

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
FEBRUARY 4, 2025**

Mayor Garnes called the regular meeting of the Rio Dell City Council to order at 6:00 p.m.

ROLL CALL: Present: Mayor Garnes, Mayor Pro Tem Carter, Councilmembers Orr, Wilson, and Woodall

Others Present: City Manager Knopp, Police Chief Phinney, Community Development Director Caldwell, Senior Fiscal Assistant Maciel, and City Clerk Dunham

Absent: Finance Director Sanborn, Water/Roadways Superintendent Jensen, and Wastewater Superintendent Kelly (excused)

CEREMONIAL MATTERS

Introduction of Rio Dell Police Chief Joshua Phinney

City Manager Knopp proudly announced the appointment of Joshua Phinney as the City's new Police Chief.

He provided background on Chief Phinney and said that he has more than 16 years of distinguished experience and a proven track record in leadership and community focus policing. He said that Chief Phinney is set to lead the department into an exciting new chapter here in Rio Dell. He began his career with the Fortuna Police Department in 2008 where he developed a deep understanding of the region and its unique challenges. Over the years he has served in leadership roles including serving as a Sergeant in both the Arcata and Fortuna police departments.

His career highlights included implementing community policing strategies and strengthening public trust utilizing data driven techniques to reduce crime and mentoring officers to foster a culture of professionalism and continued learning.

In addition to his experience in law enforcement, Chief Phinney served in the United States Navy as an E-5 Operations Specialist and during his service he played a pivotal role in Operation Enduring Freedom and earning the Navy/Marine Achievement Medal for his exemplary performance.

City Manager Knopp said that the City is excited to have Chief Phinney here, excited for the Rio Dell Police Department, and for the community.

Chief Phinney then received an introductory applause from the community.

Next was a formalized swearing-in ceremony by Mayor Garnes followed by the pinning of his badge by his wife Brittney and the collar pinning by Fortuna Chief of Police Casey Day.

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Chief Phinney thanked the City Council and the community for both the opportunity and the trust to become the leader of law enforcement in this community. He thanked his family for the ongoing support that has led him to this place in his career and without them, would not have come this far. He also thanked his mentors, Chief Day, and Sergeants that have guided him in his decision making. He said that he looked forward to building his relationship with the community and will strive every day to make this police department a stronger-better department for the City of Rio Dell.

Mayor Garnes thanked everyone for coming and said that the City is proud to have Chief Phinney here and proud to see the support of the community.

Supervisor Bushnell congratulated the City Council in finding such a qualified person, coming from Fortuna where he was obviously loved, to serve as Rio Dell's Police Chief. She said that Rio Dell is a great little City which she will always be ready to support.

Fortuna Police Chief Day expressed how much pride he has in Chief Phinney and said that he has played an integral part in the staff at Fortuna Police Department and over the last 2 years was a contributing factor in some of their successes. He assured the City Council and the community that what has pounded into his head is that "the buck stops with him" and that he practices extreme ownership and is very good at accepting accountability. He said that he has no doubt that he will own his successes as well as his pitfalls with equal enthusiasm and do a great job for the City. He will bring a level of sophistication with his creative ideas for programs and that he was a valued member of their department. He commented that "their loss is our gain" and they are certainly going to miss him. He and his entire department wished Chief Phinney and the community all the success in the world and that he has no doubt that the Rio Dell will be very happy with him as Chief.

PUBLIC PRESENTATIONS

Mayor Garnes invited public comment on non-agenda matters. No public comment was received.

CONSENT CALENDAR

Mayor Garnes asked if any council member, staff, or member of the public would like to remove any item from the consent calendar for a separate discussion. No items were removed.

A motion was made by Carter/Woodall to approve the consent calendar, including the following items:

- 1) Minutes of the January 21, 2025 Regular Meeting;
- 2) Minutes of the January 27, 2025 Special Meeting
- 3) Authorize the Submittal of the Measure Z Funding Application to the County of Humboldt;

- 4) Authorize the Submittal of the City's Request for Proposal (RFP) for Auditing Services for FY 2024-25; and
- 5) Approve the Bid from Humboldt Fence and Authorize the City Manager to Facilitate and Execute the Contract for Phase II of the Dog Park for a Small Dog Run.

Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp provided highlights of the staff update and referred to the Police Department update and asked the Council to take a look at it comment on any requested additions or changes.

He reported that the Eel River Trail paving was expected to begin on Thursday, January 30 however, the subcontractor doing the paving was called out on an emergency and was unable to start. He said staff would be monitoring the latest storm activity but didn't anticipate any significant damage to the trail.

Mayor Pro Tem Carter referred to the Animal Control section of the Police Department update and was excited to see that there were no cats transported to Miranda's for the month of January, contributing the success possibly to the spay and neuter program.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Second Reading (by title only) and Adoption of Ordinance No. 410-2025 Amending Section 8.35.040 of the Rio Dell Municipal Code (RDMC) Pertaining to Requirements for Commercial Edible Food Generators to Include Authority for the County of Humboldt Division of Environmental Health to Charge Fees for the Service

City Manager Knopp provided a staff report recommending approval of the second reading (by title only) and adoption of Ordinance No. 410-2025.

He explained that SB 1383, the California Short-Lived Climate Pollution Bill aims to reduce methane emissions from the landfill and rescue 20% of edible food waste. The mandate requires that cities adopt an ordinance to implement SB 1383 requirements locally.

The mandate requires edible food generators to be inspected by the responsible jurisdiction, however, the City lacks the staff and expertise to conduct such inspections. Staff is proposing to engage in an MOU with the County of Humboldt Division of Environmental Health to conduct these inspections on behalf of the City and the County has agreed to offer these services.

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He noted that edible food generators are defined as certain business types larger than 10,000 sq. ft. that handle food and are required to donate excess edible food fit for human consumption. There is only one edible food generator in the City that meets the current criteria which is the Rio Dell School District.

City Manager Knopp explained that the ordinance and future MOU with the County will allow them to conduct the inspections and charge a fee for those inspections. He noted that the City's Solid Waste fund could pick up the fee although the fee amount has not yet been established by the County.

Mayor Garnes opened a public hearing to receive public input on the proposed ordinance. There being no public comment, the public hearing was closed.

Councilmember Orr commented that he was not comfortable approving the Ordinance without knowing what the fee would be to the City, even if it is presumed to minimal.

Mayor Pro Tem Carter said that it would be nice if the City could pick up the fee for the Rio Dell School District and asked how fees would be calculated.

Supervisor Bushnell commented that she would know the fee amount tomorrow.

Mayor Garnes thought it would make sense for efficiency if the County billed the City for the fee.

Councilmember Wilson asked who would pay the fee if not the City.

City Manager Knopp explained that the school would have to pay the fee since they are the only qualified edible food generator in the City. He said that the City is the enforcement agency and that he didn't expect the fee to be significant with perhaps 2 or 3 hours of County staff time for the inspection and paperwork. He pointed out that the City could eventually have a major food edible food generator and was curious why schools were included in SB 1383 since they know approximately how many students they provide meals for and likely don't have much, if any edible food waste.

Mayor Garnes opened a public hearing to receive public input on the proposed ordinance.

A local resident (Albert), asked for clarification on what the program was all about.

City Manager Knopp explained the purpose of SB 1383 and said that a lot of businesses such as Safeway have been doing this all along but now there is a State mandate that requires certain business types larger than 10,000 sq. ft. to donate edible food waste.

Anna Gomez asked if the edible food would be disposed of in a specific container and asked how the school differed from businesses such as CC Market.

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City Manager Knopp explained that CC Market does not meet the threshold as an edible waste food generator. He reiterated that there is only one edible food generator in the City that meets the current criteria which is the Rio Dell School District. CC Market is under the 10,000 square foot requirement.

Councilmember Woodall asked if there was an urgency in adopting the ordinance and if it could be continued to the next regular meeting so the Council would know what the fee was going to be.

City Manager Knopp indicated that the Council could continue the item until there is an operable MOU with the County.

A motion was made by Woodall/Carter to continue the adoption of Ordinance 410-2025 to the February 18, 2025 regular meeting. Motion carried 5-0.

Supervisor Bushnell made a quick phone call and presented new information noting that the County would be seeking to enter into MOU's with the participating jurisdictions with no fee.

A motion was made by Woodall/Carter to reconsider the previous motion. Motion carried 5-0.

A motion was then made by Woodall/Carter to approve the second reading (by title only) and Adopt *Ordinance No. 410-2025 Amending Section 8.35.040 of the Rio Dell Municipal Code (RDMC) Pertaining to Requirements for Commercial Edible Food Generators to Include Authority for the County of Humboldt Division of Environmental Health to Provide the Service.* The motion carried 5-0.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Carter announced that she attended a Cal Cities Transportation, Communications, and Public Works Policy Committee meeting in Sacramento, would be attending the Chamber of Commerce meeting on Friday in Scotia, and announced that the Community Resource Center would be holding a Job Fair tomorrow from 4-7 p.m.

Councilmember Orr extended a warm welcome to Chief Phinney and looked forward to working with him.

Councilmember Wilson announced that he attended a Redwood Coast Energy Authority (RCEA) meeting and as a member of their budget committee, were emerged in the mid-term budget process.

Councilmember Woodall reported that it was a busy 2 weeks with meetings of the Nuisance Advisory Committee meeting, Traffic Committee, City Council, including the AdHoc for the Police Chief recruitment , and the Fire District.

Mayor Garnes reported on the February 3rd Special meeting of the City Council related to Commercial Truck Parking and said the outcome of the meeting was to find middle ground and change the regulations to limit truck parking on Wildwood Ave. to 2 hours, allow trucks to park in residential areas with a permit, and provide an option for trucks to park on Northwestern Ave. for up to 72 hours. The matter was referred back to the Traffic Committee to come up with proposed language for the ordinance and return the item to the Council for consideration and potential adoption.

She said that she was also in Sacramento attending the Cal Cities Environmental Quality Policy Committee meeting where they reviewed proposed legislation for the new year. She said that one of the most interesting things was that they reviewed the new legislation for the year and new proposed legislation. She spoke to the past President of Cal Cities regarding the 2022 earthquake and FEMA's lack of response and the inequity of help for Rio Dell. She then talked to the Director of Cal Cities and they got together and talked to legislators and they have a legislator that will be proposing a bill that would allow the State to create a fund to help small rural cities during a disaster that don't meet FEMA's threshold for funding. She said that Rio Dell was used as an example and commented that this is a very positive movement to help underserved communities.

Mayor Garnes said that she would also be attending a Humboldt Transit Authority (HTA) meeting on February 12, 2025.

ADJOURNMENT

A motion was made by Carter/Wilson to adjourn the meeting at 6:35 p.m. to the February 18, 2025, regular meeting. Motion carried 5-0.

Attest:

Debra Garnes, Mayor

Karen Dunham, City Clerk