

**CITY OF ARCATA
CITY COUNCIL MEETING**

COUNCIL CHAMBER
736 F Street, Arcata

NOVEMBER 15, 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.

SPECIAL MEETING

4:00 p.m.

- 1. ROLL CALL**
- 2. PUBLIC COMMENT**
- 3. CLOSED SESSION**
 - A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Pursuant to Government Code Section 54956.9(d)(2): One Case.**
 - B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: 250 E Street. Negotiating Parties: Arcata Bay Management Group. Agency Negotiator: Karen Diemer. Under Negotiation: Price and Terms.**
 - C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Assessor's Parcel No. 507-461-053. Negotiating Party: Kokatat. Agency Negotiator: City Manager Karen Diemer. Under Negotiation: Price and Terms.**
 - D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957(b)(1)—City Manager.**

E. CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6—Unrepresented Employee: City Manager.

4. OPEN SESSION

A. Interview Three Candidates for Two Vacancies on the Economic Development Committee for Terms Expiring January 31, 2019, and January 31, 2020.

5. CLOSED SESSION REPORTS

A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION Pursuant to Government Code Section 54956.9(d)(2): One Case.

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: 250 E Street. Negotiating Parties: Arcata Bay Management Group. Agency Negotiator: Karen Diemer. Under Negotiation: Price and Terms.

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Assessor's Parcel No. 507-461-053. Negotiating Party: Kokatat. Agency Negotiator: City Manager Karen Diemer. Under Negotiation: Price and Terms.

D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957(b)(1)—City Manager.

E. CONFERENCE WITH LABOR NEGOTIATORS Pursuant to Government Code Section 54957.6—Unrepresented Employee: City Manager.

6. ADJOURNMENT

REGULAR MEETING

6:00 p.m.

I. FLAG SALUTE

II. ROLL CALL

III. CEREMONIAL MATTERS

A. Proclamation in Recognition of *The Great American Smokeout*, November 16, 2017.

- B. Proclamation Designating December 2–31, 2017, as *The Season of Wonder and Light in Arcata*.**

IV. REPORT BY COMMISSION/COMMITTEE

- A. 2017 Annual Report from the Transactions and Use Tax Oversight 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. Approve the Minutes of the City Council Meeting of November 1, 2017.**
- B. Bi-Weekly Report on General Warrants.**
- C. Approve the "Updated 2017 Memorandum of Understanding between Humboldt Waste Management Authority and Its Member Agencies to Participate in a Recycling Processing Contract and Marketing of Regional Curbside Collected Recyclable Material Proposal" to Continue Receiving Recycling Services and Revenue-Sharing Proceeds.**
- D. Adopt Resolution No. 178-24, A Resolution of the City Council of the City of Arcata Amending the Class and Pay Resolution—Compensation & Benefits for Hourly Rated Part-Time, Temporary, and Seasonal Personnel (to Reflect New Classification—Communications Specialist).**

VIII. ITEMS REMOVED FROM CONSENT CALENDAR

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

IX. OLD BUSINESS

X. NEW BUSINESS

A. Appoint Two Members to the Economic Development Committee for Terms Expiring January 31, 2019, and January 31, 2020.

B. Amend the City's Commercial Cannabis Activity Permit Program Consistent with the Medical and Adult-Use Cannabis Regulation and Safety Act.

The Council last amended the City's Medical Marijuana Regulatory program in June of 2017 to expand the medical cannabis pilot regulatory program. The state's adult-use, or non-medical, commercial regulatory program will start January 1, 2018. The Council heard public input at its October study session with the Economic Development Committee that the City should act sooner than the projected 9 months it will take to establish a fully vetted citywide cannabis retail sales ordinance. Staff has also heard concerns from businesses and the public that a delay will negatively affect local opportunity. Adopting Resolution No. 178-23 will amend the Commercial Cannabis Activity Permit (license) consistent with current state law and it will create a non-operational provisional license that businesses may use to enter the state licensing process. In addition, staff would like input from the Council on zoning amendments to allow limited expansion of the City's regulatory program to include non-medical activities.

RECOMMENDATION:

Staff recommends the Council:

1. Adopt Resolution No. 178-23 amending the City's Commercial Cannabis Activity Permit Regulations;
2. Provide direction for a zoning amendment to allow non-medical manufacturing in the Innovation Zone overlay;
3. Provide direction for an interim zoning amendment to allow retail sales of non-medical cannabis at existing dispensaries that are in good standing with the City and the State.

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. Study Session to Discuss the Statue of President William McKinley and the Plaque Designating the Jacoby Building as California Historical Landmark No. 783, Monday, December 4, 2017, at 5:00 p.m., at the D Street Neighborhood Center, 1301 D Street, Arcata.**
- B. Study Session to Discuss the Plaza, Monday, January 8, 2018, at 6:00 p.m., in the Council Chamber.**
- C. Study Session with the Forest Management Committee, Open Space & Agriculture Committee, Parks & Recreation Committee, and the Wetlands and Creeks Committee, Tuesday, January 16, 2018, 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)