

CITY OF EUREKA
CITY COUNCIL / EUREKA REDEVELOPMENT AGENCY
AGENDA

Regular Council/Agency Meeting
Tuesday, February 16, 2010
Closed Session - 5:00 P.M.
Regular Session - 6:00 P.M.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET
EUREKA, CA 95501

Adjourned Council/Agency Mtg.
Thursday, February 18, 2010
Closed Session - 5:00 P.M.
Regular Session - 6:00 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 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 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 5:00 P.M. with a 5:55 P.M. curfew.

A. PUBLIC COMMENT PERIOD
(Limited to 3 minutes each speaker on closed session agenda items only)

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Hansen v. City of Eureka, et al (Humboldt Co. Superior Court No. CV090773)
Pursuant to California Government Code Section 54956.9(b)

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Owsley v. City of Eureka, et al (Humboldt Co. Superior Court No. DR091019)

Pursuant to California Government Code Section 54956.9(a)

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Humboldt Baykeeper, et al v. City of Eureka, et al (Humboldt Co. Superior Court No. CV090822)

Pursuant to California Government Code Section 54956.9(a)

E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN 004-094-003 (Jefferson School)

Agency negotiator: David W. Tyson for the City of Eureka

Negotiating Parties: Eureka City Schools

Under negotiation: Price, terms and conditions

Pursuant to California Government Code Section 54956.8

F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: City-owned property located at 2186 Tydd Street,

APN's: 002-191-0202 and 002-191-013

Agency negotiator: David W. Tyson for the City of Eureka

Negotiating parties: Schnieder, Debeni, & McKenney

Under negotiation: Price, terms and conditions.

Pursuant to California Government Code Section 54956.8

G. 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

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

- RCEA Update: Humboldt County Solar Roofs, Energy Efficiency Block Grants

BOARD/COMMISSION REPORTS

- Keep Eureka Beautiful
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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.

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

2. Council meeting minutes.

Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of December 15, 2009 and the special Council/Redevelopment Agency Board meeting of December 17, 2009 as submitted.

(City Clerk)

3. Fishermen's Terminal Building – Labor Compliance Services During Construction Contract

Recommendation: Authorize staff to negotiate and execute a contract with the firm of Lenders Construction Services LLC of Loleta, CA for labor compliance services during construction of the Fishermen's Terminal Building project in an amount not to exceed \$35,000.

(City Engineer)

4. Eureka Skate Park Bid No. 2009-08

Recommendation: Accept this project and authorize filing a "Notice of Completion" at the office of the County Recorder.

(City Engineer)

5. American Recovery & Reinvestment Act Project (ARRA) No. ESPL-5017 (024), EA No. 01-924892 – STREET OVERLAY 2010

Recommendation: Adopt Resolution No. 2010 - _____ appointing the City Engineer as agent of the City of Eureka and authorizing the City Engineer, as the agent of the City of Eureka, to execute revised Administering Agency-State Master Agreement No. 01-5017R and all necessary agreements for the project. Approve supplemental gas tax funding of up to \$68,814 and transfer previously allocated temp salary funding.

(City Engineer)

6. Fishermen's Terminal Building – Architect-Engineer Services During Construction Contract.

Recommendation: Authorize staff to negotiate and execute a contract with the Architect-Engineer team of Laprotre and Cleek of Eureka, CA for services during construction of the Fishermen's Terminal Building project in an amount not to exceed \$100,000.

(City Engineer)

7. Utility Rates Task Force Nominee

Recommendation: Mayor's appointment of Aaron Spehling to the Utility Rates Task Force replacing committee member Dennis Pieper.

(Mayor)

8. Flake Ice Facility Electrical Contract – Contract Amendment
Recommendation: Authorize staff to execute a change order to increase the contract for Native Electrical Construction, Inc. of Ramona, CA from \$28,000 to \$75,926 to cover changes and additions to the project during construction.
(City Engineer)
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REPORTS/ACTION ITEMS

9. North coast Local Agency Coastal Coordination Committee MOA
Recommendation: 1. Approve and authorize the Mayor to sign the North Coast Local Agency Coastal Coordination Committee Memorandum of Agreement.
2. Select and designate one Councilmember and Environmental Planner Lisa Shikany to be the City's two representatives on the Coastal Coordination Committee.
(Community Development Director)
10. 2009/10 Mid Year Budget
Recommendation: 1. Approve 2009-2010 budget options: and
2. Discuss and provide direction on the strategic options for the 2010/11 budget.
(Finance Director)
11. Humboldt Del-Norte Hazardous Materials Response Authority (HMRA) Letter of Withdrawal
Recommendation: 1. Direct staff to notice the Humboldt-Del Norte Hazardous Materials Response Authority of the City's desire to exercise Section 11.05 "Withdrawal of Member" from the HMRA Joint Powers Authority Agreement; and
2. Authorize staff to work with the HMRA in the development of alternative funding and/or models that would ensure the continued viability of the HMRA Hazardous Materials Response Team.
(Fire Chief)

12. Humboldt County Convention and Visitors Bureau
Recommendation: 1. Approve a six month extension to Humboldt County Convention and Visitors Bureau Marketing Agreement; and
2. Appoint two City Council members to serve on an Ad Hoc Committee related to the Humboldt County Convention and Visitors Bureau to develop a future visitor marketing strategy and agreement.
(City Manager)

13. Medical Cannabis Ordinance Discussion
Recommendation: Receive a report from Councilmembers Atkins & Leonard regarding the status of the Medical Cannabis Ordinance.
(Councilmembers Atkins & Leonard)

14. Zoo Funding Vote
Recommendation: 1. Place an advisory vote on the November 2, 2010 General Election ballot asking voter if they wish to discontinue funding for the Sequoia Park Zoo; or
2. Place an initiative on the November 2, 2010 General Election ballot discontinuing funding to the Sequoia Park Zoo
(Councilmember Glass)

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

ADJOURNMENT

NOTE: If open session items cannot be completed by 9:30 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 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 adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.

NOTICE: Any writing that is a public record not exempt from public disclosure and relating to an agenda item for an open session of a regular meeting of the City Council is available for public inspection at the following designated location: Office of the City Clerk
Eureka City Hall
531 "K" Street, Room 207
Eureka, CA 95501