

**CITY OF ARCATA
CITY COUNCIL MEETING**

COUNCIL CHAMBER

FEBRUARY 07, 2018

A regular meeting of the City Council of the City of Arcata was held on the above date at 6:02 p.m. with Mayor Pereira presiding. Notice of this meeting was posted on February 2, 2018.

PRESENT: Pereira, Watson, Ornelas. ABSENT: Pitino, Winkler. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Director of Community Development Loya, Director of Environmental Services Andre, Assistant City Manager/Personnel Director Demello, Assistant City Engineer Khatri, Deputy Director of Community Development Dart, Senior Planner Hunter.

FLAG SALUTE—Posting of the Colors and Flag Salute to be Led by Boy Scout Troops 9 and 15, and Cub Scout Pack 95.

Members of Boy Scout Troops 9 and 15 and Cub Scout Pack 95 posted the Colors and led the Pledge of Allegiance.

CEREMONIAL MATTERS

A. Introduction of Deputy Director of Community Development Jennifer Dart.

Director of Community Development Loya introduced Jennifer Dart, the new Deputy Director of Community Development.

Deputy Director Dart thanked staff and the Council for the opportunity to take on the responsibility.

B. Proclamation Recognizing *Scouting Anniversary Week, February 4–10, 2018.*

Councilmember Watson read the proclamation and presented it to Daniel Washburn, Scoutmaster, and members of Boy Scout Troops 9 and 15 and Cub Scout Pack 95.

C. Proclamation Designating February 2018 as *V-Month in Arcata.*

Mayor Pereira read the proclamation and presented it to Victoria Orban, V-Day Humboldt Organizer, who said she was proud to be part of a community that rises up and says no to violence against women.

D. Proclamation Designating February 26–March 4, 2018, *Arcata High School Career and College Center Week.*

Councilmember Ornelas read the proclamation and presented it to Kayla Bero and Janie Mendosa, students from Arcata High School.

Ms. Mendosa thanked the Council and community for their continued support of the Career and College Center.

Ms. Bero stressed the importance of providing students with information on navigating the college application process.

REPORT BY COMMISSION/COMMITTEE

A. Annual Report by the Transportation Safety Committee.

Dave Ryan, member of the Transportation Safety Committee, appeared before the Council and gave an oral version of the Committee's annual report.

EARLY ORAL COMMUNICATIONS

Joanne McGarry, a resident of Arcata, appeared before the Council and spoke about her efforts with local businesses to have February be "straw-free month" in Arcata.

Kent Sawatzky appeared before the Council and presented it with an article from the *Times-Standard* regarding public pensions. He commented on Humboldt County's budget.

Sofia Bogner, representing the Arcata Veterans Hall and Humboldt State University environmental sciences, appeared before the Council to announce community clean-up project days in Arcata, stating the first would be February 10, 2018.

CONSENT CALENDAR

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

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

ON MOTION BY ORNELAS, SECONDED BY WATSON, AND WITH A THREE-TO-ZERO VOICE VOTE WITH TWO ABSENCES, THE COUNCIL ADOPTED THE CONSENT CALENDAR FOR FEBRUARY 7, 2018, WITH THE EXCEPTION OF ITEM E. ORDINANCE NO. 1499, FOR ADOPTION, 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; WAIVE READING OF THE TEXT AND CONSENT TO READ BY TITLE ONLY. AYES: PEREIRA, WATSON, ORNELAS. NOES: NONE. ABSENT: PITINO, WINKLER. ABSTENTIONS: NONE.

- A. Approve the Minutes of the City Council Meeting of January 17, 2018.**
- B. Approve the Minutes of the City Council Meeting of January 29, 2018.**
- C. Bi-Weekly Report on General Warrants.**
- D. Adopt the Action for the Daggett Design Review Permit and 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); Waive Reading of the Text and Consent to Read by Title Only.**
- E. Item VII-E was moved to Items Removed from Consent Calendar.**
- F. Adopt Resolution No. 178-43, A Resolution of the City Council of the City of Arcata Accepting An Easement For Public Road Purposes from Arcata O Street LP.**

- G. Authorize the Mayor to Send a Letter to the Humboldt County Board of Supervisors in Support of the (HBMWD) Appeal of the County Planning Commission's Approval of Special Permit for Project SP-1 6-01 5 at the Mad River.**
- H. Authorize a Grant Agreement from the Humboldt County Department of Health and Human Services in the Amount of \$12,015.75 for the Arcata Play Center.**

ITEMS REMOVED FROM CONSENT CALENDAR

- E. Ordinance No. 1499, for Adoption, 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; Waive Reading of the Text and Consent to Read by Title Only.**

On inquiry by Councilmember Watson, City Attorney Diamond said the campaign limit ordinance was subject to First Amendment restrictions, but the courts in California had stated it was possible to limit contributions provided there was a purpose for it. She said she didn't believe Arcata's ordinance would be challenged and recommended the ordinance be adopted.

WATSON MOVED TO ADOPT 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; WAIVE READING OF THE TEXT AND CONSENT TO READ BY TITLE ONLY.

Mayor Pereira invited public comment.

Kent Sawatzky, a resident of Humboldt County, appeared before the Council and spoke about contributions to a political action committee to oppose some candidates for Humboldt County Supervisor.

Mayor Pereira closed the public comment period.

ORNELAS SECONDED THE ORDINANCE. THE ORDINANCE PASSED ON A THREE-TO-ZERO VOICE VOTE WITH TWO ABSENCES. AYES: PEREIRA, WATSON, ORNELAS. NOES: NONE. ABSENT: PITINO, WINKLER. ABSTENTIONS: NONE.

OLD BUSINESS

- A. Update on the Sewer Emergency on the City Sewer Mainline on Samoa Boulevard.**

Assistant City Engineer Khatri reported that the work on the Samoa Boulevard sewer main had been completed and the area where the work was performed would be paved by the end of the week.

NEW BUSINESS

A. Review and Consider Revisions to and Approval of the City Council Protocol Manual.

Assistant City Manager/Personnel Director Demello explained that the City Council Protocol Manual was being presented to the Council for approval of the content, and that the formatting would be completed later with a final version of the Manual to be presented to the Council for adoption.

City Manager Diemer reported that Councilmember Pitino sent an email noting his preference that section 2.3 include language that the Mayor and Vice Mayor be selected on a standard rotational basis.

The Council discussed changes to the Protocol Manual and directed staff to bring the Manual back to the Council with revisions in the following areas:

2.9—Service on Outside Boards. Reword to allow representatives to take action without prior consensus of the Council, and report that action to the Council at its next meeting.

7.5—City Council/City Staff Relationship. Reword to remove the restriction of contacting staff only during business hours, and specify that contact be made via City email accounts or phone numbers unless the staff member had specified otherwise. Also include language regarding when text messages versus emails are appropriate.

Add language acknowledging that the Protocol Manual was a guide only.

1.4—Orientation of New Members. Add language to familiarize new Councilmembers with the City's Disaster Preparedness Plan.

Section 9—add language about censuring of a Council member, if necessary.

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and recommended Councilmembers attempt to obtain the Council's consensus before voting on items at other agencies, if possible.

Harriet Burr appeared before the Council and recommended Councilmembers contact Chief of Police Chapman to find out about the Community Emergency Response Team (CERT).

Mayor Pereira closed the public comment period.

B. Adopt Resolution No. 178-44, A Resolution of the City Council of the City of Arcata Waiving the 180-Day Wait Period for a CalPERS Annuitant [J. Luzzi] to Begin Post-Retirement Employment [Government Code Sections 7522.56 & 21221(h)].

Assistant City Manager/Personnel Director Demello said that Janet Luzzi, the City's Finance Director, retired as of February 1, 2018, and under California law, a California Public Employees' Retirement System (CalPERS) retiree could not work for a CalPERS agency until they had been retired 180 days. She said the City could request CalPERS' waiver of the 180-day wait period under certain conditions. She said adoption of Resolution No. 178-44 would

forward that request to CalPERS and, if approved, would allow Ms. Luzzi to come back to work for the City until a new Finance Director was hired.

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and said Arcata was lucky that Ms. Luzzi was willing to come back and work until the position was filled.

Mayor Pereira closed the public comment period.

ON MOTION BY ORNELAS, SECONDED BY WATSON, AND WITH A THREE-TO-ZERO VOICE VOTE WITH TWO ABSENCES, THE COUNCIL ADOPTED RESOLUTION NO. 178-44, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA WAIVING THE 180-DAY WAIT PERIOD FOR A CALPERS ANNUITANT [J LUZZI] TO BEGIN POST-RETIREMENT EMPLOYMENT [GOVERNMENT CODE SECTIONS 7522.56 & 21221(h)]. AYES: PEREIRA, WATSON, ORNELAS. NOES: NONE. ABSENT: PITINO, WINKLER. ABSTENTIONS: NONE.

ORAL AND WRITTEN COMMUNICATIONS

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and thanked it for approving a letter to the Board of Supervisors regarding the special permit requested by Mercer-Fraser on the Mad River.

Joe Nagan, a resident of Arcata, appeared before the Council and recommended City facilities be opened to be used as shelters and for the bathrooms. He asked how much it would cost to move the statue of President William McKinley from the center of the Plaza. He said he would rather leave the statue where it was and use the money to secure the Plaza and provide more police presence.

Mayor Pereira closed the public comment period.

COUNCIL AND STAFF REPORTS

City Manager Diemer reported that the City was doing what it could to support straw-free month. She said a bid request would soon be issued for planning and project tracking software. She further reported that the annual paving projects (grinding and inlay) would begin soon.

Councilmember Watson reported that he volunteered at a fundraiser for the Bayside Community Hall. He said he attended a meeting of the housing equity group and a meeting of the Board of Directors of the Redwood Region Economic Development Commission.

Councilmember Ornelas announced that the annual meeting of the Local Government Commission at Yosemite would be held March 15-18 in 2018. She encouraged the other

Council members to attend. She announced that the One Billion Rising event would take place on Friday, February 16, 2018, at 1:45 p.m., on the Plaza.

Mayor Pereira reported that she attended the Planned Parenthood Choices Breakfast, met with staff from the Arcata Family Resource Center, attended a meeting of the racial equity working group leaders, and attended the Chamber of Commerce's State of the City event.

DATES OF FUTURE MEETINGS

A. Two Goal-Setting Sessions, Thursday, February 15 and Friday, February 16, 2018, from 9:00 a.m. to Noon, in the Council Chamber.

BY GENERAL CONSENSUS, THE COUNCIL CONFIRMED IT WOULD HOLD TWO GOAL SETTING SESSIONS ON THURSDAY, FEBRUARY 15 AND FRIDAY, FEBRUARY 16, 2018, FROM 9:00 A.M. TO NOON, IN THE COUNCIL CHAMBER.

ADJOURNMENT

The meeting was adjourned at 7:28 p.m.

Respectfully submitted,

Bridget Dory
City Clerk