CITY OF EUREKA
CITY COUNCIL/
REDEVELOPMENT AGENCY
AGENDA

REGULAR MEETING
TUESDAY, MAY 3, 2011
CLOSED SESSION 5:00 P.M.
REGULAR SESSION 6:00 P.M.
COUNCIL CHAMBER
531 K STREET
EUREKA, CA 95501

Marian Brady	1st Ward
Linda Atkins	2nd Ward
Mike Newman	3rd Ward
Melinda Ciarabellini	4th Ward
Lance Madsen	5th Ward

Frank J. Jäger, Mayor

David Tyson, City Manager
Pam Powell, City Clerk
William Bragg, Interim City Attorney

CLOSED SESSION
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.

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

B. Conference with legal counsel-anticipated litigation
Significant exposure to litigation: one case.
Pursuant to California Government Code Section 54956.9(b)

C. Conference with real property negotiators
Property: APN 009-044-005 (Lot adjacent to Winzler Child Center)
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

REGULAR SESSION – 6:00 P.M.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

Presentation of Proclamations:

1. National Bike Month
2. Older Americans Month – Gray Matters
3. National Association of Letter Carriers Annual Food Drive Day

COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

Councilmember Brady: Healy Building Progress Report

PUBLIC HEARINGS

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

1. Public Hearing – Resolution Confirming and Ordering Special Assessments for Unpaid Garbage and Recycling Collection Fees

   Recommendation:
   1. Conduct a public hearing to hear any objections or protests regarding the attached "Report of 2010 Fees for Garbage and Recycling Collection"; and
   2. Make adjustment as deemed just; and
   3. Adopt attached Council Resolution providing for collection of fees.

   (Public Works)

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.

2. 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. 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.*

3. Council meeting minutes.
   Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of April 5, 2011 and special Council/Redevelopment Agency Board meeting minutes of March 17, 2011 as submitted.
   (City Clerk)

4. Bike to Work Day Rally
   Recommendation: Sponsor Bike to Work Day rally on Thursday, May 19, 2011 at the Old Town Gazebo.
   (City Manager)

5. Purchase of Ballistic Vests
   Recommendation: Accept Broese's Uniforms bid of $30,396.60 for the purchase of (26) ballistic vests.
   (Police Chief)

6. Redwood Coast Montessori School Use Agreement Extension and Fee Waiver Request
   Recommendation: 1. Authorize a one year extension of the Use Agreement for the Cooper Gulch Recreational Building with Redwood Coast Montessori School; and
   2. Deny Redwood Coast Montessori School's request to waive the zone reclassification fee.
   (Engineering)

7. Integrated Pesticide, Herbicide and Fertilizer Management Plan
   Recommendation: Adopt Integrated Pesticide, Herbicide and Fertilizer Management Plan, guidelines for an environmentally sensitive approach to pest management for the City's Park Division.
   (Public Works)

ORDINANCES/RESOLUTIONS

8. Medical Cannabis Ordinance
   Recommendation: Waive reading, read by Title only, and adopt, Bill No. 835-C.S., an ordinance of the City of Eureka amending title 15, Chapter 158 Medical Cannabis: Cultivation, Processing and Distribution.
   (Community Development)

REPORTS/ACTION ITEMS

9. Appointment of Representative to the Humboldt Bay Municipal Water District's Water Task Force
   Recommendation: Appoint one regular and one alternate Council representative to the Water Task Force.
   (City Manager)

10. Redistricting Commission Hearings
    Recommendation: 1. Authorize the Mayor to execute a letter to the Citizens Redistricting Commission requesting a hearing on the redistricting process be held on the North Coast; and
    2. Offer to the Citizens Redistricting Commission the use of a City venue at no charge for the purpose of holding the hearing.
    (Councilmember Newman)

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

Request from County of Humboldt to present a review of their multi-family rezoning program and an explanation of the re-zoning site selection process.

2011/12 Budget Calendar

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 City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at www.ci.eureka.ca.gov.

- 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 tem for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, 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.

  Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at www.accesshumboldt.net – Search archives "Eureka City Council Meetings".

- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail ppowell@ci.eureka.ca.gov or contact the City Clerk's office at (707) 441-4175.

EUREKA CITY COUNCIL

AGENDA SUMMARY

RE: RESOLUTION CONFIRMING AND ORDERING SPECIAL ASSESSMENTS FOR UNPAID GARBAGE AND RECYCLING COLLECTION FEES	FOR AGENDA DATE: MAY 3, 2011 AGENDA ITEM NO.: 1 *Page 1*

RECOMMENDATION:

Staff recommends Council:

1. Conduct a public hearing to pass upon the attached "Report of 2010 Fees for Garbage and Recycling Collection" and hear any objections or protests on same from any interested person.
2. Make adjustment as deemed just.
3. Adopt attached resolution providing for collection of fees.

SUMMARY OF THE ISSUE:

The Public Works Department administers the provisions of the Mandatory Garbage and Recycling Collection Ordinance with Eureka Municipal Code Sections 51.14 – 51.37. In summary, Section 51.16(D) mandates the owner of any improved property in or from which solid waste and recyclable materials is created, accumulated or produced is responsible for subscribing to the collection service. It is the property owner's responsibility, not the tenant, to secure and maintain collection services. In the event that an account becomes delinquent, Section 51.29, Delinquent Accounts, states the City shall attempt to collect the delinquent fees in the manner described in California Government Code Section 25831. This Section establishes the procedure to record a lien or special assessment against a property.

(continued on next page)

FISCAL IMPACT:

The City receives a Franchise Fee from City Garbage Co. (5% of gross revenues derived by the company from the provision of services within the City). These funds are placed into the General Fund.

MANAGEMENT ANALYST:	DEPARTMENT HEAD:	CITY MANAGER:
Miles Slattery *Project Manager*	Bruce A. Young *Public Works Director*	David W. Tyson *City Manager*

REVIEWED BY:	DATE:	INITIALS:
City Attorney		
Finance	4-28-11	RS

Council Action:

Ordinance No. _____ Resolution No. _____.

SUMMARY OF THE ISSUE (CONTINUED):

In conformance with the Mandatory Garbage and Recycling Collection Ordinance and California Government Code Section 25831, the City's franchise hauler notified the property owners of their delinquent accounts that remain unpaid for a period of 60 or more days after the date upon which they were billed. Staff sent a final notification to the property owners on April 13, 2011, not less than ten days prior to this hearing. The final notice notified property owners about the special assessment process, the hearing date and their ability to be present to provide any objections, protests or other relevant information.

The attached "Report of 2010 Fees for Garbage and Recycling Collection" lists the addresses, property owners, assessor's parcel numbers (APN), amounts due and account number (for County Auditor) for all delinquent accounts from the 2010 calendar year. Delinquent accounts that are not paid within 20 days of confirmation by the City Council shall constitute a special assessment as a lien against the property taxes. The amount due, a 1.5% monthly interest charge (18% annual) and $1 per APN charge will be assessed on each property. The assessment would be acquired by filing a lien with the County Auditor to collect the amount owed to the franchise hauler with annual property taxes.

Staff recommends the lien be filed with the County Auditor and collected with annual property taxes.

RECOMMENDATION

Staff recommends Council:

1. Conduct a public hearing to pass upon the attached "Report of 2010 Fees for Garbage and Recycling Collection" and hear any objections or protests on same from any interested person.
2. Make adjustment as deemed just.
3. Adopt attached resolution providing for collection of fees.

ATTACHMENTS

1. Report of 2010 Fees for Garbage and Recycling Collection
2. Resolution Confirming 2010 Fees for Garbage and Recycling Collection and Establishing the Method of Collection

ATTACHMENT 1

Report of 2010 Fees for Garbage and Recycling Collection

City of Eureka
Tax Assessments for 2010 Garbage/Recycling Service

Parcel #	Service Address	Owner Name	Customer Name	Lien Amount	Account #
004-222-01-4	1005 E ST	FRANK,NICHOLAS A	TRITCHLER, BREQUE	47.26	50802
004-222-01-4	1005 E ST #D	FRANK,NICHOLAS A	STILLINGER, SHYENNE	280.32	50802
005-145-00-1	1005 M ST	CHAU,CHHON	EARLS, TUESDAY	91.83	50802
011-185-00-2	1010 HARRIS ST APT A	TAYLOR,RICHARD B & RENEE A TRU	THOMPKINS, DUSTIN	15.18	50802
008-053-00-1	1015 W HENDERSON ST	PETERS,ALMA J	PETERS, ALMA	23.63	50802
011-204-01-8	1016 HODGSON ST	MCCALL,EDNA ID	MCCALL, EDNA ID	284.18	50802
005-022-00-3	1024 I St	CAVALLIN,BRENT E	CAVALLIN, BRENT E	46.18	50802
005-146-01-1	1024 M ST.	WHITE,BILL & CHERI L	WHITE, BILL	527.35	50802
002-151-01-4	1025 BAY ST	ERICSON,JANE & BRIAN T	ERICSON, BRIAN	175.52	50802
005-021-00-9	1025 I ST	ELLIOTT,KENDRA H WS	RAINS, ROBBIE	426.64	50802
008-204-00-7	1026 HIGHLAND	DUTRA,STACY B & TROY	DUTRA, TROY	320.84	50802
005-022-00-3	1028 I ST	CAVALLIN,BRENT E	ANDERSON, TRISTA	298.61	50802
005-092-00-5	1034 K ST	FINTA,BRETT DBA RED FIN RESIDE	LESCHKE, TYKESHIA	77.94	50802
011-143-00-4	1036 HUNTOON ST #HSE	ALBRECHT,JENNIFER D	ALBRECHT, JENNIFER	280.32	50802
011-202-00-8	1105 HODGSON	GOFF,JANET L WS	THEOPHILOS, ETHEL M TR	240.69	50802
005-094-00-1	1109 J ST	PERRY,JOSEPH E	PERRY, JOSEPH E SE	284.18	50802
004-105-01-5	1110 B ST #A	LOPEZ,ROBERTO	LIVELLA, MICHAEL	236.74	50802
008-144-00-2	1115 HIGHLAND AVE.	BLOOM,ERIC R	CUNNINGHAM, JESSICA	52.17	50802
004-021-00-6	112 W SIMPSON ST	MCCLUNG,WILLIAM V TRUST	MCCLUNG, WILLIAM	109.08	50802
004-081-00-9	112 W.DEL NORTE #2	SAWATZKY,KENT & TERESA	ALTON, RICK D	374.52	50802
004-106-01-3	1125 CALIFORNIA ST	SPAULDING,THOMAS W SMSE JR	SPAULDING, JOSH	115.31	50802
005-146-01-2	1129 11TH ST	PAYE,MARK & JAMES D	MARTIN, MEL	257.8	50802
004-104-00-6	1131 B ST	CHRISTIAN,TERESA	CHRISTIAN, TERESA	129.6	50802
012-036-01-2	1134 BUHNE ST	ELLOWAY,KERISA	ELLOWAY, KERISA & WONENBERG BR	280.32	50802
001-173-00-3	1134 3RD ST	THOMPSON,RAY & DARLINE	THOMPSON, RAY	202.14	50802
011-183-00-5	1137 HARRIS ST	PERRY,ALBERT E	CARTER, JOSHUA	281.56	50802
005-094-00-9	1141 J STREET	DIXON,JEFFREY	DIXON, JEFF	80.85	50802
006-111-00-6	1150 MYRTLE AVE #A	KROOK,DENIS W & GERALDINE B	RORIPAUGH, SANDRA	283.52	50802
006-111-00-6	1152 MYRTLE AVE	KROOK,DENIS W & GERALDINE B	KROOK, DENIS & GERALDINE B HW	112.24	50802
006-332-00-2	1153 MYRTLE AVE	PAYE,JAMES D & JUDITH E COTR T	RORIPEUGH, SANDRA	70.4	50802
006-332-00-2	1153 MYRTLE AVE #C	PAYE,JAMES D & JUDITH E COTR T	WARDRIP, MICHAEL S	31.05	50802
018-341-00-3	1154 VISTA DR.	THOMPSON,RAYMOND F & DARLINE M	THOMPSON, RAY	9.96	50802
004-081-00-3	119 W WABASH AVE	LIANOZ,ROGER	LIANOZ, ROGER	384.36	50802
002-181-01-3	1207 BAY ST	PECTOL,MAX W & JUDY A	THORNTON, KAREN	163.31	50802
001-235-00-7	1209 7TH ST	WILBURN,WALTER	HARDIN, SEAN	408.04	50802
004-061-00-7	122 W 14TH ST	RETZLOFF,JACKIE TRUST	RODRIGUES, JESUS	39.36	50802
012-066-01-2	1221 HARRIS ST	DEAVER,DAN	DEAVER, DAN	70.89	50802
006-111-02-7	1223 WEST AVE	GRIMES,MARC & LYNN M	GRIMES, MARC & LYNN M HW JT	319.23	50802
004-234-00-4	1224 F ST #B	MUNZER,DIANA TRUST	DUNCAN, BARBARA	280.32	50802
005-154-00-8	1229 N ST	DEXTER,GORDON R & VIRGINIA TRU	STERLING, MELLISSA	5.1	50802

005-101-01-8	1234 L ST	SURRELL,JANET L TRUST	LESTER, SCOTT	25.61	50802
006-112-01-0	1234 MYRTLE AVE	WILLIS,BRUCE A & JOYCE I	WILLIS, BRUCE A & JOYCE I HWCP	363.16	50802
001-235-01-2	1235 7TH ST #D	JENNINGS,MACE C & DONNA C TRUS	SIMON, HELEN	5.5	50802
005-033-00-7	1239 G ST	ZWIEFELHOFER,BRENDA	WYRICK, LAURA S	56.91	50802
004-144-01-3	125 SONOMA	MARTINSON,TIMOTHY J & LISA M	MARTINSON, LISA M +CO	280.32	50802
008-151-03-3	1307 MCCULLEN AVE	HENDERSON,BEVERLY A TRUST	LADD, BOBBY	56.56	50802
012-062-00-3	1319 WOOD ST	MORRISON,LISA C & RICHARD E	MORRISON, RICHARD	280.32	50802
004-115-01-2	1323 A ST	MCTAGUE,TIMOTHY J & KATHLEEN A	DUIVENVOORDENY, TERESA	228.47	50802
004-115-01-2	1323 A ST #B	MCTAGUE,TIMOTHY J & KATHLEEN A	MCTAGUE, TIMOTHY & KATHLEEN	141.78	50802
001-234-00-3	1324 6TH ST	ANDERSON,DEAN E	ANDERSON, DEAN E	284.18	50802
005-163-00-4	1326 M ST	FOLEY,CONSTANCE L	FOLEY, CONSTANCE L	93.99	50802
005-151-00-2	1326 11TH ST	CRINER,BETTY	CRINER, BETTY	228.86	50802
005-154-00-3	1328 12TH ST #TEN	RICHARDSON,WILLIAM H	JONES, SAM	102.83	50802
004-242-00-9	1329 E ST	REBSTOCK,FLORIAN & AMY J	REBSTOCK, AMY WS	93.99	50802
010-063-00-5	133 HARRIS ST (2960 C ST)	GERNER,CYNTHIA & CRAIG J	GERNER, CYNTHIA & CRAIG J WHJT	523.11	50802
008-132-00-4	1330 HIGHLAND AVE #GRN	JORDAN,ROBERT D	CROSSWHITE, HEATHER	19.09	50802
001-234-00-6	1331 7TH ST	FONTAINE,MARK & FRANCISKA E	FONTAINE, MARK	410.76	50802
009-125-00-1	135 W HAWTHORNE	MCLEOD,LAURICE A TRUST	MYERS, ANGELA	55.59	50802
009-125-00-1	135 W HAWTHORNE	MCLEOD,LAURICE A TRUST	GRAMMER, JESSE	43.82	50802
009-232-00-1	135 W HENDERSON ST	FULLER,MARK D & ANNE C TRUST	CESSNA, AMBER	88.73	50802
004-023-00-1	135 W SIMPSON ST	BARNEY,STEVEN W & FRANCES I	ALLEN, ROSELLA	129.62	50802
006-181-01-5	1356 MCFARLAN ST	LIVINGSTON-HUGHES,TARI C	MARX, SALLY	111.46	50802
004-123-00-3	1400 A ST	HAWK,DANIEL L	STANLEY, CARL	129.6	50802
006-132-00-1	1401 EAST AVE	HILLMAN,RAYMOND W	HILLMAN, RAYMOND	40.52	50802
002-032-00-9	1401 LITTLE 4TH ST	HARRISON,ROBERT C	HARRISON, ROBERT C SM	280.32	50802
006-181-01-6	1404 MCFARLAN ST	ROSS,TIMOTHY & HEATHER A	ALEXANDER, SCOTT	241.03	50802
008-131-00-9	1408 HIGHLAND AVE	MARQUEZ,ELIZABETH & JOEL	ROACH, GLEEZETTE +CO	293.76	50802
004-243-00-5	1410 G ST	WILLIAMS,DANIEL A & LORIE E	WILLIAMS, DANIEL & LORIE	141.78	50802
004-033-00-3	1410 UNION ST	SQUIRES,FLOYD E & BETTY J	MASSIE, CYNTHIA	8.72	50802
005-166-00-9	1417 L ST	SANTAELLA,JOHN V	LULOFF, DAVID	177.57	50802
005-166-00-9	1417 L ST #1/2	SANTAELLA,JOHN V	SANTAELLA, JOHN	298.45	50802
006-046-00-4	1418 S ST	SHINN,EDWARD R & JENNIFER L	SHINN, TED	70.89	50802
002-032-00-7	1419 4TH ST	PRICE,CALVIN B & PATRICIA M	MALFATTI, KATHY	59.2	50802
012-064-00-5	1425 HARRIS	MCARTHUR,JIM & SANIT	ZUNINO, KORIE	80.85	50802
004-123-00-6	1426 A ST	WELLS,EDNA H L	WELLS, WILLIAM W & EDNA L UMJ	211.05	50802
004-033-01-0	1427 ALBEE ST	POOLE,MONICA L	POOLE, MONICA	376.74	50802
006-242-00-7	1430 HARRISON AVE	SCHMIDT,DOUGLAS R & KURT W	SCHMIDT, KURT	377.53	50802
005-104-00-6	1433 K ST	WALKER,SHIRLEY M	ANDERSON, KRISTEN	98.13	50802
005-104-00-6	1433 K ST	WALKER,SHIRLEY M	RAMOS IV, JOHN I	111.44	50802
004-243-01-1	1437 F ST	KELSO,TOM	POLK, CHRIS	141.78	50802
004-064-00-3	1438 CALIFORNIA ST	LANG,MATTHEW W	LANG, MATT	129.6	50802
006-241-00-3	1442 MYRTLE AVE	WASHBURN,EARL	JOHNSON, MIKE	43.2	50802
006-191-02-0	1450 MCFARLAND	STRICKLAND,LINDA	NATIVIDAD, JERAMY	187.98	50802
006-191-01-9	1452 MCFARLAN ST	ROSA,BERNICE	ROSA, BERNICE UW	284.18	50802

006-132-01-0	1453 EAST AVE	ARNOLD,JAMES K & DOROTHY A	ARNOLD, JAMES K & DOROTHY A HW	141.78	50802
004-065-00-9	1455 SUMMER	LANNING,PHILLIP	LANNING, PHILLIP UM	56.91	50802
004-064-00-6	1457 PINE ST	SAYERS,DEBORAH M	SAYERS, EARL H	9.96	50802
010-081-01-2	149 RANDOLPH	ZAWADI-GETH,ZU-KENYA	ZAWADI-GETH, ZU-KENYA & GET JA	236.7	50802
001-253-00-1	1504 6TH ST	CHAU,CHHOU	CHAU, CHHOU	42.53	50802
012-201-00-5	1505 HARRIS	HOSTLER,MARILYN C	GIOVANNETTE, KIM	41.05	50802
001-224-01-8	1515 5TH ST	MOSCHETTI,ROGER	UNTITLED /COLLECTIONS	89.47	50802
005-044-00-4	1518 J ST	VELLUTINI,VINCENT P & MARY K	ESTRELLA, TERESA	86.16	50802
006-252-02-5	1524 HARRISON	HANSON,RONDA	HANSON, RONDA UW	96.31	50802
008-101-02-6	1525 HIGHLAND AVE	PAYE,JAMES D & JUDITH E	LARSEN, DANE	47.26	50802
001-251-00-9	1525 6TH ST	CHIN,ALAN & SAM D TRUST	ROMERO, BRITTANY	22.05	50802
001-251-00-9	1525 6TH ST	CHIN,ALAN & SAM D TRUST	LISTON, WILLIAM	70.89	50802
012-201-00-2	1528 WOOD	REGLI,KATHLEEN A	REGLI, KATHLEEN	47.26	50802
008-101-02-2	1555 HIGHLAND AVE	ROACH,DIMITRI D	ROACH, DIMITRI +CO	285.74	50802
008-112-03-8	1574 ALLARD	STURM,KATHY G R	STURM, KATHY G R MWSE	211.05	50802
004-146-00-8	16 W SONOMA	AUBUCHON,DAVID & CHERIE	SMILEY, CHRIS S	59.07	50802
004-199-00-1	1601 C ST	LOVEALL,LAUREL	STEARN, SHANA	56.91	50802
004-132-00-1	1603 A ST	PAYNE,GARY D	PAYNE, GARY D SMJT	211.05	50802
005-122-00-1	1603 K ST	GENTER,THOMAS H & MONTA R	SIMPSON, RON	6.39	50802
005-051-00-3	1604 J ST	SANDERSON,PAUL M	SANDERSON, PAUL	126.77	50802
008-111-00-4	1606 MC CULLEN	BROYLES,KATHRYN A	TORONI, CHERI	4.22	50802
005-211-01-2	1610 14TH ST	TRUCKS MICHAEL J	TRUCKS, MICHAEL J WR	287.4	50802
005-111-01-2	1616 K ST	MOULTON,CHRISTINA M	MOULTON, CHRISTINA	418.08	50802
006-201-02-0	1620 MC FARLAND	OWSLEY,JACK	OWSLEY, JACK SM	279.16	50802
006-141-01-6	1629 WEST	FLEMMING,GERALDINE B	FLEMMING, GERALDINE B	141.78	50802
004-071-00-8	1648 CALIFORNIA ST	MCDERMITT,RICHARD E SR	MCDERMITT, RICHARD E SR UM	211.05	50802
004-073-00-9	1675 UNION	KONKLER,BRYAN	FARDETTE, DARCY	134.88	50802
006-152-00-1	1703 WEST	LAO,MARIA E	HENDERSON, JERREL	194.19	50802
002-065-00-2	1714-3RD ST.	SOHAL,GURPREET S & DALBIR K	HUTSON, MARCHIA	284.18	50802
012-204-00-9	1715 EVERDING ST	CHATTERTON,RANDAL	BUTLER-SMITH, TYLER	141.78	50802
006-031-00-6	1715 13TH ST	JOHNSON,TARA L	JOHNSON, TARA -BK13	106.03	50802
007-093-00-4	1730 MCCULLEN	PAYE,JAMES D & JUDITH E COTR T	CHILDERS, RUTH	120.42	50802
005-063-00-7	1737 G ST	GRAHAM,PAULA E	GRAHAM, PAULA E UW	56.09	50802
006-073-00-2	1744 R ST	LATT,NEAL	LOVE, KELLY	66.87	50802
006-072-00-4	1749 P ST	COATES,MARK	COATES, MARK	70.89	50802
005-062-00-7	1750 I ST	BAKER,NANCY	BAKER, NANCIE D	209.76	50802
006-211-02-0	1754 MC FARLAND	RHODES,MICHAEL E & KATHERINE D	RHODES, MICHAEL E & KATHERINE	70.89	50802
005-061-00-7	1764 J ST	REDNER,ROY	JEWELL, STACY	279.81	50802
005-241-00-4	1770 P ST	IZATT,JULIE A	IZATT, JULIE A & MCCALL JOSHUA	211.05	50802
002-053-00-7	1805 2ND ST	SMITH,MARY	SMITH, MARY	116.23	50802
002-061-01-8	1811-13 3RD ST #REA	LETTNECKER,EVANGELINE G & EDWI	LETTNECKER, EDWIN	67.22	50802
005-071-01-8	1815 I ST #B	CHAU,CHHON	DEL GRANDE, KENNETH	111.4	50802
004-081-00-6	1818 CALIFORNIA ST	DIXON,PATRICIA L TRUST	MCCONNELL, CHERRYLE D	371.64	50802
004-142-01-8	1819 A ST #A	CHUM,KIMHAK & RASMEY	CHIEMWICHITRA, PHOUSAVANH	74.27	50802

004-201-00-7	1822 D ST	HOWARD,CAROL F SUC TRUST	LIGHTFOOT, DANNY	127.58	50802
006-274-00-9	1825 MCFARLAND	WALKER,SHAUN B	WALKER, SHAUN	257.18	50802
006-052-01-7	1825 16TH ST.	DUNCAN,MICHEAL E & CRISTINE L	DUNCAN, CHRISTINE	78.93	50802
004-141-00-9	1833 B ST	CHADWELL,CLAY B & SANDRA S	CHADWELL, GARY L	141.78	50802
013-061-00-3	1835 HARRIS	HUGHES,GERALD B	HUGHES, GERALD B MMSE	63.76	50802
013-066-00-6	1837 EVERDING ST	ANDERSON,TOBY & LINDA	ANDERSON, TOBY	61.44	50802
005-245-01-2	1841 N ST	BEACH,SHANE M & JULIE A	BEACH, SHANE	324.23	50802
006-154-02-8	1864 WEST	DAVARIS,JOHN T JR	DAVARIS, JOHN	70.89	50802
004-205-00-1	1905 LOWELL ST	FRANK,NICHOLAS	DOTSON, MIKE	104.34	50802
006-151-01-0	1905 18TH ST	SALTEKOFF,WILLIAM E	SALTEKOFF, BRENDA	225	50802
013-065-00-7	1907 EVERDING ST	REEVES,LOIS	CHASE, DJUANA MOVIUS	56.91	50802
004-205-00-1	1909 LOWELL ST	FRANK,NICHOLAS	ISABELL, KEN	282.81	50802
006-054-00-5	1911 16TH ST	TOWNS,MARTIN G & KAREN A	TOWNS, MARTIN G & KAREN HW JT	20.53	50802
005-074-01-0	1915 I ST	HAISLIP,JEANNE	ANDERSEN, COLEMAN +CO	542.5	50802
005-075-00-3	1916 I ST	MORRIS,JACOB E	MORRIS, JACOB E	70.89	50802
013-251-00-5	1917 BUHNE ST	MALONEY,RUTHIE	MALONEY, RUTHIE	103.95	50802
005-074-00-5	1920 J ST	BRIGGS,JANICE L & MICHELLE M	BRIGGS, JANICE	207.24	50802
004-206-00-3	1924 LOWELL ST	KELSO,TOM	GRANADOS, LAURA	211.69	50802
002-093-00-4	1929 2ND ST	MUNOZ,GERARDO S	MUNOZ, GERARDO S MMSE	284.18	50802
013-062-00-2	1930 WOOD	RICHTER,JANICE D MWSEJT	RICHTER, JANICE D MWSEJT	70.89	50802
013-065-00-3	1934 HARRIS ST	WILLIAMS,JEAN M & JOHN R TRUST	THOMSON, EMERSON	80.21	50802
006-082-00-7	1940 S ST	MCLEOD,LAURICE A TRUST	MCLEOD, LAURICE	169.41	50802
013-074-00-1	2000 HODGSON	BOTTINO,DARLA L	BOTTINO, DARLA L WD	284.18	50802
013-064-00-6	2005 EVERDING ST	ROSLOSNIK,GLENN D & TAMARA L	ROSLOSNIK, GLENN	70.89	50802
010-193-00-5	2012 G ST	PROFANT-TURNER,ELAINE	MACIEL, WILLIAM	141.78	50802
013-064-00-2	2020 HARRIS	HE,DAVID J	HE, DAVID J SM	85.36	50802
010-013-00-7	2025 CALIFORNIA ST	MALCOLM,PATRICIA	MALCOLM, PATRICIA SW	172.29	50802
011-011-00-5	2025 G ST	GARAGHAN,MICHELE	MONTGOMERY, MICHELE	327.98	50802
006-154-03-5	2026 18TH ST	TRACY,PENNY L	BURROW, LISA	41.7	50802
004-199-01-0	203 WABASH	LAWSON,ALELI G WS	LOVE, DAN	80.85	50802
009-011-00-3	2030 SPRING ST	HENRY,ARTHUR C & PHYLLIS W	BAIRD, SEAN	226.18	50802
009-011-00-4	2035 FAIRFIELD AVE	CARROLL,CRAIG & DEBRA	CARROLL, DEBRA	129.6	50802
001-047-00-5	204 W WASHINGTON ST	TATUM,BOBBYLEE W	TATUM, BOBBYLEE W	381.63	50802
004-065-00-6	204 W 15TH ST	MELTON,JOYCE R	MELTON, JOYCE R TR	240.69	50802
301-271-01-0	205 BOYLE DR	MCCREA,JERRY A & MARY A	LAW, DOUG	229.81	50802
009-151-01-6	206 W HENDERSON ST	VALLEY,TRACY N & CYNTHIA G	VALLEY, TRACY N & CYNTHIA HWJ	141.66	50802
010-181-00-2	210 GROTTO ST	ESTER,LESLEY A	SAULSBURY, CAROL	97.18	50802
009-015-00-1	2101 SPRING ST	MENDEZ,INES C	MENDEZ, INES C UM	478.33	50802
010-135-00-2	2104 WILLIAMS ST	THRASH,RANDY M & BALENDA	THRASH, RANDY & BALENDA HW JT	66.74	50802
013-143-00-6	2109 HARRIS	STORRE,RICK C	STORRE, RICK C,SM	232.38	50802
010-014-00-4	2116 A ST	SANCHEZ,EFRAIN	RUIZ, ARMANDO	56.31	50802
009-014-01-5	2121 FAIRFIELD AVE	CASTILLO,EDWARD	CASTILLO, EDWARD & VANMETER LO	284.18	50802
011-015-01-1	2121 H ST	SILVA,LEONEL R & MANUELA O	SILVA, LEONEL R & MANUELA O HW	161.7	50802
009-124-00-7	2131 UNION ST	HARTMAN VIVIAN L TRUST LC	HARTMAN, VIVIAN L TR LC	28.36	50802

013-241-00-9	2135 GLATT ST	OLSON,EVAN L & BARBARA L	MASSARO, BLAKE	47.26	50802
010-194-00-7	2143 F ST	ANDERSON,VERNON E & LANETTE M	ANDERSON, VERNON E & LANETTE M	50.19	50802
002-061-01-3	215 S ST	COLLOM,KATHLEEN	COLLOM, KATHLEEN UW	190.68	50802
009-016-00-7	2150 UNION	BARRETT,DENZIL L & LORETTA J	BARRETT, DENZIL	348.14	50802
013-251-03-9	2153 BUHNE ST	SENIFF,ROBERT & MICHELLE	SENIFF, MICHELLE	109.99	50802
009-015-00-8	2154 ALBEE ST	PECTOL,MAX W & JUDY A	PECTOL, MAX AND JUDY	46.72	50802
004-162-01-0	217 CLARK ST	WARREN,JAMES E & ALICE J	WARREN, JAMES E & ALICE J HWJT	201.02	50802
004-082-00-3	219 W WABASH AVE	OWNBY,BRIAN E & LISA M	OWNBY, BRIAN E & LISA M HWJT	141.78	50802
011-141-00-3	2202 K ST	MCTAGUE,TIMOTHY J & KATHLEEN A	MCTAGUE, TIMOTHY & KATHLEEN A	23.34	50802
002-127-00-9	2203 3RD ST	REED,MARK K	REED, CLARA M TR	284.18	50802
008-012-00-1	2208 FAIRFIELD AVE	OSHAUGHNESSY,BLAINE D DBA CURB	OSJAUGHNESSY, BLAINE D SM	396.3	50802
010-201-00-4	2214 E ST	COOKMAN,DONALD E	COOKMAN, DONALD	129.6	50802
009-133-02-3	2219 PINE ST.	RENAGHAN,TYLER M & ERIC J	SLAUGHTER, MICHAEL D	50.6	50802
009-022-02-1	2219 SPRING	RICHARDSON,GARY L MS	BAYNE, BRETT	56.91	50802
010-021-01-1	2220 C ST	SIGGINS,GUTHRIE C	SIGGINS, MARGO	280.32	50802
011-022-00-4	2220 I ST	KITTELSON,GARY A	KITTELSON, GARY A	284.18	50802
013-152-02-3	2226 HARRIS	RANSTROM,LOWELL & SANDRA	RANSTROM, LOWELL & SANDRA HWJT	284.18	50802
010-151-00-8	223 LONG ST	JOHNSON,DARRELL & SHELLEY	JOHNSON, SHELLEY	80.85	50802
013-152-04-0	2235 CHESTER #1/2	CLAYTON,CHRIS & CATHERINE	BRITT, LOGAN	70.89	50802
010-023-00-5	2240 A ST	WESTFALL,HELEN J	WESTFALL, HELEN	211.05	50802
008-013-00-1	2240 FAIRFIELD AVE	SCHAIBLE,MARCUS	BROWN, MIKE N	141.78	50802
004-012-00-8	226 W GRANT ST	ALEXANDER,KENDALL & APRIL D	ALEXANDER, RON	113.82	50802
010-154-00-5	230 LONG	HAMPTON,LYNETTE M & ROBERT W	MAXON, DAVID M CO-TR	280.32	50802
002-126-00-7	2301 3RD ST	HILLMAN,RAYMOND W	HILLMAN, RAY	29.6	50802
009-022-00-8	2302 ALBEE ST	EMERSON,GABRIEL S	SMITH, SUMMER	141.78	50802
010-024-00-2	2304 A ST #B	DURST,DIANE	DURST, DIANE UW	67.01	50802
010-024-00-2	2304 A ST #B	DURST,DIANE	COOK, CURTIS	94.84	50802
009-133-00-8	2306 CALIFORNIA ST	NELSON,RAYMOND S & HOLLY L	NELSON, RAYMOND SCOTT	187.98	50802
006-301-00-3	2311 HILLSIDE DR	CEMPA,ARLAN	CEMPA, ARLAN MMSE	357.74	50802
013-113-03-8	2314 DEAN ST	PERRAS,CLAUDE D	VOLPI, DONNA	131.22	50802
013-113-03-8	2314 DEAN ST	PERRAS,CLAUDE D	PERRAS, CLAUDE D	47.26	50802
006-261-00-9	2317 17TH STREET	CLARK,BRENDA S	CLARK, BRENDA	142.05	50802
010-025-00-4	2324 B ST	SCHIEBERL,JOHN & GINA E	MARTINI, MELISSA J	93.99	50802
006-241-01-4	2325 15TH ST	FLANDERS,THEODORE M & KRISTINE	FLANDERS, TED	179.17	50802
006-271-00-7	2325 18TH ST	ARMSTRONG INVESTMENTS L P	SIMMONS, LAURIE	93.99	50802
010-111-02-8	233 COOPER LN	SCHMITZ,VIRGINIA L	SCHMITZ, VIRGINIA	138.54	50802
009-021-01-2	2335 GARLAND ST	TOLLNER,JED	GREENBERG, SHANE	244.33	50802
010-144-00-7	2339 C ST	DENNING,ROY L & JEANETTE L	OLSON, JOHN	141.78	50802
004-082-00-8	234 W DEL NORTE ST	YUROK INDIAN HOUSING AUTHORITY	MCCOVEY, ALLISON	56.78	50802
004-085-00-8	234 W SONOMA ST	TAIT,MICHELLE	TAIT, MICHELLE	176.42	50802
009-271-00-1	235 HIGHLAND	CONNER,MONA TRUST	DUNN, BARBARA	67.69	50802
004-062-01-0	240 W 14TH ST	ZERLANG,LAURENT W & JANA	WILLIAMSON, RIAN & JEANETTE	3.98	50802
009-141-02-3	2401 UNION	STEELE,DONALD & TRUDY	PRUETT, JAYNI	39.64	50802
011-033-00-1	2403 I ST	DALY,PATRICK W & DIANNE	ST BERNARD'S CATHOLIC SCHOOL	129.6	50802

010-213-00-1	2405 F ST	KLECKNER,KEVIN & DINA	KLECKNER, KEVIN & DINA	176.17	50802
006-311-00-2	2405 HILLSIDE DR	HODGES,JASON & JENNIFER	HODGES, JASON	70.89	50802
010-152-00-1	2405 WILLIAMS	CORDERO,ERICKA	CORDERO, ERIKA NOVA	70.89	50802
009-124-01-1	241 W HAWTHORNE APT D	OLSEN,CINDY	LEE, BEAU	130.7	50802
009-124-01-1	241 W HAWTHORNE ST #C	OLSEN,CINDY	WELMAS, RAYMOND	56.91	50802
009-032-00-3	2410 ALBEE ST	BURROWS,ERIC A	BURROWS, ERIC & AIMI BURROWS	119.05	50802
009-142-01-9	2413 SUMMER ST	DERHAM,JOHN M	DERHAM, JOHN	56.91	50802
013-221-00-2	2430 BAINBRIDGE ST	SWEITZER,CHRISTOPHER A	SWEITZER, CHRIS	70.89	50802
009-141-01-8	2431 UNION	ROSS,JAMES L	TEETER, ASHLEY	41.56	50802
013-221-01-2	2432 BAINBRIDGE ST	HOCKADAY,J WARREN	HOCKADAY, LISA	227	50802
002-151-01-6	2432 7TH ST	SHUMARD,WILLIAM & TIMNA	ADAMS, ALICIA	315.04	50802
010-031-00-5	2434 C ST	PRINCE,JOHN H & VIRGINIA E	PRINCE, VIRGINIA E	319.68	50802
009-142-00-6	2448 PINE ST	KARNES,ARBY J	KARNES, ARBY&	48.04	50802
010-101-02-6	245 MANZANITA	CARL,BARBARA	NEIDIG, RENEE	115.6	50802
013-201-02-1	2450 CHESTER ST	KNEAPER,GEORGE T & MARTHA J TR	SCHUMACHER-CADIEUX, VIRGINIA	121.25	50802
006-321-02-1	2464 15TH STREET	CHIN,ALAN & SAM D TRUST	PRUDHOMME, CARL JAMES	56.91	50802
004-205-00-7	247 SONOMA ST	JURICK,PHILLIP J	COLLINS, TAYLOR	35.4	50802
013-182-02-6	2473 HARRIS	COLLENBERG,DAN & KAREN	THOMAS, NANCY	56.91	50802
013-211-03-5	2475 BAINBRIDGE ST	SCHIPPER,LOUIS B IV	SHIPPER, LOUIS B IV	80.34	50802
010-151-01-8	248 BUHNE ST	PIMENTEL,RITA	PIMENTEL, RITA UW	284.18	50802
010-034-00-4	2502 A ST	DAVIS,DAVID W	DAVIS, DAVID W UM	282.22	50802
012-131-01-4	2503 O ST	REGLI,KATHLEEN	MCPHERSON, JODY L	417.36	50802
010-154-02-1	2505 C ST	HUNTRESS,KATHLEEN J M	BENDER, LOUIS	768.73	50802
008-032-02-1	2521 FAIRFIELD AVE	CARLOTTI,CHRIS	CARLOTTI, CHRIS	302.98	50802
010-183-01-0	255 HARRIS ST	FITZPATRICK,SHAWN L & JULIE A	FITZPATRICK, SHAWN L & JULIE A	244.36	50802
010-042-01-4	26 W HENDERSON	GEIER KIMBERLY J EXEC	GEIER, KIMBERLY J EXEC	227.96	50802
009-041-00-1	2605 GARLAND ST	MANNORIND,KONG & DAENG	MANNORIND, DAENG	115.1	50802
011-042-00-3	2612 I ST	BEATY,LISA A	BEATY, LISA	129.6	50802
009-042-00-8	2613 SPRING ST	GABRIEL,KAY J & JOHN T	GABRIEL, KAY J & JOHN T WHJT	211.05	50802
009-042-00-8	2613 SPRING ST #B	GABRIEL,KAY J & JOHN T	OLSON, DAVID	33.35	50802
009-041-00-3	2614 SPRING ST	KIRKPATRICK,ROGER D & JEANNIE	KIRKPATRICK, ROGER D & JEANNIE	141.78	50802
008-031-02-3	2616 FAIRFIELD AVE #TEN	SCHNELL,EUGENE A JR & LEANA S	BAIRD, ROBINN	568.97	50802
013-041-00-4	2617 S ST	SHIPLEY,CHERIE A	SHIPLEY, CHERIE A SW	141.78	50802
010-223-00-4	2618 G ST	NORTH,JULIETTE	STEFFEN, BEN	109.68	50802
004-163-00-4	262 CLARK ST	WELLS FARGO BANK TRUST	ESTATEOFJOSIANE WICKS-MCKINNON	30.3	50802
011-042-00-4	2624 I ST	FIGAS,LEE R & PENNY E	MARQUEZ, GLEEZETTE	251.63	50802
009-041-00-5	2630 SPRING ST	JOHNSON,ISAAC J	JOHNSON, ISAAC J	142.4	50802
018-194-00-9	267 WILLOW ST	BACON,GERALD & MELLISSA	BACON, GERALD & MELLISSA JT	4.74	50802
010-042-00-4	2718 A ST	BASSETT,KAY M	BASSETT, KAY M	284.18	50802
010-041-01-0	2729 A ST	GREENWOOD,CHARLOTTE E TRUST	HOFFARTH, PENNI	174.22	50802
010-042-00-7	2734 A ST	WOODS,JOHN S	WOODS, JOHN S	123.58	50802
004-185-00-3	274 15TH ST	PUNTONIO,JAMES B	PSCHAIDA, JENNY	173.02	50802
004-182-00-9	275 15TH ST	JACKSON,SARAH K WS	MEZA, ESTHER C	145.23	50802
011-171-00-2	2800 K ST	GALLAGHER,DANIEL J & ANITA J	BARONE, JENNIFER	411	50802

011-052-00-3	2804 I ST	MARQUEZ,JOEL A	MARQUEZ JOEL A	292.18	50802
010-051-00-3	2816 A ST	ATKINS,MICHELLE M A	ATKINS, MICHELLE M A MWSE	284.18	50802
009-161-00-4	2820 UNION	ALLEY,KENNETH E & FRANCES A	ALLEY, KENNETH	282.24	50802
012-056-00-6	2825 M ST	SALLADY,DEANNA M	SALLADY, DEANNA	225	50802
008-041-01-4	2828 FAIRFIELD AVE	ROLANDELLI,BONNIE A	MAGNESS, DENNIS	326.75	50802
013-051-00-7	2831 S ST #A	BECK,LURITA A TRUST	SHELLEY, KATHY	41.78	50802
010-173-01-4	2833 WILLIAMS	DECKER,KIYLE W & ANISSA I	DECKER, KIYLE & ANISSA	41.87	50802
010-172-00-7	2844 WILLIAMS	MALLOY,KERRI	MALLOY, KERRI	13.07	50802
009-162-01-8	2848 SUMMER ST	LIVELLA,JARRED	LIVELLA, JARED	75.88	50802
010-172-00-9	2860 WILLIAMS ST	VOSS,DON M & IRENE A TRUST	HARR, VALERIE	92.26	50802
009-063-00-3	2902 ALBEE ST	BROWN,PATRICK G	BROWN, PATRICK G UM JT	284.18	50802
009-162-01-1	2907 UNION	MCCLURG,RYAN & RICHELLE	MCCLURG, RICHELLE	520.04	50802
011-054-01-0	2917 I ST	GIOVANETTI,GRANT	ARNOLD, JIM K JR & KIMBERLY A	319.61	50802
009-063-00-6	2926 ALBEE ST	GUTHRIE,GEORGE A & MARIE	BOWSER, JASON	58.76	50802
009-172-02-0	2928 SUMMER ST	ROMERO,JOSE	HAGNNIGAN, DYLAN	70.89	50802
009-172-00-5	2944 SUMMER	GALLAGHER,DANIEL J & JO	DRENNAN, DAVID	18.99	50802
004-163-01-0	295 HILLSDALE ST	PETERSEN,KATE	PETERSEN, KATE MWSE	382.63	50802
009-242-01-3	2953 PINE ST #A	GREEN,WALTER S	SORENSEN, THIRZA	416.48	50802
009-242-01-3	2953 PINE ST #B	GREEN,WALTER S	ESCARENO, BOGAR	430.53	50802
009-064-00-3	3016 ALBEE ST	MOONEY,JOSEPH L	MOONEY, JOSEPH L & SANDERS VIIY	370.96	50802
009-171-01-5	3019 ALBEE ST	DURAN,VERNA K	LADELL, GARY	187.98	50802
012-064-01-0	3035 O ST	J & J PAYE FAMILY LLC	PORTER, MIKE & CINDY	3.99	50802
009-124-00-4	305 W HAWTHORNE ST	MATSERSON,JOHNATHAN A	MASTERSON, JOHNATHAN	191.4	50802
004-083-00-3	306 W DEL NORTE ST	RUSH,GERALD D & BELINDA M TRUS	ABRAHAMIAN, TONI	25.21	50802
004-083-00-3	306 W DEL NORTE ST	RUSH,GERALD D & BELINDA M TRUS	ROBINSON, TREVIOUS	49.83	50802
301-241-01-3	310 BOYLE DR	DEAN,PHILLIP V TRUST	GEORGE, MICHAEL	80.85	50802
009-071-02-5	3104 PROSPECT	GRAY,ANDREW C & DARCY A	GRAY, DARCY	70.89	50802
009-071-02-5	3104 PROSPECT	GRAY,ANDREW C & DARCY A	YANG, CHOUA	70.89	50802
008-061-02-1	3114 GLEN ST #B	CHIN,ALAN & SAM D TRUST	READEN, KONNI	18.15	50802
012-071-00-8	3115 M ST	WOOD,HEIDI E WS	YOUNG, OSSIE	111.05	50802
010-262-01-5	3121 D ST	BARRETO,LISA & MIKE	BARRETO, LISA & MIKE HWCP	284.18	50802
010-263-01-6	3125 E ST	VAINUKU,LEUA & DAVID T	VAINUKU, LEUA & DAVID T HWJT	519.44	50802
009-183-01-1	3131 UNION	WILSON,PATRICIA E	WILSON, PATRICIA E UW	17.84	50802
010-071-01-5	3132 WILLIAMS	HOLM,MICHAEL C & THORA M	POLIAK, DONNA +CO	15.62	50802
008-181-00-3	3136 OREGON	OLSEN,NORMAN S JR & JOANNE	CLONINGER, MEGEN	281.12	50802
008-183-00-4	3140 CENTRAL AVE	RINEHART,DONALD & JOYCE	RINEHART, DONALD & JOYCE HWJT	166.24	50802
010-262-00-5	3146 E ST	AVILA,SHAWN	AVILA, SHAWN	141.78	50802
008-182-01-2	3155 OREGON ST	MATTHEWS,JEFF	DOREY, RICK	70.89	50802
004-083-00-4	316 W DEL NORTE ST	SCOTT,LEWIS J & ROSE	SCOTT, LEWIS	280.32	50802
010-262-00-2	318 HARRIS ST	TAYLOR,BANDON W M & AIMEE L M	HERNANDEZ, YOLANDA BK	82.65	50802
011-076-00-2	3204 G ST	RICHARDSON,BRADLEY J & KATIE M	RICHARDSON, BRADLEY	113.82	50802
008-181-00-8	3205 GLEN ST	BRADY,MURRAY T & BEVERLY J TRU	BRADY, MURRAY T & BEVERLY J,TR	283.2	50802
012-072-00-7	3206 P ST	DUNCAN,LINDA S	DUNCAN, LINDA	280.32	50802
011-188-00-3	3208 J ST	GALLAGHER,MLISSA K	GALLAGHER, M'LISSA K SI SE	191.29	50802

010-263-01-1	3211 E ST	COLVIN,REID TRUST	SPAULDING, RYAN	13.82	50802
009-251-00-9	3214 PINE ST #FRT	CHO,TAE S & KWANG J	OWSLEY, SEAN	141.78	50802
009-253-01-0	3217 CALIFORNIA ST	BRIGGS,KAREN L	BRIGGS, KAREN	89.45	50802
013-073-00-7	3223 U ST	WILLIAMS,CHARLES C	WILLIAMS, CHARLES	70.89	50802
009-185-00-4	3226 UNION ST	PIMENTEL,RITA	PIMENTEL, RITA UW	284.18	50802
009-081-01-2	3229 CENTRAL AVE	GABLE,JASON P	GABLE, JASON P	525.45	50802
009-124-00-1	323 W HAWTHORNE ST	LEES,BRITTANY R	SHARP, TONYA	141.78	50802
011-076-00-6	3235 F ST	LANCASTER,JAIME Y & SETH	LANCASTER, JAIME & SETH	94.52	50802
009-186-00-4	3238 SUMMER	DAY,CHARLES I & OLGA S	FUSI, JENNIFER A	14.65	50802
009-251-01-9	3303 SUMMER ST	GONZALEZ,RUDY J	GONZALEZ, RUDY J HWJT	141.78	50802
009-252-02-8	3306 CALIFORNIA ST	MCCLURG,MARC D & ANN	MCCLURG, MARC D & ANN HW JT	280.32	50802
012-215-01-0	3310 R ST	CARROLL,JACQUELINE K	HOYT, ED	181.73	50802
008-191-00-8	3311 GLEN ST	AMES,KENT & KACI	AMES, KENT +CO	371.64	50802
010-271-00-3	3312 E ST	LANG,KRISTINA	WHEATLEY, DAVID	542.5	50802
009-252-01-0	3316 CALIFORNIA ST	BOTT,LORRIE L	BOTT, LORRIE	155.69	50802
013-201-07-5	3319 DOLBEER ST	GREESON,NATE	GREESON, NATE	180.32	50802
011-082-01-9	3319 G ST	MAKI,REIJO J SUC TRUST	MAKI, REJIO	169.41	50802
013-076-00-1	3321 S ST.	BRIGGS,VERNON H	BRIGGS, VERNON H	141.78	50802
008-122-01-1	3325 COTTAGE LN	SCHMIDT,ALYSSA E	DODD, AMY E	248.38	50802
012-082-00-7	3333 N ST	WILBER,WILLIAM R & MAURI L TRU	ROBERTS, KIM	62.09	50802
008-123-01-1	3335 HIGH ST	BRYANT,CANDY	BRYANT, CANDY UW	77.55	50802
009-083-00-8	3335 PROSPECT AVE	SNELGROVE,PAUL D & LONNA L	SNELGROVE, LONNA	280.32	50802
010-271-00-6	3338 E ST	KELLY,ZACHARY R	KELLY, ZACHARY R SM	189.71	50802
012-082-00-3	3343 N ST	HOYT,EDWIN L & SAUNDRA J	HOYT, EDWIN +CO	512.4	50802
008-232-01-2	3346 HIGH	MONDA,MICHAEL J	MONDA, MICHAEL J MMSE	290.1	50802
010-271-01-1	3353 D ST	BROWN,MARK A & KIMBERLY R DBA	JAVALERA, PABLO	59.08	50802
008-201-00-4	3355 GLEN ST	ARCATA DEVELOPMENT COMPANY CR	CATHEY, CORRINE	113.82	50802
011-203-00-7	3355 L ST.	BERMERS,BLAINE D	BAKER, COLT	191.46	50802
010-272-01-8	3358 F ST	LYMAN,KELLEE R	LYMAN, KELLEE R	182.87	50802
011-082-00-8	3358 H ST	JACKSON,GARY J & JANICE M	JACKSON, GARY J & JANICE HW J	284.18	50802
010-092-00-7	3378 WILLIAMS ST	JONES,BILL I MS JR	JONES, BILL I JR MS	225	50802
010-271-02-4	3390 E ST	SCOTT,LEWIS J TRUST	SCOTT, LEWIS J TR	370.96	50802
010-281-02-7	3404 F ST	TORNROTH,GENEVIEVE M	CARTER, PENNY	559.62	50802
008-204-01-5	3405 GLEN ST	RETTA,ARTHUR L	RETTA, LEE	249.16	50802
009-262-00-1	3405 PINE ST	ISHERWOOD,STEVEN C & JOYCE A	ISHERWOOD, JOYCE	70.89	50802
009-194-00-1	3407 ALBEE	BOSTICK,GAEL	BOSTICK, RYAN	231.64	50802
009-194-00-5	3408 UNION	ZERLANG,LEROY	ZERLANG, LEROY & HILLS-ZERLANG	284.18	50802
009-194-00-6	3410 UNION	US BANK	LAWLER, SANDY	759.84	50802
008-232-00-5	3411 COTTAGE LN	TREVINO,MARC J	TREVINO, MARC J & LAURA HWJT	211.05	50802
008-132-00-9	3411 DAKOTA ST	PALMER,CHARLES	PALMER, CHARLES & KIRK PATRICI	284.18	50802
013-201-01-4	3421 DOLBEER ST	RIORDAN,BRIAN K	RIORDAN, BRIAN K MMSE	280.32	50802
012-232-01-0	3425 R ST	KEOWEN,AILEEN	KEOWEN, MAUREEN	70.89	50802
010-281-02-4	3429 E ST	SCHRACK,HEIDI A	SCHRACK, HEIDI	280.32	50802
010-281-02-9	3430 F ST	TORNROTH,GENEVIEVE M	TORNROTH, EDWARD	663.6	50802

011-091-00-5	3430 G ST	STALEY,ROBERTA R TRUST	DEUBEL, PAYTON	190.53	50802
009-262-02-0	3437 PINE ST	DILLING,LAWRENCE E & KATHY M	DILLING, LAWRENCE E & KATHY H	152.68	50802
009-262-02-4	3450 CALIFORNIA ST	BARTHMAN,BRIAN MS	DANIEL, SEAN	542.5	50802
008-143-02-6	3511 COTTAGE LN	GOMEZ,EULALIO & TANIA A	GOMEZ, EULALIO & TANIA A HWJT	228.22	50802
008-144-02-1	3512 GLEN ST	PALMER,BRANDON	PALMER, BRANDON	211.05	50802
008-143-00-3	3512 HIGH ST	REED,JERRY R & PAMELA J	RENEAU, JERRY	299.48	50802
009-211-01-3	3513 SPRING ST	PIMENTEL,ELIAS A MS	PIMENTEL, ELIAS A MS	169.41	50802
008-101-02-2	3520 HIGHLAND	ROACH,DIMITRI D	ROACH, GLEEZETTE	298.78	50802
008-144-02-3	3521 HIGH ST	PERRY,CAROL A	PERRY, CAROL A UW	211.05	50802
008-142-00-3	3522 COTTAGE LN	NELSON,GARY R	NELSON, GARY R	187.96	50802
011-101-03-1	3527 F ST	MULLINS,DANNY W & PEGGY L	ROACH, VICENTE	111.18	50802
008-142-02-1	3531 DAKOTA ST	FREITAS,MICHAEL D & LYNNETTE	FREITAS, BRENT M	280.32	50802
008-141-00-6	3538 DAKOTA ST	GARRISON,ROSEANN	GARRISON, ROSEANN SW	50.67	50802
008-143-00-6	3546 HIGH ST	PAUL,JAY A	PAUL, JAY A UM	70.89	50802
009-271-01-1	3546 PINE ST	SPRAGG,LEONA E TRUST	WALKER, VALERIE	197.89	50802
009-272-01-3	3555 PINE ST	VELLUTINI,VINCENT P & MARY K	COFFER, JUDITH	280.32	50802
008-101-01-6	3556 IOWA	LANDRY,SHERMAN F & ALISHA L	LANDRY, SHERMAN & ALISHA L HW	280.22	50802
009-273-01-0	3561 CALIFORNIA ST	ABERCROMBIE,MICHAEL J & LINDA	ABERCROMBIE, MIKE	129.6	50802
011-101-01-3	3561 F ST	FISHEL,PAUL R TRUST	HOFF, CHELSEA	192.62	50802
008-141-01-7	3561 IOWA	ROGERS,HERBERT S	ROGERS, HERBERT	100.52	50802
008-142-00-8	3564 COTTAGE LN	ONEALE,JEFFERY W & JEANNE L	O'NEALE, JEFFERY W & JEANNE L	221.78	50802
009-222-00-3	3566 UNION ST	WOODS,WILLIAM F & CATHERINE A	WOODS, WILLIAM F & CATHERINE A	70.89	50802
008-141-02-0	3568 DAKOTA ST	CAYLOR,RONNIE L & DONNA I	CAYLOR, RONNIE L & DONNA HWJT	284.18	50802
009-281-01-7	3571 CALIFORNIA ST	YATES,EDWARD J	YATES, EDWARD J UM	284.18	50802
009-214-02-5	3588 SUMMER ST	PARRIS,JAMES A	PARRIS, JAMES A SM	284.18	50802
013-091-00-7	3604 SEQUOIA LN	ARBAUGH,SCOTT A & ALEEN K TRUS	DIEHL, BRET	14.69	50802
009-281-04-5	3611 CALIFORNIA ST	PINCSAK,RICHARD J	PINCSAK, RICHARD	224.21	50802
013-092-01-0	3613 SEQUOIA LN	TOWEY,JANELLE W	TOWEY, JANELLE W MWSE	70.89	50802
009-224-02-6	3620 UNION ST	CHAMBERS,JANIE R	CHAMBERS, JANIE R SE	282.56	50802
008-151-04-8	3630 GLEN ST #B	HORNSTEIN,JOHN H	SCHWARTZ, JASON	211.05	50802
013-221-02-7	3649 DOLBEER ST	BAKER,NANCIE D	BAKER, NANCIE D SW	56.91	50802
011-111-01-1	3653 F ST	FAIRLESS,COLLEEN	CENICEROS, JUAN A	199.7	50802
011-111-00-7	3656 G ST	LIU,KIM H & MARISA M C TRUST	DUNNING, CAROL	70.89	50802
018-182-00-5	3785 G ST #4	HALE,JAMES W JR & NANCY P TRUS	ROSS, JEFFREY	32.51	50802
018-185-00-2	3816 G ST	MICHEALS,ALEXANDRA	MICHAELS, ALEXANDRIA	20.89	50802
018-181-01-3	3837 H ST	ALI,IBRAHIM	GRIMES, JOHN	45.53	50802
018-181-01-3	3837 H ST	ALI,IBRAHIM	JACKSON, JONATHAN	37.94	50802
004-145-00-1	4 DEL NORTE ST	FLICKER,KIER B	WOELFLE, TIAJUNA	16.93	50802
004-051-00-2	425 W WABASH AVE	WALKER,JAMES W & ALLYSON TRUST	WALKER, JAMES W & ALLYSON TR	70.89	50802
018-333-01-1	4322 FAIRWAY DR	HOUSER,JOSEPH W & TYLER C	HOUSER, TYLER	101	50802
018-332-00-7	4355 RIDGECREST	ANDERSON,MARK	ANDERSON, MARK SM	284.18	50802
004-142-02-0	5 DEL NORTE ST	PENN,SUSAN	PENN, SUSAN UW	280.32	50802
009-022-02-6	510 W BUHNE	NEWMAN,COY N & LINDA L	PHETSOUPHANH, ANN	279.81	50802
009-181-00-7	520 W EVERDING ST	HERSHBERGER,BENJAMIN J	HERSHBERGER, BENJAMIN	512.4	50802

004-241-00-5	521 14TH STREET	CRAIG,JOHN T	ARNOT, PHILLIP	40.7	50802
009-012-00-6	524 W HAWTHORNE ST #A	FILTEAU,DONALD M & DENNESSE J	SOLER, HELYN	123.87	50802
001-254-00-4	600 P ST #C	FRANK,NICHOLAS	MORRIS, HEIDI	211.05	50802
009-041-00-7	624 CREIGHTON ST	WAYNE,BETH A & DAVID R	DENUNE, KATINA	130.07	50802
008-022-01-2	709 W BUHNE	REID,DAN	O'NEIL, STACIA	318.26	50802
011-045-00-4	725 HENDERSON ST	GRAHAM,GREGORY J SUCTR	GRAHAM, GREGORY J SUCTR	280.32	50802
011-055-00-2	726 RUSS ST.	PITTMAN,MICHAEL & JENNIFER G	JOHNSON, JENNIFER G	226.54	50802
004-092-00-1	801 A STREET	LA PEER,GEORGIANNA & JAMES	STUBBS, NICOLE	385.8	50802
008-161-02-1	806 W HENDERSON	THOMPSON,T A	CARPENTIER, KEITH	18.45	50802
001-245-00-8	817 M ST.	HENSON,JAMES W & MICHELLE O	JONES, KEILAH	257.29	50802
001-047-00-8	821 SUMMER ST	FULTON,RONALD	FULTON, RONALD & CARLONE	307.9	50802
001-048-01-2	824 SUMMER ST #1-F	MENDOZA,LUIS O I & JUANA A	OLOMON, FRANKLIN	143.73	50802
005-183-00-7	825 O ST	FRASIER,JULIE	FRASIER, JULIE	518.19	50802
008-221-01-7	850 ALLARD AVE	JENSEN,JENNIFER D	JENSEN, MARSHA	47.65	50802
005-134-01-9	906 17TH ST	ARNOT,JANET L	ARNOT, JANET	601.74	50802
002-222-00-1	909 DOWLER DR #1/2	LUNDY,KATHERINE R	LUNDY, KATHERINE R	141.78	50802
004-093-00-9	911 B ST A-B-C /TRIPLEX	FELLS,DAVID R SR	FELLS, DAVID	937.22	50802
008-212-02-1	915 HIGHLAND AVE	BROYLES,KEN	QUINTON, DEBBIE	140.98	50802
008-194-00-3	915 PEARL	WILSON,SEAN P & SHANNON	WILSON, SHANNON	83.23	50802
002-222-00-2	917 DOWLER DR	REED,PATRICIA A	OFFINS, TARALYN	127.87	50802
011-141-00-8	917 HUNTOON	SCHAIBLE,MARCUS	SANDFORD, CATHERINE	222.6	50802
011-141-00-8	919 HUNTOON ST	SCHAIBLE,MARCUS	BIDDLE, KIA	96.93	50802
005-182-01-0	921 P ST	LEMA,TERESA	LEMA, TERESA	19.48	50802
005-016-00-5	922 H STREET	TRIPP,LEROY G & SUE M	TRIPP, LEROY G & SUE M HWJT	70.89	50802
011-144-00-2	922 HUNTOON ST #3	PAYE,JAMES D & JUDITH E COTR T	UNGER, PAM	22.83	50802
004-012-00-4	924 PINE ST	FULTON,GARY O	FULTON, GARY	3.86	50802
004-012-00-4	924 PINE ST	FULTON,GARY O	SCHINK, BARBARA	234.14	50802
011-141-00-7	925 HUNTOON	CHRISTIE,JAMIE A	CHRISTIE, JAMIE A MMSE	280.32	50802
004-222-01-0	929 E ST	SQUIRES,RUTH E TRUST	BENSON, RICHARD D	37.94	50802
011-161-00-2	930 CARSON ST	BENNETT,MARILYN A	BENNETT, LYN	70.89	50802
002-222-00-4	931 DOWLER DR	KLAIBER,KELLY & ROBERT	KLAIBER, KELLY & ROBERT	60.78	50802
008-183-02-4	931 W. HARRIS	LAWSON,MERCER L JR	LAWSON, MARISSA	411	50802
005-143-00-4	934 M ST.	FITTS,CHARLES E JR CO-TR TR	FITTS, CHARLES E	57.93	50802
008-182-00-3	965 W HARRIS ST	HARROW,STEPHANIE	HARROW, STEPHANIE	40.41	50802
008-182-00-1	985 W HARRIS ST	BROWNFIELD,JOHN & LEANNE	HAWK-SMITH, PATRICIA	6.24	50802
Accounts	**426**		**Total**	**76,383.08**	

ATTACHMENT 2

Resolution Confirming 2010 Fees for Garbage and Recycling Collection and Establishing the Method of Collection

RESOLUTION NO. 2011-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA
CONFIRMING GARBAGE AND RECYCLING COLLECTION ASSESSMENTS AND
ESTABLISHING THE METHOD OF COLLECTION

WHEREAS, the Eureka City Council has directed staff to enforce the provisions of the Mandatory Garbage and Recycling Collection Ordinance to cause delinquent fees for collection services be collected in the manner described in the Ordinance and California Government Code Section 25831; and

WHEREAS, City staff has followed these provisions by duly notifying property owners of delinquent accounts; and

WHEREAS, certain property owners, when duly notified, made arrangements with the franchise hauler to pay delinquent bills; and

WHEREAS, Tuesday, May 3, 2011 at 6:00 pm in the City Council Chambers, City Hall, Eureka, California was fixed as the time and place of hearing protests or objections from property owners liable to be assessed for costs incurred by the City's franchise hauler; and

WHEREAS, said property owners were duly notified of this hearing in the manner described by said Ordinance and California Government Code Section;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka,

1. The Council confirms the attached Report of 2010 Fees for Garbage and Recycling Collection pursuant to California Government Code Section 25831.
2. If said fees are not paid within 20 days of the date of this resolution, the Director of Public Works shall record a lien as authorized by California Government Code Section 25831.
3. The lien shall be turned over to the County Auditor to be added to the annual tax bills as authorized by California Government Code Section 25831.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the _____ day of _____, 2011 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

_____.
FRANK J. JAGER
Mayor of the City of Eureka

Attest:

_____.
PAMELA J. POWELL
City Clerk

Approved as to form:

_____
WILLIAM R. BRAGG
City Attorney

Approved for Administration:

_____.
DAVID W. TYSON
City Manager

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

March 17, 2011

The City Council/Redevelopment Agency of the City of Eureka met in SPECIAL Session on the above date, 6:00 P.M. Open Session, at Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PRESIDING: MAYOR JÄGER,

PRESENT: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN

ABSENT:

MINUTES PREPARED BY:

Pamela J. Powell
City Clerk

COUNCIL APPROVAL ACKNOWLEDGED:

Frank J. Jäger
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of March 17, 2011

SUBJECT: Draft Modifications to the Medical Cannabis Ordinance (EMC Chapter 158)

ACTION:

Community Development Director Sidnie Olson gave a report. The following individuals addressed the Council regarding this matter:

Jeff Leonard, Eureka
Matt
Carla Ritter
Josh Stratten
Laura Benedict, Eureka
Brenda
Greg Allen, ACLU
Kellie Dodds

By consensus, Council directed the Community Development Department to send the Medical Cannabis Ordinance to the Planning Commission to review suggested changes. Council also directed staff to invite Humboldt Wellness to present a re-configured dispensary facility to Council at the April 5, 2011 regular meeting.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 4, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Community Development Agenda Item: 1

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of March 17, 2011

SUBJECT: Caltrans Environmental Justice Grant Application

ACTION:

This item was pulled from the agenda and not discussed.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 4, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Assistant City Manager Agenda Item: 2

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of March 17, 2011.

SUBJECT: ADJOURNMENT

ACTION:

On motion by Councilmember, seconded by Councilmember, and without objection, the meeting was adjourned at 5:48 P.M.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, Interim City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 4, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item

MINUTES OF
EUREKA CITY COUNCIL
EUREKA REDEVELOPMENT AGENCY

April 5, 2011

The City Council/Redevelopment Agency of the City of Eureka met in REGULAR Session on the above date, 5:00 P.M. Closed Session, 6:00 P.M. Open Session, at the Eureka City Hall, Council Chambers, 531 "K" Street, Eureka.

PRESIDING: MAYOR JÄGER

PRESENT: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN

ABSENT: NONE

MINUTES PREPARED BY:

PAMELA J. POWELL
City Clerk

COUNCIL APPROVAL ACKNOWLEDGED:

FRANK J. JÄGER
Mayor

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Public comment prior to closed session

ACTION:

No one expressed an interest in addressing the Council at this time.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Agenda Item A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Closed session

ACTION:

Council met in closed session to discuss the following matters:

Conference with legal counsel – existing litigation
City v. Floyd Squires (Humboldt Co. Superior Court No. CV1000894)

Public Employment – City Attorney

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: Humboldt Open Door Clinic
Under negotiation: Price, terms and conditions.

Conference with real property negotiators
Property: Coastal Dependent Industrial property located on the water side of Waterfront Drive, westerly of the Eureka Small Boat Basin; upland portion of APN 003-062-021.
Agency negotiator: David Tyson for the Eureka Redevelopment Agency
Negotiating parties: David Schneider
Under negotiation: price, terms, and conditions.

Conference with labor negotiators
Agency designated representatives: Gary Bird for City of Eureka
Employee organization: Eureka Firefighters' Local #652 (EFL) and Eureka Fire Officers Local (EFOL)

Upon reconvening to Open Session, it was announced that there were no final actions to report.

Agenda Item Closed Session

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item Closed Session

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Mayor's announcements

ACTION:

Mayor Jäger reported that he had we received an e-mail from the City of Kamisu's mayors office thanking the City of Eureka for the concern shown after Japan's earthquake and tsunami. They are doing well at this time.

Mayor Jäger presented a proclamation to Sally Arnot of the Humboldt Arts Council for their 45th Anniversary.

On behalf of Mayor Jäger, Councilmember Madsen presented a proclamation for Sexual Assault Awareness Month.

On behalf of Mayor Jäger, Councilmember Atkins presented a proclamation for March for Parks, April 15, 2011.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Agenda Item M/A

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Council reports / City-related travel report

ACTION:

Councilmember Brady acknowledged Jeff Lamoree, founding President and current board member of the Sequoia Park Zoo Foundation for his recent Leader Achievement award from the Northern California Association of Nonprofits.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item C/R

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Board/Commission reports

ACTION:

Open Space, Parks and Recreation Commission presented its annual report on activities and accomplishments of the board.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Agenda Item B/C

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Public Hearing – Chapter 153 Flood Plain Ordinance

ACTION:

Senior Planner, Rob Wall provided a report.

The public hearing was opened at 7:17 P.M. No one from the public addressed the council regarding this subject matter.

The public hearing was closed at 7:17 P.M.

Council waived reading, read by title only and introduced Bill No. 825-C.S. an Ordinance of the City of Eureka Amending Title 15 Pertaining to Flood Hazard Area Regulations.

Adopted on motion by Councilmember Atkins, seconded by Councilmember Madsen, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Agenda Item 1

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Community Development Agenda Item 1

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Public comment period

ACTION:

The following individuals addressed the council at this time:

Judy Berenske, Humboldt Senor Resource Center thanked Mayor Jäger and Councilmembers Brady and Ciarabellini for delivering meals to homebound seniors.

Dennis Scott, Eureka reported Eureka Police Department statistics from the last two weeks.

Lorene Dunaway, Eureka commented on funding for Public Safety and that the department is in need of officers.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept.

Agenda Item 2

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Council meeting minutes.

ACTION:

Council approved the regular Council/Agency meeting minutes of February 1, 2011 and February 15, 2011 as submitted.

Adopted on motion by Councilmember Madsen, seconded by Councilmember Ciarabellini, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

Pamela J. Powell

PAMELA J. POWELL
CITY CLERK

Originating Dept. City Clerk

Agenda Item 3

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Claim for damages of Pemberton, Amy

ACTION:

Council rejected the claim of Amy Pemberton

Adopted on motion by Councilmember Madsen, seconded by Councilmember Ciarabellini, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. City Attorney

Agenda Item 4

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Resolution Authorizing Examination of Transactions and Use Tax Records

ACTION:

Council adopt City Council Resolution No. 2011-23 authorizing Hinderliter, deLlamas and Associates to examine Transactions and Use Tax records of the City in order to provide compliance auditing services.

Adopted on motion by Councilmember Madsen, seconded by Councilmember Ciarabellini, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Finance

Agenda Item 5

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: 2010 Lease Revenue Bonds Reimbursement Agreement Amendment

ACTION: Council adopted Resolution No. EPFA-32 of the Governing Board of the Eureka Public Financing Authority authorizing and approving an amendment to the reimbursement agreement relating to the Eureka Public Financing Authority 2010 Lease Revenue Bonds, Taxable Series A and Series B; and
Adopted Resolution No. 11-7 of the Governing Board of the Eureka Redevelopment Agency authorizing and approving an amendment to the reimbursement and agreement relating to the Eureka Public Financing Authority 2010 Lease Revenue Bonds, Taxable Series A and B; and
Adopted Resolution No. 2011-24 of the City Council of the City Eureka Agency authorizing and approving an amendment to the reimbursement agreement relating to the Eureka Public Financing Authority 2010 Lease Revenue Bonds, Taxable Series A and Series B.

Adopted on motion by Councilmember Madsen, seconded by Councilmember Ciarabellini, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

Pamela J. Powell

PAMELA J. POWELL
CITY CLERK

Originating Dept. Finance Agenda Item 6

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: City of Eureka "Guide to the City Council Meeting Process"

ACTION:

City Clerk, Pam Powell provided a report. No one from the public addressed the council regarding this subject matter.

Council adopted Resolution No. 2011-22 of the City Council adopting "A Guide to City Council Meetings", confirming and establishing polices for Council meeting proceedings.

Adopted on motion by Councilmember Atkins, seconded by Councilmember Newman , and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. City Clerk Agenda Item 7

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Tobacco Prevention Update

ACTION:

Barbara Walser, Director of the American Cancer Society provided a report on how the new City of Eureka Smoking Ordinance is working in the City. Lynn Glenn, American Cancer Society volunteer and Jay McCobbrey of Tobacco Free Humboldt also provided information to the Council.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Agenda Item 8

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Medical Cannabis Selection Committee Recommendation

ACTION:

City Manager, David Tyson provided a report. Humboldt Bay Wellness presented their project to the Council. The following individuals addressed the council regarding this subject matter:
Jeff Leonard, Eureka

Council invited Humboldt Bay Wellness to submit an application for a Conditional Use Permit to establish a medical cannabis cultivation, production and distribution facility in the city limits.

Adopted on motion by Councilmember Atkins, seconded by Councilmember Madsen, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, MADSEN
NOES: CIARABELLINI
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. City Manager Agenda Item 9

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Supplemental Transaction and Use Tax Oversight Committee

ACTION:

City Manager, David Tyson provided a report. No one from the public addressed the council regarding this subject matter.

Council authorized the Finance Advisory Committee to assume the responsibilities of the Citizen Oversight Committee as described in Section 35.191 of the Supplemental Transaction and Use Tax.

Adopted on motion by Councilmember Madsen, seconded by Councilmember Newman, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. City Manager Agenda Item 10

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Strategic Planning Process

ACTION:

City Manager, David Tyson provided a report. No one from the public addressed the council regarding this subject matter.

Council authorized the City Manager to engage the services of Roger James to assist the City with a strategic planning process for an amount not to exceed $10,500.

Adopted on motion by Councilmember Madsen, seconded by Councilmember Brady, and the following vote:

AYES: BRADY, ATKINS, NEWMAN, CIARABELLINI, MADSEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. Agenda Item 11

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: City Manager/Executive Director's reports

ACTION:

City Manager Tyson provided information regarding the following:

- Fire Department monthly report presented by Assistant Chief Goodlive.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

Originating Dept. City Manager

CITY COUNCIL/REDEVELOPMENT AGENCY, CITY OF EUREKA
COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

MINUTE ORDER

Certified copy of portion of proceedings. Meeting of April 5, 2011.

SUBJECT: Adjournment

ACTION:

Without objection, the meeting was adjourned at 8:53P.M. to closed session.

STATE OF CALIFORNIA)
County of Humboldt) ss.
City of Eureka)

I, PAMELA J. POWELL, City Clerk of the City of Eureka, do hereby certify the foregoing to be a true and correct copy of the original made in the above entitled matter by said City Council/Agency as the same now appears of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Eureka on April 22, 2011.

PAMELA J. POWELL
CITY CLERK

EUREKA CITY COUNCIL

AGENDA SUMMARY

RE: BIKE TO WORK DAY RALLY	FOR AGENDA DATE: MAY 3, 2011 AGENDA ITEM NO.: 4

RECOMMENDATION:

Sponsor Bike to Work Day rally on Thursday, May 19, 2011 at the Old Town Gazebo.

SUMMARY:

The annual Bike to Work Day will be held Thursday, May 19, 2011. The bike to work day will take place at the Old Town Gazebo from 11:30 a.m. to 1:30 p.m. Staff will be involved with the event providing street cones and other services as needed. By sponsoring the "Bike to Work Day Rally", insurance requirements would be waived.

Staff recommends sponsorship of the Bike to Work Day Rally.

FISCAL IMPACT:

None with this action.

CITY MANAGER SIGNATURE:

David W. Tyson
City Manager

REVIEWED BY:	DATE:	INITIALS:
City Attorney	N/A	

Council Action:

Ordinance No. _____ Resolution No. _____

EUREKA CITY COUNCIL

AGENDA SUMMARY

RE: PURCHASE OF BALLISTIC VESTS	FOR AGENDA DATE: MAY 3, 2011 AGENDA ITEM NO.: 5

RECOMMENDATION:

1. Accept Broese's Uniforms bid of $30,396.60 for the purchase of (26) ballistic vests.

SUMMARY:

On April 10, 2011, Requests for Proposals for the purchase of (26) ballistic vests was advertised in the Times-Standard. One bid was received by the bid closing date of April 19th, 2011. The bid was opened and read aloud in public in conformance with Eureka Municipal Code Section 39.42. Staff reviewed the proposal, and determined the proposal submitted by Broese's Uniforms met all required specifications. Staff recommends that Bid No. 2011-15 be awarded to Broese's Uniforms in the amount of $ 30,396.60.

FISCAL IMPACT: No impact on the General Fund. Current budget contains sufficient funds for this purchase.

DEPARTMENT HEAD SIGNATURE:	CITY MANAGER SIGNATURE:
Garr Nielsen Chief of Police	*David W. Tyson* City Manager

REVIEWED BY:	DATE:	INITIALS:
City Attorney	5/2	
Finance		

Council Action:

Ordinance No. _____ Resolution No. _____

CITY OF EUREKA

REQUEST FOR PROPOSAL April 12, 2011

BIDDER	BID NO. 2011-15
BROESE'S UNIFORMS 1662 MYRTLE AVENUE, SUITE A EUREKA, CALIFORNIA 95501 (707) 443-COPS	**POLICE BODY ARMOR** **BIDS WILL BE RECEIVED UNTIL 2:00 PM** **April 19th, 2011**

ITEM	DESCRIPTION	QTY	UNIT PRICE	EXTENSION
1.	**NIJ Level IIIA Body Armor with Thorshield, antimicrobial protective properties, front and rear soft trauma plates and two carriers.**	26	$1,080.—	$28,080.—
			SUBTOTAL	$28,080.00
			CA SALES TAX (~~8.50%~~) 8.25%	2,316.60
			SHIPPING	~~0~~
			TOTAL BID	$30,396.60

DELIVERY AND TERMS BY VENDOR

DELIVERY: WITHIN 70 **DAYS OF ORDER**

CASH DISCOUNT: 0 **% IN** 0 **DAYS**

Total bid in writing:

THIRTY THOUSAND THREE HUNDRED NINETY SIX DOLLARS AND SIXTY CENTS

SUBMIT BIDS TO:	WE HEREBY AGREE TO FURNISH THE ABOVE ARTICLE AT THE PRICES AND TERMS STATED SUBJECT TO INSTRUCTIONS AND CONDITIONS IN ATTACHED RFP.
DIRECTOR OF FINANCE CITY OF EUREKA 531 K STREET EUREKA, CA 95501-1165	SIGNED BY ANDREW R. BROESE VAN GREENOW, OWNER DATE APRIL 18, 2011
BID NO. 2011-15 **POLICE BODY ARMOR** PHONE (707) 441-4110	

PROPOSAL

POLICE BODY ARMOR

BID NO. 2011-15

The undersigned proposes and agrees to furnish the City of Eureka with a **POLICE BODY ARMOR** per the attached specifications and conditions set forth in this proposal for the unit price bid.

THIS PACKAGE MUST BE RETURNED IN ITS ENTIRETY.

ITEM 1. F.O.B.:

All prices quoted shall be F.O.B., City of Eureka's City Hall, 531 K Street, Eureka, California.

ITEM 2. Bidder's Facilities or Location:

No bid will be considered or accepted by the City, if in the opinion of the City, the bidder's location and/or facilities will be in any manner inadequate or unsuitable or inconvenient to the operation of the City of Eureka.

ITEM 3. Exemption Certificate:

Exemption Certificates will be issued for excise tax, if applicable, and said tax shall not be quoted in the bid price.

ITEM 4. Bid Opening:

Bids must be in writing and must be sealed and clearly marked on the outside, **" BID # 2011-15 - POLICE BODY ARMOR "** and be mailed or delivered so as to be received by the Director of Finance of said City, 531 "K" Street, Eureka, California, 95501-1165, on or before 2:00 p.m., **April 19th, 2011.** Immediately thereafter all bids or proposals received will be publicly opened, examined, and read aloud.

ITEM 5. Number of Bids:

One bid form only is required. Bid must be in writing and shall be on the forms provided by the City of Eureka. **No FAX bids will be accepted**.

ITEM 6. Delivery:

Specify delivery time required after receipt of order:

70 Days.

ITEM 7. Rejection of Bids:

The City of Eureka reserves the right to reject any and all bids, to accept all or part, and to waive any informality in any bid received, and to be the sole judge of the respective merits of the respective bids received. The award, if made, will be on the basis of the best bid received.

ITEM 8. Bid Award:

Bid award will be made to the best bidder as determined by the City of Eureka. Vendors submitting bids will be notified upon selection of the successful bidder. **VENDORS LOCATED WITHIN THE CORPORATE CITY LIMITS OF EUREKA SHALL BE AFFORDED A 5% LOCAL PREFERENCE.**

ITEM 9. Period of Bid:

The City reserves the right to purchase additional units under this bid for a period of ninety days after award of the bid with the successful bidder's approval and/or agreement. Bidder shall hold the City, its officers, agents, servants and employees harmless from liability of any nature or kind on account of use or copyrighted or un-copyrighted compensation, secret process, patented or unpatented invention, article of appliance furnished or used under the quotation.

ITEM 10. Warranty:

Warranty period will start on the first day of the month that the unit is put into service. Use of other than original equipment parts will not void warranty.

ITEM 11. Bidder Exceptions:

Any deviation from the specifications shall be noted by the bidder to the right of the specification form under "Bidder Exceptions."

ITEM 12. Acknowledgment:

The undersigned hereby acknowledges that he has checked carefully all of the preceding figures, examined the detailed specifications and conditions attached, and agrees to same; bidder further understands that the City will not be responsible for any errors or omissions on the part of the undersigned in the making of this bid.

COMPANY NAME BROESE'S UNIFORMS

ADDRESS 1662 MYRTLE AVE. SUITE A, EUREKA, CA 95501

PHONE (707) 443-2677

AUTHORIZED OFFICIAL ANDREW R. BROESE VAN GROENOU — OWNER

(Signature) (Title)

GENERAL CONDITIONS

ITEM 1. Deliveries, Destination, Extension of Time:

Deliveries shall be made as set forth in the proposal. Deliveries defined as complete delivery in good order at place designated in proposal. In the event of a delay in the delivery of completed units to the City beyond the date specified by the successful bidder, the successful bidder shall notify the City of Eureka in writing immediately of the delay. Allowances will only be made for delay of delivery due to strikes, fires, floods, or other causes clearly beyond the control of the contractor and the City of Eureka is notified of such delay in writing with sufficient substantiating evidence. Failure to comply with the provisions of this section shall result in a $25.00 per day penalty per unit.

ITEM 2. Contractor Specifications:

The specifications in this bid are to be used as a guide. Any and all exceptions to the specifications are to be noted in detail by the bidder, including descriptive literature, photographs, cuts of equipment and appurtenances which the bidder proposes to furnish. In the case of the Contractor's conflict in any way with the detail specifications of the City, the latter shall govern in determining the point at issue.

ITEM 3. Errors and Omissions:

The Contractor will not be allowed to take advantage of any error or omission in the specifications or in the Contractor's specifications. Full instructions will always be given when such error or omission is discovered.

ITEM 4. Determination of Award:

Price will not wholly determine the award. Efficiency, early delivery, reliability, and construction details, including design of equipment best adapted to meet the operating conditions and general characteristics set forth in these specifications, will receive due consideration by the City in determining which bidder shall furnish the proposed equipment provided any bid is accepted. **VENDORS LOCATED WITHIN THE CORPORATE CITY LIMITS OF EUREKA SHALL BE AFFORDED A 5% LOCAL PREFERENCE.**

ITEM 5. Failure to Meet Guarantees:

Should the test of any apparatus or equipment show that it does not meet

the guarantees and requirements of the specifications, the Contractor shall at once proceed to furnish such new parts and labor as may be necessary to bring it up to requirements. All expenses of furnishing new parts or alteration to existing parts, and tests made necessary by such failure to meet the guarantees and other requirements of the specifications, shall be borne by the Contractor.

ITEM 6. Test of Materials:

Necessary tests of materials shall be arranged for and paid for by the Contractor unless otherwise specified.

ITEM 7. Labor:

Bidder shall be in compliance with the laws of the State of California and Executive Order 11246 and/or as amended by Executive Order 11375. Bidder further warrants that he is in compliance with affirmative action and that he is an equal employment opportunity employer.

ITEM 8 California Vehicle Code Requirements:

Units bid shall comply and meet all State of California Vehicle Code requirements including but not limited to pollution devices, lights, noise level (control), etc.

ITEM 9. OSHA:

Units bid shall comply and meet all applicable Federal and State safety requirements including CAL-OSHA and OSHA as required.

INSTRUCTIONS TO BIDDERS

1. FORM OF PROPOSAL AND SIGNATURE:

The proposal shall be submitted in fully executed single copy on the forms provided by the City. The bidder shall state in figures the unit price or the specific sums as the case may be, for which he proposes to supply the equipment, and completely perform the contract. The total lump sum bid shall be stated in words and figures; in the event the words and the figures do not agree, the words shall govern and the figure shall be disregarded. If the unit price and the total amount named by a bidder for any item are not in agreement, the unit price solely will be considered as representing the bidder's intention and the total will be corrected to conform thereto. If the proposal is made by an individual, it shall be signed and his full name and address shall be given; if it is made by a partnership, it shall be signed with the co-partnership name by the general partner thereof, who shall also sign his own name, and the name and address of each member of such partnership shall be given; if made by a corporation, the name of the corporation shall be signed by its duly authorized officer and attested by the corporate seal. No telegraphed proposal or telegraphed modifications of a proposal will be considered.

2. PREPARATION OF PROPOSAL:

Blank spaces in the proposal shall be properly filled. The phraseology of the proposal must not be changed and no additions shall be made to the items mentioned therein. Unauthorized conditions, limitations or provisions attached to a proposal will make such proposal subject to rejection at the option of the City. Alterations by erasure or interlineation must be explained or noted in the proposal over the signature of the bidder. A bidder may withdraw his proposal before the hour fixed for opening bids without prejudice, by submitting a written request to the Director of Finance for its withdrawal, in which event the proposal will be returned unopened. No proposal may be withdrawn after the hour fixed for opening bids. No proposal received after the time named or at any place other than the place stated in the Notice Inviting Bids will be considered. All bids will be opened and declared publicly. Bidders or their representatives are invited to be present at the opening of the bids. The City reserves the right to waive any informality in any bid, to reject any or all proposals, or to accept any or all portions thereof, to reject one part of a proposal and accept the other, except to

the extent that bids are qualified by specific limitations, or to make award to the best bidder as the interest of the City may require.

3. FEDERAL, STATE, AND LOCAL TAXES:

The unit price or the specific sum bid shall include all Federal, State, and Local taxes applicable. It shall be quoted as a separate item in the proposal and the Bidder shall state whether or not he authorized or required to collect such Use Tax.

4. INTERPRETATION OF DRAWINGS AND DOCUMENTS:

If the prospective bidder is in doubt as to the true meaning to intent or any part of the contract documents including the Specifications, or discovers discrepancies in, or omissions from, the Specifications or drawings, he may submit to the Director of Finance a written request for an interpretation or a correction thereof. Interpretations or corrections of the Contract Documents including the Specifications and Drawings shall be made only by addendum duly issued by the Director of Finance and a copy of such addendum will be mailed or delivered to each person receiving a set of Contract Documents, and such addendum shall be considered a part of and incorporated in the Contract Documents.

5. BEST BIDDER:

In selecting the best bidder, consideration will be given not only to the financial standing but also to the general competency of the bidder for the performance of the work covered by the Proposal. To receive favorable considerations, a bidder may be required to provide evidence that he has successfully performed similar work of a comparable magnitude or submit other evidence satisfactory to the City that he or his associates are personally competent to manage the proposed undertaking and to carry it forward to a successful conclusion. Professional integrity and honesty of purpose shall be essential requirements. A showing of adequate financial resources may be required but will not alone determine whether a bidder is competent to undertake the proposed work. **VENDORS LOCATED WITHIN THE CORPORATE CITY LIMITS OF EUREKA SHALL BE AFFORDED A 5% LOCAL PREFERENCE.**

6. EXECUTION OF CONTRACT:

A vendor to whom award is made shall receive a Purchase Order as notification of being the successful bidder. Units shall be ordered by the vendor within five (5) days of receipt of the Purchase Order. If a bidder to whom award is made fails or refuses to supply equipment or material in accordance with the provisions

of the bid, or to conform to any of the stipulated requirements in connection therewith, the award will be annulled. At the discretion of the City, an award may be made to the bidder whose proposal is most acceptable to the City, and such bidder shall fulfill every stipulation embraced therein as if he were the party to whom the first award was made. A corporation to which an award is made may be required before the contract is finally executed, to furnish evidence of its right to do business in California, and of the authority of the officer signing the contract for the corporation to so sign.

7. ADDRESS AND MARKING OF PROPOSAL:

The envelope enclosing the proposal shall be sealed and addressed to the Director of Finance, City Hall, 531 "K" Street, Eureka, California, 95501-1165. The envelope shall be plainly marked in the lower left-hand corner with the name and the address of the bidder and bear the words **"BID NO. 2011-15 "**, followed by **"POLICE BODY ARMOR"** and the date and hour of the bid opening.

CITY OF EUREKA
POLICE BODY ARMOR SPECIFICATIONS

BID NO. 2011-15

GENERAL SPECIFICATIONS FOR:

DEALER BROESE'S UNIFORMS

POLICE BODY ARMOR

AUTHORIZED SIGNATURE

ADDRESS 1662 MYRTLE AVE - SUITE A
EUREKA CA 95501

TELEPHONE (707) 443-2677

SPECIFICATIONS: PER CITY OF EUREKA

NOTE: BIDDER MAY BID ON ALL STANDARD EQUIPMENT. EXCEPTIONS TO BE CLEARLY SPECIFIED.

USE: POLICE BODY ARMOR

BIDDER'S SPECIFICATIONS MUST BE FILLED IN COMPLETELY BY BIDDER AND RETURNED TO:

DEPARTMENT OF FINANCE
PURCHASING DIVISION
WITH PROPOSAL.

BIDDERS MAY BE REQUIRED TO PROVIDE DEMONSTRATION UNIT TO CONFIRM BID SPECIFICATION COMPLIANCE AND OPERATIONAL ASSESSMENT.

GENERAL SPECIFICATIONS – POLICE BODY ARMOR

BID NO. 2011-15

Standard Features:

•Soft, temperature regulating inner surface treated with Microban® to resist the growth of odor-causing mold and mildew.
•Zero-drag, soil resistant micro-fiber outer surface.
•Exterior mid-torso zipper opening for convenient ballistic panel insertion and removal.
•Removable 2" waist straps.
•Maximum Flexibility.
•Stay Drier - inner carrier surface and ballistic panel cover specially engineered to provide superior moisture resistance.
•Odor Resistant - heat-welded ballistic panel cover treated with Microban® antimicrobial protection which fights the effects of odor-causing mold, mildew and bacteria.
•Additional Blunt Trauma Protection including 5" x 8" Soft Trauma Insert and 8" x 10" Soft Trauma Insert.
•Additional Carrier
•Front and Back Shirt-tails
•Removable Cummerbund
•Color: Black

TECHNICAL SPECIFICATIONS FOR POLICE BODY ARMOR

CITY OF EUREKA BID NO. 2011-15	BIDDER'S EXCEPTIONS
Preferred Features: NIJ Level: IIIA Ballistic Material: Woven Para-Aramid fabric, polyethylene UD and Aramid (AT) Anti Trauma fabric. Thorshield Weight (lbs/ft2): No more than 1.09 Thinness (in): No more than 0.30" 357 Sig V50: 1842 Vendor will fit and re-fit (if necessary) employees. Price on package will be valid for (12) months from the date the bid is accepted.	

CONCEALABLE BODY ARMOR

VISION® CONCEALABLE BODY ARMOR

Model / Test ID #	Threat Level	Weight Dry) (lbs/ft2)	Thinness (in)	New 9mm v50 (fps)	New 357mag v50 (fps)	One Carrier Pricing	2 Carrier Pricing
AII-1	II	0.77	0.2	1626	1623	[illegible]	[illegible]
AIIF	II	0.77	0.2	1647	1626		

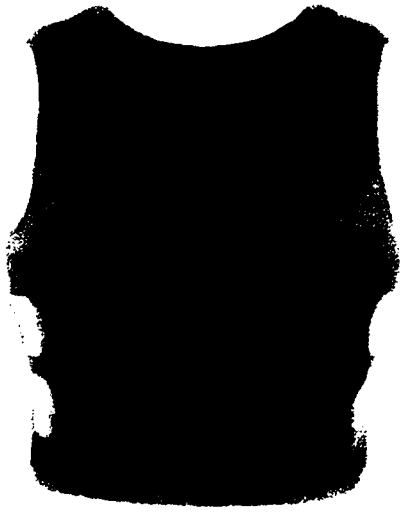
Model / Test ID #	Threat Level	Weight Dry) (lbs/ft2)	Thinness (in)	New 357 Sig v50 (fps)	New 44mag v50 (fps)		
AIIIA	IIIA	1.09	0.3	1842	1681	[illegible]	[illegible]
AIIIAF	IIIA	1.19	0.3	1943	1785		

VISION

Outlast

Male Carrier Features

- [illegible]
- Exclusive ThorShield™ technology [illegible] (Standard [illegible])
- Outlast® Adaptive Comfort™ temperature regulating [illegible]
- Aegis™ anti-microbial deterrent [illegible]
- Soil and Durable Water Resistant (DWR) micro-fiber [illegible]
- Hidden dual plate pocket design accommodates 5" x 8" or 6" x 10" trauma insert plates in the front and back
- Self Suspending Ballistic System™ (SSBS)
- Durable elastic waist straps offer 8-point adjustability
- Internal 3" removable elastic cummerbund
- Quick-release of equipment can manage around the waist
- [illegible]
- [illegible]
- [illegible]
- [illegible]



Female Carrier Features

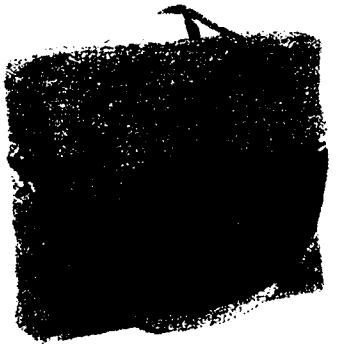
- Anatomical Bright Pearl™ contoured [illegible] and supports the bust [illegible] accommodates different measurements
- Higher neckline with two more inches of protective coverage
- Exclusive ThorShield™ technology [illegible] (Standard [illegible])
- Outlast® Adaptive Comfort™ temperature regulating [illegible]
- Soil and Durable Water Resistant (DWR) micro-fiber [illegible]
- Aegis™ anti-microbial deterrent [illegible]
- Hidden plate pockets in the front to conceal 6" x 8" trauma insert plates and stealth pockets in the back to accommodate either 6" x 8" or 6" x 10" plates
- Self Suspending Ballistic System™ (SSBS)
- Durable elastic waist straps offer 8-point adjustability
- Internal 3" removable elastic cummerbund
- Raglan cut, short-tail construction minimizes bulk
- Front loading zipper opening for convenient ballistic panel insertion and removal
- Perfect medical-grade hypoallergenic [illegible] in anti-microbial protection
- Carrier available in black, Navy, olive and tan

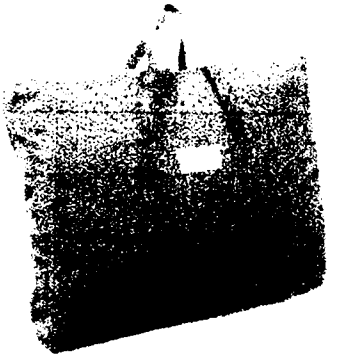
ACCESSORIES FOR CONCEALABLE BODY ARMOR

CONCEALABLE ACCESSORIES

Model	Retail
Polycotton Carrier	$ [illegible]
Hi Lite Carrier	$ [illegible]
Vision w/ Thorshield	$ [illegible]
Quilted Outershell	$ [illegible]
Tailored Armor Carrier	$ [illegible]
SSBS Straps	$ [illegible]

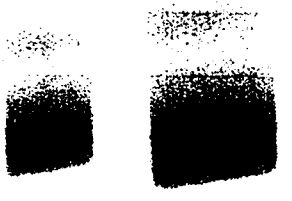
Carry Bags	Retail
Cordura Carry Case	$ [illegible]
Nylon Vest Carry Bag	$ [illegible]





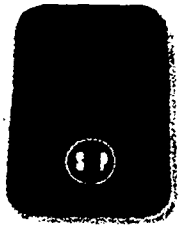
Soft Trauma Insert	Retail
5"x8" Soft Trauma Insert	$ [illegible]
8"x10" Soft Trauma Insert	$ [illegible]

Steel Trauma Insert	Retail
5"x8" Steel Trauma Insert	$ [illegible]
6"x10" Steel Trauma Insert	$ [illegible]



Blade Plate	Retail
5"x8" Blade Plate	$ [illegible]
6"x10" Blade Plate	$ [illegible]
10"x12" Blade Plate	$ [illegible]

Special Threats Plate	Retail
5"x8" Special Threat Plate	$ [illegible]
8"x10" Special Threat Plate	$ [illegible]



STP PLATE	
Model No.	STP
Weight for 5" x 8"	[illegible] lbs
Weight for 8" x 10"	[illegible] lbs
Thickness	[illegible]
Material	Polyethylene Composite

STANDARD WARRANTY

1. Warranty Card

1.1. Included with the outer shell carrier is a warranty registration card that must be completed and returned to the manufacturer's address posted on the card for the warranty to be effective.

2. Outer Shell Carrier Warranty

2.1. The outer shell carrier and other non-ballistic components are warranted to be free from material and manufacturing defects for 24 months from either the date of issue to the individual user, as verified by the warranty card, or one year after date of manufacture, whichever comes first.

2.2. During the warranty period, any garment having a manufacturing or material defect, as determined through inspection by an authorized Point Blank representative, will be repaired or replaced at no cost to the customer.

2.3. There are no warranties, expressed or implied, that extend beyond the warranty period set fourth herein.

2.4. The outer shell carrier warranty shall be void if the product has been altered, abused, or misused, stored improperly, or not cleaned in accordance with cleaning instructions.

3. Soft Ballistic Component Warranty

3.1. The bullet resistant elements are warranted to perform to their NIJ certified standard for a period of five years from the date of issue to the individual user, as verified by the warranty card or one year after date of manufacture, whichever comes first, under normal wear conditions and if properly maintained.

3.2. The bullet resistant elements of this system have been tested and certified by the National Institute of Justice and passed the compliance requirements of the NIJ Standard for Ballistic Resistance of Personal Body Armor.

3.3. The ballistic elements are warranted to be of the same construction and design as the original NIJ certified model listed on the label.

3.4. During the warranty period, any soft ballistic component having a manufacturing or material defect, as determined through inspection by an authorized Point Blank representative, will be repaired or replaced at no cost to the customer.

3.5. Should the soft body armor ballistic panel cover be compromised (cut, torn or frayed), it should not be worn and immediately returned to the manufacturer for inspection and repair. If the damage is the result of normal wear and tear, the damage will be repaired free of charge. If however, the damage is the result of improper care, storage or abuse, determined solely by Point Blank, then Point Blank will advise the owner of recommended repair or replacement costs.

3.6. The ballistic or stab resistant elements of this system will reduce the possibility of serious physical injury to the wearer in the areas covered by the ballistic or stab elements.

3.7. There should be no expectation of bullet or stab resistance in areas not covered by the ballistic or stab element. The ballistic or stab element is not warranted to be bulletproof or stab proof.

4. This warranty does not cover and is void for:

- Any garment altered or modified in any way other than Point Blank authorized factory alterations.
- Any ballistic or stab element that has been altered or modified in any way other than Point Blank authorized factory alterations.
- Any ballistic or stab element not in a Point Blank outer shell carrier.
- Damage as a result of abuse or misuse.
- Damage as a result of improper storage or maintenance.
- Penetrations as a result of ballistic or stab testing.
- The results of any specific ballistic or stab testing.
- Injury as a result of bullets or other projectiles or instruments not impacting the ballistic or stab element.

APRIL 1 2011

EUREKA CITY COUNCIL

AGENDA SUMMARY

RE: REDWOOD COAST MONTESSORI SCHOOL USE AGREEMENT EXTENSION AND FEE WAIVER REQUEST	FOR AGENDA DATE: MAY 3, 2011 AGENDA ITEM NO.: 6

RECOMMENDATION:

1. Authorize a one year extension of the Use Agreement for the Cooper Gulch Recreational Building with Redwood Coast Montessori School, and;
2. Deny Redwood Coast Montessori School's request to waive the Zone Reclassification Fee.

SUMMARY:

On August 18, 2009, Council directed staff to execute a month to month rental agreement (Use Agreement) for the Cooper Gulch Recreation Building with Redwood Coast Montessori School (RCM) for two years. RCM believed that two years would allow them sufficient time to find a permanent location for the School. During the month to month tenancy RCM agreed to apply for a Conditional Use Permit (CUP) and Zone Reclassification (ZR). It was anticipated that RCM would apply for, and receive, the CUP and Zone Reclassification within a few months.

Prepared by: Lisa Savage, Project/Property Manager *LS*

Continued page 2

FISCAL IMPACT:
None with this action.

DEPARTMENT HEAD SIGNATURE:	CITY MANAGER SIGNATURE:
Bruce Young Public Works Director	*David W. Tyson* City Manager

REVIEWED BY:	DATE:	INITIALS:
City Attorney		
Finance	4-28-11	RS
Engineering	4-28-11	KG
Community Development	4-27-11	LS

Council Action:

Ordinance No. _____ Resolution No. _____

SUMMARY *(continued)*

RCM submitted CUP and ZR applications to Community Development in May and July of 2010 respectively. Community Development was directed to begin work on the applications, although fees were not initially submitted. The CUP and ZR are ready to be heard by the Planning Commission upon payment of required Community Development Department application fees. Fees for the CUP were just recently paid on April 27th, but Zone Reclassification fees have yet to be paid. The CUP is generating the need for the ZR (i.e. a ZR would not otherwise be required for the City to continue to use the facility as we have for years), and cannot move forward without it.

The Zone Reclassification fee, based on actual to date and anticipated staff time, is estimated at approximately $1,275. In addition, costs for required noticing for Planning Commission and City Council public hearings (publication in the Times-Standard, postage and site signage) are estimated at an additional $670.

The two year term is set to expire on August 20, 2011. The City sent a letter to RCM on February 23, 2011 **(Attachment 1)** notifying them that the end of the term was approaching. The letter also explained that in the event RCM has not found a permanent location and would like to remain beyond the end of the term that it would be necessary to request a one year extension from City Council.

On March 30, 2011, RCM sent a letter to the City **(Attachment 2)** formally requesting a one year extension, agreeing to pay the CUP fee and asking Council to waive the Zone Reclassification Fee.

At this time, Public Works supports a one year extension of the use agreement. However, it is Public Works desire to reevaluate the situation at the end of the one year extension. The Recreation Department currently utilizes a small room on the exterior of the Cooper Gulch Recreation Building to operate the G.U.L.C.H. Teen Program and Public Works anticipates that they will eventually expand beyond this limited space. This growing program coupled with the general public recreation related uses for the building is the reason Public Works requests to reevaluate the situation following the one year extension.

ATTACHMENTS:

ATTACHMENT 1: February 23, 2011, letter to Redwood Coast Montessori School.

ATTACHMENT 2: March 30, 2011, letter to Redwood Coast Montessori School.

Staff recommends:

1. Authorize a one year extension of the Use Agreement for the Cooper Gulch Recreational Building with Redwood Coast Montessori School, and;
2. Deny Redwood Coast Montessori School's request to waive the Zone Reclassification Fee.

CITY OF EUREKA

531 K Street • Eureka, California 95501-1146

February 23, 2011

Terri Vroman-Little
Redwood Coast Montessori
1720 10th Street
Eureka, CA 95503

Dear Ms. Vroman-Little,

This letter is a follow up to our January 25, 2011, meeting to discuss Redwood Coast Montessori's (RCM) use of the Cooper Gulch Recreation Building and the status of the Zone Reclassification and Conditional Use Permit required for the use of the facility.

In 2009, when RCM was no longer able to utilize space at Grant Elementary School, you requested the City approve temporary use of the Cooper Gulch facility to allow time for the school to find a permanent location. On August 18, 2009, the City Council authorized staff to execute a month to month rental agreement for the Cooper Gulch Recreation Building. If a Conditional Use Permit was approved, the lease agreement would be for a two year term beginning August 21, 2009, and terminating August 20, 2011.

As you are aware, due to the zoning and change in use of the building by the school, several actions were required including the need to apply for and obtain a Conditional Use Permit and Zone Reclassification. A fire alarm system was also required prior to occupancy. These requirements were outlined in a letter dated August 9, 2009.

In May 2010, the school applied for a Conditional Use Permit and Zone Reclassification, but did not pay the application fees. By letter dated October 1, 2010, Community Development Director, Sidnie Olson, advised you the review and analysis had been completed and the matter was ready for a public hearing before the Planning Commission; however, the application fees in the amount of $3,185 must be paid prior to scheduling the hearing. In our recent meeting, you informed staff of your desire to ask the Council to waive the application processing fee.

On June 15, 2010, the school applied for a building permit to install the fire alarm system and the Fire Department returned the plans for modification on July 6, 2010. A permit for the work was not issued; however, the fire alarm system has been installed. In our recent meeting, we explained the need to obtain the building permit for the installation and schedule an inspection.

In 2009, it was anticipated the school would have applied for, and received, a Conditional Use Permit and Zone Reclassification within a few months of occupancy and a two year lease would be executed. Since the agreement is set to expire in less than six months, it does not seem necessary to hold a public hearing if the school plans to re-locate prior to August 21, 2011, in conformance with the agreement. Community Development has completed their review of the application, but if it is not necessary to schedule the public hearing, I would support considering a reduction in the fee.

If the school has not found a permanent location and would like to stay beyond August 20, 2011, it will be necessary to request a one year extension from City Council. If Council approves an extension, you will need to pay the Conditional Use Permit and Zone Reclassification Application fees and have the public hearing scheduled in a timely manner. If you wish to ask Council for a fee waiver, you can include that in your request for an extension. To request an extension, please submit a letter addressed to the City Manager requesting continued use of the facility for a specified period of time.

In summary, the City is pleased to have been able to assist RCM with their transition by allowing temporary use of our Cooper Gulch Recreation Building.

Should you have any questions or need further clarification, please contact Lisa Savage at 441-4186.

Sincerely,

Michael Knight
Assistant City Manager

MK:sah

cc: City Manager
Project/Property Manager
Recreation and Facilities Manager
Public Works Director
Community Development Director

Redwood Coast Montessori
A community of joyful scholars...

March 30, 2011

RE: Cooper Gulch Recreation Facility Lease

Dear Mike,

I am writing on behalf of the Parent Advisory Organization of Redwood Coast Montessori to follow up on our January meeting and your letter in February.

First and foremost, we want all of you to know that we are glad every day that we were able to open our program in the recreation building. The children, families, and extended community love the site, access to the gulch and the fact that there is a place for elementary children to learn, hike, run, explore nature, and to be able to do many, many walking field trips due to how close the site is town and other destinations. We think we have had a positive impact on the neighborhood and activities in the area. We are a group of individuals who have never started a school before. We had a lot of work, fundraising, learning and some mistakes to make along the way and acknowledge the patience and professional approach to our struggles City staff has extended us thus far. Delays came up that more experienced groups might have avoided. No mistake was purposeful or intended to cause problems for the City or staff. Rather than detailing our mistakes, we would like to get to the main points:

- With the fire alarm system now properly permitted, we should be cleared for the conditional use permit (CUP). We discussed asking the City to waive the CUP fee but agree it would not be fair to ask that this be waived.
- We do want to ask that the rezoning fee be waived. If we understand the zoning problem, the recreational facility has been operating on the property without proper zoning for some time but because a CUP was not needed, the oversight had not come up before. The current zoning seems to be an accidental oversight given the recreation facility's location on the property and the zoning of adjacent park property. We ask that

the City cover the cost of changing to the proper zoning that will then be suitable for a recreation facility or a school.

- We asked for a two year lease with the belief that in the two years we would be able to find a suitable permanent site for our school. We also held the belief that there were no plans for any other use for the building, that it had been underutilized for some time, and we were likely to be granted an extension to our initial agreement should we decide we wanted to continue offering our school program there.
    - At this point in our second year of occupancy, we have not found a suitable new location for our program and want to ask for a one year extension to the current two year agreement. We The state's cuts to the education budget was already going to be a challenge as we started our program but none could have predicted how much worse it would get in such a short time and how those cuts would impact us as a program. Where there had been special funding for new charter school sites there is no money and the regular program operating funding has been cut dramatically, which complicates our site search. We continue to search and remain hopeful that the right property will be found.

We are grateful for the opportunity to house our school as a component of the offerings in the Cooper Gulch community and think the public school service we are offering compliments what is already successfully operating in the gulch. We like knowing there is a place in the gulch for local elementary aged children and their families and believe our particular approach to teaching and learning has made us an asset to the community.

Respectfully,

Terri Vroman Little for Redwood Coast Montessori's PAO

Cc: City Manager
Project/Property Manager
Recreation and Facilities Manager
Public Works Director
Community Development Director

EUREKA CITY COUNCIL

AGENDA SUMMARY

RE: INTEGRATED PESTICIDE, HERBICIDE AND FERTILIZER MANAGEMENT PLAN	FOR AGENDA DATE: MAY 3, 2011 AGENDA ITEM NO.: 7 *Page 1*

RECOMMENDATION:
Adopt Integrated Pesticide, Herbicide and Fertilizer Management Plan, guidelines for an environmentally sensitive approach to pest management for the City's Parks Division.

SUMMARY OF THE ISSUE:
Attached for the Council's consideration and action is the Integrated Pesticide, Herbicide and Fertilizer Management Plan. The Plan is a requirement of the City's Stormwater Management Plan (SWMP). By adopting these guidelines, the City will be complying with the Pollution Prevention / Good Housekeeping for Municipal Operations component of the SWMP. This Plan is aimed at protecting water quality and preventing practices that contribute to poor water quality. The Plan establishes policies and procedures for the management of pests in parks within a clear and easily understandable framework.

MIG, Inc. was contracted to create the Plan in April, 2010. They completed the Plan in November, 2010. It was distributed for review to Californians for Alternatives to Toxics, Humboldt Baykeeper and the City of Eureka's Parks Division. After review, the Stormwater Division incorporated all comments and finalized the Integrated Pesticide, Herbicide and Fertilizer Management Plan.

ATTACHMENTS
1. Integrated Pesticide, Herbicide and Fertilizer Management Plan.

FISCAL IMPACT:
Hardcopies of the manuals will be made available by the City's Stormwater Division for a fee of $15 a piece. They will also be made available for free on the City's Stormwater webpage, www.eurekastormwater.com.

MANAGEMENT ANALYST:	DEPARTMENT HEAD:	CITY MANAGER:
Miles Slattery *Project Manager*	Bruce Young *Public Works Director*	David W. Tyson *City Manager*

REVIEWED BY:	DATE:	INITIALS:
City Attorney		
Finance	4/28-11	RS

Council Action:
Ordinance No. _____ Resolution No. _____.

INTEGRATED PESTICIDE, HERBICIDE AND FERTILIZER MANAGEMENT PLAN

April 2011

City of Eureka California
Public Works Department
531 K Street
Eureka, CA 95501

Table of Contents

Section I: Introduction 1
Purpose 1
Definition of Terms 1
Policy and Mission 2
Plan Organization 2
Section II: Current Park Operations 3
Overview 3
Sites Managed and Maintained 3
Current Pest Management Practices 5
Budgeting for Integrated Pest Management 7
Section III: Pest Management Strategies, Policies and Practices 10
A. Pest Management Strategies 10
Priority 1: Prevention 10
Priority 2: Monitoring and Evaluation 10
Priority 3: Establishing Tolerance Levels and Addressing Pest Problems 10
B. Pest Management Policies and Practices 11
Section IV: Process for Selecting a Pest Control Method 14
Method Selection Considerations 15
Pesticide Selection Considerations 17
Section V: Pesticide Application Policies 19
Section VI: Specific Management Guidelines 38
Parks 38
Landscaped Areas 44
Paved Areas 46
Street Trees 47
Open Spaces 48

APPENDICES

Appendix A **Approved Pesticides List**
Appendix B **IPM Control Alternatives**
Appendix C **Pesticide Exposure Contacts**

Section I: Introduction

Purpose

The purpose of the Integrated Pesticide, Herbicide and Fertilizer Management Plan is to establish policies and procedures for the management of pests in parks within a clear and easily understandable framework. The framework presented here is based on a balance among maintenance levels, environmental stewardship and pesticide / herbicide / fertilizer use that fits Eureka's goals for its parks and that reflects staffing and budget level realities. Public Works developed this IPM Plan as part of its ongoing efforts to improve the Parks Division's services, improve water quality and meet community needs.

Definition of Terms

Eureka's Parks Division uses the University of California's definition of IPM, which is:

> *Integrated pest management (IPM) is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment.*

In terms of IPM, it is important to understand what a pesticide is. Pesticides are not just control methods for insects. The following definition of pesticide is broader and forms the basis of the IPM plan:

> *Any substance or mixture intended for preventing, destroying, repelling, killing, or mitigating problems caused by any insects, rodents, weeds, nematodes, fungi, or other pests; and any other substance or mixture intended for use as a plant growth regulator, defoliant, or desiccant.* (UC Statewide IPM Program)

Within this document, this plan is referred to as the IPM plan, and IPM is the term used to denote the management of pesticides, herbicides and fertilizers.

Policy and Mission

Through the preparation and adoption of this plan, Eureka's Parks Division adopts the following overarching policy on pest management:

> *Eureka's Parks Division personnel shall use Integrated Pest Management principles in controlling pest problems.*

As part of the development of the plan, the Eureka Parks Division establishes the following IPM program mission:

> *The mission of Eureka's Integrated Pest Management Program is to control pests that are harmful to the health or aesthetic value of park plantings, pedestrian/vehicular hardscapes, street trees, and landscape areas in a manner that is environmentally responsible, safe, and cost-effective.*

Plan Organization

This plan is organized into six sections, as follows:

I. *Introduction*: describing the purpose of the plan, defining key terms and establishing the IPM policy and mission;

II. *Current Park Operations:* outlining current responsibilities of the Parks Division, the sites managed and maintained, the current pest management practices, and budgeting for integrated pest management;

III. *Pest Management Strategies, Policies, and Practices:* presenting the strategies and policies the Parks Division employs when managing its lands and assets.

IV. *Process for Selecting a Pest Control Method:* describing the decision-making process that the Parks Division uses to determine the best course of action when a pest is discovered during the monitoring process;

V. *Pesticide Application Procedures:* identifying specific procedures Eureka will follow when it is determined that a pesticide/herbicide is the proper method;

VI. *Specific Management Guidelines:* presenting management guidelines organized by Park Areas, Landscaped Areas, Street Trees, and Creeks/Waterways/Wetlands and Buffers.

Section II: Current Park Operations

Overview

The goal of the Parks Division of Public Works is as follows:

> *Provide and maintain a quality system of park and landscape facilities for the use and enjoyment of the general public.*

The 2009/10 adopted City of Eureka budget allocated $629,483 and included a total of 7.00 full time employees (FTE) to carry out the Parks Division's program. These figures represent budget and staff reductions since 2007-08, meaning that there are fewer resources to maintain the same parks and landscapes as there were previously.

Currently, maintenance resources are allocated approximately 65% to the 138 acres of parks, 25% to the 42 landscaped areas, 5% to street trees and 5% to open space. This means approximately $410,000 is used for parks maintenance, $157,000 goes to landscaped areas, and about $31,000 each goes to street trees and open space respectively. Looking at the resource allocation in terms of staffing, 4.55 FTE is spent on parks maintenance, 1.75 FTE is devoted to landscaped areas, and 0.35 FTE each is allocated to street trees and open space.

Sites Managed and Maintained

Eureka's Parks Division crew is responsible for the stewardship of a wide variety of sites, including parks, pedestrian/vehicular streetscapes, publicly owned sites and buildings, landscaped beautification areas, open spaces, and street trees. The Parks Division has defined routes for its maintenance crews, and there is a detailed list of routine maintenance tasks for each site on each route.

In total, 138 park acres are maintained, including 35 acres of turf. In addition, the Parks Division's crew is responsible for maintaining 42 landscaped areas; including plazas, City Hall, and the fire stations. The same crews are also responsible for a total of 1,390 street trees, as well as open space lands (wild lands, gulch and greenway properties, etc.).

The table on the next page details the parks maintained by the Parks Division.

Table 1: Eureka Parks Maintained by the Parks Division

Park	Acreage	Turf Acreage	Comments
Ross Park	1.52	1.08	
Hammond Park	1.36	1.10	
20-30 Park	3.25	2.15	
Carson Park	3.45	2.60	
Highland Park	3.41	2.16	
Cooper Gulch	33.0	4.80	Ballfield, skatepark, forest, wetlands, creek
Sequoia Park	64.0	1.61	Site also includes a 0.5 acre garden and a 5 acre zoo, Redwood second growth forest, with some old growth.
Kennedy Park	2.51	2.5	Ballfields
Jacobs/Haney Ballfields			Ballfields
Hartman Ballfield	2.39	2.35	Ballfields
Del Norte Picnic Area	3.0	1.5	
Clara Mayberry Park and Playground	1.0	.1	Next to library
Halvorson Park (Carson Mill Park)	3.5	3.0	
Lundbar Hills Park	1.25		
Myrtle Grove Cemetery	10.6	9.79	

Based on the total of 138 acres of park land and a maintenance allocation of $410,000 for parks, Eureka is currently spending $2,970 per acre to maintain its park system. This is extremely low compared to other agencies. The 138 acres maintained and the 4.55 FTE allocation also translates to a total of 30 acres per FTE, a significant workload (12-14 acres per FTE is an industry standard workload for parks maintenance workers).

In northern California, city park annual maintenance costs of $6,000 to $7,000 per acre or more are typical for well-maintained systems. In southern Oregon, $5,000 to $6,000 is typical. Eureka's allocation is extremely low, and its workload per FTE is correspondingly high. For comparison purposes, the City of Shasta Lake in California spent more than $4,500 per acre to maintain its park system in 2005; Grants Pass, Oregon spent just over $6,000 per developed acre in 2008; and Sunnyvale, California used the 2008 figures of $16,000 per developed park acre and $1,000 per natural area acre to budget for maintenance of its park system. Arcata's park system is somewhat unique because of the extensive natural

areas in many of the parks. The city spends around $4,000 per acre for park maintenance.

Current Pest Management Practices

Integrated pest management is a process that uses a wide variety of strategies to control pests, and in doing so seeks minimum negative impacts to the environment and on human health. A key aspect of IPM is "to know your pest", and IPM is based on informed decision-making.

Within the IPM framework, Eureka uses a variety of pest management practices, including policy and management practices as well as cultural practices, physical and mechanical practices, and chemical control methods to maintain turf and vegetation quality.

Eureka's staff routinely monitors sites through their route assignments, and personnel strive to identify problems before they become significant. When pests are identified, Eureka uses a variety of means depending on the pest and the location. For example, mowing, trimming and hand pulling of weeds is used in certain circumstances. In other circumstances, chemical controls may be used under the supervision of licensed operators. Sometimes, a combination of treatment methods may be the best solution, such as cutting followed by chemical controls for certain invasive plants. When a combination of pest control methods are used by trained personnel, the result is a program that is environmentally and economically responsible.

Eureka is committed to prevention of pests. Public Works has a tree list developed specifically for Eureka that has been designed to avoid problem trees. In addition, the crews install weedmats and mulch planting beds for weed abatement. In the past, the Parks Division crews also incorporated horticultural practices such as aeration and overseeding of turf areas. Edging is practiced and one of the routine tasks noted in the maintenance schedule. Paved parking areas are powerswept by Public Works crews.

However, the Parks Division's crews have had to reduce their monitoring and pest preventive activities due to the budget and staffing reductions. The current low level of funding for each of the three areas of responsibility (Parks, Landscaped Areas, and Street Trees) is at a subsistence level, and hinders the ability of the division to be as proactive as it would like in its horticultural practices. For example, when staffing levels were higher, park turf was aerated and lightly fertilized twice per year and overseeded as needed.

Another aspect of the current pest management program is weed tolerance level. As resources have been reduced, the City has asked the public to increase their tolerance (or acceptance) level for weeds and pests in parks,

landscaped areas and street trees. The level of maintenance and the weed treatment level are higher for higher use areas, but the tolerance level is extremely high. Parks are prioritized higher than landscaped areas, which are considered a higher priority than street trees.

When crews do note the existence of pests and determine that removal is warranted, a variety of methods are employed. Volunteers are used to hand pull invasive species in natural areas. Some mechanical removal methods are employed where appropriate for the pest. When chemical removal is determined to be the best course of action, the policy of the Parks Division has been to use the least toxic pesticides and to focus on spot treatments using a hand pump sprayer or small electric sprayer.

The term toxicity is defined by Webster's Medical Dictionary as *the degree to which a substance can harm humans or animals*. Signal words are required by federal law on pesticide products, and indicate the level of toxicity. The words DANGER, WARNING or CAUTION, written in all capital letters, are the signal words the Environmental Protection Agency requires. Products with the signal word DANGER are the most toxic, and those with the word CAUTION are least toxic. These words mean the following:

- CAUTION means that the product is slightly toxic if eaten, absorbed through the skin or inhaled; or it causes slight eye or skin irritation upon contact.
- WARNING indicates that the product is moderately toxic if eaten, absorbed through the skin, inhaled, or that it causes moderate eye or skin irritation upon contact.
- DANGER means that that the pesticide product is highly toxic by at least one route of exposure. It may be corrosive, causing irreversible damage to the skin or eyes. Alternatively, it may be highly toxic if eaten, absorbed through the skin, or inhaled. If this is the case, then the word "POISON" must also be included in red letters on the front panel of the product label.

Eureka Park Division's operational practice has been to avoid the use of products with the signal words WARNING or DANGER. The table below details the CAUTION-rated chemicals used by the Parks Division, and indicates the purpose of each as well as the location and season used.

Table 2: CAUTION-Rated Pesticides Currently Used By the Parks Division

Pest./Herb./Fert.	Active Ingredient	Purpose	Where Used	Season of Use
KleenupEPA#34704-890G	Glyphosate,N	Broadspectrum weed abatement	Park/Landscape Areas	Spring/Fall
Element4EPA#62719-40	Triclopyr	Woody/herbaceous weed control	Park/Landscape Areas	Spring/Fall
Surflan EPA# 70506-44	Oryzalin	Preemergent weed control	Planterbeds/Cemetery	Spring/Fall
Scythe EPA#53219-7	Pelargonic Acid	Mark ballfield foulines	Ballfields	Spring
SafersoapEPA#42697-1	Potassium fatty acids	Aphid, Scale and Whitefly spot treatment	Shrubs and trees	Spring (only as required)
SnapshotEPA62719175	Trifluralin, Isoxaben	Preemergent weed control	Planterbeds	Spring/Summer/Fall
Malice EPA#34704-970	Imidacloprid	Linden Tree aphid/ant/black mold mitigation	Selected Street Trees	Spring soil drench

Budgeting for Integrated Pest Management

Because of the meager budget for park maintenance, the result today in Eureka is a park system whose appearance and condition is below the best practices standards and where weed preventive practices have had to be deferred. For example, without soil amendment and weed control, much of the turf has become overgrown with weeds. Without weed control within the cracks of hard surfaces and within the tree wells, weeds are now very prominent. Without control of insects, aphids are creating black sticky conditions underneath.

It should be noted that while a park system can withstand deferred maintenance for a short period of time, eventually the park system will fall to the point where significant costs will be needed to repair the damage. With regard to weeds and pests, Eureka's system is now at the point where substantial inputs are needed to get the system back to a basic level of care. Under the IPM decision-making process, there are a variety of ways to address the problem of weeds. Three scenarios of pest management are described below, with cost implications for each, as each scenario represents a different level of staffing or funding for contractors. See Appendix B for IPM cost assumptions and control alternatives.

- *Status Quo:*
  The status quo at the current level of funding is to conduct no weed or pest prevention. No aeration, overseeding, or soil amendment takes place. Mulching beds occurs as staff time permits, but each year only a

minimal percentage of the planting beds in the system are mulched. No arboricultural activities occurs, e.g., pruning.

The cost of the status quo is approximately $3,000 per acre. While this approach is unsustainable in the long term, as it results in degrading of the assets and a subsequent need for major capital investment, it is cost neutral as long as the system does not grow in size and as long as the tolerance for weeds is very high. However, the status quo does not represent a true IPM program, as prevention is not being funded.

- *Basic IPM*
  A basic IPM would allow adequate funding to provide preventive activities that were once practiced in Eureka's park system, including overseeding and aerating turf at least annually, application of mulch at least annually of planting beds, spot removal of weeds in planting beds and in turf, pruning of trees, and other activities described in Section III of this plan.

  Instituting basic IPM in Eureka's park system would require a budget increase of at least 30%, or about $1,000 per acre. This translates to an annual budget increase of $138,000. This level of funding would result in a mix of hand, mechanical, and chemical removal methods, as well as the reinstitution of preventive horticultural practices, following the decision-making protocols described in Section III of this plan. Because the system has had underfunded maintenance for several years, the first few years of a basic IPM program will likely require a focus on weed and pest removal to regain control.

- *Pesticide Free Parks*
  A pesticide free park represents the highest level of cost because all weed removal must be done by hand. In Eureka, where weed prevention has been cut from the budget, getting the weed problem under control without chemicals will require a major effort for several years and the City will need to be committed to adequately staffing the weed removal effort.

  In terms of the cost of going pesticide free, different maintenance tasks have different costs. For example, handweeding of planting beds is estimated to cost approximately three times the cost of burning or spot chemical application due to the increased staff time required. A Nature Conservancy publication compares the cost of broom removal methods, indicating that $2,000 per acre should be allocated for hand removal, $250 to $500 per acre for mowing (not including equipment cost), and $300 per acre for chemical treatment (including chemical costs). For

invasive weeds such as Japanese knotweed or Scotch broom, organizations such as the Nature Conservancy do not recommend hand removal or cutting and use herbicide (usually spot) treatments to reduce impacts to natural areas.

Based on the estimated costs of the different maintenance tasks that are required in Eureka's park system, basic IPM is approximately 65% less than pesticide free parks. This means that an additional $90,000 above the budget for basic IPM, or a total of $228,000 more than what is budgeted today. As noted, costs may be higher for several years to get the weed problems currently present in the system under control.

The above costs are based on maintenance management time tasks and the current pay rates/ worker positions in Eureka's Park Division. Because the Division has seen such substantial staff reductions, if a change in maintenance regime is instituted, the City should collect data on the time requirements for new tasks or tasks that have not been undertaken for several years and adjust cost planning annually.

Section III: Pest Management Strategies, Policies and Practices

The purpose of this section is to formally document the Eureka Parks Division's strategies, policies and practices.

A. Pest Management Strategies

There are five general categories of pest management strategies in IPM: prevention, establishment of tolerance levels, monitoring, addressing pest problems, and evaluation. While it is important to control pests when they become a problem, Eureka's approach to pest management is to avoid pest problems wherever possible. For this reason, Eureka's Parks Division generally prioritizes its pest management strategies in the following manner:

Priority 1: Prevention

Pest prevention activities are the first pest management priority for Eureka's Parks Division. As this plan shows, Eureka implements pest prevention activities in a number of ways, ranging from facility design and plant selection to horticultural practices such as mulching to mechanical/physical practices such as mowing, trimming, hoeing by hand, edging and sweeping. Prevention activities are a key component of the IPM plan, because these avoid, eliminate, or reduce pest problems.

Priority 2: Monitoring and Evaluation

Monitoring and evaluation are the second highest priorities. Through monitoring, Parks Division personnel can identify potential problems before they become large-scale or persistent. Monitoring helps employees to arrive at the best solution for controlling a pest problem. Monitoring also provides time for the staff to identify unusual pest problems and seek outside expertise, such as private laboratories, the UC Statewide IPM Program, the California Department of Pesticide Regulation, the Humboldt County Agricultural Commissioner, or the UC Cooperative Extension Service.

Through evaluation, Parks Division personnel can judge the success of pest prevention, management, and control methods. This is a key part of the informed decision-making process that is central to IPM.

Priority 3: Establishing Tolerance Levels and Addressing Pest Problems

The Parks Division establishes tolerance levels for pests so there are thresholds for treatment. Although Eureka seeks to avoid or minimize pest problems through prevention and monitoring, at times pests will reach the tolerance level and should be addressed before the problem is exacerbated. When pests exceed

the tolerance level, Eureka's Parks Division addresses the pest problem by carefully evaluating options to produce the best solution.

B. Pest Management Policies and Practices

The following section describes the policies pertaining to pest management in Eureka, as well as practices and procedures. Through its ongoing evaluation and education practices, Eureka's Parks Division may modify or revise this list to reflect current best professional practices.

Management and Planning Policies

There are four specific management policies, described in detail below.

IPM-1: Designating an IPM Coordinator

Eureka designates an IPM Coordinator as part of its Integrated Pest Management plan. The IPM Coordinator is responsible for overseeing implementation of the IPM plan, making decisions on policy changes, and keeping current on new developments in pest management techniques, as well as other responsibilities outlined within this plan. The IPM Coordinator will be responsible for making sound and responsible decisions about pest management based on the best available science. Unless otherwise designated, the IPM Coordinator is the Parks & Maintenance Manager.

IPM-2: Requiring certification and continuing education

Eureka's policy is that only licensed pesticide applicators (Qualified Applicator license holders) may oversee the application of pesticides in the park system. This is above the California Department of Pesticide Regulation's requirement, which only requires licensure for those applying "restricted" category pesticides. None of the chemicals currently used by Eureka Parks Division staff are on the restricted list. The licensing program requires applicants to pass a test on laws and safety, turf and ornamental weed control, ornamental insect and disease control, and other topics. The program also requires license holders to complete continuing education to maintain licensure.

IPM-3: Preventing pests through site design and plant selection

Many pest problems can be avoided or minimized through thoughtful site design and proper plant selection. Some of the activities that Eureka supports to accomplish this include:

- Use of disease or pest resistant/tolerant species and varieties (with priority given to native species).
- Selection of appropriate plants for the site and avoidance of invasive weed species.
- Replacement or removal of pest-susceptible plants.

- Establishment of over-story, groundcovers and other planting design techniques that benefit the establishment of plants and the reduction of weed control efforts.
- Proper and adequate spacing of plant material to reduce insect and disease problems.
- Promotion of species diversity and reduction of monocultures in plantings.
- Elimination of disease host plants.
- Installation of weedmat/mulch where appropriate.
- Providing mow bands and hardscapes where warranted to eliminate problem areas.

This requires ongoing research and consultation with nurseries and plant experts, as well as review and oversight of new park designs.

Operations Guidelines

Eureka's Parks Division personnel recognize the Operations Guidelines described below and use them to guide their decisions.

IPM-4: Recognizing levels of care

Where it has been determined to be appropriate for a given park site, the landscape can be left alone or can receive a reduced level of care. This can serve the dual purpose of reducing or eliminating pest control measures and reducing maintenance costs. Care must be exercised when considering managing park lands in this fashion, as issues such as public safety, increased vandalism, establishment of invasive plants, and loss of public use may arise.

IPM-5: Establishing levels of tolerance for pests

The acceptable level of tolerance and thresholds for action will vary according to plant, pest, and site. Different park areas have different standards of acceptable care and appearance. Determining whether a particular park area requires control of pests and the level of that control must take these differences into account. Careful attention to public use needs must be part of this prioritization. Action thresholds will be made on a case-by-case basis. Once a tolerance level is reached, the most appropriate control method is selected using the criteria outlined in Section 4.

IPM-6: Preventing pest through elimination of problem areas

Prevention can occur through elimination of known problem areas at existing park sites, thus eliminating the need for weed control. For example, permeable hard surfaces can be established underneath park fixtures or concrete mow bands can be provided underneath fences.

Operations Practices

Operations Practices are organized into the following categories: cultural practices, mechanical and physical practices, biological controls, and chemical controls. These are practices that the Parks Division may employ when preventing or removing pests.

Cultural Practices

Cultural practices are landscape horticultural methods, which promote plant health and reduce susceptibility to pests.

- **Using horticultural knowledge**

The IPM Coordinator and Parks Division personnel should use their knowledge of the culture of individual plant genera or species to provide proper conditions for optimum plant health and pest resistance. The Parks Division should seek to increase horticultural knowledge among its staff through training and continuing education.

- **Preparing sites properly**

Sites should be adequately prepared before plantings are installed. Preparation techniques will vary depending on the site, but can include use of clean weed-free soil, soil improvements, pruning of surrounding vegetation, soil grade adjustments, use of permeable hardscape surfaces, drainage improvements, and installation of automatic irrigation systems.

- **Using irrigation properly**

Use of proper irrigation methods and application rates will reduce the need for pesticide use. This means that irrigation should be timed correctly to promote plant health and eliminate drought and flood stress. Plants stressed from too much or too little water are susceptible to pests.

- **Creating healthy soil**

The appropriate use of compost and other natural amendments can create healthy soil, which promotes plant health. Clean weed-free soil should be used in planters.

- **Using appropriate turf management techniques**

Using proper turf cutting heights and mulching with grass clippings (not raking up clippings) helps maintain healthy turf. Periodic aeration, thatching, and/or overseeding of turf and compacted areas improve turf health.

- **Using weedmat and mulch where appropriate**

Use of weedmat and mulch can reduce weeds, help planting beds retain moisture, and protect planting beds during winter months. Mulching with gravel along hard surface trails can help reduce weed growth, thus reducing the need

for pest control in these areas. While mulching is generally beneficial, there are circumstances where use of mulches can encourage weed establishment. In some cases, mulching in tree rings (such as under mature Douglas firs) provides a medium for weed growth, when the tree canopy previously shaded and kept the tree ring area dry and unfavorable to weeds.

- **Using cover crops**

The use of cover crops can improve soil structure and reduce soil erosion, and should be considered where appropriate, such as in areas under periodic cultivation.

Mechanical and Physical Practices

Mechanical and physical practices include pulling, cutting, or otherwise damaging or removing potential pests. These practices may or may not involve the use of hand tools or power tools.

- **Mechanical edging of turf**

Where trimmed edges are desired, mechanical edging of turf can maintain a neat edge and reduce the need for pesticide use.

- **Proper pruning of trees and shrubs**

Proper pruning of trees and shrubs increases air circulation and light penetration for healthier plant growth, reducing susceptibility to disease and insect problems.

- **Removal of diseased, damaged, or deadwood from plants**

Removal of diseased, damaged, or deadwood from the plants, or complete removal of diseased trees, reduces the susceptibility to disease and insect problems.

- **Removal of spent flowers**

Removal of spent flowers on shrubs and annuals can reduce the susceptibility to disease and insect problems.

- **Power sweeping of paved areas**

Power sweeping of paved areas reduces debris and the potential for weed growth.

- **Hand weeding in shrub and flower beds**

Hand weeding can be an appropriate pest removal technique in shrub and flower beds. Hand weeding may or may not involve the use of hand tools, such as hoes or other devices.

- **Hand clearing in rough areas**

Hand clearing can be an appropriate technique in rough areas for vegetation control. This can include use of hula-hoes and other hand tools.

- **Mowing of rough areas**

Mowing of rough areas can be an appropriate technique for weed seed and vegetation control. Timing of mowing is important to ensure that weed seeds are not dispersed, rather than controlled.

- **Mechanical control of unwanted vegetation**

Mechanical controls, such as string trimming, rotary mowing and flail mowing, can be an appropriate technique for control of unwanted vegetation in larger open areas.

- **Use of traps**

The use of traps such as yellow sticky boards or traps for mammalian pests can reduce pest problems. The use of a licensed trapper is another alternative.

Biological Controls

Biological controls include the beneficial action of predators, parasites, pathogens, and competitors in controlling pests and their damage. There may be appropriate biological solutions for specific pest situations. The IPM Coordinator should maintain awareness of research or new developments in biological controls and determine whether specific methods are applicable to Eureka's park system, landscaped areas and street trees.

Pesticide Controls

Pesticide controls include pheromone traps, naturally derived pesticides, and synthetically derived pesticides. Specific policies and procedures addressing the use of chemical controls are included in Section 5.

Section IV: Process for Selecting a Pest Control Method

Method Selection Considerations

It is important to recognize that IPM is based on using a wide array of practices, and that control of pests often requires the use of a combination of control methods. For example, manual cutting followed by application of herbicide has been found to be successful for removing some invasive species. When selecting pest control methods, all available options should be considered: mechanical and physical, biological, and chemical. Each option will have advantages and disadvantages, and these should be evaluated to determine the best method for the situation.

The pest control method(s) should be selected based on the following considerations:

Table 3: Considerations for Pest Control Selection

Risks to humans and non-target organisms
Environmental effects
Labor requirements and constraints
Costs/financial impacts
Aesthetic issues/level of service
Long-term effectiveness

The diagram on the next page outlines the process for selecting the appropriate pest control method(s), and the considerations that go into the decision.

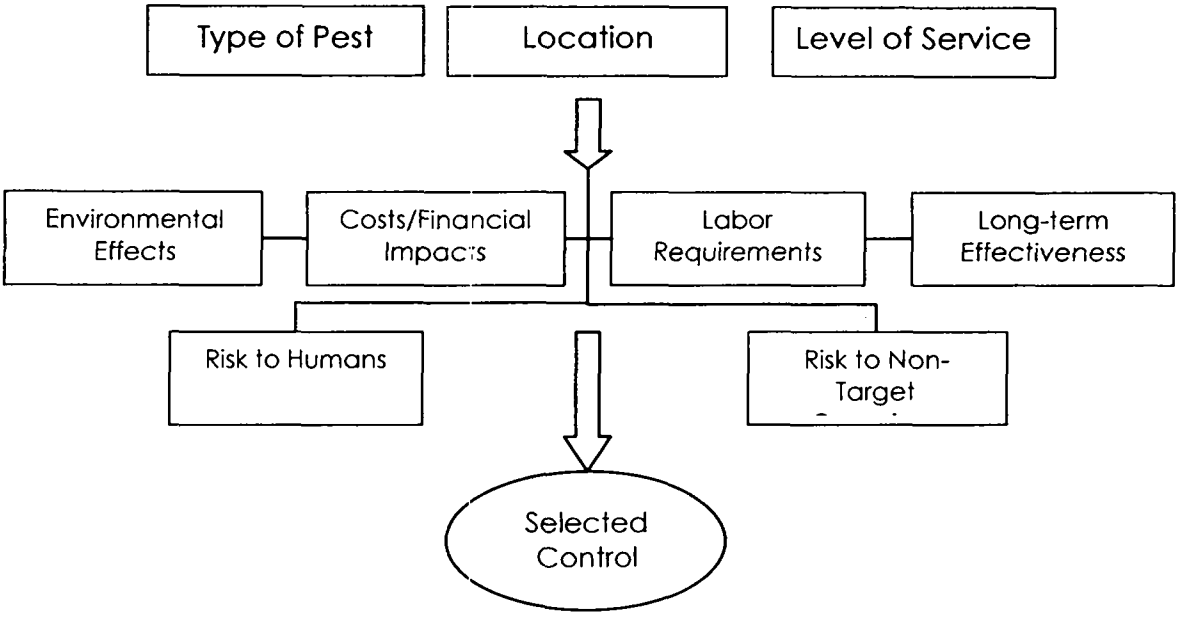


Figure 1: Control Method Decision Process

Pesticide Selection Considerations

It is important to keep in mind that pesticide use may or may not be negative in its effects. There is no automatic trade-off between environmental responsibility versus pesticide use or the safety/risk of no pesticide use versus the safety/risk of other techniques. In fact, at times a pesticide may be more environmentally responsible than other methods. For example, The Nature Conservancy has conducted extensive research into the best management techniques for weeds in natural areas, and has identified certain pesticides as the most environmentally responsible and most effective method in some cases, particularly for certain invasive weeds such as knotweed. See The Nature Conservancy's informational handbook entitled *Weed Control Methods Handbook: Tools and Techniques for Use in Natural Areas* is available on the web at http://www.invasive.org/gist/products/handbook/methods-handbook.pdf and provides excellent guidance.

Although pesticide use may sometimes be the best control method, implementation of IPM philosophy and techniques typically does result in less pesticide use as long as there is adequate staffing to conduct prevention and monitoring activities. It is also important to point out that in addition to typically reducing the need for pesticides, IPM also often results in better pesticide selection protocols. This ultimately results in the use of products that have reduced impacts or other favorable characteristics.

When the best pest management technique is determined to be a pesticide, Eureka can avoid or minimize risks by careful selection and application of the chemical. Specific properties of the pesticide products should be evaluated. These are outlined below.

Table 4: Product Properties to Consider in Pesticide Selection

Residual effect and length, decomposition rates, and breakdown products
Volatility at different temperatures
Product / package size and form (ease of storage and cleanup)
Leachability: solubility, surface, and soil bonding capability
Flammability of the product
Ease of cleaning equipment after use

There are a variety of other factors that should be considered when selecting a pesticide product. The table below contains a list of additional considerations that should be evaluated when selecting a particular pesticide. Many of the considerations in Table 5 relate to specific knowledge or awareness of pesticides, best management practices, and case studies. It is the responsibility of the IPM Coordinator to keep current on these topics, and to share that knowledge with Parks Division personnel.

Table 5: Additional Considerations for Pesticide Selection

Site use	The types of use a given area might receive, including likely visitors and activities
Available application equipment	Compare available equipment with recommended product application method
Weather conditions	Current and anticipated, including wind, rain, and temperature
Site conditions	Soil type, slope, drainage patterns, and presence of open or seasonal water
Previous pesticide applications	Previous pesticide applications to the site and the interval between treatments.
Development of pest resistance to particular control methods	Rotation of control methods, such as alternating pesticide products, can minimize the risk of resistance in some cases.
Residual buildup of pesticides in soil, water, or target site	The cumulative effect of repeated applications may need to be taken into account.
Positive and negative synergistic effects of combining pesticides	Compatibility of different pesticides may be of concern both regarding their physical traits, as well as their effects on the target pest or beneficial organisms.

Section V: Pesticide Application Policies

To minimize risks, Eureka has adopted specific policies regarding chemical applications. These policies are intended to provide guidance for Parks Division personnel. The policies are numbered PA (Pesticide Application)-1 through PA-13, and address a variety of aspects of pesticide applications.

PA-1: Pesticides Approved For Use By Eureka's Parks Division
Eureka shall maintain a list of pesticides approved for use by Parks Division personnel on park property, public facilities or street rights-of-way.

The Approved Pesticide List is contained in Appendix A of this plan. This policy also defines the process of adding to or deleting from the Approved Pesticide List. Parks and recreation experience has shown that it is more desirable to have a specialized selection of products that target specific pests, rather than a smaller number of general-purpose pesticides. This practice confines the effects of the control on the target pest only, and it reduces the number of resistant pests that may arise from continued use of a small number of controls. In addition, it typically leads to an overall reduction of pesticide usage.

The IPM Coordinator is responsible for review of the Approved Pesticide List, and may approve additions or deletions to the list. The Approved Pesticide List should be reviewed annually to ensure it remains current, even if no additions or deletions have been proposed.

The process for additions or deletions is outlined below:

A. Parks Division staff may make requests to add or delete a pesticide by contacting the IPM Coordinator.

B. The IPM Coordinator will be responsible for review of the pesticide list on at least an annual basis to determine whether additions or deletions are warranted.

C. The IPM Coordinator is responsible for collection of background data on the request and review of best available science.

D. Based on initial review about the effectiveness, public health and safety risks, potential environmental effects, parks management needs and other issues, the IPM Coordinator will make a determination on whether to add or delete pesticides from the approved list.

PA-2: Required Certification and Continuing Education

All Eureka Parks Division staff who supervise the purchase, handling or application of pesticides shall be certified with the appropriate California Department of Pesticide Regulation (DPR) license.

- Eureka's Parks Division full-time permanent management and supervision employees are required to obtain a "Qualified Applicator Certificate" or QAC. Eureka's certification requirement exceeds DPR regulations, which only require certification for the use of state and federally restricted pesticides.

- DPR requires specific exams for a Qualified Applicator Certificate, including a laws and regulations exam as well as exams specifically designed for seventeen different pest control categories. To obtain a certificate, an applicant must receive a passing grade of 70% on the exams taken. Only some of the pest control categories are applicable to Eureka Parks Division, such as Landscape Maintenance.

- Pesticide operator certificates must be renewed, and continuing education is required to maintain the certificate. Approved continuing education opportunities are listed on the DPR website. The amount of continuing education depends on the pest control categories and whether the licensee is renewing the certificate. Recertification requires continuing education in the areas of pesticide law and safety and within the licensee's pest control specialties or retesting.

PA-3: Storage of Pesticides

Eureka's Parks Division personnel shall keep pesticides or pesticide containers in secure and safe locations in accordance with existing laws.

To implement this policy, Eureka's guidelines on storage are:

- Pesticides or pesticide containers should be kept locked up in a sheltered, well-ventilated area.
- Areas used for storage should be labeled as such.
- Pesticides should be safeguarded from environmental damage (freezing, vaporizing, photodecomposition or moisture).
- All pesticides in stock should be inventoried regularly and, if necessary, rotated on the shelf to assure the oldest dated items are used first.
- Pesticides being transported should be appropriately and safely secured in the vehicle. Only trained applicators should transport pesticides. An appropriate spill kit should be immediately available that is suitable for the materials being transported.
- Pesticides should not be transported in passenger cabs of vehicles.

The following are examples of secure storage enclosures:

- Closed vehicle
- Closed trailer
- Building or room or fenced area with a fence at least six feet high
- Foot locker or other container which can be locked
- Unattended trucks or trailers that have solid sideracks and a secured tailgate at least six feet above ground, ramp or platform level
- Bulk storage containers 50 gallons and larger with tight screw-type bungs and/or secured or locked valves.

PA-4: Distribution of Material Safety Data Sheets

Material Safety Data Sheets (MSDS) shall be kept readily available to personnel.

MSDS for all pesticide products used by the Parks Division should be contained in a binder at the following locations.

- Park Maintenance Employee Room.

When new MSDS are received, they should be distributed as follows:

- One copy to the shop location noted above.
- One copy to Parks & Maintenance Manager for filing purposes.

PA-5: Use of Protective Clothing and Equipment

Eureka's Parks Division personnel engaged in any way with the contact of pesticides shall follow all clothing and equipment requirements listed on the pesticide label for the appropriate pesticide. Documented violation of this policy shall result in disciplinary action.

The City of Eureka is responsible for providing personal protective equipment and clothing for pesticide use as per specific labeling instructions. This includes, but is not limited to, safety glasses/goggles, coveralls, rain gear, appropriately chemically resistant boots and gloves, hats, ear protectors for noise, and barrier creams. Time will be made available to wash up before lunch and at the end of the day. The applicator is responsible for cleaning, storing, and maintaining spray clothing and equipment in a safe manner.

When personal protective equipment is not required on the product label, Eureka's policy is that staff should wear at minimum the following protective equipment:

- Impermeable and unlined gloves
- Eye protection
- Chemically resistant boots

PA-6: Pesticide Application Procedures
Employees of the Eureka Parks Division shall apply pesticides in a safe and legal manner on City property or street rights-of-way and adhere strictly to all requirements for their safe use.

The following guidelines are intended to implement this policy:

- In accordance with PA-1, only those pesticides on the Approved Pesticide List should be used in Eureka's parks and landscape areas.
- Pesticides should be applied only when appropriate weather conditions exist.
- Pesticides must be used according to the label. The pesticide must be used only on plants, animals, or sites specified by the label. Higher dosages, higher concentrations, or more frequent applications are not permitted. Directions for use, safety, mixing, diluting, storage, and disposal, as well as restrictions on re-entry and days to harvest, must be met.

The procedure outlined below should be followed by Parks Division personnel when applying pesticides.

A. Applicator should check weather conditions. Applications should be done with minimal wind conditions to prevent drift. Adjustments should be made for droplet size and pressure if marginal conditions exist. No application should be done where there is unacceptable drift.

B. Applicator should call the Parks Supervisor and notify them of the following:
   - Type of pesticide being applied
   - Name of pesticide
   - Location of pesticide application

C. Applicator should prepare pesticide mixtures (if necessary) in accordance with product label instructions.
   - Applicator should review MSDS.
   - Applicator should check and calibrate application equipment for safety and efficiency.
   - Applicator should prepare only the amount of pesticide anticipated for the specified use and location. See PA-9 for additional guidance.

D. Applicator should take the following items to the pesticide application site:
   - Copy of Material Safety Data Sheet. This is for reference, and can be provided to the public if requested.

- Public advisory signs.
- Personal protective equipment specified in the MSDS, or at minimum:
  - Impermeable and unlined gloves
  - Eye protection
  - Chemically resistant boots
- Spill response materials as described in PA-11.

E. Applicator is required to follow existing pesticide application laws and safety requirements by California Department of Pesticide Regulation and the Environmental Protection Agency.

F. Applicator should be aware of public in the area slated for pesticide application.

G. Applicator should post appropriate signage in accordance with existing laws.

H. Applicator should complete the required pesticide application records and submit to supervisor to be kept on file in accordance with record-keeping requirements and policies.

I. When appropriate, applicator should retrieve required public advisory signage after the required notification period.

PA-7: Pesticide Use Records

Eureka's Parks Division personnel shall record all pesticide applications and keep records in compliance with State of California regulations. A master copy file of these records shall be maintained by the IPM Coordinator and retained in the Park Maintenance Employee Room.

Each operating unit should keep a file of records related to pesticide application by their own personnel. These records shall be retained for no less than two years.

Records are to be updated on the same day that a pesticide is applied. The application records must include the following information:

- Name - The full name and address of the person or agency for which the pesticide was applied.
- Location - The exact location and/or address of the land where the pesticide was applied.
- Date and Time - The year, month and day of the application.

- Pesticide - The product name used on the registered label and the U.S. Environmental Protection Agency or state registration number of the pesticide that was applied.
- Amount - The total amount of pesticide applied such as pounds, gallons, ounces, etc.
- Area - The number of acres, or other appropriate measure, to which the pesticide was applied.
- Pests - The pests to be controlled.
- Weather conditions - The direction from which any light breeze was blowing. This does not apply to applications of baits in bait stations and pesticide applications within structures.
- Rate - The amount of pesticide applied (pounds or gallons) per acre or other appropriate measure.
- Concentration - The concentration of pesticide that was applied. Liquid applications may be recorded as the amount of product per one hundred gallons of liquid spray or other appropriate measure.
- Applicator's name - The trained applicator's full name, license number, address, and telephone number and the name and license number(s) of the individual or individuals making the application.

PA-8: Notification of Pesticide Use at the Site

Eureka's Parks Division personnel shall provide public advisory signage of pesticide use at a site in accordance with existing regulations.

The pesticide applicator is responsible for placing the public advisory signage when pesticides are applied. The applicator is also responsible for sign removal, which occurs after applied material is dry on the surface or 24 hours after application unless a longer interval is specified on the product label. The City of Eureka is responsible for providing signs that meet state regulations for use by Parks Division personnel.

PA-9: Rinse Procedures and Procedures to Minimize Disposal of Pesticides

The policy of Eureka's Parks Division is to conduct pesticide operations in a manner that disposal of material is not necessary. Pesticide solutions and rinses are applied according to the label, and to legal target areas so there are no remaining pesticides. This shall be accomplished by accurately gauging the amount of pesticide needed for the job.

As part of the implementation of this policy, Eureka's Parks Division also promotes the use of advance planning to minimize the number of times it is necessary to switch pesticides in spray equipment. In order to reduce the amount of excess rinsate, it is the policy of Eureka's Parks Division to rinse equipment only at the end of the spray cycle, or when changing to pesticides that are incompatible with those in the tank.

The procedures outlined below are intended provide guidelines for complying with PA- 9.

Determining Appropriate Quantities
Eureka's Parks Division personnel should take the following into consideration when making a determination on how much pesticide is needed to complete the job:

- Weather conditions and predictions.
- Acreage/square footage of the job site.
- Calendar: special events, mowing, irrigation, etc.
- Type and size of the equipment appropriate to do the job.

When to Rinse Equipment
Equipment should be rinsed and emptied if the following conditions apply:

- It is necessary to use a pesticide incompatible with that previously used.
- It is the end of a spraying cycle.
- Prior to seasonal equipment storage.

How to Rinse Equipment and Dispose of Rinsate
Eureka's Parks Division personnel should follow the procedure outlined below to rinse equipment and safely dispose of the rinsate.

A. Read the pesticide label. The following should not conflict with label information or State or Federal regulations. Contact your supervisor if you see a conflict or have questions.

B. Wear protective clothing, as listed on the product label or in the Material Safety Data Sheets. If no protective clothing or equipment is specified, the following should be worn, at minimum:
   - Unlined rubber gloves
   - Eye protection
   - Chemically resistant boots

C. Do not rinse equipment within 300 yards of a well, creek, pond, lake, drainage ditch, or storm drain. Fill the spray equipment approximately one-quarter (1/4) full with clean water. Add a neutralizing agent if the pesticide label recommends one. Shake or agitate so that all inside surfaces are washed. If possible, use the spray hose to rinse the inside surface of the tank. These procedures should be consistent with all product labels.

D. Spray the rinse water out of the spray equipment onto an approved target area. Rinse water should be run through all hoses, booms, etc. Filters should be cleaned. Due to the diluted nature of the pesticide in the rinse water, a coarse spray can be used and is recommended to save time. Do not "pond" or saturate the soil. Alternate the rinsate target site so that buildup does not occur.

E. If the tank is to be stored, repeat steps C and D above, without a neutralizing agent.

PA-10: Disposal of Empty Pesticide Containers and Unusable Pesticides
The Eureka Parks Division shall dispose of pesticides and empty pesticide containers in accordance with all State and Federal regulations and product label recommendations.

Eureka's Parks Division considers proper disposal of pesticides and pesticide containers of the utmost importance to the safety and well-being of employees and the public. The disposal of these materials requires care in handling and use of all necessary protective equipment.

The procedures outlined below are intended to provide guidelines for complying with PA-10.

A. In all cases, read the product label. The steps outlined below should not conflict with label information or state and federal regulations. Contact your supervisor if you see a conflict or have questions.

B. Wear appropriate protective clothing when handling pesticides or pesticide containers, as listed on the label or in the Material Safety Data Sheet.

For Non-rigid Containers (Bags, Sacks, and Boxes)

A. Empty pesticide material into application equipment to the greatest extent possible by physical agitation of the container.

B. Visually verify that residues have been removed.

C. Multiple-rinse non-rigid containers such as paper lined with plastic or foil.

D. Crush or flatten the container when empty.

E. Place in a plastic bag immediately and mark the contents on the bag.

For Rigid Containers (Plastic, Glass, or Metal)

A. Empty pesticide material into application equipment to the greatest extent possible by pouring.

B. Visually verify that the residues have been removed.

C. Triple rinse or pressure rinse the container with clean water. Pour the contaminated rinse water into the application equipment.

D. Empty the pesticide and all rinses into the sprayer before the full amount of diluting water is added to the spray equipment.

Storage of Containers

A. Containers must be stored in plastic bags in a locked cabinet until they can be properly disposed of.

Disposal of Unusable Pesticides

Unusable pesticides are those that:

- Are damaged through vaporization, freezing, photo decomposition, or infiltration of moisture to containers;
- Have exceeded their shelf life; or
- Have visually changed their composition or structure in some manner.

The IPM Coordinator should be informed of unusable pesticides. When informed of unusable pesticides, the IPM Coordinator is responsible for determining the appropriate course of action through use of the following guidelines:

A. Contacting the manufacturer or dealer and/or a licensed consultant and find out if the product is still usable.

B. Following the recommendations of the dealer, manufacturer, or licensed consultant and use procedures in this policy as they apply if the pesticide has less activity due to long storage, moisture, or freeze damage.

C. Deciding the material should be applied, realizing that full control is not achievable using the damaged pesticide.

D. If Option C cannot be followed legally, following the recommendations of the dealer or manufacturer or licensed consultant. It is not legal to transfer damaged or altered pesticides to another party for use. It may be necessary to arrange for disposal of

the pesticide in a manner recommended by the Department of Pesticide Regulation.

Disposal of Pesticides with Totally or Partially Suspended Registrations Which Are Rendered Legally Unusable by the Parks Division
This is an unusual situation, which Eureka's Parks Division seeks to avoid whenever possible. The IPM Coordinator is responsible for the following:

A. Keeping up-to-date on industry news and directing staff to be cognizant of potential banned materials and avoid their use.

B. Following recommendations of the manufacturer or dealer in finding a legal user for the pesticide.

C. Transferring the pesticide to legally registered bureau, agency, or group if the pesticide is unopened and/or still retains its integrity and such transfer is permitted by regulation.

D. Ensuring disposal of the pesticide in a manner recommended by the Department of Pesticide Regulation.

PA-11: Pesticide Spill Response
Eureka's Parks Division seeks to reduce pesticide spills through prevention activities. Should an emergency release of a pesticide occur, Parks Division personnel shall respond in accordance with all governmental regulations, including those of DOT, EPA, OSHA, and DPR.

Eureka's Parks Division minimizes the possibility of spills through planning, preparation, adherence to good work practices, and increased awareness of the potential results of a spill, the possibility of a spill occurring is minimized. If a spill does occur, the Parks Division has developed emergency response guidelines (contained below) that are intended to protect employees, the public, property, and the environment.

Spill Regulations
A variety of federal and state agencies regulate hazardous materials, chemical spills, and environmental regulations. The Department of Pesticide Regulation (DPR) and Environmental Protection Agency (EPA) protect the environment through regulation concerning prevention of and response to the contamination of water, land, and air. The Occupational Safety and Health Administration (OSHA) is concerned with the proper training and protection of workers handling hazardous materials. OSHA, which is concerned with worker protection, has two regulations governing spills. One, Hazard Communication, applies to incidental spills which present a low potential of hazard to the worker,

the public and the environment. Included are small spills of dilute pesticides, spills of material with granular formulations, and lower toxicity materials. The other regulation, Emergency Response, applies to incidents with a high degree of hazard such as large spills of dilute material, pesticides with higher toxicity, and concentrates in a confined space.

An incidental spill becomes an Emergency Response when:

A. The release or spill significantly impacts another agency's functions;
B. The incidental spill precipitates evacuation or curtailing of work;
C. The event causes a negative impact on neighboring facilities or the community; and
D. The spill involves a coordinated effort by local first responders.

Only properly trained pesticide applicators can transport or apply pesticides. They will receive training and equipment that will allow them to respond to incidental spills. Spills that require an Emergency Response will be handled by a local HAZMAT team.

If a serious emergency occurs and the local fire department has been called in, or if there has been a spill that extends outside Parks facilities or could reach surface water, the National Response Center must also be called. If it exceeds the amount listed in the Code of Federal Regulations List of Hazardous Substances and Reportable Quantities, the spill must be reported to the National Response Center.

The spill need not be reported immediately if it occurs on a surface impervious to the hazardous material and is fully contained (such as within the one of the maintenance shops), and if it is completely cleaned up without further incident, including repairing the cause of the spill. In cases such as this, the IPM Coordinator will determine whether these agencies should be contacted.

A primary aim in following the procedures outlined here is to recover and reuse as much of the spilled pesticide as possible, if the product label indicates it is legal to do so. Any absorbent or other contaminated material from which the spilled pesticide cannot be recovered is hazardous waste and must be labeled, stored and disposed of properly in accordance with state and federal laws.

Prevention Methods

Parks Division personnel will employ a variety of practices to reduce the potential of a pesticide spill.

These will include the following:

Purchasing

- Ease of cleanup in the event of a spill will be considered as a factor in determining which chemical formulation to purchase.
- Packaging and formulations that may help to prevent a spill from occurring will also be considered as factors in making purchasing decisions.
- Characteristics of the pesticide, such as toxicity and reactivity that may affect the seriousness of a spill, will also be considered in purchasing decisions.

Preparation

- Risk reduction activities will include planning, training of personnel, and acquisition and maintenance of equipment and supplies. These activities will reduce the risk of a spill occurring, and will minimize damage should one occur. For example, regular preventative maintenance will be done on sprayers, so that hoses and valves are replaced before they wear out.

Work Practices

- Parks Division personnel will use practices to minimize the potential for a spill to occur, and to ease clean up in case one should occur. For example, pesticides should be placed in a leak-proof container while being transported.

Spill Response Training

Applicators who apply or transport small volumes of low to moderately toxic pesticides are responsible for responding to incidental spills. This is covered by OSHA's Hazard Communication regulation. Individuals at this level are trained to prevent spills from occurring. Should one occur, they are trained to stop the release, keep it from spreading, and do cleanup.

Individuals at this level will receive training in pesticide use, along with hazard communication and respiratory protection training. They must exhibit competency in the following areas:

- Familiarity with activities that promote spill prevention.
- Familiarity with the Pesticide Spill Response policy, PA-11, the procedures outlined in it, and their own role in an emergency.
- Knowledge of safety and health hazards of hazardous materials in a spill.
- An understanding of basic chemical and toxicological terminology and behavior.
- Knowledge of work practices that employees can use to minimize risks from hazards.

- Selection and use of proper personal protective equipment.
- Identification of symptoms that may indicate overexposure to hazards.
- Implementation of basic decontamination procedures.
- Performance of basic control, containment, and clean-up techniques.
- Skill in determining when a spill is fully cleaned up.

IPM Coordinator Spill Responsibilities
The IPM Coordinator will go to all problem spill sites, supplying materials requested by the crew. He/She will assist in cleanup, if it has not yet been completed; ensure that the site has been cleaned up completely; help recover the pesticide and arrange for disposal. He/She will document the scene; talk to homeowners and emergency response crews; and photograph the site.

Parks Division Personnel Spill Responsibilities
If a release of pesticides occurs, Park Division personnel should follow the guidelines below. Do not clean up the spill if you are not properly trained, if you don't have proper protective equipment, or if doing so would endanger your health or safety.

I. Assess the Situation

If the release is controllable and there are no injuries, tell bystanders to remain at a safe distance. Follow the spill control procedures outlined in Section II and control the spill as soon as possible.

If the release is out of control:

A. Tell any bystanders to remain at a safe distance.

B. Set up traffic control measures as necessary for safety.

C. Call 911. Describe the situation as a hazardous materials spill. If there are injured people, ask for an ambulance. If chemical injury is involved, be certain that a copy of the product label accompanies the victim in the ambulance.

D. Assist any injured people.

E. Determine whether there is an imminently hazardous situation that you can take steps to correct. As an example, it may be appropriate to move the truck away from a waterway or heat source.

F. Notify your supervisor or the IPM Coordinator, and request any needed resources or assistance.

G. If the spill is on a roadway, set up DOT reflectors upwind of spilled materials and divert traffic if possible.

H. Remain on site until otherwise directed by your supervisor or the IPM Coordinator.

II. Control the Spill

A. Put on personal protective equipment.

B. Do not allow the material to enter a drain. Establish storm drain inlet protection. Survey the area to see if there is a need to place a dam to protect a sewer drain, storm sewer, or waterway. If the pesticide does enter a drain, reduce the flow as much as possible, and notify the IPM Coordinator. The IPM Coordinator will call the appropriate agencies.

C. Stop the flow of the chemical.
- If the spill is from a leaky container, position the container to prevent additional spillage.
- If the spill is from a leaky valve, isolate the valve and depressurize the tank.
- If the spill is from a broken hose shut-off valve or pump, it may help to loop the hose back into the tank.
- If there is a rupture, use duct tape or any other material (such as rags or a patch) to stop the flow of a chemical.

D. Contain the spill using absorbent material. Call your supervisor to request additional supplies, resources, and assistance if needed.

E. Change or add to your protective equipment as necessary. Put contaminated protective equipment in a plastic bag to transport to your work unit for cleaning. Follow proper decontamination procedures for protective equipment.

III. Clean Up the Spill

A. Clean up the spill to the extent possible.

- For dry material, sweep up the pesticide.
- For a liquid spill, remove material using a wet vacuum where possible. Other useful materials include dry absorbents, absorbent dikes, pillows, and towels.
- For concentrate spills on pavement, after picking up as much as possible, contain the area and spot mop the pavement with a small amount of water. Absorb or vacuum this diluted pesticide and reclaim it.

B. If the soil has been contaminated, contact your supervisor. The IPM Coordinator, your supervisor, and you will determine to what degree cleanup should proceed using Parks Division staff. You may be asked to remove the contaminated soil. If so, scoop up enough soil to completely remove the pesticide. Place unusable material in a container labeled "Hazardous Waste". The IPM Coordinator may sample the soil on site to determine if it has been sufficiently cleaned up, or may hire outside expertise to do sampling or clean-up.

IV. Reclaim the Pesticide

A. Reclaim the chemical on site if possible. Sift dried material to remove debris and return it to its proper packaging. Reclaim liquid material that has been absorbed through rinsing the absorbent material. Use the rinsate on a target site, or properly label and store it for future application.

B. Any pesticide recovered but not reclaimed on site will be processed at the work unit base. The absorbent material will be dried and reused.

C. Hazardous waste must be stored in a labeled container at the work unit headquarters. It will be transported to a waste management facility for disposal, arranged for by the IPM Coordinator.

V. Document the Incident

A. Complete a Pesticide Spill Incident Report.

B. File one copy of the report with the IPM Coordinator, one copy with your unit headquarters, and one copy for your personal records.

A. All Pesticide Spill Incident Reports will be reviewed by the IPM Coordinator.

Pesticide Spill Response Equipment and Materials
The following items should be immediately available to all persons applying or transporting pesticides:

A. The following materials, either in a binder or on a clipboard:
   - Chemical labels for materials being transported
   - MSDS for chemicals being transported
   - Shipping papers when necessary
   - Pesticide Spill Response Procedures and Incident Report
   - A DOT Emergency Response Guidebook
   - Emergency phone numbers

   During transportation and application, the MSDS for all pesticides should be clipped onto the front of the binder or clipboard to make pesticide identification easy for outside agencies in the case of an emergency.

B. A cellular phone or radio, if there is the potential of a spill occurring that would require assistance.

C. Personal protective equipment appropriate for emergency handling of the pesticides being applied or transported.

D. An eyewash either on the truck or on site and immediately available in case of an emergency.

E. Tools and supplies to make emergency repairs to the application equipment and to stop leaks.

F. A means of picking up spilled material. Depending on the pesticide formulation this may include absorbent material, broom and dustpan, shovel, or wet vacuum.

G. Plastic recovery bags and ties for any waste material and for contaminated personal protective equipment.

H. At least one (1) gallon of clean water and detergent.

Following is a list of equipment and supplies that may be necessary to carry depending on the type of pesticide and its volume:
- An extra protective suit
- Extra gloves
- An extra set of clothing
- Waterless soap

- Absorbent dikes, pillows and towels
- Squeegee
- Whisk broom
- Dust pan
- Hard bristle brush to loosen material
- Duct tape for temporary repair
- Patching material
- Irrigation system quick coupler and hose
- Two (2) freestanding signs warning of danger
- Warning tape
- Emergency reflectors or flares
- Strainers
- Bucket
- Flat and pointed shovels

It is the responsibility of the applicator or transporter to ensure that he/she is carrying the items necessary should there be a spill.

PA-12: Accidental Pesticide Exposure

The Eureka Parks Division shall keep employees who apply pesticides informed of proper procedures to be taken in case of pesticide exposure, or suspected cases of pesticide exposure.

The Parks Division seeks to avoid accidental pesticide exposure through the work practices of its personnel. In the event of an accidental pesticide exposure to staff, Eureka has developed the following emergency response guidelines:

- Anyone inquiring about pesticide exposure will be referred to the designated medical facilities for work related injuries and illnesses and the Poison Control Center. Appendix C contains a list of emergency phone numbers that can be used for reference. The City of Eureka Personnel Department will also be notified.

- Material Safety Data Sheet information is available to all personnel for their own use. This information includes symptoms, and procedures for handling overexposure to individual pesticides. If symptoms of illness occur during or shortly after applying pesticides, Parks Division personnel should call the Poison Control Center or seek medical attention immediately.

- Non-emergency questions received by Parks Division personnel should be referred to the IPM Coordinator, who is responsible for referring the questioner to the appropriate individuals or sources for more information.

Eureka's Parks Division seeks to avoid emergencies through planning and preparation, including the following:

- The IPM Coordinator researches symptoms and problems of each pesticide to be used through Material Safety Data Sheets to be aware of thresholds.
- Personnel are required to use all safety procedures and protective gear as recommended on the product label or in the MSDS.
- Personnel are required to have a copy of the appropriate label available, while applying or transporting pesticides both concentrated and dilute.

Procedures for Parks Division Personnel for Suspected Cases of Pesticide Exposure

A. Provide first aid for any emergency situation.

B. Call for emergency backup if necessary.

C. Refer to the Poison Control Center.

D. If necessary to leave the site, bring a product label or MSDS for use by medical personnel at designated medical facilities for work related injuries and illnesses.

E. Inform your supervisor and Personnel Department as soon as possible.

F. Inform the IPM Coordinator as soon as possible.

Procedures for Parks Division Personnel in Response to a Non-Emergency Inquiry

A. Personnel should respond to simple, direct questions if able to do so.

B. Detailed or technical questions should be referred to the IPM Coordinator.

C. Inform your supervisor when a non-emergency inquiry occurs.

PA-13: Pesticide Application By Outside Contractors

The policy of the Parks Division is that work completed by outside contractors in the Eureka parks system shall be consistent with Eureka's Integrated Pest Management Plan.

When outside contractors are hired, IPM techniques and methods should be encouraged through the contracting procedures and specifications. In addition, pesticide applications that are carried out by personnel other than Parks Division employees, such as those done by private contractors, should undergo a preliminary approval process before the work begins to ensure that proposed activities are consistent with the Integrated Pest Management Plan.

Contractors anticipating pesticide use are required to notify the IPM Coordinator in writing of intent to apply pesticides. Contractors should provide:

- Commercial operators and applicators license numbers.
- Name of the pesticide
- Methods for application
- Equipment to be used
- Purpose of the pesticide application
- Description of the on-site notification procedures that will be used.

Contractors are also required to meet all of the additional city contractual language pertaining to pesticide applications, including safety precautions, liability issues, and responsibilities.

After receiving the contractor proposal, the IPM Coordinator will review the proposal and approve or deny the request based on the principles of the policy. The same criteria for determining the best method of pest control for Eureka's Parks Division should be applied to the evaluation of contractor proposals.

Section VI: Specific Management Guidelines

Specific management guidelines are organized by the Parks Division major areas of responsibility: Parks, Landscaped Areas, and Street Trees. An additional section addresses natural areas. In some cases, standards are provided for certain types of features or lands.

Parks

Parks contain a variety of features. Guidelines are provided for features common in Eureka's parks.

Playground Areas

Description:
Playground areas include those areas with play equipment such as play structures, swings, and slides that require safety surfacing.

Guidelines:

- When installing new equipment or renovating existing playgrounds, ensure adequate site preparation to prevent pest problems.

Standards:

- No pesticides shall be applied to safety surfacing materials as part of routine maintenance.

- Renovation or construction of playground areas is subject to the standards and guidelines for site preparation/construction.

Turf

Description:
Turf includes lawn areas designed for open recreation that are regularly maintained.

Guidelines:

- Determine level of tolerance for pests. This is typically expressed as a percentage of weeds permitted.

- Determine level of care. Within some parks, there may be areas that can receive a reduced level of care, such as an allowance of more weeds. A lower level of care may be appropriate for low use or low visibility areas.

- Preparation of new turf areas. Proper preparation is the key to healthy, well-established turf. Prior to seeding or laying sod, any existing vegetation should

be removed. If weeds are expected to be a problem, the site should be irrigated before seeding or sodding and the weeds should be allowed to germinate. The weeds should then be removed through the best method for that particular weed, such as by shallow cultivation or an application of a nonselective herbicide such as glyphosate.

- Soil amendments for new turf areas. Turf grows best in soil that is well-draining, but that also can retain water. Soils with a high clay content or sandy may need to be amended for optimal turf conditions. Amendments such as compost or nutrients can improve drainage in tightly compacted clay soils or improve the water-holding capacity in sandy soils. If topsoil is added, it should be high quality and free of weed seeds. It may be advisable in some situations (such as for large turf plantings) to have soil testing done.

- Proper use of irrigation. For most turf grasses, deep, infrequent irrigation will promote the healthiest root growth and provide the best conditions. Frequent watering is needed for new turf, but frequent light watering of established turf encourages shallow-rooting and provides opportunities for weed growth. Some guidelines suggest that turf should be irrigated deep enough to penetrate the soil to a depth of 6 to 8 inches, with the soil being permitted to dry out between waterings. Generally, turf should be irrigated deeply, but infrequently. Irrigation should occur early in the morning to minimize evaporation and disease risk. Only enough water should be applied as can be infiltrated into the soil. Runoff should not occur when the irrigation system is in operation.

  If the turf is irrigated, the irrigation system should be checked periodically to make sure it is providing the right amount of water and that the heads are functioning properly. Besides potentially providing the wrong amount of water, poorly maintained sprinklers can unevenly water turf so that some areas are overwatered and other areas are under watered. In addition, correcting problems (tilted heads, overwatering, etc.) can significantly reduce water use, while maintaining healthier turf.

- Proper mowing practices. To maintain healthy turf, proper cutting heights and "grasscycling" (mulching with grass clippings / not raking clippings) should be standard practices. Each species of turf grass has optimal mowing height ranges. For the types of grasses commonly used in Eureka, these typically range from 1.5 to 2.5 inches. Mowing heights should be established to meet the optimal requirements for the grass species, season, and use of the turf area. If turf is mowed too short, it can be stressed and weeds have an opportunity to invade. However, if some grasses are left too long, thatch can build up to unhealthy levels and weaken the turf.

Mower blades should be kept sharp to reduce injury to the turf. As a general guideline, no more than one-third of grass height should be removed at one time. If mowers are used on weedy areas, blades should be washed before moving to another non-weedy area to minimize transport of weed seeds. Where possible, mowing should be avoided when the soil is wet, because this can increase soil compaction.

- Proper turf cultural practices. Periodic aeration, overseeding, thatching, and top-dressing should be used to improve turf health. Thatch is a layer of organic material that builds up between turf and the soil surface. While some thatch is beneficial, a heavy layer will impede turf health. Regular thatch removal will help keep turfgrass healthy and competitive with weeds.

  Soil compaction restricts the flow of water and oxygen to the roots of turf, impeding its growth and health. Periodic aeration will alleviate soil compaction. Ideally, aeration should occur when turf is actively growing to obtain the greatest benefits, although this may not always be possible. Aeration needs vary depending on the level of traffic on a turf area, and the type of soil present. Lawns on heavy clay soils or lawns with heavy foot or equipment traffic may need to be aerated several times a year while lawns with little activity may only need to be aerated once a year or less.

- Combining cultural practices with weed control. Turf aeration and over-seeding should occur along with any application of broadleaf weed control to help eliminate the cause of the problem, and therefore the need for repeated applications.

Sports Fields

Description:

Sports fields are designed for athletic play, including football, soccer, softball, and baseball. Sports fields include the actual field as well as associated support facilities, such as bleachers, and dugouts. Sports fields undergo demanding use that puts a lot of wear and tear on the turf, and that often require more maintenance than other turf areas.

Guidelines:

- Determine levels of care. Not all sport fields will necessarily need to be maintained to the same level. Depending on the type of field, the maintenance level may vary. For example, there may be a higher level of care for fields used for tournaments, with a lower level of care for fields used only for practice.

- Use of cultural techniques. Aeration, top-dressing, overseeding, and other cultural techniques for healthy turf should be completed periodically as staff resources allow.

- Use of irrigation. Irrigation should be evaluated to ensure it is being properly used. Upgrading to computerized irrigation systems should be considered for highly used, high profile areas.

- Proper mowing heights. Each species of turf grass has optimal mowing height ranges. For the types of grasses commonly used in Eureka, these typically range from 1.5 to 2.5 inches.

- Grass clippings. Grass clippings should be "grass-cycled" (not raked), unless accumulations exceed allowable standards.

- Closure of fields. If feasible, given field supply and demand for play, Eureka should consider closing fields to play when conditions are such (very wet, etc.) that play would damage the field extensively.

- Design for maintenance. Potential problem areas, such as underneath bleachers or in dug-outs, should be eliminated through paving or other design solutions.

- Treatment of bare areas. Infields and other skinned or bare areas should be dragged periodically to keep weeds down. Herbicide applications may be made if needed.

- Establishing field lines. Herbicide applications may be made to establish field lines.

- Timing of herbicide applications. Any herbicide applications should be scheduled to provide as little interference with field use as possible.

Rough Turf/Meadows

Description:

Rough turf/meadows are those areas where grasses are permitted to grow long. These are not intended for passive recreation use.

Guidelines:

- These areas should be cut at least annually, or more frequently if needed for brush and weed seed control.

- Cutting should be timed to make sure it is occurring when it will have the desired effect, and not result in the dispersal of weed seeds.

- Herbicide use may be needed to prevent weed infestations from spreading from rough turf or meadow areas to higher quality turf or higher profile park areas.

- Herbicide use may be needed to help control invasive non-native plant species.

Landscaping Beds

Description:

Landscaping beds are maintained areas that may contain groundcovers, shrubs, trees, perennial plants, or annual flowers. These occasionally include small turf areas or trees located in turf areas, and may include landscaped parking lot islands.

Guidelines:

- Prevention of pest problems. Prevent pest problems through design and plant selection. Personnel should be aware of plants that do well in Eureka's parks as well as those that are problematic, and should review new designs to make sure there are no potential problem plants.

- Replacement of pest-prone plants. Where possible, replace plants prone to pest problems. It may not always be possible to replace plants, such as the case of heritage trees or other special circumstances.

- Adequate site preparation. Ensure that sites are adequately prepared before plantings are installed. Preparation techniques will vary depending on the site, but can include soil improvements, pruning of surrounding vegetation, soil grade adjustments, drainage improvements, and installation of irrigation systems.

- Proper use of irrigation. Check irrigation to make sure systems are timed properly, and the application rate is optimal for plant health.

- Cultural techniques. Use compost and other natural amendments to create healthy soil and promote plant health.

- Use of weedmat and mulch. Use mulch to retain water and suppress weeds, if appropriate for the situation.

- Use of fertilizer. Use fertilizer properly to promote healthy plants, without over-fertilization. Not all plants require fertilizer to succeed, and fertilizer should be applied only where needed following appropriate procedures.

- Use of pre-emergent herbicides. Pre-emergent herbicides may be appropriate as a means of reducing the need for post emergent herbicides. Not every landscaped area may need such an application, but where warranted it can be vital. Pre-emergent herbicide use should be based on factors such as weed seed pressure, how well emerging seedlings naturally survive, and experiences in previous years, among others.

- Use of herbicide spot treatment. For problem weed infestation, spot treatment with herbicides may be appropriate.

Park Trees

Description:
Park trees are trees located within developed parks that are outside of landscaping beds, rights-of-way, and parking lots. Park trees are typically located within turf lawns.

Guidelines:

- No-grass area. A no-grass area should be maintained around tree trunks to prevent trunk and root flare damage. Damage caused by lawn care equipment can create wounds on trees that allow pests to become a problem. This type of damage is very preventable, and should be stopped by all means at Eureka's disposal. Mulch may or may not be appropriate for the no-grass area, depending on the situation. For example, mulch may encourage weed growth underneath Douglas firs.

- Pruning of deadwood. Trees should be pruned to remove deadwood to reduce susceptibility to disease.

- Tree preservation during construction. Tree preservation measures should be taken when construction activities will occur within the root zone of a park tree not planned for removal. At a minimum, this should consist of protective fencing to minimize compaction in root zones.

- Control of insects or disease pathogens. Control of insects or disease pathogens that do not present a long-term health impact to park trees is of low priority. For example, transitory infestations of aphids or minor occurrence of leaf spotting diseases often do little lasting damage in terms of tree health and should not merit use of pesticides. There may be cases where long-term health is jeopardized by some pests, and control may be necessary in these cases. The IPM coordinator will determine the action level for these situations.

- Use of herbicide spot treatment. For problem weed infestation, spot treatment with herbicides may be appropriate.

Landscaped Areas

Landscaped areas include public buildings, downtown plazas, right-of-way landscaping, and other non-park landscape features. Guidelines are provided for features common in Eureka's landscaped areas.

Landscaping Beds

Description:
Landscaping beds are maintained areas that may contain groundcovers, shrubs, trees, perennial plants, or annual flowers.

Guidelines:

- Prevention of pest problems. Prevent pest problems through design and plant selection. Personnel should be aware of plants that do well in Eureka's parks as well as those that are problematic, and should review new designs to make sure there are no potential problem plants.

- Replacement of pest-prone plants. Where possible, replace plants prone to pest problems. It may not always be possible to replace plants, such as the case of heritage trees or other special circumstances.

- Adequate site preparation. Ensure that sites are adequately prepared before plantings are installed. Preparation techniques will vary depending on the site, but can include soil improvements, pruning of surrounding vegetation, soil grade adjustments, drainage improvements, and installation of irrigation systems.

- Proper use of irrigation. Check irrigation to make sure systems are timed properly, and the application rate is optimal for plant health.

- Cultural techniques. Use compost and other natural amendments to create healthy soil and promote plant health.

- Use of weedmat and mulch. Use mulch to retain water and suppress weeds, if appropriate for the situation.

- Use of fertilizer. Use fertilizer properly to promote healthy plants, without over-fertilization. Not all plants require fertilizer to succeed, and fertilizer should be applied only where needed following appropriate procedures.

- Use of pre-emergent herbicides. Pre-emergent herbicides may be appropriate as a means of reducing the need for post emergent

herbicides. Not every landscaped area may need such an application, but where warranted it can be vital. Pre-emergent herbicide use should be based on factors such as weed seed pressure, how well emerging seedlings naturally survive, and experiences in previous years, among others.

- Hand weeding and clearing of landscaping beds. This can include the use of hula-hoes and other hand tools.

- Use of herbicide spot treatment. For problem weed infestation, spot treatment with herbicides may be appropriate.

Right-of-way Landscaping

Description:

Right-of-way landscaping areas are ornamental planted areas adjacent to public rights-of-way. They may contain turf, groundcovers, shrubs, trees, perennial plants, or annual flowers, and are typically highly visible due to their location and intended aesthetic appearance. Frequently, the location also makes access difficult or dangerous for maintenance personnel.

Guidelines:

- Level of tolerance. Establish a level of tolerance for pests. The tolerance may be higher than for landscaped beds in parks and plazas or at public buildings, because right-of-way landscaping is often viewed from a distance, or from a moving vehicle. Right-of-way landscaping typically requires less intensive maintenance and pest management than landscaped beds, and receive less impact from visitors.

- Proper design and plant selection. Prevent pest problems through design and plant selection. Right-of-way sites often have poor soil quality, which can lead to problems with plant health. In addition, since they may be irrigated less or not at all, the planting may be stressed and more prone to problems. Personnel should be aware of plants that do well in Eureka's streetscapes and right-of-way areas, as well as those that are problematic, and should review new designs to make sure there are no potential problem plants. The focus in right-of-way landscaping should be the use of plant materials that can withstand the stresses found in the R.O.W. environment, without added pest management.

- Replacement of pest-prone plants. Where possible, replace plants that are prone to pest problems. It may not always be possible to replace plants, such as the case of heritage trees or other special circumstances.

- Adequate site preparation. Ensure that sites are adequately prepared before plantings are installed. Preparation techniques will vary depending on the site, but can include soil improvements, pruning of surrounding vegetation, soil grade adjustments, drainage improvements, and installation of irrigation.

- Proper use of irrigation. If irrigation is present, the timing and application rates should be checked to make sure that irrigation is not providing for weed growth. Sites that are drier are less prone to weed growth during the summer months.

- Horticultural practices. Use horticultural practices, as warranted, to promote plant health. This includes use of compost and other natural amendments and mulch, if appropriate for the situation. Due to the nature of right-of-way sites, safety considerations of the crew are paramount and may not permit as high a level of horticultural care as in landscaping beds in parks and plazas.

- Use of pre-emergent herbicides. Pre-emergent herbicides may be appropriate as a means of reducing the need for post emergent herbicides. Not every landscaped area may need such an application, but where warranted it can be vital. Pre-emergent herbicide use should be based on factors such as weed seed pressure, how well emerging seedlings naturally survive, and experiences in previous years, among others.

- Use of herbicide spot treatment. For problem weed infestation, spot treatment with herbicides may be appropriate.

Paved Areas

Description:

Paved areas include plazas, walkways, sidewalks, parking lots, roadways, paved trails, and all other hard surface areas, whether pervious or impervious.

Guidelines

- Determine a level of care. Plaza areas may require a different level of care from parking lots.

- To maintain pavement integrity, weeds in pavement joints, pavement cracks and along the shoulders should be controlled.

- Sweep paved areas periodically to remove debris.

- Along paved pathways, gravel mulching should be used along pathway shoulders where deemed appropriate.

- Use of herbicide spot treatment. For problem weed infestation, spot treatment with herbicides may be appropriate.

Street Trees

Street trees are those trees planted along public rights-of-way. These are managed differently from trees in parks and landscaped areas.

Street Trees

Description:
Street trees those trees located along rights-of-way, contained in planting strips or tree wells. Tolerance for pests may be different than for park trees.

Guidelines:

- No-grass area. If trees are contained in a turf planting strip, a no-grass area should be maintained around tree trunks to prevent trunk and root flare damage. Damage caused by lawn care equipment can create wounds on trees that allow pests to become a problem.

- Pruning of deadwood. To reduce susceptibility to disease, trees should be pruned to remove deadwood and branches likely to be broken by passing vehicles.

- Tree preservation during construction. Where possible, tree preservation measures should be implemented when construction activities will impact the root zone of a street or parking lot tree not intended for removal through the construction activities.

- Use of weedmat and mulch. Use mulch to retain water and suppress weeds, if appropriate for the situation.

- Hand weeding and clearing of landscaping beds. This can include the use of hula-hoes and other hand tools.

- Use of herbicide spot treatment in tree wells. For problem weed infestation, spot treatment with herbicides may be appropriate.

Open Spaces

Open space areas include wildlands, gulches and greenways, and riparian and forested areas. These guidelines may be applied to riparian, forested or other natural areas within parks.

Open Space Trees

Description:

Open space trees are those trees contained within open space areas. These may be natural open space areas within a larger active use park, or stand-alone natural open space areas or greenways. In general, natural processes should be permitted to take their course in natural area, unless public safety or a management or restoration plan calls for a different approach.

Guidelines

- Unless otherwise specified in a management plan, open space trees should be pruned or removed for hazard abatement only, such as a limb or tree in danger of falling on a pathway.

- Unless an epidemic problem endangering an entire species or otherwise specified in a management or restoration plan, generally natural area trees should not be treated for pests or disease. In cases of invasive insect or disease infestations, such as introduced borers, gypsy moth, Sudden Oak Death, etc., the IPM Coordinator will determine the action level, which may include pesticide applications.

- Stinging insect nest removal or insecticide spot treatment may at times be necessary for public safety.

Unpaved Trails

Description:

Unpaved trails are gravel or other soft surface pathways in parks and natural areas.

Guidelines

- Vegetation should be kept clear of the pathways on an as-needed basis. The IPM coordinator will determine the action level, which may range from hand-clearing to pesticide applications.

- Stinging insect nest removal or insecticide spot treatment may at times be necessary for public safety.

Upland Natural Areas

Description:

Upland natural areas are those natural areas outside of wetlands, creeks, lakes, waterways, and required buffers.

Guidelines:

- Unless otherwise specified in a management plan, vegetation in open space areas should be pruned or removed to eliminate or reduce hazards or invasive vegetation only.

- Vegetation management may be needed for plant community establishment, rehabilitation work, or similar activities. There may even be times where native plants need to be controlled when establishing certain plant communities.

Creeks, Waterways, Lakes, and Wetlands and Associated Buffers

This section is intended to provide clear guidelines for maintenance of parks and landscaped areas that contain aquatic area. Eureka has based its policies on management around aquatic resources on those of Portland Parks & Recreation, which have been approved in the Federal 4(d) rules with regard to salmonid species protection. The buffer zone standards are those approved by NOAA Fisheries. Programs that meet 4(d) salmonid protection criteria are referenced as also providing protection for green sturgeon in the May 2009 Regulatory Impact Report.

Description:

Aquatic habitat areas, such as creeks, waterways, lakes, and wetlands, are generally environmentally sensitive and are subject to a variety of regulations designed to protect them.

Guidelines:

- The intent of Eureka's Integrated Pest Management Plan is to provide protection of Eureka's aquatic resources. Personnel should keep this intent foremost in their minds when undertaking maintenance and management activities in aquatic areas.

- Specific management plans may be developed for some of Eureka's open space areas. Recommendations contained within management plans may provide guidance for specific sites.

- Pest prevention should be the priority in aquatic areas, as in the rest of the park system.

- When pests become a problem, biological methods of vegetation and pest control will be considered before chemical means.

- Naturally derived and synthetic pesticides will be used only when no other feasible methods exist.

Standards:

- Buffer for pest management activities. A 25' buffer is required from all creeks, waterways, and lakes for pest management activities. Measurement of the pest management buffer zone begins at the edge of the water line at the time of application. When considering buffer zones, anticipated seasonal or weather related changes affecting water level will be included in the decision-making process. The high waterline as defined in this section refers to the highest possible water level that would be expected in a given body of water during a 5-year period.

- Pesticide delivery. If pesticides are required within a buffer area, pesticide delivery will be carried out by hand with directed, low volume, single wand sprayers, wiping, daubing and painting equipment, injections systems, or drop spreaders. Typically, this would be done by backpack sprayers, but may also be done using sprayers with larger fill tanks as long as the same kinds of hand application methods are used. These specified methods of delivery result in low volume applications and low pressure spraying, which minimize the formation of fine mists that might be carried off target. These practices ensure that applied materials will reach targeted plants or targeted soil surfaces.

- Protection of surface water. Great care will be exercised when applications of pesticides are being made within the buffer zone to protect surface water. Equipment used in the application shall employ all necessary methods to limit drift. Nozzle size, pressure regulation, droplet size, and height of spray wand all can be modified to reduce unwanted drift of pesticides.

- Spray application limitations. Spray pesticide applications are not permitted in the buffer area when:
    - Wind speed is above 5 mph.
    - Wind direction or activity would carry pesticides toward, or deposit them upon open water.

- Additional record-keeping requirements. Additional record-keeping is required for pesticide applications within the buffer zone or for aquatic

situations. A National Pollution Discharge Elimination System (NPDES) permit is required for aquatic applications. When pesticides are applied within the buffer zone or for aquatic situations, a note must be made on the record referenced in policy PA-7, in addition to other required records. The IPM Coordinator will monitor and keep separate data on pesticide applications in buffer zones and aquatic areas. An annual report will be prepared, and will be made available to agencies such as NOAA Fisheries Services.

Standards for Available Pesticides
A more limited list of pesticides is available for use in buffers and aquatic sites than the Eureka Parks Division Approved Pesticides List. Only the pesticides specifically listed within this section may be used within buffer zones or waterways. The decision-making process takes into account any possible effects on aquatic life as well as tendencies to move in the environment.

Trees within the buffer zone will not be sprayed with pesticides. In the rare event a pest or disease threatens the health of important and valuable trees within a buffer zone, there may be a need to treat them. However, in these special cases, the use of injectable pesticides may be employed when necessary, with the following limitations:

- The pesticide applied must be delivered by methods that inject or otherwise distribute the material entirely within interior tree tissues.
- Pesticides will not be injected into the soil surrounding the tree. Tree surfaces will not be sprayed or treated with pesticides.
- The insecticides and fungicides used in these injection systems shall be approved by the IPM Coordinator. The intent and limit of this exception to the approved buffer zone pesticide list is to allow only the insecticides or fungicides necessary to combat direct threats to the health of valuable trees.

Materials for All Other Areas:
Pesticides on Eureka's Approved Pesticides List may be used outside the waterway and buffer zones, unless otherwise prohibited.

Classification of Buffer Zone Landscapes Near Creeks, Waterways, and Lakes
The buffer zones within park landscapes near waterways, lakes and ponds are divided into four classifications (A, B, C, and D) that describe their current features, as well as define the differing objectives and maintenance rationales of their care. There may be multiple buffer zone classifications within a single park.

A. Highly Managed Areas

This type of waterway buffer zone is developed for park and recreation uses, but may include other areas with a lower level of care.

Features of Highly Managed Areas:

- Ornamental landscape
- Public access and activity
- High public use
- Mowing of turf, sometimes to edge of waterway
- May have facilities adjacent to water or wetland
- May have highly modified stream banks/shorelines

Objectives for Highly Managed Areas:

- Healthy plants and turf
- Maintain ability to handle high use
- Minimize need for chemical intervention
- Control invasive plants
- Safe access
- No bare soil areas
- Low tolerance for weeds
- May have high expectation for aesthetics in general

B. Intermediate Managed Areas

This type of buffer area is less developed and receives less management and use than highly managed areas, and may include other areas with a lower level of care.

Features of Intermediate Managed Areas:

- Stream banks have predominately native vegetation buffers.
- Some impacts from use and park development apparent on water resources
- Managed landscapes may be nearby
- Stream bank erosion may be occurring due to use

Objectives for Intermediate Managed Areas:

- Maintain healthy plant buffers
- Minimize need for chemical intervention
- Control invasive plants where feasible
- Minimize impact on buffer
- No bare soil areas
- Tolerance for natural appearance and weeds

C. Impacted Natural Areas

This type of buffer area does not include active use, but may be located in conjunction with highly managed or intermediate managed areas.

Features of Impacted Natural Areas:

- Stream banks have buffering with predominately native plants
- Limited impacts from use and park development

Objectives for Impacted Areas:

- Maintain healthy plant buffers
- Minimize need for chemical intervention
- Lower tolerance of invasive plants, non-natives
- Minimize any impacts on buffer
- No bare soil areas

D. Intact Natural Areas

Intact natural areas are open space areas not degraded by humans. There are very rare instances of intact natural areas within Eureka's system of parks and open spaces.

Features of Intact Natural Areas:

- Very limited visitor impact
- Native plant communities exist
- No nearby developed park areas

Objectives for Intact Natural Areas:

- Maintain healthy plant buffers
- No tolerance of invasive plants, non-natives
- Minimize any impacts from human activities

Management Practices for Buffer Zones of Waterways, Lakes and Ponds

The following matrix gives specific guidelines for use of pesticides and fertilizers in the buffer zones of waterways based on the management classifications outlined above. Use of pesticides and fertilizers also vary depending on whether they are being used for routine maintenance or for restoration and construction projects. This table is taken from the Portland Parks and Recreation Pest Management Program, which received approval from NOAA Fisheries as providing protection for endangered salmonid species.

Table 6: Use of Pesticides and Fertilizers Within Pesticide Buffer Zones

Chemical or Fertilizer	Activity	Classification			
		A	B	C	D
Pre-Emergent Herbicide	Routine Maintenance	Only in shrub beds above high water line	No	No	No
	Restoration/Construction	Only in shrub beds above high water line	No	No	No
Glyphosate	Routine Maintenance	Spot spray and broadcast spray	Spot spray and broadcast spray	Spot spray and broadcast spray	Spot spray for target invasive vegetation only[1]
	Restoration/Construction	Spot spray and broadcast spray	Spot spray and broadcast spray	Spot spray and broadcast spray	Spot spray and broadcast spray for non-natives[1]
Triclopyr	Routine Maintenance	Cut and treat stems. Spot spray	Cut and treat stems.	Cut and treat stems.	No
	Restoration/Construction	Cut and treat stems. Broadcast spray[1]	Cut and treat stems. Spot spray. Broadcast spray[1]	Cut and treat stems. Spot spray/broad cast to establish monocots[1]	No
Slow release fertilizer	Routine Maintenance	Directed application to shrub beds if no flooding possible	No	No	No
	Restoration/Construction	Directed application if no flooding possible	Directed application if no flooding possible	Directed application if no flooding possible	Directed applicatio n if no flooding possible

[1] Requires approval of the IPM Coordinator

Use of Mulches

Mulches and other ground coverings are often employed during the installation and restoration of landscapes as well as their ongoing maintenance. They are utilized for a variety of reasons. Mulches suppress weeds, help to retain moisture around plants, reduce possible erosion, and provide visual enhancement. Use of landscape mulches in buffer areas should take into account any possible impacts to the buffer as well as nearby waterways.

These impacts may include:

- Inadvertent introduction of non-native weeds to the site
- Leaching of substances such as tannins from the mulch into nearby waterways
- Migration of mulch material into waterways
- Nutrient leaching into waterways

Choices of mulches should take these concerns into account. Routine maintenance in A, B, and C class area buffers should minimize the use of mulches. Class D area buffers should use mulches only as a part of restoration activity. Mulching in areas below typical high water lines is discouraged in any buffer areas. Seeding of cover crops for erosion control is allowed in buffer zones. Use of cover crops in class D areas should never introduce any persistent non-native plant species.

Management Practices Within Bodies of Water, Bio-filters and Wetlands

An NPDES permit is required for aquatic applications. The following describes specific practices that may be used within the actual bodies of water, if approved through the permitting process.

Within Streams and Creeks

In the rare need for control of noxious weeds and invasive non-native plants, within a stream itself, mechanical and biological means will be utilized where possible. When these methods are not feasible, emergent weeds only may be controlled with Rodeo and an approved surfactant if needed. Although rare, control of noxious and invasive weeds such as Japanese polygonum (knotweed), yellow iris, and purple loosestrife may be needed to maintain a healthy environment. These treatments will take place at mid-summer. Frequency of these treatments shall not exceed once a year even in the worst of infestations. Applicable permits from appropriate outside agencies will be obtained before this kind of treatment takes place. Submerged weeds will not be controlled by chemical means in streams and rivers or other moving waters.

Within Lake Areas
Within the pond or lake itself, herbicides will be used only for the control of noxious weeds and non-natives that threaten the health of the habitat. A list of these potential target weed species shall be developed by the IPM Coordinator. When chemical methods are necessary within the pond itself, only Rodeo (glyphosate) and an approved aquatic surfactant shall be employed.

In the event an emergency situation arises where habitat is endangered by non-native invasive submerged weeds in ponds and lakes, the IPM Coordinator may approve the use of an appropriate herbicide for control as a last resort. This will only be allowed where there is no direct outflow of the treated water to fish bearing streams or waterways. Applicable permits from appropriate outside agencies will be obtained before treatment takes place. The herbicide utilized shall be of very low toxicity to aquatic organisms, and be applied in such a way that there are no appreciable negative effects on the health of the aquatic environment.

Within Wetland Areas
Within the wetland itself, herbicides will be used only for the control of noxious weeds, and non-natives that threaten the health of the habitat. A list of these potential target weed species shall be developed by the IPM Coordinator. When chemical methods are necessary within the wetland itself, only Rodeo (glyphosate) and an approved aquatic surfactant shall be employed.

Within Biofilters and Pollution Reduction Facilities
Biofilters and Pollution Reduction Facilities (PRF) intercept stormwater run-off before it reaches the wastewater system or other drainages. Pre-emergent herbicides will be allowed where necessary only in shrub beds above the high water line. For post- emergent applications, 25' buffers will be established from the PRF or biofilter and will be treated as a class B (intermediate managed) buffer.

Within Bioswales
Bioswales are planted areas consisting primarily of grasses that act as a filter for run-off water moving towards a body of water or drainage system. If bioswales lie within the buffer area of any of the above listed waterways, they will have the same maintenance restrictions upon them as any other buffer zone. If the bioswale has an outlet to any surface water, treatments within the bioswale itself will follow the same restrictions as a class B (intermediate managed) buffer. If there is no outlet to surface water, the buffer may receive the same treatment as general park lands.

Appendix A
Approved Pesticide List

Approved Pesticide List

The following is a list of pesticides approved for particular uses by Eureka Park Operations. Many of the pesticides on this list are not necessarily used in a typical year, and if used, are used in a minor way. A successful IPM approach allows for a range of choices, or for managing pest resistance with rotations of different products. Pesticide application occurs only after other strategies have been employed or considered. The majority of Eureka's pest management practices never involve the use of pesticides, and most park or landscaped area acreage never receives pesticide applications.

The pesticides on the approved list were included only after a review process that examines the individual characteristics of the product and the appropriateness of it for use in Eureka. Adjuvants can be utilized only when included as a component of the pesticide product.

Over time, Park Operations may find there is a need to add or delete pesticides from the approved list. The IPM Coordinator will be responsible for these decisions, as outlined in Policy PA-1.

General Parks
These pesticides may be used in parks, landscaped areas, and for street trees. They may also be used in developed areas of other types of parks, such as trails or parking lots within natural open space parks.

Herbicides (Pre-Emergent)
Gallery 75 DF (isoxaben) Used on shrub beds, tree circles, and other areas. Can be used in combination or rotation with oryzalin to broaden the spectrum of weeds prevented.

Pendulum (pendimethalin) Intended for use on shrub beds, tree circles, and other areas.

Snapshot (trifluralin + isoxaben) Pre-emergent broadleaf and grassy weed control. Used on planter beds

Surflan AS (oryzalin) Liquid form used in shrub beds, tree circles, and other park and landscape areas.

XL 2G (benefin+oryzalin) Combination product for wider spectrum weed control. Granular product useful in shrub beds and where liquid products are more difficult to apply.

Herbicides (Post-Emergent)

DeMoss, Garden Safe Moss and Algae Killer, others (fatty acids) Moss control desiccant. For structures and non-vegetated surfaces. Possible sporadic use.

Garlon 3A, Lilly Miller Blackberry and Brush (triclopyr amine) Selective product for woody and difficult to control perennials. Used both in spray and cut-stem applications, also for invasives and habitat restoration.

Element 4 (triclopyr ester) Ester form of triclopyr, used for woody and herbaceous weed control.

Roundup Pro, ProDry, Rodeo, Aquamaster, Kleenup (glyphosate) Primary vegetation control product used with other control methods in shrub beds, tree circles, other park areas, controlling invasives and in habitat restoration.

Scythe (fatty acid) Non-selective liquid herbicide containing pelargonic acid. Primarily used to mark ballfield foul lines.

Insecticides

Aerosol Wasp Sprays (pyrethroids active ingredients only) Directed jet sprays used for individual wasp and hornet nest treatments posing health and safety threats to park users.

Bacillus thuringiensis Primarily for lepidopterous insects, although subspecies can be used for other targets. Insect control not usually done in general parks.

Malice, Merit (imidacloprid) Systemic product for specialty areas or for high value plant material. Minor use material intended for situations where infestations threaten the health of park plantings or street trees.

Safer Insecticidal Soap, M-Pede, others (soaps) Potassium fatty acid soaps. General soft body insect control. Used for aphid, scale and whitefly insect control only occasionally.

Sunspray, others (horticultural oils) General insect control both for dormant and growing season use. Insect control not usually done in general parks; not typically used.

Miscellaneous
Activator 90, R-11, LI 700, others (spray adjuvant) Surfactant used in solutions to enhance spray coverage and increase efficacy. Other spray adjuvants are approved for use.

Sluggo, Escargo (iron phosphate) For specialty areas susceptible to unacceptable slug damage, such as in some annual flower beds. Not typically used, but included on list for use if loss is unacceptable.

Tanglefoot (barrier product) Physical sticky barrier for crawling insect pests.

Wasp Traps (pheromone trap) Yellowjacket trap for certain areas. Not typically used.

Special Use Products
Any products not included on the above list must be approved by the IPM Coordinator prior to use.

In the event of an insect infestation or the need to prevent establishment of an insect such as gypsy moths, that requires State and County pesticide application on City land, the IPM Coordinator will cooperate with the appropriate officials to address the infestation while meeting the City's Integrated Pest Management goals.

Open Spaces/Natural Areas
Natural areas include required pesticide buffers and aquatic sites.

Herbicides (Post-Emergent)
Garlon 3A (triclopyr amine) Selective product for woody and difficult to control perennials. Used both in spray and cut-stem applications, also for invasives and habitat restoration. No Garlon will be applied within a 100-foot buffer on either side of all streams with ESA-listed fish.

Roundup Pro, ProDry, Rodeo, Aquamaster (glyphosate) Primary vegetation control product used with other control methods.

Appendix B

IPM Cost Assumptions and Control Alternatives

INTEGRATED PEST MANAGEMENT CONTROL COST ASSUMPTIONS
Eureka, California

Maintenance Task	Traditional Approach	Alternative Approaches	Cost Assumptions (1)	Cost
Planter Bed Maintenance				
Weed Control (pre emergent)	Hand cultivating		20 min. (MW I) / 100 sq. ft.	$6.95/ 100 sq. ft.
		Chemical Application	15 min. (MW II) / 100 sq. ft. + $1 materials (3)	$6.75/ 100 sq. ft.
		Mulch	30 min. (MW I) / 100 sq. ft. + $5 materials (2,4)	$15.43/ 100 sq. ft.
		Fabric Application	15 min. (MW I) / 100 sq. ft. + $18 materials (5)	$18.44/ 100 sq. ft.
Weed Control (existing)	Hand Weeding		30 min. (MW I) 100 sq. ft.	$10.43/ 100 sq. ft.
		Chemical Application (spot)	10 min. (MW II) / 100 sq. ft. + $1 materials	$4.83/ 100 sq. ft.
Pruning	Annual pruning		30 min. (MW II) 100 sq. ft.	$11.48/ 100 sq. ft.
		Reduced pruning (damage only)	15 min. (MW II) 100 sq. ft.	$5.74/ 100 sq. ft.
Debris Collection	Weekly pickup		15 min. (MW I) / 100 sq. ft.	$5.23/ 100 sq. ft.
Replacement Planting		Replace with low maintenance materials	15 min. (MW I) / 100 sq. ft.	$5.23/ 100 sq. ft.
Turf Management				
Mowing	7 day mowing cycle		$32/ acre/ hr x 32 times annually (9)	$1,024/ acre
		Go to 10 day mowing cycle (20 times)	$32/ acre/ hr x 20 times annually (9)	$640/ acre
Weed Control		Chemical application (spot)	45 min. (MW II) / acre + $3 materials	$20.25/ acre
		Increase mowing height	$32/ acre/ hr x 32 times annually (9)	$1,024/ acre
		Chemical Application (saturation)	30 min. (MW II) / acre. + $3 materials & $15 equip.	$29.48/ acre
		Fertilization	30 min. (MW I) / acre. + materials & equipment (6)	$31.91/ acre
		Irrigation	15 min. (MW II) acre + water cost (7)	$25.75/ acre
Hard Surface Care (tennis courts, parking lots,driveways, plazas, pathways				
Weed Removal (Spot)	Hand Removal		10 min. (MW I) 100 sq. ft.	$3.48/ 100 sq. ft.
		Chemical Application	5 min. (MW II) / 100 sq. ft. + $1 materials	$2.92/ 100 sq. ft.
		Burning	5 min. (MW II) / 100 sq. ft. + $1 materials	$2.92/ 100 sq. ft.
Tree Care				
Pruning	Safety and shaping		1.5 hr. (MWII) (5)	$82.88/ tree
		Safety only	0.75 hr. (MWII) (5)	$34.50/ tree
Pest Control	Chemical application		30 min. (MW II) / tree + $20 equipment + $5 materials	$36.48/ tree
		General Wash	30 min. (MW I) / tree + $10 equipment	$20.43/ tree
		Biological	15 min. (MW I) / tree + $13 supplies (8)	$18.23/ tree

Notes

1 Includes labor and materials and limited travel time
2 Based on Maintenance Worker I (MW) step 3 ($14.90/ hr. + 40% benefits = $20.86/ hour
3 Based on Maintenance Worker II (MW) step 3 ($16.40/ hr. + 40% benefits = $22.96/ hour
4 Assumes transportation and distribution
5 Includes 2 personnel
6 Nitrogen @ 43 lbs./ acre @ $0.25/lb. + $10.43 labor + $11.48 material + $10 equipment
7 includes automatic irrigation maintenance + $20 per acre water cost
8 1,500 ladybugs
9 Based on 1.8 ac./hr; includes gang and trim mowers and travel time

INTEGRATED PEST MANAGEMENT CONTROL ALTERNATIVES
Eureka, California

Maintenance Task	Traditional Approach	Alternative Approach	Current Practice	Recommended Frequency	Cost/ Unit/ Application	Annual cost	Effectiveness of Alternative
Planter Bed Maintenance							
Weed Control (pre emergent)	Cultivating		Very little	3 times annually	$6.95/ 100 sq. ft.	$20.85/ 100 sq. ft.	
		Chemical Application	None	1 time annually	$6.75/ 100 sq. ft.	$6.75/ 100 sq. ft.	Very effective; politically sensitive
		Mulch	Annually	Annually	$15.43/ 100 sq. ft.	$15.43/ 100 sq. ft.	Somewhat effective
		Fabric Application	None	Once every 5 years	$18.44/ 100 sq. ft.	$3.69/ 100 sq. ft	somewhat effective; gets damaged from digging in area
Weed Control (existing)	Hand Weeding		Very little	3 times annually	$10.43 / 100 sq. ft.	$31.29/ 100 sq. ft.	Very effective; costly on annual basis
		Chemical Application (spot)	None	2 times annually	$4.83/ 100 sq. ft.	49.66/ 100 sq. ft.	Very effective; least costly; politically sensitive
Pruning	Hand pruning		As needed	Annually	$11.48/ 100 sq. ft.	$11.48/ 100 sq. ft.	
		Reduce pruning	As needed	As needed	$5.74/ 100 sq. ft.	$5.74/ 100 sq. ft.	Unattractive; weak plant material
Debris Collection	Raking/Collecting		As needed	2 times annually	$5.23/ 100 sq. ft.	$10.46/ 100 sq. ft.	
		Replace with evergreens	None	1 time annually	$5.23/ 100 sq. ft.	$5.23/ 100 sq. ft.	Cost does not include materials; less maintenance cost
Turf Management							
Mowing (Frequency/Height)	7 day cycle		32 times annually	32 times annually	$32/ hr/ acre	$1,024/ acre	
		Limit watering		20 times annually	$32/ hr/ acre	$640/ acre	unattractive turf in summer
Weed Control							
		Increase mowing height	2.5"	3.0"	$32/ hr/ acre	$1,024/ acre	Cost remains same; less attractive
		Chemical Application (spot)	None	2 times annually	$20.25/ acre	$40.50/ acre	Very effective; politically sensitive
		Chemical Application (saturation)	None	1 time annually	$29.48/ acre	$29.48/ acre	Most effective; more politically sensitive
		Fertilization	None	3 times annually	$31.91/ acre	$95.73/ acre	Somewhat effective; costly; improves appearance
		Irrigation	Yes	1.5"/ week seasonally	$25.75/ acre	$25.75/ acre	Increased water promotes turf growth
Fertilization	3-4 times annually		None	3-4 times annually			
Hard Surface Care (tennis courts, parking lots, driveways, plazas, pathways							
Weed Removal (Spot)	Hand removal		As needed	8 times annually	$3.48/ 100 sq. ft.	$27.84/ 100 sq. ft.	
		Chemical Application	None	3 times annually	$2.92/ 100 sq. ft.	$8.76/ 100 sq. ft.	Very effective; reduces labor; politically sensitive
		Burning	None	3 times annually	$2.92/ 100 sq. ft.	$8.76/ 100 sq. ft.	Potential burning of surface
Tree Care							
Pruning	Safety and shaping		As needed	Pruned annually	$82.88/ tree	$82.88/ tree	
		For safety only	For safety only	As needed	$34.50/ tree	$34.50/ tree	Safety only
Pest Control	Chemical Application		As needed	Annual application	$36.48/ tree	$36.48/ tree	Very effective; high labor cost; politically sensitive
		General Wash	None	As needed	$10.43/ tree	$10.43/ tree	Somewhat effective; low labor cost; politically acceptable
		Biological		As needed	$18.23/ tree	$18.23/ tree	Somewhat effective; low labor cost; politically acceptable

Appendix C

Pesticide Exposure Contacts

Pesticide Exposure Contacts

Cal North Adjusters
(707) 443-5302

City of Eureka Fire Department
(707) 441-4000

City of Eureka Public Works Department
(707) 441-4203

City of Eureka Personnel Department
(707) 441-4124

Humboldt County Agriculture Commissioner
(707) 441-5261

EUREKA CITY COUNCIL

AGENDA SUMMARY

RE: AMENDMENTS TO THE MEDICAL CANNABIS ORDINANCE	**FOR AGENDA DATE: MAY 3, 2011** **AGENDA ITEM NO.:** 8

RECOMMENDATION:

1. Waive reading and adopt, read by Title only, Bill No. 835-C.S., AN ORDINANCE OF THE CITY OF EUREKA AMENDING TITLE 15 CHAPTER 158 MEDICAL CANNABIS: CULTIVATION, PROCESSING AND DISTRIBUTION

SUMMARY:

On March 15, 2011, the City Council requested that Staff prepare modifications to the adopted Medical Cannabis Ordinance.

On March 17, 2011, the City Council held a Special Meeting to review and comment on the draft amendments prepared by Staff. The City Council made modifications to the draft amendments and directed that they be sent to the Planning Commission as required by law for the Commission's review and recommendation back to the City Council. The Council's modifications focused on limiting the number and location of medical cannabis facilities, placing restrictions on signage, focusing inspection and monitoring on compliance with conditional use permit requirements, and setting other miscellaneous operational requirements.

On April 18, 2011, the Planning Commission held a public hearing and took action to recommend approval to the City Council of amendments to the Medical Cannabis Ordinance with the recommendation to remove the Council's suggested amendments regarding signage and location of facilities relative to 4th, 5th and Broadway.

On April 19, 2011, the City Council held a public hearing and took the first step in adopting the amended Ordinance by waiving the reading, introducing and reading by title only Bill No.835-C.S., AN ORDINANCE OF THE CITY OF EUREKA AMENDING TITLE 15 CHAPTER 158 MEDICAL CANNABIS: CULTIVATION, PROCESSING AND DISTRIBUTION.

Staff report prepared by Kristen M. Goetz, Assistant Planner

FISCAL IMPACT: None with this action

DEPARTMENT HEAD SIGNATURE:	**CITY MANAGER SIGNATURE:**
Lisa D. Shikany Interim Director of Community Development	*David W. Tyson* City Manager

REVIEWED BY:	**DATE:**	**INITIALS:**
Assistant City Manager	4-27-11	MK
City Attorney	4-25-11	WRB

Council Action:

Ordinance No. _____ Resolution No. _____

EUREKA CITY COUNCIL

AGENDA SUMMARY

RE: AMENDMENTS TO THE MEDICAL CANNABIS ORDINANCE	FOR AGENDA DATE: MAY 3, 2011 AGENDA ITEM NO.: *Page 2*

The Council's action to introduce the ordinance included the following amendments that Staff has incorporated into the ordinance:

- **Section 158.021(b)**
  Reinstated language to allow a maximum of two distribution facilities not associated with any of the four permitted cultivation/processing facilities
- **Section 158.022(F)(7)**
  Limits signage to six square feet
- **Section 158.023(F)(12)**
  Limits signage to six square feet
- **Section 158.022(F)(1)**
  Requires distribution facilities to obtain cannabis only from their associated cultivation or processing facility

All limitations on signage previously added by the Council remain. Limitations on facility location along 4th, 5th and Broadway previously added by Council remain. Finally, the inspection and monitoring section remains as the version that focuses on compliance with the conditional use permit.

If these amendments are satisfactory, the next step for the City Council to adopt the Ordinance is to waive reading and adopt, read by Title only Bill No. 835-C.S., AN ORDINANCE OF THE CITY OF EUREKA AMENDING TITLE 15 CHAPTER 158 MEDICAL CANNABIS: CULTIVATION, PROCESSING AND DISTRIBUTION.

BILL NO. 835-C.S.
ORDINANCE NO. ____-C.S.

AN ORDINANCE OF THE CITY OF EUREKA AMENDING TITLE 15 CHAPTER 158 MEDICAL CANNABIS: CULTIVATION, PROCESSING AND DISTRIBUTION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

Section 1.
Title 15, Chapter 158, Section, is hereby amended to read as follows:

CHAPTER 158: MEDICAL CANNABIS: CULTIVATION, PROCESSING AND DISTRIBUTION

Section

General Provisions

158.001 Findings and purpose
158.002 Interpretation and applicability
158.003 Release of liability and hold harmless
158.004 Definitions
158.005 Severability

Personal Use - Requirements & Regulations

158.010 Cultivation
158.011 Processing
158.012 Distributing

Cooperatives & Collectives - Requirements & Regulations

158.020 Offices and Labs
158.021 Number of Facilities
158.022 Cultivation or processing
158.023 Distributing
158.024 Delivery Services
158.025 Inspection and Monitoring

Permits

158.030 Fees and taxes
158.031 Enforcement

Non-medical Marijuana Use – Requirements & Regulations

158.040 Personal Use Cultivation, Processing, and Distributing

GENERAL PROVISIONS

§ 158.001 FINDINGS AND PURPOSE.

(A) The City Council of the City of Eureka, based on evidence presented to it in the proceedings leading to the adoption of this ordinance hereby finds that the cultivation, processing and distribution of medical cannabis in the City of Eureka has caused and is causing ongoing impacts to the community. These impacts include damage to buildings containing indoor grows, including improper and dangerous electrical alterations and use, inadequate ventilation leading to mold and mildew, increased frequency of home-invasion robberies and similar crimes, and that many of these impacts have fallen disproportionately on residential neighborhoods. These impacts have also created an increase in response costs, including code enforcement, building, land use, fire, and police staff time and expenses.

(B) The City Council of the City of Eureka also acknowledges that the voters of the State of California have provided a criminal defense to the cultivation, possession and use of cannabis for medical purposes under the Compassionate Use Act, but that the Compassionate Use Act does not address land use or building code impacts or issues arising from the resulting increase in cannabis cultivation within the City.

(C) The purpose and intent of this chapter is to regulate the cultivation, processing and distribution of medical cannabis in a manner that protects the public health, safety and welfare of the community and mitigates for the costs to the community of the oversight of these activities.

§ 158.002 INTERPRETATION AND APPLICABILITY.

(A) No part of this ordinance shall be deemed to conflict with federal law as contained in the Controlled Substances Act, 21 U.S.C. section 800 et seq., nor to otherwise permit any activity that is prohibited under that Act or any other local, state or federal law, statute, rule or regulation. The cultivation, processing and distribution of medical cannabis in the City of Eureka is controlled by the provisions of this chapter of the Eureka Municipal Code. Accessory uses and home occupations, where medical cannabis is involved shall be governed by the provisions of this chapter.

(B) Nothing in this ordinance is intended, nor shall it be construed, to burden any defense to criminal prosecution otherwise afforded by California law.

(C) Nothing in this ordinance is intended, nor shall it be construed, to preclude a landlord from limiting or prohibiting cannabis cultivation, smoking or other related activities by tenants.

(D) Nothing in this ordinance is intended, nor shall it be construed, to exempt any cannabis related activity from any and all applicable local and state construction, electrical, plumbing, land use, or any other building or land use standards or permitting requirements.

(E) Nothing is this ordinance is intended, nor shall it be construed, to make legal any cultivation, transportation, sale, or other use of cannabis that is otherwise prohibited under California law.

(F) All cultivation, processing and distribution of medical cannabis within city limits shall be subject to the provisions of this chapter, regardless if the cultivation, processing or distribution existed or occurred prior to adoption of this chapter.

§ 158.003 RELEASE OF LIABILITY AND HOLD HARMLESS.

As a condition of approval of any conditional use permit approved for a medical cannabis cultivation, processing, and/or distribution facility, the owner or permittee of each medical cannabis collective, cooperative, cultivation, processing or distribution facility shall indemnify and hold harmless the City of Eureka and its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by adjacent or nearby property owners or other third parties due to the operations at the collective, cooperative, cultivation, processing or distribution facility, and for any claims brought by any of their clients for problems, injuries, damages, or liabilities of any kind that may arise out of the cultivation, processing or distribution of medical cannabis.

§ 158.004 DEFINITIONS.

DWELLING UNIT. A room or group of rooms (including sleeping, eating, cooking, and sanitation facilities, but not more than one kitchen), which constitutes an independent housekeeping unit, occupied or intended for occupancy by one household on a long-term basis.

FACILITIES.

MEDICAL CANNABIS CULTIVATION FACILITY. A facility at which medical cannabis is grown and harvested for supply to a ***MEDICAL CANNABIS PROCESSING FACILITY*** and/or a ***MEDICAL CANNABIS DISTRIBUTION FACILITY***.

MEDICAL CANNABIS DISTRIBUTION FACILITY. Any facility or location where medical cannabis is distributed as a medication upon recommendation by a physician and where medical cannabis is made available to or distributed by or to a primary caregiver or a qualified patient in strict accordance with the Compassionate Use Act of 1996 (California Health and Safety Code Section 11362.5 et seq.).

MEDICAL CANNABIS PROCESSING FACILITY. A facility at which medical cannabis is processed for supply to a ***MEDICAL CANNABIS DISTRIBUTION FACILITY***.

MEDICAL CANNABIS. (also known as *medical marijuana*) Cannabis, including constituents of cannabis, THC and other cannabinoids, used as a physician-recommended form of medicine or herbal therapy.

MEDICAL CANNABIS COOPERATIVE OR COLLECTIVE. Any person, association, cooperative, affiliation, or collective of persons who provide education, referral, or network services, and/or facilitation or assistance in the cultivation, processing or distribution of medical cannabis.

MEDICAL CANNABIS CULTIVATION AREA. The maximum dimensions used for the cultivation of medical cannabis. For the purpose of this chapter, the allowable cultivation area shall be the cumulative gross area used for cultivation of medical cannabis and shall be measured using either (a) the outward edge of the trays, pots or other containers used for cultivation or (b) the vegetative canopy, whichever is greater.

MEDICAL CANNABIS DISTRIBUTION. The supply to a qualified patient by any person, including a primary caregiver, cooperative or collective, of medical cannabis that is not grown in the qualified patient's residence.

MEDICAL CANNABIS PROCESSING. Medical cannabis processing includes, but is not limited to: manicuring, drying, curing, pressing, cooking, baking, infusing, grinding, bagging, packaging, rolling.

MEDICAL CANNABIS PROCESSING AREA. The maximum dimensions used for the processing of medical cannabis. For the purpose of this chapter, the allowable processing area shall be the cumulative gross floor area used for processing medical cannabis. Where the processing area occupies the majority of a room or rooms, the processing area shall be calculated as the total gross floor area of the room or rooms used for processing medical cannabis.

PRIMARY CAREGIVER. As defined in California Health and Safety Code Section 11362.7 et seq., and as it may be amended from time to time.

QUALIFIED PATIENT. As defined in California Health and Safety Code Section 11362.7 et seq., and as it may be amended from time to time.

RESIDENCE. A legal dwelling unit.

§ 158.005 SEVERABILITY

If any part of this ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining parts of this ordinance.

PERSONAL USE - REQUIREMENTS & REGULATIONS

§ 158.010 CULTIVATION.

(A) A qualified patient shall be allowed to cultivate medical cannabis for their own personal use. The medical cannabis cultivation area shall not cumulatively exceed 50 square feet per residence. Cultivation of medical cannabis for personal use shall be in conformance with the following standards:

(1) The residence shall remain at all times a residence with legal and functioning cooking, sleeping and sanitation facilities. Medical cannabis cultivation shall remain at all times secondary to the residential use of the property;

(2) The qualified patient shall reside in the residence where the medical cannabis cultivation occurs;

(3) Cultivation of medical cannabis for personal use shall occur only on the parcel either within the residence occupied by the qualified patient, or in a self-contained accessory building that is secured, locked, and fully enclosed and which is for the exclusive use of the qualified patient. Cultivation of medical cannabis for personal use shall not displace required off-street parking;

(4) The medical cannabis cultivation area shall not exceed 50 square feet and shall not exceed 10 feet in height per residence, regardless if cultivated within the residence or in an accessory building unless an exception request is obtained per section 158.010(B);

(5) If required by Building or Fire Code, the wall(s) adjacent to the cultivation area shall be constructed with 5/8" Type X moisture resistant drywall;

(6) The medical cannabis cultivation area shall be in compliance with the current adopted edition of the California Building Code section 1203.4 Natural Ventilation or section 402.3 Mechanical Ventilation (or its equivalent(s));

(7) The cultivation of medical cannabis shall not adversely affect the health or safety of the residents, the residence or accessory building in which it is cultivated, or nearby properties through creation of mold, mildew, dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, surface runoff, or other impacts, or be hazardous because of the use or storage of materials, processes, products or wastes;

(8) Medical cannabis cultivation lighting shall not cumulatively exceed 1200 watts unless an exception request is obtained per section 158.010(B);

(9) All electrical equipment used in the cultivation of medical cannabis, (e.g., lighting and ventilation) shall be plugged directly into a wall outlet or otherwise hardwired; the use of extension cords to supply power to electrical equipment used in the cultivation of medical cannabis is prohibited;

(10) Any electrical wiring/rewiring shall first require an electrical permit from the Building Department;

(11) The use of gas products (e.g., CO_2, butane, etc.) for medical cannabis cultivation is prohibited unless an exception request is obtained per section 158.010(B); and

(12) From a public right of way, there shall be no exterior evidence of medical cannabis cultivation occurring at the property.

(B) The medical cannabis cultivation area may exceed the 50 square foot maximum per residence, up to a total of 100 square feet of cultivation area, or the standards in section 158.010(A)(4)(8) or (11) above may be modified, upon approval of an Exception Request issued by the Director of Community Development. An Exception Request shall not allow more than a total of 100 square feet per residence regardless if cultivated within the residence or an accessory building.

(1) An application for an Exception Request shall include the following information

(a) Written permission from the property owner;

(b) An application fee set by resolution of the City Council;

(c) Adequate information and documentation, such as a physician's recommendation, or verification of more than one qualified patient living in the residence, to demonstrate why the cultivation area should be allowed to exceed 50 square feet;

(d) The specified location and size of the requested cannabis cultivation area not to exceed 100 square feet and not to exceed 10 feet in height;

(e) A materials storage, handling and disposal plan; and

(f) If the Exception Request includes a request to modify the standards prescribed in section 158.010(A)(4)(8) or (11), documentation and information shall be provided identifying which standards are proposed to be modified and why such modification would not detrimentally affect the use of the dwelling unit for its intended residential occupancy.

(2) If required by Building or Fire Code, the applicant shall make specified improvements to the residence with a Building Permit, if one is needed. Such improvements may include, but are not limited to, electrical system upgrades.

(3) The Director of Community Development in consultation with the Chief Building Official and Fire Marshal shall review the submitted application and determine if the specific circumstances warrant granting an Exception Request.

(4) The Exception Request shall become void, and the cannabis cultivation area in excess of 50 square feet shall be removed one year following the date on which the Exception Request was issued unless the Exception Request is renewed prior to expiration.

(C) Medical cannabis cultivation is prohibited as a Home Occupation. Medical cannabis cultivation shall not be considered a residential accessory use. No distribution of medical cannabis cultivated for personal use shall be allowed.

§ 158.011 PROCESSING.

(A) A qualified patient shall be allowed to process medical cannabis cultivated within his/her private residence. The medical cannabis processing area shall not cumulatively exceed 20 square feet per residence. Processing of medical cannabis cultivated at the residence shall be in conformance with the following standards:

(1) Only medical cannabis cultivated at the residence in conformance with this chapter shall be allowed to be processed at the residence;

(2) The residence shall remain at all times a residence with legal and functioning cooking, sleeping and sanitation facilities. Medical cannabis processing shall remain at all times secondary to the residential use of the property;

(3) The medical cannabis processing shall be in compliance with the current adopted edition of the California Building Code section 1203.4 Natural Ventilation or section 402.3 Mechanical Ventilation (or its equivalent(s));

(4) The use of gas products (e.g., CO_2, butane, etc.) for medical cannabis processing is prohibited; and

(5) The processing of medical cannabis shall not adversely affect the health or safety of the residents, the residence or accessory building in which it is processed, or nearby properties through creation of mold, mildew, dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, surface runoff, or other impacts, or be hazardous because of the use or storage of materials, processes, products or wastes.

(B) Medical cannabis processing is prohibited as a Home Occupation. Medical cannabis processing shall not be considered a residential accessory use. No sale or distributing of medical cannabis processed for personal use shall be allowed.

§ 158.012 DISTRIBUTING.

Medical cannabis cultivated or processed for personal use as provided for in this chapter shall not be distributed to any person, cooperative or collective unless specifically allowed under this chapter.

COOPERATIVES & COLLECTIVES - REQUIREMENTS & REGULATIONS

§ 158.020 OFFICES AND LABS

(A) *Offices*. Offices for a cooperative or collective at which no cultivation, processing, storage, handling or distributing of cannabis, in any form, occurs shall be allowed in any zoning district in which offices are allowed. Such offices shall be subject to all regulations and standards applicable to offices as prescribed in the Zoning Regulations of the Eureka Municipal Code.

(B) *Medical Research Labs and Testing Facilities*. Medical cannabis research labs or medical cannabis testing facilities at which no cultivation, processing, or distribution of medical cannabis occurs shall be allowed in any zoning district in which laboratories or medical laboratories are permitted. Such facilities shall be subject to all regulations and standards applicable to labs or medical labs as prescribed in the Zoning Regulations of the Eureka Municipal Code.

§ 158.021 NUMBER OF FACILITIES.

(A) There shall be a maximum of four (4) cultivation/processing facilities permitted within city limits. Each of the cultivation/processing facilities shall be allowed one distribution facility located within city limits which may be located separate from or at the same site where the cultivation and processing occurs.

(B) A maximum of two distribution facilities not associated with any of the four permitted cultivation/processing facilities shall be allowed within city limits.

(C) Only those Collectives or Cooperatives invited by the City Council may submit an application for a conditional use permit. The City Council shall establish the process for the selection of the Collectives or Cooperatives to be invited to submit an application for a conditional use permit. The City Council may elect to invite fewer than the number described in section 158.021(A) and (B).

§ 158.022 CULTIVATION OR PROCESSING.

(A) A cultivation or processing facility which is (a) located on Broadway, 4th or 5th Streets and (b) is not on the same site as its associated medical cannabis distribution facility shall be inconspicuous and shall not draw attention to the use of the building as a medical cannabis cultivation or processing facility. A cultivation or processing facility located on the same site as its associated distribution facility shall comply with the requirements contained in section 158.023(B).

(B) Cultivation or processing facilities shall only be allowed upon the granting of a conditional use permit as prescribed in the Eureka Municipal Code. The fact that an applicant possesses other types of state or City permits or licenses does not exempt the applicant from the requirement of obtaining a conditional use permit to operate a cultivation or processing facility for distribution.

(C) Research, testing, or other similar facilities that cultivate medical cannabis for distribution to patients or primary caregivers shall be considered, for the purpose of this chapter, a cultivation or processing facility and shall be subject to all applicable regulations and limitations for a cultivation or processing facility.

(D) In addition to the conditional use permit required under section 158.022(B), a cultivation or processing facility located in the coastal zone shall only be allowed upon the granting of a coastal development permit as prescribed in the Eureka Municipal Code.

(E) In addition to the application requirements specified for a conditional use permit, an application for a conditional use permit for a cultivation or processing facility shall include the following information:

(1) Authorization for the City, its agents and employees, to seek verification of the information contained within the application;

(2) Text and graphic materials showing the site and floor plan for the medical cannabis cultivation or processing facility including the use of each room or building on the premises. The material shall also describe or illustrate the location and uses of adjacent structures and properties;

(3) The equipment and methods employed in the cultivation or processing of the medical cannabis;

(4) How the cultivated and/or processed medical cannabis will be transported to the distribution facility and/or to qualified patients or primary caregivers;

(5) The hours and days of the week the medical cannabis cultivation or processing facility will be open;

(6) The number of persons, per shift, who will be working at the cultivation or processing facility;

(7) The security measures that will be employed at the premises, including but not limited to: lighting, alarms, and automatic law enforcement notification;

(8) The measures taken to minimize or offset energy use from the cultivation or processing of medical cannabis;

(9) The chemicals stored or used at the premises;

(10) The type and quantity of all effluent discharged into the City's wastewater and/or stormwater system;

(11) The name, location and operator of the distribution facility(ies) for which the medical cannabis is being cultivated or processed; and

(12) Any other information required by the Director of Community Development relevant to the ordinance.

(F) Cultivation or processing facilities shall be subject to the following specific regulations:

(1) The cultivation area shall occur only within a self-contained structure that is in compliance with California Building Code section 1203.4 Natural Ventilation or section 402.3 Mechanical Ventilation (or its equivalent(s));

(2) The cultivation or processing facility shall comply with stormwater, wastewater, and other applicable requirements of the City;

(3) The required number of off-street parking spaces shall be determined by the Planning Commission. The location of off-street parking shall be in compliance with the parking regulations prescribed in the Eureka Municipal Code;

(4) The on-site display of cannabis plants visible from the outside shall be prohibited, including live plants or graphic representations of the cannabis plant;

(5) There shall be no off-site signage advertising the medical cannabis facility;

(6) <u>Signs shall not be larger than 6 square feet;</u>

(7) Signs shall not be internally illuminated;

(8) There shall be no signage on the frontage of buildings facing Broadway, 4th or 5th Streets, or in front of buildings facing Broadway, 4th or 5th Streets;

(9) The display or sale of paraphernalia employed in the use or consumption of medical cannabis shall not be allowed at the cultivation or processing facility;

(10) Cultivation or processing facilities shall maintain all necessary permits, and pay all appropriate taxes;

(11) Cultivation or processing facilities shall provide invoices to vendors to ensure vendor's tax liability responsibility;

(12) A cultivation or processing facility located off-site from its associated medical cannabis distribution facility shall not distribute medical cannabis from the cultivation or processing site unless permitted in the conditional use permit;

(13) The cultivation or processing of medical cannabis shall not adversely affect the health or safety of the employees, or the facility in which it is cultivated or processed, or nearby properties through creation of mold, mildew, dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, or be hazardous because of the use or storage of materials, processes, products or wastes;

(14) There shall be no on-site use or consumption of medical cannabis unless specifically authorized in the conditional use permit;

(15) The processing of medical cannabis into foodstuffs and other edibles by cooking, baking, infusing, grinding, etc., shall comply with the provisions of all relevant local and State laws for the commercial preparation of food.

(16) The packaging of edibles and other similar products shall be nondescript and shall not mimic, resemble or be representational of candy, cookies or other food products that might attract or entice children; and

(17) Medical cannabis cultivation or processing facilities shall comply with other conditions prescribed in the approved conditional use permit.

(G) The conditional use permit granted for a cultivation or processing facility may be suspended or revoked based on a finding that the facility has a history of multiple or any serious violations of this ordinance, or as otherwise prescribed for all other conditional use permits in the Eureka Municipal Code.

(H) The rights of an approved conditional use permit for a cultivation or processing facility shall be granted to the permittee at the specified location described in the conditional use permit. The conditional use permit for a cultivation or processing facility shall not be transferred to another permittee or to another location.

(I) The conditional use permit shall remain in effect as long as the specified cultivation or processing facility is in operation. A facility that ceases operation for one month or more shall be deemed abandoned and the conditional use permit shall terminate.

§ 158.023 DISTRIBUTING.

(A) Mobile distribution of medical cannabis, other than delivery services described and regulated by section 158.024, is prohibited within city limits.

(B) A medical cannabis distribution facility located on Broadway, 4th or 5th Streets shall not have a storefront or the patient entrance facing Broadway, 4th or 5th Streets.

(C) Medical cannabis distribution facilities shall only be allowed upon the granting of a conditional use permit as prescribed in the Eureka Municipal Code. The fact that an applicant possesses other types of state or City permits or licenses does not exempt the applicant from the requirement of obtaining a conditional use permit to operate a medical cannabis distribution facility.

(D) In addition to the conditional use permit required under section 158.023(C), a distribution facility located in the coastal zone shall only be allowed upon the granting of a coastal development permit as prescribed in of the Eureka Municipal Code.

(E) In addition to the application requirements specified for a conditional use permit, an application for a conditional use permit for a distribution facility shall include the following information:

(1) Authorization for the City, its agents and employees, to seek verification of the information contained within the application;

(2) Text and graphic materials showing the site and floor plan for the distribution facility including the use of each room or building on the premises. The material shall also describe or illustrate the location and uses of adjacent structures and properties;

(3) The hours and days of the week the distribution facility will be open;

(4) The number of persons, per shift, who will be working at the distribution facility;

(5) The security measures that will be employed at the premises, including but not limited to: lighting, alarms, and automatic law enforcement notification;

(6) The chemicals stored or used at the premises;

(7) The type and quantity of all effluent discharged into the City's wastewater and/or stormwater system;

(8) The name, location and operator of the cultivation or processing facility(ies)supplying the medical cannabis to the distribution facility;

(9) A detailed Operations Manual containing, at a minimum,

(a) The staff screening process including appropriate background checks;

(b) The process for tracking medical cannabis quantities and inventory controls;

(c) A description of the screening, registration and validation process for qualified patients;

(d) A description of qualified patient records acquisition and retention procedures; and

(e) The process for tracking medical cannabis quantities and inventory controls including on-site cultivation, processing, and/or medical cannabis products received from outside sources;

(10) A detailed Cannabis Safety Program, which includes at a minimum, the following,

(a) The process for documenting the chain of custody of all cannabis and cannabis products from farm to patient;

(b) The procedure and documentation process for assuring the safety and quality of all medical cannabis and medical cannabis products effective January 1, 2011, (including, but not limited to, testing for bacteria, mold, pesticides and other contaminants); and

(c) The procedure and documentation process for determining patient dosage including testing for the major active agents in the medical cannabis effective January 1, 2011 (e.g., cannabinoids THC, CBD and CBN).

(11) Any other information required by the Director of Community Development that is relevant to the ordinance.

(F) Distribution facilities shall be subject to the following specific regulations:

(1) <u>Distribution facilities associated with cultivation or processing facilities pursuant to §158.021 (A) shall only dispense cannabis cultivated and processed at the associated cultivation or processing facility. Any exceptions shall be confined to emergencies and start-up processes detailed in the conditional use permit for the facility.</u>

(2) No distribution facility shall be located within 1000 feet of any existing park, playground, day care facility, school, or similar facility that primarily serves children under 18 years of age, either inside or outside the city limits;

(3) The distribution facility shall consist of a business form that satisfies state law to act cooperatively or collectively in the acquisition and distribution of medical cannabis;

(4) The distribution facility shall display the client rules and/or regulations in a conspicuous place that is readily seen by all persons entering the distribution facility;

(5) Each building entrance to the distribution facility shall be clearly and legibly posted with a notice indicating that smoking, ingesting or consuming medical cannabis on the premises or in the vicinity of the distribution facility is prohibited unless specifically authorized under the conditional use permit;

(6) Each building entrance to the distribution facility shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen (18) are precluded from entering the premises unless they are a qualified patient and/or they are under the supervision of their parent or legal guardian;

(7) The distribution facility shall only distribute medical cannabis to a qualified patient who has a valid, verified physician's recommendation, or the patient's primary caregiver. The distribution facility shall verify that the physician's recommendation is current and valid;

(8) The distribution facility shall not distribute medical cannabis to a qualified patient or primary caregiver more than twice a day;

(9) The distribution facility shall only permit the distribution of live plants, starts and clones as allowed by the approved conditional use permit. Such distribution shall be limited to qualified patients or primary caregivers;

(10) The on-site display of cannabis plants visible from the outside shall be prohibited, including live plants or graphic representations of the cannabis plant;

(11) There shall be no off-site signage advertising the medical cannabis facility;

(12) <u>Signs shall not be larger than 6 square feet;</u>

(13) Signs shall not be internally illuminated;

(14) There shall be no signage on the frontage of buildings facing Broadway, 4th or 5th Streets, or in front of buildings facing Broadway, 4th or 5th Streets;

(15) The display or sale of paraphernalia employed in the use or consumption of medical cannabis shall not be allowed at the distribution facility unless specifically prescribed in the approved conditional use permit;

(16) The required number of off-street parking spaces shall be determined by the Planning Commission. The location of off-street parking shall be in compliance with the parking regulations prescribed in the Eureka Municipal Code;

(17) Distribution facilities shall maintain all necessary permits, and pay all appropriate taxes;

(18) Distribution facilities shall provide invoices to vendors to ensure vendor's tax liability responsibility;

(19) The distribution of medical cannabis shall not adversely affect the health or safety of the employees or the facility in which it is distributed, or nearby properties through creation of mold, mildew, dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, or be hazardous because of the use or storage of materials, processes, products or wastes;

(20) Each and every package or unit of medical cannabis, or medical cannabis product, distributed shall have a label or labels that state the following:

(a) The name of the patient;

(b) The name and contact information of the distributor;

(c) An identification and tracking number for the specific package or unit of medical cannabis, or medical cannabis product;

(d) The species or strain of the medical cannabis;

(e) Identification of the strength and dosage of the medical cannabis;

(f) A statement that the medical cannabis or medical cannabis product has been tested for safety and quality assurance and that the testing results, and chain of custody information is available by contacting the distributor;

(21) There shall be no on-site use or consumption of medical cannabis unless specifically authorized in the conditional use permit; and

(22) Distribution facilities shall comply with other conditions prescribed in the approved conditional use permit.

(G) In addition to the findings specified for a conditional use permit, the Planning Commission shall consider the following when deciding to approve a conditional use permit for a distribution facility:

(1) If the proposed distribution facility is within 300 feet of a residential zoning district either inside or outside the city limits, the potential impacts of the distribution facility on the residents and infrastructure of that district; and

(2) If the proposed distribution facility is within 1000 feet of any other distribution facility, either inside or outside the city limits, the cumulative impacts of the proposed distribution facility on the residents, businesses and infrastructure in the vicinity of the proposed distribution facility.

(H) The conditional use permit granted for a distribution facility may be suspended or revoked based on a finding that the facility has a history of multiple or any serious violations of

this ordinance, or as otherwise prescribed for all other conditional use permits in the Eureka Municipal Code.

(I) The rights of an approved conditional use permit for a distribution facility shall be granted to the permittee at the specified location described in the conditional use permit. The conditional use permit for a distribution facility shall not be transferred to another permittee or to another location.

(J) The conditional use permit shall remain in effect as long as the specified distribution facility is in operation. A facility that ceases operation for one month or more shall be deemed abandoned and the conditional use permit shall terminate.

§ 158.024 DELIVERY SERVICES

(A) A medical cannabis delivery or transportation service that is associated with a permitted distribution facility located within city limits and for which delivery originates from the distribution facility shall only be allowed when the delivery service is described and included in the conditional use permit for the distribution facility.

(B) Delivery or transportation services originating from outside city limits and delivering medical cannabis within city limits shall only be allowed upon the granting of a Mobile Business License.

(C) Delivery or transportation services originating from within city limits, but not from a permitted distribution facility are prohibited.

§ 158.025 INSPECTION AND MONITORING

(A) The Community Development Department shall inspect each medical cannabis facility on or before January 31st of each calendar year to assure compliance with the approved conditional use permit. The Community Development Department inspector shall be granted access to all parts of the facility. All records kept pursuant to the approved conditional use permit shall be open for visual inspection.

(B) The permittee shall submit to the City on or before January 31st of each calendar year an annual inspection fee set by resolution of the City Council.

(C) If the permittee fails to submit the inspection fee, refuses inspection, or if the inspection finds that the facility is not being operated in compliance with the approved conditional use permit, the conditional use permit shall be subject to revocation pursuant to the provisions of section 155.294.

PERMITS

§ 158.030 FEES AND TAXES

The costs to the City arising from the processing and oversight of Exception Requests under section 158.010, subdivision (B) and permits for Cooperatives and Collectives and Distribution Facilities under sections 158.022 and 158.023, and the costs of monitoring and

ensuring compliance with this Ordinance, will be offset through application fees and annual renewal fees, to be adopted by the City Council by Resolution and updated as necessary from time-to-time. In the administration of the permitting requirements under this Ordinance, the City Manager, or his designee, may require as a condition to granting and renewal of the permits any information reasonably necessary to implement the intent of this Ordinance, to ensure that the cannabis handled under the permit is grown, processed or distributed in a manner not in conflict with this Ordinance, and to ensure that any and all related sales taxes are being properly reported and paid.

§ 158.031 ENFORCEMENT

Any violation of this Ordinance is subject to administrative, civil, or criminal penalties, as set out in Eureka Municipal Code section 10.99, in addition to being subject to other remedies provided by law, including but not limited to, injunctive relief, nuisance abatement action, summary abatement of immediately hazardous conditions, and all other applicable fines, penalties and remedies.

This is an Ordinance adopted to address public health and safety issues, and as such, carries with it an express legislative intent to be interpreted strictly, enforced with an emphasis on public and community safety, and enforced rigorously in a manner such as to deter further violations.

NON-MEDICAL USE – REQUIREMENTS & REGUATLIONS

§ 158.040 PERSONAL USE CULTIVATION, PROCESSING, AND DISTRIBUTING

The personal cultivation, processing and distributing of cannabis or marijuana for non-medical purposes, to the extent provided by law, shall comply with the Use Requirements and Regulations prescribed in section 158.010 (CULTIVATION), section 158.011 (PROCESSING), and section 158.012 (DISTRIBUTING) contained in this chapter.

§ 155.051 A AGRICULTURAL DISTRICTS.

(D) *Conditional uses.* The following uses shall be permitted upon the granting of a use permit in accord with the provisions of §§ 155.280 through 155.299 of this chapter:

(25) Accessory structures and uses located on the same site as a conditional use; ~~and~~

(26) Wireless telecommunication facilities subject to the provisions of Chapter 159~~.~~; and

(27) Medical cannabis cultivation and processing facilities subject to the provisions of Chapter 158.

§ 155.055 HM HOSPITAL-MEDICAL DISTRICTS.

(D) *Conditional uses.* The following conditional uses shall be permitted upon the granting of a use permit in accord with the provisions of §§ 155.280 through 155.299 of this chapter:

(7) Timber harvest of less than three acres; ~~and~~

(8) Wireless telecommunication facilities located within 150 feet of an R District subject to the provisions of Chapter 159~~.~~; and

(9) Medical cannabis distribution facilities subject to the provisions of Chapter 158.

§ 155.078 PERMITTED AND CONDITIONAL USES.

(A) The following uses shall be permitted uses or conditional uses in a C District provided the symbol P, for permitted uses, or C, for conditional uses which appears in the column beneath of C District:

USES	CN	CP	CC	CS
Medical and orthopedic appliance stores	P	P	P	P
Medical cannabis cultivation, processing and/or distribution facilities subject to the provisions of Chapter 158				C
Meeting halls		P	P	P

§ 155.099 CONDITIONAL USES.

The following conditional uses shall be permitted upon the granting of a use permit in accord with the provisions of §§ 155.280 through 155.299 of this chapter, and the Planning Commission may require the submission of reports by technical consultants or other evidence in addition to the data prescribed in § 155.281 of this chapter:

(A) *ML Limited Industrial Districts.*

(8) Live-work uses, only where the combining zone, LW has been applied to the Limited Industrial Zoning District; ~~and~~

(9) Wireless telecommunication facilities located within 100 feet of an R District subject to a wireless telecommunication facility permit issued pursuant to Chapter 159~~.~~; and

(10) Medical cannabis cultivation, processing and/or distribution facilities subject to the provisions of Chapter 158.

(B) *MG General Industrial Districts.*

(2) Accessory structures and uses located on the same site as a conditional use; ~~and~~

(3) Wireless telecommunication facilities located within 100 feet of an R District subject to a wireless telecommunication facility permit issued pursuant to Chapter 159~~.~~; and

(4) Medical cannabis cultivation, processing and/or distribution facilities subject to the provisions of Chapter 158

§ 156.068 AC — COASTAL AGRICULTURAL DISTRICT.

(D) *Conditional uses.* The following uses shall be permitted upon the granting of a use permit in accord with the provisions of §§ 155.280 through 155.299 of this title:

(6) Wireless telecommunication facilities subject to the provisions of Chapter 159~~.~~; and

(7) Medical cannabis cultivation and processing facilities subject to the provisions of Chapter 158

§ 156.074 CS — SERVICE COMMERCIAL DISTRICT.

(D) *Conditional uses.* The following conditional uses shall be permitted upon the granting of a use permit in accord with the provisions of §§ 155.280 through 155.299 of this title:

(20) Veterinarians' offices and small animal hospitals, including operations not conducted within a completely enclosed building, not less than 300 feet from an R or OD District; ~~and~~

(21) Wireless telecommunication facilities located within 100 feet of an R District subject to the provisions of Chapter 159~~.~~; and

(22) Medical cannabis cultivation, processing and/or distribution facilities subject to the provisions of Chapter 158

§ 156.077 ML — LIMITED INDUSTRIAL DISTRICTS.

(D) *Conditional uses.*

(1) The following conditional uses shall be permitted upon the granting of a use permit in accord with the provisions of §§ 155.280 through 155.299 of this title:

(g) Gymnastics schools and health clubs; ~~and~~

(h) Wireless telecommunication facilities located within 100 feet of an R District subject to the provisions of Chapter 159~~.~~; and

(i) Medical cannabis cultivation, processing and/or distribution facilities subject to the provisions of Chapter 158.

§ 156.078 MG — GENERAL INDUSTRIAL DISTRICTS.

(D) *Conditional uses.* The following conditional uses shall be permitted upon the granting of a use permit in accord with the provisions of §§ 155.280 through 155.299 of this title:

(44) Accessory structures and uses located on the same site as a conditional use; ~~and~~

(45) Wireless telecommunication facilities located within 100 feet of an R District subject to the provisions of Chapter 159~~.~~; and

(46) Medical cannabis cultivation, processing and/or distribution facilities subject to the provisions of Chapter 158.

Section 2.
This ordinance becomes effective thirty (30) days after the date of its enactment.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the _____ day of May, 2011 by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

_____
Lance Madsen, Mayor Pro Tem

THE ABOVE ORDINANCE WAS SUBMITTED TO THE MAYOR on the _____ day of May, 2011, and hereby approved.

_____
Frank Jäger, Mayor

Approved as to Administration:

_____
David. W. Tyson, City Manager

Approved as to form:

_____
William Bragg, Interim City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on the _____ day of May, 2011

_____
Pamela J. Powell, City Clerk

EUREKA CITY COUNCIL

AGENDA SUMMARY

RE: REDISTRICTING COMMISSION HEARINGS	FOR AGENDA DATE: MAY 3, 2011 AGENDA ITEM NO.: 10

RECOMMENDATION:

1. Authorize the Mayor to execute a letter to the Citizens Redistricting Commission requesting a hearing on the redistricting process be held on the North Coast; and

2. Offer to the Citizens Redistricting Commission the use of a City venue at no charge for the purpose of holding the hearing.

SUMMARY: Every ten years the census count is taken throughout the United States. In California once the census is complete the State goes through a redistricting process. In 2008 and 2010, the voters passed Propositions 11 and 20; and in 2011 for the first time in California a 14 member commission called the Citizens Redistricting Commission (Commission) has been created to draw districts for: 53 congressional districts; 40 State Senate districts; 80 State Assembly districts; and 4 Board of Equalization Districts.

The Commission met for the first time in January 2011. During the Spring and Summer, the Commission will be holding meetings around the State to listen to residents describe their communities, neighborhoods, and what issues are important to them. The Commission will use this public input to draw new district maps for the State. The Commission must draw the district lines in conformity with strict, nonpartisan rules designed to create districts of relatively equal population that will provide fair representation for all Californians. The Commission has until August 15, 2011 to approve the final district maps.

Although the City Council has no formal decision-making authority in the redistricting process of these districts, the process does allow the public to offer input to the Commission regarding the redistricting process. One method for public participation in the redistricting process would be for the Commission to hold a public workshop in Eureka. Currently the Commission's schedule provides for no meaningful opportunity for the public of the North Coast to participate in their process.

To improve local access to the redistricting process it is recommended the City join the County of Humboldt in requesting the Citizens Redistricting Commission hold a public meeting on the North Coast.

Attachments: County of Humboldt Letter to the Citizens Redistricting Commission

FISCAL IMPACT:

None with the recommended action.

CITY MANAGER SIGNATURE:

David W. Tyson, City Manager

REVIEWED BY: **DATE:** **INITIALS:**

Council Action:

Ordinance No. _____ Resolution No. _____

Humboldt County Board of Supervisors Agenda Item Transmittal Consent **From:** Supervisor Lovelace and Supervisor Smith **Meeting Date:** April 19, 2011 **Time Required:** N/A	**Contact for Information** **Name:** Kat Hayes **Telephone:** 476-2396

Subject: Request to Hold Citizens Redistricting Commission Hearings on the North Coast.

Summary: The current schedule of Redistricting Commission Hearings provides no meaningful opportunity for residents of the North Coast to participate in a process which could have far-reaching implications to the County's ability to be fairly and accurately represented both in the U.S. Congress and in the State Legislature by elected representatives who understand the distinct issues facing our remote rural region. The Board is sending a letter to the Citizens Redistricting Commission requesting that the Commission modify its schedule to include hearings on the North Coast.

Requested Action: Authorize Chair to sign letter.

Signature

Signature

FOR OFFICIAL USE ONLY	**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT** Upon motion of Supervisor Seconded by Supervisor Ayes Nays Abstain Absent and carried by those members present, the Board hereby approves the recommended action contained in this Board report. Dated: _____ By: _____ **Kathy Hayes, Clerk of the Board**

April 19, 2011

Citizens Redistricting Commission
1130 K Street, Suite 101
Sacramento, CA 95814
Fax: (916) 322-0904
votersfirstact@crc.ca.gov.

Dear Members of the Redistricting Commission:

I am writing on behalf of the Humboldt County Board of Supervisors to request that the Citizens Redistricting Commission hold a Public Input Hearing here on the North Coast. The current schedule of hearings provides no meaningful opportunity for residents of the North Coast to participate in this process which could have such far-reaching implications for our ability to be fairly and accurately represented both in the US Congress and in the State Legislature by elected representatives who truly understand the distinct issues facing our remote, rural region.

The schedule of hearings as currently defined demonstrates a severe lack of appreciation for the tremendous scale, topography and diversity of Northern California. Twenty-six counties, more than half of all counties in the State, are incongruously assembled into one inexplicably massive region. Humboldt County residents wishing to participate in this process would have to choose between driving three hours to Redding or four hours to Santa Rosa. In either case, the twisting, temperamental mountain roads make a one-day round-trip prohibitively challenging. Residents of Del Norte County would have to add at least three hours to that drive time, round trip.

By comparison, residents from virtually all other regions of the State are offered multiple opportunities to attend hearings within a reasonable two hour drive. In numerous cases hearings are scheduled at locations less than one hour's drive from each other, with two hearing locations being just twenty-six minutes apart. Clearly, residents of the North Coast are being placed at a serious disadvantage relative to virtually all other residents of the State.

We note that the Commission's schedule currently includes a hearing in Auburn on May 19th, followed by a meeting in Santa Rosa on May 20th. We respectfully request that the Commission modify its schedule to include a meeting here on the North Coast, in either Arcata or Eureka, on May 18th. Any logistical difficulties the Commission may encounter in doing so would perhaps be informative to the Commission's understanding and appreciation for the remote and unique character of the North Coast. Such an understanding will be absolutely essential if the Commission is to make knowledgeable decisions regarding appropriate representation for our area.

We thank you for your consideration of this reasonable and necessary request, and we are available to assist in making any necessary arrangements.

Sincerely,

Mark Lovelace, Chair
Humboldt County Board of Supervisors

ML:kh

Below are some of the most frequently asked questions about the Citizens Redistricting Commission (Commission):

Q. What is the Commission?

A. Every 10 years, after the federal census, California must redraw the boundaries of its Congressional, State Senate, State Assembly, and State Board of Equalization districts, to reflect the new population data. Now those lines will be drawn by the Commission. California voters authorized the creation of the Commission when they passed the Voters First Act, which appeared as Proposition 11 on the November 2008 general election ballot. Under the Act, the Commission is charged with drawing the boundaries of California's Congressional, Senate, Assembly and Board of Equalization electoral districts.

Q. How many Commission members are there?

A. The commission has14 members from varied ethnic backgrounds and geographic locations in the state and includes five Democrats, five Republicans, and four Decline to State.

Q. What was the process of becoming a member of the Commission?

A. When the applications became available, interested parties submitted their applications online. Applicants who affirmed in their applications that they met all of the qualifications in the Act for serving on the Commission, and did not have a "conflict of interest" were invited to submit a supplemental application containing additional information about their qualifications.

Q. How were the members of the Commission selected after the application period closed?

Interested parties submitted their application online. Applicants who met the qualifications in the Act and did not have a "conflict of interest" were invited to submit a supplemental application in which they answered essay questions providing insight into their professional experience, awareness of California's diversity, and their reasons for wanting to serve on the Commission.

Three independent auditors from the Bureau of State Audits reviewed the applications and selected 120 of the most qualified applicants to be interviewed in Sacramento. The 120 applicants were divided into 3 sub-pools: 40 Democrats, 40 Republicans, and 40 who were neither Democrats nor Republicans.

Following the interviews, the total pool was reduced to 60, again with equal sub-pools. Those 60 names were sent to the leadership of both houses of the Legislature, where the leaders exercised their right under the Act to remove up to 24 applicants from the pool.

On November 18, 2010, the State Auditor randomly drew the names of 3 Democrats, 3 Republicans and 2 Decline to State applicants and they became the first 8 members of the Commission. Subsequently, on December 15, 2010, the first 8 selected the final 6 commissioners, choosing 2 Democrats, 2 Republicans and 2 Decline to State.

Q. Will Commission members be paid?

The Act specifies that members of the Commission will be compensated at the rate of $300 for each day a commissioner is engaged in Commission business. The Act also allows for reimbursement for personal expenses incurred in connection with the duties required of commissioners.

Q How long will Commission members serve?

The Act states that the Commission will serve for 10 years, however, most of the work that the commissioners will perform should be completed by the time they approve the maps of the new districts, which is required by August 15, 2011.

Q. How can we find out more about the Commissioners' backgrounds?

A. Brief bios of the Commissioners are posted at wedrawthelines.com. The Commissioners' very exhaustive supplemental applications are also posted as well as their financial disclosure statements.

Q. What is the difference between reapportionment and redistricting?

A. Reapportionment is the permanent process by which seats in the US House of Representatives are redistributed among the 50 states according to each census. Redistricting is the process of drawing district lines which means changing the boundaries every ten years following the census.

Q. Why should Californians have confidence that 14 Commissioners who are unelected and therefore unaccountable to the voters be able to produce district boundaries that are in the voters' best interests?

A. It was the voters themselves that took the job of redistricting out of the elected legislators hands because of their frustration with a process which served to protect incumbents. The voters supported a new process which would choose 14 citizens with a myriad of backgrounds, skills and from varied geographic locations to draw district boundaries based on criteria designed to preserve communities of interest.

Q. Why should I care about redistricting?

A. One of the greatest powers that the people have is the right to elect their own representatives to conduct the business of their government. How the district boundaries are configured can make the difference between empowering and maximizing the voters' voices or minimizing and muting those voices. The independent Citizens Redistricting Commission is committed to drawing fair districts that reflect the best interests of the people not the incumbent political parties.

Q. Won't legislators be working behind the scenes to influence Commissioners and take control of the *redistricting process?*

A. The Voters First Act is very clear that no communication between legislators and Commissioners regarding redistricting issues can occur. Any comment from legislators must take place in a public Commission meeting–just like any other citizen.

Q. What criteria will the Commission consider in deciding the districts?

A. The criteria for the Commission to follow is laid out in the Act:

Districts must be of equal population to comply with the US Constitution.

Districts must comply with the Voting Rights Act to ensure that minorities have an equal opportunity to elect representatives of their choice.

Districts must be contiguous so that all parts of the district are connected to each other.

Districts must respect the boundaries of cities, counties, neighborhoods and communities of Interest, and minimize their division, to the extent possible.

Districts should be geographically compact, that is, have a fairly regular shape.

Where practicable each Senate District should be comprised of two complete and adjacent Assembly Districts and Board of Equalization districts shall be composed of 10 complete and adjacent State Senate Districts.

Districts shall not be drawn to favor or discriminate against an incumbent, candidate, or political party.

Q. What is the Voting Rights Act and why is it important?

A. Before the Voting Rights Act was passed, the practice of many states was to require qualified African Americans to pass literacy tests in order to register to vote. Other states only allowed a person to register to vote if his or her grandfather was allowed to vote. The Voting Rights Act was passed in 1965 to outlaw these practices.

In the 1970s, Congress heard extensive testimony about how state and local governments drew district lines and manipulated elections rules to prevent newly-registered African American voters from being able to elect candidates. Today, the Voting Rights Act protects all racial and language minorities, including African Americans, Asian Americans, Latinos, Native Americans and Pacific Islanders.

The Commission will consider public input and legal and expert advice to meet the Voting Rights Act requirements.

For a more detailed description of how the Voting Rights Act works, visit the U.S. Department of Justice at: http://www.justice.gov/crt/about/vot/redistricting.php.

Q. What is a community of interest?

A. **The California Constitution defines a community of interest as:**

A community of interest is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of its effective and fair representation. Examples of such shared

interests are those common to an urban area, a rural area, an industrial area, or an agricultural area, and those common to areas in which the people share similar living standards, use the same transportation facilities, have similar work opportunities, or have access to the same media of communication relevant to the election process. Communities of interest shall not include relationships with political parties, incumbents, or political candidates.

-Section 2(d)(4) of Article XXI of the California Constitution

Q. Does the Act require that districts be more competitive, rather than dominated by one political party?

A: No. Historically, districts were drawn to favor incumbents and this naturally led to dominance by one political party. Under the Act, districts must be drawn to maximize voters' opportunity to elect representatives of their own choosing, and this may lead to more competitive races

Q. Can't this whole process be done by a computer program?

A: The Commission is relying on the active participation of citizens across California to weigh in on how the districts should be drawn, since information about "communities of interest" is not collected in the Census. This is an open conversation that will assist the Commission in evaluating citizen input and exercising responsible judgment about what districts should look like – a computer could never do that

Q: What is the difference between the Commission's work and what was done in the past?

A: Historically, legislators drew the district boundaries in closed meetings, often favoring incumbents or their own party. This Commission is independent and committed to including the voices of all Californians in the process. In addition to holding public hearings throughout the State, the Commission is soliciting citizen participation through its website crc.ca.gov as well as new media such as Twitter and Facebook. You will also see Commissioners participating in speaking engagements and educational forums in your local community.

Q. What if the Commission cannot agree on the final redistricting maps?

A. Each of the 14 Commissioners is committed to delivering fair district boundaries. To accomplish that goal the Commission is undertaking a deliberative and open process engaging citizens from every corner of the state. Through that process, and working with all the critical data available, the Commission will have a clear understanding to enable them to draw the lines and agree to final maps.

In the unlikely scenario that the Commission does not come to agreement on final district boundaries the matter goes directly to the California Supreme Court which will appoint three masters to draw the lines.

Q. What happens if there is a legal challenge to the district maps adopted by the Commission?

A. The Act provides that any legal challenge is sent straight to the California Supreme Court for review. This provision was written to expedite any legal challenge straight to the state's highest court so a decision could be made on the maps in time for the June 2012 elections.