

CITY OF ANGELS  
CITY COUNCIL  
MINUTES  
**Tuesday, March 4, 2014**

Council Members Present: Mayor Elaine Morris, Vice Mayor Jack Lynch, Wes Kulm and Bert Sobon

Staff Present: Michael McHatten, Derek Cole, Dave Myers, Julie McManus, Dave Hanham, Kim Arth, and Mary Kelly

**5:30 p.m. CALL TO ORDER**

Chair Morris called the City Council meeting to order at 5:30 p.m. The City Council convened to closed session. Chair Morris reconvened to open session.

**6:00 p.m. REGULAR MEETING**

**ADJOURN TO CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

Paragraph (1) of subdivision (d) of Govt. Code Section 54956.9 Difu, Croletto, Rosato and Turco v. City of Angels Camp, and City of Angels Camp Landscaping and Lighting District #1, Calaveras County Superior Court, Case No.13-cv-39523

Action: Direction given to Counsel

**APPROVAL OF AGENDA**

MOTION by Council Member Sobon, seconded by Council Member Lynch and carried 4-0 APPROVING THE AGENDA AS PRESENTED.

City Administrator, Michael McHatten, explained that his Consolidated Report and State of the City presentation may be lengthy and suggested that public comment be asked for at this time for citizen convenience. The Council agreed to this request.

**PUBLIC COMMENT**

Public comment period was opened at 6:05 pm.

**Ron Davis**

Mr. Davis explained he had been receiving statements monthly showing he had a balance of over \$8,000 from the deposit for the townhouse project that never went in. He has been working with the Planning Director since July of 2013 on this issue and has asked for the refund of the amount showing on the statements. He stopped receiving statements in July 2013 and was told there is no longer a balance. He said he has asked repeatedly for clarification of what work was paid for from these funds. He asked if Council would put this on the agenda or set up a meeting with the City Administrator to straighten out this problem. The City Attorney stated that the Planning Director has made him aware of this matter and after reviewing the issue, he agreed that a deposit was due to Mr. Davis but it was for around \$800.00, not \$8,000.00. He felt it was a closed matter.

The Council agreed with the City Attorney's opinion.

**STAFF UPDATES**

**Consolidated Staff Report**

The following questions/comments were raised from information received in the staff consolidated report:

Council Member Lynch complimented the Police and Fire staff for their participation in the UWPA Emergency Plan exercise. He felt the City was well represented.

Council Member Lynch pointed out that the water lead testing showed no non-conformance. He complimented employee Mike Scadden on receiving his wastewater G3 certification.

Council Member Kulm asked for an update on the business license fees for the Farmer's Market vendors. The City Administrator stated this is still in discussion and being worked on.

### **State of the City Report**

The City Administrator presented a PowerPoint of the 2013/2014 State of the City. The presentation focused on department updates, performance measures, highlights and goals. Due to time constraints the report was devoted to the Police and Fire Department state of the city topics. Future report will review the Public Works Department(including water-waster), Finance, Administration and Museum.

### **COUNCIL UPDATES**

#### **Jack Lynch**

- Attended DAC Executive Committee meeting. The Committee discussed additional person(s) serving on DAC.
- Attended LAFco and reviewed the work plans for FY 2014-15. In April LAFco will review the fire department's sphere of influence.
- Attended UWPA meeting and also the UWPA Emergency Plan meeting.

#### **Wes Kulm**

- Was out of town but did receive email announcing 4 new business openings in Angels Camp in March/April. He said this was a positive sign the economy is picking up.

#### **Bert Sobon**

- Attended Mark Twain Kindness Essay readings. He said he was moved by 2 students who chose Harmony Ranch Recreational Horse Therapy instructor Tara Glessman as their Kindness Hero.
- Attended Museum meeting and toured the archives. He said it was impressive the process used and care taken to protect the artifacts.
- Attended LAFco. March meeting has been cancelled.
- Attended UWPA.

### **CONSENT AGENDA**

**MOTION** by Council Member Kulm, seconded by Council Member Sobon and carried 4-0 ADOPTING THE CONSENT AGENDA ITEM AS PRESENTED:

- a. Approve Minutes of Regular meeting of February 18, 2014
- b. Authorize City Clerk to advertise vacancy on Planning Commission: ONE (1) SEAT VACANT DUE TO DONNA GRIFFIN RESIGNATION

### **REGULAR AGENDA**

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#### **1. ACCEPTANCE OF COUNCIL MEMBER RESIGNATION**

**MOTION** by Council Member Lynch, seconded by Council Member Sobon and carried 4-0 ACCEPTING THE RESIGNATION OF COUNCIL MEMBER STUART RAGGIO AND DIRECTING THE CITY CLERK TO MOVE FORWARD WITH PROCEDURES FOR THE ADVERTISING AND APPOINTMENT PROCESS TO FILL THE VACANT CITY COUNCIL SEAT

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#### **2. WATER SALE AND DELIVERY AGREEMENT WITH UTICA WATER POWER AUTHORITY**

**MOTION** by Council Member Kulm, seconded by Council Member Sobon and carried 4-0 APPROVING AN AGREEMENT BETWEEN THE CITY OF ANGELS AND UTICA WATER & POWER AUTHORITY FOR INCREASE IN WATER ALLOCATION FROM 1,600 ACRE-FEET

ANNUALLY TO 3,600 ACRE-FEET ANNUALLY AND DESIGNATE THE MAYOR TO EXECUTE THE AGREEMENT

3. **AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY AND HORIZON WATER AND ENVIRONMENTAL, LLC**  
MOTION by Council Member Sobon, seconded by Council Member Kulm and carried 4-0 APPROVING AN AMENDMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF ANGELS AND HORIZON WATER & ENVIRONMENTAL, LLC.
  
4. **ADOPT RESOLUTION DIRECTING THE PREPARATION OF THE LANDSCAPE & LIGHTING DISTRICT ENGINEER'S REPORT**  
MOTION by Council Member Kulm, seconded by Council Member Sobon and carried 3-1 with Council Member Lynch voting 'NO' ADOPTING RESOLUTION NO. 12-03. A RESOLUTION DIRECTING THE PREPARATION BY SCI CONSULTING GROUP OF THE ENGINEER'S REPORT FOR THE CONTINUANCE OF THE LANDSCAPE & LIGHTING DISTRICT NO. 1 – GREENHORN CREEK

Calendar was reviewed by the City Clerk.

**MEETING WAS ADJOURNED AT 7:45 P.M.**

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Elaine Morris  
Mayor

ATTEST:

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Mary Kelly  
City Clerk