

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

COUNCIL CHAMBER
736 F Street, Arcata

DECEMBER 06, 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.

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/82355190803>
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: 823 5519 0803
- 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
5:30 p.m.

- 1. **ROLL CALL**
- 2. **PUBLIC COMMENT**
- 3. **CLOSED SESSION**
 - A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8, Assessor's Parcel Nos. 501-042-024, -026, -028. Agency Negotiator: Karen Diemer, City Manager. Negotiating Party: Gary Alto. Under Negotiation: Terms.**
- 4. **CLOSED SESSION REPORTS**
 - A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8, Assessor's Parcel Nos. 501-042-024, -026, -028. Agency Negotiator: Karen Diemer, City Manager. Negotiating Party: Gary Alto. Under Negotiation: Terms.**
- 5. **ADJOURNMENT**

REGULAR MEETING
6:00 p.m.

- I. **LAND ACKNOWLEDGMENT**
- II. **FLAG SALUTE**
- III. **ROLL CALL**
- IV. **CEREMONIAL MATTERS**
 - A. **Proclamation in Recognition of *Human Rights Awareness Month*, December 2023.**

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 November 15, 2023.**
- B. Bi-Weekly Report on Disbursements.**
- C. Award a Contract in the Amount of \$72,585.00 to GHD, Inc., to Provide Environmental and Monitoring Services for the Little Lake Industries (LLI) Site Cleanup Project; and Authorize the City Manager to Execute All Applicable Documents.**

IX. ITEMS REMOVED FROM CONSENT CALENDAR

X. OLD BUSINESS

XI. NEW BUSINESS

- A. Request for City Funding for Arcata 2024 Community Emergency Response Team (CERT) Basic Training.**

The Arcata Community Emergency Response Team (CERT) is requesting support to offer thirty (30) Arcata residents and community members a Basic CERT course in disaster preparedness and response in calendar year 2024. The estimated cost of the 23-hour course is \$5,600 and the Humboldt CERT Coalition, a 501(C)(3), is requesting \$3,000 from the City Council.

RECOMMENDATION:

It is recommended that the Council allocate \$3,000 to the Arcata CERT team to provide a 23-hour Basic CERT course for the Arcata community in FY 2024 from the \$15,000 budgeted for Community Support in the current fiscal year budget.

B. Receive an Update on the Regional Climate Action Plan (CAP) and Support the County of Humboldt's Revised Proposal for Completion of the CAP.

The City has been working regionally on a Climate Action Plan (CAP), and a draft was completed in June 2022. In the Summer of 2022, Humboldt County entered into contract with Rincon Consultants, Inc., to begin work on the Environmental Impact Report.

During their review of the Draft CAP, Rincon identified concerns that the Draft CAP, as written, did not provide substantial evidence needed to demonstrate its ability to meet Greenhouse Gas (GHG) reduction targets to gain "Qualified" status by the state.

To continue to meet the identified goal of achieving a Qualified CAP, Rincon has proposed revising the Draft CAP. This staff report and its attachments describe the proposed strategies for revision, which the Humboldt County Board of Supervisors approved at its October 17, 2023, meeting. Staff is recommending that the Arcata City Council support the County in its actions to continue to meet the goal of achieving a Qualified CAP.

RECOMMENDATION:

It is recommended that the Council:

- 1) Receive an Update on the Regional Climate Action Plan (CAP); and,
- 2) Support the County of Humboldt's Revised Proposal for Completion of the CAP.

C. Potential Tax Measure for November 2024.

The City Council has identified priority projects for Fiscal Year 2023-24, many of which are ongoing goals requiring either a shift in current resources to fund or an additional revenue source. These include efforts to combat homelessness and its impacts, mitigation of and adaptation to climate change, continued and possibly expanded public safety alternative response programs such as Community Ambassador Program and Mobile Intervention Services Team (MIST), and infrastructure improvements including safe streets, transit, alternative transportation, parks and trails, and Valley West Improvements. This staff report addresses some opportunities for potential ballot measures on November 5, 2024, to support one or all of those priorities.

RECOMMENDATION:

It is recommended that the Council consider providing staff direction on potential revenue sources to fund City Council Priorities as a ballot measure for the November 5, 2024, general election.

D. Introduce Ordinance No. 1565, Amending Title VII, Chapter 2, of the Arcata Municipal Code Pertaining to the Use of Public Sewers and Pretreatment of Wastewater, Waive Reading of the Text and Consent to Read by Title Only; and Adopt an Enforcement Response Plan for the Sewer Chapter of the Arcata Municipal Code.

Title VII, Chapter 2, Sewer Use Ordinance codifies federal pretreatment program rules that the City of Arcata is required to implement under its National Pollutant Discharge Elimination System Permit. The Enforcement Response Plan (ERP) is a required element of the pretreatment program. The ERP outlines the procedures followed by the City of Arcata to identify, document, and respond to violations of the Sewer Use Ordinance. Ordinance No. 1565 amends the Sewer Use Ordinance to include required language regarding the Reports of Changed Conditions and Bypass. These amendments incorporate required and optional pretreatment program changes and will ensure that the Sewer Use Ordinance addresses all the legal authorities required by federal regulation.

RECOMMENDATION:

It is recommended that the Council:

- 1) Introduce Ordinance No. 1565, An Ordinance of the City Council of the City of Arcata Adding Sections 7472.5(F) and 7492.6, Bypass, to Chapter 2, Sewers, of Title VII, Public Works, of the Arcata Municipal Code; waive reading of the text and consent to read by title only; and
- 2) Adopt an Enforcement Response Plan for the Sewer Chapter of the Arcata Municipal Code.

E. Receive a Presentation on the Ralph M. Brown Act.

The Ralph M. Brown Act is an important piece of legislation regulating the conduct of public meetings. There have been several amendments to the Act since 2019. This item will provide information to the Council and an opportunity for Councilmembers to ask questions of the City Attorney about the Act.

RECOMMENDATION:

Staff recommends the Council receive a presentation by Doug White, City Attorney, on the Brown Act; consider questions and comments among Councilmembers; and receive public comment.

F. Consider Amendments to the City Council Protocol Manual.

The City Council Protocol Manual, last updated in 2021, provides a framework and expectations for City governance. It describes the norms and practices for Councilmembers in interacting with each other, the public, and staff, as well as providing reference to important material to assist Councilmembers in their official duties. The manual is intended to be reviewed and updated biennially in July following a City Council election. This was delayed pending the City Attorney transition to allow the new legal team an opportunity to review and advise the Council on potential updates. This item provides a forum for discussing

amendments to the City Council Protocol Manual.

RECOMMENDATION:

Staff recommends the City Council receive a presentation from the City Manager and City Attorney; discuss potential amendments to the protocol manual; receive public comment; and provide direction to staff regarding updates to the protocol manual.

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

A. Schedule the Meeting to Elect a Mayor and Vice Mayor for 4:00 p.m. on Thursday, December 14, 2023, in the Council Chamber.

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)