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CITY OF BLUE LAKE

CALIFORNIA

111 Greenwood Road

P.O. Box 458

Blue Lake, CA 95525

Blue Lake City Council Agenda

Tuesday, July 26, 2022 ~ 6:30 p.m. ~Regular Council Meeting

Skinner Store Building-111 Greenwood Road, Blue Lake-Behind City Hall

Zoom Option: The Public May Participate in Person, or Via Zoom at the Link Below:

Join Zoom Meeting

<https://us02web.zoom.us/j/87650871163?pwd=UmFldkwrTTdDMVFzVmpiSUhQZEZOdz09>

Meeting ID: 876 5087 1163 Passcode: 773740

Dial by your location: +1 669 900 6833 US (San Jose)

Unless Otherwise Noted, All Items on the Agenda are Subject to Action.

1. **Pledge of Allegiance and Establish a Quorum of the Council**
2. **Approve Agenda**
3. **Public Comment** – *The Public is invited to present petitions, make announcements, or provide other information to the City Council that is relevant to the scope of authority of the City of Blue Lake that is not on the Agenda. The Council may provide up to 15 minutes for this public input session. To assure that each individual presentation is heard, the Council may uniformly impose time limitations of 3 minutes to each individual presentation. The public will be given the opportunity to address items that are on the agenda at the time the Council takes up each specific agenda item.*
4. **Discuss and Consider Proposing a One Percent Local Transaction and Use Tax Measure to the Voters on November 8, 2022, Including Introduction and Submission of Proposed Ordinance 541 and adoption of Resolution Number 1201.-Action**
5. **Water and Wastewater Rate Proposal Presentation and Rate Recommendation-
Presentation/Action**
6. **Discuss and Consider Providing Direction to Staff to Initiate the Proposition 218 Process Regarding Proposed Water and Wastewater Rate Increases, including mailing of Notices of the Proposed Rates to all Property Owners in Accordance with Proposition 218 and Setting Date for Public Hearing thereon-Presentation/Action**
7. **Consent to Conflict of Interest**-The Mitchell Law Firm Requests Council's Consideration of a Conflict Waiver for Legal Actions related to the City's Property Negotiations with Dan Comer, Lacey Comer and Redwood Marine, Inc.-Action
8. **Appoint Real Property Negotiators (Gov. Code Section 54956.8)-Action**
Property: Approximately 1.3 acres located at APN Nos.: 025-201-019 and 025-201-009, Blue Lake, California.
City of Blue Lake Negotiators: Amanda Mager (City Manager), Russell Gans (City Attorney) and Adelene Jones (Mayor)
Negotiating Parties: Dan Comer, Lacey Comer, Redwood Marine, Inc.
Under Negotiation: Potential Sale and/or Ground Lease, Price/Terms of Payment

9. **Fiscal Year 2020-2021 Audit Presentation**-Presentation/Action
10. **Senate Bill 1116-Direct the City Manager to Draft and Submit a Letter of Support for Senate Bill 1116**-The Performing Arts Equitable Payroll Fund: SB 1116 establishes a grant program designed to support Small Non-Profit Performing Arts Organizations-Action
11. **Closed Session:** Public Employee Performance Evaluation (Government Code § 54957):
Title: City Manager (Amanda Mager)
12. **Consent Agenda:**
 - a. **Warrants and Disbursements**
13. **Council Correspondence**
14. **Reports of Council and Staff**
15. **Future Agenda Items**
16. **Adjourn**

A request for disability-related modification or accommodation, including auxiliary aid or services, may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting, by contacting City Manager Amanda Mager, 668-5655, at least 24 hours prior to the commencement of the meeting.



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

AGENDA REPORT

Item #: 4

Date: July 26, 2022

Item Subject: **Resolution Number 1201:** Discuss and Consider Proposing a One Percent (1%) Local Transaction and Use Tax Measure to the Voters on November 8, 2022, Including Introduction and Submission of Proposed Ordinance to the Voters

Submitted By: Mandy Mager, City Manager

General Information:

The City of Blue Lake has struggled to maintain essential community services, including the upkeep, maintenance and improvement of City recreation programs and facilities, and to maintain adequate funding to continue to provide essential public safety services. As the City has struggled to transition from a timber-based economy to a recreation and arts community, the City is tasked with creating new and/or increased revenue streams to support on-going essential services.

Unlike most cities, Blue Lake does not levy a local sales tax that is separate from the State-wide sales tax. The revenue generated within the City of Blue Lake from the State-wide sales tax is controlled by the State with only 1.25% returning to the City. In the fiscal year ending 2021, the City's share of the State sales tax revenue was approximately \$28,000.00

The proposed tax measure, if approved by the voters in November, would increase the overall sales tax by one percent (1.0%), resulting in an incremental tax increase of one dollar per every \$100.00. The resultant increase in revenue would be approximately \$22,000.00 annually. The funds raised by this measure would be collected by the State and fully remitted to the City.

As the City continues to create new opportunities for businesses in our community, the opportunity to gain additional sales tax revenue increases. As the City attracts more visitors to our parks and recreation facilities, as well as our local businesses, it presents an opportunity for the City to increase revenues to support the facilities and services that see the most impact.

STAFF RECOMMENDATION:

Staff recommends that the Council:

1. Receive a report from staff regarding a proposed ballot measure to levy a one percent (1.0%) transactions and use tax within the City to fund essential City services, including recreation and public safety services.

2. Take public comment
3. Council discussion
4. Introduce, on first reading by title only, and submit to the voters Ordinance No. 541, an ordinance to levy a one-percent (1.0%) transactions and use tax within the City to fund essential City services, including recreation and public safety services, subject to approval by the voters at the November 8, 2022, general municipal election. *(Two third vote required)*
5. Adopt Resolution No. 1201, which:
 - a. Submits Ordinance No. 541 to the qualified voters at the November 8, 2022 general municipal election;
 - b. Requests the election on the ordinance be consolidated with the Statewide General Election;
 - c. Sets dates for submission of arguments for and against the proposed tax measure;
 - d. Sets dates for submission of rebuttal arguments;
 - e. Authorizes the Mayor to submit a written argument in favor of the measure on behalf of the Council;
 - f. Requests the City Attorney prepare an impartial analysis of the measure; and
 - g. Agrees to reimburse the County for the costs of conducting the election on the measure.

DISCUSSION:

The City Council does not have the authority to establish or raise taxes, only to put a measure on the ballot for voter approval. In order to place a tax measure on the November 8, 2022, ballot, the City Council must approve the submission of the proposed Ordinance to the voters by a 2/3 vote of the City Council (at least 4 members).

The draft Ordinance includes the following material provisions:

1. Imposes a one percent (1%) transactions and use tax. The transactions tax will be applied to the gross receipts of any retailer from the sale of all tangible personal property sold at retail within the City. The use tax would also apply to the use, storage, or other consumption of those same kinds of items in the City.
2. Requires an independent public audit of the funds raised and how the funds are expended.
3. Provides that the Ordinance will not take effect unless and until approved by a simple majority of the qualified voters.
4. If passed by the Council and the electorate, the tax would be effective no sooner than the first day of the first calendar quarter, commencing more than 110 days after the adoption of the ordinance by the voters. Therefore, the tax would be effective no sooner than April 1, 2023.

Once the Ordinance has been approved by the Council (Item 4 of the above Staff Recommendation), the proposed ordinance is then submitted to the voters for adoption. This is accomplished via the

proposed Resolution (Item 5 of the above Staff Recommendation). As part of the Resolution, the Council is approving the Ballot Title and Ballot Question. The resolution includes the following:

City of Blue Lake Essential Services Tax Measure	
To maintain and improve essential City services, including recreation and public safety services, shall the City of Blue Lake measure to levy a one percent sales tax, raising approximately \$25,000.00 annually, with independent annual audits and all funds remaining in Blue Lake, be adopted?	Yes
	No

The resolution further sets dates for submission of arguments for or against and authorizes the Mayor to submit a written argument in support on behalf of the Council.

As indicated above, Staff recommends that the Council take the actions described above.

FINANCIAL IMPACT:

The estimate cost to conduct the election on the ballot measure is approximately \$5,000.00

ATTACHMENTS:

- *Ordinance No. 541, An Ordinance of The People of The City of Blue Lake Approving and Authorizing A Transactions And Use Tax To Be Administered By The California Department of Tax And Fee Administration To Provide Supplemental Funding For Police And Essential Services Within The City Of Blue Lake*
- *Resolution NO. 1201, A Resolution of The City Council of The City of Blue Lake Ordering The Submission To The Qualified Electors Of The City Of Blue Lake A Certain Measure Relating To A Proposed Ordinance Approving And Authorizing A One (1%) Percent Transactions And Use (“Sales”) Tax For General Purposes At The General Municipal Election To Be Held On Tuesday, November 8, 2022; Directing The City Attorney To Prepare An Impartial Analysis Of The Measure; Setting The Dates For Arguments On The Measure; And Requesting The Board of Supervisors of The County Of Humboldt To Consolidate Said Election Pursuant to Section 10403 of The Elections Code*

ATTACHMENT 1

ORDINANCE NO. 541

**AN ORDINANCE OF THE PEOPLE OF THE CITY OF BLUE LAKE
APPROVING AND AUTHORIZING A TRANSACTIONS AND USE TAX TO BE
ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE
ADMINISTRATION TO PROVIDE SUPPLEMENTAL FUNDING FOR ESSENTIAL SERVICES
WITHIN THE CITY OF BLUE LAKE**

WHEREAS, the City of Blue Lake ("City") does not now levy—and historically has not levied—a local sales tax in excess of the State-wide base sales tax;

WHEREAS, the tax revenue generated by the State-wide sales tax within the City is not controlled by the City, but is controlled and expended by the State, with only a small percentage actually returning to our community;

WHEREAS, Parts 1.6 and 1.7 of Division 2 of the Revenue and Taxation Code authorize the City to impose a retail transaction and use tax in the incorporated territory of the City for general purposes at a rate of 0.125% (or any multiple thereof);

WHEREAS, a locally-enacted sales tax measure would protect and maintain the City's essential services because the money is legally required to stay in our community and cannot be taken by the State, providing locally controlled funds for local services;

WHEREAS, the City desires to impose such a tax for the purpose of funding local safety and other essential services, including nuisance abatement and improving recreational opportunities, at a rate of one percent (1.00%) on the sale of tangible personal property and the storage, use, or other consumption of such property. The tax revenue would be collected by the California Department of Tax and Fee Administration and remitted to the City;

WHEREAS, the City Council has determined that the most prudent, reasonable, and financially responsible action it can take to preserve the fiscal stability of the City and to protect vital services in our City is to place before the voters a ballot measure to approve the local tax measure and to recommend its adoption to the voters; and

WHEREAS, the tax, if approved by a majority of the voters, would be authorized until later repealed by the City Council or the voters.

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF BLUE LAKE ORDAIN AS
FOLLOWS:**

SECTION 1: APPROVAL OF TAX. The qualified votes of the City of Blue Lake hereby approve and adopt an ordinance authorizing and imposing a transaction and use tax as set forth in Section 2, below, until repealed by the City Council or by the voters.

SECTION 2: AMENDMENT TO MUNICIPAL CODE. Chapter 3.06 is hereby added to the Blue Lake Municipal Code as follows:

CHAPTER 3.06 - ESSENTIAL SERVICES TRANSACTION AND USE (SALES) TAX

- 3.06.010** Title: This chapter shall be known as the “Essential Services Transactions and Use (Sales) Tax Ordinance.” The City of Blue Lake hereinafter shall be called “City.” This chapter shall be applicable in the incorporated territory of the city.
- 3.06.020** Operative Date: “Operative date” means the first day of the first calendar quarter commencing more than 110 days after the adoption of the ordinance codified this chapter and approval by the voters.
- 3.06.030** Purpose: The ordinance codified in this chapter is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:
- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this tax ordinance, which shall be operative if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
 - B. To adopt a retail transaction and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the state of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.
 - C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the California Department of Tax and Fee Administration in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the California Department of Tax and Fee Administration in administering and collection of the California state sales and use taxes.
 - D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provision of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this chapter.
- 3.06.040** Contract with State: Prior to the operative date, the City shall contract with the California Department of Tax and Fee Administration to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the California Department of Tax and Fee Administration prior to operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.
- 3.06.050** Transactions tax rate: For the privilege of selling tangible personal property at retail, a tax

is hereby imposed upon all retailers in the incorporated territory of the City at the rate of one percent (1.0%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this chapter.

3.06.060 Place of Sale: For the purposes of this chapter, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from sales include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the state or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the California Department of Tax and Fee Administration.

3.06.070 Use tax rate: An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this chapter for storage, use or other consumption in said territory at the rate of one percent (1.0%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

3.06.080 Adoption of provisions of state law: Except as otherwise provided in this chapter and except insofar as they are inconsistent with the provision of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this chapter as though fully set forth herein.

3.06.090 Limitations on adoption of state law and collection of use taxes: In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

- A. Wherever the state of California is named or referred to as the taxing agency, the name of this City shall be substituted therefor. However, the substitution shall not be made when:
1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Treasury, or the Constitution of the State of California.
 2. The result of that substitution would require action to be taken by or against this City or any agency, officer, or employee thereof rather than by or against the California Department of Tax and Fee Administration, in performing the functions incident to the administration or operation of this Ordinance.
 3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

- i. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;
- ii. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

- B. The word "City" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

3.06.100 Permit Not Required: If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this chapter.

3.06.110 Exemptions and Exclusions:

- A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax.
- B. There are exempted from the computation of the amount of transactions tax the gross receipts from:
1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.
 2. Sales of property to be used outside the City which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the City shall be satisfied:

- i. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and
 - ii. With respect to commercial vehicles, by registration to a place of business out-of-City and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
 3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this chapter.
 4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this chapter.
 5. For the purposes of sub-subsection 3 and 4 of this subsection B, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
- C. There are exempted from the use tax imposed by this chapter, the storage, use or other consumption in this City of tangible personal property:
 1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this chapter.
4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this chapter.
5. For the purposes of sub-subsection 3 and 4 of this subsection C, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.
6. Except as provided in sub-subsection 7 of this subsection C, a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.
7. "A retailer engaged in business in the City" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the City.

- D. Any person subject to use tax under this chapter may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3.06.120

Amendments: All amendments subsequent to the effective date of this chapter to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and

Taxation Code, shall automatically become a part of this chapter, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this chapter.

3.06.130 Enjoining Collection Forbidden: No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this chapter, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

3.06.140 Independent annual audit: Annually the City Council retains an independent auditor to conduct an audit of and provide audited financial statements for all the City's financial activities. The auditor shall include an accounting of the revenue received from the tax and expenditures thereof in the audited financial statements. The auditor's report shall be presented to the City Council and made available to the public.

3.06.150 Amendments of Chapter – Rescission of tax:

- A. The following amendments to this chapter must be approved by the voters of the City of Blue Lake:
1. increasing the tax rate or revising the methodology for calculating the tax such that a tax increase would result;
 2. imposing the tax on transactions and uses not previously subject to the tax (unless such amendment occurs automatically by operation of section 3.06.120 of this chapter); or
 3. extending the tax beyond the termination date set forth in section 3.06.160 of this chapter.
- B. Except as provided in subsection A of this section or as prohibited by law, the City Council may amend this chapter without submitting the amendment to the voters for approval.
- C. The City Council may, with a four-fifths vote of the entire Council, rescind the ordinance codified in this chapter and terminate the tax at any time and without voter approval.

3.06.160 Termination of Tax: The authority to levy the tax imposed by this chapter shall remain in full force and effect until repealed by the City Council or by the voters.

SECTION 3: SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 4: EFFECTIVE DATE. This ordinance relates to the levying and collecting of the City transactions and use taxes. If this ordinance is approved by the City of Blue Lake electorate as outlined above, then this ordinance shall become effective ten (10) days following the date the vote is declared by the City Council in accordance with Elections Code Section 9217.

SECTION 5: COMPLIANCE WITH CEQA. The action to adopt this ordinance involves the

establishment of a retail transactions and use tax and does not involve any commitment to any specific project that may result in a potentially significant impact on the environment and thus is not a "project" subject to the requirements of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA) pursuant to CEQA Guidelines Section 15378 (b)(4); additionally, it can be seen with certainty that there is no possibility the adoption and implementation' of this ordinance may have a significant effect on the environment, and accordingly the adoption of this ordinance is exempt from the provisions of CEQA pursuant to the "general rule" at CEQA Guidelines Section 15061(b)(3).

SECTION 6: PUBLICATION. Upon approval by the voters, the City Clerk shall certify to the passage and adoption of this ordinance and shall cause it to be published according to law and transmitted to the California Department of Tax and Fee Administration.

INTRODUCED, PASSED, AND SUBMITTED TO THE VOTERS FOR ADOPTION by the City Council of the City of Blue Lake on the 26th day of July, 2022, **by at least a two-thirds vote** of the City Council, as follows:

AYES:

NOES:

ABSENT:

ABSTAIN:

Adelene Jones, Mayor

ATTEST:

City Clerk

Approved As to Form:

Ryan Plotz, City Attorney

ATTACHMENT 2

RESOLUTION NO. 1201

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLUE LAKE ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF BLUE LAKE A CERTAIN MEASURE RELATING TO A PROPOSED ORDINANCE APPROVING AND AUTHORIZING A ONE PERCENT TRANSACTIONS AND USE (“SALES”) TAX FOR GENERAL PURPOSES AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022; DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE MEASURE; SETTING THE DATES FOR ARGUMENTS ON THE MEASURE; AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT TO CONSOLIDATE SAID ELECTION PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

WHEREAS, pursuant to Ordinance No. 541, a copy of which is attached as **Exhibit A** hereto, the City Council of the City of Blue Lake (“City”) approved for the submission to and approval of the qualified voters of the City a one percent (1.0%) transaction and use (sales) tax for general purposes; and

WHEREAS, a locally-enacted sales tax measure would protect and maintain the City’s essential services because the money is legally required to stay in the community and cannot be taken by the State, providing locally controlled funds for essential services; and

WHEREAS, the City Council has determined that the most prudent, reasonable, and financially responsible action it can take to preserve the fiscal stability of the City and to protect vital services in the City is to place before the voters a ballot measure to approve the local tax measure and to recommend its adoption to the voters; and

WHEREAS, a General Municipal Election will occur on Tuesday, November 8, 2022, at which time the City Council of the City of Blue Lake desires and intends to have the qualified voters of the City vote upon the question of whether to adopt the proposed ordinance; and

WHEREAS, the City Council of the City of Blue Lake desires that the County of Humboldt Elections Department conduct the municipal election, pursuant to Elections Code Section 10403.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLUE LAKE DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election of November 8, 2022, the following question:

Essential Services Tax Measure	
To maintain and improve essential City services, including recreation and public safety services, shall the City of Blue Lake measure to levy a one percent sales tax, raising approximately \$25,000.00 annually, with independent annual audits and all funds remaining in Blue Lake, be adopted?	Yes
	No

SECTION 2. The proposed measure submitted to the voters is attached as **Exhibit A**. The City Council hereby approves the ordinance by a two-thirds vote of the City Council, the form thereof, and its submission to the voters of the City at the November 8, 2022, General Municipal Election, as required by Revenue and Taxation Code section 7285.9. The ordinance specifies that the rate of the transactions tax shall be one percent (1.0%) of the sales price of certain personal property sold at retail; it specifies that the rate of the use tax shall be one percent (1.0%) of the sales price of tangible personal property stored, used or otherwise consumed in the City. The California Department of Tax and Fee Administration shall collect the tax from retailers subject to the tax and remit the funds to the City.

SECTION 3. In all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections, including but not limited to Elections Code section 10418.

SECTION 4. Pursuant to the requirements of Section 10403 of the Elections Code, the City Council of the City of Blue Lake hereby requests the Board of Supervisors of the County of Humboldt to agree to the consolidation of the Municipal Election with the Statewide General Election on November 8, 2022, and issue instructions to the Humboldt County Elections Department that the election in all respects be held as if there were only one election and to conduct the Municipal Election including the publishing of all election materials, the mailing of sample ballots, the hiring of election officers, canvassing the returns, and the actual conduct of the election.

SECTION 5.

a. The last day for submission of primary arguments for or against the measure shall be by 5:00 p.m. on August 19, 2022.

b. The last day for submission of rebuttal arguments for or against the measure shall be by 5:00 p.m. on August 26, 2022.

c. Primary arguments shall not exceed three hundred (300) words and shall be signed by not more than five persons.

d. Rebuttal arguments shall not exceed two hundred fifty (250) words and shall be signed by not more than five persons; those persons may be different persons than the persons who signed the primary arguments.

e. Pursuant to California Elections Code Section 9282, Mayor Adelene Jones is hereby authorized to file a written argument in favor of the proposed measure on behalf of the City Council. At Mayor Jones' discretion, the argument may be signed by members of the City Council or bona fide associations or by individual voters who are eligible to vote on the measure. In the event that an argument is filed against the measure, Mayor Jones is also authorized to file a rebuttal argument on behalf of the City Council, which may be signed by members of the City Council or bona fide associations or by individual voters who are eligible to vote on the measure, which may be different from those who signed the primary argument.

f. Pursuant to California Elections Code Section 9285, when the City Clerk has selected the arguments for and against the measure, which will be printed and distributed to the voters, the City Clerk shall send copies of the argument in favor of the measure to the authors of the argument against, and copies of the argument against to the authors of the argument in favor. Rebuttal arguments shall be printed in the same manner as the primary arguments. Each rebuttal argument shall immediately follow the primary argument, which it seeks to rebut.

g. Pursuant to California Elections Code Section 9280, the City Council hereby directs the City Clerk to transmit a certified copy of the measure to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure, and file the impartial analysis with the City Clerk by August 26, 2022.

SECTION 6. The City of Blue Lake recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County of Humboldt for all costs associated with the conduct of the City of Blue Lake's municipal election to be held on November 8, 2022; and

SECTION 7. That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 9. The approval of this Resolution is exempt from the California Environmental Quality Act (Public Resources Code §§ 21000 et seq., "CEQA," and 14 Cal. Code Reg. §§ 15000 et seq., "CEQA Guidelines"). The transactions and use tax to be submitted to the voters is a general tax that can be used for any legitimate governmental purpose; it is not a commitment to any particular action. As such, under CEQA Guidelines section 15378(b)(4), the tax is not a project within the meaning of CEQA because it creates a government funding mechanism that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment. If revenue from the tax were used for a purpose that would have either such effect, the city would undertake the required CEQA review for that particular project. Therefore, pursuant to CEQA Guidelines section 15060 CEQA analysis is not required.

NOW THEREFORE BE IT FURTHER RESOLVED the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the Humboldt County Registrar of Voters.

PASSED AND ADOPTED this 26th day of July 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Adelene Jones, Mayor

ATTEST:

City Clerk

Approved As to Form:

Ryan Plotz, City Attorney

Location	Sales Tax %
HUMBOLDT COUNTY TAX JURISDICTION BREAKDOWN FOR 2022	
California	6%
Humboldt	0.25%
Humboldt Co Local Tax	1%
Humboldt County District Tax	0.50%
Minimum Combined Sales Tax Rate Value	7.75%
Fortuna	8.50%
Ferndale * - proposed November 2022	8.80%
Eureka	9.25%
Arcata	8.50%
Trinidad	8.50%
Orick	7.75%
Riodell	8.75%
Proposed Sales Tax for Blue Lake, CA	8.75%



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

AGENDA REPORT

Item #: 5
Date: July 26, 2022
Item Subject: Water and Wastewater Rate Proposal Presentation and Rate Recommendation
Submitted By: Mandy Mager, City Manager

General Information:

The City of Blue Lake has conducted a rate analysis for the City's water and wastewater systems. With technical support from the Rural Community Action Agency, the City's capital improvement, operation, maintenance, and administration needs have been analyzed and tied back to a proposed rate structure.

The City's water and wastewater systems have been losing ground to inflation and large-scale infrastructure improvement needs, along with system breaks that are reflective of aging infrastructure. The rate increases proposed and recommended by staff and our technical advisors will allow the City to make much needed improvements, replace failing equipment and retain critical staffing levels.

Background Material Provided: Summary Documents to be presented

Fiscal Impact: Rate options will be presented for consideration.

Recommended Action: To accept the rates as recommended by staff and the technical consultants and incorporate the rate structure into the 218 process.

Review Information:

City Manager Review: Legal Review: Planner Review: Engineer:

Comments:



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

AGENDA REPORT

Item #: 6
Date: July 26, 2022
Item Subject: Initiate 218 Process Regarding Proposed Water and Wastewater Rate Increases
Submitted By: Mandy Mager, City Manager

General Information:

In order to initiate a rate increase, the City must follow the policies and procedures set forth by Proposition 218. Staff will be required to provide proper noticing of affected property owners, along with conducting a public hearing regarding the rate proposal and the challenge process.

Background Material Provided: N/A

Fiscal Impact: N/A

Recommended Action: To accept the rates proposed by staff and to initiate the Proposition 218 process; notices to be sent out by August 2, 2022 and a public hearing to be held on October 18, 2022 at 6:30 PM at Skinner Store.

Review Information:

City Manager Review: Legal Review: Planner Review: Engineer:

Comments:



CITY OF BLUE LAKE

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Phone 707.668.5655 Fax 707.668.5916

AGENDA REPORT

Item #: 7
Date: July 26, 2022
Item Subject: Consent to Conflict of Interest: The Mitchell Law Firm Requests Council's Consideration of a Conflict Waiver for Legal Actions related to the City's Property Negotiations with Dan Comer, Lacey Comer and Redwood Marine, Inc
Submitted By: Mandy Mager, City Manager

General Information:

See attached legal memo from the Mitchell Law Firm

Background Material Provided: See Attached

Fiscal Impact: N/A

Recommended Action: To consent to the Conflict Waiver presented by the Mitchell Law Firm, related to the City's property negotiations with Dan Comer, Lacey Comer and Redwood Marine, Inc.

Review Information:

City Manager Review: Legal Review: Planner Review: Engineer:

Comments:



THE MITCHELL LAW FIRM, LLP

CLIFFORD B. MITCHELL (1927 - 2010)

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NANCY K. DELANEY*
RUSSELL S. GANS
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RYAN T. PLOTZ
AMY A. HUNT
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EUREKA, CA 95502

WILLIAM F. MITCHELL (Retired)
JOHN M. VRIEZE (Retired)
EMERY F. MITCHELL (1896 - 1991)
WALTER J. CARTER (1949 - 1993)
R.C. DEDEKAM (1929 - 2011)
* Of Counsel

July 12, 2022

City of Blue Lake
Attn: Amanda Mager, City Manager
P.O. Box 458
Blue Lake, CA 95525

Dan Comer
Redwood Marine, Inc.
P.O. Box 5868
Eureka, CA 95502

Re: Consent to Conflict of Interest
City of Blue Lake/Redwood Marine

Dear Ms. Mager and Mr. Comer:

This letter requests the consent of both the City of Blue Lake ("City") and Dan Comer, Lacey Comer and Redwood Marine, Inc. ("RMI/Comer"), to The Mitchell Law Firm, LLP's ("Law Firm") continued representation of the City and RMI/Comer, in unrelated matters, and the exclusive representation of the City in the ongoing consideration and negotiations with Dan and Lacey Comer/RMI with respect to that certain negotiation and possible purchase and development of the corporation yard owned by City by RMI.

Existing Relationships

Law Firm, and principally Russell S. Gans at Law Firm, provide city attorney services to the City on a contract basis.

Law Firm has historically and currently provides legal advice to RMI regarding its corporate governance documents and other corporate matters.

Area of Conflict

The City and RMI are in negotiation for the possible purchase of City property (i.e., APNs: 025-201-019 and 025-201-009) for development by RMI/Comer.

City Manager Amanda Mager has initiated discussions with RMI/Comer representatives regarding negotiating an agreement and possible transaction (the "Property Transaction").

Since Law Firm serves as City Attorney the City has asked Law Firm to represent the City in this transactional matter, including review and preparation of legal documents related to the Property Transaction. Since law firm concurrently represents RMI/Comer on unrelated matters, a conflict disclosure is presented and waiver is sought. It is our understanding that the principals for each party will negotiate directly and Law Firm will assist in preparing the transactional documents and providing legal counsel exclusively to the City regarding the Property Transaction.

Related to the foregoing, Rule 1.7 of the California Rules of Professional Conduct provides in pertinent part:

(a) A lawyer shall not, without informed written consent from each client and compliance with paragraph (d), represent a client if the representation is directly adverse to another client in the same or a separate matter.

(b) A lawyer shall not, without informed written consent from each affected client and compliance with paragraph (d), represent a client if there is a significant risk the lawyer's representation of the client will be materially limited by the lawyer's responsibilities to or relationships with another client, a former client or a third person, or by the lawyer's own interests.

(c) Even when a significant risk requiring a lawyer to comply with paragraph (b) is not present, a lawyer shall not represent a client without written disclosure of the relationship to the client and compliance with paragraph (d) where:

(1) the lawyer has, or knows that another lawyer in the lawyer's firm has, a legal, business, financial, professional, or personal relationship with or responsibility to a party or witness in the same matter; or

(2) the lawyer knows or reasonably should know that another party's lawyer is a spouse, parent, child, or sibling of the lawyer, lives with the lawyer, is a client of the lawyer or another lawyer in the lawyer's firm, or has an intimate personal relationship with the lawyer.

(d) Representation is permitted under this rule only if the lawyer complies with paragraphs (a), (b), and (c), and:

(1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;

(2) the representation is not prohibited by law; and

(3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal.

(e) For purposes of this rule, "matter" includes any judicial or other proceeding, application, request for a ruling or other determination, contract, transaction, claim, controversy, investigation, charge, accusation, arrest, or other deliberation, decision, or action that is focused on the interests of specific persons, or a discrete and identifiable class of persons.

Conflicts of Interest

Our law firm's past and continued representation of RMI/Comer creates a conflict of interest related to our duty of loyalty and confidentiality to existing clients where, as here, Law Firm is requested to provide legal advice to City regarding an agreement between the City and RMI/Comer related to the Property Transaction. No privileged information previously obtained from RMI/Comer is considered to be relevant to the Property Transaction and we do not believe that providing representation to the City will in any way cause the Law Firm to reveal any confidential information obtained from RMI/Comer. Likewise, we do not believe that Law Firm's continued provision of legal advice to RMI/Comer on general corporate matters unrelated to the Property Transaction will in any way cause the Law Firm to reveal any confidential information obtained from the City to RMI.

If additional facts come to our attention which lead us to believe that we could not maintain our duty of loyalty and confidentiality to the City and/or RMI/Comer, we would require further written consent from both the City and RMI/Comer.

Consent

As attorneys where we have a relationship with multiple parties a conflict of interest must be disclosed and informed written consent obtained from both parties. Accordingly, we are seeking the informed written consent of the City and RMI/Comer before providing legal advice regarding the Property Transaction to the City. We ask that the City and RMI/Comer jointly waive the disclosed conflict, and allow Law Firm to provide exclusive legal advice to the City regarding the Property Transaction, while providing continued and concurrent representation to RMI/Comer on unrelated matters.

Consent to Request

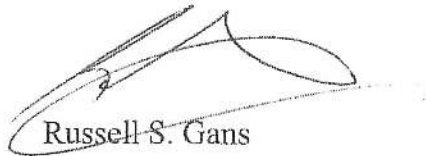
If, after considering the foregoing, the City and/or RMI/Comer is willing to consent, please sign and return to us the enclosed copy of this letter (i) acknowledging that we have informed you of our existing relationship with the City and RMI/Comer; (ii) acknowledging that the City and RMI/Comer, has been advised of the conflict of interest associated with our representing the City in this transactional matter (i.e., the Property Transaction); and (iii) indicating that the City and RMI/Comer consent to our representation as described in this letter.

If the City or RMI/Comer are not willing to consent, we will declare a conflict and assist the City and RMI/Comer in locating alternate counsel for the matter. No advice has been provided to RMI/Comer nor will it be provided regarding the Property Transaction.

If you have any questions regarding this letter or our concurrent representation of City on the Property transaction and RMI/Comer on unrelated matters and/or the waiver requested to provide exclusive representation to the City for the Property Transaction, please contact us before signing and returning the enclosed copy of this letter.

Very truly yours,

THE MITCHELL LAW FIRM, LLP



Russell S. Gans

CONSENT

The Mitchell Law Firm, LLP (“Law Firm”) has explained the conflict of interest related to Law Firm’s representation of the City of Blue Lake (“City”) in connection with the negotiation and possible purchase of City property for development (the “Property Transaction”) by Redwood Marine, Inc. (“RMI”) and Dan and Lacey Comer (“Comer”). The undersigned acknowledge the disclosure of Law Firm’s representation of both the City and RMI/Comer in unrelated matters, the conflict arising from such previous representation, and the conflict attendant to providing exclusive legal advice to the City regarding the Property Transaction and the consequences of any actual unwaived conflicts that may later arise. The undersigned nevertheless provide their informed written consent to Law Firm’s exclusive representation of the City with respect to the Property Transaction between the City and RMI and Comer, and consent to Law Firm’s continued and concurrent representation of RMI and Comer on unrelated matters.

City of Blue Lake

Date: _____

By: Amanda Mager, City Manager

Redwood Marine, Inc.

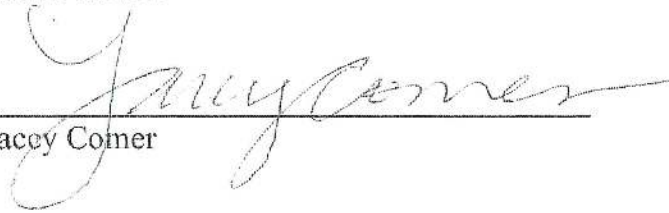
Date: 7/18/2022


By: Daniel Comer, CEO

Date: 7/18/2022


Daniel Comer

Date: 7/18/2022


Lacey Comer



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

AGENDA REPORT

Item #: 8
Date: July 26, 2022
Item Subject: Appointment of Real Property Negotiators (Gov. Code Section 54956.8)
Submitted By: Mandy Mager, City Manager

General Information:

The City of Blue Lake has been contacted by Dan and Lacey Comer regarding development of City owned property located along Taylor Way. The Comer's have expressed interest in purchasing APN: 025-201-019 and 009, with the intention of constructing a mixed use development to include a grocery and recreation store, along with upper story living quarters and space for outdoor dining.

In order to further conversations, staff is requesting that Council designate real property negotiators.

Background Material Provided: Parcel Map

Fiscal Impact: N/A

Recommended Action: To appoint Amanda Mager (City Manager), Russell Gans (City Attorney) and Adelene Jones (Mayor) as real property negotiators for the City of Blue Lake regarding the potential sale and/or ground lease and price/terms of payment for city-owned property located at Assessor Parcel Number(s) 025-201-019 and 025-201-009, Blue Lake, California; negotiating parties identified as Dan Comer, Lacey Comer and Redwood Marine, Inc.

Review Information:

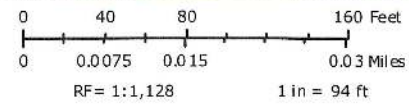
City Manager Review: Legal Review: Planner Review: Engineer:

Comments:



ArcGIS Web Map
Humboldt County Planning and Building Department

- | | | |
|---------------------------|---------------------------|---------------------------|
| Highways and Roads | — Private or Unclassified | — Intermittent |
| — Principal Arterials | — Major River or Stream | — Subsurface |
| — Minor Arterials | Blue Line Streams | — City Boundary |
| — Major Collectors | — Perennial 1-3 | — Counties |
| — Minor Collectors | — Perennial >4 | — Parcels |
| — Local Roads | | — Parcels (no APN labels) |



Printed: July 22, 2022 Web AppBuilder 2.0 for ArcGIS
 Map Disclaimer:
 While every effort has been made to assure the accuracy of this information, it should be understood that it does not have the force & effect of law, rule, or regulation. Should any difference or error occur, the law will take precedence.
 Source: Humboldt County GIS, Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

AGENDA REPORT

Item #: 9
Date: July 26, 2022
Item Subject: Fiscal Year 2020-2021 Audit Presentation
Submitted By: Mandy Mager, City Manager

General Information:

The City auditors will present the Fiscal Year 2020-2021 audit.

Background Material Provided: Presentation and audit material will be presented at the time of the meeting

Fiscal Impact: N/A

Recommended Action: Accept the audit as presented

Review Information:

City Manager Review: Legal Review: Planner Review: Engineer:

Comments:



CITY OF BLUE LAKE

Post Office Box 458, 111 Greenwood Road, Blue Lake, CA 95525
Phone 707.668.5655 Fax 707.668.5916

AGENDA REPORT

Item #: 10
Date: July 26, 2022
Item Subject: Letter of Support for Senate Bill 1116- The Performing Arts Equitable Payroll Fund
Submitted By: Mandy Mager, City Manager

General Information:

SB 1116, if passed, will provide grant funding to support non-profit performing arts institutions by providing substantial reimbursement of payroll expenses. Entities with operating budgets under \$2 million would be eligible for the grant program.

Historically, the arts have been underfunded and artists underpaid; with the onslaught of the COVID pandemic, artists everywhere have been disproportionately impacted. Shuttered theatres, galleries and studios have translated to the loss of millions of dollars in our local economies.

Blue Lake takes great pride in our artists, performers, and arts institution; funding from this bill would directly benefit Dell'Arte International School of Physical Theatre. Dell'Arte has been especially impacted by COVID 19 and an infusion of sustained funding would greatly increase their capacity to grow and sustain their programs.

Background Material Provided: FAQ Sheet on SB 1116

Fiscal Impact: N/A

Recommended Action: To direct the City Manager to draft a letter of support for Senate Bill 1116, the Performing Arts Equitable Payroll Fund, and authorize the Mayor to sign the letter and distribute as appropriate.

Review Information:

City Manager Review: Legal Review: Planner Review: Engineer:

Comments:

SB 1116's Equitable Payroll Fund: Workforce Development and Community Investment for the Performing Arts

Performing Arts Workers in California's most historically marginalized communities deserve jobs with dignity and economic development in the local neighborhoods they serve.

WHAT'S THE ISSUE

While there have been recent gains under Governor Newsom, the arts community in California has suffered from years of under-investment, especially considering California's role as a national arts leader. This chronic long-term underfunding of the industry amounted to a double-hit when the pandemic shut down live arts. Unable to operate and saddled with costly Covid-19 response measures like building upgrades and weekly testing, the impact of these two events has been swift and striking: Johns Hopkins University reports that, as of October 2021, the percentage of **job losses at nonprofit arts organizations remains more than three times worse** than the average of all nonprofits.

Did You Know?

Prior to the pandemic, California ranked just 28th in state arts funding on a per capita basis.

(Source: State Arts Agency Revenues, Fiscal Year 2019)

Unfortunately, years of underinvestment meant few small nonprofit performing arts organizations (SNPAOs) had the resources to support hourly wages – financially or administratively. The vast majority of SNPAOs in California have adjusted gross revenues below \$250K. Furthermore, the lionshare of any SNPAOs production costs are incurred during the rehearsal period when there is no revenue. This is why ticket revenue is never enough to cover operating costs; contributed

revenue will typically make up about half of an SNPAO's operating budget. But contributed revenue has never been distributed equitably in California, which makes operations for small nonprofits from historically marginalized communities especially challenging when there is a funding shortage.

WHY INVEST IN ARTS WORKERS

In short: California arts workers' labor, innovation, and ingenuity powers our creative economy. The threat of continued under-resourcing risks flight of critical creative talent from the State or to other sectors. With proper investment, the live arts in particular are an economic engine that drives spending in local communities and allows workers to prosper. According to Americans for the Arts, the average nonprofit live arts attendee spends another \$31.47 beyond the cost of admission per person every time they see a show. That spending includes transportation and travel, childcare, and spending at restaurants and bars. Nationally, this audience spending is estimated to exceed \$100 billion, supporting another 2.3 million jobs and generating \$15.7 billion in total government revenue.

WHAT SB1116 LEGISLATION DOES

Workforce Development

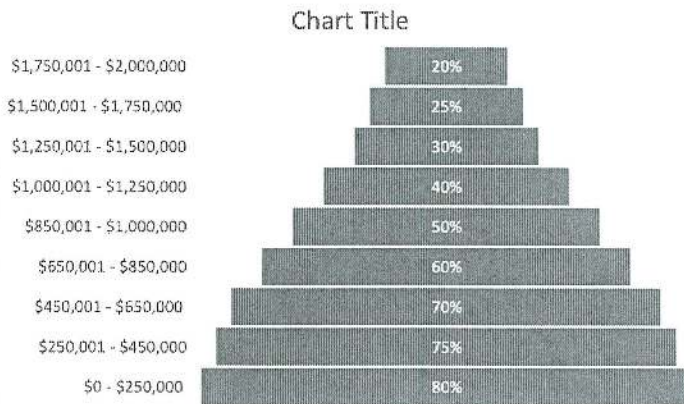
The Equitable Payroll Fund (EPF) is a grant program designed to support California performing arts workers directly by providing substantial reimbursements of payroll expenses to California SNPAOs with annual operating budgets under \$2M. Much like the recent Employee Retention Credit program of the American Rescue Plan and the CARES Act, the investment by the EPF will **help create and sustain jobs for creative workers**, one of the hardest hit workforce sectors where recovery still lags far behind others. Based on 2019 IRS reporting, internal estimates from Theatre Producers of Southern California show that the EPF has the potential to support upwards of 85,000 Seasonal, Part-time and Full-time jobs annually in California.

Immediate Lifeline to Most Vulnerable Communities

Furthermore, the EPF will begin to stabilize SNPAOs immediately, preventing more closures and helping these organizations grow quickly to self-sustainability. Once an SNPAO reaches midsize, they become eligible for financial support from private foundations and larger donors. Once an SNPAO graduates from the program, the jobs they provide to emerging artists and other creative workers each year will remain, adding vibrancy and diversity to the workforce and strengthening the creative economy altogether.

The EPF will provide the greatest percent reimbursement to the smallest organizations. Since labor costs in the performing arts are relatively flat (i.e. a symphony will always need to employ roughly the same number of musicians, regardless of budget size), these historically

underfunded organizations are the hardest hit and most at risk. As SNPAOs grow, the percentage of payroll expenses that is reimbursed decreases as organizations are better able to absorb these costs. When an SNPAO reaches \$2M, they graduate out of the program.



WHAT LONG-TERM IMPACT CAN WE EXPECT

The ancillary benefits to this program are substantial. First and foremost, it will right decades of inequity in the arts sector. Historically, only those emerging artists who come from generational family wealth could comfortably afford to ply their craft for years as volunteers, excluding many marginalized communities from opportunities to “break in” to the performing arts sector.

Yet despite this ongoing harm, SNPAO’s have always been California’s “arts incubator pipeline”, a place where talented artists of diverse backgrounds could gain a toehold in the business. SNPAOs know how to cultivate unique artistic opportunities for creative workers. The EPF investment in this arts incubator pipeline would transform those opportunities into sustainable jobs with living wages.

Second, the EPF will help restore and then transform many of California’s underserved communities. Over and over again, the economic impact created by vibrant performing arts centers has helped communities prosper. With California’s rents so high, most SNPAO’s are located in historically underserved neighborhoods; these communities suffered more loss during the pandemic and have not rebounded like more affluent neighborhoods. The EPF’s investment in jobs in these community-based SNPAO’s will help the circulation of capital in these neighborhoods. Furthermore, studies from Americans for the Arts show that a strong arts presence can improve local communities by decreasing juvenile crime and income disparity, while increasing student retention in schools, civic engagement, and a sense of connection to the community.

WHO IS SPONSORING THIS BILL

SB1116 has broad support of Management and Labor. Co-sponsored by Actors' Equity Association and Theatre Producers of Southern California, the proposed legislation is authored by Senator Anthony Portantino and co-authored by Senator Susan Rubio and Assemblymember Miguel Santiago.

Learn more about the struggle of California's performing arts workers and their communities at EquitablePayrollFund.org

City of Blue Lake
July 26, 2022 Council Meeting

Consent Items:

- a. Warrants and Disbursements



City of Blue Lake
 Check/Voucher Register - City Council Check Report
 From 6/1/2022 Through 6/30/2022

Check Number	Check Date	Payee	Check Description	Check Amount
2286	6/1/2022	Kelly Ross	Deposit Refund #20216001 Ross	45.11
2287	6/1/2022	Wendy Buric	Deposit Refund #20256001 Buric	47.59
2288	6/1/2022	City of Blue Lake	Utilities paid from Deposits 6/1/22 Billing	559.30
9838	6/2/2022	Rodney T. Gulley	WB umpire 4/10/22-5/22/22-Gulley	342.50
9839	6/2/2022	Jessica B. Jones	WB umpire 4/10/22-5/22/22 - Jones,J	385.00
9840	6/2/2022	Patrick J. Rex	WB umpire 4/10/22-5/22/22- Rex	660.00
9841	6/2/2022	Grant M. Manzi	WB umpire 4/10/22-5/22/22- Manzi	550.00
9842	6/2/2022	Michael Salmon	WB umpire 4/10/22-5/22/22- Salmon	475.00
20220603-EF...	6/3/2022	U. S. Department of Treasury	EFTPS federal tax pmt 6/3/22 PR	5,367.47
20220603-EF...	6/3/2022	Employment Development Dept.	DE88 state tax pmt 6/3/22 PR	981.68
20220603-EF...	6/3/2022	Cal PERS	PERS retirement pmt 6/3/22 PR	2,933.71
20220603-EF...	6/3/2022	Freedom Voice	Freedom voice 6/1/22 statement-EFT pmt	116.78
220603A01	6/3/2022	Glenn R. Bernald	Employee: bernaldg; Pay Date: 6/3/2022	1,992.72
220603A02	6/3/2022	Rosine S. Boyce-Derricott	Employee: boycer; Pay Date: 6/3/2022	510.09
220603A03	6/3/2022	Skyler A. Coke	Employee: cokes; Pay Date: 6/3/2022	834.56
220603A04	6/3/2022	Melissa M. Combs	Employee: combsm; Pay Date: 6/3/2022	547.60
220603A05	6/3/2022	Lisa M. Honzik	Employee: honziki; Pay Date: 6/3/2022	112.50
220603A06	6/3/2022	Vicki L. Hutton	Employee: huttonv; Pay Date: 6/3/2022	1,700.05
220603A07	6/3/2022	Austin R. Jones	Employee: jonesa; Pay Date: 6/3/2022	1,001.62
220603A08	6/3/2022	Amanda L. Mager	Employee: magera; Pay Date: 6/3/2022	1,926.19
220603A09	6/3/2022	Jekayah X. Means	Employee: meansj; Pay Date: 6/3/2022	64.65
220603A10	6/3/2022	Jacob P. Meng	Employee: mengj; Pay Date: 6/3/2022	184.57
220603A11	6/3/2022	Ross A. Nash	Employee: nashr; Pay Date: 6/3/2022	664.57
220603A12	6/3/2022	Trevor L. Pumnea	Employee: pumneat; Pay Date: 6/3/2022	1,315.60
220603A13	6/3/2022	Ashley M. Thacker	Employee: thackera; Pay Date: 6/3/2022	1,047.49
220603A14	6/3/2022	Emily P. Wood	Employee: woode; Pay Date: 6/3/2022	1,159.93
9843	6/3/2022	Harold D. Burris	Employee: burrish; Pay Date: 6/3/2022	1,595.96
9844	6/3/2022	Marc A. Davis	Employee: davism; Pay Date: 6/3/2022	332.66
9845	6/3/2022	Michael D. Downard	Employee: downardm; Pay Date: 6/3/2022	87.51
9846	6/3/2022	Stella M. Drobnick-Sochovka	Employee: drobnicks; Pay Date: 6/3/2022	104.72
9847	6/3/2022	Kaijah X. Ramus-Hales	Employee: ramusk; Pay Date: 6/3/2022	202.68
9848	6/6/2022	Almquist Lumber Co.	5/31/22 statement	311.85
9849	6/6/2022	B & B Portable Toilet Co.	5/28/22 Inv# 142239 & 140040	157.37
9850	6/6/2022	City of Blue Lake	W/S payments 6/1/22	1,890.69
9851	6/6/2022	Blue Lake Garbage Co.	4/7/22 Inv# 24GWEVNT - Green waste	762.00
9852	6/6/2022	Kemen Construction	5/15/22 statement	190.50
9853	6/6/2022	National Rural Water Assoc.	SCADA loan pmt due 7/1/22	965.00
9854	6/6/2022	Arcata Stationers	6/1/22 statement	622.11
9855	6/6/2022	Pierson Building Center	5/31/22 statement	487.26
9856	6/6/2022	RREDC	Town square loan pmt due 7/1/22 - Loan# 20203	1,236.87
9857	6/6/2022	Redwood Petroleum	6/2/22 Inv# 120-Apr/May 2022	1,601.05
9858	6/6/2022	Sudden Link	Billing period 6/1/22-6/31/22	431.56
9859	6/6/2022	Verizon Wireless	5/21/22 Inv# 9907015529	285.18
220617A01	6/17/2022	Glenn R. Bernald	Employee: bernaldg; Pay Date: 6/17/2022	2,084.25
220617A02	6/17/2022	Rosine S. Boyce-Derricott	Employee: boycer; Pay Date: 6/17/2022	493.40
220617A03	6/17/2022	Skyler A. Coke	Employee: cokes; Pay Date: 6/17/2022	753.39
220617A04	6/17/2022	Melissa M. Combs	Employee: combsm; Pay Date: 6/17/2022	467.07
220617A05	6/17/2022	Lisa M. Honzik	Employee: honziki; Pay Date: 6/17/2022	90.01
220617A06	6/17/2022	Vicki L. Hutton	Employee: huttonv; Pay Date: 6/17/2022	1,254.08
220617A07	6/17/2022	Austin R. Jones	Employee: jonesa; Pay Date: 6/17/2022	1,001.61
220617A08	6/17/2022	Amanda L. Mager	Employee: magera; Pay Date: 6/17/2022	1,840.29
220617A09	6/17/2022	Jekayah X. Means	Employee: meansj; Pay Date: 6/17/2022	129.28
220617A10	6/17/2022	Ross A. Nash	Employee: nashr; Pay Date: 6/17/2022	664.56
220617A11	6/17/2022	Trevor L. Pumnea	Employee: pumneat; Pay Date: 6/17/2022	1,315.60
220617A12	6/17/2022	Ashley M. Thacker	Employee: thackera; Pay Date: 6/17/2022	1,047.48
220617A13	6/17/2022	Emily P. Wood	Employee: woode; Pay Date: 6/17/2022	1,159.94

City of Blue Lake
 Check/Voucher Register - City Council Check Report
 From 6/1/2022 Through 6/30/2022

Check Number	Check Date	Payee	Check Description	Check Amount
9860	6/17/2022	Harold D. Burris	Employee: burrish: Pay Date: 6/17/2022	1,515.35
9861	6/17/2022	Grace E. Daverson	Employee: daverson: Pay Date: 6/17/2022	298.57
9862	6/17/2022	Marc A. Davis	Employee: davism: Pay Date: 6/17/2022	480.01
9863	6/17/2022	Michael D. Downard	Employee: downardm: Pay Date: 6/17/2022	1,058.09
9864	6/17/2022	Stella M. Drobnick-Sochovka	Employee: drobnicks: Pay Date: 6/17/2022	97.73
9865	6/17/2022	Becka B. Duerr	Employee: duerrb: Pay Date: 6/17/2022	107.37
9866	6/17/2022	AT&T	4-6/4/22 cal net 3 bills	261.73
9867	6/17/2022	Best Best & Krieger LLP	5/29/22 Inv# 936057	180.00
9868	6/17/2022	big bear design & graphics	6/9/22 Inv# 1140	433.80
9869	6/17/2022	Blue Lake Rancheria	5/31/22 Inv#B22-068	2,750.00
9870	6/17/2022	Harold D. Burris	safety boot sllowance FY 21/22-Burris	175.00
9871	6/17/2022	CA State Disbursement Unit	6/3/22 PR deduction-Coke	92.30
9872	6/17/2022	Coastal Business Systems Inc.	6/1/22 Inv# 31760207	267.59
9873	6/17/2022	Colantuono, Highsmith, Whatley	6/6/22 Inv# 52212	6.14
9874	6/17/2022	Dito, LLC	FY 22/23 Annual Renewal fee	4,104.00
9875	6/17/2022	FDAC EBA	Billing period:67- 7/1/22-7/31/22	14,465.01
9876	6/17/2022	Alice Finen	May 2022 council stipend	50.00
9877	6/17/2022	Humboldt Co. Sheriff's Office	Law enforcement services 4/1/22-6/30/22	30,719.00
9878	6/17/2022	Humboldt Co. Sheriff's Office	animal shelter agreement June 2022	633.00
9879	6/17/2022	Hensell Materials, Inc.	6/1/22 statement	50.15
9880	6/17/2022	Humb. Bay Municipal Water Dist	Billing period: April 30-May 31 2022	16,260.74
9881	6/17/2022	Honda Financial Services	6/4/22 statement	313.82
9882	6/17/2022	Intedata Systems	5/31/22 statement	75.00
9883	6/17/2022	Jackson & Eklund	6/8/22 Inv# 436675	4,020.00
9884	6/17/2022	Miller Farms Nursery, Inc.	5/31/22 statement	62.47
9885	6/17/2022	The Mitchell Law Firm, LLP	4/30/22 # 50044 -5/31/22 # 50163, 50164, 50237	4,309.00
9886	6/17/2022	Advanced Display and Signs	6/2/22 Inv# 518631	468.62
9887	6/17/2022	Becka Duerr	6/13/22 live scan reimb. - Duerr	20.00
9888	6/17/2022	Pacific Gas and Electric	6/1/22 statement	6,647.82
9889	6/17/2022	Department of Justice	6/3/22 Inv# 585548 live scans	64.00
9890	6/17/2022	Shred Aware	6/15/22 Inv#43556	48.00
9891	6/17/2022	SHN Consulting	5/24/22 Inv# 113286 Library	720.00
9892	6/17/2022	SHN Consulting	5/13/22 Inv# 113189 LRSP	4,167.92
9893	6/17/2022	Storyland Studios	4/30/22 Inv# 32227	895.35
9894	6/17/2022	Thrifty Supply Company	5/31/22 statement	649.24
9895	6/17/2022	United Indian Health Services	Dental pmt 5/25/22- Mager	107.20
9896	6/17/2022	US Bank Corp. Payment Systems	5/28/22 statement	3,077.79
9897	6/17/2022	Pape Machinery, Inc.	5/31/22 statement	939.73
9898	6/17/2022	O'Reilly Auto Parts	5/28/22 statement	85.95
9899	6/21/2022	Alves Inc.	Prasch roof deposit- Per Capita Grant #C9801222	1,000.00
9900	6/21/2022	Resources Recycling & Recovery	Reimb. unspent funds-FY 2019/2020 CPP-19-032	308.55
9901	6/21/2022	CIRA	6/1/22 Inv-1316 WC & 6/3/22 Inv-1362 liability	14,507.00
9902	6/21/2022	D & R Janitorial Service	6/1/22 statement	295.00
9903	6/21/2022	Humboldt County Health Dept.	annual permit-CF snack bar	865.00
9904	6/21/2022	The Mill Yard	5/31/22 statement	466.17
9905	6/21/2022	North Coast Laboratories LTD.	5/31/22 statement	945.00
9906	6/21/2022	Professional Tree Service	6/15/22 Invoice-tree removal	500.00
9907	6/21/2022	Tensor IT	6/1/22 #8509 & 8542 - 6/2/22 #8572	4,285.73
20220617 EFT...	6/22/2022	U. S. Department of Treasury	EFTPS federal tax pmt 6/17/22 PR	5,458.37
20220617 EFT...	6/22/2022	Employment Development Dept.	DE88 state tax pmt 6/17/22 PR	987.34
20220617 EFT...	6/22/2022	Cal PERS	PERS retirement pmt 6/17/22 PR	2,893.34
9909	6/29/2022	CA State Disbursement Unit	6/17/22 PR deduction- Coke	92.30
9910	6/29/2022	Gaynor Telesystems, Inc.	annual fee Inv# SWA330122-23	290.00
9911	6/29/2022	Daisy Fresh Carpet Cleaning	Work order #21706	1,225.00
9912	6/29/2022	GreatAmerica Financial Svcs.	6/17/22 Inv# 31864510	204.00
9913	6/29/2022	Hensel's Ace Hardware	5/31/22 statement	77.62

City of Blue Lake
 Check/Voucher Register - City Council Check Report
 From 6/1/2022 Through 6/30/2022

Check Number	Check Date	Payee	Check Description	Check Amount
9914	6/29/2022	Vicki L. Hutton	mileage reimb.5/13/22-6/24/22-Hutton	24.57
9915	6/29/2022	Trevor L. Pumnea	6/22/22 supplies reimb.- Pumnea	58.74
9916	6/29/2022	Rallye Productions, Inc.	6/17/22 Inv# 2966	133.85
9917	6/29/2022	SHN Consulting	6/15/22 Inv# 113389 WW (CRS)	3,861.25
9918	6/29/2022	SHN Consulting	3/31/22 #113017 & 6/13/22 #113341 Truck route	11,353.60
9919	6/29/2022	Wes Green Landscape Materials	6/14/22 Inv# GW6405	14.00
9920	6/29/2022	State Water Resources Con Boa	Water certification fees-Bernard	220.00
9921	6/29/2022	Humboldt County Assessor	7/27/22 statement 218 process W/S	65.85
9922	6/29/2022	Local Mow Man	6/10/22 inv# 7117 & 6/16/22 inv# 7240	5,923.00
9923	6/29/2022	Tameson L. Livengood	WB umpire 5/23/22-6/26/22- Livengood	220.00
9924	6/29/2022	Michael Salmon	WB umpire 5/23/22-6/26/22- Salmon	500.00
9925	6/29/2022	Patrick J. Rex	WB umpire 5/23/22-6/26/22 - Rex	562.50
9926	6/29/2022	Grant M. Manzi	WB umpire 5/23/22-6/26/22-Manzi	100.00
9927	6/29/2022	Jessica B. Jones	WB umpire 5/23/22-6/26/22 - Jones	422.50
9935	6/30/2022	AT&T	2- 6/20/22 statement	67.94
9936	6/30/2022	Kernen Construction	6/14/22 Inv# 21066	3,847.50
9937	6/30/2022	Shred Aware	6/29/22 Inv# 43847	75.18
9938	6/30/2022	Trevor L. Pumnea	6/27/22 Parks & Rec-petty cash reimb.	0.00
9939	6/30/2022	Melissa Combs - Petty Cash	6/29/22 to reimb.-business office petty cash	31.70
9940	6/30/2022	US Bank Corp. Payment Systems	6/22/22 statement	2,401.10
9941	6/30/2022	Kernen Construction	6/3/22 Inv# 20989	8,724.68
9942	6/30/2022	Paradise Cay Publications	6/21/22 Inv# IN512582	948.20
9943	6/30/2022	Advanced Security Systems	6/28/22 Inv# 613366	95.00
9944	6/30/2022	B & B Portable Toilet Co.	6/25/22 Inv# 142122	168.82
9945	6/30/2022	Statewide Traffic Safety	6/27/22 Inv# 09007824	243.11
9946	6/30/2022	SHN Consulting	6/20/22 Inv# 113450 - library	1,025.00
9947	6/30/2022	SHN Consulting	6/23/22 Inv# 113552 - LRSP	7,189.04
9948	6/30/2022	SHN Consulting	6/28/22 Inv# 113589-Planning	6,345.00
9949	6/30/2022	Melissa Combs - Petty Cash	6/27/22 P&R petty cash reimb.	44.50
9950	6/30/2022	Jessica J. Miguel	Pvt. skate refund 6/25/22-Miguel	120.00
Report Total				238,956.75