

Fortuna City Council
November 15, 2004 7:00 PM
City Hall

PRESENT

Mayor Tom Cooke
Councilwoman Debi August
Councilman Mel Berti
Councilman Dean Glaser
Councilman Odell Shelton

STAFF

City Manager
City Attorney
Executive Assistant to the C.M.
Finance Director
City Engineer
Parks & Recreation Director
Police Chief
Deputy City Clerk

Mayor Cooke announced there will be a slight change in the agenda. There are a couple of awards that were not noted on the agenda.

Police Chief Kent Bradshaw then introduced the CSO of the Year Charles Ellebrecht and Police Officer of the Year Sandi Bertain and presented awards to them.

Steve Pudinski from the California Highway Patrol presented a second place award to the Fortuna Police Department for seat belt enforcement. Chief Bradshaw accepted the award on behalf of the Fortuna Police Department.

APPROVAL OF MINUTES

The minutes of November 1, 2004 were not available.

PAYMENT OF BILLS

Councilman Glaser moved, seconded by Councilman Shelton to authorize payment of the City's bills in the amount of \$398,644.94. Motion carried.

CONSENT CALENDAR

Councilman Shelton pulled item 'B' the Finance and Investment Monthly Report. Councilman Shelton moved, seconded by Councilman Glaser to approve the balance of the Consent Calendar consisting of Monthly Departmental Reports and Resolution 2004-43, Changing Dates for the February 2005 Council meetings. Motion carried.

Councilman Shelton asked the Finance Director several questions for clarification regarding the Finance Report. Finance Director Paul Rodrigues responded and updated Council on some of the issues raised.

Councilman Shelton moved, seconded by Councilwoman August to approve Consent Calendar item 'B'. Motion carried.

BUSINESS

CONSIDER EXTENSION OF THE CURRENT FRANCHISE AGREEMENT WITH COX COMMUNICSTIONS TO DECEMBER 31, 2005; RESOLUTION 2004-39

City Manager Duane Rigge said the negotiations have been lengthy and we hope to get to a successful conclusion next spring. He said it is to the City's benefit to continue with the negotiations through a countywide effort.

Councilman Shelton said we have given two extensions and questioned if the Buske Group is extending this to make more money. City Manager Rigge said that we have a fixed fee contract with Buske regardless of how long it takes.

Councilman Shelton moved, seconded by Councilman Glaser to adopt Resolution 2004-39 and read it by title only. Mayor Cooke read the title, motion carried unanimously by roll call vote.

CONSIDER ENTERING INTO AN AGREEMENT FOR POST DESIGN, ENGINEERING SERVICES FOR THE WASTEWATER TREATMENT PLANT EXPANSION PROJECT

City Manager Duane Rigge said that we are a bit behind schedule because the design process has taken longer than anticipated. He said we have budgeted \$8 to \$8.5 million for the project and it will probably take 18 to 20 months to construct.

City Manager Rigge then reviewed the post design engineering services and said the estimated cost for pre-award is \$35,000, project engineering \$235,000 the plant start-up at \$18,000 the record drawings or as-builts at \$17,000 and the operations and maintenance manuals estimated to be \$75,000 for a total of \$380,000.

Mayor Cooke and Council Members asked for clarification on several items and City Manager Rigge addressed their areas of concern.

Councilwoman August moved, seconded by Councilman Shelton to authorize the City Manager to enter into Engineering Services Agreement with ECO:LOGIC for post-design engineering services consisting of Pre-Award, Project Engineering, Plant Start-up and preparation of the Operations and Maintenance Manuals for a not to exceed budget of \$380,000. Motion carried.

CITY MANAGER'S REPORT

City Manager Rigge said there are two items for Council consideration, the Planning Commission appointment and the Design Review Board appointment. He explained that under the provisions of the Fortuna Municipal Code the alternate member fills the vacancy as a regular member for the remainder of that Commissioner's term.

City Manager Rigge also noted the Design Review Board members are appointed by the City Council.

City Manager Rigge then handed the Mayor and Council members the new Fortuna Municipal Code book that was recently codified and reformatted. He also noted we have received a legal analysis which has been given to the City Attorney. Mayor Cooke requested that each Council member also receive a copy of the legal review.

Councilwoman August questioned if we have advertised for the Design Review Board and suggested we place an ad with the criteria needed.

Discussion was held regarding our Code and the practice Council has used for appointments and Mayor Cooke said we need to make sure they are consistent. The Design Review Board appointment will be on the next agenda for Council action.

CITY COUNCIL REPORTS AND COMMENTS

Councilwoman Debi August expressed concern that the Design Review Board may be creating bylaws for themselves that have not come before Council for ratification. She also noted that the Planning Commission believes they have adopted a change to their bylaws and indicated she would like to see these ratified as well. Debi said there may be a possible conflict between the Design Review Board and the Planning Commission. Debi also felt the Planning Commission needs more guidance.

Planning Commissioner Doug Strehl said the Commission has to decide what to come up with regarding the retail ordinance.

Councilman Glaser noted that Leonard Whitchurch had a lot of constructive criticism at the workshop and it would be nice to have the major critics at a future workshop.

Mayor Cooke indicated it may be beneficial to have a joint meeting and Councilwoman August felt it should be up to the Planning Commission if they would like a joint meeting.

Councilmen Glaser and Shelton reported on their various activities and Commissions. No action was taken.

Mayor Cooke asked Vice-Mayor Shelton to represent him at the Turkey Shoot on November 21st as he will be out of town. Mayor Cooke also announced that Vice-Mayor Shelton will represent him at the HCAOG meeting on December 2nd when he will again be out of town.

Mayor Cooke then recommended the appointment of John Campbell to the Planning Commission with the concurrence of Council. No objection was heard.

There being no further business, Council adjourned to closed session at 8:36 PM. Mayor Cooke announced that closed session will be held for Public Performance Evaluation; Title: Police Chief; Section 54957 of the Government Code, and closed session Concerning Property Acquisition on Riverwalk Drive Adjacent to Eel River Disposal, APN 200-353-021 Under Negotiation: Price and Terms.

Action Taken: The Council took no action since the Police Chief reports to the City Manager and it is the City Manager's responsibility to evaluate the performance of the Police Chief.

Concerning Property Acquisition on Riverwalk Drive, the Council provided additional instruction to the City Manager.

