



**City of Eureka, CA
City Council Regular Meeting
Tuesday, June 07, 2016
6:00 PM**

COUNCIL CHAMBERS, 531 K STREET EUREKA, CA 95501

AGENDA

ELECTED OFFICIALS

*Mayor Frank J. Jager
Councilmember Marian Brady
Councilmember Linda Atkins
Councilmember Kim Bergel
Councilmember Melinda Ciarabellini
Councilmember Natalie Arroyo*

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 – existing litigation

Apex Directional Drilling, LLC v. City of Eureka and Does 1 to 50 Humboldt Superior Court, Case No. DR140297

Pursuant to California Government Code Section 54956.9(a)

Conference with legal counsel - anticipated litigation

Significant exposure to litigation: one case.
Pursuant to California Government Code Section 54956.9(b)

REGULAR SESSION – 6:00 P.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR’S ANNOUNCEMENTS

Redwood Art Association 60th Anniversary

[Redwood Art Association Proclamation](#)

COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

BOARD/COMMISSION REPORTS

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. Pursuant to City Council Resolution No. 2011-22, 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. 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.

A. PUBLIC HEARINGS

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

A.1. Vacation Dwelling Unit Ordinance

Recommendation: Hold a public hearing; and
Waive reading, read by title only, and introduce Bill No. 911-C.S., approving the Text Amendments modifying Eureka Municipal Code Chapter 35: Finance, Revenue, and Taxation, Chapter 155: Zoning Regulations, and Chapter 156: Coastal Zoning Regulations, regulating vacation rentals within the City; and
Waive reading, read by title only, and introduce Bill No. 910-C.S., approving the Text Amendments modifying Eureka Municipal Code Title 8 Chapter 5: Transient Occupancy Tax, and Title 10 Chapter 5: Zoning, regulating vacation rentals within the City.

[Agenda Summary Vacation Dwelling Unit](#)

B. 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.

B.1. City Council Minutes

Recommendation: Approve the regular Council meeting minutes of May 2, 2016 and the special Council meeting minutes of April 28, 2016 and May 2, 2016.

[20160428_Minutes_Special](#)

[20160503_Minutes_Special](#)

[20160503_Minutes](#)

B.2. Eureka Transit Service (ETS) Operation - Two Year Extension of Contract with Humboldt Transit Authority

Recommendation: Authorize the City Manager to execute the Eighth Amendment to Agreement for Operation of Bus Transit System with Humboldt Transit Authority, effective July 1, 2016.

[Agenda Summary HTA Contract 8th Amendment](#)

[EIGHTH AMENDMENT TO AGREEMENT FOR OPERATION OF BUS TRANSIT SYSTEM](#)

[Eureka Transit Service Contract and Amendments](#)

B.3. November 8, 2016 General Municipal Election

Recommendation: Adopt Resolutions of the City Council pertaining to the General Municipal Election to be held November 8, 2016.

Resolution of the City Council, calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 8, 2016 for the election of municipal officers; and

Resolution of the City Council, requesting the Board of Supervisors of the County of Humboldt to provide election services and to consolidate the General Municipal Election to be held on Tuesday, November 8, 2016 with the Statewide General Election to be held on that date.

[Agenda Summary Calling for Election Municipal Officers](#)

[Resolution Calling for Election Municipal Officers](#)

[Resolution Consolidating Election With County for Municipal Officers](#)

B.4. CalPERS 457 Deferred Compensation Employee Investment Option

Recommendation: Adopt a Resolution of the City Council approving a CalPERS 457 Plan as a Deferred Compensation Investment Option for City Employees.

[Council Adopt PERS 457 Resolution Agenda Summary](#)

[Council CalPERS 457 Resolution](#)

[Council CalPERS 457 Adoption Agreement](#)

B.5. Memorandum of Understanding - Eureka Police Officer's Association

Recommendation: Adopt a Resolution of the City Council authorizing the Mayor to execute a Memorandum of Understanding between the City of Eureka and the Eureka Police Officer's Association

[Council Staff Report EPOA MOU Adoption Agenda Summary](#)

[Council Resolution for EPOA Successor MOU](#)

[Council Summary of Revisions for EPOA Successor MOU](#)

[Council EPOA MOU](#)

B.6. Alcohol Beverage Control (ABC) Grant Acceptance

Recommendation: Accept a Department of Alcohol Beverage Control grant in the amount of \$16,000 for enforcement of liquor laws.

[ABC Grant Resolution](#)

[ABC Grant Agenda Summary](#)

B.7. Police Equipment Donation

Recommendation: Adopt a Resolution of the City Council authorizing the City Manager to donate a police vehicle to the Veterans Affairs Police Department

[Agenda Summary Donation of Police Vehicle](#)

[Resolution Police Vehicle Donation June 2016](#)

B.8. Eureka Waterfront Trail – Phase A, Bid No. 2016-12

Recommendation: Declare Mercer-Fraser Company the low responsive bidder on the Eureka Waterfront Trail – Phase A Project; and

Award Bid No. 2016-12 to Mercer-Fraser Company in the amount of \$505,915 and approve \$580,000 for the project, which includes a contingency of approximately 15%.

[Eureka Waterfront Trail – Phase A, Bid No. 2016-12 Agenda Summary](#)

[Eureka Waterfront Trail – Phase A Bid Summary](#)

B.9. Eureka Police Department Panasonic Toughbooks

Recommendation: Dispense with the formal bidding process per EMC section 39.43 (D) (3) which allows for bidding to be dispensed with when items are not suitable to the bid procedure; and Approve the purchase of 30 Panasonic Toughbooks with vehicle mounting equipment from Bizco Technologies in the amount of \$102,678.78 from account number 234-42100-7490.

[Agenda Summary EPD Tough Book Purchase](#)

- B.10. GHD Inc. Professional Services Agreement for Eureka Waterfront Trail, Phase A, Construction Management (Bid No. 2016-11)

Recommendation:

Authorize staff to negotiate and execute a professional services agreement with GHD for construction management of Eureka Waterfront Trail (Phase A) in an amount not to exceed \$70,000.

[Professional Services Agreement Agenda Summary](#)

- B.11. Shelter Crisis Resolution Amendment

Recommendation: Adopt an AMENDED Resolution with additional sites for inclusion in the Shelter Crisis Declaration (Resolution 2016-15) at the site known as the Dinsmore property, APN # 002231004; and the public parking lot at the foot of Del Norte Street; and

Authorize City staff to prepare the sites for the purpose of providing temporary overnight sleeping for individuals from 8:00 PM to 7:00 AM, beginning June 11, 2016 and to rotate three sites on a 30 day basis for an indefinite period of time.

[Amended Shelter Crisis Resolution](#)

[Amended Shelter Crisis Resolution](#)

- B.12. Affordable Housing and Sustainable Communities Grant Application Resolution

Recommendation: Adopt a Resolution of the City Council of the City of Eureka Authorizing Application for the Affordable Housing and Sustainable Communities Program.

[Affordable Housing Sustainable Communities Grant Application Resolution Agenda Summary](#)

[Affordable Housing and Sustainable Communities Grant Application Resolution](#)

C. ORDINANCES/RESOLUTIONS

- C.1. EMC 130.30(F) - Shopping Cart Ordinance Amendment

Recommendation: Waive reading, read by Title only and Introduce Bill No. 918-C.S., an Ordinance of the City of Eureka amending Title XIII Chapter 130 Section 130.30 (F) of the Eureka Municipal Code to impose a fee on shopping cart owners for the collection of shopping carts.

[Agenda Summary Shopping Cart Amendment](#)

[Shopping Cart Ordinance Amended](#)

- C.2. Community Choice Aggregation (CCA) Participation Ordinance

Recommendation: Waive reading, read by title only, and introduce Bill No. 919-C.S., an Ordinance of the City of Eureka adding a new Chapter 55: Energy and Subchapter: Community Choice Aggregation, to the Municipal Code, authorizing participation in the Community Choice Aggregation (CCA) program implemented and operated by the Redwood Coast Energy Authority (RCEA).

[CCA Participation Ordinance Agenda Summary](#)

[CCA Participation Ordinance](#)

C.3. Text and Local Coastal Plan Amendments of Notification Requirements for Land Use and Zoning Public Hearings

Recommendation: Waive reading, read by title only, and adopt Bill No. 914-C.S., approving the Text Amendment and Local Coastal Program Amendment modifying the notification requirements for Zoning and Land Use Public Hearings in Eureka Municipal Code Title 15 Chapters 154, 155, 156, and 157; and

Waive reading, read by title only, and adopt Bill No. 915-C.S., approving the Text Amendment and Local Coastal Program Amendment modifying the notification requirements for Zoning and Land Use Public Hearings in Eureka Municipal Code Title 10, Chapters 4, 5, 28, and 29 and direct Staff to submit the Local Coastal Program Amendment to the California Coastal Commission.

[Noticing Agenda Summary](#)

C.4. Text and Local Coastal Program Amendment to Eureka Municipal Code Chapter 5 Pertaining to Coastal Development Permits

Recommendation:

Recommendation: Waive reading, read by title only, and adopt, Bill No. 916-C.S., approving the Text and Local Coastal Program Amendment modifying Eureka Municipal Code Chapter 5 Sections 10-5.29304.6 and 10-5.29310.2 pertaining to Coastal Development Permits, and directing Staff to submit the Local Coastal Program Amendment to the California Coastal Commission.

[CDP to PC Agenda Summary](#)

C.5. Text and Local Coastal Program Amendment to Eureka Municipal Code Chapter 5 Pertaining to Secondary Dwelling Units

Recommendation: Waive reading, read by title only, and adopt Bill No. 917-C.S., approving the Text and Local Coastal Program Amendment modifying Eureka Municipal Code Chapter 5 Sections 10-5.504 and 10-5.2983 pertaining to Secondary Dwelling Units, and directing Staff to submit the Local Coastal Program Amendment to the California Coastal Commission.

[SDU Agenda Summary](#)

D. REPORTS/ACTION ITEMS

D.1. Road Charge Pilot Study

Recommendation: Presentation of the Road Charge Pilot Study from Mitch Weiss of the California Transportation Commission.

[Executive Summary TAC Report](#)

[Road Charge Fact Sheet](#)

[Road Charge Flyer](#)

[Road Charge Pilot Design Recommendations](#)

D.2. Sea Level Rise Assets Vulnerability and Risk Assessment Report

Recommendation: Receive status of sea level rise assets vulnerability and risk assessment report

[Agenda Summary Sea Level Rise Report](#)

E. CITY MANAGER 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.