

CITY OF ANGELS  
CITY COUNCIL  
MINUTES

**Tuesday, August 6, 2013**

Council Members Present: Mayor Elaine Morris, Vice Mayor Jack Lynch, Stuart Raggio, Wes Kulm

Absent: Bert Sobon

Staff Present: Michael McHatten, Derek Cole, Dave Myers, Police Chief Fordahl, Dave Hanham, Julie McManus and Mary Kelly

**5:00 p.m. CALL TO ORDER**

**ADJOURN TO CLOSED SESSION**

- A. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to California Code 54957.6 Misc-Non Exempt MOU and Misc-Exempt MOU. City Negotiator: Michael McHatten, City Administrator
- B. PURSUANT TO CALIFORNIA CODE SECTION 54957: Performance Evaluation – City Administrator

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

**ACTION TAKEN IN CLOSED SESSION**

- A. CONFERENCE WITH LABOR NEGOTIATOR: Pursuant to California Code 54957.6 Misc-Non Exempt MOU and Misc-Exempt MOU. City Negotiator: Michael McHatten, City Administrator  
Council Action: DIRECTION GIVEN TO STAFF
- B. PURSUANT TO CALIFORNIA CODE SECTION 54957: Performance Evaluation – City Administrator  
Council Action: NO ACTION TAKEN

**APPROVAL OF AGENDA**

Mayor Morris informed the Council that the Oath of Office for Police Officer Kyle Hansen will be performed at a future meeting. This item was pulled from the agenda.

MOTION by Council Member Kulm, seconded by Council Member Raggio and carried 4-0 APPROVING THE AGENDA AS AMENDED.

**STAFF UPDATES**

**Todd Fordahl** – Police Chief

Reported that the Board of Supervisors has approved the spending plan for CCD.

Council Member Lynch applauded Police staff for their notification of the credit card skimming.

**Michael McHatten** – City Administrator

In Council Member Sobon's absence, Mr. McHatten reported on CPPA issues.

**COUNCIL UPDATES**

**Wes Kulm**

Attended the July 30<sup>th</sup> DAC executive meeting.

Will be attending CCOG on the 7<sup>th</sup>.

**Jack Lynch**

Attended 3 meetings of the Gold Rush Day committee.

**Stuart Raggio**

Attended UPA

**Elaine Morris**

Will be attending CCOG on August 7<sup>th</sup> and DAC Advisory luncheon on the 8<sup>th</sup>.

**PUBLIC COMMENT**

Public comment period was opened at 6:10 pm. There were no comments from the public present.

**CONSENT AGENDA**

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

- a. Approve proclamation for ‘Gold Rush Day’.

**OATH OF OFFICE**

Removed from discussion.

**REGULAR AGENDA**

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1. **REVIEW OPEN AND ORDERLY PUBLIC MEETINGS POLICY**

Council Member Lynch read a document (attached) referring to the public comment period at the July 16<sup>th</sup> Council Meeting. He felt a member of the public was denied the chance to voice his views and should not have been removed from the podium. Council Member Kulm stated that the Council acted correctly at the July 16<sup>th</sup> meeting. He said it was clear that the public member addressing the Council wanted to use the opportunity to interrogate City staff and consultants. He stated that the speaker was given the floor and spoke for over 5 minutes. Mr. Kulm’s feeling was that the matter was handled appropriately and there is no apology necessary. Council Member Raggio agreed with Mr. Kulm. He pointed out that the rules for speaking at the public hearing were discussed beforehand by the City Attorney. The speaker did not listen to the Mayor when asked. He said there was no need for an apology.

Mr. Lynch asked that in the future, Council follow procedures. The LLD budget should be reviewed in advance by the LLD committee. Any issues would then be resolved in advance. The City Administrator reminded the Council that the LLD Committee is an advisory board only. They have no jurisdiction or fiduciary responsibility. The LLD budget was posted on the City website and copies were given to the LLD members and Council via email. The City Attorney stated that although there is value in a committee structure, the LLD budget process is in the Street and Highways Code and this is the process that should be followed. Mr. Lynch recommended that the City Attorney look at page 19 of the City Council handbook. Mayor Morris stated that the Council handbook is in need of revision. **Staff was directed to review and update the City Council Handbook with assistance from the City Attorney regarding current practices and state laws.**

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2. **BUDGET AMENDMENT FOR COMMUNITY SUPPORT FOR FY 13/14**

**MOTION** by Council Member Lynch, seconded by Council Member Kulm and carried 4-0 APPROVING BUDGET AMENDMENTS FOR THE 2013/2014 FISCAL YEAR FOR COMMUNITY SUPPORT – SPECIFICALLY FOR FUNDING OF ‘OUTSIDE’ AGENCIES/ENTITIES.

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3. **CONSIDERATION OF SPEED ZONE CHANGES ON SR49**

**MOTION** by Council Member Raggio, seconded by Council Member Lynch and carried 4-0 APPROVING SPEED ZONE CHANGES TO SR49 AS PROPOSED BY CALTRANS

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4. **CONSIDERATION OF ESTABLISHING PORTIONS OF SR49 AND VALLECITO ROAD AS A BUSINESS ROUTE**

**MOTION** by Council Member Lynch, seconded by council Member Kulm and carried 4-0 APPROVING PORTIONS OF SR49 AND VALLECITO ROAD BE ESTABLISHED AS BUSINESS ROUTE.

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5. **CONTINUED MEMBERSHIP IN IRWMP**

**MOTION** by Council Member Lynch, seconded by Council Member Raggio and carried 4-0 DIRECTING STAFF TO CONTINUE ATTENDING THE TUOLUMNE-STANISLAUS INTEGRATED REGIONAL WATER MANAGEMENT PLAN (IRWMP) MEETINGS AND TO PARTICIPATE IN THE JOINT POWER FORMATION MEETINGS

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**CALENDAR**

Calendar was reviewed by City Clerk Mary Kelly.

**MEETING WAS ADJOURNED AT 7:25 P.M.**

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Elaine Morris  
Mayor

ATTEST:

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Mary Kelly  
City Clerk