RIO DELL CITY COUNCIL
REGULAR MEETING
SEPTEMBER 5, 2017
MINUTES

The regular meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Wilson.

ROLL CALL:	Present:	Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes, Marks and Strahan
	Others Present:	City Manager Knopp, Finance Director Woodcox, Interim Chief of Police Beauchaine, City Clerk Dunham and City Attorney Gans
	Absent:	Community Development Director Caldwell and Water/ Roadways Superintendent Jensen

PUBLIC PRESENTATIONS

Nick Angeloff provided an update on Chamber of Commerce activities and presented the first painted version of an Elf as one of the twelve holiday cutouts that will be constructed and displayed in the median during the Christmas season.

CONSENT CALENDAR

Consent Calendar Items 2, 3, 5, 6, 7 9, 10, and 11 were removed for separate discussion.

Motion was made by Johnson/Garnes to approve the remaining consent calendar items 1, 4 and 8 including Approval of Minutes of the August 15, 2017 Regular Meeting; Approval of Resolution No. 1353-2017 Establishing a Live Scan Criminal History Policy; and to Receive and File the City's Audited Financial Statements for FY 2015-2016.

Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Approve Resolution No. 1354-2017 Adopting Notice of Exemption for the Realignment and Preservation of the Historic River Access at the foot of Davis St.
City Manager Knopp provided supplemental information as part of the record including a revised Notice of Exemption for Davis Street River Access Preservation, a memo from the City Engineer (GHD) in support of the proposed CEQA exemption, a map and photos of the project site, petitions and letters from citizens in support of public access, as well as various emails between staff and various regulatory agencies.

Mayor Pro Tem Johnson referred to the Draft Notice of Exemption provided in the packet with regard to the reasons for exempting the project and asked if the wish of the Council is to

permanently close access through private property as noted.

City Manager Knopp clarified that this particular language was deleted in the final document.

Mayor Wilson called for public comment.

Ranada Laughlin, 570 Gunnerson Lane expressed her thanks and appreciation to the City Council for their efforts to restore historical trail access to the Eel River on behalf of this generation as well as the next.

She added that commitment to this undertaking demonstrates vision and responsible stewardship on the part of the City Council and asked what the next steps are in the process.

City Manager Knopp explained that staff will issue the Notice of Exemption and there is a period of 30 days where it can be challenged. He said assuming the period of time passes with no challenge, the project can proceed with construction of the trail which is relatively minor in nature and probably can be done in 1-2 days.

Ranada informed the Council that there are volunteers available to help with the project.

City Manager Knopp noted that staff will be seeking assistance from volunteers especially at the trail opening where the steep slope is but the trail itself will be relatively easy.

Motion was made by Johnson/Garnes to approve Resolution No. 1354-2017 *Authorizing and Approving a Notice of Exemption to the California Environmental Quality Act (CEQA) for the Davis Street River Access Preservation Trail.* Motion carried 5-0.

<u>Authorize the Finance Director to Sign and Submit the City's Annual Transportation Development Act (TDA) Claim</u>
Councilmember Strahan questioned the breakdown of the revenue; primarily the $65,015 designated for ongoing street repairs, whether that revenue goes straight into the General Fund, and if it is earmarked for a specific project.

Finance Director Woodcox explained the funds go into the TDA Streets Fund which is independently audited each year by a local auditing firm and that these amounts are actually determined by HCAOG (Humboldt County Association of Governments). She noted that streets funds are allocated for salaries and benefits, as well as operating services and supplies.

Councilmember Strahan requested a breakdown of all streets expenditures for the prior year.

Motion was made by Johnson/Garnes authorizing the Finance Director to sign and submit the City's Annual Transportation Development Act (TDA) claim. Motion carried 4-1; Councilmember Strahan dissenting.

Authorize the City Manager to Execute a Continued Contract Agreement with Adult Day Health & Alzheimer Services for Transportation Services for the FY 2017/18
Councilmember Strahan questioned the $6,500 expenditure for Adult Day Health Services and asked if there is a record on the number of patients they provide rides to each year.

Finance Director Woodcox explained that the $6,500 is an annual fixed amount and that the actual invoicing is usually higher than that. She noted that staff can provide the data on the number of riders.

Motion was made by Strahan/Johnson to authorize the City Manager to execute a continued contract agreement with Adult Day Health and Alzheimer Service for transportation services for the FY 2017/2018. Motion carried 5-0.

Approve Resolution No.1355-2017 Adopting an Amended City Master Salary Table and Approving Rio Dell Employees' Association Memorandum of Understanding (MOU)
Councilmember Garnes said she requested this item be removed from the consent calendar as she is not prepared to vote for adoption of the Employees' Association MOU until her concerns regarding the Employee Handbook are addressed.

Approve Resolution No. 1356-2017 Adopting the Rio Dell Employee Handbook
Councilmember Garnes expressed concern with the draft Employee Handbook, primarily with removal of the grievance procedure and basically burying it under the Whistleblower Policy. She said she feels it is reprehensible for an employer to remove a grievance procedure from an employee handbook and noted that whistleblower complaints and grievances are two entirely different things.

City Attorney Gans said as the Council may recall, the current employee handbook predates their contract with the City so they were not involved in review of the formerly adopted handbook. He said in reviewing the former handbook they discovered some fundamental issues of concern; in particular the grievance procedure which essentially gives every employee a method for appeal to the City Council. He said there are two primary concerns with that; one of which is that it violates the City Council/City Manager form of government. The other concern is that the City Manager ordinance defers all disciplinary employment matters to the City Manager with the exception of the City Attorney and the City Engineer noting that those two positions as well as the City Manager are hired and fired by the City Council. As such, the current grievance procedure violates the City Manager ordinance and creates some administrative difficulty not only for the City Manager but the City Council as a whole. He added that the five members of the City Council aren't typically in a position to make personnel determinations which is one of the reasons for adopting the City Council/ City Manager form of government.

He said another concern is potential violation of the Brown Act. A grievance protocol where there is an open appeal process creates complications in terms of what an employees' rights are related to any kind of disciplinary action contemplated by the council as a whole which

creates Brown Act concerns. He commented that the closed session language in the former grievance policy was potentially not Brown Act compliant based on a number of scenarios.

He went on to explain that there are a number of other references related to some of the other concerns; among them the harassment policy. In the new policy, if an issue relates to the City Manager an employee can direct a complaint to the Mayor or potentially other councilmembers if necessary. Also, references were added regarding pregnancy termination as well as other provisions regarding general complaints related to the Equal Employment Opportunities Commission (EEOC) and employee rights.

City Attorney Gans explained the grievance policy was changed so all employment determinations are vested in the City Manager with the exceptions as noted.

Councilmember Garnes clarified that she is not suggesting that all grievances be heard by the Council but that there needs to be a grievance policy because the stigma attached to a "whistleblower" is entirely different than that of an employee filing a grievance. She added that the purpose of a whistleblower policy is to provide employees with a mechanism of reporting improper governmental actions.

She said if an employee has an issue with a supervisor they shouldn't be labeled as a whistleblower. She said she feels that it is underhanded to make the procedure difficult where it discourages an employee from bringing forward a grievance. She commented that there is nothing wrong with having a grievance policy unless someone is worried the grievance is going to reveal something they don't want anyone to know.

City Attorney Gans directed the Council to Section 2.05 *"Harassment Policy"* under the proposed handbook which he said focuses on protecting employees against any kind of harassment or hostile or intolerable working environment and provides a protocol for reporting such acts.

Councilmember Garnes questioned why that language can't be under the title of "Grievances."

City Attorney Gans said their principal concern was violation of the City Council/City Manager form of government.

Mayor Wilson commented that he also has an issue with removal of the grievance procedure and referred to Section 3.20 *"Lines of Authority"* which defines the lines of authority within the administrative organization as the City Council, City Manager, and Department Head.

He then pointed to Section 3.36(b) *Involuntary Termination* which says that an employee may be terminated involuntarily for reasons that may include poor performance, misconduct, or other violations of the City's rules of conduct but notwithstanding this list of rules, the City reserves the right to discharge or demote any employee "with or without cause" and "with or without prior notice."

He pointed out that on one hand we talk about employees being the City's most valuable asset yet there may be a case where employees simply don't get along and a supervisor or city manager can walk in one day and say "you're done" for no reason and this could relate to a 25-year employee. He said in his opinion that is not how the City should operate and that policies or ordinances should be changed to prevent that from happening.

City Attorney Gans explained that it would require a subtenant change in the nature of the employment of the employee and conversion of the "at-will" status of the employee whereby ultimately the City Manager is vested with the discretion to terminate or promote employees of the City under the City Council/City Manager form of government.

Mayor Wilson stated that the "at-will" policy should put a streak of fear in employees knowing that if they do or say something the City Manager doesn't like they can be immediately fired. He said if that is how the City's policy really works then all the language in the handbook about employee rights and fair working conditions is a waste of time and might as well be taken out.

City Attorney Gans stated for clarification that from an employers' perspective, if an employee engages in some sort of conduct that is severe and is damaging or threatening to the City or employees, the City Manager needs to have the authority to immediately discharge that employee.

Mayor Wilson noted that the handbook outlines the grounds for termination and to have a policy that allows an employee to be fired simply because he/she disagrees with a supervisor is not the kind of atmosphere he wants to foster. He said the normal process would be to have documented cause for termination including a verbal warning followed by a written warning if the problem is not corrected.

Mayor Pro Tem Johnson suggested the words "without cause" be deleted from the document so that an employee may only be terminated with cause and with prior notice.

City Attorney Gans said if that is the direction of the Council; he will revise the handbook and return it to the Council for consideration. He made it clear that it is a major departure from the standard "at-will" employment and a liability exposure to the City. If procedural processes are created that must be followed in order to discharge an employee then it creates exposure to the City in the event those exact procedures are not followed. He said it is not something he would recommend lightly to any employer; especially a municipal employer. He said he would incorporate those provisions in the handbook and create a step-phased disciplinary process prior to termination of an employee if that is the wish of the Council.

Mayor Wilson asked for a consensus of the Council.

Councilmember Strahan asked for confirmation that there are no processes in the draft handbook for an employee to file a grievance.

City Attorney Gans explained that the handbook contemplates a semi-interactive process in engaging an employee and not immediately discharging him/her without cause but gives the City Manager the discretion to do so in the event the determination is made that it is necessary.

Councilmember Strahan asked if in the event that happened if the employee could appeal the decision to the City Council.

City Attorney Gans said as contemplated there is no right of appeal by an at-will employee. By adopting a council-manager form of government, the City Council has vested that authority with the City Manager.

Councilmember Strahan asked when the council-manager form of government was adopted.

City Clerk Dunham responded that it was adopted in 1983 along with hiring of the City's first City Manager.

City Attorney Gans stated for clarification that under the council-manager form of government, the City Council acts as the legislative body in establishing policy and law and the City Manager handles the day-to-day management of the city. He further explained that it was adopted by the legislature with the premise that a five member city council can't govern every aspect of a public entity including making determinations on hiring and firing of employees.

Mayor Wilson stated that he looked at the appeal processes for other small cities and also read through the City's ordinances and there are certain things he believes should be vested in the City Council and not solely the City Manager.

Councilmember Strahan asked for clarification that the reason the City can't establish protocols for employee grievances is because of the council-manager form of government.

City Attorney Gans clarified that protocols could potentially be established but it may require revisions to the City Manager ordinance.

Mayor Wilson had questions regarding the process for selection of a police chief.

City Attorney Gans said the item would need to be placed on the next agenda for discussion.

Councilmember Garnes expressed concern that if a public works employee has a problem he/she reports to the public works director who also happens to be the city manager. She commented that she wants to make sure employees are protected and they have all the necessary tools available to them so that they can come to work and feel safe.

City Attorney Gans warned the council to be careful with regard to deleting the "at-will" clause and to say that an employee can only be terminated "with cause" is Pandora's Box in employment litigation as to what exactly is "just cause".

He said if it is the council's direction to modify the general employment nature or create some structure which will give a more thorough grievance policy he will do everything he can to implement that but the council is getting into an area where they need to be careful because they will be exposing the city to liability to the extent that it will become an implied term of every employee's employment with the city.

Councilmember Strahan was not sure how the council could deviate from "at-will" employment and expressed concern about all references to grievances being deleted in the draft handbook.

City Attorney Gans noted that there were other protections created under the area of discrimination and with regard to harassment there is a protocol that enables the claim to get it investigated by the appropriate personnel. He noted that any harassment or forms of unlawful discrimination are critical matters and the city must protect and guard against it and if they condone that type of behavior it becomes serious liability to the city. He said those protections are included in the revised handbook however; the general employment determination that an employee is not doing their job is a discretionary issue.

He said one thing he could do is propose some alternative grievance procedures that are still consistent with "at-will" employment.

Mayor Wilson pointed out that as a boss, there is a lot that he/she doesn't know about employees and that they could have some kind of personal trauma going on at home which is the reason for giving an employee a verbal warning. He said verbal warnings encourage a work place where an employee knows they could be fired if they are doing something they shouldn't be doing.

City Attorney Gans noted that one of the greatest protections of the city council is that they have the authority to not only hire but to fire the city manager so if there are rash determinations, the council can temper that in telling the city manager to not make rash decisions with respect to employees.

With that said, he reiterated that if the council wants to build in some protections in the handbook he can return with some concepts for the council to consider.

Discussion continued regarding having the ability to terminate an employee "with cause" or "without cause."

City Attorney Gans said the danger is that are no factual scenarios of what exactly is "just cause" and for this reason, often times terminations end up in court.

Mayor Wilson asked for a consensus of the council with respect to the city attorney bringing back alternative grievance procedures that are consistent with "at-will" employment.

The consensus was 4-1 with Councilmember Marks preferring to listen to the advice of the attorney. He said he was satisfied with the revised handbook language as proposed.

Councilmember Garnes reiterated that the grievance procedure should be spelled out under one section of the handbook so it's easy to find.

Councilmember Strahan asked if the employees had a chance to review the revised handbook and if so if they had any concerns regarding the grievance procedure or lack thereof.

City Manager Knopp said that he met with members of the Rio Dell Employees' Association and they made some minor edit requests but mainly met to clarify the council's position on holiday pay. He said there was a general misunderstanding regarding the grievance procedure and reasons for the change were explained. He noted that they also signed their contract and approval of the contract is not contingent on adoption of the handbook.

City Attorney Gans reviewed three options for the council's consideration to:

1) Reject all changes;
2) Adopt the revised handbook with all changes and instruct further amendments to it; or
3) Not make a determination and instruct staff to come back with a new draft handbook with a revised grievance procedure.

Motion was made by Johnson/Garnes to adopt the revised handbook as presented and instruct the City Attorney to come back within a month with a revised grievance procedure consistent with "at-will" employment.

Mayor Wilson called for public comment on the motion.

Julie Woodall expressed support for keeping the "at-will" language in the handbook and said she was on the city council for years and saw a lot of city managers come and go as well as issues with certain employees yet never saw any abuse with regard to terminating an employee without cause. She said the "at-will" provision is a valuable tool for an employer to have.

Nick Angeloff said that it sounds like the appropriate employee protections are contained within the handbook but perhaps everything should be consolidated under one heading. He agreed that having the ability to terminate an employee without cause is a valuable tool and said that there are employees that are good at coming up to the line without crossing it. He noted that there is the danger however; of having an unscrupulous city manager and who for some unknown reason decides to simply terminate a long-term employee. He suggested perhaps allowing an employee the opportunity to appeal to the city council upon request.

Bryan Richter said as an employer for the past 17 years having the "at-will" clause is a godsend. particularly for that employee who goes up to the line everyday but never goes over and beyond. He said having the ability to terminate an employee is a necessity for the good will of the rest of the employees.

Motion then carried 5-0.

Attorney Gans was excused and left the meeting at this time, 7:30 p.m.

Motion was made by Johnson/Garnes to approve Resolution No. 1355-2017 *Adopting an Amended City Master Salary Table* and approving the Rio Dell Employees' Association Memorandum of Understanding (MOU). Motion carried 5-0.

Approve Appointment of Jim Brickley as the Eagle Prairie Arts District (EPAD) Member to the Wildwood Avenue Sculpture Committee
Councilmember Strahan questioned the process for advertising the vacancy on the sculpture committee.

Mayor Wilson commented that Community Development Director Caldwell as the appointed staff person on the committee was not present to respond and noted that there has been a problem in the past getting people to serve on the committee and at one point the council discussed disbanding the committee all together. He then reviewed the composition of the committee.

Nick Angeloff explained that Jim Brickley is the Eagle Prairie Arts District's (EPAD's) chosen appointee to the sculpture committee so as he understands the guidelines of the committee, the council basically just needs to confirm the appointment.

Motion was made by Strahan/Johnson to approve the appointment of Jim Brickley as the Eagle Prairie Arts District (EPAD) member to the Wildwood Avenue Sculpture Committee. Motion carried 5-0.

Authorize Finance Director to Sign and Submit Regional Transportation Program (RSTP) Claim for FY 2016-2017 in the Amount of $22,358
Councilmember Strahan questioned the use of these funds.

Finance Director Woodcox explained RSTP funds come from the excise tax on gas and are distributed each year throughout the county by HCAOG. She said the funds are used to support various transportation projects and general streets and roads maintenance as well as salaries and benefits.

She added that streets funding is very restrictive and that the city just had a Gas Tax Audit conducted after 10 years and because the city did so well, the auditors only went back a couple of years rather than the full 10 years.

Motion was made by Strahan/Johnson to authorize the finance director to sign and submit the Regional Transportation Program (RSTP) Claim for FY 2017-2018 in the amount of $22,358. Motion carried 5-0.

Approve Change Order No. 4 for the Metropolitan Wells Project in the Amount of $6,185.01
Councilmember Strahan questioned the reason for the change orders and the funding source.

City Manager Knopp reviewed each of the four change orders and said this particular change order includes additional sandblasting of the clear well to remove manganese deposits that were not fully removed by pressure washing. In addition, it includes a minor reconfiguration of the chlorine piping infrastructure to make the use of the equipment easier for operators.

City Manager Knopp explained the project is being funded primarily by grants (approximately 95%) with only $57,000 coming from city funds. He said there is approximately $112,000 remaining in contingency and authorization is needed from the funding agency before it can be spent. He anticipated staff coming back to council with a change order for a generator and other items possibly at the next meeting. He added that this is a complex project in that staff is working with three separate funding agencies.

Motion was made by Strahan/Johnson to approve Change Order No. 4 for the Metropolitan Wells Project in the amount of $6,185.01. Motion carried 5-0.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Update on City Hall Architectural Barrier Removal (ADA) Porch Project
City Manager Knopp provided a brief update on the project and said construction of the project was anticipated to begin in about a week. He noted that one of the outstanding items is the transplanting of the Rhododendron bushes in front of City Hall. He commented that staff made several attempts to locate a landscape contractor to transplant the Rhododendrons but was unsuccessful.

As an alternative, staff is suggesting that the city crew remove the bushes and take them to the public works corporation yard where they can be monitored and watered properly until a more permanent location is determined and asked for input from the council. He pointed out that there is no guarantee the plants will survive the transplant due to their maturity.

He also noted that ADA inspectors were sited at the library today so the timing of this project couldn't be better.

He said overall this is a good project however; the lighting and landscaping is not covered under the scope of the project.

Mayor Wilson asked if the idea is to leave the Rhododendrons at the corporation yard permanently.

City Manager Knopp said there was no definite plan at this point in time.

Update on Wildwood Avenue Sculpture Exhibit and Project
City Manager Knopp provided a brief update on the Wildwood Avenue Sculpture Exhibit Project and reported that as expected, the City received the $2,000 grant from PG&E as well as a verbal commitment from Harry Smith from Root 101 for another $1,000 for a total of $3,000 toward the $4,000 fee proposed by Mr. McCauley for construction and placement of four (4) sculptures. He said with the two (2) grant applications submitted by the Rio Dell Chamber of Commerce for $1,500 each it brings the total funding amount to $6,000 which leaves money for construction of the two (2) additional pedestals.

He noted that staff will be working with the artist to get the sculptures in place along the median and is looking forward to making the project a reality.

Nick Angeloff provided an update on the grant funding from the McLean Foundation and the Headwaters Fund and noted that each of the agencies will need to be invoiced $1,000 for the sculpture and $500 for the pedestals and then they will each process a check for $1,500.

The Council expressed thanks to the Chamber and to Harry Smith for their generous contributions.

Discussion on Wildwood Ave. Median Trees
City Manager Knopp provided a brief staff report regarding the replacement of the five (5) trees that were cut down with removal of the median in front of Root 101 and asked for direction from the council.

Councilmember Garnes said she would like the new trees to be planted on City property; preferable at City Hall.

Mayor Wilson agreed.

City Manager Knopp said as it stands the replacement trees will be Flowering Cherry trees as recommended by the landscape architect unless there is other direction from the council.

Motion was made by Garnes/Johnson to direct staff to work with the owner of Root 101 to initiate the planting of five (5) mature Flowering Cherry trees on City Hall grounds.

Mayor Wilson called for public comment on the motion.

City Manager asked for the definition of a "mature" tree.

Harry Smith, owner of Root 101 said that he had talked to Shane Wilson, Rio Dell Fire Chief and he suggested that one of the trees (Weeping Willow) be planted at Fireman's Park to replace one that died.

The motion was amended to direct staff to work with the owner of Root101 to initiate the planting of four (4) mature Flowering Cherry trees (minimum of 5 feet tall) on City Hall grounds and one (1) Weeping Willow tree to be planted at Fireman's Park. Motion carried 5-0.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Second Reading (by title only) and Adoption of Ordinance No. 361-2017 Prohibiting Recreational Cannabis Sales, Chapter 5.40 of the Rio Dell Municipal Code (RDMC)
City Manager Knopp provided a staff report and said as reported at the August 15, 2017 meeting, beginning January 1, 2018, AUMA makes it legal to sell and distribute cannabis through a regulated business unless local jurisdictions adopt regulations to prohibit the sale and distribution of recreational cannabis. He said the draft ordinance was introduced at the last meeting and prohibits the sale of recreational cannabis within the City but does not prohibit the delivery of recreational cannabis to the residents of the City. At this time, the ordinance is before the council for its second reading and adoption.

Mayor Wilson opened a public hearing to receive public comment on the proposed ordinance. There being no public comment the public hearing closed.

Motion was made by Johnson/Strahan to conduct the second reading (by title only) and to adopt **Ordinance 361-2017** ***Prohibiting Recreational Cannabis Sales, Chapter 5.40 of the Rio Dell Municipal Code (RDMC).*** Motion carried 5 -0.

REPORTS/STAFF COMMUNICATIONS

City Manager Knopp distributed a written City Manager Update of recent activities and events (Attachment 1 to these minutes) and announced the September 13th date for the Open House on the Safe Routes to School project; on the annual E-Waste Event scheduled for September 16th at City Hall; provided a brief update on the Metropolitan Wells Project; announced the hiring of two new public works employees including a Wastewater Superintendent Trainee and a Utility Lead; announced an upcoming vacant Public Works Utility Worker position; said staff is working with PG&E to access public street lighting at the Humboldt Rio Dell Business Park (HRDBP); and on a letter received from Paul Gallegos on behalf of one of the developers at the HRDBP and related infrastructure improvements.

He also reported that staff is reviewing a Park Bond Grant with potential guaranteed funding for small cities however; there are some limitations with regard to qualifying. He said he will be bringing back to the Council for approval, a letter of recommendation to Senator McGuire regarding some requested changes to the grant program.

Councilmember Garnes asked if the State has ever come back with any façade grants.

City Manager Knopp said when the Council talked about façade grants in the past they were through the CDBG Program which is largely federally funded and the porch project is actually a necessary step for the City to potentially access additional CDBG funding.

Mayor Wilson asked if staff will be returning to the Council with a recommendation with regard to the Paul Gallegos letter.

City Manager Knopp said the intention is to have something on an upcoming agenda whether it is an informational item or recommended action on the matter.

Mayor Wilson reiterated that he would like to have discussion on the recruitment of the police chief agenized for further discussion.

City Manager Knopp apologized for not including it on this agenda and advised the Mayor that it would be on the September 19th agenda.

Mayor Wilson also stated that he received an email and a telephone call regarding a body cam that was loaned to the police department and not returned.

Interim Chief of Police Beauchaine indicated that he had sent an email requesting an address to send the camera back to but had not yet received a response.

Finance Director Woodcox said that she had nothing to report at this time.

Interim Chief of Police Beauchaine reported on recent activities in the police department and said the department was pretty busy during the month of August and received 322 calls for service, taken 80 reports and made 40 arrests. He noted that they also located 20 illegal outdoor marijuana grows in town and convinced nine of the residents to cut them down. In addition, they went door-to-door to some of the properties on Wildwood Avenue and asked people to clean up their yards, and transported 7 cats and 5 dogs to Miranda's Rescue.

Councilmember Strahan asked what happens to money that is seized during drug arrests.

Interim Chief of Police Beauchaine explained that asset forfeitures are handled through the District Attorney's office in Humboldt County and the County Drug Task Force will come down and take those funds which are where the City gets all the help with drug enforcement.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Johnson reported on the quarterly League of California Cities meeting held in Fortuna on August 18th and said there was a presentation by Fortuna City Manager Mark Wheetley and others regarding the effective use of drones in Fortuna. He reported that there

was a bomb scare at Fortuna High School and they flew a drone over the buildings and in minutes were able to see they were clean. He said they also use a drone to fly over their water storage area. He said they also discussed ordinances governing the use of drones and if the City is interested in adopting an ordinance there are ordinances already created that can be used as a draft.

He also reported that he took the opportunity at the meeting to talk to regional leaders on the process they use to select a police chief and got some extremely good advice which he will be sharing with the mayor and the city manager.

He then announced that both he and Councilmember Garnes will be attending the Annual Statewide League of California Cities Conference in Sacramento the following week.

Councilmember Garnes reported on recent Ex Parte communications and said that she sat down with Glen White and Paul Gallegos and had a conversation to try and stay engaged in the development at the Humboldt Rio Dell Business Park; primarily where they are in the process, what they are hoping for and if there is anything the City can do to perhaps be more responsive in the process. She said that they did indicate that they would be submitting a proposal to the City but that she did not make any deals on behalf of the city. She commented that she had not even read the letter the city received from Paul Gallegos.

Mayor Wilson reported on his attendance at the last Redwood Coast Energy Authority (RCEA) meeting and said with regard to the Community Choice Program there is a very close margin with rates and based on average usage for this region there is a savings of approximately $1.50 a month per customer. He said the tricky part about comparing rates is that their billing cycle is not on the same cycle as PG&E's.

He also reported that he ran a booth at the Humboldt County Fair regarding the Eureka-Arcata Corridor Safety Improvement Project and was able to talk to a lot of people about the project. He said one of the upcoming topics of discussion at the TAC meeting will be the estimated $25 million shortfall for construction of the project which is questionable.

ADJOURNMENT

Motion was made by Johnson/Garnes to adjourn the meeting at 8:23 p.m. to the September 19, 2017 regular meeting. Motion carried 5-0.

Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk