

**City of Ferndale, Humboldt County, California, U.S.A.**  
APPROVED Minutes for City Council Meeting of June 15, 2022

Mayor Hindley called the Regular City Council Meeting to order at 7:00 pm via Zoom Video Conference. Those present did the flag salute. Present were Council Members Stephen Avis, Leonard Lund, Phillip Ostler, and Robin Smith, along with staff: City Manager Jay Parrish, Police Chief Ron Sligh, City Planner Krystle Heaney, City Clerk Kristene Hall, and Finance Manager Lauren Boop.

Report out of Closed Session: None

Ceremonial: None

Modifications to the Agenda: None

Report out of Study Session: Mayor Hindley stated that there was a study session held just prior to the regular meeting that went over the proposed 22-23 FY Budget. Hindley added it went well and the information was provided in an excellent manner from staff.

Public Comment: None

Consent Calendar: There were three items on the Consent Calendar for approval. There were no questions or comments from the Council or Public.

**MOTION:** to approve the consent calendar. **(Lund/Avis) Unanimous**

Call Items Removed from Consent Calendar: None

Presentation: None

Public Hearing: None

Business:

Recology Annual Rate Review & Adjustment: City Manager Jay Parrish stated this item has been in front of other councils many times. Parrish also stated that the city is nearing the end of their franchise agreement with Recology. Parrish then added that a rate increase was being addressed at this meeting to cover costs incurred by Recology. Linda Wise, General Manager of Recology was present. Wise presented a PowerPoint of the rate review and proposed increase. The presentation went over the annual rate review consideration including collections and pass-throughs. Wise also went over the Consumer Price Index (CPI) which included the increases that have taken place over the previous 12 years. Wise also explained disposal fees and recycling processing costs. Wise explained that the City of Ferndale has the lowest rates compared to the surrounding cities and area. Mayor Hindley questioned aluminum recycling and the lack of a buyback station. Wise explained that there is now a buyback center in Arcata. Councilman Avis thanked Wise for the presentation and stated that cost of living is rising everywhere. **MOTION:** to approve the annual review and rate increase. **(Ostler/Smith) Unanimous**

Discuss and Consider Proposing a Three-Quarter Percent Local Transaction and Use Tax Measure to the Voters on November 8, 2022. Including Introduction and Submission of Proposed Ordinance to the Voters: City Attorney Ryan Plotz was present. Plotz stated that the main purpose for this proposed tax was to assist in funding public safety within the City of Ferndale. Plotz added that the proposed three-quarter percent tax increase would be used to fund essential police services and other public safety programs. Plotz stated that there were two items that were needed to be approved. First item needing approval being the Introduction and First Reading of Ordinance 2022-03. Plotz stated that the draft ordinance included the imposing of the three-quarter percent transactions and use tax; requires an independent public audit of the funds raised and how the funds are expended; includes a sunset of the authorization to collect the tax. The expiration date would be March 31, 2031; provides that the Ordinance will not take effect unless and until approved by a simple majority of the qualified voters; and if passed by the Council and the electorate, the tax would be effective no sooner than the first day of the first calendar quarter, commencing more than 110 days after the adoption of the ordinance by the voters. Therefore, the tax would be effective no sooner than April 1, 2023. Plotz added that once the Ordinance is approved by the Council it is then submitted to the voters for approval for adoption. Plotz stated that this was done by the second item needing approval tonight by the council, Resolution 2022-08. Plotz added that Resolution 2022-08 also includes approving the ballot title and ballot question as well as sets dates for arguments for or against and authorizes the Mayor to submit a written argument in support on behalf of the Council. Plotz added that the final item the resolution addresses is requesting the Board of Supervisors to approve a consolidated election for the tax measure. Mayor Hindley questioned the audit and asked who it is done by. Plotz stated it would be done during the cities annual audit and it would just show a independent identification of the funds. Police Chief Ron Sligh updated the Council on why this tax was proposed. Sligh stated that the police department is having trouble retaining officers due to the salaries of our officers being significantly lower than surrounding cities. Sligh stated that if this tax measure is passed, one of its benefits would allow salaries to be more competitive. Councilman Ostler stated the need to promote this tax measure to the voters and trying to get it out to the public. Councilman Avis questioned the audit process and making sure monies are spent appropriately. Plotz stated that the auditor would review and be sure funds are being used properly. Councilman Lund stated that hiring officers is the easier part, but the retaining is the hard part. Lund added that he is glad to see this proposed and it will be great for the city.

**MOTION:** to approve the Introduction and First Reading, by title only, and submit to the Voters Ordinance 2022-03 an Ordinance of the people of the City of Ferndale approving and authorizing a transaction and use tax to be administered by the California department of tax and fee administration to provide supplemental funding for police and essential services within the City of Ferndale. **(Ostler/Avis) Unanimous**

**MOTION:** to approve Resolution 2022-08 Ordering the submission to the voters of the City of Ferndale approving and authorizing a three-quarter percent transaction and use tax and directing the City Attorney to prepare an impartial analysis of the measure and setting the dates for arguments; and requesting to the Humboldt County Board of Supervisors to consolidate the Election. **(Avis/Lund) Unanimous**

Resolution 2022-07 Requesting a Consolidated Election for the Councilmember Seats and Mayor Seat: There were no comments from the council or public. **MOTION:** to approve

Resolution 2022-07 requesting a consolidated election for the councilmember seats and mayor seat. **(Avis/Lund) Unanimous**

Resolution 2022-11 Adopting SB-1 Projects List for FY 2022-23: City Planner Krystle Heaney was present to answer questions. Councilman Avis questioned the list and stated there was nothing new on it. Heaney stated that the list was reviewed every year for funds that were given to the city on a monthly basis. Heaney added no new projects were put on the list, however added that the list can be updated at any time. There were no other questions or comments. **MOTION:** to approve Resolution 2022-11 adopting the SB-1 Projects list for FY 2022-23. **(Lund/Ostler) Unanimous**

Discuss and Approve Revised Per Capita Grant Projects: Mayor Hindley opened up comments from the public. A member of the public spoke of a project that was brought to the city by the Ferndale Girl Scout group. The project included musical playground instruments. The public member went the different instruments available and also some cost estimates of the instruments. City Manager Parrish explained that after further consulting with CA State Parks OGALS, it was determined that equipment items on the city's proposed projects list for Russ Park would not qualify under the grant funding. Parrish stated an updated list was provided but left approximately \$29,000 for additional projects. Parrish stated that the musical instruments was one idea, and also added the possibility of a kitchen renovation at Scouts Hall, and/or upgrading or replacing the little league lighting and poles. Parrish added that these ideas are all possible alternatives for replacing items the state had said did not qualify in previous council list. Grant consultant Rick Hill was present to answer questions. Hill explained why some of the projects were not approved for the grant and some possible options. Councilman Smith stated that the musical instruments were a nice idea but would like to see more options for Russ Park. Councilman Avis added that he also would like to find more improvements to do in Russ Park and get more input from public members. Hill also stated he had reached out to some public members that were involved in this process to get additional feedback when the projects for Russ Park were rejected by the state. Hill also stated that due to the required CEQA process some proposed projects would be too costly. Avis stated that he would like to see more detail on items that are being proposed such as signage. Councilman Ostler stated that though he would like to see improvements at Russ Park, if they cannot be done due to grant restrictions then it would be wise to use the money for other improvements that are allowed whether its Russ Park, Fireman's Park or Scouts Hall. Mayor Hindley added that the items for Russ Park that the public members had asked for and were approved by the council and submitted to the state but were rejected and cannot be funded. Hindley added that the city should not lose funds because projects and funds cannot be allocated to Russ Park because of project restrictions. Councilman Lund questioned the possibility of a hydration station. Hill stated that potable water would need to be hauled in or a water source would need to be provided. Lund stated that if not in Russ Park maybe in Fireman's Park since there are already water lines there. **MOTION:** to table this to the July Meeting. **(Avis/Ostler) Unanimous**

Resolution 2022-09 Adopting the 2022-23FY Budget: There were no comments from the Council or Public. **MOTION:** to approve Resolution 2022-09 adopting the 2022-23FY Budget. **(Ostler/Smith) Unanimous**

Resolution 2022-10 Adopting the 2022-23 FY Gann Spending Limit: There were no comments from the Council or Public. **MOTION:** to adopt the 2022-23 FY Gann Spending Limit. **(Lund/Smith) Unanimous**

COVID 19 Update and Discussion: City Manager Parrish stated that it seems Covid had diminished a little, however, cases are still high and people are still getting COVID. Parrish stated the question before us is if we would like to return to regular in person meetings. Parrish stated that staff is in favor of possibly going in person for Council, but keeping video meetings for the committee and commissions. Councilman Smith questioned if the council determined if committees and commissions were to meet virtually or in person. City Clerk Hall stated it would be a council decision. Councilman Smith stated his concerns on the new wave of the Omicron Variant. Smith added that the vaccine was less effective with the new Omicron Variant. Smith added that even though it is not as effective, he recommends getting vaccinated. **MOTION:** to reconfirm the existence of the local emergency **(Avis/Smith) Unanimous**

The Council discussed the issue of returning to in-person meetings. City Clerk Kristene Hall went over the two options. The first being in-person/hybrid. The in person/hybrid would require all council to be present in the chambers and would allow the public to be able to zoom in. The second option would be to stay with the virtual meetings. This would allow any council that would want to be in the chambers to do so, and would allow councilmembers to zoom in under the modified brown act. It would also allow public to zoom in and continue the virtual meeting for the committee and commissions.

**MOTION:** reconfirm the findings of Resolution 2021-21 to continue the use of virtual meetings. **(Avis/Smith) 3-2-0 Hindley, Lund**

Correspondence: None

Council Comments:

Reports:

City Managers Report: The Council stated it was a very good report.

Other Reports: None

Mayor Hindley Adjourned the Meeting at 9:02 pm

Respectfully submitted

Kristene Hall  
City Clerk