

City of Ferndale, Humboldt County, California, U.S.A.
Approved Action Minutes for City Council Meeting of April 19, 2023

Mayor Cady called the Regular City Council Meeting to order at 6:00 pm. Those present did the flag salute. Present were Council Members Leonard Lund, Jennifer Fisk-Becker, Skip Jorgensen, and Phillip Ostler, along with City staff: City Manager Jay Parrish, Police Chief Ron Sligh, City Clerk Kristene Hall and Deputy City Clerk Lauren Boop.

Report out of Closed Session: None

Ceremonial: None

Modifications to the Agenda: Staff asked that 13.b be moved to 13.a. MOTION to move and switch items 13.a and 13.b. (Lund/Ostler) Unanimous

Report out of Study Session: None

Public Comment: None

Consent Calendar: There were four 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/Ostler) Unanimous**

Call Items Removed from Consent Calendar: None

Presentation: None

Public Hearing: None

Business:

Humboldt Waste Management JPA Amendments: Humboldt Waste Management representative Jill Duffy was present. Duffy went over the staff report and gave a PowerPoint presentation on AB1383 and the proposed amendments for implementing this program into the current Joint Powers Agreement the city has with Humboldt Waste Management. Duffy explained that the JPA cities of Arcata, Blue Lake, Rio Dell, County of Humboldt, and Ferndale have an interest in HWMA lead the regional coordination for organics material processing services. Duffy added that this would require that HWMA secure flow control of source separated material. Duffy explained the changes in the agreement that would allow this. Councilman Lund questioned why Fortuna and Trinidad were not involved in this. Duffy explained that Trinidad had never been part of HWMA, and that Fortuna had been previously, but there was a dispute over tonnage and Fortuna now works with Recology. Councilman Jorgensen questioned the timeline for organic flow control. Duffy stated that first HWMA will need authority from all the cities, then they can start to develop the facility. Duffy added that then specialized vehicles to take food waste will need to be ordered. Duffy added that these trucks cannot be ordered until the commitment from all the cities has been established. Duffy also added that these trucks are generally about 18month out between ordering and receiving. Duffy also added that another aspect will be planning routes of the trucks to help ensure costs are kept down. Councilman Jorgensen also

questioned the requirement for curbside service if you do home composting. Duffy explained that would be the role of the City Council whether mandatory curbside service could be exempted for those who home compost. Councilman Ostler questioned how long the state will put up with noncompliance of AB1383. Duffy stated that if you are actively working on a solution, then they will tend to work with you on achieving compliance.

MOTION: to approve Humboldt Waste Management Authority JPA amendments and authorize City Manager to execute documents. **(Ostler/Jorgensen) Unanimous**

Mayors Statement on Desire for Respect and Inclusion in our Public Discourse.: Mayor Cady read his prepared statement:

Over the past couple months, I have received a lot of input from community members about the events surrounding the cancellation of the Roaring '20s Drag Event by Lost Coast Pride and addressing anti hate, Inclusion, and Acceptance. I have received requests that the City Council, by resolution, condemn certain viewpoints and/or support other viewpoints. Alternatively, others have requested that the City Council do nothing on the basis that it is not the role of local government to involve itself in such matters or otherwise control speech. In my view, each request has some degree of merit, and I can understand why such requests would be made. However, speaking for myself, I do not believe it is appropriate for the City Council to condemn one viewpoint or support another viewpoint. That is not the role of local government. I also do not believe that the City should do nothing as some have urged. Instead, I believe the City should continue to ensure that its ordinances, actions, conduct, and policies are made in a manner that is consistent with the values embodied in our own Code of Ethics, which we each agreed to abide by, as well as the state and federal laws and constitutions, which we took an oath to uphold.

In 2021, the Council adopted a revised Code of Ethics. This revised Code of Ethics reflects the City's commitment to ensuring fair and equal treatment of all persons. In fact, the very first section, Section A, 1, provides that "Members will assure fair and equal treatment of all persons, and claims and transactions coming before them, regardless of race, religion, age, or gender." These are our values as a City Council, and, in upholding our values as a City Council, we hope to lead by example.

In closing:

I hope that our community members feel free to passionately discuss and debate matters important to them without fear of reprisals. Above all, though, I hope that we, as a community, will prioritize kindness, inclusion, and respect for our fellow community members and visitors and above all when having those debates and in all other aspects of our daily lives. I thank my fellow councilmembers for their indulgence. Before I open up this issue for public comments, I invite my colleagues on the Council to speak on the topic if they wish.

Councilwoman Fisk-Becker thanked the Mayor. Fisk-Becker also added that the Council takes their sworn Oath of Office and Code of Ethics seriously and as elected officials we have listened closely to everyone and their diverse opinions. Fisk-Becker also stated that she had received several questions and comments from the community and has taken these concerns to heart. Fisk-Becker added that yes, most of us are kind and giving but it doesn't hurt any of us to be reminded that all of us are not treated equally. Fisk-Becker added that she would like to see a written piece put on the agenda as a statement endorsed by our City Council. Councilman Lund stated he was on the previous council in 2021 and the council discussed this very issue and decided to revise the

Code of Ethics to address any issues. Lund stated that this is upsetting and wishes we didn't have these issues. Lund stated that he supports the Mayor's statement and agrees with it. Councilman Jorgensen stated his proposed resolution of Inclusion was written not to address drag shows but with the intent to provide assurance that regardless of the color of one's skin, ancestry, religious belief, gender identity, or sexual orientation, that it will be the intent in this community that we will promote kindness and respect even if we do not agree with that belief or lifestyle. Councilman Jorgensen added that over the years he has been aware of those in our community who have felt disadvantaged because of the color of their skin, or acceptance of their gender identity and they should not feel discrimination, judgement, or ridicule. Jorgensen stated that is why he adapted this resolution that was approved by the County, Jorgensen added that this is not a law to be upheld or a limit on freedom of speech, but simply an assurance. Jorgensen advocated for the resolution or similar be placed on an agenda. Councilman Jorgensen also thanked and stated appreciation for Mayor Cady's statement. The Council discussed the placement of the resolution or a discussion to discuss a resolution or the possibility. Councilwoman Fisk-Becker questioned a study session. City Manager Parrish stated a Special Meeting would be best to allow action to be taken. Mayor Cady stated a special meeting be scheduled to discuss. Mayor Cady opened Public Comment. Fourteen members of the public spoke. Five members of the public spoke in favor of a resolution while nine members opposed a resolution.

Mayor Cady thanked everyone and stated a special meeting will be held to finalize this discussion.

Approve Installation of a Water Bottle Filling Station: City Manager Jay Parrish stated Doug Edgmon was present from Ferndale Rotary. Edgmon stated that the Ferndale Rotary Board had approved the purchase and installation of a water bottle filling station in front of the public restrooms on Main Street for an amount up to \$2000. Councilman Ostler questioned if this amount was flexible. Edgmon stated it could probably be within reason. Councilwoman Fisk-Becker stated there was a couple at the school that were very popular. Councilman Lund stated it was a good location for tourists. Councilman Lund also asked if this would just be part of the water bill for the restrooms. City Manager Parrish stated that it would be. Councilman Jorgensen questioned the maintenance. Parrish stated the filters average about \$55 a year and the cleaning would be added to the regular schedule.

MOTION: to approve the installation of a water bottle filling station. **(Ostler/Lund)**

Unanimous

Appoint Applicant to Serve on Russ Park Committee: City Manager stated that applicant Ken Mierzwa was present and has an impressive resume. Councilman Lund also commented on Mierzwa's resume. Chair of the Russ Park Committee stated that the committee had unanimously recommended Mierzwa be appointed to the Committee.

MOTION: to Appoint Ken Mierzwa to the Russ Park Committee. **(Lund/Ostler) Unanimous**

Appoint Council Liaison to the Russ Park Committee: Mayor Cady stated that the appointment of a Council Member to the Russ Park Committee had been discussed at the regular City Council Meeting back in January. Chair of the Russ Park Committee stated he and the committee thinks it would be a great idea and stated the meetings were held the second Tuesday of the month at 6:30pm. Councilman Lund questioned if the City Attorney had an opinion on this appointment of a Council Member to the Committee. Parrish stated that the attorney would rather have had a staff member attend. Parrish also added that either way though would be an improvement.

MOTION: to Appoint Councilman Ostler as a liaison to the Russ Park Committee.
(Lund/Jorgensen) Unanimous

Approve Purchase of an Emergency Stand-by Generator for City Hall: Police Chief Ron Sligh gave the staff report. Sligh stated that as of now, the city currently has a generator that is gas powered and needs to be moved and chained to the building as well as manually started and manually wired in order to provide electricity during a power outage or emergency. Sligh stated the staff is proposing that a propane generator be purchased and permanently mounted and wired in that will automatically start up within seconds. Chief Sligh added that this is important due to the police repeater that is at City Hall. Sligh also stated that the funds would be from the city's CIRA funds. Councilman Lund questioned if the amount proposed included installation. Chief Sligh stated that it did include installation.

MOTION: to Approve the purchase of an Emergency Standby Generator for City Hall.
(Jorgensen/Ostler) Unanimous

Resolution 2023-09 Approving Disposal of Surplus Property: There were no comments.

MOTION: to Approve Resolution 2023-09 approving the disposal of surplus property.
(Lund/Fisk-Becker) Unanimous

Discuss and Direct Staff to Send Letter of Support for AB1256: City Manager Parrish explained the staff report and AB1256. Parrish explained the basis of this would be for the County to improve its roads. Lund added that this would also have to be voter approved. **MOTION** to direct staff to send a letter of support for AB1256. **(Jorgensen/Ostler) Unanimous**

Correspondence: None

Council Comments:

Councilwoman Fisk-Becker stated that she had attended the Land Use Element Update Open House.

Councilman Lund stated he had attended an event at the Portuguese Hall and had done some research on that building.

Councilman Jorgensen stated that he wanted to bring to the Councils attention a condition that he has called TLS and it is progressive condition. Jorgensen added that it is neurological and affects the large muscles and can also affect speech and swallowing. Jorgensen stated that if his speech sounds different or not clear, please give him a signal and he will try to re state.

Councilman Lund thanked staff for staying on top of sending the letters and correspondence sent in by the public to the Council.

Reports:

City Managers Report: City Manager Parrish gave an update on some grants. Councilwoman Fisk-Becker questioned the Fireman's Park BBQ and Pavilion. Parrish explained the project and added that it is part of the Per Capita Grant.

Other Reports: Councilman Jorgensen questioned the HCOAG street study and if the city received the report that was put out. Jorgensen asked staff to provide a report to where we were at and an overview of streets and roads.

Mayor Cady thanked the audience, staff, the Fire Department, and fellow councilmembers and
Adjourned the Meeting at 8:16 pm

Respectfully submitted,

Kristene Hall
City Clerk