

**CITY OF ARCATA
CITY COUNCIL MEETING**

COUNCIL CHAMBER
736 F Street, Arcata

JUNE 07, 2017
Wednesday, 6:00 PM

AGENDA

Special accommodations for the disabled who attend City meetings can be made in advance by contacting the City Clerk at 822-5953. Assistive listening devices are available.

Pursuant to Government Code section 54957.5, all writings or documents relating to any item on this agenda which have been provided to a majority of the City Council, including those received less than 72 hours prior to the City Council meeting, will be made available for public inspection in the agenda binder located on the counter in the lobby at Arcata City Hall, 736 F Street, during normal business hours, and on the City's website at www.cityofarcata.org.

PLEASE NOTE: Speakers wishing to distribute materials to the City Council at the meeting are requested to provide 10 copies to the City Clerk.

REGULAR MEETING

- I. FLAG SALUTE**
- II. ROLL CALL**
- III. CEREMONIAL MATTERS**
 - A. Proclamation in Recognition of *World Oceans Day*, Thursday, June 8, 2017.**
 - B. Proclamation in Recognition of *Arcata High School Safe & Sober Graduation Day*, Friday, June 16, 2017.**
 - C. Proclamation Declaring the Week of June 11–17, 2017, *the Week of the Oyster*.**
 - D. Proclamation Designating June 2017 *National Alzheimer's and Brain Awareness Month*.**
- IV. REPORT BY COMMISSION/COMMITTEE**
- V. EARLY ORAL COMMUNICATIONS**

This 15-minute time period is provided for people to address the Council on matters not on the agenda. At the conclusion of all oral communications the Council may respond to statements. Any request that requires Council action will be set by the Council for a future agenda or referred to staff. Speakers addressing the Council at this time may be limited to two minutes. All other Oral and Written Communications will be heard at this meeting under Agenda Item XI.

VI. N/A

VII. CONSENT CALENDAR

All matters on the Consent Calendar are considered to be routine by the City Council and are enacted in one motion. There is no separate discussion of any of these items. If discussion is required, that item is removed from the Consent Calendar and considered separately. At the end of the reading of the Consent Calendar, Council members or members of the public can request that an item be removed for separate discussion.

- A. **Bi-Weekly Report on General Warrants.**
- B. **Award of Bid for 2017 Timber Harvest (Logging and Trucking Combined) to Diamond R Ranch, in the Amount of \$271/Thousand Board Feet for Redwood Logs Hauled to Eureka, CA, and Authorize the City Manager to Execute All Necessary Contracts and Agreements.**
- C. **Approve a One-Year Grazing Lease Renewal with Gary Alto for the Period of June 1, 2107, to May 31, 2018, in the Amount of \$12,690 for a Portion of the Jacoby Creek/Gannon Slough Wildlife Area, (APNs 501-042-001 and -003) and Authorize the City Manager to Execute the Lease and Related Documents as Required.**
- D. **Reject All Bids Received for the Greenview Park Renovation Project and Re-Bid the Project.**
- E. **Approve a Proclamation in Recognition of *Locally Delicious' Local Food Guide to Del Norte, Humboldt and Trinity Counties.***
- F. **Approve Grant Agreement(s) in the Amount of \$35,000 with the U.S. Fish and Wildlife Service Coastal Program and Authorize the Director of Environmental Services to Execute the Agreement and All Necessary Grant Documents Including, but Not Limited to, Budget Items, Revisions to the Operational Plan and Grant Amendments.**

- G. Approve Reward Program for Information Leading to the Arrest and Conviction of the Person Responsible for the Homicide of David Josiah Lawson and Accept a \$10,000 Donation from Justin Ladd, a \$10,000 donation from Dr. Leslie Price and a \$1,000 Donation from James Vandegriff and Illiana Asara to Fund the Program, and Authorize the Acceptance of Future Donations of \$500 or Less Without Council Approval.**
- H. Adopt Mitigated Negative Declaration for South Jacoby Restoration Project.**
- I. Adopt Resolution No. 167-53, A Resolution of the City Council of the City of Arcata Authorizing the Submission of an Application for Technical Assistance from the U.S. Environmental Protection Agency's Targeted Brownfield Assessment Program and Authorize the City Manager to Execute All Applicable Documents.**
- J. Reject a Claim for Money or Damages Against the City of Arcata from Robert Parton and Refer to the Redwood Empire Municipal Insurance Fund.**
- K. Authorize the Mayor to Sign the Open Letter to the International Community and Parties to the Paris Agreement from U.S., State, Local, Higher Education, and Business Leaders.**

VIII. ITEMS REMOVED FROM CONSENT CALENDAR

Items removed from the Consent Calendar will be heard under this section.

IX. OLD BUSINESS

- A. Introduce Ordinance No. 1488, an Ordinance of the City Council of the City of Arcata Amending the Medical Marijuana Zoning Regulations; Waive Reading of the Text and Consent to Read by Title Only; and Continue the Public Hearing to June 21, 2017, to Adopt Ordinance 1488.**

At direction of the City Council on January 18, 2017, staff prepared amendments to the Land Use Code (Code) pertaining to the regulation of medical cannabis. Council directed staff to raise the number of cannabis related Use Permits issued in Area 2 of the MMIZ Combining Zone from four (4) to twenty (20), and to edit the Code for clarity and consistency, as well as coordination with current state law. These amendments are included for consideration and adoption as Ordinance 1488. The Arcata Planning Commission recommended adopting Ordinance 1488 and found the project exempt from environmental review pursuant to California Environmental Quality Act guidelines §15061 (b)(3) at a public hearing on May 9, 2017, via PC resolution number PC-17-03.

RECOMMENDATION:

Staff recommends the Council adopt the following actions to amend the zoning

regulations pertaining to medical marijuana:

1. Introduce Ordinance 1488, an Ordinance of the City Council of the City of Arcata Amending Zoning Regulations Pertaining to Medical Marijuana; Waive Reading of the Text and Consent to Read by Title Only; and
2. Continue the Public Hearing to June 21, 2017, for adoption.

B. Adopt Ordinance No. 1490, an Ordinance of the City Council of the City of Arcata Declaring Itself a Sanctuary City and Safeguarding the Civil Rights, Safety and Dignity of All Arcata Residents; Waive Reading of the Text and Consent to Read by Title Only.

At its regular meeting on May 17, 2017, the Council introduced Ordinance 1490, an Ordinance of the City Council of the City of Arcata Declaring Itself a Sanctuary City and Safeguarding the Civil Rights, Safety and Dignity of all Arcata Residents, after making revisions to the proposed text. The Council may now take action to either adopt the Ordinance or provide direction for further revision. If the Council seeks to revise the text of the Ordinance, it would require reintroduction (another first reading) before adoption (second reading).

RECOMMENDATION:

It is recommended that the Council review Ordinance No. 1490, an Ordinance of the City Council of the City of Arcata Declaring Itself a Sanctuary City and Safeguarding the Civil Rights, Safety and Dignity of all Arcata Residents, and either:

1. Adopt Ordinance No. 1490, an Ordinance of the City Council of the City of Arcata Declaring Itself a Sanctuary City and Safeguarding the Civil Rights, Safety and Dignity of all Arcata Residents, waive reading of the text and consent to read by title only, or
2. Provide additional direction.

X. NEW BUSINESS

A. Consider Resolution No. 167-49, A Resolution of the City Council of the City of Arcata Setting Building, Plumbing, Electrical, Mechanical and Other Related Permit Fees and Superseding Resolution No. 101-20, Resolution No. 090-02 and Resolution No. 090-17

Resolution No. 167-49, if adopted by Council, will establish building permit and plan review fees based on project valuation method and will adopt separate plumbing, electrical, mechanical and other related permit fees, replacing the current building permit fee structure that is based solely on square foot of the project.

RECOMMENDATION:

It is recommended that the Council:

1. Consider Resolution No. 167-49, a Resolution of the City Council of the City of Arcata Setting Building, Plumbing, Electrical, Mechanical and Other Related Permit Fees and Superseding Resolution No. 101-20, Resolution No. 090-02 and Resolution No. 090-17.
2. Receive public comment on the valuation based building permit fee structure.
3. Direct staff to present Resolution No. 167-49 to the City Council for adoption on June 21, 2017.

B. Adopt Resolution No. 167-52, a Resolution of the City Council of the City of Arcata, Repealing Resolution No. 078-059 and Establishing Planning Permit Deposits and Fees.

Resolution 167-52 (Attachment A), if adopted by the Council, will establish planning permit deposits based on the level of approval authority and commensurate work. Currently, deposits are calculated individually for each permit application. The proposed structure will simplify collection of deposits, while process cost tracking will ensure that full costs are recovered.

RECOMMENDATION:

It is recommended that the Council Adopt Resolution No. 167-52, a Resolution of the City Council of the City of Arcata, Repealing Resolution No. 078-059 and Establishing Planning Permit Deposits and Fees.

C. Public Hearing on the Proposed Budget for Fiscal Year 2017/18.

This is the first of two public hearings that will be held on the proposed budget for fiscal year 2017/18.

RECOMMENDATION:

It is recommended that the Council open the public hearing to receive public comment regarding the proposed 2017/18 annual budget, then continue the hearing to June 21, 2017, in order to receive additional comment prior to the formal adoption of the budget.

D. Introduce Ordinance No. 1491, an Ordinance of the City Council of the City of Arcata Amending the Arcata Municipal Code Flood Hazard Mitigation Standards; Waive Reading of the Text and Consent to Read by Title Only.

The Federal Emergency Management Agency (FEMA) has been working since 2015 towards updating the Flood Insurance Study (FIS) for the entire Pacific coastal flood hazard areas to define the 1% and 0.2% annual chance of coastal flooding, and revise the boundaries of the Special Flood Hazard Areas (SFHA). SFHA will now be mapped based on the modelling performed for these areas and detailed survey information collected to date. This work addresses “V” zones which are areas subject to wind and tidal driven velocities which can lead to overtopping or erosion which could specifically effect the Arcata Bayfront areas such as the diked/levee areas, wastewater treatment plant (WWTP) and Arcata marsh and wildlife sanctuary.

There is no residential development existing within these areas nor would they likely be approved based on the proposed Flood Hazard Mitigation Standards update.

RECOMMENDATION:

It is recommended that the Council introduce Ordinance No. 1491, an Ordinance of the City Council of the City of Arcata Amending the Arcata Municipal Code Flood Hazard Mitigation Standards; waive reading of the text and consent to read by title only.

XI. ORAL AND WRITTEN COMMUNICATIONS

This time is provided for people to address the Council or submit written communications on matters not on the agenda. At the conclusion of all oral and written communications, the Council may respond to statements. Any request that requires Council action will be set by the Council for a future agenda or referred to staff. Speakers addressing the Council may be limited to three minutes, with a maximum of five minutes, and a time limit on the overall length of oral communications may be imposed.

XII. COUNCIL AND STAFF REPORTS

All reports shall be specifically limited to City business and shall not request or lead to action by the Council at this meeting.

XIII. DATES OF FUTURE MEETINGS

- A. Council Study Session with Transportation Safety Committee and Energy Committee, Thursday, June 22, 2017, at 6:00 p.m. in the Council Chamber.**

XIV. CLOSED SESSION

XV. CLOSED SESSION REPORTS

XVI. ADJOURNMENT

Other than items continued or tabled to a date certain, the Council may, by majority vote, continue all matters not completed by 10:30 p.m. to the following Thursday at 6:00 p.m. in the Council Chamber. Should the Council vote to continue the meeting past 10:30 p.m., discussion on an item on the agenda that either requires or allows for public input may not begin without a unanimous vote of the City Council members present. (Closed Session items may begin later.) (Reference: Resolution No. 101-69)