Minutes of the Fortuna City Council
Regular Meeting
Monday, July 6, 2015 - 6:00 p.m., Fortuna City Hall

I. CALL TO ORDER:
Mayor Long called the Public Session to order at 6:00 PM

FLAG SALUTE:
Mayor Long led the salute to the flag.

ROLL CALL:

<table>
<thead>
<tr>
<th>Council</th>
<th>Staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Member Tiara Brown</td>
<td>City Manager Regan Candelario</td>
</tr>
<tr>
<td>Council Member Linda Gardner</td>
<td>City Attorney Dave Tranberg</td>
</tr>
<tr>
<td>Council Member Douglas Strehl</td>
<td>City Clerk/HR Manager Linda McGill</td>
</tr>
<tr>
<td>Mayor Pro Tem Tami Trent</td>
<td>Finance Director Marie Essig</td>
</tr>
<tr>
<td>Mayor Sue Long</td>
<td>City Engineer/Public Works Director Merritt Perry</td>
</tr>
<tr>
<td></td>
<td>Police Chief Bill Dobberstein</td>
</tr>
<tr>
<td></td>
<td>General Services Superintendent Mike Johnson</td>
</tr>
<tr>
<td></td>
<td>Development Services Manager Kevin Carter</td>
</tr>
</tbody>
</table>

II. PROCLAMATION
- Parks Make Life Better! Month – Presented to Deputy Director of Public Works Kevin Carter

III. ORAL COMMENTS FROM THE PUBLIC
Richard Leaman spoke about marijuana and his concern about children that smoke marijuana and how strong the marijuana of today is as compared to the 70’s.
Mayor Long closed public comment.

IV. CONSENT CALENDAR
3. Declaration of Surplus Personal Property and Authorization to Dispose of Surplus Personal Property; Resolution No. 2015-19

Council Member Gardner pulled Consent Calendar Item 2, Mayor Long pulled Item 3, for further discussion

CITY COUNCIL ACTION: Approve Consent Calendar Item 1
Mayor Pro Tem Trent moved, seconded by Council Member Brown. Voice Vote.

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent, Mayor Long
NOES: None
ABSENT: None
ABSTAIN: None
Motion Carried 5-0

PULLED CONSENT CALENDAR ITEMS

Item #2 - Council Member Gardner asked about a $99,000 expense paid to a Ford dealership. Public works director Perry explained the expense as a plant mechanics truck that was approved in last years budget.
Item #3 - Mayor Long pulled Item 3 at the request of staff due to a correction that needed to be made to the resolution. General Services Superintendent explained the correction/addition to the list of surplus property in the resolution as being a correction to the type of equipment and the value.

CITY COUNCIL ACTION: Consent Calendar Items 2 & 3
Mayor Pro Tem Trent moved, seconded by Council Member Brown, with corrections to Resolution 2015-19. Voice Vote.
AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent, Mayor Long
NOES: None
ABSENT: None
ABSTAIN: None
Motion Carried 5-0

V. BUSINESS

A. DECLARING THE EXISTENCE OF A NUISANCE AND TO REQUIRE THE ABATEMENT OF WEEDS ON PRIVATE PROPERTY BY ADOPTION OF RESOLUTION 2015-20

STAFF RECOMMENDATION:
Declare the existence of a Nuisance and require the Abatement of Weeds on private property, by adoption of Resolution 2015-20

STAFF REPORT:
The City Council received a written and oral report from General Services Manager Johnson

PUBLIC COMMENT:
There being no comment Mayor Long closed this public comment section.

CITY COUNCIL ACTION:
Council Member Gardner moved, seconded by Council Member Brown to adopt Resolution 2015-20, 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 Brown, Gardner, Strehl, Mayor Pro Tem Trent, Mayor Long
NOES: None
ABSENT: None
ABSTAIN: None
Motion Carried 5-0 by Resolution 2015-20

B. AUTHORIZATION TO RECEIVE AVOID / SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT; RESOLUTION 2015-21

STAFF RECOMMENDATION:
Adopt Resolution 2015-21, indicating the Council's support to receive grant monies from the Office of Traffic Safety for DUI and Traffic Safety enforcement.

STAFF REPORT:
The City Council received a written and oral report from Police Chief Dobberstein

PUBLIC COMMENT:
There being no comment Mayor Long closed this public comment section.
CITY COUNCIL ACTION:
Mayor Pro Tem Trent moved, seconded by Council Member Brown to adopt Resolution 2015-21, A Resolution Of The City Council Of The City Of Fortuna Authorizing The Acceptance of The Office Of Traffic Safety (OTS) Avoid / STEP Grant Re: Driving Under The Influence and Enforcement And Awareness Program and Traffic Enforcement Program; and read by title only. Roll call vote;

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent, Mayor Long
NOES: None
ABSENT: None
ABSTAIN: None
Motion Carried 5-0 by Resolution 2015-21

C. APPROVAL OF A PROPOSED PUBLIC ALLEY RIGHT-OF-WAY VACATION.
LOCATION: 742 9TH STREET; APPLICANT: PHIL HULSMAN; APN: 040-086-001; RESOLUTION 2015-22

STAFF RECOMMENDATION:
Approve the right-of-way vacation by adopting Resolution 2015-22.

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

PUBLIC COMMENT:
There being no comment Mayor Long closed this public comment section.

CITY COUNCIL ACTION:
Council Member Gardner moved, seconded by Council Member Brown to adopt Resolution 2015-22, A Resolution Of The City Council Of The City Of Fortuna Abandoning A Right Of Way For Phil Hulsman; and read by title only. Roll call vote;

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent
NOES: None
ABSENT: None
ABSTAIN: Mayor Long
Motion Carried 5-0 by Resolution 2015-22

D. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT FOR THE WASTEWATER TREATMENT PLANT FLOOD PROTECTION PROJECT

Mayor Long recused herself from this item due to her employment with Wendt Construction who bid as a subcontractor.

STAFF RECOMMENDATION:
Authorize the City Manager to enter into a construction contract with Mercer Fraser Company, the lowest, responsible bidder for the construction of the Wastewater Treatment Plant Flood Protection Project (CIP 0167) in the amount of $636,500.00, and establish an authorized maximum contract amount (including 10% contingency) of $700,150.00.

STAFF REPORT:
The City Council received a written and oral report from Public Works Director Perry
PUBLIC COMMENT:
There being no comment Mayor Long closed this public comment section.

CITY COUNCIL ACTION:
Council Member Strehl moved, seconded by Council Member Brown to award the contract for the Wastewater Treatment Plant Flood Protection Project to Mercer Fraser Company in the amount of $636,500.00 and establish a maximum contract amount (including 10% contingency) of $700,150.00, and authorize City Manager to execute the contract and other related documents. Voice vote.

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent
NOES: None
ABSENT: None
ABSTAIN: Mayor Long
Motion Carried 4-0 by MO-2015-112

Mayor Long returned to the Council Chambers.

E. APPROVE THE “PAID SICK LEAVE FOR UNREPRESENTED, NON-BENEFITED PART TIME EMPLOYEES” ADMINISTRATIVE POLICY, THEREBY COMPLYING WITH CALIFORNIA’S AB 1522, CALLED THE “HEALTHY WORKPLACE, HEALTHY FAMILY ACT OF 2014” (AB1522); RESOLUTION 2015-23

STAFF RECOMMENDATION:
Adopt Resolution 2015-23 formally approving the “Paid Sick Leave for Unrepresented, Non-Benefited Part Time Employees” Administrative Policy, thereby complying with California’s AB 1522.

STAFF REPORT:
The City Council received a written and oral report from City Clerk/Human Resources Manager McGill

PUBLIC COMMENT:
There being no comment Mayor Long closed this public comment section.

CITY COUNCIL ACTION:
Mayor Pro Tem Trent moved, seconded by Council Member Brown to adopt Resolution 2015-23, A Resolution of the City Council of the City of Fortuna Adopting A Paid Sick Leave Policy, Pursuant To the Healthy Workplace Healthy Family Act Of 2014, For Unrepresented, Non-Benefited, Part-Time Employees; and read by title only. Roll call vote;

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent, Mayor Long
NOES: None
ABSENT: None
ABSTAIN: None
Motion Carried 5-0 by Resolution 2015-23

F. APPROVAL OF JULY 1, 2015 TO JUNE 30, 2016 MEMORANDUM OF UNDERSTANDING (MOU) CONCERNING WORKING CONDITIONS, WAGES AND BENEFITS WITH THE FORTUNA EMPLOYEE ASSOCIATION (FEA)

STAFF RECOMMENDATION:
Approve the MOU with the FEA for the term, July 1, 2015 – June 30, 2016.
STAFF REPORT:
The City Council received a written and oral report from City Manager Candelario

PUBLIC COMMENT:
There being no comment Mayor Long closed this public comment section

CITY COUNCIL ACTION:
Council Member Gardner moved, seconded by Council Member Brown to approve Memorandum of Understanding (MOU) between the City and FEA for the term July 1, 2015 through June 30, 2016.

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent, Mayor Long
NOES: None
ABSENT: None
ABSTAIN: None
Motion Carried 5-0 by MO-2015-113

G. 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 2015 Annual League of California Cities Meeting being held in San Jose.

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

PUBLIC COMMENT:
There being no comment Mayor Long closed this public comment section.

CITY COUNCIL ACTION:
Council Member Gardner moved, seconded by Council Member Brown to designate Mayor Long as the voting delegate and Mayor Pro Tem Trent as the alternate for the Annual League of California Cities meeting. Voice vote.

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent, Mayor Long
NOES: None
ABSENT: None
ABSTAIN: None
Motion Carried 5-0 by MO-2015-114

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

VII. FUTURE AGENDA ITEMS
Council Member Brown asked to have the smoking policy brought back. Council wished to recognize Erin Dunn for being voted in as Chamber Govenor on July 20th.

VIII. COUNCIL REPORTS AND COMMENTS:
Individual Council Members provided oral reports and comments.
IX. ORAL COMMENTS FROM THE PUBLIC
A member of the public spoke about the negative impacts of the Creek Widening project to habitat and a potential sighting of an endangered Pine Martin. There being no further comment Mayor Long closed this public comment section.

X. ADJOURN TO CLOSED SESSION
Council Member Brown moved, seconded by Council Member Gardner to adjourn to closed session at 7:11pm.

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

2. PUBLIC EMPLOYMENT, pursuant Section 54957of the California Government Code. Title: Police Chief

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: One (1) cases.

XI. REPORT OUT AND ADJOURN
Closed Session Item 1: No reportable action
Closed Session Item 2: No reportable action
Closed Session Item 3: No reportable action

Council Member Brown moved, seconded by Council Member Strehl to adjourn at 8:38 PM. Voice Vote. Motion Carried 5-0

Respectfully submitted by
Linda McGill, CMC
City Clerk