

**CITY OF ARCATA
CITY COUNCIL MEETING**

COUNCIL CHAMBER

JANUARY 17, 2018

A regular meeting of the City Council of the City of Arcata was held on the above date at 5:58 p.m. with Mayor Pereira presiding. Notice of this meeting was posted on January 12, 2018. **PRESENT:** Pereira, Watson, Ornelas, Pitino, Winkler. **ABSENT:** None. **STAFF PRESENT:** City Manager Diemer, City Attorney Diamond, Director of Community Development Loya, City Engineer Class, Assistant City Manager/Personnel Director Demello, Director of Environmental Services André, Assistant City Engineer Khatri, Deputy Director of Environmental Services—Community Services Neander, Senior Planner Hunter.

CEREMONIAL MATTERS

A. Proclamation Designating January 2018 as National Mentoring Month.

Councilmember Winkler read the proclamation and presented it to Tabitha Grier, Executive Director of North Coast Big Brothers/Big Sisters, who updated the Council on the upgrades within their program over the last year.

B. Certificate of Appreciation for Michael O'Dowd for His Six Years of Service to the City of Arcata.

Councilmember Pitino read the proclamation and presented it to retiring Maintenance Worker Mike O'Dowd who said that it was a gift to him to be able to work with the parks crew and for community.

C. Certificate of Appreciation for Janet M. Luzzi for Her 20 Years of Service to the City of Arcata.

Mayor Pereira read the Certificate and presented it to retiring Finance Director Janet Luzzi who said that one of her greatest accomplishments in the last 20 years was to keep the City in a good financial position. She said she was proud to have worked with the City and its employees.

EARLY ORAL COMMUNICATIONS

Mayor Pereira invited public comment.

Joann, a resident of Arcata, appeared before the and spoke about encouraging the community to become a visible place of peace, non-violence, and compassion. She offered a piece of artwork that could be erected temporarily on the Plaza if the statue of President McKinley was moved.

Kent Sawatzky, a resident of Humboldt County, appeared before the Council and reported on input he gave to the Board of Supervisors in regard to the safety of the County's drinking water relative to the Mercer-Fraser property on the Mad River.

Lisa Pelletier, a resident of Arcata and member of the equity alliance, appeared before the Council to express her concerns about how the Arcata Police Department had handled the David Josiah Lawson murder case especially in regard to transparency and compassion to the family. She told the Council that it needed to address the concerns of students who said they didn't feel safe in the community. She asked why the meetings to issue updates on the Lawson case had been halted.

Pauly Bashman, a member of the Home Away from Home equity outreach group, appeared before the Council and said he knew the equity outreach groups were doing great work and reaching students, specifically. He said he applauded the due diligence he had seen in the Lawson case.

Mayor Pereira closed Early Oral Communications.

City Manager Diemer explained why investigator Tom Parker's report could not be released to the public.

Mayor Pereira explained how the meetings to discuss student safety were now being held on the Humboldt State University campus and led by students. She said the City was planning to issue a press release later in the month with details that could be released on the David Josiah Lawson case.

CONSENT CALENDAR

Councilmember Watson requested item I be removed from the Consent Calendar for further discussion.

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and requested item G be removed from the Consent Calendar for further discussion.

Mayor Pereira closed the public comment period.

ON MOTION BY PITINO, SECONDED BY ORNELAS, AND WITH A UNANIMOUS VOICE VOTE, THE COUNCIL ADOPTED THE CONSENT CALENDAR FOR JANUARY 17, 2018, WITH THE EXCEPTION OF ITEM G. ADOPT RESOLUTION NO. 178-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA AUTHORIZING THE CITY MANAGER TO EXECUTE ALL MASTER AGREEMENTS, PROGRAM SUPPLEMENTAL AGREEMENTS, FUND EXCHANGE AGREEMENTS, FUND TRANSFER AGREEMENTS, AND ANY AMENDMENTS FOR THE ARCATA ANNIE AND MARY CONNECTIVITY PROJECT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND I. DETERMINE THE SEWER EMERGENCY ON THE CITY SEWER MAINLINE ON SAMOA BOULEVARD STILL EXISTS, AND DIRECT CITY STAFF TO CONTINUE WITH REPAIR WORK AS DIRECTED ON JANUARY 3, 2018, UNTIL THE PROJECT IS COMPLETED. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

- A. Approve Minutes of the City Council Meeting of January 3, 2018.**
- B. Bi-Weekly Report on General Warrants.**
- C. Reappoint Craig Wruck, Rattnak Sokhom, and Aaron Lieberman to the Economic Development Committee for Terms Expiring January 31, 2021.**

- D. **Adopt Resolution No. 178-39, A Resolution of the City Council of the City of Arcata Authorizing a Grant Application for the Land and Water Conservation Fund for the Arcata Community Forest Expansion (Forsyth 49 Acres) Project.**
- E. **Adopt Resolution No. 178-41, A Resolution of the City Council of the City of Arcata Amending the City of Arcata Drug and Alcohol Testing Policy for Commercial Licensed Drivers.**
- F. **Adopt Resolution No. 178-38 Accepting Real Property (20.8 acres) from John and Claudia Lima Consisting of Assessor's Parcel No. 503-291-009 in the Jolly Giant Creek Watershed.**
- G. **Item VII-G was moved to Items Removed from Consent Calendar.**
- H. **Approve the Purchase of a Used Scissor Lift from United Rentals for a Total of \$16,732.99; and Authorize the City Manager to Execute All Applicable Documents.**
- I. **Item VII-I was moved to Items Removed from Consent Calendar.**

ITEMS REMOVED FROM CONSENT CALENDAR

- G. **Adopt Resolution No. 178-40, A Resolution of the City Council of the City of Arcata Authorizing the City Manager to Execute All Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and Any Amendments for the Arcata Annie and Mary Connectivity Project with the California Department of Transportation.**

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and strongly encouraged Arcata to consider this project be open to running speeders on the railroad tracks as they could be a tourist attraction.

Mayor Pereira closed the public comment period.

ON MOTION BY ORNELAS, SECONDED BY PITINO, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL ADOPTED RESOLUTION NO. 178-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA AUTHORIZING THE CITY MANAGER TO EXECUTE ALL MASTER AGREEMENTS, PROGRAM SUPPLEMENTAL AGREEMENTS, FUND EXCHANGE AGREEMENTS, FUND TRANSFER AGREEMENTS AND ANY AMENDMENTS FOR THE ARCATA ANNIE AND MARY CONNECTIVITY PROJECT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

- I. **Determine the Sewer Emergency on the City Sewer Mainline on Samoa Boulevard Exists, and Direct City Staff to Continue with Repair Work as Directed on January 3, 2018, Until the Project is Completed.**

Councilmember Watson asked what the process was for determining who the contractor would be on this job.

Assistant City Engineer Khatri said the City worked with multiple contractors, some under an annual contract, and one reason the City chose this contractor was based on their immediate availability to perform the work.

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

ON MOTION BY PITINO, SECONDED BY ORNELAS, AND WITH A UNANIMOUS VOICE VOTE, THE COUNCIL DETERMINED THE SEWER EMERGENCY ON THE CITY SEWER MAINLINE ON SAMOA BOULEVARD STILL EXISTED AND DIRECTED CITY STAFF TO CONTINUE WITH REPAIR WORK AS DIRECTED ON JANUARY 3, 2018, UNTIL THE PROJECT WAS COMPLETED. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

OLD BUSINESS

- A. Introduce Ordinance No. 1495, An Ordinance of the City Council of the City of Arcata Amending the Smith-McKenzie House Landmark Historic Property Combining Zone (LHP-83-09), Consent to Waive Reading the Text and Read By Title Only.**

Senior Planner Hunter reminded the Council that at its December 21, 2017, meeting, details of this project were reviewed and the Council directed staff to return with an ordinance to include the details outlining the incentives for historic preservation. She recommended the Council introduce Ordinance No. 1495.

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

ON MOTION BY WATSON, SECONDED BY PITINO, AND WITH A UNANIMOUS VOICE VOTE, THE COUNCIL INTRODUCED ORDINANCE NO. 1495, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE SMITH-MCKENZIE HOUSE LANDMARK HISTORIC PROPERTY COMBINING ZONE (LHP-83-09); WAIVED READING OF THE TEXT AND CONSENTED TO READ THE ORDINANCE BY TITLE ONLY; AND CONTINUED THE PUBLIC HEARING TO FEBRUARY 7, 2018, FOR ADOPTION OF ORDINANCE NO. 1495. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS; NONE.

NEW BUSINESS

- A. Ordinance No. 1499, for Introduction, Amending Title II, Chapter 10, Sections 3102(A)(1) and 3102(D) of the Arcata Municipal Code to Make a Biennial Consumer Price Index Adjustment to Campaign Contribution Limitations.**

City Attorney Diamond said that pursuant to a City-sponsored ballot measure from 1992, the Council must update its campaign contribution limitation. She said that this year the update would cap the contribution at \$200.

BY GENERAL CONSENSUS, THE COUNCIL EXPRESSED ITS DESIRE TO DISCUSS AN OVERALL CAP ON CONTRIBUTIONS AT A FUTURE TIME.

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and said he appreciated the Council's desire to keep campaign contributions small.

Tom Fisk appeared before the Council and said the idea of an overall cap was a great idea.

Mayor Pereira closed the public comment period.

ON MOTION BY ORNELAS, SECONDED BY PITINO, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL INTRODUCED ORDINANCE NO. 1499, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ARCATA MUNICIPAL CODE TO MAKE CONSUMER PRICE INDEX ADJUSTMENTS TO CAMPAIGN CONTRIBUTION LIMITATIONS, WAIVED READING OF THE TEXT AND CONSENTED TO READ THE ORDINANCE BY TITLE ONLY. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

B. 2018 Legislative Platform.

City Manager Diemer explained that the legislative platform provided a framework intended to ensure the City could respond quickly to matters of concern. She urged the Council to make sure items on the platform were items on which the Council had reached consensus. She said this year's version added simple language on items the Council had taken a stand on in the last 1.5 years. She invited the Council to confirm what it wanted included or removed.

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and said the legislative platform should include support of a comprehensive immigration policy, reform of healthcare, a reclassification of marijuana as a Schedule 2 drug, and perhaps airline regulation so that another airline would serve this area.

Mayor Pereira closed the public comment period.

ON MOTION BY WINKLER, SECONDED BY PITINO, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL ADOPTED THE 2018 LEGISLATIVE PLATFORM AND POLICIES AS PRESENTED BY STAFF WITH THE FOLLOWING CHANGES: UNDER ENVIRONMENT, NO. 14, ADD "NATURAL GAS"; UNDER COMMUNITY/RECREATIONAL/SOCIAL ISSUES, ADD "SUPPORT LEGISLATION THAT PROVIDES RESOURCES OR PROGRAMS THAT ADDRESS SUBSTANCE ABUSE AND HARM REDUCTION"; ADD "SUPPORT LEGISLATION THAT INCREASES ACCESS TO AND AFFORDABILITY OF EDUCATION"; AND ADD "SUPPORT LEGISLATION THAT PROVIDES RESOURCES, SUPPORT, OR IMPROVEMENT TO

PROGRAMS THAT ADDRESS ADVERSE CHILDHOOD EXPERIENCES AND STRENGTHEN FAMILIES"; UNDER PUBLIC SAFETY—A. POLICE, NO. 11, ADD "PROPOSITION 47"; UNDER TRANSPORTATION AND PUBLIC WORKS—REWRITE A. TRAFFIC/ROADS/HIGHWAYS, NO. 1. TO READ: "SUPPORT LEGISLATION TO DEVELOP, REPAIR, AND MAINTAIN CRITICAL INFRASTRUCTURE INCLUDING ROADS AND BRIDGES, FOR MULTI-MODAL TRANSPORTATION EMPHASIZING LOWER ENVIRONMENTAL IMPACT FORMS OF TRANSPORTATION"; B. WATER/WASTEWATER, NO. 1, ADD "PROTECTION OF WATER QUALITY"; AND C. SOLID WASTE AND RECYCLING, NO. 1, ADD "AND ZERO WASTE"; UNDER ECONOMIC DEVELOPMENT/TOURISM, NO. 1, REMOVE THE FIRST SENTENCE "SUPPORT LEGISLATION THAT PROVIDES FOR THE DEVELOPMENT OF AN EFFECTIVE FRAMEWORK FOR THE REGULATION, TAXATION, AND CONTROL OF CANNABIS SHOULD RECREATIONAL USE LEGALIZE"; AND ADD "SUPPORT LEGISLATION THAT PRESERVES DACA (DEFERRED ACTION FOR CHILDHOOD ARRIVALS)." AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

ORAL AND WRITTEN COMMUNICATIONS

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and spoke regarding adopting dogs from the shelter, getting another airline to service the area, and instituting shuttle service from here to San Francisco, Redding, or Medford.

Mayor Pereira closed the Oral and Written Communications.

COUNCIL AND STAFF REPORTS

A. Results from Study Session to Discuss the Plaza.

City Manager Diemer reviewed the results of the study session to discuss the Plaza. She said the purpose of the study session was to gather data and receive feedback from the public regarding a prioritization of changes for the Plaza. She outlined possible future steps for the Council.

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and recommended the question of removal of the statue of President William McKinley be put to the voters due to the contentiousness of the subject.

Joann appeared before the Council and said she tried to share at the study session the concepts of impermanence, flexibility in design, and seasonality.

Colin Fisk, representing the Coalition for Responsible Transportation Strategies appeared before the Council and said his station at the study session received a lot of feedback. He encouraged the Council to designate a group to develop a comprehensive plan for the Plaza.

Linda Puzz, owner of Everett's Club, a family-owned business since 1950, appeared before the Council and said she would hate to see the statue of President William McKinley removed. She said the biggest problem on the Plaza was the people who sat there all day and harassed tourists. She said that replacing the statue with a gazebo was a bad idea because people would hang out on it all day. She recommended removal of the statue be put to a vote of the citizens.

Pauly Bashman appeared before the Council and recommending moving the statue of President William McKinley to a less-prominent location. He recommended replacing it with a more modern, globally acceptable sculpture, perhaps a globe with a single redwood spiraling out of it acting as a sundial.

Joe Nagan, owner of Arcata Liquors, appeared before the Council and relayed how he spent quite a bit of time on the Plaza and enjoyed it. He said that Arcata Liquors did not sell any liquor to anyone going out onto the Plaza because they believed the people on the Plaza shouldn't be drinking and making a mess. He surmised that if there were more Police and community members on the Plaza, others on the Plaza would feel uncomfortable. He suggested moving the statue of President William McKinley to one of the corners of the Plaza. He asked for more help in keeping the Plaza clean and people feeling safe.

Mayor Pereira close the public comment period.

BY GENERAL CONSENSUS, THE COUNCIL MEMBERS EXPRESSED THEIR SUPPORT FOR A TASK FORCE OR AD HOC COMMITTEE TO DEVELOP RECOMMENDATIONS FOR THE PLAZA.

B. Other Council and Staff Reports.

City Manager Diemer reported that the racial equity/implicit bias/micro-aggression training for employees kicked off that week.

Councilmember Winkler reported on his attendance at a meeting of the Board of Directors of Arcata Main Street and the Bowl of Beans event commemorating Martin Luther King Jr.'s birthday.

Councilmember Watson reported on his attendance at a Chamber Mixer and a Cannabis Chamber Mixer. He reported that he and Councilmember Winkler met and selected the Business of the Year which would receive that award at the Chamber of Commerce's Annual Dinner in February. He suggested creating a Council liaison position to Zero Waste Humboldt. He reported on his attendance at a meeting of the Friends of the Arcata Marsh, the Martin Luther King Jr. birthday events in Eureka and the Bowl of Beans event in Arcata. He said he met, for the second time, with the developers of the proposed Village student housing project.

Mayor Pereira reported on her attendance at the study session to discuss the Plaza, the Bowl of Beans event, the NAACP's Martin Luther King Jr. birthday celebration in Eureka, a homeless services meeting, and a meeting of the Board of Directors of the Humboldt Waste Management Authority. She said she had been working with staff on racial equity and an upcoming study session with Zero Waste Humboldt. She announced a Chamber of Commerce "State of the City" event on

January 17, 2018

February 7 and a Zero Waste Conference at Humboldt State University the week of February 9, 2018.

ADJOURNMENT

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Bridget Dory
City Clerk