

## MINUTES

### CITY OF CLEARLAKE CITY COUNCIL & REDEVELOPMENT SUCCESSOR AGENCY REGULAR MEETING OCTOBER 25, 2018

#### **CALL TO ORDER CLOSED SESSION:** 5:30 P.M.

Roll Call. Present: Bruno Sabatier, Mayor  
Phil Harris, Vice Mayor  
Nick Bennett, Councilmember  
Joyce Overton, Councilmember  
Russ Cremer, Councilmember

Staff: Ryan Jones, City Attorney  
Greg Folsom, City Manager

**(1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:** Initiation of litigation pursuant to Paragraph (4) of Subdivision (d) of Gov. Code Section 54956.9: One potential case.

ACTION: It was moved by Councilmember Overton and seconded by Vice Mayor Harris to authorize the City to retain the services of Baron and Budd related to Sulphur Fire litigation subject to entering into a written agreement with the firm. The motion passed with a unanimous roll call vote.

#### **CALL TO ORDER REGULAR CITY COUNCIL MEETING:** 6:00 P.M.

Roll Call. Present: Bruno Sabatier, Mayor  
Phil Harris, Vice Mayor  
Nick Bennett, Councilmember  
Russ Cremer, Councilmember  
Joyce Overton, Councilmember

Staff: Greg Folsom, City Manager  
Alan Flora, Assistant City Manager  
Ryan Jones, City Attorney  
Andrew White, Chief of Police  
Melissa Swanson, City Clerk  
Lee Lambert, Code Enforcement Supervisor  
Steve Felder, Code Enforcement Officer

#### **INVOCATION**

Tom Ealey gave the invocation.

## **PRESENTATION**

1. Introduction of New Police Officer Shane Audiss by Chief White

## **PUBLIC COMMENT**

Kathy Qualls spoke regarding fire hazards in her neighborhood and the need for the City to work with the Fire District to eliminate risks.

Liberty Perry spoke regarding the Public Intercept Survey done for the Tobacco Prevention Program. She gave the results of the survey and suggested the Council consider a Tobacco Retail Licensing program ordinance.

Patty Duke spoke regarding a problem she has with her neighbor and a private easement issue.

### **Consent Items**

### **Recommended Action**

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|---|---|
| 2. Warrant Registers  | Receive and file  |
| 3. Consideration of Continuation of Local Emergency Issued on October 9, 2017 and Ratified by Council Action October 12, 2017   | By motion keep declaration of emergency active and set next review for October 25, 2018 |
| 4. Results of the 2018 League of California Cities Annual Conference Resolutions  | Receive and file  |
| 5. Consideration of a Resolution Approving Participation in the State and Federal Surplus Property Program; Resolution No. 2018-44  | Adopt resolution and authorize the City Clerk to submit the application                 |
| 6. Award of Bid for Demo of Buildings Located at 2971 6 <sup>th</sup> Street, 3292 9 <sup>th</sup> Street, 3114 8 <sup>th</sup> Street, 2944 5 <sup>th</sup> Street, 3182 Park Street, and 3373 11 <sup>th</sup> Street | Award bid   |

**ACTION: It was moved by Vice Mayor Harris and seconded by Councilmember Overton to approve the Consent Calendar as presented. The motion passed with a unanimous voice vote.**

## **BUSINESS:**

7. Discussion and Consideration of Request for Consent by the City of Clearlake for Withdrawal of Casitas De Mendota, LLC of its interest in the Partnership of "O" Village Investors (Related to the Development of Olympic Village Apartments), and Request for the City of Clearlake to Sign a Subordination Agreement in Reference to the Same Project

Assistant City Manager Flora gave the staff report.

**ACTION: It was the consensus of the Council to bring this item back for future consideration with more information about the withdrawal of Casitas De Mendota, LLC.**

**ACTION: It was moved by Vice Mayor Harris and seconded by Councilmember Cremer to deny the Request to Enter into a Subordination Agreement. The motion passed with a unanimous voice vote.**

8.Approval of Resolution Approving the Commitment of CDBG Program Income Funds for Code Enforcement

Assistant City Manager Flora gave the staff report.

ACTION: It was moved by Councilmember Cremer and seconded by Councilmember Overton to adopt Resolution No. 2018-46 Approving the Commitment of CDBG Program Income Funds for Code Enforcement. The motion passed with a unanimous roll call vote.

9.Consider First Reading of Amendment to Clearlake Municipal Code Section 9-1.4 (Building Code Adoption by Reference)

City Attorney Jones gave the staff report.

**ACTION: It was moved by Councilmember Cremer and seconded by Vice Mayor Harris to approve First Reading of Ordinance No. 215-2018, read it by title only, waive further reading and set second reading and adoption for the November 8<sup>th</sup> meeting. The motion passed with a unanimous roll call vote.**

10.Consideration of Approval of the Purchase of Gym Equipment for the Police Department through a Grant from the Redbud Health Care District; Resolution No. 2018-51

Chief White gave the staff report.

ACTION: It was moved by Vice Mayor Harris and seconded by Councilmember Overton to adopt Resolution No. 2018-51 to authorize the purchase of gym equipment from Sacramento Exercise Equipment Center Inc. as part of a grant from the Redbud Health Care District. The motion passed with a unanimous roll call vote.

## **CITY MANAGER AND COUNCILMEMBER REPORTS**

### **FUTURE AGENDA ITEMS:**

### **ADJOURNMENT**

There being no further business of the Council, the meeting was adjourned at 7:03 p.m.

Melissa Swanson, City Clerk