



**City of Eureka, CA
City Council Regular Meeting
Tuesday, May 19, 2020
6:00 PM**

COUNCIL CHAMBERS, 531 K STREET EUREKA, CA 95501

AGENDA

ELECTED OFFICIALS

Mayor Susan Seaman

Councilmember Leslie Castellano, Ward 1

Councilmember Heidi Messner, Ward 2

Councilmember Natalie Arroyo, Ward 3

Councilmember Austin Allison, Ward 4

Councilmember Kim Bergel, Ward 5

HOW TO PARTICIPATE AND VIEW THE EUREKA CITY COUNCIL MEETING:

You can view the City Council meetings live on the City of Eureka's website at www.ci.eureka.ca.gov or on Cable Channel 10. To view from the website, select the Watch City Council Meetings orange button from the home page.

Members of the Public who wish to speak and be heard during the Council meeting, must submit their phone number and the name of the item that they would like to comment on by e-mail to cityclerk@ci.eureka.ca.gov or leave a message at 707.441.4175. The City Clerk will call the public member during the discussion of the item.

If you don't want to call in during the meeting, please submit your comment via email to the City Clerk at cityclerk@ci.eureka.ca.gov or you may leave a message at 707.441.4175 prior to 4:00 P.M. on Tuesday, May 19, 2020 to ensure that Council receives your comment before the meeting. All comments received by e-mail or mail will be part of the public record for Council consideration but will not be read aloud during the meeting.

For items not on the agenda, please make a note that is a "Public Comment" submission. Only those messages that state they are for public comment will be included in the record.

PUBLIC COMMENT

(Limited to 3 minutes each speaker on Closed Session items only)

CLOSED SESSION - 5:00 P.M.

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation
Pursuant to § 54956.9(d) California Government Code (1 Case)

Conference with legal counsel - existing litigation
Stacy Cobine, et al v. City of Eureka et al
United States District Court Northern District of California, Oakland Division Case No. 16-cv-02239-JSW
Pursuant to California Government Code Section 54956.9 (d) (1)

Conference with legal counsel – existing litigation
Oscar Leatherman and Kelly Pifferini v. City of Eureka, et al.
Northern District of California Case No. 4:17-cv-05610-HSG
Pursuant to Section 54956.9 California Government Code

REGULAR SESSION – 6:00 P.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR’S ANNOUNCEMENTS

PRESENTATIONS

BOARD/COMMISSION REPORTS

PUBLIC COMMENT PERIOD

This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Members of the Public wishing to address the Council may submit a Speaker Card to the City Clerk and proceed to the podium after being recognized. Speakers will be called up in the order the Speaker Cards are received. Those who have not filled out a Speaker Card will be given an opportunity to speak after all those who have completed Speaker Cards have spoken. The public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item. Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

TIME ALLOTMENT FOR PUBLIC COMMENT ON NON-AGENDA ITEMS: A maximum of thirty (30) minutes shall be allotted to receiving public comments at the initial public comment period. If necessary, an additional period shall be allotted to public comments after City Manager Reports, but only if the first 30-minute Public Comment period was not sufficient to allow all those who wished to speak to do so.

A. PUBLIC HEARINGS

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

- A.1. Resolution Confirming and Ordering Special Assessments for Unpaid Garbage and Recycling Collection Fees
Recommendation: Hold a public hearing to hear any objections or protests; and
Make adjustment as deemed just; and
Adopt a resolution of the City Council providing for collection of fees.
- A.2. Special Assessments for Unpaid Abatement Charges
Recommendation: Hold a public hearing; and
Adopt a Resolution of the City Council ordering special assessments/liens for unpaid abatement charges.

B. CONSENT CALENDAR

Notice to the Public: All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Pursuant to City Council Resolution 2011-22, if a member of the public would like an item on the Consent Calendar pulled and discussed separately, the request shall be made to a Councilmember prior to the meeting. Unless a specific request is made by a Councilmember, the Consent Calendar will not be read. There will be no separate discussion of these items.

- B.1. Council Meeting Minutes
Recommendation: Approve the minutes of the regular Council meeting minutes from May 5, 2020 as submitted.
- B.2. Bear River Band of the Rohnerville Rancheria, the Sequoia Park Zoo Foundation and City of Eureka Funding Agreement Amendment
Recommendation: Approve an Amendment to the Funding Agreement for the construction of the Bear and Coyote Exhibit at the Sequoia Park Zoo between the Bear River Band of the Rohnerville Rancheria, Sequoia Park Zoo Foundation and the City of Eureka.
- B.3. Regulatory and Warning Sign Upgrade 2019-HSIPL-501(045) - Project Acceptance
Recommendation: Accept the Regulatory and Warning Sign Upgrade 2019 Project; and authorize the filing of a "Notice of Completion" at the Office of the County Recorder.
- B.4. Paving Equipment Purchase
Recommendation: Declare Peterson Cat the low bidder and supplier of equipment meeting the required specifications; and

Authorize the purchase new compact track loader (skid-steer) with cold planer from Peterson Cat for a total purchase price not to exceed \$131,000; and
Appropriate additional funds for the purchase 50% each from Water and Wastewater reserve funds to Equipment Operations fund, line item 610-44360-7450.

B.5. Sewer Improvements 2020 Project - Award

Recommendation: Declare Mercer-Fraser Company the preferred bidder on Sewer Improvements 2020 project and award Bid No. 2020-06 to Mercer-Fraser Company for the amount of \$1,794,489 and approve \$2,000,000 for construction, which includes 10% for contingency.

B.6. Redwood Acres California Department of Food and Agriculture Grant Application

Recommendation: Authorize the Mayor to sign a letter of support for Redwood Acres Fairground Grant Application to California Department of Food and Agriculture to upgrade their energy infrastructure.

B.7. Verizon Wireless Lease Agreement

Recommendation: Authorize the City Manager to negotiate and execute an Option and Land and Tower Lease Agreement with Sacramento Valley Limited Partnership DBA Verizon Wireless, allowing the installation of ground equipment and tower-mounted antennas at the City's high tank site at Wood and L Streets.

C. ORDINANCES/RESOLUTIONS

C.1. Early Retirement Incentives and Intent to Adopt CALPERS Retirement Credit Resolution

Recommendation: Provide Notice of Intent to adopt a Resolution granting two years CalPERS service credit to 4 employees as an early retirement incentive, including disclosure of employer costs to provide this benefit; and
Adopt a Resolution of the City Council approving two years of contributions toward health insurance as an early retirement incentive for 2 employees.

D. REPORTS/ACTION ITEMS

D.1. Eureka Poet Laureate Program

Recommendation: Approve extending the Eureka Poet Laureate program from a one-year term to a two-year term.

D.2. Ranked Choice Voting

Recommendation: Receive report; and
Discuss and provide direction to staff regarding a recommended approach for submitting a Charter Amendment to the voters of Eureka implementing Ranked Choice Voting.

E. CITY MANAGER REPORTS

E.1. Financial Update

E.2. COVID-19 Update

F. COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

ADJOURNMENT

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

NOTICES

The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.

Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Eureka, CA 95501.

The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.

All persons in attendance at public meetings are requested to observe the following rules of civil debate:

- 1. We may disagree, but we will be respectful of one another.*
- 2. All comments will be directed to the issue at hand.*
- 3. Personal attacks are unacceptable*
- 4. Applauding or other displays of approval/disapproval are discouraged.*

Regular City Council meetings are broadcast live by Humboldt Access on Cable Channel 10 and live streamed on the City's web site at [www. ci.eureka.ca.gov](http://www.ci.eureka.ca.gov).

To minimize distractions, please be sure all personal communications devices are on silent mode.

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