



# STAFF REPORT – CITY COUNCIL MEETING

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February 21, 2024

**TO:** Honorable Mayor and City Council Members

**FROM:** Bridget Dory, City Clerk

**PREPARER:** Bridget Dory, City Clerk

**DATE:** February 14, 2024

**TITLE:** **Adopt Ordinance No. 1567, An Ordinance of the City Council of the City of Arcata Amending the Arcata Municipal Code to Make Minor and Non-Substantive Corrections, Updates, and Clarifications; Waive Reading of the Text and Consent to Read by Title Only.**

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## **RECOMMENDATION:**

It is recommended that the Council adopt Ordinance No. 1567, an Ordinance of the City Council of the City of Arcata Amending the Arcata Municipal Code to Make Minor and Non-Substantive Corrections, Updates, and Clarifications; waive reading of the text and consent to read by title only.

## **INTRODUCTION:**

Ordinance No. 1567 proposes to make non-substantive, clarifying, and updating revisions to numerous provisions in the Arcata Municipal Code. The ordinance makes needed corrections and updates to the Arcata Municipal Code, none of which are changes to existing policy or programs.

## **BACKGROUND:**

State law allows the City Clerk to make minor clerical revisions to an ordinance after it is adopted, for example to correct obvious typographical errors. However, non-substantive oversights that are more than minor clerical revisions occasionally occur as an ordinance is adopted and codified into the Arcata Municipal Code, and structural or legal changes occur that may not be contemporaneously updated in the Arcata Municipal Code, all of which accumulate over time.

## **DISCUSSION:**

The revisions proposed by Ordinance No. 1567, categorized by type of revision, are described below.

### Updates consistent with current and/or changed law:

Ordinance No. 1387 corrected the transactions and use tax (“sales tax”) termination date in the Arcata Municipal Code to March 31, 2029, but the Transactions and Use Tax Oversight Committee sunset date, which should align with the sales tax termination date, was not similarly corrected in the

Arcata Municipal Code. The current Transaction and Use Tax Oversight Committee sunset date in the Arcata Municipal Code is November 2028, and the proposed revision updates the sunset date to March 2029 to align with the sales tax termination date (see Ordinance No. 1567, Section 2).

Updates reflecting prior structural changes within the City:

Proposed revisions throughout the Arcata Municipal Code update usage of the terminology “Assistant City Manager/Personnel Director” by replacement with “Human Resources/Administrative Services Director” as appropriate to reflect an update in the position’s title (see Ordinance No. 1567, Sections 1, 3).

Proposed revisions throughout the Arcata Municipal Code update usage of the terminology “Public Transportation Superintendent,” “Public Transportation Superintendent’s Office,” “Director of Public Works,” and “City Public Works Director” by replacement with “City Engineer,” “Engineering Department,” and “City Director of Environmental Services” as appropriate to reflect the transfer of functions (see Ordinance No. 1567, Sections 4, 6, 7).

Proposed revisions throughout the Arcata Municipal Code update usage of the terminology “Director of Environmental Services,” “Department of Environmental Services,” and “office of the Department of Environmental Services” by replacement with “City Engineer,” “Engineering Department,” and “office of the Engineering Department” as appropriate to reflect the transfer of functions (see Ordinance No. 1567, Sections 7, 8, 9).

Updates to correct codification errors:

Ordinance No. 1563, the Electric Vehicle Charging Station (EVCS) Permit Streamlining Ordinance, unintentionally used a codification (Title VIII, Chapter 5) that overlapped with an existing Title VIII, Chapter 5 for the Residential Rental Inspection Program. The proposed revision recodifies the Electric Vehicle Charging Station (EVCS) Permit Streamlining provisions to Chapter 6 of Title VIII (see Ordinance No. 1567, Sections 12, 13, 14, 15, 16, 17, 18, 19).

Miscellaneous updates and corrections:

Proposed change to vacation rental permit reissuance application deadline to coincide with the expiration of the current permit (see Ordinance No. 1567, Section 5)

Proposed grammatical correction from “acknowledgement” to “acknowledgment” (see Ordinance No. 1567, Section 4).

Proposed revisions throughout the Arcata Municipal Code update usage of the terminology “therefore” by replacement with “therefor” for clarity (see Ordinance No. 1567, Sections 7, 10, 11).

**POLICY IMPLICATIONS:**

No policy implications.

**ENVIRONMENTAL REVIEW (CEQA):**

This Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it makes minor and non-substantive revisions to clarify and update existing laws and practices, does not alter any existing regulation or its implementation, and does not create new regulations or programs. There is no possibility that the revisions herein may have a significant effect on the environment.

**BUDGET/FISCAL IMPACT:**

No fiscal impact.

**ATTACHMENTS:**

A. Proposed Ordinance No. 1567 (DOCX)