

**Minutes of the Fortuna City Council
Regular Meeting
Monday, October 7, 2013 - 6:00 p.m., Fortuna City Hall**

I. CALL TO ORDER:

Mayor Strehl called the Public Session to order at 6:00 PM

FLAG SALUTE:

Mayor Strehl led the salute to the flag

ROLL CALL:

Council Present	Staff Present
Mayor Strehl	City Manager Candelario
Mayor Pro Tem Losey	City Attorney Tranberg
Council Member Long	City Clerk Jensen
Council Member Glaser	Deputy Director of Community Development Shorey
Council Member Trent	Finance Director Chapman
	City Engineer Perry
	Engineering Technician III Carter
	Police Chief Dobberstein
	Chief Plant Operator Culbert

II. PROCLAMATIONS

- International Walk to School Day – Presented to Toddy Thomas students Haley Benbow, Emma Gans, and Breesia Northern.
- United Way Month – Presented to Gabrielle Parkinson.

III. ORAL COMMENTS FROM THE PUBLIC

Richard Leman spoke about his concern regarding the number of deaths on the highways in Humboldt County and suggested the use of drones to ticket speeding offenders on the highway. Mike Barnett spoke about the work being done on the Bike Park and the positive reaction from the kids using it. Dianna Rios reminded everyone of upcoming events in Fortuna and to check the FBID Facebook page for details. There being no comment, Council Member Glaser moved, seconded by Council Member Trent. Voice Vote. Motion Carried 5-0

IV. CONSENT CALENDAR

1. City Council Minutes –September 16, 2013(Regular Meeting), September 16, 2013 (Special Meeting) **(MO-2013-157)**
2. 2012 California Crime Index Information / Trends **(MO-2013-158)**
3. Approval of the Amended Bylaws for the Parks & Recreation Commission and the Historical Commission **(MO-2013-159)**
4. Report of Disbursements **(MO-2013-160)**

Mayor Pro Tem Losey pulled Consent Calendar Item 1 for further discussion

CITY COUNCIL ACTION: Approve Consent Calendar Items 2-4

Mayor Pro Tem Losey moved, seconded by Council Member Glaser. Voice Vote. Motion Carried 5-0

Item 1 – Mayor Pro Tem Losey suggested a correction to the minutes of the September 16, 2013 minutes. Council names were missing from vote and should be added.

CITY COUNCIL ACTION: Approve Consent Calendar Item 1

Mayor Pro Tem Losey moved, seconded by Council Member Long. Voice Vote. Motion Carried 5-0

V. BUSINESS

A. PUBLIC HEARING TO CONSIDER SPENDING PRIORITIES FOR THE STATE'S, CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) GRANT PROCESS.

STAFF RECOMMENDATION:

Hold a public hearing and approve the staff recommended spending priorities for the Citizen Option for Public Safety (COPS) grant

STAFF REPORT:

The City Council received a written and oral report from Police Chief Dobberstein.

PUBLIC COMMENT:

There being no comment Council Member Glaser moved, seconded by Council Member Long. Voice Vote. Motion Carried 5-0

CITY COUNCIL ACTION:

Mayor Pro Tem Losey moved, seconded by Council Member Trent to approve the recommended expenditure of COPS grant funding. Voice vote. Motion carried 5-0 by **MO-2013-161**

B. AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE AN AMENDMENT TO GHD'S 2012 WASTEWATER COMPLIANCE PRE-FEASIBILITY ANALYSIS CONTRACT TO INCLUDE THE EVALUATION OF DISPOSAL AND TREATMENT OPTIONS FOR THE 2016 NPDES PERMIT CYCLE.

STAFF RECOMMENDATION:

Authorize the City Manger to execute an amendment to the 2012 Wastewater Compliance Pre-Feasibility Analysis Engineering Contract with GHD for \$101,605 to include a new scope that would assist the City in evaluating the treatment and disposal options noted in the March 25, 2013, Technical Memorandum by GHD (attached as Exhibit A).

STAFF REPORT:

The City Council received a written and oral report from Engineering Technician III Carter.

PUBLIC COMMENT:

There being no comment Mayor Pro Tem Losey moved, seconded by Council Member Glaser to close public comment. Voice Vote. Motion Carried 5-0

CITY COUNCIL ACTION:

Council Member Glaser moved, seconded by Council Member Long to authorize the City Manager to amend the 2012 contract with GHD for \$101,605, with the new scope to include the evaluation of disposal and treatment options for the 2016 NPDES permit cycle; Voice vote. Motion carried 5-0 by **MO-2013-162**

C. STRONGS CREEK FISH PASSAGE IMPROVEMENT PROJECT AT THE SOUTH FORTUNA BOULEVARD CULVERT CROSSING

STAFF RECOMMENDATION:

Authorize Staff to Execute a Professional Services Contract with GHD for the Strongs Creek Fish Passage Improvement Project at the South Fortuna Boulevard Culvert Crossing.

STAFF REPORT:

The City Council received a written and oral report from Engineering Technician III Carter and City Engineer Perry.

PUBLIC COMMENT:

There being no comment Mayor Pro Tem Losey moved, seconded by Council Member Glaser to close public comment. Voice Vote. Motion Carried 5-0

CITY COUNCIL ACTION:

Mayor Pro Tem Losey moved, seconded by Council Member Trent to Authorize Staff to Execute a Professional Services Contract with GHD for the Strongs Creek Fish Passage Improvement Project at the South Fortuna Boulevard Culvert Crossing in an amount not to exceed \$79,100; voice vote. Motion carried 5-0 by **MO-2013-163**

D. PROFESSIONAL SERVICES CONTRACT AMENDMENT FOR ROHNER CREEK FLOOD CONTROL AND RIPARIAN HABITAT IMPROVEMENT PROJECT

STAFF RECOMMENDATION:

Receive staff presentation concerning the amendment of the approved Professional Services Contract with GHD for the Rohner Creek Flood Control and Riparian Habitat Improvement Project (CIP# 9601).

STAFF REPORT:

The City Council received a written and oral report from Engineering Technician III Carter and City Engineer Perry.

PUBLIC COMMENT:

There being no comment Mayor Pro Tem Losey moved, seconded by Council Member Glaser to close public comment. Voice Vote. Motion Carried 5-0

CITY COUNCIL ACTION:

No action required. Informational item only.

Council Member Long recused herself from the dais and left the Council Chambers for Business item E due to a potential conflict of Interest because of her employment with Wendt Construction Inc.

E. REPEAL OF THE CURRENT REBATE AGREEMENT WITH RAY CHISUM FOR THE NORTH NEWBURG CHISUM WATER MAIN EXTENSION

STAFF RECOMMENDATION:

Repeal the current rebate agreement until staff can reassess the project and prepare a new agreement based on new information regarding the cost of the project

STAFF REPORT:

The City Council received a written and oral report from City Clerk Jensen.

PUBLIC COMMENT:

Ray Chisum thanked everyone for their help on the water main extension project including Dennis Wendt. Mr. Chisum claimed the project cost more than \$100,000 and that staff is trying to cause him trouble. Mayor Pro Tem Losey asked Mr. Chisum why he had presented a

proposal from Wendt Construction for \$87,000 to the Council if he had no intention of using them. Mr. Chisum did not answer the question but said, "he was a licensed contractor and wasn't going to sit on his porch and watch another contractor do the project when he could do it himself". Council and staff explained to Mr. Chisum what was needed from him to move forward with a new rebate agreement. Dennis Wendt stated that Wendt Construction had already started the improvement plans and had done the surveying for the project. He also stated that he had no idea Mr. Chisum had started the project on his own because Mr. Chisum never told him he didn't want Wendt Construction to do the project. Mr. Wendt also said, that the "as-built" for the project still need to be done before the City can accept the project. There being no further comment Council Member Glaser moved, seconded by Mayor Pro Tem Losey to close public comment. Voice Vote. Motion Carried 4-0

CITY COUNCIL ACTION:

Mayor Pro Tem Losey moved, seconded by Council Member Trent to repeal current rebate agreement with Ray Chisum. (Mayor Pro Tem Losey chose not to add the remaining recommended action to his motion) Roll Call Vote.

AYES: Council Member Glaser, Trent, Mayor Pro Tem Losey, Mayor Strehl.

NOES: None

ABSENT: None

ABSTAIN: Long

Motion Carried 4-0 by **MO-2013-164 (Long Abstain)**

Council Member Long returned to the Council Chambers and the dais.

F. CITY MANAGER CONTRACT AMENDMENT

STAFF RECOMMENDATION:

That the City Council approves the proposed contract amendment to the existing City Manager contract dated September 1, 2012 to clarify the vehicle allowance and use of City Vehicle.

STAFF REPORT:

The City Council received a written and oral report from City Clerk Jensen.

PUBLIC COMMENT:

There being no comment Council Member Long moved, seconded by Council Member Glaser to close public comment. Voice Vote. Motion Carried 5-0

CITY COUNCIL ACTION:

Mayor Pro Tem Losey moved, seconded by Council Member Glaser to approve the contract amendment to the existing City Manager contract dated September 1, 2012 to clarify the vehicle allowed and use of City Vehicle to read:

Employee's duties require that he shall have the exclusive and unrestricted use at all times during his employment with the City of an automobile, and the City shall provide a monthly allowance of Three Hundred Fifty Dollars (\$350). When using his personal vehicle the Employer shall reimburse Employee for any out of county business meetings required to be attended by Employee at the then current Internal Revenue Service mileage rates.

Roll call vote

AYES: Council Member Glaser, Long, Mayor Pro Tem Losey, Mayor Strehl.

NOES: None

ABSENT: None

ABSTAIN: Trent

Motion Carried 4-0 by **MO-2013-165 (Trent Abstain)**

VI. CITY MANAGER REPORT, PENDING LEGISLATION AND CALENDAR OF EVENTS

Council received a written and oral report from City Manager Candelario.

VII. FUTURE AGENDA ITEMS

None

VIII. COUNCIL REPORTS AND COMMENTS:

Individual Council Member's provided oral reports and comments.

- Council Member Dean Glaser Humboldt Transit Authority, League of California Cities Environmental Quality Policy Committee
- Council Member Sue Long Parks & Recreation Commission, Redwood Region Economic Development Commission
- Council Member Tami Trent Fortuna Business Improvement District, Historical Commission
- Mayor Pro Tem Mike Losey Redwood Coast Energy Authority, Local Agency Formation Commission, League of California Cities Legislative Committee
- Mayor Douglas Strehl Humboldt County Association of Governments, Indian Gaming Committee, North Coast Railroad Authority

IX. ADJOURN

Mayor Pro Tem Losey moved, seconded by Council Member Long to adjourn at 8:50 PM. Motion carried 5-0

Respectfully submitted by
Linda Jensen, CMC
City Clerk