



Blue Lake City Council Minutes

Tuesday, June 10, 2025 ~ 5:30 p.m. ~ Special Council Meeting
Skinner Store Building ~ 111 Greenwood Rd., Blue Lake ~ Behind City Hall

CALL TO ORDER: 5:30 p.m.

COUNCILMEMBERS PRESENT: Mayor John Sawatzky, Mayor Pro Tem Elise Scafani, Council Member Michelle Lewis-Lusso, Council Member Kat Napier

COUNCILMEMBERS ABSENT:

STAFF PRESENT: Acting City Manager Dani Burkhart, Clerk Laura McClenagan, Planner Gary Rees and Videographer Justin Goad <https://www.youtube.com/@BLCNews95525>

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL: [0:46: Part 1]

Motion: [3:11 Part 1] To accept the agenda as delivered

Motion by: Mayor Pro Tem Elise Scafani

Second by: Council Member Michelle Lewis-Lusso

Public Comment: [1:51 Part 1]

Comment by (Adelene Jones): I flagged two errors on the agenda, Public Comment on Non-Agenda Items and Agenda Approval and I'm glad staff were able to make those changes. Adelene also speaks of her concerns regarding the number of closed sessions breaking the Brown Act, but per government code 54957(b)(1), appointment of a public employee, is allowed in closed sessions.

Motion Summary: Consensus (4/0)

PUBLIC COMMENT ON CLOSED SESSION ITEMS: [3:22 Part 1] None

CLOSED SESSION ITEMS: [3:38 Part 1]

Motion: [3:42] to move to close session.

Motion by: Council Member Kat Napier

Second by: Council Member Michelle Lewis-Lusso

Motion Summary: Consensus (4/0)

REPORT OUT OF CLOSED SESSION: [0:32 Part 2] Mayor John Sawatzky reported that the Council discussed the appointment of the city clerk position. The Council also discussed the appointment of the Deputy City Clerk position. Council Member Michelle Lewis-Lusso motioned to appoint Acting City Manager Dani Burkhart the City Clerk position and appoint Laura McClenagan the Deputy City Clerk position. The Council voted in favor of the motion.

Public Comment: [1:19 Part 2]

Comment by (Julie Christie): I'd like to commend Acting City Manager Dani Burkhart for stepping up to fill the role of city clerk, however I would like to see the vacant positions posted once they are available with the correct job positions and descriptions. I know there's a lot of people who would love to circulate them.



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PUBLIC COMMENT ON NON-AGENDA ITEMS: [2:17 Part 2]

Comment by (Steve Madrone): Informs the Council that their enforcement contract was approved today. Steve shares what he calls lenses, seeing the world through the lens that we have in front of us and to use to obtain different points of view. Steve expressed understanding for how hard the council jobs are and the pressures that are put on us to try and understand all the community all the different sides of the community, to read voluminous amounts in agenda packets, to understand and then to listen to people and make decisions out of the best of our heart and our minds, to make those decisions for the benefit of the whole community and that is not an easy task but I found that the more lenses I use the better my perception is in terms of the bigger picture. Steve also said thank you for your partnership with the Great Redwood Trail. We are working with landowners for a trail going all the way to the North Fork levy and back into town. Steve mentions working with Acting City Manager Dani Burkhart, as himself, not as a county supervisor, to put together to bring forward a proposal to help the city with the overdue maintenance on the Powers Creek bridge, with volunteers trying to keep the city's cost down.

Comment by (Julie Christie): Thanked Steve Madrone for being in attendance and wanted to promote Annie and Mary Day which is August 3rd. There are vendor and volunteer positions available. Commerce along with Parks and Rec has a list of the positions still needed.

Comment by (Beckie Thorton): Beckie wants everyone to know that on Sunday June 29th we will be putting together a scavenger hunt for the kids. More details to come.

ACCEPT RESIGNATIONS: [8:10 Part 2] Mayor John Sawatzky reports the resignations of Council Member Christopher G. Firor submitted on May 27, 2025, and Planning Commissioner Elaine Hogan submitted June 5, 2025. The Council receive these resignations officially.

Council Member Michelle Lewis-Lusso asked about the posting requirements for the commission and committee vacancies.

Acting City Manager Dani Burkhart responds that the Arts and Heritage Commission has been posted for 30 days; the Economic Development Commission has been posted for over 30 days, and the Planning Commission is due to be posted upon acceptance of this resignation.

Public Comment: [9:48 Part 2] None received.

Mayor John Sawatzky reads a letter to Elaine Hogan. Dear Miss Hogan, Thank you for your service as chair of the Blue Lake Planning Commission. I acknowledge and respect your decision to step down particularly in the light of potential conflict presented by your concurrent roles as the chair of the planning commission and as the executive director of the Great Redwood Trail Agency. Given the city's growing focus on tourism and trail-related development, your resignation helps preserve the integrity of both the commission and the agency you lead. I regret that my request for a joint meeting between the planning commission and city council was interpreted as a lack of



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collaboration, my intent was to strengthen communication and alignment not to diminish the council's role or authority. I appreciate your contributions to Blue Lake and wish you continued success in your regional work. Thank you very much.

Motion: [3:42] to accept the resignations of both Christopher G. Firor from the council and Elaine Hogan from the Planning Commission.

Motion by: Mayor Pro Tem Elise Scafani

Second by: Council Member Michelle Lewis-Lusso

Motion Summary: Consensus (4/0)

CITY COUNCIL VACANCY PROCESS: [11:18 Part 2] Acting City Manager Dani Burkhart stated that the city council has generally elected to appoint in lieu of doing a special election, especially since it's only one seat and we're in an off-election year. Usually, appointments need to take place within 60 days according to the California code. We used the application supplied in the meeting packet the last time the council appointed a seat. The applicant is a one-page document that requests information and has questions to answer on the back. The application period is typically open for as many as 30 days, however, due to the timing of meetings and holidays, Acting City Manager Dani Burkhart recommends an open period through the 15th of July and then the appointment be placed on the following agenda July 22, 2025.

Council Member Kat Napier requests the question about the length of time living/working in Blue Lake be separated into two questions for clarity and to distinguish if they are living full-time or part-time in the area can be determined by where they are registered to vote.

Acting City Manager Dani Burkhart confirms.

Motion: [16:06 Part 2] to open a posting of the vacancy and begin receiving applications tomorrow June 11, 2025, through July 15, 2025, and that the council appoint someone to the vacancy on July 22nd at our regular meeting.

Motion by: Mayor Pro Tem Elise Scafani

Second by: Council Member Michelle Lewis-Lusso

Motion Summary: Consensus (4/0)

Public Comment: [16:38 Part 2]

Comment by (Adelene Jones): pointed out that when Elizabeth McCay stepped down from the council, it was the last meeting in July and we did not appoint someone until October 7th, which was quite a lengthy time. Adelene has no objections to making it shorter, and thought it was too long of a time.

Mayor Pro Tem Elise Scafani explains the time period was extended because the Council wasn't made aware of her resignation for quite a few weeks after it occurred.



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Comment by (Julie Christi): supports the process and adds we already have some really qualified people in the community that would jump in to take some of the burden off the council and help with the ad hoc committees. Julie wants another critical thinker on the council that is nonbiased and can take a little pressure. Julie looks forward to seeing the council have another good teammate.

4TH OF JULY FLYERS – Referred by Public Safety Commission: [18:33] Mayor John Sawatzky reports the Public Safety Commission has referred to the Council the approval for distribution of flyers reminding the public of our local fireworks ordinance and to please remember to use safe and sane fireworks to celebrate the upcoming Independence Day.

Acting City Manager Dani Burkhart said a copy of the flyer is in the agenda packet. It is a double-sided flyer created by community member Marti Granger.

Council Member Kat Napier asked if any of our commissions have a budget and should the council consider a budget.

Acting City Manager Dani Burkhart responds that when a commission requests printing, staff will do what we can to accommodate if staff are available. Commission and Staff will coordinate in advance if the request is labor or printing intensive. Acting City Manager Dani Burkhart further states that staff do not get enough requests that a limit is needed to be placed at this time.

Mayor Pro Tem Elise Scafani reports that a discussion about distribution in the Public Safety Commission meeting and proposed ideas. One being an afternoon educational activity at the school, but the school rejected the idea. Another being to bring it to the kids at the summer camp, but that is a pretty small number. Mayor Pro Tem Elise Scafani suggests an open discussion about how to distribute the fliers spreading the word about being kind to auditory sensitive neighbors; and suggests asking volunteers to go door-to-door, but there's 500 to 600 household in town.

Council Member Michelle Lewis-Lusso asks if this could be posted to the website.

Acting City Manager Dani Burkhart confirms she has a scanned copy ready to post on the web site and on social media if accepted by the council.

Mayor John Sawatzky asked if staff has access to Facebook for posting the flier.

Acting City Manager Dani Burkhart confirms Facebook access.

Public Comment: [22:23 Part 2]

Comment by (Julie Christi): wants to thank Marti Grainger as she's put a lot of love in little spots all over this town. Julie made a PDF copy and sent it to Marti to congratulate her and if passed, she will help share it on social media. Julie also commented that she thought the process was great to see our Public Safety Commission look at this twice and make the recommendation to bring it forward to the council and looks forward to a nice safe and sane Fourth of July.

Comment by (Marti Grainger): pointed out that there were 150 flyers for Fourth of July and 150 for New Year's Eve. Marti also thought the flyer would be endorsed by the safety commission, so people didn't think it was some random flyer. Marti supposes that with the city ordinance on the



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back it made it clear it was endorsed. Marti also mentions that Erin McClure will bring her donkey down to the park for the kids and will give out these brochures and talk to them about the flyer. Mayor Pro Tem Elise Scafani said that part of the discussion at Safety Commission was that if we teach the youngsters how to be kind to their neighbors, that they can go home and educate their parents.

Comment by (Adelene Jones): As chair of the Public Safety Commission wanted to say that we don't want to put guilt on the kids because a lot of times it's not the kids who are at fault the parents are the ones that are buying the illegal fireworks. Adelene confirmed the school did not seem to be interested in distributing the flyers to the kids but thinks the summer recreation program would be a good way to distribute the flyers and post it on the website. Adelene also mentions she has the keys to the church and can ring the bell at 9:00 p.m.

Mayor John Sawatzky asks commenter Adelene Jones why the school said they weren't interested.

Comment by (Adelene Jones): answered that Paula Wyant didn't think it was appropriate for the school; she thought distribution should be handled by the city.

Mayor Pro Tem Elise Scafani said another idea the Safety Commission had was making lawn signs of this flyer or something similar but was unsure of the interest.

Council Member Michelle Lewis-Lusso was in favor of the lawn signs as they can be stored and reused year after year.

Mayor Pro Tem Elise Scafani said the paper flyer could be posted on all the bulletin boards and asked if there were any volunteers for a lawn sign campaign and thinks staff could get about 20 signs distributed around town.

Comment by (Alexander Ricca): Alex announced that Marti Grainger just walked up to me and paid me for the flyers. Alex accepted the donation to the program, and in turn donated it to get yard signs.

Comment by (Kent Sawatzky): Offered to match the donation.

Comment by (Julie Christi): added that donations could be delivered to the city hall office clerk as they have in the past.

Motion: [30:16 Part 2] to approve the submitted flyer being used in various manners around town and also endorse the lawn sign idea if we can raise the funds to pay for that.

Motion by: Mayor Pro Tem Elise Scafani

Second by: Council Member Michelle Lewis-Lusso

Motion Summary: Consensus (4/0)

COMMISSION VACANCIES/APPOINTMENTS: [31:05 Part 2]

Acting City Manager Dani Burkhart reports that there are three seats on the Arts and Heritage Commission, one vacant seat on Economic Development and one seat on the Planning Commission



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that is now newly opened. Acting City Manager Dani Burkhart noted that the Lynn Glenn application for Public Safety Commission was inadvertently included in the agenda packet. Mayor Pro Tem Elise Scafani asked to start with the Economic Development application from Linda Cooley.

Applicant Linda Cooley [32:27 Part 2] said I'm specifically interested in helping out with economics because I run a business in Blue Lake not just in person, but manufacturing and we focused on doing it sustainably and where we're good to our environment here in Blue Lake. I think it is possible that all of our businesses can operate that way. I think it's important I also have a very special focus on tourism, and I think it's something we need not just in the county, but in our city. I'm involved with all of our county events, and I think getting other people from other cities in Humboldt County to come to Blue Lake is necessary to build more businesses here so they can stay here and thrive responsibly. I just love it here, Thank you.

Mayor John Sawatzky asked Applicant Linda Cooley how she would actively promote economic growth and attract businesses.

Applicant Linda Cooley responds I would reach out to other business owners to start. I have a lot of business owners that are already our customers. I attend a lot of economic development meetings statewide, and California tourism meetings. I would reach out specifically to businesses that fit in with Blue Lake and were environmentally and fiscally responsible.

Public Comment: [34:10 Part 2]

Comment by (Julie Christi): thanked Linda for her application. Julie got to know Linda, and thinks Linda is a stellar individual and will be a huge asset for our community and really looks forward to having Linda on our Economic Development Commission.

Comment by (Beckie): thanked Linda for stepping up for the Economic Development Commission position and thinks she'd be a wonderful addition.

Motion: [34:57 Part 2] to appoint Linda Cooley to the Economic Development Commission.

Motion by: Council Member Kat Napier

Second by: Council Member Michelle Lewis-Lusso

Motion Summary: Consensus (4/0)

Mayor Pro Tem Elise Scafani asked if the appointees were notified that we would like their attendance at the meeting where the appointments will take place and thinks it should be added to the application sheet. Mayor Pro Tem Elise Scafani also suggests the appointments to the Arts and Heritage Commission be continued to the next meeting so applicants can be informed of the request to be present at the meeting.

Mayor John Sawatzky asked Acting City Manager Dani Burkhart if the applicants were aware of the meeting and our request to have them present.



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Acting City Manager Dani Burkhart could not confirm the applicants were sent communication regarding their attendance.

Public Comment: [37:24 Part 2]

Comment by (Marti Grainger): Marti explains a kind of negative feeling about the Arts and Heritage. Marti wonders if the Arts and Heritage Commission is needed and agrees with Matt that the people who are interested in this kind of thing can just come forth and participate without it being a formal commission.

Comment by (Adelene Jones): Adelene was really proud to be on the council and as mayor forming this commission. Local artist Diana Lynn suggested the commission. Adelene agrees that Barbara Russell has been to a lot of meetings and is very interested in our town and agrees with Mayor John Sawatzky that we need to get the Arts and Heritage Commission up and running again as they haven't met in a while and there are a few items on the commissions plate, like a mural on the finished library ramp and the town square bathroom.

Comment by (Julie): suggested that with the lapse with the Arts and Heritage pretty consistently over the last three years, the council could dissolve the Arts and Heritage Commission and distribute the projects between Economic Development or Parks and Recreation.

Comment by (Beckie): agrees with Julie.

Comment by (Steve Madrone): wanted to say heritage encompasses such a large set of values and things including buildings and artifacts but we have a wonderful Wiyot heritage here too. It might be a great way to partner with the rancheria and others in the Wiyot culture that could bring some neat heritage, a value by reaching out to them and seeing if they might want to be involved in such a commission as well. Steve also said let's not forget the namesake of the town Old Blue Lake as a heritage. Steve spoke of trying to talk to the current landowners about possibly being able to get the lake restored, which would be a wonderful thing, heritage wise for the community.

Council Member Michelle Lewis-Lusso wants to appoint both or continue both.

Mayor Pro Tem Elise Scafani speaks of potentially having the folks interested in Arts and Heritage be advisory members of the Economic Development Commission might serve a greater purpose.

Council Member Kat Napier asked how many seats are needed for a forum on the Arts and Heritage Commission.

Acting City Manager Dani Burkhart answered that the commission needs one more person to make a quorum.

Council Member Kat Napier said that while she is inclined to say yes to the appointment to the commission, we're establishing a process that applicants come in so the council and the public can ask questions.



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Direction: The council directed staff to contact applicants and ask them to be present when this item is placed on the next agenda.

UPDATE ON HCD RESPONSE TO HOUSING ELEMENT TIMELINE: [46:57 Part 2]

Acting City Manager Dani Burkhart reported that the council directed staff at your last meeting, to send a response regarding the HCD letter we received. Staff responded as outlined on May 30, 2025. The HCD responded asking us to move the housing element up a couple of months. Acting City Manager Dani Burkhart thinks the reason they want it moved up is due to the close out of the LEAP grant at the end of the year; to prevent us from having to scramble to identify other expenses that could qualify for the program which could delay the close out. HCD would like the housing element portion complete by the end of November instead of the December date given.

Mayor John Sawatzky asks if Gary would like to weigh in.

Planner Gary said he would ask for clarification just to be crystal clear that they were only referring to adoption of submission of the housing element versus the rezoning action.

Public Comment: [50:43 Part 2]

Comment by (Julie Christi): Thanked Gary for weighing in and suggested getting clarification. Julie also agrees to see if they can help review how we have presented the housing element thus far and in correlation with our general plan. Julie also suggests that when staff are presenting the housing element to use the type of format other municipalities use. The problem is that when the housing element is presented, it is just that, a presentation and not actually going line by line or itemizing any additions or subtractions. Julie mentions the original housing element had some edits but isn't on the web page anymore.

Comment by (Adelene Jones): said that a Blue Lake citizen mentioned to her last week that the same people who have been blaming the last council for not passing the housing element are the same people who would have complained if we had. It's kind of darned if you do and darned if you don't. Adelene continues by saying she does think the council needs to take this seriously, that when the state tells you to do something, you need to comply with it. So, let's move this forward and get some affordable housing in Blue Lake.

Comment by (Beckie): wants to thank the council for working quickly with this process since you've had very little time to do so. The city has been sent numerous letters previously since 2021, if not earlier, for not being in compliance. Beckie is glad that the council is working toward being there and doing what you need to do.

Mayor John Sawatzky asks Planner Gary if he had any additional comments.

Planner Gary suggest the council consider the request for speeding it up and think about potential options in responding; one option is you could just say "Hey no that's the schedule we believe we can meet, we're committed to it, we want to move forward with this and see how they respond.", or "Okay, we could speed it up a month.".



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Mayor Pro Tem Elise Scafani thinks it could be moved up one month, but no more.
Council Member Michelle Lewis-Lusso agrees with Mayor Pro Tem Elise Scafani
Council Member Kat Napier believes the timeline given is what we can do. Council Member Kat Napier said if we move it up a month then we are in the middle of holidays and thinks maybe moving it up only two weeks.
Council Member Michelle Lewis-Lusso suggests December 15, 2025.

Direction: To respond to HCD asking for clarification and move the timeline up to December 15, 2025, if necessary.

FIRST READING AND INTRODUCTION BY TITLE ONLY ORDINANCE CHAPTER 13.12 CROSS-CONNECTION CONTROL AMENDMENT: [58:28 Part 2] The State of California's Water Resources Control Board has adopted an updated Cross-Connection Control Policy Handbook which necessitates an update to the City's Cross-Connection Control Ordinance, Chapter 13.12 of City Ordinances to remain in compliance with state-wide policies outlined in the State Water Resources Control Board's Cross-Connection Control Policy Handbook.

Acting City Manager Dani Burkhart reports that the city is coming into compliance with updated state regulations. This is an ordinance the city already has on the books. Changes are outlined in red. Acting City Manager Dani Burkhart informs the council that they could pass this today as it is coming in to coincide with state regulations as opposed to a new regular ordinance and that a second reading is not necessary unless the council wishes to make changes. Acting City Manager Dani Burkhart adds that the changes are required by the new cost connection control policy handbook.

Council Member Kat Napier asked for clarification on things moving from air gap to reduce pressure and how that translates into dollars for people who might have a well or secondary source.

Acting City Manager Dani Burkhart responds that it can be costly and that is why the regulations outline a two-year period to come into compliance. An exception is if the device fails and there is risk of cross contamination of the public water supply, then you have 30 to 60 days to come into compliance depending on the advice of the public works superintendent.

Public Comment: None received

Motion: [1:01:43 Part 2] to adopt the ordinance amendments as presented.

Motion by: Mayor Pro Tem Elise Scafani

Second by: Council Member Kat Napier

Motion Summary: Consensus (4/0)

POWERS CREEK RESTORATION PROJECT – SPOILS PLACEMENT: [0:18 Part 3]



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Acting City Manager Dani Burkhart reports that the Planning Commission recently approved a conditional use permit for the Powers Creek Restoration Project, in which dredging spoils from the creek would potentially be stored on City property at the former power plant site during the implementation phase of the project. To finish the first phase, determination of the spoils' location is needed.

Council Member Kat Napier asks if that is on the chip pile.

Acting City Manager Dani Burkhart responds that it is next to the chip pile.

Council Member Kat Napier asks if there will be a barrier between the chip pile and the spoils, how long would it be there, if it is the rainy season, does it get tarped and who would pay for tarping the pile, and who pays to move it.

Planner Garry Rees responds that if the council were to agree you want the property used for the spoils, these questions you're asking could be requirements or conditions that are place on the use of the city property. Planner Garry Rees believes the members of Baduwa't Watershed Council are in attendance and would like to discuss this proposal with you further and would potentially answer some of these questions regarding winterization. Planner Garry Rees continues that the city's grading ordinance as well as other state regulations have requirements to use erosion control and coverage to make sure that sediment isn't running off the site. Planner Garry Rees reports there are currently some storm water controls at the site but probably haven't been maintained in years and would need to be added to or improved. Planner Garry Rees encouraged the council to lay out all your questions and then invite the applicant to address what they can, and I will attempt to address questions as well.

Mayor Pro Tem Elise Scafani asks what the expected volume of the spoils is and for a visual comparison, asks staff what the estimated volume of the fuel pile is that's currently on the site. Baduwa't Watershed Council Representative Dave Ferrell thanked the council for creating the dialogue and the opportunity to talk about the spoils. Speaker that there are three phases to the project and the first phase is from the rancheria up 1,77 linear feet upstream and is about 28,000 cubic yards of material. Phase two and three is an additional 10,000, so about 38,000 cubic yards ultimately over a period of three to four years will be moved out of Powers Creek, and as a visual added it would be one acre, ten feet high.

Planner Garry Rees confirms that chip pile will be separate from the soil spoils pile.

Baduwa't Watershed Council Representative Dave Ferrell speaks of conversations with folks in the community who handle material and Gary Johnston, who a majority of that material is coming from his property, has said that he can handle most of that material. Another option is for the city to use the material to level out the industrial zone, or for landowners to use to level out their property. The spoils can be placed in a location that has a delineation of not a wetland.

Council Member Kat Napier asks what the quality of the material is anticipated.

Baduwa't Watershed Council Representative Don Allen explained that three sediment samples on the city's reach were performed and found 10 to 20% to be fines, one millimeter in size, along with gravel and cobble.



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Baduwa't Watershed Council Representative Don Allen suggested a conditional disposal on the city's property if Gary Johnston doesn't take it all, further condition the agreement that the spoils pile is to be weatherized and erosion control measure placed, i.e. straw mulch and coir logs around the perimeter for sediment containment. Baduwa't Watershed Council Representative Don Allen tells the council that in less than a month the projects' phase 1 – project planning will be finalized, and the spoils' location is a missing piece.

Mayor Pro Tem Elise Scafani confirms with Baduwa't Watershed Council Representative Dave Ferrell that it will be a whole year before digging begins.

Baduwa't Watershed Council Representative Dave Ferrell confirms and adds it is due to the funding cycle and how long it takes them to process it, we may not know until December.

Mayor John Sawatzky asks if there is any chance of contaminants being in the soil.

Baduwa't Watershed Council Representative Dave Ferrell confirms that they will be testing the soil to make sure it's handled appropriately. If contaminants are found, all movement of soil stops, and best actions are determined.

Mayor Pro Tem Elise Scafani asked if area needed to be graded or contoured in some fashion would this soil be appropriate for that use?

Baduwa't Watershed Council Representative Don Allen responds that we can't say for sure that all the soil would be the same as the three samples that we took, which is 15 gallons of soil out of the 28,000 cubic yards to be removed, of which 20% were fines, around 5600 cubic yards of fairly fine material sandy silty material which you know could have a lot of good uses.

Baduwa't Watershed Council Representative Dave Ferrell explains that they will be over excavating and using the cobbles and coarse gravel along with large wood structures for spawning areas.

Mayor Pro Tem Elise Scafani asked if a citizen wanted some of the spoils, would you haul it.

Baduwa't Watershed Council Representative Don Allen explains the main restriction is placement must not be delineated as a wetland, and that financially we can't afford to haul too far so that's why we're looking for a site as close to the project as possible.

Mayor John Sawatzky asked how long the dirt would remain, and would the city be responsible for getting rid of it.

Baduwa't Watershed Council Representative Dave Ferrell said that they have been talking to State Cultural Conservancy, Wildlife Conservation Board, California Fish and Wildlife, the Department of Water Resources which expressed interest. The Wildlife Conservation Board invited us to formulate a pre-proposal which would then lead to a proposal. The Department of Water Resources funded phase 1 – planning phase and want to see us finish and are excited about the implementation.

Council Member Kat Napier asks that Planner Garry Rees look at this because all soils aren't created equal and some will percolate well while others will compact and others will just be a problem forever, and determine what types the city might be able to use.

Mayor Pro Tem Elise Scafani asked if Gary Johnston's flood plain designation is different than the power plant designation.



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Planner Gary Rees replied that there's a combination map flood designations by FEMA, which shows Gary Johnston's aggregate processing is in the 500-year flood plane, which has no special requirements whereas if placement on the part of the property that is in the one hundred-year flood plane has limitations and would require costs and analysis looking at any impacts of the base flood elevation. Planner Gary Rees also confirms that most of the area we call the Powers Creek District is in the 500-year flood plain because it is protected by the Mad River levee.

Mayor John Sawatzky asked if we had any kind of agreement with Gary Johnston.

Planner Gary Rees responds that when landowners' property is going to be used for any aspect of this project, landowner agreements are required for receiving funding.

Public Comment: [27:50 Part 3]

Comment by (Kent Sawatzky): thinks the project is wonderful and suggests the council condition the project that any spoils placed on city property would be removed in a timely manner at their cost, removed at your demand or request with 90 days of being notified.

Comment by (? 29:24): thinks this is a great project but wants to express concern the city is getting into something that, if funding dries up, or there's any kind of problem, is left cleaning up something that's as tall as this building and covers an entire acre. The commenter cautions the council to be careful with the language to make sure it reflects the true ability to be able to clean it up.

Comment by (? 32:48): said there is a lot more sediment in the creek since last year and that's the city's problem it's not the watershed council's problem. She continues saying her place flooded only two and a half blocks from the creek, that this is an infrastructure failure and we need to come up with a solution.

Comment by (Steve Madrone): said he's got a 40-year history in Powers Creek and working to restore it. Steve agreed with the last speaker saying there's different elements of responsibility or opportunity, that we are lucky to have a group of people who have stepped up to try and work with your city planner, city engineer and staff to come up with a project to actually increase flood retention but remember there's a timeline. They need to wrap up a report within a month to be able to go to the next phase and get funding to actually implement this plan. Steve Madrone adds a suggestion that Gary Johnston take it all, except for the cobble that is to go back in the stream for spawning habitat, and some of it needs to go on city property, the city could use it for their fill needs, then you are in a position to accept if it's a benefit to the city, which allows them the one-month timeline to get their project to the funding entities.

Comment by (Julie Christi): thanked staff for having Zoom available for participation. Julie continues by mentioning another storage area outlined on the site map. Julie feels there was a lot of negligence with conditions within this project and that we are falling short and feels flood mitigation should have been the number one priority and at this point we need oversight.

Comment by (Julie Christi): says council has the right and ability to make a condition that the spoils pile be under review annually, as it keeps both parties responsible and liable. Look at the footprint



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that's going to be happening there with the bike park and where the kids will entering and leaving with their bikes.

Baduwa't Watershed Council Representative Dave Ferrell reported that their staff is reaching out to Blue Lake School to see if they will participate in a service learning project for the middle school kids working with Karina to build and strengthen the community, with the goal to allow the children to grow and learn so that when we step away there are Powers Creek Stewards doing what needs to be done.

Council Member Michelle Lewis-Lusso states she is the liaison to the Baduwa't Watershed Council and volunteers to be on an ad hoc committee to supply oversight and support if the council forms one.

Council Member Kat Napier suggest have staff developing what would be acceptable, as in, if it stayed on site, to come up with a good use for it and not scramble to figure out what to do with it, also have legal come up with some terms as far as what happens if we have more than we can use or if we can store more with the understanding that it's going to move on.

Mayor Pro Tem Elise Scafani clarifies her understanding as we need to designate these areas right now so you can finish your process by the end of June and then in the interim period of time between the end of June and when you start construction you could be identifying other potential sites and doing those wetland studies to see if some of those places could receive the spoils permanently.

Motion: [1:04:35 Part 3] to receive the spoils from the project for storage in the industrial area for a volume not to exceed 38,000 cubic yards for a term not to exceed four years from the start of construction with annual review for feasibility.

Motion by: Mayor Pro Tem Elise Scafani

Second by: Council Member Michelle Lewis-Lusso

Motion Summary: [1:07:25 Part 3] (3/1) Council Member Kat Napier voting Nay

FY 25/26 BUDGET: [1:07:54 Part 3] Acting City Manager Dani Burkhart reports that the water and sewer budget is before the council tonight. Acting City Manager Dani Burkhart continues saying that we are \$60,000 over budget for the water fund, due to the leaks we had on the boulevard which includes the construction fees and staff on call. This is \$60,000 over what we normally spend. For the 25/26 budget, we are estimating under what we came in at this year because we are not expecting to have another leak, and the other infrastructure issues that could come up would not be quite as expensive. With the sewer fund, our concern is with the changes in costs of labor. We had to bring up on call and overtime, which resulted in about \$120,000. Acting City Manager Dani Burkhart informs the council that there is excess in the sewer fund, so we are still on track with our budget and are looking at a projection the same as last year.



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Mayor Pro Tem Elise Scafani confirms with Acting City Manager Dani Burkhart that the city is running at a deficit for water and at a surplus for sewer.

Mayor Pro Tem Elise Scafani asked for the cost of the repairs.

Acting City Manager Dani Burkhart responds that the cost was \$60,000.

Mayor Pro Tem Elise Scafani asked if the expenses were going to be capitalized.

Acting City Manager Dani Burkhart confirmed that is the intent.

Mayor Pro Tem Elise Scafani asked if there were enough funds available.

Acting City Manager Dani Burkhart says we can pull money from our Leaf investment funds if necessary.

Council Member Michelle Lewis-Lusso appreciates the dialog and initial information and also asked why the employee benefits paid were less than projected.

Acting City Manager Dani Burkhart explained that it was due to losing an employee that was full-time and benefited and that position was not filled, and another employee dropped in benefits because they reduced their hours.

Council Member Kat Napier mentions the rancheria installation of their own system.

Acting City Manager Dani Burkhart explains the changes to how the Rancheria's effluent meter is handled. Previously the city charged them based fully on their use of water. When you're doing water sewer billing, you are accounting that anything that is going in the taps is essentially going to go down the drain, with exceptions to that, like summer watering. So, oftentimes municipalities will make adjustments saying "We know that you're not putting all that water down the drain because you're watering your lawn or your garden or whatever." So, the city is going to cap your winter usage. With Blue Lake Rancheria, we are metering their effluent, because all of the water that they pull from the tap isn't necessarily going down the drain but the typical calculations don't work quite as well for a commercial property of that scale and so that's why we went with an effluent meter so that we'll be billing them directly for their actual effluent charges rather than a guesstimation of water coming out of the system and into their taps.

Mayor Pro Tem Elise Scafani asked if they have moved off the city's water system.

Acting City Manager Dani Burkhart confirmed but was unsure of the date they will switch.

Public Comment: [1:15:56 Part 3]

Comment by (Steve Madrone): Really liked what he heard about the effluent metering. This was a huge issue in Glendale when they put in their sewer system 15 or 20 years ago. There was a known sewage problem coming out of Larsson Heights, the area up above the old mill site, and because of the clay hard pans, there was a lot of failing septic systems, so they were forced by the water board to put in a sewer system, because they are right above the rainy wells that provides all the drinking water for 80% of the county. Field Brook Valley said no thank you because they knew that having a sewer system along with a water system would increase growth. But now what's happening in Fieldbrook is that if you buy a new property almost all those old septic systems are failing because of extremely high water tables, so they're having to put in Wisconsin mounds, which some people



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are being denied and are not to be able to build at all. Glendale installed three lift stations to take their sewage to Arcata, and were using the year-round water use system to bill for sewer and people grow a lot of gardens and orchards and all kinds of things and so it wasn't fair, so they had to make adjustments, using March as an average flow in their case to try and determine what they should charge for sewer. Steve Madrone applauds the city for their efforts to try and provide a fair rate for sewage usage.

HCSO ANIMAL CONTROL CONTRACT: [1:18:34 Part 3] Acting City Manager Dani Burkhart reports that the Humboldt County Sheriff's Office has provided a contract for animal control services which would be separate from what we pay for our animal shelter contributions. To provide on call animal control services through the Sheriff's Office would cost in fiscal year 25/26 \$9,500 which is not currently budgeted in this year's budget, but if this is approved, we will add it to the budget for 25/26. The contract service period for the contract is July 1, 2025, through June 30, 2029, which is when it would come up for renewal, a 4-year service period.

Mayor Pro Tem Elise Scafani notes a cost adjustment each year and a provision that with a 60-day written notice the contract can be terminated by either party. Mayor Pro Tem Elise Scafani also points out that we currently do not have anybody on staff who is trained to be a dog catcher and going through the process of having somebody trained was very expensive, so the proposal at this price point is extremely reasonable. Mayor Pro Tem Elise Scafani explains what is done currently if somebody calls animal control and says I got a loose dog in my yard or some dog down the street just bit me, animal control, unless there is an active threat, will not respond unless they go through city hall first to get authorization to respond. If we sign the agreement, then when somebody needs help with an animal situation they can call for help and report dangerous situations and ask for animal control to come out and take a report of an incident, and animal control is able to respond directly. Animal control will also come and enforce our ordinances in terms of licensing leash laws, and as we currently don't have any enforcement, and as a city we don't have a way to site people for having a dog off lead or having a dog at large, or a mechanism for collecting a fine, with Animal control, we have that mechanism.

Council Member Michelle Lewis-Lusso asked if this contract covered 24-hour service.

Mayor Pro Tem Elise Scafani confirms it is 24-hour service, but thinks it is somewhat limited on the weekends, but, if there is a dangerous situation or active threat the sheriff's deputies will respond.

Council Member Michelle Lewis-Lusso asks what the demand and historical need for the service is.

Mayor Pro Tem Elise Scafani shared a couple of stories, about two and a half years ago, Vertipets elderly dog was attacked in his backyard by a roaming dog, and it took her three days to get animal control out to take a report. A few months later one of our residents was attacked by two pit bulls down by the post office, down on the ground with two pit bulls on his throat, somebody jumped out of a truck and got those dogs off of him. The guy that helped him got bit and the gentleman on the ground was traumatized and injured by that situation, after which a number of people spoke about that situation and said "Yeah I've been worried about those dogs for weeks, I haven't been



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walking on that side of the street for a long time because of those dogs." Mayor Pro Tem Elise Scafani said she is of the opinion that if we had animal control at that time and people felt like they could call somebody and report what they thought was a hazardous situation that attack might have been avoided. Mayor Pro Tem Elise Scafani also reported that someone who works for Public Health came and told us that when somebody is bitten by dogs that cannot be shown to have been rabies vaccinated, they have to get the rabies vaccine which costs about \$20,000.

Mayor John Sawatzky asks Acting City Manager Dani Burkhart opinion.

Acting City Manager Dani Burkhart responds by saying that the anecdotal evidence suggests that we would want to do something like this but as far as like the stats on what I have available doesn't suggest that there's really that great a need in the city to spend \$10,000 a year on it, but to Mayor Pro Tem Elise Scafani's point, it is much cheaper to pay for this than to hire our own dog catcher and try and train them.

Mayor Pro Tem Elise Scafani asks for confirmation that currently, when we do bring in animal control, we pay them by the hour.

Council Member Michelle Lewis-Lusso questions a paragraph on page 8 regarding the total net expenses, revenue charged by jurisdiction - residents per capita.

Acting City Manager Dani Burkhart confirmed we pay animal control by the hour and added that we handle our own dog licensing with animal control enforcing the ordinance, if people were not licensed, but usually enforcement of non-licensed dogs is complaint driven and not usually something they go looking for.

Council Member Michelle Lewis-Lusso clarified that this agreement does not have anything to do with our sheriff's agreement, it is completely separate.

Acting City Manager Dani Burkhart confirms this is a completely separate agreement.

Mayor Pro Tem Elise Scafani believes an exception to coverage would be dangerous dog impounding and boarding which is separate services and paid for by the hour.

Acting City Manager Dani Burkhart believes the dangerous dog impounding and boarding services are covered under the shelter contributions contract.

Mayor Pro Tem Elise Scafani reiterates that if we can avoid a bite with enforcement we can make the situation here safer, and if we can avoid a bite situation the dog does not end up getting impounded and in a rabies quarantine situation.

Public Comment: [1:30:13 Part 3]

Comment by (Rebecca Collins): confirms that she has been in several instances with pit bulls out on the levee. Bob almost had to pull out and use his mace while we were down walking our little Yorkie dogs and this guy comes out with a great big rottweiler and lets it loose. They always tell you "He's really friendly, he won't hurt your dogs" and I always say, "Until he does, they're really friendly until they're not." Rebecca continues, we never know who to call, I did not know we could call the city and have them do something about it. It seems like when the lease laws came into effect, people for a while were really good about keeping their dogs on leash. Rebecca recalls being



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down across the river and a guy, not from here had two great big labs in his truck, and one of the dogs pulled loose from his collar and it took off right for our golden retriever. Bob stepped between them, and I thought he was going to get bit. They called the dog off. I mean people come out here and bring their dogs to walk on our trails who aren't from Blue Lake, so I think it's a good thing we have somebody that we can call to take care of the dogs that don't abide by laws.

Comment by (Kent Sawatzky): Thinks it is a great idea and guesses the city gets 190,000 or so from the state for law enforcement each year, and we are spending 170,000 to the sheriff, that leaves some additional amount. Kent thinks it is your best insurance policy. Kent deals with insurance and claims quite a bit, and when you do your best due diligence, when someone gets bit, you can say "Well we did everything we could." Anything short of that you could have a lawyer say, "Well you could have done this why didn't you it might have prevented this." If you were to reach out to your insurance company, they would strongly endorse the fact, even though you have not had a claim in five years, Kent is aware of two or three people that could have claimed and probably should have filed a claim. Kent and Noni, if here, strongly recommend moving forward.

Mayor Pro Tem Elise Scafani thinks it is worth noting that our supplemental law enforcement services grant paid us 177,000 last year so we have an extra \$20,000.

Comment by (Steve Madrone): asks if the city has its own dog ordinance in Blue Lake or are you using the county's dog ordinance.

Acting City Manager Dani Burkhart confirms that the city does have its own dog ordinance.

Comment by (Steve Madrone): continues with you can be walking past the Mad River Brewery, go out onto the levy to the west and that part of the levy is in the city, but if you turn and go east that's in the county. Dogs do not see the boundary and so what happens is enforcement becomes really difficult if the ordinances are different. The deputies are in a tough position if that is who you call to figure out where the city boundary is and what ordinance they are enforcing. County Supervisor Steve Madrone informed everyone that he is working with the City of Trinidad and the County Sheriff's Department and interested citizens from McKinleyville

to invite you to have a representative from Blue Lake join us in forming an ad hoc committee to look at our county ordinance, which is woefully old. County Supervisor Steve Madrone said we have Trinidad, The Rancheria, BLM Land, State Park, and the County all within this little area. Down at the state beach you are on state property and people love to let their dogs loose on state beach. The best prevention of avoiding a bite is a leash, but the county's leash law says must be under voice command unless you are at a few places like the airport, park or around preschools, so it is not really a leash law, it's a voice control law, and there are other problems for instance when dogs were impounded, they got cleared for rabies then they got let go even before the court hearing happened where they determine if the dog is a dangerous animal that needs to be put down, which is a horrible thing to do because probably the animals at some point in their lives were probably just sweet little puppies and then they became something else and it's not just breed it is breeding and the owners. So, in conclusion, County Supervisor Steve Madrone said they are



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working to try and see if we might be able to get these ordinances lined up and if you would be interested in joining us, we would be glad to have you.

Comment by (Adelene Jones): Thanks Steve Madrone for the invitation to participate. Adelene remembers that Blue Lake is less than one square mile and thinks we should consider signage, because as the summer approaches, people come with their animals and will be on the levy. Adelene thinks the money should be used for signage rather than for animal control.

Comment by (Julie Christi): remembers going through our dog leash law, and it taking lot of community effort, and understands that enforcement is lacking, but it's a realistic idea that once the ordinance is in place, when somebody does have an incident, at least they have a little bit of accountability as a dog owner. Julie Christi was promoting signage at every meeting. With only one way in town and one way at the bridge, signage at those areas informing people that we are a leash law city. Julie Christi supports the sheriff's animal control contract and shares that her over \$10,000 donkey was freaking out as a little pit bull is chasing him. Julie proceeds to get her rifle because it is my only line of defense in this type of situation, but thankfully Julie's verbal intercession got that dog to run to my sister's house where we were able to get it into a kennel. We need protection for the animals and accountability for the owners. Julie states that she has never received a penny for the losses to my livestock. Julie would also like to see us advocate at our supervisor budgeting session for more funding so that it's not such a burden on their department, for staff and not such a burden on us as a municipality. We have venues here in town that could accommodate having a public vet come in doing free spade and neutering. We have amazing trainers in our community that can come in and do training workshops.

Comment by (Beckie Thorton): agrees with Julie. Beckie said the signs are there but are limited. Beckie confirms that we fought hard for the leash law and really pushed it hard to get that approved, and we were glad we did. Beckie thinks we need a little bit more signage.

Mayor John Sawatzky requests the dog ordinance signage be brought up at the next public safety meeting to start review.

Comment by (Videographer Justin Goad): said he is not against the ordinance or paying for the services but would ask council to clarify with staff how much money has been spent and compare the numbers to understand what we're paying for, to make sure we're getting value, and hopes the council would wait until they know if there is enough money.

Mayor Pro Tem Elise Scafani shares that she agrees with commenter Justin Goad in that she likes to know the numbers and value gained but was shocked when she learned that it cost \$20,000 to get the rabies vaccines. Mayor Pro Tem Elise Scafani also brought up the trauma that somebody goes through when they get bit, saying if you asked any of those people if they think we should spend less than \$10,000 on animal control per year they would say "Are you stupid why are you asking me that, of course you should absolutely spend that money." Mayor Pro Tem Elise Scafani continues with if it was ever you that got bit or if it was your family member or your child or dog, you would say "Absolutely, why are you pinching pennies on safety" Mayor Pro Tem Elise Scafani



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admits she is a little extra passionate about this as she has been working towards animal safety in this town for three years, and can't imagine saying anything but yes to this proposal, as she has been bitten. She went nine years as a UPS driver without getting bitten and when she got nailed it changed her for a while. Mayor Pro Tem Elise Scafani reports she eventually got over it, but she was not down on the ground with pit bulls on my throat like our friend down the road, nobody should ever have to go through that for any reason. If we do not say yes to this, we are saying no to making this town as safe as we can make it.

Council Member Michelle Lewis-Lusso I appreciates Mayor Pro Tem Elise Scafani passion and thinks what she is saying is valid, however Council Member Michelle Lewis-Lusso is not seeing in this contract a guarantee that people are not going to have encounters with loose animals. Council Member Michelle Lewis-Lusso said the contract does provide some options but would like a bit more information to see if it is possible to enhance the contract and services provided for a more robust protective mechanism from the service we are paying for.

Mayor John Sawatzky asks Acting City Manager Dani Burkhart if she could get us a per event cost. Council Member Kat Napier mentions the 60-day notice to cancel, so the city is not locked in for four years and would prefer to have something than the nothing that we currently have. Council Member Kat Napier continues by saying that this contract would go into action in the next budget year which starts July 1, 2025. Council Member Kat Napier would like to know the process of obtaining the services outlined in the contract agreement, like, what is the phone number we call, and what the general range of expectations might be. Council Member Kat Napier continues by saying it's not a matter of the number of events, it only takes one event to take a life a small child or pet, and that's just not something that I want to turn my back on, so I'd like to see be approved, and if we need to revisit this in a couple of weeks, with a more a little more information, I'd be happy to do that.

Council Member Michelle Lewis-Lusso wanted to reiterate that having this agreement contract in place is not a magic protective mechanism.

Mayor Pro Tem Elise Scafani confirms not magic, but something is better than nothing.

Council Member Michelle Lewis-Lusso thinks the signage idea is fantastic, and said we need to be messaging, and sharing that widely.

Mayor John Sawatzky asked Acting City Manager Dani Burkhart if the council could table the discussion until more information is gathered.

Acting City Manager Dani Burkhart confirmed tabling the discussion is an option as there is no time sensitive issues, the process is that once you decide whether or not you want to have the contract it goes to the board of supervisors for ratification, services start as soon as it is ratified.

Council Member Kat Napier suggested asking staff to bring this back to the next regularly scheduled council meeting to revisit the contract, which will give us a little over two weeks.

Mayor Pro Tem Elise Scafani suggests council members make a list of questions they want answered and we can make sure we get those answers.



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Acting City Manager Dani Burkhart said that if the council has questions, send them to me, I will get the answers together and blind copy everyone so you can see the answers without having serial communications that violate the Brown Act.

Council Member Kat Napier adds asking the public for their questions.

Mayor John Sawatzky asks for a motion or consensus on direction.

Direction: To bring this item back for further discussion – with answers to questions submitted.

FUTURE AGENDA ITEMS: This item is not on the agenda. Acting City Manager Dani Burkhart asks the council members to email any future agenda items, and she will bring them to the next ad hoc agenda committee meeting for consideration. Currently, we will be bringing back the applicants for Arts and Heritage, the Sheriff's animal control contract and the budget.

Acting City Manager Dani Burkhart reports that "future agenda items" usually appear on special meetings because you are not usually setting your next your regular meeting agenda at your special meeting.

Mayor John Sawatzky thanks Acting City Manager Dani Burkhart for the clarification.

Mayor Pro Tem Elise Scafani made a request to place Council Reports, Staff Reports and Future Agenda Items" on every agenda, even a special meeting.

Council Member Michelle Lewis-Lusso is concerned it may be confusing if we are report out twice a month.

Mayor Pro Tem Elise Scafani responds that we do not have to report out, but if it is not on the agenda, we cannot report out, and for some items it is important to report out in a timely manner.

Acting City Manager Dani Burkhart reports that the council usually does not use the special meetings for reporting out because they are not considered your regular meeting where you are likely to get the most attendance, audience participation and constituent participation.

Mayor Pro Tem Elise Scafani explains that the council's special meetings are so special as we have them often.

Acting City Manager Dani Burkhart agrees, but unfortunately it does not change the protocol, however, if the council would like to change how your council meets and have two regular meetings per month, I can place the discussion on a future agenda.

ADJOURNMENT: [1:55:08]

Motion: to adjourn the June 10, 2025, meeting of the Blue Lake City Council.

Motion by: Council Member Kat Napier

Second by: Council Member Michelle Lewis-Lusso

Motion Summary: Consensus (4/0)