



AGENDA

REGULAR CITY COUNCIL MEETING

Tuesday, September 8, 2009

City of Crescent City

CALL TO ORDER 5:00 P.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON CLOSED SESSION ITEMS

CLOSED SESSION

- **Existing Litigation (Gov't Code § 54956.9 subdivision (a)) (Four cases: Sanches versus City of Crescent City, USDC CV08-1395; Barber versus City of Crescent City, USDC Northern District of California, Case #08-CV-04883-WDB; Misti Cardenas versus City of Crescent City, et. al., USDC CV08-4053; Brian Strom versus City of Crescent City, USDC Case #CV08-4708**
- **Conference with Real Property Negotiator (Gov't Code § 54956.8)
Negotiating parties: Rod Butler, City Manager, Property address: to be determined.**
- **Conference with Labor Negotiator Re: Crescent City Police Officers Association (CCPOA), (Gov't Code § 54956.8)**
- **Public employee performance evaluation – City Manager (Gov't Code § 54957))**

ACKNOWLEDGEMENTS

1. **Approve, read and present a proclamation to by Crescent City Emblem Club in honor of United States Constitution Week, September 17-23, 2009.**

CONSENT CALENDAR

2. **Approval of the regular minutes of August 17, 2009.**
3. **Approval of warrant claims list for the period August 18 through September 8, 2009.**
4. **Approval of biweekly payroll reports for the period ending August 15, 2009, paid August 21, 2009 and for the period ending August 29, 2009, paid September 4, 2009.**

PUBLIC HEARINGS – None.

REPORTS

- **Reports relative to the City of Crescent City programs and projects, from staff or outside agencies**

COMMUNICATIONS

- ☒ **PUBLIC COMMENT PERIOD** - Any member of the audience is invited to address the City Council on any matter that is within the jurisdiction of the City of Crescent City. Comments of public interest or on matters appearing on the agenda are accepted. Note however, that the Council is not able to undertake extended discussion or act on non-agenized items. Such items can be referred to staff for appropriate action, which may include placement on a future agenda. **After receiving recognition from the Mayor, please state your name and city or county residency for the record. Public comment is limited to three (3) minutes.**

CONTINUING BUSINESS

5. **Consider the nine proposed modifications to the Coasta Norte Development as suggested by the California Coastal Commission. Approve Resolution No. 2009-____, entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY REJECTING THE NINE MODIFICATIONS TO THE COASTA NORTE CONDOMINIUM/TIMESHARE PROEJCT (APN: 118-020-034) AS PRESENTED BY THE CALIFORNIA COASTAL COMMISSION AND INSTEAD ADOPTING THE MODIFICATIONS AS AMENDED BY CITY STAFF, or take other action as necessary and appropriate. (Michele Rambo)**
6. **Consider and approve Invoice #27 for Wahlund Construction (\$515,117.08) and Stover Engineering \$90,648.46) as presented or take other action as necessary and appropriate. (Jim Barnts)**

NEW BUSINESS

7. **Discuss the potential placement of a stop sign at the intersection of Pacific/Margie/El Dorado Streets. Take action or give direction to staff as necessary and appropriate. (Art Reeve/Jim Barnts)**
8. **Consider and approve the City's written response to the 2008-2009 Del Norte County Grand Jury Report, or take other action as necessary and appropriate. (Rod Butler)**
9. **Consider and approve a project plan and schedule for the City's Proposition 1B Local Street Maintenance Funds or take action as necessary and appropriate (Jim Barnts)**
10. **Consider and approve the removal of the underground diesel storage tanks located at the Amador Tank and Ranney Collector and purchase three aboveground Con Vault Fuel tanks for a total project amount of \$105,000.00, or take other action as necessary and appropriate. (Eric Wier)**

11. Consider and take action on Resolution No. 2009-___, entitled, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY TO CENSURE COUNCIL MEMBER DONNA WESTFAL AND TAKE ADDITIONAL ACTIONS.** (Charles Slert/Kathryn Murray)
12. Receive an update and give direction to staff regarding the Harbor Fish Processing Wastewater services. (Rod Butler)
13. Consider and receive the Annual Assessment Report for Fiscal Year 2009-2010 submitted by the Crescent City Downtown Parking and Business Improvement District Advisory Board or take other action as necessary and appropriate. (Rod Butler/Martha Rice)
14. Consider and adopt Resolution No. 2009-___, entitled, **A RESOLUTION DECLARING THE CITY COUNCIL’S INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE DOWNTOWN PARKING AND BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2009-2010,** or take other action as necessary and appropriate. (Rod Butler/Martha Rice)
15. Waive the first reading, read in title only and introduce Ordinance No. ___, entitled, **AN ORDINANCE AMENDING CRESCENT CITY MUNICIPAL CODE CHAPTER 5.100 TO CHANGE THE METHOD AND BASIS OF ASSESSMENT AND ELIMINATE THE TWO-ZONE STRUCTURE FOR THE CRESCENT CITY DOWNTOWN PARKING AND BUSINESS IMPROVEMENT DISTRICT.** (Rod Butler/Martha Rice)
16. Waive the first reading, read by title only, and introduce Ordinance No. ___, entitled, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY AMENDING SECTION 2.20.020 OF THE CRESCENT CITY MUNICIPAL CODE, PERTAINING TO THE DUTIES OF THE CITY FINANCE DIRECTOR.** (Robert Black)
17. Consider and discuss the use of speaker cards during the public comment process and possibly moving the public comment period to the end of the agenda. (Mayor Schellong)

CITY COUNCIL ITEMS

- Legislative Matters** – Consider miscellaneous legislative matters pertinent to the City of Crescent City. Authorize the Mayor to sign the appropriate letters and/or positions with respect to such matters.
- Reports, Concerns, Referrals, Council travel and training reports** – In accordance with Gov’t Code § 54954.2(a), City Council Members may make brief announcements or brief reports on their own activities. They may ask questions for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda.
- Pursuant to Crescent City Municipal Code § 2.08.200, the City Council may instruct the city manager on matters of importance to the administrative services of the city, and provide direction with respect to subordinates of the city manager. (Directives from individual

ADJOURNMENT

Adjourn to the next regularly scheduled meeting on September 21, 2009.

Posted: September 3, 2009

By: Karen L. Phillips, Deputy Clerk for Rod B. Butler, City Clerk