Minutes of the Fortuna City Council  
Regular Meeting  
Monday, November 16, 2015 - 6:00 p.m., Fortuna City Hall

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

FLAG SALUTE:  
Mayor Pro Tem Trent led the salute to the flag.

ROLL CALL:

<table>
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<tr>
<th>Council</th>
<th>Staff</th>
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<tbody>
<tr>
<td>Council Member Tiara Brown</td>
<td>City Manager Regan Candelario</td>
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<td>Council Member Linda Gardner</td>
<td>City Attorney Dave Tranberg</td>
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<td>Council Member Douglas Strehl</td>
<td>City Clerk/HR Manager Linda McGill</td>
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<td>Mayor Pro Tem Tami Trent</td>
<td>Police Chief Bill Dobberstein</td>
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<td>Absent</td>
<td>Director of Public Works Merritt Perry</td>
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<td>Mayor Sue Long</td>
<td>Deputy Director of Public Works Kevin Carter</td>
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<td>Deputy Director of Community Development Liz Shorey</td>
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<td>Chief Plant Operator Doug Culbert</td>
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<td>General Services Superintendent Mike Johnson</td>
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II. PROCLAMATIONS  
- Great American Smokeout - presented to Sylvia Jutila  
- National Native American Heritage Month - presented to Virginia Howard Mullens  
- “Giving Tuesday” - presented to Denise Marshall

III. PRESENTATION  
- California Water Environment Association (CWEA), North Coast Chapter Annual Awards presented by Chief Plant Operator Culbert

IV. ORAL COMMENTS FROM THE PUBLIC  
Sylvia Jutila announced that long time Fortuna Resident Bernice McWhorter passed away on November 15, 2015. Don Hackett of Northwood’s Chevrolet spoke about an offsite car sale that had been arranged to be held in Fortuna. He said that because of some “ruffled feathers” from the community the event was cancelled by the dealership. He asked if a private property was available and would there be a problem. He was told to call the City Manager. He also spoke about the homeless issue and spoke of another City having fines in place for giving money to panhandlers. There being no comment Mayor Pro Tem Trent closed this public comment section.

V. CONSENT CALENDAR  
1. City Council Minutes – November 2, 2015, (regular meeting) (MO-2015-177)  
11. Declaration of Surplus City Property and Authorization to Dispose of Surplus City Property; Resolution No. 2015-37  

CITY COUNCIL ACTION: Approve Consent Calendar Items 1, 2, 4-6, 9-11
Council Member Brown moved, seconded by Council Member Strehl. Voice Vote.

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

PULLED CONSENT CALENDAR ITEMS

Item #3 Mayor Pro Tem Trent asked about what the Quinby fee was. City Manager Candelario explained about the Quinby act and its open space requirements. Carter mentioned that the Quinby act is in the General plan to be utilized. Council Member Brown mentioned a second hand store on Fortuna Blvd that needs to be addressed. City Manager Candelario said staff is working the issues with the building.

Item #7 Mayor Pro Tem Trent asked about the Police Chief to explain the Parent Project. Chief Dobberstein said it is a program to instruct and empower parents with their children who have destructive problems.

Item #8 Mayor Pro Tem Trent wanted to congratulate Mike May on his promotion to Lead Utility Worker.

Item # 12 Mayor Pro Tem Trent asked Chief Plant Operator Culbert to talk about the Water Conservation efforts in the City. He explained that the City is mandated by the State to have a 24% reduction and we have not met that goal yet and are currently at 19%. If the goals are not met there could be regulatory repercussions from the State.

CITY COUNCIL ACTION: Consent Calendar Items 3, 7, 8, & 12
Council Member Gardner moved, seconded by Council Member Brown. Voice Vote.

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

VI. BUSINESS

A. PUBLIC HEARING: APPROVE THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BUSINESS RETENTION AND EXPANSION ASSISTANCE GUIDELINES, MICRO-ENTERPRISE FINANCIAL ASSISTANCE GUIDELINES, OWNER-OCCUPIED AND OWNER-INVESTOR REHABILITATION, AND HOMEBUYER GUIDELINES; RESOLUTION 2015-39
STAFF RECOMMENDATION:
Adopt Resolution 2015-39 to approve the Community Development Block Grant (CDBG) business retention and expansion assistance guidelines, micro-enterprise financial assistance guidelines, owner-occupied and owner-investor rehabilitation, and homebuyer guidelines

STAFF REPORT:
The City Council received a written and oral report from Finance Director Essig

PUBLIC HEARING:
Paula Mushrush from the County gave more information to the Council on the CDBG program and answered Council questions. There being no comment Mayor Pro Tem Trent closed this public comment section.

CITY COUNCIL ACTION:
Council Member Brown moved, seconded by Council Member Gardner to adopt Resolution 2015-39; A Resolution Of The City Council Of The City Of Fortuna Adopting The Community Development Block Grant Business Retention And Expansion Assistance Guidelines, Micro-Enterprise Financial Assistance Guidelines, Owner-Occupied And Owner-Investor Rehabilitation, And Homebuyer Guidelines., and read by title only.

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent
NOES: None
ABSENT: Mayor Long
ABSTAIN: None
Motion Carried 4-0 by (Resolution 2015-39) with corrections to pages 102, 130, 126(address), and add to business loan guideline that approval must go before Council in closed session.

B. PUBLIC HEARING: RECEIVE PUBLIC COMMENT CONCERNING ANY UNMET TRANSIT NEEDS.

STAFF RECOMMENDATION:
Hold a public hearing concerning Unmet Transit Needs and forward all public comment received to Humboldt County Association of Governments (HCAOG) for consideration.

STAFF REPORT:
The City Council received a written and oral report from Deputy Director of Public Works Carter

PUBLIC HEARING:
Debra Dees from HCOAG provided more information to the Council about the unmet transit needs process. Sylvia Jutila spoke about the Ambrosini School access on Rohnerville Road and the poor conditions for Children to get o school. She also spoke about the need for drivers for the Area 1 Agency on Aging to provide rides for seniors to medical appointments. There being no further comment Mayor Pro Tem Trent closed this public comment section.

CITY COUNCIL ACTION:
Council Member Gardner moved, seconded by Council Member Brown to forward comments received during the public hearing to HCOAG for consideration of Unmet Transit Needs. Voice Vote
C. APPROVAL TO EXECUTE THE CERTIFICATIONS AND ASSURANCES FOR THE PUBLIC TRANSPORTATION MODERNIZATION, IMPROVEMENT, AND SERVICES ENHANCEMENT ACCOUNT (PTMISEA) BOND PROGRAM; RESOLUTION 2015-38

STAFF RECOMMENDATION:
Approval of Resolution 2015-38 to execute the Certifications and Assurances for the Public Transportation Modernization, Improvement, and Services Enhancement Account (PTMISEA) Bond Program.

STAFF REPORT:
The City Council received a written and oral report from Deputy Director of Public Works Carter

PUBLIC COMMENT:
There being no comment Mayor Pro Tem Trent closed this public comment section.

CITY COUNCIL ACTION:
Council Member Brown moved, seconded by Council Gardner to adopt Resolution 2015-38; A Resolution of the City Council of the City of Fortuna Authorizing the Execution of the Certificates and Assurances for the Public Transportation Modernization, Improvement, and Service Enhancement Account Bond Program., and read by title only.

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent
NOES: None
ABSENT: Mayor Long
ABSTAIN: None
Motion Carried 4-0 by (Resolution 2015-38)

D. AMEND FORTUNA MUNICIPAL CODE TITLE 14, CHAPTER 14.18, SECTION 14.18.050.B.1 AND APPROVE SETTLEMENT AGREEMENT AND RELEASE WITH SUDDENLINK REGARDING PUBLIC, EDUCATIONAL AND GOVERNMENT “PEG” ACCESS FUNDING; SECOND READING AND ADOPTION OF ORDINANCE 2015-718

STAFF RECOMMENDATION:
Receive presentation from Access Humboldt and City Staff on the Settlement Agreement and Release with Suddenlink regarding “PEG” Access Funding.

1. Hold the second reading and adopt Ordinance 2015-718 to amend Fortuna Municipal Code Title 14 Chapter 14.18 Section 14.18.050.B.1 modifying the level of PEG funding required of all cable/video service providers operating in the County, pursuant to Cable/Video Franchises issued by the California Public Utilities Commission pursuant to the Digital Infrastructure and Video Competition Act of 2006.

STAFF REPORT:
The City Council received a written and oral report from City Manager Candelario
PUBLIC COMMENT:
There being no comment Mayor Pro Tem Trent closed this public comment section.

CITY COUNCIL ACTION:
Council Member Brown moved, seconded by Council Member Gardner to hold the second reading and adopt Ordinance 2015-718; An Ordinance of the City Council of the City Of Fortuna Amending Fortuna Municipal Code Title 14 Chapter 14.18 Section 14.18.050.B.1 (State Video Service Franchises), and read by title only.

AYES: Council Member Brown, Gardner, Strehl, Mayor Pro Tem Trent
NOES: None
ABSENT: Mayor Long
ABSTAIN: None
Motion Carried 4-0 by Second Reading and Adoption of Ordinance 2015-718

E. REVIEW, DISCUSSION AND DIRECTION FOR STAFF REGARDING THE CURRENT TENTATIVE AGREEMENT FOR AN UPDATED MEMORANDUM OF UNDERSTANDING (MOU) CONCERNING WORKING CONDITIONS, WAGES AND BENEFITS WITH THE FORTUNA POLICE EMPLOYEES ASSOCIATION (FPEA)

STAFF RECOMMENDATION:
That the City Council review, discuss and provide direction to Staff regarding the current Tentative Agreement for an updated MOU concerning working conditions, wages and benefits with the FPEA for the term, November 17, 2015 – June 30, 2016, and if appropriate authorize the Lead Negotiator (City Manager) to finalize the MOU.

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

PUBLIC COMMENT:
Charles Ellebrecht spoke as President of the FPEA. Spoke about working with the City and the mediator and commented on the process and the need for more compensation for the Police Department to stop losing officers and non sworn employees to other agencies. He spoke of the comparison in wage increases throughout the County and the cost of putting a new officer in service. He asked the Council to consider the tentative agreement before them. Jenika Young spoke about her experience as a dispatcher and how it takes a toll physically and mentally. She commented that the City was unfair in its compensation and didn’t care about her as a dispatcher. Jason Kadle said that the amount stated in the TA is accurate but the cost of training new officers and dispatchers is a lot more than what is being asked for. City Manager said that retention is an important issue with a significant impact on the City. Chief said that retention is paramount and that experience is immeasurable. A local Business Owner spoke about the importance of the police department in the protection of homes and businesses. He commented that underpaid staff leads to low morale. There being no comment Mayor Pro Tem Trent closed this public comment section.

CITY COUNCIL ACTION:
Council Member Strehl moved, seconded by Council Member Brown to provide direction to the Lead Negotiator to continue with the current Last, Best and Final offer to the FPEA as written in the Tentative Agreement for an updated Memorandum of Understanding (MOU) between the City and the FPEA for the term November 17, 2015 through June 30, 2016; Roll Call Vote.
AYE: Council Member Brown, Gardner, Strehl,
NOES: Mayor Pro Tem Trent
ABSENT: Mayor Long
ABSTAIN: None
Motion Carried 3-1 by MO-2015-189

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

VIII. FUTURE AGENDA ITEMS
       Council Member Brown wants to discuss a policy for the Northwood’s car sales event and future events. Mayor Pro Tem Trent wants a Marijuana ordinance on a future agenda as well as the smoking ordinance to include e-cigarettes.

IX. COUNCIL REPORTS AND COMMENTS:
       Individual Council Members provided oral reports and comments.

X. ORAL COMMENTS FROM THE PUBLIC
       There being no comment Mayor Pro Tem Trent closed this public comment section.

XI. ADJOURN TO CLOSED SESSION
       Council Member Brown moved, seconded by Council Member Gardner to adjourn to Closed Session at 8:22pm

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

XII. REPORT OUT AND ADJOURN
       1. No reportable action

       Council Member Strehl moved, seconded by Council Member Brown to adjourn at 9:20 PM. Voice Vote. Motion Carried 4-0

Respectfully submitted by
Linda McGill, CMC
City Clerk