



## CITY COUNCIL REGULAR MEETING

Clearlake City Hall Council Chambers

14050 Olympic Dr, Clearlake, CA

Thursday, June 15, 2023

Budget Workshop 5:00 PM

Regular Meeting 6:00 PM

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### MINUTES

Zoom Link: <https://clearlakeca.zoom.us/j/81575241629>

#### A. ROLL CALL

PRESENT

Mayor Russ Perdock

Vice Mayor David Claffey

Council Member Russ Cremer

Council Member Joyce Overton

Council Member Dirk Slooten

#### B. 5:00 PM BUDGET WORKSHOP

City Manager Flora and Finance Director Wells gave an overview of the 2023/24 Fiscal Year Proposed Budget.

No action was taken by the City Council on this item.

#### C. PLEDGE OF ALLEGIANCE

#### D. INVOCATION/MOMENT OF SILENCE

#### E. ADOPTION OF THE AGENDA *(This is the time for agenda modifications.)*

Motion made by Council Member Overton, Seconded by Council Member Cremer.

Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten

#### F. PRESENTATIONS

1. Presentation of June's Adoptable Dogs

#### G. PUBLIC COMMENT

A citizen asked questions about the animal control report and was referred to staff.

Don Cleely spoke regarding overgrown lots surrounding his home and was referred to staff.

#### **H. CONSENT AGENDA**

Motion made by Council Member Slooten, Seconded by Council Member Cremer.

Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten

2. Warrants

Recommended Action: Receive and file

3. Approval of an Amendment to the Agreement with Operating Engineers Public and Miscellaneous Employees Health and Welfare Trust Fund

Recommended Action: Approve the amendment to the agreement and authorize the City Manager to sign

4. Minutes of the May 10, 2023 Lake County Vector Control District Board Meeting

Recommended Action: Review and file

#### **I. PUBLIC HEARING**

5. Public Hearing to Consider the Appeal of the Planning Commission's decision of April 25th, 2023, for the approval of the Environmental Analysis (CEQA IS 2022-05) in accordance with the California Environmental Quality Act and Conditional Use Permit (CUP 2022-16) for the Burns Valley Development Project located at 14885 Burns Valley Road, Clearlake, CA 95422 further described as Assessor's Parcel Number 010-026-40 (Continued from June 1st, 2023 and June 7th, 2023)

Recommendation: Move to Adopt Resolution 2023-03, A Resolution of the City Council of the City of Clearlake denying Appeal Application, APCC 2023-01 and upholding the Planning decisions of April 25<sup>th</sup>, 2023, approving the referenced projects

The Public Hearing was continued from the June 1st and the June 7th, 2023 meetings.

City Manager Flora gave the staff report. He distributed a memo with the updated mitigation measures proposed by staff.

Mayor Perdock opened the Public Hearing at 6:15pm.

Holly Robison, counsel for the Koi Nation of Northern California, spoke regarding the mitigation measures. She provided additional documentation regarding the tribal cultural resources on the site. She submitted a flash drive with additional documentation, including confidential reports to the City Clerk.

Dino Beltran, Vice Chairman of the Koi Nation of Northern California, spoke on behalf of the appellant in favor of granting the appeal.

Rob Morgan, member of the Koi Nation of Northern California, spoke in favor of granting the appeal.

Ms. Robison gave additional testimony regarding considering environmental justice in granting the appeal.

Robert Geary gave additional testimony in favor of granting the appeal.

Nav Geram, representative of the Koi Nation of Northern California, gave written confidential evidence of tribal cultural resources.

William Chisum, counsel for the Koi Nation of Northern California, gave additional testimony in favor of granting the appeal.

Val Mixon spoke in favor of tribal monitoring.

Tom Mixon spoke in favor of tribal monitoring.

Erin McCarrick spoke in favor of tribal monitoring.

Phil Harris spoke in favor of allowing tribal monitoring at no cost to the City.

Motion to close the Public Hearing at 7:18 p.m:

Motion made by Council Member Overton, Seconded by Vice Mayor Claffey. Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten.

Motion to include the amended mitigation measures. TCR 4 read aloud by City Attorney Jones. City Manager stated TCR 4 should read 100 feet.

Motion made by Vice Mayor Claffey, Seconded by Council Member Slooten.

Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten

6. Adoption of the City of Clearlake's Budget for Fiscal Year 2023-24  
Recommended Action: Adopt Resolution No 2023-27

Finance Director Wells gave the staff report.

Mayor Perdock opened the Public Hearing at 7:47 p.m. There were no comments on this item.

Motion made by Council Member Cremer, Seconded by Council Member Overton.

Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten

7. Adoption of Appropriations Limit (Gann Limit) for FY 2023-24 and designating the formula to be used for calculation of same  
Recommended Action: Adopt Resolution No. 2023-28

Finance Director Wells gave the staff report.

Mayor Perdock opened the Public Hearing at 7:52 p.m. There were no public comments.

Motion made by Council Member Cremer, Seconded by Council Member Overton.  
Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten

8. Adoption of the City of Clearlake's Fee Schedule  
Recommended Action: Adopt Resolution No. 2023-29

Finance Director Wells gave the staff report.

Mayor Perdock opened the Public Hearing at 7:54 p.m. There were no public comments.

Motion made by Council Member Cremer, Seconded by Council Member Slooten.  
Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten

## **J. BUSINESS**

9. Consideration of Memorandum of Understanding between the City of Clearlake and Clearlake Middle Management Association from July 1, 2023 to June 30, 2024.  
Recommended Action: Approve MOU and Authorize the City Manager to sign.

City Manager Flora gave the staff report.

Motion made by Council Member Cremer, Seconded by Vice Mayor Claffey.  
Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten

10. Award of contract to Case Excavating in the amount of \$113,800.00 for demolition of structure(s) and abatement of properties located at 3191 6th Street, 3662 Cottonwood Street, 16272 32nd Avenue, 14870 Clement Drive, 3556 Madrone Street, 14081 Woodland Drive, 3628 Johnson Avenue, 16052 19th Avenue, 3287 3rd Street and 15582 Sharpe Lane Clearlake, CA 95422.

Code Enforcement Supervisor Lambert gave the staff report.

Motion made by Council Member Slooten, Seconded by Council Member Overton.  
Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member

Overton, Council Member Slooten

**K. CITY MANAGER AND COUNCILMEMBER REPORTS**

**L. FUTURE AGENDA ITEMS**

**M. CLOSED SESSION**

(11) Liability Claims Pursuant to Government Code Section 54961: Claimant: Joseph Barrios;  
Agency Claimed Against: City of Clearlake

Motion made by Council Member Overton, Seconded by Council Member Slooten.  
Voting Yea: Mayor Perdock, Vice Mayor Claffey, Council Member Cremer, Council Member Overton, Council Member Slooten

(12) Conference with Legal Counsel: Existing Litigation: Pursuant to Government Code Section 54956.9(d)(1): Case No. CV-423786; Koi Nation of Northern California v. City of Clearlake, et al., Lake County Superior Court

**N. ANNOUNCEMENT OF ACTION FROM CLOSED SESSION**

City Attorney Jones reported the closed session action taken.

**O. ADJOURNMENT**

The meeting was adjourned at 8:58 p.m.

BY:



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Melissa Swanson, Administrative Services Director/City Clerk