

MINUTES
REGULAR CITY COUNCIL MEETING
CRESCENT CITY CULTURAL CENTER
1001 FRONT ST
CRESCENT CITY CA 95531

City of Crescent City

Monday	March 6, 2006	6:00 p.m.
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CALL TO ORDER Mayor Burns called the meeting to order at 6:00 p.m.

ROLL CALL Present: Council Members Enea, Scavuzzo, Tynes, Kolodner, and Mayor Burns
Absent: None

PLEDGE OF ALLEGIANCE Council Member Enea led the Pledge of Allegiance.

INVOCATION None

STAFF **DAN PINCETICH**, Interim City Manager; **THOMAS FRENCH**, City Attorney; **L. DIANNE NICKERSON**, City Clerk; **ED ERICKSON**, Finance Director/Treasurer; **JIM BARNTS**, Director of Public Works; **WILL CAPLINGER**, City Planner; **DOUG PLACK**, Chief of Police

ACKNOWLEDGMENTS

1. Swearing in of Fraser Holmes, a new Police Officer with the Crescent City Police Department

Officer Holmes took his oath of office and was introduced by Police Chief Plack. Mayor Burns called a five-minute recess at 6:05 p.m. so that people could welcome Officer Holmes. The meeting resumed at 6:10 p.m.

2. Proclamation encouraging stores to keep drugs containing Pseudoephedrine behind the counter

Mayor Burns read the proclamation and presented it to Police Chief Plack.

Mayor Burns adjourned to the RDA agenda at 6:14 p.m. The regular council meeting resumed at 6:46 p.m.

COMMUNICATIONS

Richard Miles, city resident, spoke about making the police department dog (Zeus) a permanent police officer, the skateboard park and kids smoking drugs, the police chief, and tree maintenance.

Jim Snow, county resident, spoke about Fortune Magazine, Albertson CEOs, the next city manager, leadership, and gave suggestions a city manager.

Bill Turck, city resident, spoke about getting things done.

CONSENT CALENDAR

- 3. Approval of the regular city council meeting minutes of February 21, 2006**
- 4. Approval of warrant claims list for the period February 22, through March 6, 2006**
- 5. Receipt of biweekly payroll report for the period ending February 18, paid February 24, 2006**

Council Member Enea made a motion to approve the Consent Calendar as presented; the motion was seconded by Council Member Kolodner and so carried unanimously.

PUBLIC HEARINGS

- 6. Conduct a public hearing to waive the second reading and adopt Municipal Code Amendment #MCA 05-06, a municipal code amendment that will add development standards to the HS (Highway Service) district which currently encompasses parcels on the north side of Highway 101 between the "S" curve and Thompson Street, and to take action as necessary and appropriate**

Will Caplinger, City Planner, reported. Mayor Burns opened the public hearing and no public comments were forthcoming. Mayor Burns closed the public hearing and discussion followed.

Council Member Tynes made a motion to waive the second reading and find the project is consistent with Crescent City General Plan and Zoning Code and the project is exempt from CEQA under the general rule that CEQA applies only to projects which have potential for causing affect on the environment and to adopt Municipal Code Amendment #MCA 05-06, a municipal code amendment that will add development standards to the HS (Highway Service) district which currently encompasses parcels on the north side of Highway 101 between the "S" curve and Thompson Street; the motion was seconded by Council Member Kolodner and so carried unanimously.

REPORTS

7. Chamber of Commerce

Earl Hansen, Executive Director, gave updates on Chamber activities and upcoming events, and the Wild Rivers Coast Business Conference.

8. Other reports relative to City of Crescent City programs, projects, and/or Council and staff travel and training reports

Council Member Enea spoke about attendance at the League of California’s Redwood Empire Division Meeting in Fort Bragg where he learned that overflow from the Port of Oakland is shipped to the Port of Humboldt and they are looking for rail traffic.

Council Member Scavuzzo spoke about an amendment to the state constitution on transportation funds and sales tax from those funds to be used exclusively for transportation. It is now going into the state general fund and is being diverted for use on things other than transportation.

UNFINISHED BUSINESS

9. Consider final action to allocate \$50,000 from the closed CDBG fund to the Del Norte County Public Library for their ADA accessibility improvement project and take action as necessary and appropriate

Dan Pincetich, Interim City Manager, reported and discussion followed.

Council Member Tynes made a motion to allocate \$50,000 from the closed CDBG fund to the Del Norte County Public Library for their ADA accessibility improvement project; the motion was seconded by Council Member Kolodner and so carried by the following polled vote:

- AYES:** Council Members Tynes, Kolodner, Enea, Scavuzzo, and Mayor Burns
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None

NEW BUSINESS

10. Consider and approve a resolution supporting a ballot initiative for the Public Library and take action as necessary and appropriate

Tedd Ward, Library Board Member, reported and discussion followed.

Richard Miles, city resident, spoke in favor of the initiative.

Council Member Tynes made a motion to approve a resolution supporting a ballot initiative for the Public Library; the motion was seconded by Council Member Enea and so carried unanimously.

11. Consider and approve a revision to the city employee computer loan program and take action as necessary and appropriate

Richard Miles, city resident, spoke in favor of this item.

Ed Erickson, Finance Director/Treasurer, reported and discussion followed. Council Member Tynes made a motion to approve a revision to the city employee computer loan program, as amended to reflect that the acquisition of a replacement computer is permitted and indicating that payment must be made by installments via payroll; the motion was seconded by Council Member Enea and so carried unanimously.

12. Consider and approve a Crescent City Expense and Use of Public Resources Policy Statement and take action as necessary and appropriate

Thomas French, City Attorney, reported and discussion followed.

Council Member Enea made a motion to approve a Crescent City Expense and Use of Public Resources Policy Statement; the motion was seconded by Council Member Kolodner and so carried unanimously.

13. Consider and approve a resolution in support of a measure to secure local transportation funding and take action as necessary and appropriate

Council Member Scavuzzo reported and discussion followed. Council Member Enea made a motion to approve a resolution in support of a measure to secure local transportation funding; the motion was seconded by Council Member Tynes and so carried unanimously.

CITY COUNCIL ITEMS

Reports, Concerns, Referrals

Legislative Matters

None

CITY MANAGER DIRECTIVES

Council Member Scavuzzo inquired about streetlights that had burned out and the manner in which they are reported. Mayor Burns asked about the blighted property near the treatment plant, and the old West Coast Crab property on Front Street.

CLOSED SESSION

No action taken.

ADJOURNMENT

The meeting adjourned at 8:27 p.m. to a closed session on Saturday, March 11, 2006, at 9:00 a.m., at the Housing Authority office, 235 H Street, Crescent City, to conduct interviews for a new city manager.

ATTEST:

L. Dianne Nickerson, City Clerk

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Crescent City Redevelopment Agency

- CALL TO ORDER** Mayor Burns called the meeting to order in regular session at 7:14 p.m.
- ROLL CALL** Present: Agency Members Enea, Scavuzzo, Tynes, Kolodner, and Mayor Burns
Absent: None

COMMUNICATIONS

Richard Miles, city resident, spoke about Bill Stamps, Tsunami Landing, and liability.

Jim Snow, county resident, spoke about elections, redevelopment, budgeting an outside accounting firm for an RDA audit, and he made disparaging remarks about staff.

George Mavris, Attorney at Law, stated the lawsuit initiated by Bill Stamps, Jr. was officially being dismissed.

David Finigan, county resident, stated he was speaking as the office manager of Ming Tree Real Estate and had sold property to Bill Stamps and asked if he was supposed to sell the Stamps' properties at fire sale. David Finigan asked for cooperation in economic interest and asked that the issue of Tsunami Landing be put on a future agenda.

Council Member Enea commented that council had been waiting for the lawsuit to be taken away before it could be discussed further, and stated he would like to see the subject on a future agenda. Dan Pincetich, Interim City Manager, stated it would help him as the administrator if this building block for new economic development submitted something to the agency to indicate what will go on in the future in terms of the economic investment in the property. As someone who is here to advise the agency on the expenditure of public funds to make private property better for investment, the normal course of events is that the private property owner steps forward and gives an indication, other than words, as to what is going to be done on the property. That has not existed here. Traditionally, in real estate like this, asking the public sector, the agency being asked to invest money in taking something down or putting something up has the person/owner indicate the normal process of their investment for the future, and that hasn't been seen here at all. Something needs to be forthcoming from someone other than the agency. Mayor Burns stated he would like to see whether or not it should be torn down as an expense, or fix it as a different kind of expense.

Krista Norton, city resident, spoke favorably about Bill Stamps, Jr., taxes, and business licenses.

Council Member Scavuzzo stated that usually when something is going to be done, a plan is presented and there were no plans presented to the Planning Commission. Council Member Scavuzzo stated the city works with people who present plans, but there have never been any plans presented in this case, it has all been verbal, despite numerous requests for plans, or designs so that the city could work with the owner. No plans were ever submitted to the City Planning Commission or the City Council.

Council Member Tynes requested an official evaluation of exactly what the studies that were done mean.

Council Member Kolodner commented this is not a dead issue and is still available for consideration.

REDEVELOPMENT AGENCY ITEMS

1. Consider and discuss funding request from Kenneth D. Cowan and Lori L. Cowan to assist in the redevelopment of the Brewery building as Surfside Plaza, and take action as necessary and appropriate

Will Caplinger, City Planner, reported.

Richard Miles, city resident, spoke about RDA, and the Cowans, and spoke negatively about Craig Bradford, and commented that the restaurant is often filled to capacity.

Discussion followed and Council Member Enea stated this was an excellent example of giving the council plans to look at. This is what is done in redevelopment; plans are submitted properly. Council Member Scavuzzo commented that when the owners of the facility tried to operate as a brewery and realized there is no marked for a micro brewery in this area, they were wise enough to make a change in the middle of their business after reassessment of what they were doing, which is good business practice. Council Member Scavuzzo reiterated this is what redevelopment is all about. You present your plans, you work with staff, staff presents it to the Redevelopment Agency, and the agency works with you on the project to help it along. This project should be of benefit to the entire community. Council Member Tynes stated this is one of the most professional projects that she has seen in a long time. Council Member Kolodner commented on the creation of new jobs and the concept of creating smaller shops rather than one large shop is timely. Mayor Burns commented he appreciated getting all the plans and having staff go over all the information with the owners.

Council Member Enea made a motion to make the finding that the project is consistent with the requirements and criteria for the RDA project, and to approve grant assistance in the amount of \$34,214 for the items specified in the information section, with two conditions: 1. The RDA assistance will be paid on a reimbursement basis (the cost must be incurred and paid in full by the applicant), and 2. The approval will lapse after six (6) months unless the applicant submits a letter to the board, prior to that expiration date, requesting an extension.

The motion was seconded by Council Member Kolodner and so carried unanimously by the following polled vote:

AYES: Council Members Enea, Kolodner, Scavuzzo, Tynes and Mayor Burns
NOES: None
ABSTAIN: None
ABSENT: None

ADJOURNMENT – The meeting adjourned at 6:46 p.m.

ATTEST:

L. Dianne Nickerson, Secretary