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CITY OF BLUE LAKE

CALIFORNIA

111 Greenwood Road

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Blue Lake, CA 95525

Blue Lake City Council Minutes

Tuesday, February 28th, 2023 ~ 6:30 p.m. ~Regular Council Meeting
Skinner Store Building-111 Greenwood Road, Blue Lake-Behind City Hall

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

Meeting Called to Order at 6:30 PM

1. Pledge of Allegiance and Establish a Quorum of the Council

Council Members Present:

Adelene Jones, Mayor
Elizabeth Mackay
Angela Shull, Mayor Pro Tem
Elise Scafani
Christopher Edgar

Staff Present:

Amanda Mager, City Manager/City Clerk
Emily Wood, Director of Parks & Recreation
Anali Gonzalez, Administrative Assistant

Public Present:

Mardi Grainger
Julie Christie
David Glen
Lin Glen
Angela Dare
Winona Pitts
Ted
Marlene
Ingrid Kosek
Jeff Landon
Lisa Hoover

A moment of silence was observed in memory of Makayla Bernald

2. **Approve Agenda**

Motion: To Approve the Agenda as presented

Motion by: Councilmember Mackay, **Second:** Councilmember Shull

There were no comments from the Council or public.

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed

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.*

Mardi Grainger: States she opened the Virgo Rising Food Bar in 2020 during the COVID epidemic; she did not want to wear a mask, but agreed to do so when serving food. She raised over \$3,000 for parks and recreation; closed Virgo Rising due to health/safety mandates; attempted to reopen later when the Dog House started to utilize the space but it was too difficult for two businesses to operate out of the same space. In 2022, she met with the City to see about using the serving booth; the City was renovating the space and told her she could utilize it when construction was finished. The City continued to make upgrades to the serving booth beyond the timeframe that was anticipated; she was not provided with updates on the progress; she would like to meet with the City to see when the booth will be ready for Virgo Rising to open.

Julie Christie: I support Zoom meetings for City Council; I'm able to participate in public comment.

4. **City of Blue Lake Commission Appointments and Resignation Acceptance-Action**

Mayor Jones reads the staff report

The City has received applications for the Economic Development and Public Safety Commissions. Darcey Lima and Roxanne Rothery have submitted applications for the Economic Development Commission and Jason Crews has submitted an application for the Public Safety Commission. Richard Platz has resigned from the Planning Commission and Matt Watts has resigned from the Arts & Heritage Commission.

Motion: To appoint Roxanne Rothery and Darcey Lima to the Economic Development Commission and Jason Crews to the Public Safety Commission; and accept the resignations of Richard Platz from the Planning Commission and Matt Watts from the Arts and Heritage Commission; City staff to advertise the commission vacancies.

Motion by: Councilmember Mackay, **Second:** Councilmember Edgar

There were no comments from the Council

Public Comment: None

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed

5. Council Training on March 14, 2023

Mayor Jones reads the staff report. Council directs the City Manager to finalize the training details and agenda and notice the meeting.

6. Memorandum of Understanding between the City of Blue Lake and Humboldt County to Provide Assistance Administering California Housing and Community Block Grant Programs

Mayor Jones reads the staff report.

City Manager Mager explains that the County provides technical assistance to the City for various CDBG functions; the City does not have the technical expertise, nor the staffing required to manage the program. The County provides this assistance to other municipalities and it provides a great benefit to the City.

Councilmember Mackay: The MOU was not reviewed by the City’s attorney; is there a reason why?

City Manager Mager: The MOU was prepared by Humboldt County and was drafted and reviewed by their legal counsel; this MOU contains standard language required by the funding agency and is similar to the MOU signed in the past by the City. As it has gone through County legal review I chose to bring it before Council for consideration.

Motion: To authorize and execute the Memorandum of Understanding between the City of Blue Lake and the County of Humboldt for the administration of CDBG activities and programs.

Motion by: Councilmember Shull, **Second:** Councilmember Mackay

There were no comments from the Council

Public Comment: None

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed

7. Humboldt Waste Management Authority Joint Powers Agreement Amendment-Action

Mayor Jones reads the staff report

City Manager Mager provides an overview of the agreement amendment; the amendment cleans up typographical errors and incorporates language regarding Senate Bil 1383, the organics recycling mandate from the State of California. The amendment allows HWMA to attain compliance with SB 1383; the City of Blue Lake is a member agency of the HWMA Joint Powers Authority and is working through HWMA to address compliance issues for the City of Blue Lake. The City has received funding from CalRecycle to educate the community on recycling/composting opportunities in preparation for a larger County wide program. The City has an exemption due to our size and lack of commercial organic waste producers, but is working toward compliance with HWMA and our waste hauler.

Councilmember Scafani: Is there a possibility to create a composting area within the City?

City Manager Mager: Yes, the Community Garden may be an ideal place if the gardening community is interested in maintaining the site. Education and providing resources for at-home composting would be the preferable method for engaging with the community.

Councilmember Edgar: Backyard composting would be a better option; a City operated compost would need to be regulated.

Motion: To approve the changes as presented and authorize the Mayor to execute the amendment with Humboldt Waste Management Authority

Motion by: Councilmember Mackay, **Second:** Councilmember Edgar

There were no comments from the Council

Public Comment: None

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed

8. **Mercer Fraser Contract Award for Wastewater Treatment Plant Headworks Replacement**

Mayor Jones reads the staff report

City Manager Mager states that the City has gone out to bid for the replacement of the headworks; the City has received one qualified bid for the work. The City Engineer, Mike Foget, recommends the City contract with Mercer Fraser to purchase and replace the headworks equipment. The equipment is an integral part of the wastewater system and the City has been pursuing replacement options for two years. The cost of the headworks has gone up and has exceeded the projected budget established in fiscal years 2022/2023; the authorization to contract with Mercer Fraser also requires the City to authorize the increase in the capital improvement line item of the wastewater budget.

Councilmember Scafani: Is this project grant funded?

City Manager Mager: No, the project would be funded from the wastewater capital improvement fund. This type of project is usually not a candidate for grant funding as it's more of an on-going operational project, rather than an enhancement or improvement project.

Motion: To authorize the City Manager to execute the contract with Mercer Fraser to repair the equipment specified in the agreement and authorize an increase to the Sewer capital improvement budget to support the contract amount.

Motion by: Councilmember Shull, **Second:** Councilmember Mackay

There were no comments from the Council

Public Comment: None

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed

9. **Continuation of Zoom Meeting Option for Public Participation-Discussion/Action**

Mayor Jones reads the staff report

The City has offered a Zoom public option for City Council meetings since the start of the COVID pandemic. Over the last three months, public participation on Zoom has significantly dropped or has been non-existent. Zoom is challenging for staff to manage during meetings and has presented operational issues. Due to the low participation on Zoom over the past three council meetings, staff has suggested the elimination of Zoom. City Manager Mager states that staff is happy to continue offering Zoom if the Council so chooses.

Mayor Pro Tem Shull: Zoom is a nice option for people with kids or those with disabilities that want to participate but may not be able to come in person.

Councilmember Edgar: It meets the condition of “reasonable accommodations” and should be continued

Councilmember Scafani: Zoom gives more options for the community to participate

Mayor Jones: I’m happy to continue to offer the Zoom option; it provides access and transparency

Public Comment:

Angela Dare: I wasn’t feeling well and appreciate having the Zoom option.

Lin Glen: This is one of the good things that came out of COVID; it allows more public input

Julie Christie: I appreciate the Zoom option and would like the recordings posted for transparency

Councilmember Scafani: Have prior meetings been posted on Access Humboldt since July 2022?

City Manager Mager: We have not posted meetings to the Access Humboldt page since July; we have had several issues with the recordings due to Internet issues and there have been issues with meeting protocols and behavior and commentary that did not reflect well on the community. The City does not have a meeting protocol that requires meetings to be recorded outside of the taking of the minutes, nor is there a protocol for posting recordings. If the Council would like to change this, it should be discussed as an agenda item. There are issues that would need to be resolved to accommodate the recording process, including equipment and technical expertise.

Councilmember Scafani: The meetings should be uploaded for those who may want to view the meeting at a later date.

City Manager Mager: The Council needs to create a protocol for video recording if they would like to make it a consistent procedure.

Councilmember Shull: Would like to add this topic to the March agenda.

Lin Glen: I am a frequent user of Zoom and appreciate the option for those who cannot attend meetings for a variety of reasons. I was at a prior meeting that discussed public access to Zoom recordings.

Mayor Jones: The Council’s consensus is to direct City Staff to continue the use of Zoom Meetings

10. Consider Recommendation from the Blue Lake Arts and Heritage Commission on a Name for the DANCO Affordable Housing Mixed Use Development Project

Mayor Jones reads the staff report

City Manager Mager: The Arts and Heritage Commission was asked to develop a recommendation for the naming of the affordable housing/mixed use development project in the Powers Creek District.

The project is commonly referred to as the “DANCO Project” which has had a polarizing effect in the community. Naming the project will allow the development to take on it’s own identity and will allow the “placemaking” process to proceed in a more positive manner. The Arts and Heritage Commission created an ad-hoc committee to tour various development projects and worked with Marnie Atkins, Cultural Director of the Wiyot Tribe, and Arts and Heritage Commission Advisory Member to develop options for a Wiyot name. For the past several years, the Council has been working on opportunities to incorporate Wiyot language into the community and to develop partnerships with the Wiyot Tribe.

Name suggestions:

Baduwa’t Community

Doulit Community (Pronounced Doo-leet Community)

Da ‘Di’ qhoughuk (The Wiyot name for Blue Lake... Where the trail comes down)

Councilmember Edgar: I like Baduwa’t Community, it’s the easiest to pronounce.

Councilmember Scafani: I wonder if it’s too early to name the development; I’m not sure how far along the development is in the process and maybe it’s premature.

Mayor Jones: There’s a lot that goes into naming a project

Councilmember Scafani: This should go out to the community; this came out of left field

Councilmember Mackay: The Arts and Heritage Commission wanted to be a part of the naming process; I’m happy with the recommendation, it’s familiar and we want to move forward on a positive note; this can be a very beneficial change. The space will be beautiful; I agree that putting it out to the community would be good, but we might get 1000 names and we could lose the connection to the Wiyot.

Mayor Pro Tem Shull: I appreciate the work that the Arts and Heritage Commission has done; it’s a lot of work to tour the other projects; I wouldn’t be opposed to taking it to the next meeting just to process; but I don’t want to negate the work that the commission has done.

Councilmember Edgar: I think putting it out to the community opens doors that don’t need to be opened.

Mayor Jones: I like “Baduwa’t Community,” it’s a project that will be part of our community.

Mayor Pro Tem Shull: I also like the term “community.”

Motion: To name the mixed-use/affordable housing development the Baduw’at Community

Motion by: Councilmember Edgar, **Second:** Councilmember Mackay

Councilmember Comment:

Councilmember Scafani: I’m not comfortable with naming the development at this time; I think it should go out to the community.

Public Comment:

Mardi Grainger: I’m unsure of how to pronounce the name; I don’t understand the connection between the Tribe and the project; it’s land owned by the City.

Lisa Hoover: Giving this development a name right now feels pre-mature; I was surprised that the development is at this stage. I know there's a Wiyot on the commission, but I wonder if other Wiyots are okay with this? It may not be suitable for a housing development.

Jeff Landon: I think its presumptuous and it is an "us and them" thing; is there a Wiyot name for "token gesture."

Vote: Ayes: Jones, Mackay, Shull, Edgar **Nays:** Scafani **Absent:** None

Motion Summary: Motion Passed

11. California League of Cities Budget Update and Call to Action Resolution and Letter Request in Opposition to Initiative 21-0042A1

Mayor Jones reads the staff report

City Manager Mager provides an overview of the initiative and the potential impacts to local government control and funding.

a. Resolution No. 1215-A Resolution in Opposition to Initiative No. 21-0042A1

b. Letter in Opposition of Initiative No. 21-0042A1

Motion: To adopt Resolution 1215, and authorize the Mayor to sign the Opposition Letter and direct Staff to distribute the Opposition Letter as appropriate.

Motion by: Councilmember Mackay, **Second:** Mayor Pro Tem Shull

There were no comments from the Council

Public Comment: None

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed

12. Dog Ordinance Review and Discussion-Discussion/Action

Mayor Jones reads the staff report

City Manager Mager: Council directed staff to contact the City Attorney, Ryan Plotz, to review options for the issuance of citations for nuisance dog issues. The City currently does not have an adopted process in place to do so and would need to revise the municipal code to make these accommodations. The City Attorney explained that the City can adopt their own process to enforce citations and penalties for roaming or nuisance dogs; the citations must be a reasonable amount and there has to be an opportunity to cure the violation. The ability to collect on the citation is limited and the amount of time and expense to pursue collection makes this options cost prohibitive.

Mayor Jones: Did the attorney mention other cities that use a citation process?

City Manager Mager: No, the attorney said it's similar to a nuisance process. The citation would be administrative and not civil.

Mayor Pro Tem Shull: Did the attorney recommend a process for presenting citations?

City Manager Mager: The discussion concluded that it would be too difficult for the City to implement a citation policy reasonably and effectively and he recommended that the City pursue an alternative process.

Councilmember Scafani: How much does it cost for Animal Control to take a roaming dog to Humboldt County Animal Shelter?

City Manager Mager: It depends on what resources are required, although it averages \$200-300. In most cases, citizens have taken roaming dogs to the shelter on their own.

Councilmember Scafani: I feel that there are two distinct parts to this issue - dogs at large and dogs that are dangerous. I had a conversation with Andra Hale, animal control officer, and she stated that the City could amend the contract to allow animal control to respond to calls without prior approval on an emergency basis, possibly reducing delays. Maybe a “10 strikes policy” could work for enforcement for roaming dogs.

Mayor Jones: Education would be helpful, such as posters or flyers that promote being a responsible dog owner and could serve as a reminder for others - “friendly and informative.” Emily Wood makes nice posters; she could work with Blue Lake Elementary School to create a campaign for being a responsible dog owner.

Councilmember Scafani: An Animal Control officer could visit the school and present about dog ownership.

Public Comment:

Julie Christie: I sympathize with those who have experienced situations with roaming or aggressive dogs. I would suggest signage on City property, promoting training classes and workshops, establishing a good relationship with Paws Cause and the community should remain vigilant towards aggressive, roaming dogs that have been known problems for the community. The City should be stern towards repeat offenders and take action.

Mayor Jones: 10pm-8am are quiet hours during the weekdays, 11pm-9am on the weekends

Winona Pitts: Roaming dogs are not the problem; there are a lot of dogs that are out but are nice; like my dog that’s 17 years old and is out and doesn’t cause problems. I think we need options to deal with emergency situations. I waited two days to get proper support after my dog was attacked; a city worker should be trained to detain aggressive dogs and remove them in emergency situations.

Lisa Hoover: Threatening and emergency situations are different; putting up signs won’t fix that situation.

Angela Dare: I agree with Elise about reworking the contract; my dogs can’t wait to go out in the morning until 9:00 AM and dogs will bark.

Councilmember Scafani: If a vicious attack happens the City shouldn’t have to be contacted for animal control to respond.

City Manager Mager: There are not enough Animal Control officers in Humboldt County to cover emergencies at all times; the response time was based on the lack of resources from the County and is not related to the City’s response time in contacting animal control in that particular incident; the City authorized the response when we were contacted.

Mayor Jones: I’m concerned about a contract amendment that could be abused or taken advantage of; the City has to pay for the response and there needs to be some control. We can direct staff to bring back language for discussion.

Councilmember Scafani: Animal Control is available to respond more hours than City staff is.

Council directs staff to bring back amended language that allows the community to go directly to Animal Control for response without pre-authorization in emergency situations and create signage for City properties and explore informative programs and workshops that promote responsible pet ownership.

13. Website Review and Discussion-Discussion

Mayor Jones reads the staff report

Councilmember Scafani: I have used the website and have found that there's a lot of redundancy and it can confuse people. I don't know who updates it and if there are opportunities to make changes..

City Manager Mager: The City's website is currently hosted by Redwood Curtain Design. The City only contracts Redwood Curtain when there is a complex change needed to the website. The City pays \$30/month hosting fee and communicates with Andy when large changes are needed.

Councilmember Scafani: I wonder if a monthly maintenance package could be helpful for the City, or monthly trainings and "cleanups" to make things user friendly and clear. I always have questions at weird hours and use the website for information; it's a function of government and should be user friendly. Should we put this out to the community; can we create a taskforce to work on the website?

Council will review the website and provide input on the page; staff can contact the web designer/administrator to implement changes.

14. Agenda Setting Protocol-Municipal Code Title 2-Administration and Personnel, Chapter 2.04 City Council Meeting Times and Procedures

Mayor Jones reads the staff report

Councilmember Scafani: I asked Mandy to send a draft agenda 10 days prior to agenda setting date; a whole month is a long time between meetings. I assume that the clerk is building the agenda throughout the month so we can get an idea of what's going to be on the agenda and we would know if we need to add anything.

Mayor Jones: The process seems to be working for me.

Mayor Pro Tem Shull: What's the regular process?

City Manager Mager: The process for setting the agenda and adding items is established in the City's code; Councilmembers must follow the process identified. The usual process for adding an agenda item is during the "future agenda items" discussion at the previous months meeting; this allows the Councilmembers to discuss what gets brought forward as a group. I'm happy to provide updates as information is available, but setting the agenda and putting together the supporting items is a time-consuming process that takes multiples days to complete.

No direction received from Council

15. Fiscal Year 2022-2023 Salary Scale Adjustment

Mayor Jones reads the staff report

City Manager Mager explains that the Administrative Assistant position was not revised during the FY 2022/2023 budget process. The pay scale starting rate is too low and needs to be adjusted to allow more flexibility in the pay range. Updating the scale will allow the City to offer a competitive wage.

Councilmember Scafani: Is raising the pay range mandatory for hiring this position?

City Manager Mager: No, the current position's wage rate is included on the current pay scale.

Mayor Jones: Will this item come up in the budget amendment?

City Manager Mager: Additional proposed adjustments will come to the Council during the budgeting process.

Motion: To approve the pay scale adjustment to the Administrative Assistant position by changing the starting rate to \$18.63.

Motion by: Councilmember Edgar , **Second:** Mayor Pro Tem Shull

There were no comments from the Council

Public Comment: None

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed

16. Council Correspondance

No council correspondence.

17. Consent Agenda:

- a. January 24, 2023 Meeting Minutes
- b. Warrants and Disbursements

Motion: To approve the consent agenda with minor grammatical corrections to the January 24, 2023 meeting minutes.

Motion by: Mayor Pro Tem Shull, **Second:** Councilmember Edgar

There were no comments from the Council

Public Comment: None

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed

18. Reports of Council and Staff

- a. City Manager Report: Nothing to report.

Councilmember Scafani: Reported on the Parks & Recreation Commission Meeting and RCEA Meeting

Mayor Pro Tem Shull: Reported on the Blue Lake Chamber of Commerce Meeting

Mayor Jones: Reported on the HWMA, HCAOG and Blue Lake Museum meetings

Councilmember Edgar: RRDEC Meeting

Councilmember Mackay: Reported that the Economic Development Meeting was cancelled; attended the Arts & Heritage Commission Meeting.

19. Future Agenda Items:

- Zoom & Recording Protocol
- Website Review and Discussion
- Dog Ordinance - Animal Control Contract Recommendation

20. Adjourn

Motion: To adjourn at 9:29 PM

Motion by: Councilmember Mackay, **Second:** Councilmember Scafani

There were no comments from the Council or public.

Vote: Ayes: Jones, Mackay, Shull, Scafani, Edgar **Nays:** None **Absent:** None

Motion Summary: Motion Passed