

**Minutes of the Fortuna City Council  
Regular Meeting  
Monday, July 7, 2014 - 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:**

<u>Council</u>	<u>Staff</u>
Council Member Glaser	City Manager Candelario
Council Member Long	City Attorney Tranberg
Council Member Trent	City Clerk Jensen
Mayor Pro Tem Losey	Finance Director Essig
Mayor Strehl	Engineering Technician III Carter
	General Services Superintendent Johnson
	Deputy Director of Community Development Shorey

**II. ORAL COMMENTS FROM THE PUBLIC**

Carol Kinser spoke about Humboldt Sponsors and the work they do. She commented on the sign used for the City wide Rummage sign, its size and the effect it would have if the new sign ordinance goes through. Erin Dunn spoke about the work that was done on the Chamber building to give it a facelift. Thanked Council member Trent for refurbishing the kidnapped Tourist jail. Also commented on witnessing someone using a cell phone while riding a bike and wanted to remind parents and kids how dangerous that is. Tiara Brown thanked the City for a positive change in the City and the City manager. She also said she supports the ballot measure that is on the agenda. There being no further comments Council member Glaser moved, seconded by Council Member Long to close public comment. Voice Vote. Motion Carried 5-0

**III. CONSENT CALENDAR**

1. City Council Minutes – June 16, 2014 (regular meeting) **MO-2014-115**
2. Report of Disbursements **MO-2014-116**
3. Monthly Engineering Division Report for May 2014 **MO-2014-117**
4. Consideration of Claim Filed by Anthony Bettencourt, Attorney for Claimant, on behalf of Shirley Slyva. **MO-2014-118**

**CITY COUNCIL ACTION: Approve Consent Calendar Item 1-4**

Mayor Pro Tem Losey moved, seconded by Council Member Trent. Voice Vote.

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion Carried 5-0

**IV. BUSINESS**

- A. CALL FOR A MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2014, ESTABLISH COUNCIL ELECTION POLICIES, AND REQUEST CONSOLIDATION WITH THE COUNTY OF HUMBOLDT; RESOLUTION 2014-26**

**STAFF RECOMMENDATION:**

Staff is recommending that the City Council call the Fortuna Municipal Election to be held on November 4, 2014, approve the Municipal Election Policies, and request consolidation from the County by the adoption of Resolution 2014-26.

**STAFF REPORT:**

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

**PUBLIC COMMENT:**

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

**CITY COUNCIL ACTION:**

Mayor Pro Tem Losey moved, seconded by Council Member Glaser to adopt Resolution 2014-26; *A Resolution Of The City Council Of The City Of Fortuna Calling For The Holding Of A Municipal Election To Be Held November 4, 2014, Establishing Policies For A Municipal Election, And Requesting The Board Of Supervisors Of The County Of Humboldt Consolidate Said Election Pursuant To Section 10403 Of The Elections Code*, and read by title only. Roll Call vote

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion Carried 5-0 by **Resolution 2014-26**

**B. PUBLIC HEARING: APPROVAL OF ACTIONS RELATED TO THE PLACEMENT OF A ONE CENT TRANSACTIONS AND USE (SALES) TAX MEASURE ON THE NOVEMBER 4, 2014 BALLOT; RESOLUTION 2014-27**

**STAFF RECOMMENDATION:**

City Staff have worked with City Council on multiple cost savings measures in an effort to protect and maintain the services relied on by our community, and to stabilize our budget. These efforts have greatly helped the City avoid severe financial hardship. However, without additional funds, cuts will likely be needed to maintain the City's economic health, property values, and public safety needs, including maintaining 911 emergency response times and tools that keep our children away from gangs and drugs. Because of these fiscal realities, City Staff recommends approval of the attached resolution in order to formally move forward with placing the proposed local funding measure before the voters on November 4, 2014.

Staff recommends that the City Council:

1. Adopt Resolution 2014-27 Calling For a Municipal Election to Submit to the Voters a Local Ballot Measure Adopting a One Cent Transactions and Use (Sales) Tax, to Fund Essential Fortuna Services, Requesting the Board of Supervisors of Humboldt County to Consolidate a Municipal Election on the Local Measure With Other Elections to be Held on the November 4, 2014 Regular Election Date; Direct the City Attorney to Prepare an Impartial Analysis of the Measure; and Setting the Dates for Arguments on the Measure; and
2. As part of adopting Resolution 2014-27, authorize the Mayor to File an Argument in Support of the Measure and a Rebuttal Argument to an Argument against the Measure; Direct the City Attorney to Prepare an Impartial Analysis of the Measure; and Set the Dates for the Filing of Arguments and the Impartial Analysis.

**STAFF REPORT:**

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

**PUBLIC HEARING:**

Janice Simmons spoke in total favor of the sales tax increase, and feels the City needs it and will use it wisely. Linda Gardner spoke in favor of the ballot measure and offered her support.

Wally Wright spoke neither in favor nor against but asked whether it was a one cent or one percent sales tax increase? City Manager Candelario answered that both are correct, and the same thing. One cent or one percent of a dollar.. Mr. Wright also asked about the State Board of Equalization fee. City Manager Candelario answered that yes there was a fee. Mr. Wright asked about the 4/5 vote to end the tax and if the 4/5ths was a requirement. City Manager Candelario answered that it was an administrative decision. Council Member Glaser answered that it would preclude three council members with an agenda trying to change it. Erin Dunn spoke as a citizen in favor of the ballot measure. There being no further 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 Trent to adopt Resolution 2014-27; *A Resolution Of The City Council Of The City Of Fortuna Ordering The Submission To The Qualified Electors Of The City Of Fortuna A Certain Measure Relating To A Proposed Ordinance Adding Chapter 3.13 To The Fortuna Municipal Code Imposing A One-Percent Transactions And Use (“Sales”) Tax For General Purposes At The General Municipal Election To Be Held On Tuesday, November 4, 2014, As Called By Resolution No. 2014-27, Directing The City Attorney To Prepare An Impartial Analysis Of The Measure; Setting The Dates For Arguments On The Measure, And Requesting The Board Of Supervisors Of The County Of Humboldt To Consolidate Said Election Pursuant To Section 10403 Of The Elections Code*, and read by title only. Roll Call vote

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion Carried 5-0 by **Resolution 2014-27**

**C. DECLARING THE EXISTENCE OF A NUISANCE AND TO REQUIRE THE ABATEMENT OF WEEDS ON PRIVATE PROPERTY BY ADOPTION OF RESOLUTION 2014-25**

**STAFF RECOMMENDATION:**

Declare the existence of a Nuisance and require the Abatement of Weeds on private property, by adoption of Resolution 2014-25

**STAFF REPORT:**

The City Council received a written and oral report from General Services Superintendent Johnson

**PUBLIC COMMENT:**

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

**CITY COUNCIL ACTION:**

Mayor Pro Tem Losey moved, seconded by Council Member Glaser to adopt Resolution 2014-25, *A Resolution Of The City Council Of The City Of Fortuna Declaring The Existence of A Nuisance*, and read by title only. Roll call vote.

AYES: Council Member Glaser, Long, Trent, Mayor Pro Tem Losey, Mayor Strehl  
NOES: None  
ABSENT: None  
ABSTAIN: None  
Motion Carried 5-0 by **Resolution 2014-25**

**D. PUBLIC HEARING: AMENDMENTS TO THE FORTUNA MUNICIPAL CODE TITLE 17—ZONING REGULATIONS, CHAPTER 17.05 REGULATIONS THAT APPLY IN MORE THAN ONE ZONE §17.05.180 SIGNS; INTRODUCTION AND FIRST READING OF ORDINANCE 2014-711.**

**STAFF RECOMMENDATION:**

Introduce and hold the first reading of Ordinance 2014-711 and thereby amend the design review procedures of Title 17 – Zoning Regulations of the Fortuna Municipal Code.

**STAFF REPORT:**

The City Council received a written and oral report from Deputy Director of Community Development Shorey

**Staff asked that this item be pulled from the agenda and heard at a later date. Council chose to give staff comments and open the public hearing. Council provided comments to staff for changes.**

**PUBLIC HEARING:**

Carol Kinser and Dennis Wendt spoke of the impact this ordinance would have. There being no further comment Council Member Glaser moved seconded by Council Member Long to close the public comment. Voice Vote. Motion Carried 5-0

**CITY COUNCIL ACTION:**

Mayor Pro Tem Losey moved, seconded by Council Member Glaser to continue this item to a future agenda. Voice Vote

AYES: Council Member Glaser, Long, Trent, Mayor Pro Tem Losey, Mayor Strehl  
NOES: None  
ABSENT: None  
ABSTAIN: None  
Motion Carried 5-0 by **MO-2014-119**

**E. APPROVE THE PERSONNEL ALLOCATIONS AND CITY ORGANIZATIONAL CHART FOR FISCAL YEAR 2014-2015**

**STAFF RECOMMENDATION:**

Approve the Personnel Allocations and City Organizational Chart for Fiscal Year 2014-2015.

**STAFF REPORT:**

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

**PUBLIC COMMENT:**

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

**CITY COUNCIL ACTION:**

Mayor Pro Tem Losey moved, seconded by Council Member Long to Approve the Personnel Allocations and City Organizational Chart for Fiscal Year 2014-2015 with correction to vacancy in Engineering Tech III position. Voice vote.

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion Carried 5-0 by **MO-2014-119**

**F. DESIGNATION OF THE CITY'S VOTING DELEGATES FOR THE ANNUAL LEAGUE OF CALIFORNIA CITIES MEETING**

**STAFF RECOMMENDATION:**

Designate the City's Voting Delegates for the 2014 Annual League of California Cities Meeting being held in Los Angeles.

**STAFF REPORT:**

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

**PUBLIC COMMENT:**

Dennis Wendt commented that a representative from the City should attend. There being no further comment Council Member Glaser moved seconded by Council Member Long to close the public comment. Voice Vote. Motion Carried 5-0

**CITY COUNCIL ACTION:**

Mayor Pro Tem Losey moved, seconded by Council Member Long to designate City Manager Candelario as the voting delegate for the Annual League of California Cities meeting. Voice vote.

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion Carried 5-0 by **MO-2014-120**

**V. CITY MANAGER REPORT, PENDING LEGISLATION AND CALENDAR OF EVENTS**

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

**VI. FUTURE AGENDA ITEMS**

None

**VII. COUNCIL REPORTS AND COMMENTS:**

Individual Council Members 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

**VIII. ORAL COMMENTS FROM THE PUBLIC**

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

**IX. ADJOURN TO CLOSED SESSION**

Mayor Pro Tem Losey moved seconded by Council Member Glaser to adjourn to closed session. Voice Vote. Motion Carried 5-0

1. CONFERENCE WITH LABOR NEGOTIATORS, City Negotiator: City Manager Regan Candelario, Employee Organizations: Fortuna Police Employees Association and Fortuna Employees Association in accordance with Section 54957.6 of the Government Code.

**X. REPORT OUT AND ADJOURN**

No reportable action.

Council Member Trent moved, seconded by Council Member Long to adjourn at 8:43 PM. Voice Vote. Motion Carried 5-0

Respectfully submitted by  
Linda Jensen, CMC  
City Clerk