIONS:**

A. Miscellaneous Reports, if any:

City Manager Silveira asked that a special meeting be held on December 4, 2017 and that the December 5, 2017 regular meeting cancelled. Several staff will be out of town and this would be to accommodate the cannabis discussions

City Attorney Ruderman gave no report.

Public Works Direct Grider reported on some asphalt failure on Main Street. The problems are related to the asphalt blend that is designed to withstand various temperatures, which our climate is exceeding with the higher temperatures in the summer.

Finance Director Walker reported citations, dog licenses payments now taken at the Police Department or City Hall.

Administrative Services Director Buendia reported that there are various openings on city commissions and encouraged interested parties to apply.

Police Chief Rasmussen reported a foot pursuit just took place with an officer assaulted.

Community Development Director Ingram had no report.

Council Member Spurr wished everyone a Happy Thanksgiving.

Council Member Parlet had no report.

Council Member Turner reported that the Dickens Faire will take place on Saturday. She will be attending the California League of Cities League Leaders meeting in Santa Cruz.

Council Member Barnes had no report.

Mayor Mattina reported that the Holiday Tree Lighting will take place at 530 p.m. on Saturday.

Mayor Mattina adjourned the meeting at 8:25 p.m.

**VIII. ADJOURNMENT:**

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Stacey Mattina, Mayor

Attest:

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Kelly Buendia, City Clerk