

**CITY OF ARCATA
CITY COUNCIL MEETING**

COUNCIL CHAMBER

JANUARY 03, 2018

A regular meeting of the City Council of the City of Arcata was held on the above date at 6:00 p.m. with Mayor Pereira presiding. Notice of this meeting was posted on December 29, 2017. PRESENT: Pereira, Watson, Ornelas, Pitino, Winkler. ABSENT: None. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Director of Environmental Services André.

EARLY ORAL COMMUNICATIONS

Mayor Pereira invited public comment.

Daniel Pierce, a resident of McKinleyville, appeared before the Council and spoke regarding the history of the President William McKinley statue on the Plaza and its sculptor, Haig Patigian, and events that took place during the term of President McKinley.

Maryellen Jurkovich, from Humboldt Patient Resource Center, appeared before the Council to report that HPRC was still awaiting approval of its application to the State of California for retail sale of adult-use cannabis. She expressed her hope that the permit would be issued the next day.

Mayor Pereira closed the public comment period.

CONSENT CALENDAR

Mayor Pereira invited public comment. No one came forward to speak. Mayor Pereira closed the public comment period.

Councilmember Ornelas requested item E be removed from the Consent Calendar for further discussion.

ON MOTION BY ORNELAS, SECONDED BY WATSON, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL ADOPTED THE CONSENT CALENDAR FOR JANUARY 3, 2018, WITH THE EXCEPTION OF ITEM E. *ADOPT ORDINANCE NO. 1498, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ADMINISTRATIVE CITATION PROCEDURE OF THE MUNICIPAL CODE, WAIVE READING OF THE TEXT AND CONSENT TO READ BY TITLE ONLY.* AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

- A. Approve the Minutes of the City Council Meeting of December 14, 2017.**
- B. Approve the Minutes of the City Council Meeting of December 20, 2017.**
- C. Bi-Weekly Report on General Warrants.**
- D. Adopt Resolution No. 178-36, A Resolution of the City Council of the City of Arcata Amending the Class and Pay Resolution—Compensation & Benefits for Hourly Rated Part-Time, Temporary, and Seasonal Personnel (to Reflect 1/1/18 Change in State Minimum Wage and a 1.5% Salary Increase).**
- E. Item VII-E was moved to Items Removed from Consent Calendar.**

- F. Accept a Grant from the Humboldt Bay Habitat Enhancement Fund of the Humboldt Area Foundation in the Amount of \$600.**

ITEMS REMOVED FROM CONSENT CALENDAR

- E. Adopt Ordinance No. 1498, An Ordinance of the City Council of the City of Arcata Amending the Administrative Citation Procedure of the Municipal Code, Waive Reading of the Text and Consent to Read by Title Only.**

Councilmember Ornelas asked for clarification of this item.

City Attorney Diamond said this item would provide one more opportunity for the City to bring non-compliant properties into compliance through an administrative citation process. She said the citation would be issued by the department head who had authority to enforce the provision. She noted that the citation would spell out the violation, a remedy, and a fine, and the fine would include the total amount allowed by state law.

City Manager Diemer noted that the ultimate goal was to obtain compliance, not have people pay fines.

City Attorney Diamond further explained that separate from the administrative citation process there was a component for voluntary compliance through a Notice of Violation, and it did not include a penalty. She spelled out the options for collection of a fine: assessment on the tax roll to be collected along with property taxes, a lien on real property, collections, etc.

ORNELAS MOVED AND WINKLER SECONDED TO ADOPT ORDINANCE NO. 1498, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ADMINISTRATIVE CITATION PROCEDURE OF THE MUNICIPAL CODE, WAIVE READING OF THE TEXT AND CONSENT TO READ BY TITLE ONLY.

Mayor Pereira invited public comment. No one came forward to speak. Mayor Pereira closed the public comment period.

THE MOTION PASSED ON A UNANIMOUS VOICE VOTE. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

NEW BUSINESS

- A. Emergency Sewer Repair on City Sewer Main Line on Samoa Boulevard.**

Director of Environmental Services André recommended the Council, by a 4/5's vote, take emergency action to address the imminent failure of a main sewer line along Samoa Boulevard by authorizing the City Manager to enter into a contract with GRS, Inc., for time and materials costs without giving notice for public bids, based on specific findings; provide authorization to the City Manager to negotiate a contract for repairs up to \$75,000 to cover the cost of repairs and any unforeseen construction contingencies; and declare an emergency condition for a 30-day period beginning on January 3, 2018. He explained that while Pacific Gas & Electric Company (PG&E) crews were performing gas main repairs in this manhole, they discovered a 2- to 3-inch

gap in the line where it entered and exited the manhole. He said staff's plan was to install another manhole close by for bypass pumping. He said PG&E would perform traffic control for the project as it currently had traffic control in place. He said staff deems this leak repair to be an emergency situation because of the high risk of the discharge of raw sewage into Humboldt Bay.

Mayor Pereira invited public comment.

Allison Talbott, PG&E, appeared before the Council to publicly thank City employees Mike Clinton and Netra Khatri for their professionalism and assistance in this situation.

Mayor Pereira closed the public comment period.

ON MOTION BY ORNELAS, SECONDED BY PITINO, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL TOOK EMERGENCY ACTION TO ADDRESS THE IMMINENT FAILURE OF A MAIN SEWER LINE ALONG SAMOA BOULEVARD BY AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GRS, INC., FOR TIME AND MATERIAL COSTS WITHOUT GIVING NOTICE FOR PUBLIC BIDS, BASED ON THE FOLLOWING FINDINGS: A) THE SAMOA MAIN LINE COLLECTS APPROXIMATELY 60 PERCENT (60%) OF THE CITY'S WASTEWATER FLOW; B) RECENT EXCAVATION AROUND AN OLD 1960'S MANHOLE EXPOSED AND CAUSED TO LEAK A JOINT THAT JOINED A PIECE OF DUCTILE IRON PIPE TO A SMALL SECTION OF OLD TECHITE PIPE AS THE LINE CAME IN AND LEFT THE MANHOLE; C) WHEN HEAVY RAINS BEGIN, THE VOLUME OF WASTEWATER IN THIS LINE WILL INCREASE SIGNIFICANTLY TO UPWARDS OF THREE MILLION GALLONS A DAY CAUSING A CONDITION OF RISK OF IMMINENT FAILURE OF THE LINE; D) THE NECESSITY TO PROTECT HUMBOLDT BAY FROM A SEWER LEAK OF THIS MAGNITUDE IS PARAMOUNT; E) THE SYSTEM HAS NO REDUNDANCY AND FAILURE WOULD REQUIRE CONTINUOUS BYPASS PUMPING WITH A HIGH RISK OF CREATING MULTIPLE SANITARY SEWER OVERFLOWS; F) THE POTENTIAL FAILURE OF THE SEWER LINE THREATENS THE CITY'S ABILITY TO PROVIDE CONTINUOUS SEWER SERVICE; AND G) IT WOULD TAKE APPROXIMATELY TWO MONTHS TO DEVELOP A BID PACKAGE FOR THE REPAIR, WHICH WOULD LEAVE THE SITE SUSCEPTIBLE TO HEAVY RAINS IN THE UPCOMING WEEKS AND LIKELY CLOSE THE WINDOW OF REPAIR FOR THIS WINTER SEASON; 2) PROVIDED AUTHORIZATION TO THE CITY MANAGER TO NEGOTIATE A CONTRACT FOR REPAIRS UP TO \$75,000 TO COVER THE COST OF REPAIRS AND ANY UNFORESEEN CONSTRUCTION CONTINGENCIES; AND 3) DECLARED AN EMERGENCY CONDITION FOR A 30-DAY PERIOD BEGINNING ON JANUARY 3, 2018. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

ORAL AND WRITTEN COMMUNICATIONS

Mayor Pereira invited public comment. No one came forward to speak. Mayor Pereira closed the Oral and Written Communications.

COUNCIL AND STAFF REPORTS

City Manager Diemer announced that the study session on January 8, 2018, to discuss the Plaza would be an attempt to compile all the ideas expressed over the years for improving the Plaza. She said the intent was to have the results of the prioritization brought to the Council at its next meeting

Councilmember Watson announced the Chamber Mixer on Thursday, January 4, 2018, at the Arcata Veterans Memorial Building; and an interpretive sign dedication at 10 a.m. on Saturday, January 6, 2018, on Seventh Street overlooking the Community Sports Complex.

City Manager Diemer explained that the interpretive sign was in regard to the Native American community's history in this particular geographical area.

Councilmember Ornelas announced there would be increased California Highway Patrol presence in the Safety Corridor to try to keep the traveling speed down to 50 m.p.h. She noted she would be attending a meeting on January 11 hosted by the Area 1 Agency on Aging to discuss a home sharing program wherein senior citizens rent out spare rooms in their homes.

Councilmember Pitino requested that in his place Councilmember Winkler attend the next meeting of the Humboldt Transit Authority Board of Directors on January 24, and Councilmember Watson attend the homeless services meeting on February 14, 2018, in the City Manager's Conference Room.

DATES OF FUTURE MEETINGS

- A. **Study Session to Discuss the Plaza, Monday, January 8, 2018, at 6:00 p.m., at the D Street Neighborhood Center, 1301 D Street.**

BY GENERAL CONSENSUS, THE COUNCIL CONFIRMED IT WOULD HOLD A STUDY SESSION TO DISCUSS THE PLAZA ON MONDAY, JANUARY 8, 2018, AT 6:00 P.M., AT THE D STREET NEIGHBORHOOD CENTER, 1301 D STREET.

- B. **Annual Study Session with the Forest Management Committee, Open Space & Agriculture Committee, Parks & Recreation Committee, and Wetlands & Creeks Committee, Tuesday, January 16, 2018, at 6:00 p.m., in the Council Chamber.**

BY GENERAL CONSENSUS, THE COUNCIL CONFIRMED IT WOULD HOLD ITS ANNUAL STUDY SESSION WITH THE FOREST MANAGEMENT COMMITTEE, OPEN SPACE & AGRICULTURE COMMITTEE, PARKS & RECREATION COMMITTEE, AND WETLANDS & CREEKS COMMITTEE ON TUESDAY, JANUARY 16, 2018, AT 6:00 P.M., IN THE COUNCIL CHAMBER.

ADJOURNMENT: The meeting was adjourned at 6:38 p.m.

Respectfully submitted,

Bridget Dory, City Clerk