



**City of Eureka, CA
City Council Regular Meeting
Tuesday, December 07, 2021
6:00 PM**

COUNCIL CHAMBERS, 531 K STREET EUREKA, CA 95501

AGENDA

ELECTED OFFICIALS

Mayor Susan Seaman

Councilmember Leslie Castellano, Ward 1

Councilmember Kati Moulton, Ward 2

Councilmember Natalie Arroyo, Ward 3

Councilmember Scott Bauer, Ward 4

Councilmember Kim Bergel, Ward 5

HOW TO PARTICIPATE IN THE CITY COUNCIL MEETING

Pursuant to Assembly Bill 361, public meetings will be conducted both in person and telephonically through Zoom. The City Council Chambers are open to the public. All person in attendance are required to wear masks. If you cannot attend in person would like to speak on an agenda item, you can access the meeting remotely:

Join Zoom Meeting

<https://us02web.zoom.us/j/82016149675?pwd=N1JNZERDRjhtUXJoZkFUdzI5RTNJUT09>

Meeting ID: 820 1614 9675

Passcode: 503858

Or join by phone:

+1 669 900 6833

Meeting ID: 82016149675#

LAND ACKNOWLEDGEMENT

The land that Eureka rests on is known in the Wiyot language as Jaroujiji. Past actions by local, State and Federal governments removed the Wiyot and other indigenous peoples from the land and threatened to destroy their cultural practices. The City of Eureka acknowledge the Wiyot community, their elders both past and present, as well as future generations. This acknowledgement demonstrates the City's commitment to dismantle the ongoing legacies of settler colonialism.

PUBLIC COMMENT

(Limited to 3 minutes each speaker on Closed Session items only)

CLOSED SESSION - 5:00 P.M.

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation

Pursuant to § 54956.9(d) (2) California Government Code (20 Cases)

Conference with legal counsel - existing litigation

Molly Crane Conso v. City of Eureka et al.,

United States District Court Northern District of California, Case No. 1:21-cv-04480-RMI

Pursuant to California Government Code Section 54956.9 (d) (1)

Conference with legal counsel - existing litigation

Duane Richard Stewart v. City of Eureka et al.,

Humboldt County Superior Court Case No. CV2100062

Pursuant to California Government Code Section 54956.9 (d) (1)

Conference with legal counsel - existing litigation

Clayton Lee Lasinski v. City of Eureka et al.,

Humboldt County Superior Court Case No. CR1605605

Pursuant to California Government Code Section 54956.9 (d) (1)

Conference with legal counsel - existing litigation

Jeanette Arnot; Brandon McCloskey; Giovanni McCloskey v. City of Eureka et al.,

REGULAR SESSION – 6:00 P.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

A. MAYOR’S ANNOUNCEMENTS

A.1. Steve Watson, Police Chief

[20211130_Chief Steve Watson](#)

A.2. Keep Eureka Beautiful Update

B. PRESENTATIONS

C. BOARD/COMMISSION REPORTS

D. PUBLIC COMMENT PERIOD

This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Members of the Public wishing to address the Council may submit a Speaker Card to the City Clerk and proceed to the podium after being recognized. Speakers will be called up in the order the Speaker Cards are received. Those who have not filled out a Speaker Card will be given an opportunity to speak after all those who have completed Speaker Cards have spoken. The public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that

item. Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: A maximum of thirty (30) minutes shall be allotted to receiving public comments at the initial public comment period. If necessary, an additional period shall be allotted to public comments after City Manager Reports, but only if the first 30-minute Public Comment period was not sufficient to allow all those who wished to speak to do so.

E. PUBLIC HEARINGS

Public Hearings are scheduled for a time certain of 6:00 P.M. unless noticed otherwise, or as soon thereafter as possible.

E.1. Bill No. 1006-C.S. Ward Boundaries

Recommendation: Hold a Public Hearing; and

Waive full reading, read by title only and adopt Bill No. 1006-C.S. Amending Title III, Chapter 37: Elections, Section 37.02 - Exhibit A

[Agenda Summary_Ward Boundaries](#)

[Bill No. 1006-C.S. Ward Boundaries](#)

[Ward Realignment Map](#)

F. CONSENT CALENDAR

Notice to the Public: All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Pursuant to City Council Resolution 2011-22, if a member of the public would like an item on the Consent Calendar pulled and discussed separately, the request shall be made to a Councilmember prior to the meeting. Unless a specific request is made by a Councilmember, the Consent Calendar will not be read. There will be no separate discussion of these items.

F.1. Council Meeting Minutes

Recommendation: Approve the regular Council minutes of November 16, 2021 as submitted.

[20211116_Minutes_Regular](#)

F.2. Establishment of a California Employers' Pension Prefunding Trust Account with CalPERS

Recommendation: Adopt a Resolution of the City Council approving the establishment of a California Employers' Pension Prefunding Trust (CEPPT) account with CalPERS for the purpose of prefunding the City of Eureka's required pension contributions; and

Authorize the City Manager to execute required documentation for participation in the CEPPT; and

Authorize the City Manager, Assistant City Manager, and Finance Director to request disbursements from the CEPPT.

[Agenda Summary - CA Employers' Pension Prefunding Trust Account](#)

[Resolution CEPPT](#)

[CEPPT Agreement and Election to Prefund Employer Contributions to a Defined Benefit Pension Plan](#)

[Delegation of Authority to Request Disbursements California Employers' Pension Prefunding Trust](#)

F.3. 2.66 - Unfunded Accrued Liability Pension Funding Policy

Recommendation: Adopt Policy 2.66 – Unfunded Accrued Liability Pension Funding Policy.

[Agenda Summary - 2.66 Unfunded Accrued Liability Pension Funding Policy.docx](#)

[2.66 Unfunded Accrued Liability Pension Funding Policy.docx](#)

[Resolution Unfunded Accrued Liability Pension Funding Policy.docx](#)

F.4. Destruction of Records

Recommendation: Adopt Resolutions of the City Council for Destruction of Certain Records in the Police Department.

[Agenda Summary 2021 Destruction EPD Records](#)

[Resolution 2021 Destruction EPD Records](#)

[Copy of 2011 Purge List](#)

[Resolution Destruction of Records Internal Affairs.](#)

F.5. Position Allocations – Engineering, Economic Development, Zoo

Recommendation: Adopt resolution of the City Council authorizing the addition of 1 Full Time Equivalent (FTE) Engineering Technician I/II to the Public Works Department - Traffic Division, 1 FTE Economic Development Coordinator to the City Manager's Office – Eureka Mainstreet Program, and 1 FTE Community Services Coordinator to the Community Services Department – Sequoia Park Zoo.

[Agenda Summary New FTEs](#)

[2021- Resolution Adding Positions](#)

F.6. Teleconference Public Meetings Pursuant to Assembly Bill 361

Recommendation: Adopt a Resolution of the City Council Authorizing the City to continue with Teleconference Public Meetings Pursuant to Assembly Bill 361

[Agenda Summary AB 361](#)

[2021- Resolution AB 361](#)

F.7. 2021 Edward Byrne Memorial Justice Assistance Grant

Recommendation: Accept the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2021 Local Solicitation awarded to the Eureka Police Department in the amount of \$15,931.00; and Appropriate \$15,931.00 to account number 234-4100-7490

[Agenda Summary 2021 Edward Byrne Grant](#)

F.8. Betty's Blue Village & Betty's Annex Agreement

Recommendation: Authorize the City Manager to execute an agreements with the Betty Kwan Chinn Homeless Foundation to continue to assist with operating costs at Betty's Blue Village and with Rent Assistance at the Betty Kwan Chinn Foundations Annex.

[Agenda Summary Betty Kwan Chinn](#)
[Agreement BKW Operating November 2021-2026](#)

F.9. Essential Worker Recognition

Recommendation: Approve essential worker recognition stipend for City staff who were employed between March 2020 and November 2021 during the Covid-19 pandemic.

[21-12-7_Essential Worker Recognition.docx](#)

G. LEGISLATIVE ACTION CORRESPONDENCE

Authorize the Mayor or the City Manager to sign correspondence on behalf of the City Council to support/oppose legislation or administrative rules proposed or pending action at the County, State or U.S. government levels.

H. ORDINANCES/RESOLUTIONS

H.1. Valley Pacific Snack Shack Public Places Naming

Recommendation: Adopt a Resolution of the City Council to name the new Restroom/Concession building at Highland Park “Valley Pacific Snack Shack” for a six-year term.

[Agenda Summary Valley Pacific Snack Shack](#)
[Council Resolution - Valley Pacific Snack Shack](#)

H.2. Bill No. 1007-C.S. Regulation of Storage and Handling of Coal on City Owned and Trust Properties

Recommendation: Waive full reading, read by title only and Adopt Bill no. 1007–C.S., an Ordinance of the City Council of the City of Eureka adding Sections 94.60 through 94.67 of Chapter 94 of the Eureka Municipal code regarding Prohibition of the Storage and Handling of Coal and Petroleum Coke on city-owned property.

[Agenda Summary for Bill to Regulate Coal Adoption](#)
[2021_Coal Ordinance Adoption](#)

H.3. Bill No. 1008-C.S. Ranked Choice Voting Implementation

Recommendation: Waive reading, read by Title only and Adopt Bill No. 1008-C.S., Adding Sections 37.20, 37.21, 37.22 and 37.23 Ranked Choice Voting to Chapter 37: Elections, Title III.

[Agenda Summary Ranked Choice Voting Adoption](#)
[Bill No. 1008 Ranked Choice Voting Ordinance Adoption](#)

H.4. Shopping Cart Ordinance Update

Recommendation: Adopt urgency Bill No. 1009-C.S., an Ordinance of the City of Eureka repealing and replacing Chapter 130.30 of the Eureka Municipal Code governing abandoned shopping carts.

[Agenda Summary Shopping Cart Ordinance](#)
[Bill No. 1009 Shopping Cart Ordinance Updates](#)

I. REPORTS/ACTION ITEMS

- I.1. BID # 2021-19 for the Waterfront Specific Plan and CEQA Streamlining Award
Recommendation: Award Bid # 2021-19 for the Waterfront Specific Plan and CEQA Streamlining to Dudek in the amount of \$214,992 and authorize the City Manager to proceed with a standard agreement.

[Agenda Summary](#)

[Attachment 1 - Dudek RFP Response](#)

- I.2. Strategic Plan Update – American Recovery Plan Act Funding
Recommendation: Receive report on the status of the 2021-22 Strategic Visioning initiatives; and Approve American Recovery Plan Act (ARPA) funding allocations.

[Strategic Visioning Update-ARPA Funding](#)

- I.3. Mayor Pro-Tem

Recommendation: Elect a Mayor Pro-Tem to serve for 2022.

J. FUTURE AGENDA ITEMS

This is an opportunity for Council Members request an item be placed on a future agenda for discussion or consideration. Direction to staff for placement of the item must be by majority consensus.

K. CITY MANAGER REPORTS

- K.1. SB 1383 Update

L. PUBLIC COMMENT CONTINUED

This is a time for public comment to continue should comments exceed the 30 minutes allowed at the beginning of the meeting.

M. COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

ADJOURNMENT

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

NOTICES

The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.

Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Eureka, CA 95501.

The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.

All persons in attendance at public meetings are requested to observe the following rules of civil debate:

- 1. We may disagree, but we will be respectful of one another.*
- 2. All comments will be directed to the issue at hand.*
- 3. Personal attacks are unacceptable*
- 4. Applauding or other displays of approval/disapproval are discouraged.*

Regular City Council meetings are broadcast live by Humboldt Access on Cable Channel 10 and live streamed on the City's web site at [www. ci.eureka.ca.gov](http://www.ci.eureka.ca.gov).

To minimize distractions, please be sure all personal communications devices are on silent mode.

Questions? Please e-mail cityclerk@ci.eureka.ca.gov or contact the City Clerk's office at (707) 441-4175.