

CITY OF EUREKA
CITY COUNCIL / EUREKA REDEVELOPMENT AGENCY
AGENDA

Regular Council/Agency Meeting
Tuesday, April 5, 2005
Closed Session - 5:30 p.m.
Regular Session - 6:30 p.m.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET
EUREKA

Adjourned Council/Agency Mtg.
Thursday, April 7, 2005
Closed Session - 5:30 p.m.
Regular Session - 6:30 p.m.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET, EUREKA

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.

ACCESSIBILITY NOTICE: The meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other special needs must be requested of the City Clerk at 441-4175 in advance of the meeting. This agenda and other materials are available in alternative formats upon request.

ROLL CALL

CLOSED SESSION NOTE: Closed Session will commence at 5:30 p.m. with a 6:25 p.m. curfew.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: David Tyson for the City of Eureka

Employee organizations: Eureka Police Officers' Association (EPOA); and unrepresented management, mid-management, and confidential employees.

Pursuant to *California Government Code Section 54957.6*

C. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation: one case.

Pursuant to California Government Code Section 54956.9(b)

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: City-owned property between “F” and “G” on First Street; APN 001-121-19

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: Eureka Bayfront One, LLC

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

REGULAR SESSION – 6:30 P.M.

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR’S ANNOUNCEMENTS

Presentation of Proclamations:

National Volunteer Week – April 17-23, 2005

Sexual Assault Awareness Month – April, 2005

Godwit Days – April 15-17, 2005

California Maritime “Around-The-Horn”

COUNCIL REPORTS

PUBLIC HEARINGS

1. Public Hearing –State of California 2004/2005 Community Development Block Grant (CDBG) Economic Development Allocation Over-the-Counter (OTC) grant application.

- Recommendation:
1. Hold a public hearing.
 2. Adopt City Council and Eureka Redevelopment Agency Joint Resolution approving submittal of an application for funding in the amount of \$1,439,375 from the FY 2004/2005 Economic Development

Allocation Over-the-Counter component of the State of California Community Development Block Grant Program, for construction of a C Street pedestrian plaza and piazza; and authorizing the execution of an agreement and any amendments or related documents necessary to participate in the CDBG Program.
(Redevelopment and Housing Director)

2. Public Hearing –State of California Community Development Block Grant (CDBG) General/Native American Allocation multi-year grant application.

- Recommendation:
1. Hold a public hearing to consider testimony regarding activities for potential inclusion into the city's CDBG grant application for multi-year funding from the FY 2005/2006 and FY 2006/2007 General/Native American Allocation.
 2. Adopt City Council resolution approving an application and contract execution for multi-year funding totaling \$650,000 from the FY 2005/2006 and FY 2006/2007 General/Native American Allocation of the State Community Development Block Grant (CDBG) Program and authorize the execution of a grant agreement and any amendments thereto with the State of California for the purposes of this grant.
(Redevelopment and Housing Director)

PUBLIC COMMENT PERIOD

NOTE: This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, 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. Pursuant to City Council Minute Order dated June 6, 2000, 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.

3. Is there any person in the audience who wishes to address the Council at this time?

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. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.

4. Council meeting minutes.
Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of March 15, 2005 as submitted.
(City Clerk)
5. Claim for damages – Rien, Howard
Recommendation: Reject the claim for damages.
(City Attorney)
6. Claim for damages – Page, Mary
Recommendation: Reject the claim for damages.
(City Attorney)
7. City Manager contract extension.
Recommendation: Authorize the Mayor to execute a five-year extension to the City Manager's At-Will Employment Agreement.
(City Manager)
8. Eureka High Safe and Sober.
Recommendation: Waive Adorni facility fees to allow for Eureka High's Safe and Sober Graduation Event.
(City Manager)
9. Eureka Redevelopment Agency First & C Street property Exclusive Right to Negotiate Extension request.
Recommendation: Authorize a 180-day Exclusive Right to Negotiate Agreement extension between the Eureka Redevelopment Agency and Glenn G. Goldan & ReProp Investments, Inc. for the sale and development of AP #'s 1-054-13, 14, 15, 16, 20, 22 & 30.
(Redevelopment and Housing Director)

10. Eureka Redevelopment Agency Fisherman's Terminal property Exclusive Right to Negotiate Extension request.
Recommendation: Authorize a 180-day Exclusive Right to Negotiate Agreement extension between the Eureka Redevelopment Agency and J.P. & Associates, Inc. for the sale and development of AP # 001-011-014.
(Redevelopment and Housing Director)
11. Reallocate Engineering Technician to Assistant Engineer.
Recommendation: Approve the reallocation of one (1) Engineering Technician position to one (1) Assistant Engineer position.
(City Engineer)
12. Resolution to accept permanent easement from Union Pacific Railroad.
Recommendation: Adopt a resolution authorizing the acceptance of an easement from Union Pacific Railroad (UPRR) on real property located between "J" and "I" Streets on portions of APNs 001-161-008 and 001-121-022.
(City Engineer)
13. Purchase of Five (5) 2005 Police Patrol Sedans.
Recommendation: Award Bid No. 2005-18 to lowest responsive bidder, Harper Motors in the amount of \$122,314.11.
(Public Works Director/Building Official)
14. Request for exception to the hiring freeze – Maintenance Worker I/II.
Recommendation: Approve the exception to the hiring freeze for the Maintenance Worker I/II position, which is already included in the FY 04/05 budget.
(Personnel Director)
15. Request for exception to the hiring freeze – Utilities Operations Supervisor.
Recommendation: Approve the exception to the hiring freeze for the Utilities Operations Supervisor position, which is already included in the FY 04/05 budget.
(Personnel Director)

16. Headwaters Community Investment Fund – grant contract for Fisherman’s Terminal Project.

Recommendation: Authorize City Manager to execute Headwaters Community Investment Fund grant agreement between the City of Eureka and County of Humboldt for \$200,000 to fund specific Fisherman’s Terminal Project components.

(Redevelopment & Housing Director)

17. Municipal Auditorium staff fee waiver for Project STEM.

Recommendation: Waive staff fees for skating party to be held April 22, 2005 at the Municipal Auditorium.

(City Manager)

18. Site remediation services for Old Carson Mill Site (Halvorsen Property).

Recommendation: Authorize the City Manager to enter into a Professional Services Agreement (PSA) with SHN Consulting Engineers & Geologists, Inc., a local consulting firm, in an amount not to exceed \$40,000 to provide site remediation services at the former Foundry Area of the Old Carson Mill Site (Halvorsen property) to assist with site cleanup and to comply with EPA Brownfields Cleanup Grant requirements.

(Special Projects Manager)

19. E-mail Retention Policy and Procedures.

Recommendation: Adopt Council Policy and Procedure 1.11 relating to e-mail retention.

(City Manager)

ORDINANCES/RESOLUTIONS

20. An Ordinance amending Title XV, Chapter 150, Building Regulations, Subchapter 150.065, “Earthquake Hazard Reduction In Existing Buildings” Section 150.070 Time Limits.

Recommendation: Introduce, waive reading, and read by title only, Bill No. 742-C.S., an ordinance amending Title XV, Chapter 150, Building Regulations, Section 150.070 pertaining to “Earthquake Hazard Reduction in Existing Buildings”.

(Public Works Director/Building Official)

REPORTS/ACTION ITEMS

21. Accept the Sequoia Park Zoo Pavilion improvements.
Recommendation: Accept the Sequoia Park Zoo Pavilion improvements.
(Public Works Director/Building Official)
22. Resolution supporting Humboldt Bay Management Plan Process.
Recommendation: Approve resolution in support of the Humboldt Bay Harbor, Recreation and Conservation District's ongoing planning process toward completion of the Humboldt Bay Management Plan.
(City Manager)
23. Ocean View Cemetery; 3875 Broadway; APN 019-341-003; Appeal of the action of the Planning Commission to deny the Design Review application for a new 20' freestanding sign (AA-05-003).
Recommendation: 1. Receive public comment;
2. Uphold the February 14, 2005 action of the Planning Commission and deny the appeal.
(Community Development)
24. Cable franchise renewal process: status report.
Recommendation: Receive report by Sue Buske, Cable Franchise Consultant to cities and county.
(City Manager)
25. Appointment of annexation sub-committee.
Recommendation: Appoint two council members to serve on the annexation sub-committee.

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

26. Update on Waterfront Projects:
- Fishermen's Work Area
 - Seaport Village
 - Eureka Waterfront Partners
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ADJOURNMENT

NOTE: If open session items cannot be completed by 10:00 p.m., the meeting will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.

If closed session items cannot be completed by 6:25 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 adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.