



**City of Eureka, CA
City Council Regular Meeting
Tuesday, January 21, 2020
6:00 PM**

COUNCIL CHAMBERS, 531 K STREET EUREKA, CA 95501

AGENDA

ELECTED OFFICIALS

Mayor Susan Seaman

Councilmember Leslie Castellano, Ward 1

Councilmember Heidi Messner, Ward 2

Councilmember Natalie Arroyo, Ward 3

Councilmember Austin Allison, Ward 4

Councilmember Kim Bergel, Ward 5

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

Oscar Leatherman and Kelly Pifferini v. City of Eureka, et al.

Northern District of California Case No. 4:17-cv-05610-HSG

Pursuant to Section 54956.9 California Government Code

Conference with legal counsel – existing litigation

Carrie Capolupo v. City of Eureka, et al.

Humboldt County Superior Court Case No. CV1901026

Pursuant to Section 54956.9 California Government Code

REGULAR SESSION – 6:00 P.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

Eureka Youth Council
Human Trafficking Awareness Month
Humboldt Marble Weekend

PRESENTATIONS

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. 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.

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.

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. Council Meeting Minutes

Recommendation: Approve the minutes of the regular Council meeting minutes from the January 7, 2020 as submitted.

B.2. Water Improvements 2019 Project Acceptance

Recommendation: Accept the Water Improvement 2019 project, Bid No 2019-21 and authorize the filing of a "Notice of Completion" at the Office of the County Recorder.

B.3. Destruction of Records

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

C. ORDINANCES/RESOLUTIONS

C.1. "Q" Qualified Combining Zone District Text and Local Coastal Program Amendment

Recommendation: Waive reading, read by title only, and adopt Bill No. 975-C.S., approving the Text and Local Coastal Program Amendment adding a "Q" Qualified Combining Zone District to Title 10 Chapter 5 of the Eureka Municipal Code.

Direct Staff to submit the Local Coastal Program Amendment to the California Coastal Commission and adopt Council Resolution "A Resolution of the City Council of the City of Eureka Transmitting to the California Coastal Commission for certification an Amendment to the Implementation Plan portion of the Adopted and Certified City of Eureka Local Coastal Program to add a Qualifying "Q" Combining District to Eureka Municipal Code Title 10 Chapter 5.

C.2. Text and Local Coastal Program (LCP) Amendment to raise the building height limit from 35 feet to 55 feet within the Coastal Service Commercial (CS) Zone District.

Recommendation: Waive reading, read by title only and adopt Bill No. 976-C.S., approving the Text and Local Coastal Plan Amendment to raise the building height limit from 35 feet to 55 feet within the Coastal Service Commercial (CS) Zone District; and Direct Staff to submit the Local Coastal Program Amendment to the California Coastal Commission and adopt "A Resolution of the City Council of the City of Eureka transmitting an amendment to the Implementation Plan portion of the Local Coastal Program to the California Coastal Commission for certification to increase the building height limit from 35 feet to 55 feet within the Coastal Service Commercial (CS) Zone District."

C.3. Crowley Site Local Coastal Program Amendment

Recommendation: Waive reading, read by title only and adopt Bill No. 972-C.S., an Ordinance of the City Council of the City of Eureka amending the Land Use Plan Map and the Implementation Plan Map of the Local Coastal Program (LCP) to cause parcel 019-271-004 to be zoned Service Commercial (CS) and have a land use designation of General Service Commercial (GSC), and to add a Qualified (Q) combining district designation. The "Q" designation will specify the principally allowed uses and limitations on uses for the site; and Direct Staff to submit the Local Coastal Program Amendment to the California Coastal Commission and adopt Council Resolution "A Resolution of the City Council of the City of Eureka Transmitting an Amendment to the Local Coastal Program for parcel 019-271-004 to be zoned Service Commercial (CS) and have a land use designation of General Service Commercial (GSC), and to add a Qualified (Q) Combining District Designation to the California Coastal Commission for certification.

C.4. Obstructive and Aggressive Conduct Ordinance

Recommendation: Waive reading, read by title only and Adopt Bill No. 969-C.S. an Ordinance of the City of Eureka Repealing Section 130.06 of the Eureka Municipal Code regarding Solicitation and adding Section 130.11 to prohibit Aggressive and Obstructive Conduct.

D. REPORTS/ACTION ITEMS

D.1. Klamath River Renewal Corporation (KRRC) Project

Recommendation: Authorize the Mayor to sign a "Letter of Support" for the removal of the four lowermost dams on the Klamath River.

E. CITY MANAGER REPORTS

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.