

**CITY OF ARCATA
CITY COUNCIL MEETING**

COUNCIL CHAMBER

MARCH 07, 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 March 1, 2018.

PRESENT: Pereira, Watson, Ornelas, Pitino, Winkler. ABSENT: None. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Director of Community Development Loya, Assistant City Manager/Personnel Director Demello, Chief of Police Chapman.

FLAG SALUTE

The flag salute was led by Girl Scout Junior Josephine Boyd and Girl Scout Cadette Lacie McGaughey.

CEREMONIAL MATTERS

A. Proclamation Designating March 2018, *Brain Injury Awareness Month*.

Councilmember Pitino read the proclamation and presented it to Lorna McLeod, Community Development for Making Headway's Center for Brain Injury Recovery, who noted that every day someone would go to a hospital with a brain injury which could alter the rest of their life. She said Making Headway tailored its program to the individual needs of its participants. She thanked the Council for the recognition.

B. Proclamation in Recognition of *Girl Scout Week, March 11–17, 2018*.

Councilmember Ornelas read the proclamation and presented it to Cheryl Kingham, Redwood Service Unit Director, and Girl Scouts Junior Josephine Boyd and Cadette Lacie McGaughey.

Ms. Kingham thanked the Council and said the Redwood Service Unit consisted of 13 troops with 144 members. She announced that the Scouts sold 73,000 boxes of cookies in five weeks, plus 700 Caring Certificates, which were donated to the Coast Guard unit and the food bank.

C. Proclamation in Recognition of *Sunshine Week, March 11–17, 2018*.

Councilmember Winkler read the proclamation and presented it to Rollin Richmond, President of the League of Women Voters of Humboldt County, who thanked the Council for participating in Sunshine Week. Mr. Richmond announced the State of the Community Luncheon would be held on Friday, April 20, 2018, at 11:30 a.m., at the Adorni Center in Eureka.

D. Proclamation in Recognition of *World Rotaract Week, March 12–18, 2018*.

Councilmember Watson read the proclamation and presented it to Jordan Jones, President-Elect of North Bay Rotaract who thanked the Council. Mr. Jordan explained that Rotaract was an organization for 18–30 year olds who were committed to their community and the world at large. He announced the 10th Annual Humboldt Wine Festival fundraiser to be held on March 17, 2018, at the Kate Buchanan Room at Humboldt State University.

REPORT BY COMMISSION/COMMITTEE

A. Annual Report from the Planning Commission for 2017.

Judith Mayer, Vice-Chairperson of the Planning Commission, appeared before the Council and gave an oral version of the Commission's Annual Report for 2017, including its goals accomplished in 2017 and goals identified for 2018.

The Council asked, and Ms. Mayer answered, questions relative to a vacation rental ordinance, the Little Lakes property, and the design review function of the Planning Commission.

The Council expressed its appreciation to the Planning Commissioners for their work.

EARLY ORAL COMMUNICATIONS

Mayor Pereira invited public comment.

Meg Stotsky appeared before the Council and spoke regarding a Councilmember's letter published in a *Mad River Union* article regarding the Council's February 21, 2018, meeting, and her objection to language used in that letter.

Joel Morrison, a Licensed Clinical Social Worker, appeared before the Council and commented that he felt Councilmember Winkler's choice of words in a letter to the Mayor regarding the February 21, 2018, meeting was irresponsible.

Carla Rae appeared before the Council and thanked it for voting to remove the statue of former President William McKinley from the center of the Plaza.

Kathleen appeared before the Council and thanked it for voting to remove the Jacoby Building plaque and statue of former President William McKinley from the Plaza.

Mayor Pereira closed Early Oral Communications.

CONSENT CALENDAR

Councilmember Watson requested item A 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 PITINO, AND WITH A UNANIMOUS VOICE VOTE, THE COUNCIL ADOPTED THE CONSENT CALENDAR FOR MARCH 7, 2018, WITH THE EXCEPTION OF ITEM A. APPROVE THE MINUTES OF THE CITY COUNCIL MEETING OF FEBRUARY 21, 2018. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

- A. Item VII-A was moved to Items Removed from Consent Calendar.**
- B. Bi-Weekly Report on General Warrants.**

- C. Adopt the Successor Memorandum of Understanding between the City of Arcata and the International Union of Operating Engineers Local No. 3, AFL-CIO for July 1, 2017–June 30, 2019; and Authorize the Mayor to Execute.**
- D. Reject Claim for Money or Damages Against the City of Arcata from Vanessa Munoz and Refer to the Redwood Empire Municipal Insurance Fund.**
- E. Ratify the Council's Decision to Appoint Steve Lovett to the Open Space and Agriculture Committee for a Term Expiring April 30, 2019.**
- F. Declare a Vacancy on the Parks and Recreation Committee Due to Absences for a Term Expiring April 30, 2018, and Authorize the City Clerk to Advertise and Recruit Individuals to Serve on the Committee.**

ITEMS REMOVED FROM CONSENT CALENDAR

- A. Approve the Minutes of the City Council Meeting of February 21, 2018.**

Councilmember Watson requested the approval of the minutes of the Council's February 21, 2018, meeting be tabled to March 21, 2018.

ON MOTION BY WATSON, SECONDED BY WINKLER, AND WITH A UNANIMOUS VOICE VOTE, THE COUNCIL TABLED THE APPROVAL OF THE MINUTES OF ITS MEETING OF FEBRUARY 21, 2018, TO MARCH 21, 2018. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

OLD BUSINESS

- A. Approve Revisions and Updates to the City Council Protocol Manual.**

City Manager Diemer said staff had incorporated the Council's most recent suggestions into the Protocol Manual and it was now ready for the Council's consideration for adoption.

Councilmember Ornelas questioned the inclusion of the last paragraph in section 7.3, relating to the City Manager's responsibility to discuss with any Councilmember any perceived or inappropriate interference with administrative services . . . , as she believed it was clearly the City Manager's job and didn't need to be spelled out in the Manual.

The Council discussed whether to have the Mayor and Vice Mayor selected by an automatic rotational system.

BY GENERAL CONSENSUS, THE COUNCIL DIRECTED THAT THE METHOD FOR SELECTION OF MAYOR BE PUT ON A FUTURE AGENDA FOR DISCUSSION.

Councilmember Watson presented draft language regarding equity training for the Council to consider including in the Manual.

Councilmember Watson acknowledged Councilmember Winkler's suggestion for inserting language into the protocol manual regarding meeting decorum.

Assistant City Manager/Personnel Director Demello noted that there were trainings the Council was required to attend that were not detailed in this manual.

BY GENERAL CONSENSUS, THE COUNCIL DECIDED TO DISCUSS LANGUAGE PRESENTED BY COUNCILMEMBER WINKLER ON MEETING DECORUM, BALLOT MEASURES, AND SUPPORT OF COUNCIL ACTIONS, AND LANGUAGE PRESENTED BY COUNCILMEMBER WATSON ON EQUITY TRAINING FOR POSSIBLE INCLUSION IN THE PROTOCOL MANUAL.

ON MOTION BY ORNELAS, SECONDED BY PITINO, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL DIRECTED THAT ADOPTION OF THE PROTOCOL MANUAL BE CONTINUED TO A FUTURE MEETING. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

NEW BUSINESS

A. Report by the Public Safety Task Force.

Chief of Police Chapman said the Public Safety Task Force's report was the culmination of 12 meetings of the Task Force. He said the report included a recommendation that the Council create a standing Public Safety Committee.

Anjali Browning, Chairperson of the Public Safety Task Force (PSTF), appeared before the Council and commended it for creating the PSTF and appointing a diverse group of community members to serve on it. She said it seemed almost an overwhelming task, but the PSTF was able to identify common themes regarding public safety in Arcata as: mental illness, substance dependence, poverty, homelessness, racial equity, lack of social services, inadequate police staffing, and general lack of penal consequences for a majority of minor crimes. She said that improving policing, without addressing underlying social solutions, would only create problems in the future. She said the crime/addiction cycle needed to be interrupted. She reported that the PSTF recommended a community safety partnership plan be drafted addressing seven key policy strategies: prioritization of safety, prioritization of equity/inclusion, prioritization of support of mental health and social services, increased policing and community policing strategies, implementation of crime reduction and prevention strategies, a building of partnerships through outreach and collaboration, and formation of a standing public safety committee.

Ms. Browning drew the Council's attention to some crime trends and solution strategies the PSTF believed would be useful. She noted there were three areas in Arcata that put a disproportionate demand on police services: the Plaza, 700 block of F Street (Uniontown Shopping Center), and Valley West. Alcohol-related violations accounted for the highest percentage of police calls, so the PSTF recommended numerous measures to reduce public intoxication and DUIs on the Plaza and citywide, including establishing alcohol impact areas, business curfews and staggering bar closing hours, increasing hours of public transportation, improving taxi lift and Uber services, and implementing ordinances to compel ABC compliance.

Ms. Browning noted that a relatively small number of individuals generated a large percentage of the violations, so the PSTF recommended measures to reduce repeat offenders and high-frequency offenses such as coordination of restraining orders, development of a city-maintained no-serve list, support for diversion and reentry programs, and strategies for addressing service-resistant populations.

Ms. Browning noted that offenses in the Valley West area tended to center on camping and trespassing violations, petty theft, and, more concerning, tended to be increasingly violent in nature with a rise in assault and felony warrant arrests. Many calls to APD were for car camping, and many of those camping in cars were families who simply could not afford housing. She said initial recommended strategies included increasing policing, implementation of two- and four-hour parking zones with 72-hour permit parking for residents and long-haul truckers, strategies for reducing car camping, strategies for addressing service-resistant populations, improving transportation and connectivity, encouraging the formation of a Valley West business development district or organization, implementation of community events and services such as outside movie nights and farmers' markets, increasing Parks and Recreation programming, creating a shared-use community space and/or family resource center, and instituting community clean-up days.

Ms. Browning said the fourth spatial dimension of crime was along high-traffic corridors, particularly those crossing U.S. 101 from the Humboldt State University/Bayview neighborhoods to G Street, along Alliance to K Street, the Valley West area, and Samoa Boulevard. She said these routes experienced clusters of criminal activity. She said the PSTF urged the City to consider developing a safe corridors plan along these routes and connecting pathways because they believed increasing safe connectivity through the City was an essential component of reducing crime and increasing a feeling of safety.

Ms. Browning said that mental illness, addiction-related hazards, and homelessness were issues that pervaded the City and were much more difficult to address through policing solutions. She said there were approximately 400 homeless individuals in Arcata and 1-in-6 people in Humboldt County were food insecure. Hospitals, schools, and jails were increasingly dealing with and housing the mentally ill and substance dependent because there were not other services available. She said that shelters and mental health facilities were at capacity. Because of this, the PSTF recommended numerous measures centering on creating a continuum of care including expanded support for crisis intervention programs, increasing shelter and transitional housing beds, increasing mental health staffing and detoxification beds, installing sharps disposal kiosks, and strategies for addressing the service-resistant populations.

Ms. Browning concluded by saying all the PSTF's recommendations in its report were urgent and they hoped would be implemented as soon as possible. She said the PSTF urged the Council to create a standing public safety committee whose powers and duties would be to serve in an advisory capacity to the City Council, commissions, committees and staff on policies pertaining to public safety; provide a forum for city, police and community members to communicate about public safety concerns; review crime trends and identify the highest risks to public safety; study, evaluate and make recommendation on crime reduction and prevention strategies; make

recommendations on actions the City and its partners could take to insure all Arcata citizens and visitors could be and feel safe in public; and provide outreach and education in regard to public safety, crime trends, and crime reduction and prevention strategies.

Chief Chapman said he appreciated having citizens give their insight and opinions and felt there were a couple of suggestions in the report that could be addressed quickly. He noted that having an employee dedicated to crime prevention would be the most helpful. He agreed that the next step should be to form a public safety committee to provide the City with citizen input and solutions.

PITINO MOVED AND ORNELAS SECONDED TO DIRECT STAFF TO FORM A PUBLIC SAFETY COMMITTEE.

Mayor Pereira invited public comment.

Josh Neff, a member of the PSTF, appeared before the Council and thanked it for forming the PSTF, saying that he learned a lot. He thanked staff and chair/co-chair Browning and Lazon for all they did.

Kathleen appeared before the Council and thanked the PSTF for its report. She said she appreciated the recommendations to allocate resources prior to increasing policing. She recommended a public safety committee include Humboldt State University student and staff involvement.

Melissa Lazon, co-chair of the PSTF, appeared before the Council and said that as a community member, she appreciated the experience. She responded to the prior speaker saying recommendations for the high-traffic corridors included lighting, cameras, and business training. She identified the areas as Alliance Road, along the bus route, the footpath from HSU to G Street, and Valley West.

Mayor Pereira close the public comment period.

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

RECESS: The Council recessed from 8:02 to 8:10 p.m.

B. Introduce Ordinance No. 1500, an Ordinance of the City Council of the City of Arcata Amending the Arcata Municipal Code, Title III—Public Safety, Chapter 5—Regulation of Unmanned Aircraft Systems.

Chief Chapman relayed to the Council that in recent years, the use of unmanned aircraft systems (drones) had increased thereby creating a rise in the number of drone-related incidents. He said drones were subject to Federal Aviation Administration (FAA) regulations and that local government retained police power authority for regulations that promoted the public health,

morals, safety or general welfare of the community. He said this ordinance would allow for local law enforcement action, consistent with federal regulations, in cases of misuse, while still allowing for recreational and commercial uses. He went through the particulars of the ordinance, stating what constituted misuse and stressing that drone use was legal.

Mayor Pereira invited public comment.

Duane appeared before the Council and said he was an active radio-controlled flier, but did not fly drones. He said the radio-controlled community saw the need for these ordinances and he expressed his concern about enforcement. He recommended the City focus on education regarding drone regulations.

An unidentified member of the audience and member of a local club that flew model airplanes appeared before the Council, said the club was 100 percent behind the ordinance and would be happy to help educate drone users. He said that failing to register devices with the FAA was the biggest problem.

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. 1500, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING THE ARCATA MUNICIPAL CODE PERTAINING TO THE REGULATION OF UNMANNED AIRCRAFT SYSTEMS (UAS), 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.

C. Public Hearing on Accomplishments Regarding Arcata's Community Development Block Grant (CDBG) Over-the-Counter Grant No. 15-CDBG-10672 for Final Closeout.

Director of Community Development Loya explained that it was a federal requirement to hold a close-out hearing when a Community Development Block Grant was closed. He said this hearing was to close out the over-the-counter \$2.5 million grant provided to WING Inflatables in 2015. He said the loan included a requirement for job creation for low-income people, and WING Inflatables created 72 jobs, 73 percent of which were filled by low-income persons. He said the company completed its expansion and secured the contracts it anticipated. He noted that CDBG had been the City's partner for decades and Arcata had used it for housing projects, but principally for the City's business loan program. He said the City had \$4 million out in loans and collected \$400,000 per year in program income that could be re-loaned. He wanted the public to know that Arcata had money to loan businesses for capital for expansion, for property to site, etc.

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

ON MOTION BY WINKLER, SECONDED BY PITINO, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL DIRECTED STAFF TO SUBMIT FINAL REPORTS AND THE CLOSE-OUT PACKAGE TO THE STATE FOR THE 15-CDBG-10672 GRANT. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

D. Consider Adopting Resolution No. 178-42, A Resolution of the City Council of the City of Arcata Accepting the Mid-Year Budget Review and Approving Associated Budget Revisions for Fiscal Year 2017/18.

City Manager Diemer reported that staff had concluded its mid-year budget review and the City was in a stable financial situation. She advised that revenues were up slightly over original estimates, notably \$150,000 in sales and transactions and use taxes, \$100,000 in transient occupancy taxes, \$150,000 in commercial cannabis activity permits. She added that overall building permits were also higher so staff was anticipating additional funds associated with building permits.

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

ON MOTION BY PITINO, SECONDED BY WINKLER, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL ADOPTED RESOLUTION NO. 178-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA ACCEPTING THE MID-YEAR BUDGET REVIEW AND APPROVING ASSOCIATED BUDGET REVISIONS FOR FISCAL YEAR 2017/18. AYES: PEREIRA, WATSON, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.

ORAL AND WRITTEN COMMUNICATIONS

Mayor Pereira invited public comment.

Joanne McGarry, a resident of Arcata, appeared before the Council and commented that at the Council's last meeting it had been difficult for her to hear what was being said. She reminded the Council that it was important to be able to be heard so that people could listen.

Mayor Pereira closed oral and written communications.

COUNCIL AND STAFF REPORTS

City Manager Diemer announced that the inflow/infiltration project had been released to bid and could be one of the largest such projects in the state at \$6 or \$7 million. She noted it was all grant funded by the State Water Resources Control Board. She reported that the City had received seven proposals for permitting software.

Councilmember Watson reported on his attendance at the Chamber of Commerce's Annual Business Dinner, a meeting of the board of directors of the Redwood Region Economic Development Commission, an All-Chambers Mixer at the Benbow Inn, and a wind energy mixer. He announced that he was still holding office hours on the second and fourth Thursdays of the month at 5:30 p.m. in the Council Chamber.

Councilmember Ornelas reported she was working with a program of the Area 1 Agency on Aging called The Nest, which paired homeowners who had empty bedrooms with students who needed to rent a room. She announced they would hold a workshop on March 22, 2018, at 5:00 p.m., at 434 Seventh Street, Eureka.

Councilmember Ornelas said that in response to the Council's recent decision to remove the statue of President William McKinley from the Plaza, she had been contacted by many people on all sides. She wondered if there were three members of the Council who would want to put an item on the agenda to discuss a voting system where people could express their opinion on where the statue should be relocated, and one of the choices could be the Plaza center.

Councilmember Watson and Councilmember Winkler said they were interested in such an agenda item.

On inquiry by Councilmember Watson, Councilmember Ornelas said it was not her intent by this suggested agenda item for the Council to reconsider its decision of February 21, 2018.

On inquiry by Councilmember Watson, City Attorney Diamond said that if the topic of an agenda item was such that the Council could revisit its earlier decision, it could take up a motion to reconsider, and it could do that all within the topic if it was worded to incorporate that.

Councilmember Watson agreed to switch attendance at agenda setting with Councilmember Ornelas such that Councilmember Watson would attend on March 13 and Councilmember Ornelas would attend on March 27, 2018.

Councilmember Winkler reported on his attendance at a meeting of the Board of Directors of the Redwood Coast Energy Authority. He said he would be attending an upcoming California Offshore Wind Industry Symposium in Sacramento.

Councilmember Pitino reported on his attendance at the Arcata High School Career and College Center's Annual Pancake Breakfast and a meeting of the Board of Directors of the Humboldt Transit Authority.

Mayor Pereira reported on her attendance at the Arcata High School Career and College Center's Annual Pancake Breakfast. She announced she participated in a show on PBS about sanctuary cities, which would air the next week. She reported she attended the "Cops and Hops" fundraiser for the Make-a-Wish Foundation.

Mayor Pereira reported that updates on the David Josiah Lawson homicide case were being issued on an as-needed basis. She said there was expressed a need for a space for community members to share their experiences with racial discrimination in Arcata, and a meeting for that purpose would be held on March 22, 2018, at 5:30 p.m.

City Manager Diemer confirmed with the Council that the future agenda item to talk about the relocation of the President William McKinley statue would not include an option for the Council to rescind its original action taken on February 21, 2018, to remove the statue from the center of the Plaza.

DATES OF FUTURE MEETINGS

A. Study Session on Zero Waste, Thursday, March 29, 2018, at 6:00 p.m., in the Council Chamber.

BY GENERAL CONSENSUS, THE COUNCIL CONFIRMED IT WOULD HOLD A STUDY SESSION TO DISCUSS ZERO WASTE ON THURSDAY, MARCH 29, 2018, AT 6:00 P.M, IN THE COUNCIL CHAMBER.

ADJOURNMENT: The meeting was adjourned at 9:26 p.m.

Respectfully submitted,

Bridget Dory
City Clerk