



**MINUTES
REGULAR CITY COUNCIL MEETING
FLYNN CENTER
981 H STREET
CRESCENT CITY, CA 95531**

City of Crescent City

Monday

July 20, 2009

4:00 p.m.

Call to Order Mayor Schellong called the meeting to order at 4:02 p.m.

Roll Call Council Members present: Kelly Schellong, Donna Westfall, Charles Slert, and Kathryn Murray
Council Members absent: Dennis Burns
Staff present: Rod B. Butler, City Manager/Clerk, Robert N. Black, City Attorney, Meghan Miller, Housing Supervisor, Officer Garrett Scott, Jim Barnts, Director of Public Works, Eric Wier, Associate Engineer, Karen Phillips, Deputy City Clerk and Michele Rambo, Planner/Economic Development Specialist

Pledge of Allegiance The Pledge was led by Council Member Slert.

PUBLIC COMMENT ON CLOSED SESSION ITEMS

The following persons addressed the Council regarding the closed session matters: none.

1. CLOSED SESSION

- Existing Litigation (Gov't Code § 54956.9 subdivision (a)) (Four cases: Sanches versus City of Crescent City, USDC CV08-1395; Barber vs. City of Crescent City, USDC Northern District of California, Case #08-CV-04883-WDB; Misti Cardenas vs. City of Crescent City, et. al., USDC CV08-4053; Brian Strom vs. City of Crescent City, USDC Case #CV08-4708
- Conference with Real Property Negotiator (Gov't Code § 54956.8)
Negotiating parties: Rod Butler, City Manager; location of parcel not yet identified
- Conference with Labor Negotiator Re: Crescent City Police Officers Association (CCPOA) (Gov't Code § 54956.8)
- Conference with legal counsel, significant exposure to litigation (Gov't Code § 54956.9(b)) – one case

The closed session was held from 4:02 p.m. to 6:00 p.m. City Attorney Robert Black announced that no final action was taken in closed session.

ACKNOWLEDGEMENTS

2. Introduction of Wastewater Treatment Plant Supervisor James Dohrer.

City Manager Rod Butler introduced James Dohrer, the City's Wastewater Treatment Plant Supervisor, to the Council and audience. Mr. Dohrer began work for the City in March and is a Grade V operator.

CONSENT CALENDAR

3. Approval of the regular minutes of July 6, 2009 Crescent City Council meeting.

4. Approval of warrant claims list for the period July 7, through July 20, 2009.

5. Approval of biweekly payroll reports for the period ending July 4, 2009, paid July 10, 2009.

On a motion by Council Member Slert, seconded by Council Member Murray, and unanimously carried, with Council Member Burns absent, the Crescent City Council approved and adopted the consent calendar, consisting of items 3-5, with the correction of three typographical errors to the minutes.

PUBLIC HEARINGS

6. Postpone public hearings to discuss the Fiscal Year 2009-2010 Community Development Block Grant (CDBG) Planning and Technical Assistance Allocation applications originally noticed for this meeting. Direct staff to re-notice hearings as appropriate and as required by CDBG regulations.

Discussion was held regarding the postponement of the CDBG public hearings. Staff was directed to re-notice the hearings as appropriate. The hearing will be re-noticed when staff is ready to move forward; sometime in August (17th).

REPORTS

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

No reports were made.

- Crescent City/Del Norte Chamber of Commerce update

Executive Director Gina Zottola reported on the Crescent City/Del Norte Chamber of Commerce's work, including the number of visits to the Visitor's Center - physical counts for January 271 people, February 322, March 709, April 760, May 1,350 and June 2,728. The numbers have increased for May and June over last year. Visitor and relocation packets are going out on a steady basis. The 800 phone line is averaging near 200 calls per month. The website has experienced very heavy traffic with over 80,000 hits since the beginning of the year. The 4th of July celebration booked almost all of the hotel rooms in the area and Sea Cruise is

October 9th and 10th. Future agendas will include a quarterly report from the Chamber.

ADJOURN TO HOUSING AUTHORITY

7. See attached agenda/minutes. (Susie Mendez)

COMMUNICATIONS

PUBLIC COMMENT PERIOD

The following persons addressed the Council: Richard Miles, city resident, commented on a possible conflict of interest regarding radio ads for the Visitor's Bureau.

CONTINUING BUSINESS

8. Waive full the reading, read by title only, and adopt Ordinance No. 743, entitled, AN ORDINANCE OF THE CITY OF CRESCENT ADDING CHAPTER 15.33, ENTITLED LOCAL HIRING FOR PUBLIC WORKS PROJECTS TO TITLE 15 OF THE CRESCENT CITY MUNICIPAL CODE, and take action as necessary and appropriate (Robert Black)

City Attorney Black reported to the Council regarding Ordinance 743. This is the re-adoption of the ordinance due to a glitch in the publication of the ordinance. The proposed ordinance has been published and the ordinance needs to be readopted at this time. Richard Miles addressed the Council regarding the court's use of outside contractors.

On a motion by Council Member Slert, seconded by Council Member Murray, and unanimously carried on a polled vote, with Council Member Burns absent, the Crescent City Council waived full the reading, read by title only, and adopted Ordinance No. 743, entitled, AN ORDINANCE OF THE CITY OF CRESCENT ADDING CHAPTER 15.33, ENTITLED LOCAL HIRING FOR PUBLIC WORKS PROJECTS TO TITLE 15 OF THE CRESCENT CITY MUNICIPAL CODE.

9. Waive full reading, read by title only, and introduce Ordinance No. 745, entitled, AN ORDINANCE OF THE CITY OF CRESCENT CITY ADDING CHAPTER 15.34 ENTITLED "SMALL BUSINESS PREFERENCE FOR PUBLIC WORKS PROJECTS" TO TITLE 15 OF THE CRESCENT CITY MUNICIPAL CODE. (Robert Black)

Mayor Schellong outlined the history of this ordinance, which establishes a 5% preference for contractors with small businesses (25 or fewer employees/or up to \$4 million in gross receipts). Angelina Countess-Bieber asked about the process for the adoption of the ordinance and thanked the Council for their help in getting it adopted. Ms. Countess-Bieber also indicated that the Harbor will be acting on a similar ordinance soon. She feels that training courses the key to the success of the local workforce and in making this ordinance come together. Council Member Slert indicated that this is one of the "economic engines" for the community. Mayor Schellong indicated this is "economic stimulus" for our area.

On a motion by Council Member Slert, seconded by Council Member Westfall, and unanimously carried on a polled vote, with Council Member Burns absent, the Crescent City Council waived full the reading, read by title only, and introduced Ordinance No. 745, entitled, AN ORDINANCE OF THE CITY OF CRESCENT CITY ADDING CHAPTER 15.34 ENTITLED “SMALL BUSINESS PREFERENCE FOR PUBLIC WORKS PROJECTS” TO TITLE 15 OF THE CRESCENT CITY MUNICIPAL CODE.

10. Receive an information update from staff regarding the Harbor Annexation Study Project. Take action as necessary and appropriate. (Rod Butler)

The City Manager gave an update on the Harbor Annexation Study, including the ad hoc committee appointed in April. Some movement by the City has been accomplished; however, somewhat slowly due to budget issues and the planner position being filled. The Harbor was involved in the CDBG application also during this time. The City Manager indicated that: in August –September staff will be working with counsel (McDonnell Holland and Allen), and consulting with the Local Agency Formation Commission (LAFCO) and County Administrative Officer, reporting back to the ad hoc committee and City Council by Sept 30th; October to December 2009 will be study of issues involved in annexation and one public workshop, with at least two reports back to the Council; and January to March 2010 will conclude the initial study period and ad hoc committee recommendations to the Council regarding the annexation (whether or not to proceed) process. Council Member Kathryn Murray asked when the Harbor indicated that they were ready to proceed after issues with the City’s CDBG program were determined to need some work. According to staff, it appeared that there was some confusion caused by a comment made by the Harbor District President at a meeting. Mayor Schellong feels that six more months is a bit long for this annexation study process. The LAFCO process is well defined, but it would be a good idea for staff to meet with the Executive Officer of LAFCO. The six months will be taken up with considering and answering questions regarding the financial implications and issues involved in the annexation. Robert Black commented as counsel for the Crescent City Harbor, indicating that the confusion over the annexation process was regarding jurisdictional transitions during the CDBG process and not a willingness to proceed. Both entities have been busy with other issues recently and are now ready to move forward. Richard Miles addressed the Council regarding annexation.

11. Receive an informational update from the City Manager on the status of follow-up tasks resulting from the City Council/County Board of Supervisors joint meeting held on May 12, 2009. Take action as necessary and appropriate and consider dates for next meeting. (Rod Butler)

The City Manager gave an update on the joint City/County meeting held on May 12, 2009 and the work tasks that evolved from that meeting. Cost sharing options were discussed and the City Manager has met with the County Administrative Officer regarding the options listed in the minutes of the May 12, 2009 meeting. The City

will not pursue use of its general fund monies for the Teen Center and the Boys and Girls Club at this time due to possible other funding sources. The Pyke Field water/sewer meters may be given to the county, which currently run around \$700-\$1,000 per year. The EIR/EIA letter in support of the airport expansion never went out as directed; however, the Council could receive a presentation regarding the local coastal development plan and send the letter at this time if it is still felt to be beneficial. Mayor Schellong will make a copy for the other council members of a recent airport update she received regarding the EIR/EIA process. City Attorney Black will make a presentation of the airport remodel plan at the next meeting. The Mayor asked the City Manager to find out who was appointed to the joint City/County ADA/Commission on Disabilities and what the process is to make appointments to that committee. Discussion was held regarding the speed limit on Pacific Avenue and the use of speed studies to set and enforce speed limits. The Pyke Field water/sewer meter will be placed on the next agenda. Richard Miles commented on safe school routes.

NEW BUSINESS

12. Consider and approve the Crescent City-Del Norte County Visitors Bureau Marketing Plan for Fiscal Year 2009-2010 and adopt Resolution No. 2009-28, entitled, A RESOLUTION OF THE CITY COUNCIL OF CRESCENT CITY APPROVING THE CONTRIBUTION OF \$50,000 FOR FISCAL YEAR 2009-2010 TO THE DEL NORTE VISITORS BUREAU FOR THE PURPOSE OF PROMOTING TOURISM TO DEL NORTE COUNTY, or other action as necessary. (Rob Butler)

The City Manager discussed the previous allocation approval and the fact that contributions to nonprofits or outside agencies should have a resolution of public benefit.

On a motion by Council Member Murray, seconded by Council Member Slert, and unanimously carried on a polled vote, with Council Member Burns absent, the City Council of Crescent City approved and adopted Resolution No. 2009-28, entitled, A RESOLUTION OF THE CITY COUNCIL OF CRESCENT CITY APPROVING THE CONTRIBUTION OF \$50,000 FOR FISCAL YEAR 2009-2010 TO THE DEL NORTE VISITORS BUREAU FOR THE PURPOSE OF PROMOTING TOURISM TO DEL NORTE COUNTY.

Tamera Buchanan, consultant for the Visitor's Bureau, presented the Marketing Plan for Fiscal Year 2009-2010 for the Crescent City-Del Norte Visitors Bureau, which she noted, includes a one-quarter budget for the one-year plan. An advertisement will appear in the September *Sunset* magazine.

On a motion by Council Member Slert, seconded by Council Member Westfall, and unanimously carried, with Council Member Burns absent, the City Council approved the budget allocation for the Visitor's Bureau.

13. Consider and approve a Cooperative Fire Agreement between the Crescent City Volunteer Fire Department and the Six Rivers National Forest including the 2009 Annual Operating Plan, or take other action as necessary. (Agmt # 09-10-00___ and #09-10-____) (Steve Wakefield)

Council Member Westfall left the meeting at 7:31 p.m. and returned at 7:34 p.m.

City Manager Rod Butler presented the agreement between the Crescent City Volunteer Fire Department and the Six Rivers National Forest, which provides for the reimbursement and operations assistance and equipment when the City assists with fires in urban areas. This agreement extends the terms of the current agreement with Amendment 1 and an Annual Operating Plan.

On a motion by Council Member Slert, seconded by Council Member Westfall, and unanimously carried, with Council Member Burns absent, the City Council of Crescent City approved and adopted the Cooperative Fire Agreement between the Crescent City Volunteer Fire Department and the Six Rivers National Forest, including the 2009 Annual Operating Plan and Amendment 1, as presented. The City Attorney will review the agreement.

14. Consider and approve an Updated Agreement of Public Safety Dispatch Services between the City of Crescent City and the County of Del Norte, or take other action as necessary. (Agmt 09-10-____) (Rod Butler)

City Manager Rod Butler presented the agreement between the City and County for public safety dispatch services, which represents an update of the current agreement. The City Manager has met with the Sheriff and the City Police Chief in order to negotiate this amendment, which will be in place for two years, and includes an increase in costs and a clause that allows for a decrease in fees if MDT's are put in the City's patrol vehicles.

On a motion by Council Member Murray, seconded by Council Member Slert, and unanimously carried on a polled vote, with Council Member Burns absent, the City Council of Crescent City approved and adopted the Updated Agreement of Public Safety Dispatch Services between the City of Crescent City and the County of Del Norte, and authorized the City Manager to execute the agreement, as presented.

15. Consider and adopt Resolution No. 2009-29, entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY SETTING PENALTIES FOR PARKING VIOLATIONS, or take other action as necessary. (Robert Black)

City Attorney Robert Black presented the resolution and discussed the parking program, which revises the current program, with the exception of disabled parking and abandoned vehicles. The fines will all be consistent with this resolution. Council Member Murray asked who would be giving out the parking citations. Staff indicated that police officers and others, including Volunteers in Police Service (VIPS) and other City employees, are deputized to carry out this function.

On a motion by Council Member Slert, seconded by Council Member Westfall, and unanimously carried on a polled vote, with Council Member Burns absent, the City Council of Crescent City approved and adopted Resolution No. 2009-29, entitled, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY SETTING PENALTIES FOR PARKING VIOLATIONS.

16. Receive a report from City Attorney regarding implementation of the City's Parking Enforcement Program and forms. (Robert Black)

City Attorney Robert Black presented the resolution and discussed the parking program and how the administrative review will occur. The forms presented were made to streamline the process and get a feel for the initial investment in the program. Once in place, this process will become smooth, obtain greater compliance, and become a source of revenue for the City, according to counsel. Council Member Slert stated this program is about putting the house in order. Mayor Schellong indicated that this puts all the ducks in a row and benefits the City.

17. Consider and approve the revised Parental Permission Form for Public Swimming Lessons. (Robert Black)

City Attorney Robert Black reviewed the revised form with the Council. There was a citizen complaint regarding the previous form required to enroll a child in swimming lessons and it's appearing to give "custody" of the child to the City. The form was revamped with regard to liability, "custody" and authorization for medical treatment.

On a motion by Council Member Slert, seconded by Council Member Westfall, and unanimously carried, with Council Member Burns absent, the City Council of Crescent City approved and adopted the Parental Permission Form for Public Swimming Lessons, as presented.

18. Consider and approve the restoration of the *SS Emidio* Memorial at Beachfront Park or take other action as necessary. (Eric Wier)

Associate Engineer Eric Wier presented the *SS Emidio* restoration project to the Council. Guy Towers was present and answered questions regarding the restoration project. The project will take about half a day of staff's time. The City Manager asked that the BID be notified of the project. The City owns the project area. Any permits required will be taken care of by City staff. Council Member Westfall asked who owns the flag. The flag will be raised when the appropriate raising can be done, which needs to be done with a ladder truck or crane. The flag is an all-weather flag. The Mayor asked that the lighting of the flag be added to the cost of the project. Richard Miles addressed the Council regarding rules for flying flags. Staff indicated that the flagpole has a light on the pole and asked that a replacement pole with a lanyard be added to a future budget.

On a motion by Council Member Murray, seconded by Council Member Westfall, and unanimously carried, with Council Member Burns absent, the City Council of Crescent City approved and adopted the restoration project with the assistance of City staff with the addition of lighting.

ADJOURN TO CRESCENT CITY REDEVELOPMENT AGENCY

19. See attached agenda/minutes. (Rod Butler)

CITY COUNCIL ITEMS

Legislative Matters

The following items were discussed: none.

Reports, Concerns, Referrals, Council travel and training reports

The following reports, referrals or reports were made: Council Member Westfall attended an IGRC meeting; Council Member Slert attended the Elk Valley Rancheria 2x2 meeting where discussion included the Rancheria having their shovels in the ground this next spring; Council Member Murray attended the IGRC meeting and the Rebuilding California from the Ground Up budget meeting in Sacramento on Friday and Saturday. There are no action items at this time from that meeting; however, there were almost 500 elected officials throughout the state in attendance, including schools, special districts and counties. Staff will add an item on the City/County agenda to discuss what we can do jointly; Mayor Schellong is excited to know that the Elk Valley Rancheria is moving forward; she attended the same 2x2 meeting. Mayor Schellong also attended a City/Harbor 2x2 meeting, where they discussed the wastewater issues and the resolution of the same and Albers Seafood issues. She wanted to thank City Hall staff for the work they did at the hall after the last meeting. She met with the Crescent Harbor Art Gallery where they wanted to know what kind of partnership the City could provide them should they relocate within the city limits.

Pursuant to Crescent City Municipal Code § 2.08.200, the City Council may instruct the city manager

The following directives were made: The weed issue is in the median on Northcrest Drive and vacant lots were referred to the City Manager for research and solution. Eric Taylor will be taking more of a role in the code enforcement, according to the City Manager. Staff will bring back a strategy to the Council. Staff was encouraged to meet with the Solid Waste Management Authority to visit the partnership options there.

ADJOURNMENT

There being no further business to come before the Council, Mayor Schellong adjourned the meeting at 8:02 p.m. to the next regularly scheduled meeting of August 3, 2009 at 6:00 p.m.

ATTEST:

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



MINUTES

Crescent City Housing Authority

REGULAR MEETING

JULY 20, 2009 AT 6:00 P.M.

FLYNN CENTER, 981 H STREET, CRESCENT CITY CA
95531

Open Meeting Authority Member Schellong called the meeting to order in open session at 6:15 p.m.

Roll Call Council Members present: Kelly Schellong, Donna Westfall, Charles Slert, and Kathryn Murray
Council Members absent: Dennis Burns
Staff present: Rod B. Butler, City Manager/Clerk, Robert N. Black, City Attorney, Meghan Miller, Housing Supervisor, Jim Barnts, Director of Public Works, Eric Wier, Associate Engineer, Karen Phillips, Deputy City Clerk and Michele Rambo, Planner/Economic Development Specialist

Meghan Miller sat in for Susie Mendez, Supervisor. They would like to have the revised payment standards approved.

COMMUNICATIONS

☒ *PUBLIC COMMENT PERIOD*

The following persons addressed the Crescent City Housing Authority: Richard Miles, spoke regarding assistance (ombudsman) for renters prior to court appearances

CONSENT CALENDAR

1. Approve regular meeting minutes of June 15, 2009 Crescent City Housing Authority.
2. Approve warrant claims list for the period June 16, through July 20, 2009

On a motion by Authority Member Slert, seconded by Authority Member Murray, and unanimously carried, the Crescent City Housing Authority Board approved and adopted the consent calendar, consisting of items 1-2, as presented.

HOUSING DIRECTOR'S REPORT – None

PUBLIC HEARING – None

CONTINUING BUSINESS – None

NEW BUSINESS

3. Consider and approve revisions to Housing Assistance Payment Standards. (Susie Mendez)

Meghan Miller, Housing Supervisor, sitting in for Susie Mendez reported on the payment standards going down, rather than up, based on funding. There are more available rentals due to the collapse in the housing market and the availability of new apartments (Hidden Creek), which have driven the standards down. No clients are being pulled of the list; there is a funding shortfall and all client families have been notified that September 1, 2009 there will be some changes. Approximately 70% of the rental amount is paid per eligible households. The impact/increase will be approximately \$35.00 per household for four months in order to meet the shortfall. No public comments were received. 900 other cities are experiencing the same problems with housing.

On a motion by Authority Member Slert, seconded by Authority Member Murray, and unanimously carried, the Crescent City Housing Authority Board of Directors approved the housing payment standards as presented.

ADJOURNMENT

There being no further business to come before the Crescent City Housing Authority, Mayor Schellong adjourned the meeting at 6:25 p.m. until the next regular meeting scheduled on August 17, 2009 at 6:00 p.m.

ATTEST:

Susie Mendez, Secretary, Crescent City
Housing Authority



MINUTES

Crescent City Redevelopment Agency

REGULAR MEETING

JULY 20, 2009 AT 6:00 P.M.

FLYNN CENTER, 981 H STREET, CRESCENT CITY, CA

Open Meeting

Agency Member Schellong called the meeting of the Crescent City Redevelopment Agency to order in open session at 7:50 p.m.

Roll Call

Council Members present: Kelly Schellong, Donna Westfall, Charles Slert, and Kathryn Murray

Council Members absent: Dennis Burns

Staff present: Rod B. Butler, City Manager/Clerk, Robert N. Black, City Attorney, Doug Plack, Chief of Police, Jim Barnts, Director of Public Works, Eric Wier, Associate Engineer, Karen Phillips, Deputy City Clerk and Michele Rambo, Planner/Economic Development Specialist

COMMUNICATIONS

PUBLIC COMMENT PERIOD

The following persons addressed the Redevelopment Agency: None.

CONSENT CALENDAR

1. Approval of the regular meeting minutes of June 15, 2009 Crescent City Redevelopment Agency.

On a motion by Agency Member Slert, seconded by Agency Member Murray, and unanimously carried, the Crescent City Redevelopment Agency Board approved and adopted the minutes of the June 15, 2009 meeting as presented.

EXECUTIVE DIRECTOR'S REPORT – None

BUSINESS ITEMS – None

REDEVELOPMENT AGENCY ITEMS – None

Members of the Redevelopment Agency may utilize this opportunity to share concerns within the jurisdiction of the Agency, or to introduce items for consideration at a subsequent meeting.

PUBLIC HEARING – None

ADJOURNMENT

There being no further business to come before the Redevelopment Agency, Agency Member Schellong adjourned the meeting at 7:51 p.m. until the next regularly scheduled meeting of August 17, 2009 at 6:00 p.m.

ATTEST:

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