

**CITY OF ARCATA  
CITY COUNCIL MEETING**

COUNCIL CHAMBER

JULY 01, 2020

A regular meeting of the City Council of the City of Arcata was held on the above date via teleconference at 6:00 p.m. with Mayor Winkler presiding. Notice of this meeting was posted on June 26, 2020. PRESENT: Winkler, Pitino, Pereira, Watson. ABSENT: None. STAFF PRESENT: City Manager Diemer, City Attorney Diamond, Chief of Police Ahearn, Assistant City Manager/Personnel Director Demello, Director of Environmental Services André, City Engineer Khatri, Special Projects Engineer Class, Director of Community Development Loya, Finance Director Starzhevskiy, Deputy Director of Environmental Services—Community Services Neander, Finance Manager Quinn, Deputy Director of Community Development Dart, Information Technology Manager Savage, City Clerk Dory. OTHERS PRESENT: From Bartle Wells Associates—Abigail Seaman and Doug Dove; from the Arcata Energy Committee—George Williamson.

**FLAG SALUTE**

Mayor Winkler recited the Pledge of Allegiance.

**CEREMONIAL MATTERS**

**A. Certificate of Appreciation to Dr. Teresa Frankovich.**

Mayor Winkler read the Certificate of Appreciation.

**REPORT BY COMMISSION/COMMITTEE**

**A. Annual Report from the Energy Committee.**

George Williamson, Chair of the Energy Committee, presented an oral version of the Committee's annual report.

**EARLY ORAL COMMUNICATIONS**

Mayor Winkler called for public comment.

Assistant City Manager Demello read emails from:

Uri Driscoll regarding trail access on Fickle Hill Road at the Ridge Trail and his recommendation to close the north side access.

Colin Fiske, Coalition for Responsible Transportation Planning, wherein he suggested the City take the following actions during the pandemic: review locations for social distancing problems; review locations for a Slow Streets program; allow outdoor dining in parking areas, not on sidewalks; and work with Caltrans to change traffic signals on Samoa Boulevard so they were touchless.

Kelsey Reedy recommending abolition of the Arcata Police Department and reallocation of its funding. Also requesting a public hearing regarding concerns about APD.

**CONSENT CALENDAR**

Councilmember Watson requested item A be removed for further discussion.

Mayor Winkler invited public comment. There was none. Mayor Winkler closed the public comment period.

**ON MOTION BY WATSON, SECONDED BY PITINO, AND WITH A UNANIMOUS ROLL CALL VOTE, THE COUNCIL ADOPTED THE CONSENT CALENDAR FOR JULY 1, 2020, WITH THE EXCEPTION OF ITEM A. APPROVE THE MINUTES OF THE CITY COUNCIL MEETING OF JUNE 17, 2020. AYES: WINKLER, PITINO, PEREIRA, WATSON. 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. Declare a Continuation of the Local Emergency Related to the Coronavirus Pandemic.**
- D. Direct the City Manager to Sign the Fiscal Year 2020/21 Humboldt State University Ridership Agreement.**
- E. Approve a Dial-A-Ride Funding Agreement for the City of Arcata for Fiscal Year 2020/21 in the Amount of \$79,281, and Authorize the City Manager to Execute All Applicable Documents.**
- F. Adopt Resolution No. 201-03 Accepting Real Property (Fee) from the Swaner Family Limited Partnership (114 Acres) as an Addition to the Arcata Community Forest; and Authorize the City Manager to Execute Any Documents Necessary to Complete the Transfer of Property.**
- G. Award a Contract to 4LEAF, Inc., in the Amount of \$45,000 to Assist with Plan Check/Review for the Fiscal Year 2020/2021; Authorize a Ten Percent (10%) Contingency (\$4,500) for a Total Potential Cost of \$49,500 for Additional Plan Review, if Warranted; and Authorize the City Manager to Execute All Applicable Documents.**

**ITEMS REMOVED FROM CONSENT CALENDAR**

- A. Approve the Minutes of the City Council Meeting of June 17, 2020.**

**WATSON MOVED AND PITINO SECONDED TO APPROVE THE MINUTES WITH THE ADDITION OF LANGUAGE IN COUNCILMEMBER PEREIRA'S REPORT ON HUMBOLDT WASTE MANAGEMENT AUTHORITY THAT THERE WAS A RATE INCREASE FOR RECYCLING PROCESSING.**

Mayor Winkler called for public comment. There was none Mayor Winkler closed the public comment period.

**THE MOTION PASSED ON A UNANIMOUS ROLL CALL VOTE. AYES: WINKLER, PITINO, PEREIRA, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

**OLD BUSINESS**

- A. 1) Receive a Report on the Status of the City's Water and Wastewater Utility Infrastructure Including Planned Capital Improvements and Proposed Rate Adjustments; 2) Conduct a Public Hearing to Receive Public Comments Regarding the Proposed Utility Rate Increases; and 3) Direct Staff to Include the Proposed Fee Increases in the Fiscal Years' 2020–2025 Resolutions Which Establish Various City-Wide Fees, Service Charges and Taxes.**

Director of Environmental Services André recommended the Council receive a report on the water and wastewater utility infrastructure, planned capital improvements and rate adjustments; conduct a public hearing regarding the proposed utility rate increases; and direct staff to include the proposed fee increases in the 2020-2025 resolutions which establish various fees, service charges, and taxes. He reported that in accordance with Proposition 218, rate increase notices were mailed to all property owners and utility customers. He said the City received 30 valid protest letters and three non-valid protest letters which were missing a property address or APN. He reminded the Council that the threshold for protest was 50 percent plus one (50% + 1) and the City had 6,000 water customers. He reported on two public informational workshops. He said the water utility was healthy financially with good reserves. He explained that the primary driver for the rate changes had to do with aligning to a single volumetric rate and aligning to the type of service<sup>4</sup> so it was equal for all customer classes. He said the average user paid \$28.07 for water and the proposed rate would rise in the first year to \$38.47 with a smaller increase in the succeeding four years.

He reported regarding wastewater that the primary driver was capital projects and a need for additional funding to qualify for funding for the \$55 to \$64 million required. He said the upgrade project would replace old infrastructure, use the marshes as long as possible, and switch from chlorine to ultraviolet disinfection. This would assist the City in meeting its permit discharge requirements. The typical monthly wastewater bill for residential was \$54.62 and in six months would increase to \$59.99 in the first year. He described the new user class for wastewater of Significant Commercial User. He said that commercial users who exceeded the high strength threshold were required to pretreat their wastewater.

Finance Director Starzhevskiy described the utility rate tiers and the change to a flat base rate for consumption of water. She explained the need to cover the cost for services and capital improvements to the Wastewater Treatment Plant.

Mayor Winkler called for public comment.

Assistant City Manager Demello read the emails into the record from the following persons opposed to the rate increase: Leslie Quinn, Andrew Barber, Anna Sorenson, Nick Wren, Kelsey Reedy, and Rex and Annemarie Dippre.

Mayor Winkler closed the public comment period.

City Manager Diemer noted that the final total count for protests was 36.

**WATSON MOVED THAT THE CITY RECEIVED 36 PROTESTS REPRESENTING 36 PARCELS. HE WITHDREW THE MOTION BEFORE IT WAS SECONDED.**

**ON MOTION BY PEREIRA, SECONDED BY WATSON, AND WITH A UNANIMOUS ROLL CALL VOTE, THE COUNCIL CLOSED THE WATER AND WASTEWATER PUBLIC HEARING AND APPROVED THE PROPOSED WATER RATE FEE FOR FISCAL YEARS 2020-2025; FOUND THAT PROPOSITION 218 NOTICES WERE MAILED; TONIGHT A PUBLIC HEARING WAS HELD AND THE CITY RECEIVED A TOTAL OF 36 PROTEST LETTERS TOTALING 36 PARCELS WHICH WAS LESS THAN THE MAJORITY OF THOSE AFFECTED; ALSO FOUND THAT THE WATER RATE FEES AS PROPOSED WERE EXEMPT FROM CEQA PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080(b)(8) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND CEQA GUIDELINES SECTION 15273 AND, LASTLY, TO BRING BACK THE WASTEWATER RATE FEE PROPOSAL ON JULY 15 FOR COUNCIL ACTION. AYES: WINKLER, PITINO, PEREIRA, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

**B. Approve Language of Primary Arguments in Favor of Measure A—Open Space, Parks and Trails Special Tax and Measure B—Article XXXIV Government-Assisted Affordable Housing Limitation.**

City Manager Diemer reminded the Council that it had appointed subcommittees to draft primary arguments in favor of the Council's two ballot measures consisting of Mayor Winkler and Councilmember Watson for Measure A, and Mayor Winkler and Councilmember Pereira for Measure B.

Councilmember Pereira suggested the argument in favor of Measure A end with an explicit call to action such as, "Vote Yes on Measure A!"

Mayor Winkler called for public comment. There was none. Mayor Winkler closed the public comment period.

**ON MOTION BY PITINO, SECONDED BY PEREIRA, AND WITH A UNANIMOUS ROLL CALL VOTE, THE COUNCIL APPROVED THE LANGUAGE OF THE PRIMARY ARGUMENTS IN FAVOR OF MEASURE A--OPEN SPACE, PARKS AND TRAILS SPECIAL TAX, AND MEASURE B--ARTICLE XXXIV GOVERNMENT-ASSISTED AFFORDABLE HOUSING LIMITATIONS, AND NOTED THAT THE "PLEASE VOTE YES" INFORMATION AS SUGGESTED BY COUNCILMEMBER PEREIRA WOULD GO INTO THE ARGUMENT IN FAVOR OF MEASURE A UNLESS THE WORD COUNT WAS TOO HIGH, AND IN THAT CASE THE COUNCIL AUTHORIZED THE ARGUMENT AUTHORS TO MAKE AN ADJUSTMENT SO THE LAST SENTENCE COULD BE INCLUDED. AYES: WINKLER, PITINO, PEREIRA, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

**NEW BUSINESS**

**A. Public Hearing to Consider Adopting the Community Development Block Grant Public Participation Plan through the Adoption of Resolution No. 201-04.**

Deputy Director of Community Development Dart explained that the CDBG Public Participation Plan outlined steps the City had to undertake to assure the public was fully considered in CDBG program and projects. She stressed that the Public Participation Plan outlined a minimum participation effort which the City exceeded as a matter of practice.

Mayor Winkler called for public comment. There was none. Mayor Winkler closed the public comment period.

**ON MOTION BY PITINO, SECONDED BY WATSON, AND WITH A UNANIMOUS ROLL CALL VOTE, THE COUNCIL ADOPTED RESOLUTION NO. 201-04 ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC PARTICIPATION PLAN. AYES: WINKLER, PITINO, PEREIRA, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

**B. Public Scoping Hearing on Potential Projects for Funding Under the State Community Development Block Grant Program Coronavirus Response Round 1 (CDBG-CV1) Notice of Funds Availability (NOFA).**

Director of Community Development Loya said the Community Development Block Grant program had issued entitlement funding through the CARES Act, and that the City must go through a public engagement process to make sure its application reflected the public's desires. He said this was the first of two public hearings and that the public could add potential projects to the list. He said that during public comment, Colin Fiske had suggesting adding right-of-way improvements, which would be added to the application. He said the City's allocation could be as high as \$147,657. He recommended the Council open the public hearing and receive comment, then provide direction to staff as to which projects to pursue, and direct staff to notice the next public hearing for July 15, 2020.

Deputy Director of Community Development Dart reported on a stakeholders' meeting and listed the proposed projects.

Mayor Winkler called for public comment.

Assistant City Manager Demello read an email from Star Dressler in which she advocated for rental assistance during the pandemic.

Mayor Winkler closed the public comment period.

**ON MOTION BY PITINO, SECONDED BY WATSON, AND WITH A UNANIMOUS ROLL CALL VOTE, THE COUNCIL DIRECTED STAFF TO NOTICE A HEARING FOR THE JULY 15, 2020, CITY COUNCIL MEETING TO AUTHORIZE SUBMISSION OF THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT CV-1 APPLICATION AND**

**INDICATED THAT THE BOYD ROAD SEWER EXTENSION PROJECT WAS THE COUNCIL'S FIRST PRIORITY, WITH THE SECOND PRIORITY BEING FUNDING FOR THE MOBILE INTERVENTION AND SERVICES TEAM PROGRAM AT ONE-HALF ITS ORIGINAL REQUEST. AYES: WINKLER, PITINO, PEREIRA, WATSON. NOES: NONE. ABSENT: NONE. ABSTENTIONS: NONE.**

**ORAL AND WRITTEN COMMUNICATIONS**

Mayor Winkler called for public comment.

Assistant City Manager Demello read emails from the following:

Carolan Raleigh-Halsing urging the Council to defund the Arcata Police Department and reallocate the funds to social programs.

Jess Huyghebaert demanding the City defund the Arcata Police Department and separate the Public Safety Committee from the Arcata Police Department.

Saimie Koontz urging defunding of the Arcata Police Department.

Marley Jarvis urging the Council to eliminate harm and death to the Black and Brown community by policing and asked it to review the 8 to Abolition campaign.

Star Dressler urging a public safety program and defunding local police.

**COUNCIL AND STAFF REPORTS**

Councilmember Watson reported on meetings of the Economic Recovery Collaborative.

Councilmember Pereira requested the July 15, 2020, City Council agenda include extending the emergency eviction moratorium in alignment with the Governor's authorized order for local governments.

Councilmember Watson requested an agenda item to discuss regional liaison roles and expectations of Council members to initiate discussions by the Council on regional matters.

Mayor Winkler approved adding both items to the July 15, 2020, agenda. He reported on his attendance at meetings of the Humboldt/Del Norte Hazardous Materials Response JPA and Redwood Coast Energy Authority.

**DATES OF FUTURE MEETINGS**

**A. Regular City Council Meeting of August 5, 2020, Canceled.**

**BY GENERAL CONSENSUS, THE COUNCIL CONFIRMED THE REGULAR MEETING OF AUGUST 5, 2020, WAS CANCELED.**

Mayor Winkler proposed also canceling the Council's August 19, 2020, meeting if there were no urgent agenda items.

July 1, 2020

**ADJOURNMENT**

The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Bridget Dory  
City Clerk