



CITY OF CRESCENT CITY

Mayor Jason Greenough
Council Member Raymond Altman
Council Member Isaiah Wright

Mayor Pro Tem Blake Inscore
Council Member Beau Smith

AGENDA REGULAR CITY COUNCIL MEETING VIA ZOOM

MONDAY

OCTOBER 4, 2021

6:00 P.M.

OPEN SESSION

Call to order Mayor Greenough called the meeting to order at 6:02 p.m.

Roll call Council Members present: Council Member Ray Altman, Council Member Beau Smith, Council Member Isaiah Wright, Mayor Pro Tem Blake Inscore, and Mayor Jason Greenough
Staff present: City Manager Eric Wier, City Attorney Martha Rice, City Clerk/Administrative Analyst Robin Patch, Human Resources Administrator Sunny Valero, Finance Director Linda Leaver, Housing Authority Executive Director Megan Miller, Public Works Director Jon Olson, Recreation and Events Coordinator Director Holly Wendt, Fire Chief Bill Gillespie, and Police Chief Richard Griffin

Pledge of Allegiance led by Mayor Greenough

1. **National Anthem sung by City Clerk/Administrative Analyst Robin Patch at the League of California Cities Annual Conference**

PUBLIC COMMENT PERIOD

Terry Supahan: thanked the Council for being a supporter of the Yurok Tribe for the Promise Neighborhood Grant.

Roger Gitlin: asked to speak to item 9 and asked for the Council to allow the residents to speak to the contents of the letter

Jim McQuillen: Education Director for the Yurok Tribe; thanked the Council for the support of the Promise Neighborhood Grant.

Pastor Dana Gill Port: spoke about her excitement for the Promise Neighborhood Grant and that it took the whole community

Heidi Kime: spoke about campers and vans at Preston Island along with trash scattered around. Would like law enforcement at Preston Island.

Craig Emerson: severe erosion on Pebble Beach – homeless people are carving stairs to get to the beach.

Judy Emerson: spoke about a van that was parked on Pebble Beach Drive and numerous calls she made to the Sheriff's Office about it.

Natalie Fahning: stated that the residents of Lighthouse Way except for Roger Gitlin do not want a bike lane; spoke about the municipal code and the length of time allowed to park.

Donna Westfall: when will public meetings start back again?

CEREMONIAL ITEMS

2. Indigenous People's Day Proclamation

Mayor Greenough read the proclamation aloud. Jaytuck Steinruck spoke about the history of the Tribal people of Del Norte County. City Manager Wier spoke to the partnership between the City and our Tribal partners. Beachfront Park has a large part that exhibits this.

3. Domestic Violence Awareness Month Proclamation

Mayor Greenough read the proclamation aloud, Sherry Hertz, Executive Director of the Harrington House stated her appreciation for acknowledging this month.

4. CCPD Explorer Post Program

CONSENT CALENDAR

5. Warrant Claims List

- *Recommendation: Receive and file the warrant claims list for the period September 11, 2021, through September 24, 2021.*

6. Payroll Report

- *Recommendation: Receive and file the biweekly payroll report for the period ending September 25, 2021, paid October 1, 2021.*

7. Amendment #2 to Contract with Hambro/WSG to Extend Terms for One Additional Year for the Hauling and Disposal of WWTP Sludge

- *Recommendation: Authorize the City Manager to execute the second amendment to the Municipal Sludge Hauling Agreement between the City of Crescent City and Hambro/WSG*

8. Recycled Water Feasibility Study for the City's WWTP and Significant Industrial Users

- *Recommendation: Adopt Resolution No. 2021-55, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY AMENDING THE FISCAL YEAR 2021-22 BUDGET OF THE CITY OF CRESCENT CITY*

There were no comments from the public.

On a motion by Council Member Inscore, seconded by Mayor Pro Tem Wright and carried unanimously on a 5-0 polled vote, the City Council of the City of Crescent City adopted the consent calendar consisting of items 5-8 as presented.

PUBLIC HEARING - None

CONTINUING BUSINESS

9. COVID Discussion

- *Recommendation: Receive updates from the City Manager regarding the local COVID-19 situation and its impacts to the community, City's operations, facilities and services;*
- *Letter to State and Federal officials regarding City Council's position on vaccine mandates*
- *Technical questions from the Council*
- *Receive public comment*
- *Further Council discussion*
- *Take action as necessary and appropriate*

Public Health Officer Dr. Stutz stated that the current case load is reducing, the vaccination rate is still at 47%. There is a big push for booster doses for people in certain categories who meet certain criteria. Hospitalizations were down, there are currently only 5 patients admitted for COVID. Unsure if there have been any additional deaths this week. Mayor Pro Tem Inscore asked about the mask mandate if the current trend continues; Dr. Stutz said by the end of next week it is anticipated to end the mask mandate. There will be some hard and fast rules in place for future masking rules when he meets with Humboldt County Public Health. Mayor Pro Tem Inscore asked Dr. Stutz about the testing requirement for City employees now that the cases are going down; Dr. Stutz stated that it's most advantageous to test when the prevalence is high; it's less accurate when it's low. When it goes below 3%, no more screening is necessary; we are presently at 6%. Mayor Greenough asked Dr. Stutz what the criteria would be for the booster and who should get it? Dr. Stutz stated that California guidelines are more liberal than the Federal guidelines; anyone who is an occupation that puts them at risk such as healthcare workers are those who should get the booster.

Roger Gitlin: spoke about the death rate for Del Norte County from COVID. Asked Dr. Stutz to speak to the 1% overall death rate; *Dr. Stutz stated this is a very small community, therefore statistics are much more difficult to get a handle on; much larger populations would show a bump in the 1% death rate. The smaller sample size you are going to have transient fluctuations. The overall death rate is 2% for a healthy person, but rural counties tend to have more comorbidities. This is not the most deadly virus, it's just the most transmissible.* Mr. Gitlin continued speaking about the testing requirement and asked the Council to remove the testing requirement.

Angelina Bieber: *audio was not operating unable to receive public comment – City Manager Wier gave her the phone number option*

Donna Westfall: spoke about mandates and in opposition to vaccine mandates; stated that there will be ballot measures and/or lawsuits created regarding not listening to their constituents.

Yvonne Candelaria: *unable to connect audio; City Manager Wier stated she would need to call in as her Zoom was in need of updating.*

Tonya Pearcey: opposed to mandated vaccinations

Stacy Schnacker: asked about why there is such a push for vaccinations when we already have antibodies? *Dr. Stutz if you are fully vaccinated, you will be less likely to get COVID and get your vaccine, strongest level of protection you can have. The immune system needs to be trained.*

Angelina Bieber: asked Dr. Stutz if his job is to honor the hypocritic oath, why isn't he supporting natural immunity. Mandates are completely unconstitutional; says he should be promoting therapeutics.

Thomas Barnes: if I go to the hospital with COVID will I be treated with Ivermectin; *Dr. Stutz stated that Ivermectin is still under clinical trials for use in COVID, they are well designed. There has been positive results for Ivermectin, internationally, but not enough studies for US physicians to want to move forward with it. It depends what doctor you speak to when you are seen at the hospital, some are for Ivermectin some are not. The vaccine is much more effective instead of a mystery drug that is unknown if it is truly affective to treat COVID.* Mr. Barnes further stated that the vaccine effects are still unknown but Ivermectin has been around for decades. *Dr. Stutz stated that it depends on the physician the patient sees whether or not Ivermectin is prescribed.*

Yvonne Candelaria: asked Dr. Stutz if the patient can sign something to protect the doctor? *Dr. Stutz stated that yes, but patients come to the professional for help. Even if the doctor treated the patient with something the patient wanted, but not medically recommended, the doctor's license is still at risk. The Medical Board does not abide by signed legal paperwork; there is a Board of physicians in control of the license, and they don't have to go through the legal route to suspend a doctor's license.*

Mayor Greenough called a 10-minute break at 7:56pm. Mayor Greenough called the meeting back to order at 8:05 p.m.

Mayor Greenough read aloud the letter he drafted in opposition to mandates. Mayor Pro Tem Inscore stated getting a letter the day of the meeting makes it difficult to agree to the contents of the letter without fully vetting it. Governor Newsom stated opposition to mandating vaccinations for correctional officers. Council Member Smith asked what's next in this conversation after the letter; thought there would be more that would be discussed before drafting this letter. Mayor Greenough asked Mayor Pro Tem Inscore if he didn't like the verbiage; Mayor Pro Tem Inscore portions of the letter he's not comfortable especially after only getting the letter this afternoon. To say as a Council "people who have retired or quit" – I don't feel comfortable saying it as I don't know that. The letter drafted should reflect the whole Council opinions; he doesn't know anyone personally who has had to quit or retire early. Mayor Pro Tem Inscore asked what would be the goal of sending this letter. Council Member Wright asked for more time with the letter, supports sending a letter regarding vaccine mandates. Council Member Altman said he would like to see something specific to the City of Crescent that the Council oversees. The letter is written more representing those who are not in our jurisdiction. Mayor Greenough stated that there is a federal overseer that is seeing a mandate for all correctional officers. Council Member Smith is not in favor of tabling the letter; not something that can wait is a message in the right direction. Mayor Pro Tem Inscore stated that since the prison is in the City limits, it is something we can speak to. If we are taking a position letter, it needs to be consistent with majority opinion. Mayor Greenough asked if the Council was in favor of having Mayor Pro Tem Inscore and Mayor Greenough to draft a letter with "core principles".

On a motion by Council Member Smith, seconded by Council Member Wright, and carried on a 4-1 vote with Council Member Altman voting no, the City Council of the City of Crescent City approved Mayor Greenough and Mayor Pro Tem Inscore to rework the letter

Yvonne Candelaria: supported the letter as written. Currently, politicians and celebrities are partying unmasked, yet we have to mask up and not gather in large groups. Why the government is incentivizing it makes her even more adverse to the vaccine.

Roger Gitlin: supported the letter as written; does not want another meeting to further discuss the verbiage.

Kevin Hawkins: supported the letter as written; mandates are forthcoming.

Tonya Pearcey: Registered Nurse for 33 years; said a friend of hers who is healthy with no risk factors, is currently in the hospital due to complications from the COVID vaccine.

Linda Sutter: other vaccines are not FDA approved; opposes vaccination mandates. Stated people died at Sutter Coast because they were not given Ivermectin.

Karen Sanders: supports letter as written; mandates are a slippery slope. Government should not mandate children to get a vaccine.

Thomas Barnes: supports letter as written.

John Evans: stated the community has spoken that this is a personal medical choice.

Mayor Pro Tem Inscore stated his opposition to mandating vaccines. This should be a personal decision between a patient and their doctor. He stated he simply wanted more time with the letter so the full Council's opinion is considered and that is difficult to do on the spot. City Manager Wier asked who the letter gets sent to; Mayor Greenough stated Governor, Senator, Assemblyman, and State Senator. City Manager Wier asked Dr. Stutz about the current actions of the City on testing, children's swim, when is a good time to wean off of those extra precautions; Dr. Stutz said by the end of next week. Council Member Smith asked about employee testing for another week; City Manager Wier said there would be one more week in the testing we've been doing. If its rescinded by the end of next week, there would not be another test after that. If there is Council consensus for the continued discussions between the City Manager and Dr. Stutz, it can move forward without bringing it back to the Council. Mayor Pro Tem Inscore stated the authority had already been given to the City Manager to make these decisions without coming back to the Council. There was unanimous consensus from the Council for the City Manager to make the decision while working with Dr. Stutz regarding extra precautions. Mayor Pro Tem Inscore stated that if the mask mandate will be more than likely be removed by the end of next week, he would like to see the Council to move forward to an in person meeting at the next meeting.

Roger Gitlin: encouraged the Council to stop testing employees immediately.

Linda Sutter: supports meeting in person and wishes our Public Health Officer lived in Del Norte County.

Pat Hawkins: supports being aggressive in letter writing addressed to the State.

Thomas Barnes: if going back to public meetings, will there still be Zoom availability? *There is still the availability to do a hybrid meeting (Zoom & in person)*

REPORTS AND PRESENTATIONS - None

NEW BUSINESS

10. Electrical Vehicle Charging Station at Front & E Streets

- *Recommendation: Hear staff report*
- *Technical questions from the Council*
- *Receive public comment*
- *Further Council discussion*
- *Authorize the City Manager to sign a Master Charging Station License Agreement with Equilon Enterprises LLC to lease City property for the installation of electrical vehicle charging stations*

City Manager Wier reported to the Council that staff has engaged in several discussions regarding possible site locations. Since this had some before the Council, the company has changed hands

and the agreement before the Council is with the new company, Equilon Enterprises (a Shell company). He went over a map of where the proposed stations would be. The three electrical vehicle charging stations are proposed to be near the intersection of Front & E Street. Council Member Altman asked if the new electric buses would be able park and charge there? City Manager Wier stated it is not a proprietary station and can be used by any electrical vehicle, however the size of the spaces may not accommodate a bus. Mayor Greenough asked if the original proposal to have the charging station down near the end of the parking and if so, why would the location be changed? City Manager Wier stated that Council gave direction to move the station farther due to the demand of parking for the other location. Council Member Smith asked if there would be the need for an ordinance to prevent people from parking there if they do not have electric vehicles; City Manager Wier stated that in the agreement is language that there will be no parking signs for non-electrical vehicles posted by the company. Council Member Smith asked if there was anything in the penal code or municipal code to prevent people from parking there; City Attorney Rice stated that it's not something staff felt that was critical at this point as there seems to not have an issue at the Tesla charging station. However, it may need to be considered and implemented in the future. Mayor Inscore asked if people have to pay to use the stations; City Manager Wier stated it would be operated just like a gas station where credit cards would be used. Mayor Pro Tem Inscore asked if the company has provided revenue projections as he wants to make sure we aren't agreeing to a much lower rate; City Manager Wier stated staff did not ask for the projections but knew this was the standard rate and the company agreed. Mayor Pro Tem Inscore stated that with entering into a 10-year contract, the projections should be known. He further asked if an agreement would be signed before it went before the Planning Commission; City Manager Wier stated the Council would be committing to \$100 per space, so \$300 a month. It will go before the Planning Commission for the architectural review, not the amount per space. City Attorney Rice stated that she doesn't believe the company would share their revenue projections. Council Member Altman stated that the City should give a counter-offer for the rate they will pay the City. He further stated that it should be comparable to the placement of cellphone repeaters on our towers which is \$225. Director Olson stated that the City went with the maximum allowable per law. City Manager Wier stated that with Council direction, staff can return with a counteroffer, he also suggested staff could reach out to other cities for their agreements. Mayor Greenough asked the Council if they wanted staff to do more research and bring this back for approval; says he doesn't see many people using the charging stations around town and is comfortable with the \$300 number. Mayor Pro Tem Inscore suggested that within the 10 year contract time frame, at the five year mark have a reassessment of the fees.

Darrin Short: does not see the spaces being used very often; doesn't want to see Beachfront Park parking to be affected by the placement of these charging stations.

Police Chief Griffin read from the Vehicle Code that a local municipality can designate parking spaces for specific purposes. He further stated that during soccer games, parking is at a premium in that location. Council Member Wright stated that since the spaces are being paid for by this company, their interest should be protected and to not allow for joint use of the parking space. Spoke of his dislike of cutting into brand new Front Street; City Manager Wier stated where the spaces are located is actually old asphalt painted black. Mayor Pro Tem Inscore stated he didn't recall discussion of the parking space issue at a previous Council meeting; this is an amenity that the City wants to be able to provide to visitors. However, safe access for our community is equally important. Council Member Smith agreed with Mayor Pro Tem Inscore that those spaces should be used for residents. Council Member Wright supported the idea of running the electricity for the three spots during the next street repair; suggested moving the spaces down closer to the Cultural Center. Mayor Pro Tem Inscore asked in the current application for Prop 68 allow for movement of the spaces; City Manager Wier stated not with Prop 68, but the RAISE grant would allow it. He further stated that staff can discuss moving the spaces with the company, however, there will be a lot more cost and they can be approached about making three additional spaces. The Council was in agreement that asking for three additional parking spaces from Equilon is the direction they would like staff to take.

The Council was in unanimous consensus for the City Manager and Public Works Director to rework agreement and bring it back to the Council.

11. 2020 Homeland Security Grant Program Award Funding

- *Recommendation: Hear staff report*
- *Technical questions from the Council*
- *Receive public comment*
- *Further Council discussion*
- *Accept 2020 Homeland Security Grant Program Award funding for Fire (\$19,086.00), Police (\$6,984.00) and Public Works (\$5,800.00) totaling \$31,870.00, and authorize the City Manager to sign the respective agreements for the project*
- *Adopt Resolution No. 2021-56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY AMENDING THE FISCAL YEAR 2021-22 BUDGET*

Police Chief Griffin stated that the OES funding allows for CCPD to get extra equipment. CCPD will be receiving 13 tactical respirators, 26 CBRNE respirator canisters, 2 tactical medical kits, and a portable radio. Fire Chief Gillespie reported to the Council that the CCFR will receive the following: 45 radio pagers, 1 portable radio, and 15 portable radio accessories. Chief Griffin clarified that no General Fund money will be used, these are being purchased exclusively by grant funding. He reported to the Council that Public Works will be receiving 5 interlocking barricades (6' long), 50 thirty inch reflective cones, and 15 A frame barricades. All of these things will help during the events we have, such as the 4th of July. The police department expenses will be \$6,984.00; the fire department's will be \$19,086.00 and Public Works' will be \$5,800.00. City Manager Wier stated the total amount of grant funding coming to the City is receiving will be \$31,870.00 with a zero match.

There were no comments from the public.

On a motion by Mayor Pro Tem Inscore, seconded by Council Member Smith and carried unanimously on a 5-0 polled vote, the City Council of the City of Crescent City accepted the 2020 Homeland Security Grant Program Award funding for Fire (\$19,086.00), Police (\$6,984.00) and Public Works (\$5,800.00) totaling \$31,870.00, authorized the City Manager to sign the respective agreements for the project and adopted Resolution No. 2021-56, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CRESCENT CITY AMENDING THE FISCAL YEAR 2021-22 BUDGET

CITY COUNCIL ITEMS

- **Legislative Matters** – Mayor Pro Tem Inscore stated that one item for the redistribution of tax for big box stores turned into a big debate at the League of California Cities Annual Conference. The decision was to send it back to Committee and the City Manager's Association before penning a letter.
- **City Manager Report and City Council Directives** – City Manager Wier stated that the Promise Grant with True North is a big deal for our community and it is hopeful some grant funding will be awarded. The cemetery cleanup this weekend had a good turn out and there was 20-25 people in attendance to include members of our local boy scout troop. A lot of trash was removed and will be reevaluated tomorrow.
 - Recreation Director Holly Wendt Resignation and Acknowledgement - City Manager Wier reported to the Council of Director Wendt's resignation and how much work she has done for the City. Director Wendt addressed the Council stating her appreciation for working for the City.

➤ **Reports, Concerns, Referrals, Council travel and training reports –**

Mayor Greenough: asked for the Council to take up the discussion of people camping at Lighthouse Way and Preston Island to discuss the options the Council can do. Was on the Tobacco ad hoc committee and appreciated Mrs. Wier with TUPP do presentations with all of the information. Would like to make sure CCPD is doing shoulder taps and enforcing the law as well as educating students. Supported seeking grants and having a vape drop off location at CCPD and for TUPP to help educate the teachers so they can assist their students in learning more about abstaining from tobacco use.

ADJOURNMENT

There being no further business to come before the Council, Mayor Greenough adjourned the meeting at 10:27 p.m. to the regular meeting with the City Council of the City of Crescent City scheduled for Monday, October 18, 2021 at 6:00 p.m., via Zoom, Crescent City, CA 95531.

ATTEST:

A handwritten signature in black ink, appearing to read 'Robin Patch', written over a horizontal line.

Robin Patch
City Clerk/Administrative Analyst