

**CITY OF ARCATA
CITY COUNCIL MEETING**

COUNCIL CHAMBER

APRIL 04, 2018

SPECIAL MEETING

A special meeting of the City Council of the City of Arcata was held on the above date at 5:16 p.m. with Mayor Pereira presiding. Notice of this meeting was posted on March 30, 2018.

PRESENT: Pereira, Ornelas, Pitino, Winkler. ABSENT: Watson. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Assistant City Manager/Personnel Director Demello, Chief of Police Chapman. André

PUBLIC COMMENT

No one was present to give public comment.

The City Council retired to the City Manager's Conference Room to meet in closed session.

CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATIONS, Pursuant to Government Code Section 54956.9(d)(2): One Case.**

The City Council returned to the Council Chamber at 5:52 p.m. to meet in open session.

CLOSED SESSION REPORTS

- A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATIONS, Pursuant to Government Code Section 54956.9(d)(2): One Case.**

Mayor Pereira said there was nothing to report out from the closed session.

ADJOURNMENT

The meeting was adjourned at 6:01 p.m.

REGULAR MEETING

A regular meeting of the City Council of the City of Arcata was held on the above date at 6:01 p.m. with Mayor Pereira presiding. Notice of this meeting was posted on March 30, 2018.

PRESENT: Pereira, Ornelas, Pitino, Winkler. ABSENT: Watson. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Director of Environmental Services André, Director of Community Development Loya, Assistant City Manager/Personnel Director Demello, Chief of Police Chapman, Environmental Programs Manager Benvie.

FLAG SALUTE

CEREMONIAL MATTERS

- A. Proclamation in Recognition of *Sexual Assault Awareness Month*, April 2018.**

Councilmember Pitino read the proclamation and presented it to Paula Arrowsmith-Jones, Community Outreach Coordinator for the North Coast Rape Crisis Team (NCRCT), who said the month of April was about raising awareness of sexual assault. She spoke of the current work of the NCRCT and its partners in the community. She listed the events planned for the month.

B. Proclamation in Recognition of *Fair Housing Month*, April 2018.

Councilmember Winkler read the proclamation and presented it to Dominick Tarantino, President of the Board of Directors of Humboldt Plaza Apartments, who thanked the Council for the recognition and said Humboldt Plaza Apartments tried to provide the best housing it could for its tenants.

C. Proclamation in Recognition of *The Week of the Young Child*, April 23–29, 2018.

Councilmember Ornelas read the proclamation.

D. Proclamation in Recognition of *Wetlands Month*, May 2018.

Councilmember Ornelas read the proclamation and presented it to Bob Brown, Chair of Arcata's Wetlands and Creeks Committee, who said that Arcata was a leader in celebrating wetlands and making them available for education.

E. Certificate of Appreciation for Patricia Margaret Say for Her 20 Years of Service to the City of Arcata.

Mayor Pereira read the Certificate of Appreciation and presented it to Pat Say who said she appreciated being able to drive for Arcata for 20 years.

LeAnn Schuetzle, Transit Manager, presented Ms. Say with photographs from her career with the Arcata & Mad River Transit System and an oversized A&MRTS medallion.

REPORT BY COMMISSION/COMMITTEE

A. Annual Report from the Wetlands and Creeks Committee.

Bob Brown, Chair of the Wetlands and Creeks Committee, appeared before the Council to present the Committee's Annual Report. He answered questions from the Council relating to a potential dog park and the Living Shorelines project.

EARLY ORAL COMMUNICATIONS

Mayor Pereira invited public comment.

Michael Robert Langdon, a longtime homeless resident in Arcata, appeared before the Council and asked when the City would begin helping address the basic human needs and care of all its homeless residents—health, welfare and safety. He asked the Council to not let another winter pass with them suffering unjustly.

Valerie Rose-Campbell appeared before the Council and spoke of her work with First 5 Humboldt at the Arcata Play Center. She noted that regarding Adverse Childhood Experiences, Humboldt County ranked highest in the state. She reported that the gate was broken at the D Street Neighborhood Center and that impacted the Center's ability to create a safe space for

children. Also, the Judo Hut mat was very dilapidated. She asked that the City move forward with correction of these items.

Joel Morrison, a Licensed Clinical Social Worker and resident of Humboldt County, appeared before the Council and declared that no justice yet for David Josiah Lawson showed white supremacy in our institutions. He said that the statue of President William McKinley represented white supremacy. He said that Councilmember Winkler was ignoring the other expression of democracy—the decision by the City Council to remove the statue.

Kent Sawatzky, a resident of Humboldt County, appeared before the Council and spoke of getting to know people before criticizing them. He told the Council that Humboldt County was trying to extend the Measure Z sales tax for six more years, and said he felt the tax collected in Arcata should be controlled by Arcata.

Kelsey Reedy, a resident of McKinleyville, appeared before the Council and congratulated Councilmember Pitino for his recent appearance on Fox News regarding the removal of the President William McKinley statue. She asked a number of questions regarding a potential ballot measure for the November 2018 ballot.

Kathleen Ann, a Licensed Clinical Social Worker, appeared before the Council and said she hoped the family of David Josiah Lawson found justice. She spoke about Arcata recently being featured on Fox News and other national media regarding the removal of the President William McKinley statue. She named several Fox News anchor persons and declared they were racist.

Michael Lorig appeared before the Council and announced he was a candidate for Humboldt County Auditor/Controller. He said he was confident he could protect taxpayers' money and he looked forward to being an advocate for improvements and enhancements in the Auditor/Controller's office.

Mayor Pereira closed Early Oral Communications.

Councilmember Winkler responded to comments made by reading an email he sent in reply to Meg Stofsky regarding racism, white supremacy and the statue of President William McKinley.

City Manager Diemer responded that replacement of the mat in the Judo Hut was included in the 2017/2018 budget. She said she would follow up regarding the gate at the D Street Neighborhood Center. She also said she would try to put a ballot measure timeline up on the City's website.

CONSENT CALENDAR

Mayor Pereira invited public comment.

An unidentified member of the audience requested item F be removed from the Consent Calendar for further discussion.

ON MOTION BY ORNELAS, SECONDED BY PITINO, AND WITH A FOUR-TO-ZERO VOICE VOTE WITH ONE ABSENCE, THE COUNCIL ADOPTED THE CONSENT CALENDAR FOR APRIL 4, 2018, WITH THE EXCEPTION IF ITEM F. ADOPT RESOLUTION NO. 178-52 SUPPORTING THE VETERANS AND AFFORDABLE HOUSING BOND ACT. AYES: PEREIRA, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: WATSON. ABSTENTIONS: NONE.

- A. Approve the Minutes of the City Council Meeting of March 21, 2018.**
- B. Bi-Weekly Report on General Warrants.**
- C. Introduce a Proclamation Designating April 2018, Donate Life Month and Add It to the List of Council-Approved Proclamations.**
- D. Adopt 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), Waive Reading of the Text, and Consent to Read by Title Only.**
- E. Approve an Amended Mariculture Lease Extension through December 31, 2018, with Scott Sterner, dba North Bay Shellfish, for a Portion of Tide and Submerged Land in Arcata Bay.**
- F. Item VII-F was moved to Items Removed from Consent Calendar.**

ITEMS REMOVED FROM CONSENT CALENDAR

- A. Adopt Resolution No. 178-52 Supporting the Veterans and Affordable Housing Bond Act.**

Mayor Pereira invited public comment.

An unidentified member of the audience appeared before the Council and asked for an explanation of this agenda item.

Mayor Pereira closed the public comment period.

Director of Community Development Loya explained that the Veterans and Affordable Housing Bond Act was a bill introduced in 2017 and the City's resolution would identify the City as being in support of those bond funds being used in that manner.

ON MOTION BY ORNELAS, SECONDED BY WINKLER, AND WITH A UNANIMOUS VOICE VOTE THE COUNCIL ADOPTED RESOLUTION NO. 178-52, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA IN SUPPORT OF THE VETERANS AND AFFORDABLE HOUSING BOND ACT 2018. AYES: PEREIRA, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: WATSON. ABSTENTIONS: NONE.

NEW BUSINESS

A. Presentation by Maureen McGarry on the Retired Senior Volunteer Program (RSVP).

Maureen McGarry, Director of the Volunteer Center of the Redwoods and the Retired Senior Volunteer Program (VCOR/RSVP) gave a presentation in PowerPoint® format showing the work done in the community by senior volunteers. She thanked the City Council for supporting this program for decades.

B. Adopt Resolution No. 178-53, A Resolution of Intention to Approve an Amendment to Contract between the City Council, City of Arcata and the Board of Administration, California Public Employees' Retirement System; and Introduce Ordinance No. 1502, An Ordinance of the City Council of the City of Arcata Authorizing an Amendment to the Contract between the City Council of the City of Arcata and the Board of Administration of the California Public Employees' Retirement System.

Assistant City Manager/Personnel Director Demello explained that the City had entered into memoranda of understanding (MOU) with the Arcata Police Association (APA), members of Operating Engineers Local No. 3 AFL-CIO (OE3), and management/mid-management/confidential employees. She said one item in these MOU's was the implementation of an amendment to the City's retirement contract with the California Public Employees' Retirement System (CalPERS) for APA and management/confidential employees to pay an additional one-half percent (0.5%) toward the City's contribution, bringing their total toward the City's contribution to three percent (3%), and members of OE3 to begin paying a one percent (1%) contribution toward the City's contribution. She recommended the Council adopt Resolution No. 178-53 and introduce Ordinance No. 1502.

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and said he supported and appreciated that the burden could not be borne by the public on an ongoing basis. He thanked the City's employees for doing this in the public's best interest.

Mayor Pereira closed the public comment period.

ON MOTION BY ORNELAS, SECONDED BY WINKLER, AND WITH A FOUR-TO-ZERO VOICE VOTE WITH ONE ABSENCE, THE COUNCIL ADOPTED RESOLUTION NO. 178-53, A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE CITY COUNCIL, CITY OF ARCATA AND THE BOARD OF ADMINISTRATION, CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM, AND INTRODUCED ORDINANCE NO. 1502, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM, WAIVED READING OF THE TEXT AND CONSENTED TO

READ THE ORDINANCE BY TITLE ONLY. AYES: PEREIRA, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: WATSON. ABSTENTIONS: NONE.

C. Establish a Plaza Improvement Task Force.

City Manager Diemer said the Council had directed staff to form a Plaza Improvement Task Force to prioritize improvements that could be made to the Plaza to initiate critical shifts, including: Drug dealing never happens on the Plaza; people, especially women, enjoy the Plaza free of verbal harassment; there are no aggressive dogs on the Plaza; businesses don't have to expend resources dealing with vandalism and trash; and the Plaza is not an alcohol-related incident hotspot. She suggested the makeup of the Task Force as follows: One member each from the Parks and Recreation, Energy, Transportation Safety, and Public Safety Committees; one employee from the Environmental Services Department; one member appointed by the Chamber of Commerce; and one member appointed by Arcata Main Street.

Mayor Pereira invited public comment.

Colin Fisk, from the Coalition for Responsible Transportation Priorities (CRTP) (also known as the Living Plaza), appeared before the Council and said the Coalition supported the idea of a Plaza Task Force, but would prefer that CRTP be represented, as well as the Community Pride and Peace Project and the Northcoast Growers' Association.

Kelsey Reedy appeared before the Council and said she felt the suggestion for makeup of the membership was slanted. She asked if there would be a student voice or any other community group. She said she didn't see any representation of the people who showed up at the study session to voice what changes they wanted to see on the Plaza.

Carlrey Arroyo appeared before the Council and asked if the Task Force makeup would include a community member, how long the Task Force would stand, and what opportunities there would be for others to be involved.

Kent Sawatzky appeared before the Council and suggested those interested in government apply to be on a City committee and be involved from the ground up.

Oz of Arcata appeared before the Council and said he looked for the Plaza Task Force to incorporate all the stakeholders and take public input. He declared that the Plaza needed to be redesigned for the 21st century.

An email was received from Walt Paniak suggesting adding a design element to the Plaza that recognized the culture of the Wiyot tribe.

Mayor Pereira closed the public comment period.

ON MOTION BY PITINO, SECONDED BY ORNELAS, AND WITH A FOUR-TO-ZERO VOICE VOTE WITH ONE ABSENCE, THE COUNCIL ESTABLISHED A PLAZA IMPROVEMENT TASK FORCE TO REVIEW THE PUBLIC INPUT AND

IMPROVEMENT IDEAS AND MAKE RECOMMENDATION TO THE COUNCIL ON PROJECTS, PROGRAMS AND SOLUTIONS TO IMPROVE THE DOWNTOWN PLAZA; FURTHER APPROVED APPOINTMENTS TO A PLAZA IMPROVEMENT TASK FORCE MADE UP OF NINE (9) MEMBERS AS FOLLOWS: 1 MEMBER APPOINTED FROM AND BY THE PARKS AND RECREATION COMMITTEE, 1 MEMBER APPOINTED FROM AND BY THE ECONOMIC DEVELOPMENT COMMITTEE, 1 MEMBER APPOINTED FROM AND BY THE TRANSPORTATION SAFETY COMMITTEE, 1 MEMBER APPOINTED FROM AND BY THE PUBLIC SAFETY COMMITTEE, 1 MEMBER APPOINTED BY AND REPRESENTING THE ARCATA CHAMBER OF COMMERCE, 1 MEMBER APPOINTED BY AND REPRESENTING ARCATA MAIN STREET, AND 3 AT-LARGE MEMBERS WITH CONSIDERATION GIVEN TO CURRENT PLAZA ENGAGEMENT GROUPS. AYES: PEREIRA, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: WATSON. ABSTENTIONS: NONE.

D. Adopt Resolution No. 178-18 Establishing a Western Greenbelt Outside the City's Western Limits.

Director of Environmental Services André recommended the Council adopt Resolution No. 178-18 establishing a western greenbelt and adopting a Western Greenbelt Plan. He said this would adopt policies identified in the General Plan regarding the permanent protection of agricultural lands for both their production and open space qualities, and create a tool to be used in concert with the Sphere of Influence and Urban Services Boundary that preclude these important lands from being developed with residential or other potentially incompatible uses. He said the Planning Commission reviewed the resolution and found it to be consistent with the General Plan. He stated that the western greenbelt encompassed approximately 2,300 acres. He explained that the western greenbelt did not have legal or regulatory authority, but did highlight, especially to the County of Humboldt, that Arcata had established this priority of maintaining a pastoral landscape as a greenbelt. He said the intention was that these would be non-industrial, agriculture, open and green lands.

Mayor Pereira invited public comment.

Kent Sawatzky appeared before the Council and said he was supportive of having a greenbelt and that he thought preserving pastoral views for the citizens was great. He suggested the City consider checking with the County's general plan regarding 16 acres it had zoned for high density housing.

Carlrey Arroyo appeared before the Council and thanked Councilmember Watson and City Manager Diemer for including language in the Western Greenbelt Plan that, historically, farmers in the Arcata Bottom participated in genocide and other atrocious acts.

Mayor Pereira closed the public comment period.

ON MOTION BY PITINO, SECONDED BY ORNELAS, AND WITH A UNANIMOUS VOICE VOTE WITH ONE ABSENCE, THE COUNCIL ADOPTED RESOLUTION NO.

178-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA ESTABLISHING A WESTERN GREENBELT. AYES: PEREIRA, ORNELAS, PITINO, WINKLER. NOES: NONE. ABSENT: WATSON. ABSTENTIONS: NONE.

ORAL AND WRITTEN COMMUNICATIONS

Mayor Pereira invited public comment.

Kelsey Reedy appeared before the Council speaking on behalf of Centro del Pueblo and said they were trying to get a county-wide sanctuary ordinance adopted and were currently gathering signatures to put it on the ballot. She asked the Council to agendaize for its next meeting an endorsement of the ballot measure.

Carlrey Arroyo appeared before the Council and asked about investigation of the Police Department's and EMTs' actions on the night of the murder of David Josiah Lawson.

Kent Sawatzky appeared before the Council and said he liked the process of putting initiatives on the ballot and getting voters to participate.

Oz of Arcata appeared before the Council and said one person—one vote was important to a democracy. He said people were waking up to racism, bigotry, and misogyny. He stated that the Council, as leaders, were able to bring Arcata into a city that was a human-rights-violation-free zone.

Mayor Pereira closed the Oral and Written Communications.

COUNCIL AND STAFF REPORTS

- A. Receive a Report from Director of Environmental Services Mark André on an Arcata Ballot Measure to: 1) Protect Open Space, Redwood Forests, Working Lands, Wildlife Habitat, Scenic Hillside, and Agricultural Land; 2) Protect Land Around Creeks, Rivers and Streams to Prevent Pollution and Improve Local Water Quality; 3) Expand, Improve and Maintain Parks, Open Space and Trails; and 4) Provide Urban Open Space, Parks, and Environmental Educational Programs.**

Director of Environmental Services André updated the Council on the status of a proposed open space parcel tax ballot measure. He said staff was looking to the Trust for Public Lands for help with polling. He noted that the committees reviewing the proposal were not all in agreement on the length of a tax—15, 20, or 25 years. He said the Santa Clara Open Space Authority had been helpful, as well as the Napa Open Space Authority. He informed the Council that he hoped to soon have a proposal ready for the Council's consideration.

- B. Other Council and Staff Reports.**

City Manager Diemer announced a volunteer clean-up day in Valley West on Saturday, April 7, 2018. She further announced there would be an update on some of the past requests for the Valley West Area and continued community scoping for Carlson Park on Wednesday, April 11, 2018, at the Red Roof Inn in Valley West.

Councilmember Ornelas reported on her attendance at a meeting of the California Association of Councils of Government. She said she had responded to Larry Debeni's letter regarding long-term car camping on Heindon Road.

City Manager Diemer assured the Council that staff continued to work in that area on Heindon Road and other areas in Arcata where there was long-term car camping.

Councilmember Ornelas reported that Sun Valley Bulb Farms was willing to donate 1500 Iris bulbs to the City. She said she was going to purchase Daffodil bulbs and plant them around town, in roundabouts, etc. She said she would be attending an Engineers Without Borders fundraiser.

Councilmember Winkler reported on his attendance at a meeting of the Board of Directors of Redwood Coast Energy Authority.

Councilmember Pitino reported on his attendance at the study session on Zero Waste, a meeting of the Board of Directors of the Humboldt Transit Authority, the Victor Schaub Memorial Lecture on Cannabis, the Community Dialogue on Race, met with Sister City representatives from Camoapa, Nicaragua, and attended the Home-Away-from-Home potluck.

Mayor Pereira reported on her attendance at the Celebration of Life for Dr. Herrmann Spetzler, founder of the Humboldt Open Door Clinic; an Immigration Forum with local law enforcement hosted by True North Organizing Network; and the Community Dialogue on Race. She also said she spoke at the March for Our Lives, met with Katie Koscielak, President of Zero Waste Humboldt Board of Directors.

DATES OF FUTURE MEETINGS

- A. Study Session on the Local Coastal Program and Sea Level Rise, Monday, April 30, 2018, at 6:00 p.m., in the Council Chamber.**

BY GENERAL CONSENSUS, THE COUNCIL CONFIRMED IT WOULD HOLD A STUDY SESSION ON THE LOCAL COASTAL PROGRAM AND SEA LEVEL RISE ON MONDAY, APRIL 30, 2018, AT 6:00 P.M., IN THE COUNCIL CHAMBER.

Councilmember Pereira announced the Celebration of Life for David Josiah Lawson would be held on Sunday, April 15, 2018, at the D Street Neighborhood Center.

ADJOURNMENT

The meeting was adjourned at 8:26 p.m.

Respectfully submitted,

Bridget Dory, City Clerk