

# 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 SUCCESSION AGENCY TO THE FORMER LAKEPORT REDEVELOPMENT AGENCY)

Tuesday, December 4, 2018

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

### CLOSED SESSION:

Mayor Turner called the meeting to order at 5:30 p.m.

Nancy Ruzicka urged the Council to resolve the appeal of Verizon Wireless Application UP 14- 04, AR 14-12, CE 14-24.

Mayor Turner adjourned the meeting to Closed Session at 5:35 p.m. to consider the following:

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)

### Report out of Closed Session:

Mayor Turner advised that during the closed session, the Council approved a six-month extension to the City's tolling agreement with Verizon Wireless to extend the statute of limitations for a legal action against the City to challenge the denial of the permit application UP 14-09, AR 14-13, and CE 14-25 through July 1, 2019. The vote to approve was five (5) in favor and none (0) opposed.

Council members Barnes, Mattina, Parlet, Spurr and Mayor Turner voted to approve.

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

Mayor Turner called the meeting to order at 6:02 p.m., with Council Member Barnes, Council Member Mattina, Council Member Parlet, Council Member Spurr and Mayor Turner present

### II. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Elizabeth Larson.

### III. ACCEPTANCE OF AGENDA/ URGENCY ITEMS:

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

### IV. CONSENT 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 20, 2018.

C. Renew Emergency Resolution:

Confirm the continuing existence of a local emergency in the City of Lakeport.

D. Application 2019-002:

Approve application 2019-002, with staff recommendations, for the 2019 Shipwreck Day event to be held in Library Park on May 4, 2019

- E. Application 2019-003: Approve application 2019-003, with staff recommendations, for the 2019 Shakespeare at the Lake production of Taming of the Shrew to be held in Library Park on July 27-28, 2019.
- F. Notice of Completion: Adopt the resolution accepting construction of the Carnegie Library Accessibility Upgrade Project by R & C Construction and authorize the filing of the Notice of Completion.
- Vote on Consent Agenda: Council Member Spurr requested that Consent Agenda item F be pulled for discussion.
- A motion was made by Council Member Parlet, seconded by Council Member Barnes, and unanimously carried by voice vote to accept the Consent Agenda, items A-E.
- F. Notice of Completion: Council Member Spurr requested clarification on this item.
- Finance Director Walker clarified that the cost of the project included the construction contract with R&C Construction, as well as the engineering, and an additional construction contract with a different contractor for the floor demolition project costs.
- A motion was made by Council Member Spurr, seconded by Council Member Barnes, and unanimously carried by voice vote to adopt the resolution accepting construction of the Carnegie Library Accessibility Upgrade Project by R & C Construction and authorize the filing of the Notice of Completion.

**V. PUBLIC PRESENTATIONS/REQUESTS:**

- A. Public Input: There was no public input.
- B. New Employee Introduction: The introduction of new employees Hector Heredia and Codie Lairson will be rescheduled to the December 18, 2018 meeting, due to the absence of Public Works Director Grider.
- C. Presentation: Mayor Turner presented the Government Finance Officers Association (GFOA) Certificate of Achievement for Excellence in Financial Reporting to Finance Director Nick Walker on behalf of the City of Lakeport.

**VI. PUBLIC HEARING:**

- A. USDA Grant Application: The staff report was presented by Chief Rasmussen.
- The Public Hearing was opened at 6:18 p.m.
- There was no public input.
- The Public Hearing was closed at 6:18 p.m.
- A motion was made by Council Member Mattina, seconded by Council Member Barnes, and unanimously carried by voice vote to adopt the Resolution of the City Council of the City of Lakeport supporting the City of Lakeport application to the United States Department of Agriculture (USDA) Rural Development Communities Facilities Loan and Grant Program.

**VII. COUNCIL BUSINESS:**

- A. City Manager
1. Lakeport Fire Protection District: The staff report was presented by City Attorney Ruderman.

John Whitehead, chair of the Lakeport Fire Protection District Board, and Dan Kane, president of the Lakeport Professional Firefighters Association, commented on the selection process.

A motion was made by Council Member Barnes, seconded by Council Member Spurr, and unanimously carried by voice vote to adopt a resolution establishing the protocol for appointment of Directors to the Lakeport Fire Protection District Board.

Council also authorized City Manager Silveira and City Attorney Ruderman to reopen negotiations with the County to amend the terms to extend the appointments proposed for 2020 to 2021, to create a 2 year stagger between appointments.

**VIII. CITY COUNCIL COMMUNICATIONS:**

**A. Miscellaneous Reports, if any:**

City Manager Silveira praised the LMSA and Council Member Mattina for the success of the Dickens Faire.

City Attorney Ruderman had no report.

Public Works Director Grider was absent.

Finance Director Walker had no report.

Utilities Superintendent Harris was absent.

Chief Rasmussen had no report.

Community Development Director Ingram had no report.

Administrative Services Director/City Clerk Buendia was absent.

Council Member Barnes had no report.

Council Member Parlet reported that Jeff Warrenburg of Paradise Skate enjoyed working with the City on the Dickens Faire.

Council Member Parlet advised he has been working with Ray Somberg regarding his sewer hookup allotment, and urged staff and Council to find a fair and equitable solution.

Council Member Mattina thanked Council and staff for their support of the Dickens Faire.

Council Member Spurr advised that he enjoyed the Dickens Faire.

Mayor Turner had no report.

**IX. ADJOURNMENT:**

Mayor Turner adjourned the meeting at 6:40 p.m.

Attest:

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Mireya G. Turner, Mayor

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Hilary Britton, Deputy City Clerk