

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

*City of Crescent City*

<b>Monday</b>	<b>May 7, 2007</b>	<b>6:00 p.m.</b>
---------------	--------------------	------------------

**CALL TO ORDER** Mayor Burns called the meeting to order at 6:47 p.m.

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

**PLEDGE OF ALLEGIANCE** Council Member Tynes led the Pledge of Allegiance.

**STAFF** **ELI NAFFAH**, City Manager; **THOMAS FRENCH**, City Attorney; **LINDA JANGALA**, Assistant City Clerk; **SUSIE MENDEZ**, Housing Authority Director; **WILL CAPLINGER**, City Planner; **DOUG PLACK**, Police Chief

**ACKNOWLEDGMENTS**

- 1. Acknowledge and accept the resignation of Council Member Herb Kolodner, effective May 8, 2007, and present a plaque for his service**

Mayor Burns read the plaque aloud, presented it to Council Member Kolodner, and thanked him for all he has done for the city. Council Member Kolodner thanked everyone for the recognition and acceptance they have shown to him and stated he leaves sadly due to hearing problems but feels that if he can't do a job well, he should not do it at all.

Shirley Cook spoke about his work on Gateway, and how he has always been such a gentleman and is sorry he is leaving.

Richard Miles thanked Herb for all the grocery carts he picked up throughout the town.

Council Member Tynes stated Council Member Kolodner has been a friend, a wonderful colleague, and stated how much she respects his opinions, his ethics and his driven personality. Council Member Tynes then presented Council Member Kolodner a picture

of St. George Lighthouse with the original railing before the top was taken off, moved and no longer exists.

Council Member Schellong thanked Mr. Kolodner for his friendship and promised to wave whenever she sees him.

Chris Howard thanked Council Member Kolodner for his work with the Chamber of Commerce.

Chief Doug Plack thanked Mr. Kolodner for his early morning telephone calls with ideas for the community, and spoke about Mr. Kolodner's time as a New Jersey State Trooper, and thanked him for everything he has done for the Police Department and the city.

Council Member Scavuzzo reminisced about he and Mr. Kolodner both living in New Jersey.

Charles Slert extended best wishes to Mr. and Mrs. Kolodner.

### **COMMUNICATIONS**

Richard Miles, city resident, spoke about the Fourth of July committee and suggested Herb Kolodner as the Grand Marshall of the parade, and he thanked Will Caplinger for his help with continuous garage sales. He also spoke about "dumpster diving," ousting homeless people, and a panhandling ordinance.

Marjorie Shearer, city resident, spoke about her choice for the city council vacancy.

Jim Snow, county resident, spoke about his choice for city council vacancy, the economic summits, broadcasting meetings on a public channel, the annual deck party turning into a "potato chip" bash instead of a nice event.

Mimi Stevens, Bayside Realty, spoke about her choice for city council vacancy.

### **CONSENT CALENDAR**

- 2. Approval of the regular meeting minutes of April 16, 2007**
- 3. Approval of warrant claims list for the period April 17, through May 7, 2007**
- 4. Receipt of biweekly payroll reports for the period ending April 1, paid April 14, and ending April 15, paid April 28, 2007**

Council Member Schellong asked for clarification on page 11, check #405629. It was explained that it was for staff training at Springbrook in Portland, OR, and was left on the warrant claims list.

Council Member Scavuzzo asked for an explanation for the Jones & Mayer check on page 12, check #36624.

Council Member Tynes made a motion to approve the consent calendar, with the exception of pulling warrant #36624 for discussion inclusion with item #9; the motion was seconded by Council Member Schellong and so carried unanimously.

**PUBLIC HEARINGS**

- 5. Conduct a public hearing, waive the second reading and consider adoption of Ordinance No. 720, approving and adopting a sixth amendment to the amended Disaster Redevelopment Plan for Redevelopment Project No. 1 repealing the time limit on the establishment of loans, advances and indebtedness to finance Project No. 1 and describing the agency’s Eminent Domain program. Take action as necessary and appropriate**

Council Member Scavuzzo commented this was supposed to be discussed during budget time. Mayor Burns opened the public comment period. No public comments were forthcoming, the public comment period was closed, and extensive discussion followed.

Council Member Tynes made a motion to waive the second reading and adopt Ordinance No. 720, approving and adopting a sixth amendment to the amended Disaster Redevelopment Plan for Redevelopment Project No. 1 repealing the time limit on the establishment of loans, advances and indebtedness to finance Project No. 1 and describing the agency’s Eminent Domain program; the motion was seconded by Council Member Schellong and passed by the following polled vote:

<b>AYES:</b>	Council Members Tynes, Schellong, Kolodner, and Mayor Burns
<b>NOES:</b>	Council Member Scavuzzo
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

- 6. Conduct a public hearing, waive the second reading and consider adoption of Ordinance No. 721, approving and adopting a third amendment to the redevelopment plan for Redevelopment Project No. 2 repealing the time limit on the establishment of loans, advances and indebtedness to finance Project No. 2 and describing the agency’s Eminent Domain Program and take action as necessary and appropriate**

Mayor Burns opened the public hearing.

Richard Miles, city resident, spoke about the Harbor District forming a Redevelopment agency, their master plan, a Senate Bill, non-compliance, the bike trail, and Mason Mall.

Council Member Schellong made a motion waive the second reading and adopt Ordinance No. 721, approving and adopting a third amendment to the redevelopment

plan for Redevelopment Project No. 2 repealing the time limit on the establishment of loans, advances and indebtedness to finance Project No. 2 and describing the agency's Eminent Domain Program; the motion was seconded by Council Member Kolodner and so carried by the following polled vote:

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

## **REPORTS**

### **7. Chamber of Commerce**

Chris Howard, Chamber of Commerce, reported on workshops held at the Smith River Rancheria, and thanked the council for their participation. Council Member Schellong thanked the chamber for their work in getting so many people to participate in doing something for the community.

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

Council Member Schellong thanked Larry Lakes for his work on the Tall Ships event. Mr. Brian O'Callahan, from the Historic Society, was also thanked for his work on the festival.

## **UNFINISHED BUSINESS**

### **9. Consider and discuss Consent Calendar Warrant Claims List items that were pulled from the April 16, 2007 agenda and take action as necessary and appropriate**

The first warrant discussed was on page 12, warrant #36624, a check paid to a law firm regarding a personnel matter. Discussion followed. In the future, items of this nature will be brought to the council prior to selection of a law firm.

Advance permission for City Attorney and City Manager to attend seminars and the use of specific city forms, and receipts for services were discussed.

Council Member Tynes made a motion to approve all warrants discussed; the motion was seconded by Council Member Schellong and so carried by the following polled vote:

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

**10. Continue discussion and revisit filling the vacancy created by the resignation of Council Member Kolodner on May 8, 2007, and take action as necessary and appropriate**

Mayor Burns moved item #10 ahead of item #9. Mayor Burns stated that he had asked for this item to be brought back to the agenda and did not want to create any divisiveness on council and explained some of the possible scenarios. Vicki Frasier, County Clerk Recorder, went through the cost and timeline procedures, mail-ins, legislation, and election codes. Extensive discussion followed.

Richard Miles, city resident, spoke about a book, special interest groups in this community, citizens in Iraq and Afghanistan, a letter in the local newspaper, and being in favor of an election.

Kathryn Murray, city resident, spoke about campaign expense, and about discussion during closed session. Ms. Murray was reminded that it is against the Brown Act and it has to be done publicly.

Patricia Slert, city resident, commented that Crescent City citizens voted for the city council to make the right decision.

Discussion continued, particularly questions to be asked from applicants. The motion made at the previous council meeting to appoint a replacement council member stands.

**NEW BUSINESS**

**11. Consider and approve a request from the Crescent City Swim Club to waive the fees for use of the pool for the annual meet that is scheduled for June 2, and June 3, 2007, and take action as necessary and appropriate**

Eli Naffah, City Manager, reported and discussion followed and Matt Hildebrandt, Pool Director, spoke strongly in favor of waiving the fees.

Richard Miles, city resident, spoke in favor of waiving the fees.

Lauri Clay, Crescent City Swim Club, thanked the council for their generosity and past support of the Swim Club.

Mitzi Travis, county resident, spoke about how impressed she was with the pool and pool staff.

Council Member Schellong made a motion to approve a request from the Crescent City Swim Club to waive the fees for the use of the pool for the annual meet that is scheduled for June 2, and June 3, 2007; the motion was seconded by Council Member Kolodner and so carried unanimously.

**12. Consider and approve a budget modification request to purchase Accounts Receivable, Fixed Assets, and Project/Grant modules from Springbrook and take action as necessary and appropriate**

Joei Sanchez, Finance Director, reported and discussion followed.

Council Member Tynes made a motion to approve a budget modification budget transfer from the City Clerk to the Finance Department to purchase Accounts Receivable, Fixed Assets, and Project/Grant modules from Springbrook; the motion was seconded by Council Member Scavuzzo and so carried unanimously by the following polled vote:

<b>AYES:</b>	Council Members Tynes, Scavuzzo, Schellong, Kolodner and Mayor Burns
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

**13. Consider and approve a contract for the 5<sup>th</sup> Street reconstruction project and take action as necessary and appropriate**

Jim Barnts, Director of Public Works, reported. Discussion followed.

Richard Miles, city resident, spoke about the portion of the street by the Diehl property, and property for sale in that area.

Council Member Tynes made a motion to approve a contract with Granite Construction in the amount indicated in the contract for the 5<sup>th</sup> Street reconstruction project; the motion was seconded by Council Member Scavuzzo and so carried unanimously by the following polled vote:

<b>AYES:</b>	Council Members Tynes, Scavuzzo, Schellong, Kolodner and Mayor Burns
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

Council Member Tynes made a motion for the Mayor to execute the contract; the motion was seconded by Council Member Schellong and so carried unanimously.

**CITY COUNCIL ITEMS**

**Reports, Concerns, Referrals**

Council Member Scavuzzo asked about the Emedio and Jim Barnts stated that restoration is not yet finished.

Council Member Scavuzzo also asked about the 9<sup>th</sup> Street Playground and Jim Barnts reported the crew is currently working on it, and it is expected to be complete by the end of the week.

Council Member Tynes spoke about the city/county joint meetings and the items to be discussed at future meetings, and discussion of having a contract versus an MOU. Council Member Schellong asked that information from both the city and county be distributed to the council well in advance of the meetings. Council Member Schellong also requested that the draft Borders Coast Airport Authority Joint Powers Agreement be discussed in the near future.

Mayor Burns spoke about the swimming pool fund, and the rumor that the city is going to consider a loan for swimming pool improvements, and this issue also needs to be on the city/county meeting agenda.

**☒ Legislative Matters – None**

Eli Naffah, City Manager, reported a telephone call from Liz Murgia in Congressman Thompson's office that a joint grant on a city/county-wide level for a Disaster Mitigation Plan in the amount of \$92,000 has been awarded.

On Wednesday, May 16, 2007, there will be budget workshop at the Crescent City Fire Hall.

**CITY MANAGER DIRECTIVES**

**CLOSED SESSION**

Council consensus was to extend Eli Naffah's contract as City Manager for two years, with no changes or additions to the original contract.

**ADJOURNMENT**

The meeting adjourned at 8:47 p.m.

**ATTEST:**

---

L. Dianne Nickerson, City Clerk