

**MINUTES**  
**LAKEPORT CITY COUNCIL**  
**REGULAR MEETING**  
**October 20, 2009**

- I. **ENTERPRISE FUND ANALYSIS WORKSHOP:** Mayor Bertsch began the workshop at 5:01 p.m. Utilities Director Mark Brannigan presented an evaluation of water and sewer funds. Compliance Officer Dan Buffalo explained regulatory issues facing the City. Utilities Superintendent Matt Johnson gave a presentation regarding current operations and infrastructure.
- II. **CALL TO ORDER:** Mayor Bertsch called the regular meeting of the City Council of the City of Lakeport to order at 6:12 p.m. with Council Members Roy Parmentier, Robert Rumpfelt, Jim Irwin, and Suzanne Lyons present.
- ROLL CALL:**
- III. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Council Member Irwin.
- IV. **ACCEPTANCE OF AGENDA:** A motion was made by Council Member Parmentier, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to accept the agenda as presented.
- V. **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* §36934.
- B. Warrants Approve warrants as listed on Warrant Register dated October 14, 2009.
- C. Minutes Approve minutes of the regular City Council meeting of October 6, 2009.
- D. Street Sweeper Purchase Approve additional cost and authorize staff to proceed with financing and purchase of new Street Sweeper. This item was pulled from the Consent Agenda for discussion.
- E. Lease Agreement for Police Vehicles Authorize the Mayor to sign the Municipal Lease and Option Agreement and any other paperwork as necessary for the purchase of ten new police vehicles.
- Vote on Consent Agenda A motion was made by Council Member Irwin, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to approve the Consent Agenda as posted, minus Item D.
- D. Street Sweeper Purchase After discussion, a motion was made by Council Member Irwin, seconded by Council Member Parmentier, and unanimously carried by voice vote to approve additional cost and authorize staff to proceed with financing and purchase of new Street Sweeper and to modify the budget to reflect the additional \$5,000 per year.
- VI. **PUBLIC PRESENTATIONS/ REQUESTS:**
- A. Citizen Input Erin Smith-Hagberg, Superintendent of the Lakeport Unified School District, thanked the Council for the School Resource Officer position. She also thanked Chief Burke and Lt. Rasmussen for their support.
- B. Oath of Office City Clerk Chapman administered the Oath of Office to Stephanie Cruz-Green as new School Resource Officer.
- C. Application No. 2009-23 Public Works Director reported that there are two parades scheduled on this same day, and that is causing logistical problems. A motion was made by Council Member Parmentier, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to approve Application No. 2009-23 from Clear Lake High School for its annual Fall Homecoming Parade on Main Street on Friday, October 30, 2009, from 3:30 to 4:30 p.m. so long as staff comes up with a solution that protects the City and all of the participants.

**VII. PUBLIC HEARING:**

- A. Appeal of UP 09-01 Planning Services Manager Britton gave a background regarding the appeal. A motion was made by Council Member Rumpfelt, seconded by Council Member Lyons, and unanimously carried by voice vote to acknowledge the applicant's request to withdraw the Use Permit application for a new wireless communication facility on a portion of the site located at 280 Third Street.

**VIII. CONVENE JOINT MEETING OF THE LAKEPORT CITY COUNCIL AND LAKEPORT REDEVELOPMENT AGENCY:**

- A. Call to Order and Roll Call: Chairman Bertsch called the regular meeting of the Redevelopment Agency to order at 6:39 p.m. with Agency Members Roy Parmentier, Robert Rumpfelt, Jim Irwin, and Suzanne Lyons present.
- B. Approval of Minutes A motion was made by Agency Member Parmentier, seconded by Agency Member Irwin, and unanimously carried by voice vote to Approve minutes of the September 15, 2009, Redevelopment Agency meeting.
- C. Underground Storage Tank A motion was made by Agency Member Rumpfelt, seconded by Agency Member Parmentier, and unanimously carried by voice vote that the Agency not take any direct responsibility for removal of the tank and make the option of property owner financing through the right-of-way improvement loan program available to the adjoining property owner.
- D. Adjourn The Redevelopment Agency meeting was adjourned at 6:43 p.m.

**IX. COUNCIL BUSINESS:**

- A. Redevelopment Director
1. Housing Services Consultant Agreement A motion was made by Council Member Parmentier, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to approve the Agreement between the City of Lakeport and the Adams/Ashby Group for housing services and authorize staff to execute the same.
  2. Resolution No. 2372 (2009) Mendocino College Site The following members of the public spoke: Nancy Ruzicka. A motion was made by Council Member Lyons, seconded by Council Member Parmentier, and carried by voice vote, with Council Member Rumpfelt abstaining (due to his employment by the college), to adopt Resolution No. 2372 (2009) supporting siting of the Mendocino College Lake Center on Parallel Drive and directing staff to continue to explore alternative incentives in support of the Parallel Drive site.
- B. Finance Director
1. Resolution No. 2371 (2009) A motion was made by Council Member Parmentier, seconded by Council Member Rumpfelt, and unanimously carried by voice vote to adopt Resolution No. 2371 (2009) approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the City's Proposition 1A receivable from the State and to direct and authorize certain other actions in connection.
  2. Retiree Health Benefits City Attorney Brookes gave a background of this issue. Former Police Chief Tom Engstrom addressed the Council on behalf of the early retirees. A motion was made by Council Member Parmentier, seconded by Council Member Lyons, and carried by voice vote, with Council Member Rumpfelt voting no, to cover the cost of the surcharge for the rest of fiscal year 2009/10 for early retirees, and on July 1, 2010, the City will no longer pay any more towards retirees' health care than it does for the working employees.
- C. Public Works Director
1. Proposition 84 Parks Project A motion was made by Council Member Lyons and seconded by Council Member Rumpfelt to authorize staff to proceed with an application for

Proposition 84 grant funding for purchase and development of a new park on Alden Avenue. The motion failed with Council Members Lyons and Rumfelt voting yes and Council Members Parmentier and Irwin and Mayor Bertsch voting no.

**X. CITY COUNCIL COMMUNICATIONS:**

**A. Miscellaneous Reports:**

Next week's LAFCO meeting has been cancelled.

There will be a meeting next Tuesday at 6:00 p.m. at the Fire Department to discuss a petition to vote no on Measure C.

Council Member Irwin questioned the Lakeport Disposal audit. The audit has not yet been received. The Council requested that a letter be sent out regarding Lakeport Disposal's compliance.

Council Member Irwin would like a monthly report regarding the new Business Loan Program. He would like to see a first-quarter financial report as well as the Measure I cumulative budget.

Council Member Lyons reported that the Invasive Species Committee is meeting next week. The training for the washing station will be Thursday. The Lakeport Clean Water Program and Public Works Department will put on a cleanup on November 14, 2009.

CLAS is meeting Thursday at the Board of Supervisors Chambers.

Mayor Bertsch received an e-mail regarding a drinking-drunk driving proclamation to be presented by the Board of Supervisors on November 17.

Mayor Bertsch questioned the ditch at Kmart. This is still being researched.

Mayor Bertsch received another letter regarding noise on Mellor Drive.

Council Member Parmentier asked about Will-O-Point. The Fire Chief is working with staff regarding the health and safety issues. Staff is still attempting to contact HCD regarding their notice of violation. Tom Carlton and the Fire Chief did meet with Barry Johnson regarding their concerns.

Council Member Rumfelt will not be here for the November 3, 2009, meeting.

City Engineer is still working through the evaluation of the good faith efforts of the bidders regarding the ARRA project. He reported that there is a Technical Advisory Meeting on Thursday.

Public Works Director said the street sweeper is down again. Parts have been ordered, and they hope to have it back up by Friday. Crews are out patching potholes. The official ribbon-cutting for the Forbes Creek Trail was done today.

Community Development Director Brannigan said the new location for the Courthouse and Mendocino College are vital to the future of Lakeport, and he wanted to acknowledge Richard Knoll for his work.

City Attorney Brookes will be attending a REMIF meeting on Thursday.

**XI. CLOSED SESSION:**

The meeting was adjourned to a closed session at 8:40 p.m. pursuant to *Government Code §54956.9(b)*, Pending Litigation, one case, *City of Lakeport v. Vincent* (Lake County Superior Court Case No. CV405609).

**XII. REPORT FROM CLOSED SESSION:**

The meeting reconvened to open session at 8:55 p.m. The Mayor reported that staff was given direction.

**XIII. ADJOURNMENT:**

Mayor Bertsch adjourned the meeting at 8:56 p.m.

ATTEST

APPROVED

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JANEL M. CHAPMAN, City Clerk

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RONALD BERTSCH, Mayor