

**CITY OF ARCATA
CITY COUNCIL MEETING
SPECIAL AND REGULAR**

COUNCIL CHAMBER
736 F Street, Arcata

JANUARY 04, 2023
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.

**Public Advisory: The Council Chamber in City Hall
is now open to the public.**

COVID-19 Notice

The City Council has returned to in-person hybrid meetings. The City Council asks that when attending City meetings, persons socially distance as best they can and be courteous to those who continue to choose to wear a mask.

How to Observe and Participate in the Meeting:

Observe:

Members of the public can attend the meeting in person or observe the meeting on Zoom (see below), on Access Humboldt Channel 10, online by visiting www.cityofarcata.org and clicking on the [See Live Meetings, Agendas, and Archives](#) button on the home page, or on the City's YouTube channel at <https://www.youtube.com/c/CityofArcataCA>

Public Comment Participation in Person and on Zoom:

Members of the public may attend the meeting in person and give public comment. Or, they may access the meeting via Zoom to provide public comment.

1. Join from a PC, Mac, iPad, iPhone or Android device: Please use this URL:
<https://us06web.zoom.us/j/81084443749>

2. If you want to comment during the public comment portion of any item, click on **raise your hand** on the right-hand side of your screen. When it is time for public comment on the item on which you wish to speak, the Clerk will unmute you. You will have 3 minutes to comment (2 minutes for Early Oral Communications), subject to the Mayor's discretion.

Or join by phone:

1. *67 1-669-900-6833
2. Enter Meeting ID: 810 8444 3749
3. If you are accessing the meeting via telephone and want to comment during the public comment portion of any item, press **star (*) 9** on your phone. This will raise your hand. When it is time for public comment on the item on which you wish to speak, the Clerk will unmute your phone. You will hear a prompt that will indicate your phone is unmuted. You will have 3 minutes to comment (2 minutes for Early Oral Communications), subject to the Mayor's discretion.

SPECIAL MEETING

5:15 p.m.

1. **ROLL CALL**
2. **PUBLIC COMMENT**
3. **COMMISSION INTERVIEWS**
 - A. **Interview Four Candidates to Fill Two Vacancies on the Planning Commission for Terms Expiring March 31, 2025.**
4. **ADJOURNMENT**

REGULAR MEETING

6:00 p.m.

- I. **LAND ACKNOWLEDGMENT**
- II. **FLAG SALUTE**
- III. **ROLL CALL**
- IV. **CEREMONIAL MATTERS**

V. REPORT BY COMMISSION/COMMITTEE

VI. EARLY ORAL COMMUNICATIONS

The City Council values your comments. This 15-minute time period allows people to address the Council on matters not on the agenda. Please know that, pursuant to the Brown Act, the Council cannot discuss or take action on items that are not listed on the posted agenda. At the end of all oral communications the Council may respond to statements. Supported requests that require Council action will be set for a future agenda or referred to staff. Speakers may be limited to two minutes. There will also be time for the public to comment specifically on each agenda item and again at the end of the meeting under item number XII (12).

VII. N/A

VIII. 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 December 15, 2022.**
- B. Approve the Minutes of the City Council Meeting of December 21, 2022.**
- C. Bi-Weekly Report on Disbursements.**
- D. Adopt Ordinance No. 1562, An Ordinance of the City Council of the City of Arcata Amending the Arcata Municipal Code Title X, Chapter 3, Regulations for Use of the Arcata Marsh and Wildlife Sanctuary, to Update Overnight Time Restrictions; Waive Reading of the Text and Consent to Read by Title Only.**
- E. Authorize the City Manager to Sign a Letter of Funding Commitment for the Humboldt County Edible Food Recovery Program.**

IX. ITEMS REMOVED FROM CONSENT CALENDAR

X. OLD BUSINESS

XI. NEW BUSINESS

- A. Appoint up to Two New Members to the Planning Commission for Terms Expiring March 31, 2025.**

B. Consider a Partial or Full Refund to the Appellant of the Westwood Garden Apartments Development Appeal Fee.

An appeal has been filed requesting that the Council reconsider a Planning Commission approval of the Westwood Garden Apartments Development. The appeal has been brought by a tenant of the existing multi-family complex. The appellant meets the qualification to file the appeal. The current fee as established by the City Fee Resolution, is \$1,867.38 and the appellant paid the fee in full at the time the appeal was submitted. The appellant has requested that the Council consider refunding the appeal fee.

RECOMMENDATION:

It is recommended that the Council consider the request to refund some or all of the appeal fee paid by the appellant for the Westwood Garden Apartments Development appeal process.

C. Consider an Appeal of the Planning Commission's Approval of the Westwood Garden Apartments Multifamily Project Located at 2351 Westwood Court.

The Planning Commission approved the Westwood Garden Apartment Project (Project) on September 25, 2022, after the project proponent modified the project based on input from the Commission at prior hearings. The approval was based on Findings that were ultimately approved after lengthy deliberations. The approval was appealed within the period set by the Land Use Code (Code). The appellant raised several issues concerning the Commission's approval. This item will provide the appellant an opportunity to outline the appeal for the Council's consideration. The Code requires the Council to hear the appeal and decide to either affirm or modify the approval or to deny the permit.

RECOMMENDATION:

Staff recommends the City Council open the public hearing, receive a staff report, receive a presentation by the appellant, consider the project proponent's response, and either affirm, affirm in part, or reverse the Planning Commission's October 25, 2022, Action.

XII. ORAL AND WRITTEN COMMUNICATIONS

The City appreciates public input. This time is provided for people to address the Council or submit written communications on matters not on the agenda. Please know that, pursuant to the Brown Act, the Council cannot discuss or take action on items that are not listed on the posted agenda. At the end of all oral & written communications, the Council may respond to statements. Supported requests that require Council action will be set for a future agenda or referred to staff. Speakers addressing the Council may be limited to 3 minutes, with a maximum of 5 minutes, and a time limit on the length of oral communications may be imposed.

XIII. COUNCIL AND STAFF REPORTS

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

XIV. DATES OF FUTURE MEETINGS

XV. CLOSED SESSION

XVI. CLOSED SESSION REPORTS

XVII. 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.223-07)