

1 Places, which is a list of historic properties that are locally, regionally, and/or nationally significant
2 properties and/or districts; and

3
4 **WHEREAS**, in 1999, for the purpose of furthering the objective of supporting historic
5 preservation within the City, the City of Eureka became a Certified Local Government (CLG); and

6
7 **WHEREAS**, the Eureka City Council is dedicated to providing economic and other
8 incentives to assist owners of historic property with the preservation, rehabilitation, restoration,
9 and/or reconstruction of historic resources; and

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11 **WHEREAS**, the Mills Act is a state sponsored legislation that grants local governments the
12 authority to participate in a locally based preservation incentive program; and

13
14 **WHEREAS**, the Mills Act program allows private property owners of qualified historic
15 property to receive property tax relief in exchange for agreeing to preserve, rehabilitate, and
16 maintain their historic properties for a specified period; and

17
18 **WHEREAS**, the Eureka Redevelopment Agency was established on February 5, 1970, with
19 the primary objective of revitalizing and improving the economic base of the community by
20 facilitating both redevelopment and economic development activities; and

21
22 **WHEREAS**, The Eureka Redevelopment Agency receives primary funding from tax
23 increment revenues; and

24
25 **WHEREAS**, many qualified historic properties are located within the Redevelopment Area
26 of the City of Eureka and entering into Mills Act Historic Property contracts with owners of
27 qualified historic property within the Redevelopment area could impact funding for the Eureka
28 Redevelopment Agency programs.

29
30 **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Eureka as
31 follows:

1 **Section 1.** There shall be established in the City of Eureka a Mills Act Historic Property
2 Tax Incentive Program.

3
4 a. The City of Eureka Mills Act Historic Property Tax Incentive Program
5 will initially be a pilot program. The pilot program shall be limited as follows:

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7 1. Two years from the date the City Council adopts the Mills Act
8 Historic Property Tax Incentive Program, the Program will terminate and no new applications will
9 be accepted or processed until and unless a new Resolution of Adoption is passed by the City
10 Council. Termination of the City of Eureka Mills Act Historic Property Tax Incentive Program will
11 not terminate existing recorded Mills Act contracts; and

12
13 2. No more than five (5) Mills Act Historic Property Contracts
14 shall be entered into and recorded until and unless a new Resolution of Adoption is passed by the
15 City Council.

16
17 **Section 2.** A Qualified Historic Property for the purposes of the City of Eureka Mills Act
18 Historic Property Tax Incentive Program is defined as property that is (a) located entirely within the
19 City of Eureka; (b) is privately owned; (c) is not exempt from property taxation; (d) is taxed as
20 residential property; and (e) is individually listed on the City of Eureka’s Local Register of Historic
21 Places.

22
23 **Section 3.** The City Manager or authorized designee is appointed as the agent of the City
24 Council to execute each Mills Act Historic Preservation Contract following approval and adoption
25 by the City Council of the RESOLUTION OF THE COUNCIL OF THE CITY OF EUREKA
26 APPROVING A MILLS ACT HISTORIC PROPERTY CONTRACT.

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28 **Section 4.** Prior to Council action on the RESOLUTION OF THE COUNCIL OF THE
29 CITY OF EUREKA APPROVING A MILLS ACT HISTORIC PROPERTY CONTRACT, the
30 Historic Preservation Commission shall review the application for a Mills Act Historic Preservation
31 Contract and provide their recommendation(s) to the City Council.

1 **Section 5.** For property located within the Redevelopment Area, prior to Council action on
2 the RESOLUTION OF THE COUNCIL OF THE CITY OF EUREKA APPROVING A MILLS
3 ACT HISTORIC PROPERTY CONTRACT, the Eureka Redevelopment Agency shall review the
4 application for a Mills Act Historic Preservation Contract and provide their recommendation(s) to
5 the City Council.
6

7 **Section 6.** It is the expectation of the City Council that the property owner will use the
8 Mills Act property tax savings to finance the preservation, maintenance and improvements of the
9 qualified historic property as specified in the recorded Mills Act Contract.
10

11 **Section 7.** The City Council has determined that adoption of the City of Eureka Mills Act
12 Historic Property Tax Incentive Program will have no potential for causing a significant effect on the
13 environment and therefore pursuant to California Environmental Quality Act (CEQA) Guidelines
14 Section 15061 is not subject to CEQA.
15

16 **PASSED, APPROVED AND ADOPTED** by the City Council of the City of Eureka,
17 County of Humboldt, State of California, on the fifteenth day of March 2005, by the following vote:
18

19 AYES: COUNCIL MEMBERS: **WOLFORD, BASS-JACKSON, KERRIGAN**
20 NOES: COUNCIL MEMBERS: **JONES**
21 ABSENT: COUNCIL MEMBERS: **LEONARD**
22 ABSTAIN: COUNCIL MEMBERS:

23
24
25 ATTEST:

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29 _____
30 *Peter La Vallee*
31 *Mayor*

Kathleen L. Franco Simmons
City Clerk

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APPROVED AS TO ADMINISTRATION:

APPROVED AS TO FORM:

David W. Tyson
City Manager

David E. Tranberg
City Attorney