



# COUNTY OF HUMBOLDT

AGENDA ITEM NO.

C-7

For the meeting of: 06/02/2015

Date: 05/26/2015

To: Board of Supervisors

From:  Thomas K. Mattson, Public Works Director

**SUBJECT: MEMORANDUM OF AGREEMENT BETWEEN CITY OF EUREKA AND COUNTY OF HUMBOLDT FOR PLANNING AND ESTABLISHMENT OF A TRAFFIC IMPACT FEE PROGRAM TO BE IMPLEMENTED WITHIN THE GREATER EUREKA AREA**

RECOMMENDATION(S): That the Board of Supervisors:

1. Approves the Memorandum of Agreement between the City of Eureka and County of Humboldt to plan and establish a traffic impact fee program for the unincorporated greater Eureka area. Authorizes the chair to sign the Memorandum of Agreement after funding has been identified and approved. (Attachment 1)
2. Considers for inclusion in the FY 2015-16 adopted budget an additional funding request of \$130,000 from the General Fund for the establishment of the traffic impact fee and refer the matter to the public hearing on 06/08/2015.
3. Directs staff to work with the City of Eureka to jointly issue a request for proposals (RFP) for the preparation of a traffic impact study.
4. Directs staff to work with the City of Eureka to assess the process necessary to adopt an interim fee while the traffic impact study is being prepared.

SOURCE OF FUNDING: General Fund

DISCUSSION: On 07/11/2006 the Board of Supervisors entered into a Memorandum of Understanding with the City of Eureka to establish a transportation planning relationship. A copy of this agenda item is included as Attachment 2. On 08/28/2012 the Department of

Prepared by Robert W. Bronkall, Deputy Director 

CAO Approval 

REVIEW:

Auditor \_\_\_\_\_ County Counsel KR Human Resources \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:

Consent  
 Departmental  
 Public Hearing  
 Other \_\_\_\_\_

PREVIOUS ACTION/REFERRAL:

Board Order No. C-27; C-11

Meeting of: 07/11/2006; 08/28/2012

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor Lovelace Seconded by Supervisor Sundberg

Ayes Sundberg, Lovelace, Fennell, Bohn  
Nays \_\_\_\_\_  
Abstain \_\_\_\_\_  
Absent Bass

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: June 2, 2015  
By: 

Kathy Hayes, Clerk of the Board

Public Works proposed a county-wide development impact fee study. A copy of this agenda item is included as Attachment 3. After considering public comment, the Board directed staff to meet with the stakeholders and report back with a revised impact fee proposal.

Since that time, staff has been working with the City of Eureka on developing a Memorandum of Agreement to address Mitigation Measure 11-3.1 of the City of Eureka's Martin Slough Interceptor project. After several iterations between county and city staff, along with additional iterations resulting from input from the county and city's legal counsels, a final draft of the Memorandum of Agreement was settled on. On 04/03/2015, staff mailed invitations to stakeholders to attend an informational meeting on 04/20/2015 regarding the implementation of mitigation measure 11-3.1 of the Martin Slough Interceptor Project (traffic impact fees). A small group of stakeholders attended the informational meeting. During the meeting, several items were discussed. These items are discussed in Attachment 4. In addition, the Department's 04/02/2015 invitation included a copy of the signed Memorandum of Understanding and a copy of the draft Memorandum of Agreement. In the invitation, the Department indicated that written comments will be accepted through 05/20/2015. Comments received by the deadline are also discussed in Attachment 4.

On 05/11/2015 county and city staff met to discuss the traffic impact study and determined that a budget of \$130,000 would be necessary to establish an impact fee for the greater Eureka area.

On 05/18/2015 the City Council of the City of Eureka approved the Memorandum of Agreement. On 05/22/2015 the city forwarded the signed MOA to the county along with a cover letter. The city has expressed concerns that unless Mitigation Measure 11-3.1 is implemented, no further sanitary sewer connections will be allowed. The cover letter is included in Attachment 4.

If the recommended actions are taken, it will probably take approximately 18 months before a proposed ordinance can be presented to the Board of Supervisors for approval.

In the interim, county and city staff can work together to assess the feasibility of establishing an interim fee while the traffic impact fee study is being prepared.

FINANCIAL IMPACT: Previously, the department received a budget allocation for Land Use, budget unit 1100-166 of \$150,000 for the traffic impact study. Since the study was never set in motion, the budget allocation expired at the end of FY 2011-12. At this time additional funding of \$130,000 is being requested from the General Fund to fund the traffic impact study. Due to a reduction in the scope of the impact fee, a smaller budget is now being requested. This need was not known at the time of budget development and therefore a request for additional funding was not submitted by Land Use. It is requested that the Board consider this request at the public hearing on 06/08/2015 for inclusion in the FY 2015-16 adopted budget.

Signing the MOA commits the county to funding the traffic impact fee study RFP and hiring the consultant. Therefore the MOA should not be signed until funding has been identified and approved.

This item conforms with the Board of Supervisors' Core Role of providing for and maintaining infrastructure.

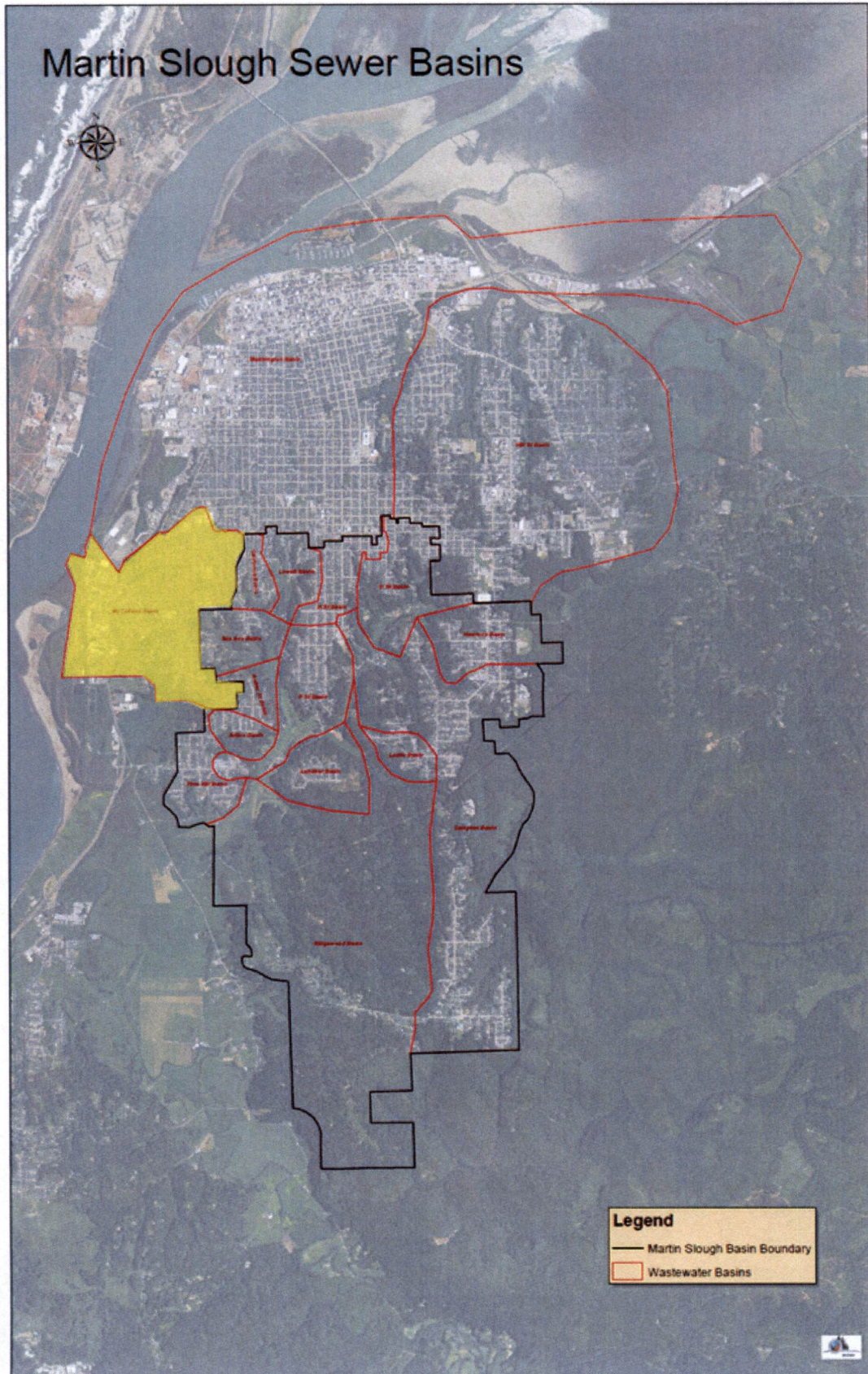
OTHER AGENCY INVOLVEMENT:

City of Eureka, California Department of Transportation (Caltrans) and Humboldt Community Services District

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. Not sign the Memorandum of Agreement. This action is not recommended as it will greatly affect new development within the greater Eureka area; including both the city and county. The City of Eureka has indicated that without an impact fee, no connections to the sanitary sewer system will be allowed. The city has prepared a map of the Martin Slough sewer basins and has

indicated that, at present, the McCullens basin is the only basin where the city can continue to allow new sanitary sewer connections.



*Above: sewer basin map prepared by the City of Eureka.  
The McCullens basin is highlighted in yellow.*

2. Revise the scope of the area to be subject to the traffic impact fee. The scope of the area to be subject to the impact fee can be enlarged. However, reducing the scope of the area to be subject to the fee would conflict with Mitigation Measure 11-3.1.

ATTACHMENTS:

- Attachment 1: Memorandum of Agreement between City of Eureka and County of Humboldt for planning and establishment of a Traffic Impact Fee Program to be implemented within the Greater Eureka Area, May 2015
- Attachment 2: 07/11/2006 Board of Supervisors Agenda Item for Transportation Memorandum of Understanding (MOU) between the County of Humboldt and the City of Eureka
- Attachment 3: 08/28/2012 Board of Supervisors Agenda Item for request for proposal (RFP) for preparation of a county-wide development impact fee study
- Attachment 4: Comments

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**Attachment 1:**

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**Memorandum of Agreement between City of Eureka and County of Humboldt for planning and establishment of a Traffic Impact Fee Program to be implemented within the Greater Eureka Area, May 2015**

**Attachment 1:**

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**Memorandum of Agreement between City of Eureka and County of Humboldt for planning and establishment of a Traffic Impact Assessment Program to be implemented within the Greater Eureka Area, May 2015**

**Memorandum of Agreement  
Between  
City of Eureka and County of Humboldt  
For Planning and Establishment of a  
Traffic Impact Fee Program  
To be implemented within the Greater Eureka Area  
May 2015**

**1. Purpose**

This Memorandum of Agreement (MOA) reflects the commitment of the County of Humboldt (County) and the City of Eureka (City) to collaborate in the planning and establishment of a program that will assess fees to fund transportation infrastructure improvements needed to support development within the Greater Eureka Area (GEA). The GEA encompasses all of the City of Eureka, a large portion of Humboldt Community Services District (HCSD) and other unincorporated areas within the City's sphere of influence. A map showing the GEA is attached.

Mobility and traffic circulation are impacted by development and growth within the community. It's important to the County and the City that these impacts are mitigated and that quality of life from a traffic circulation and transportation perspective is protected. This MOA builds upon the Memorandum of Understanding (MOU) between the City of Eureka and County of Humboldt, which was executed by the Eureka City Manager on April 6, 2006, and the Chairperson of the Humboldt County Board of Supervisors on July 11, 2006. The MOU sets forth the steps necessary for the development and implementation of the Memorandum of Agreement to identify mitigation for cumulative traffic impacts and the implementation of a circulation improvement fund program set forth in the Martin Slough Interceptor Environmental Impact Report. The MOU is incorporated into this MOA by reference.

**2. Background**

The initial step in establishing the Traffic Impact Assessment Program is to perform a traffic impact assessment and nexus study (Traffic Impact Study) for the Greater Eureka Area. Because the GEA encompasses multi-jurisdictional areas, the City and County wish to jointly analyze this area to ensure that development in the region proportionately funds regional impacts to transportation facilities.

This MOA establishes the commitments and requirements of each party working together to issue a Request for Proposals (RFP) and complete the Traffic Impact Study that will identify appropriate sources and levels of funding for governmental transportation facilities necessary to serve growth in the Greater Eureka Area, as defined in the Greater Eureka Area Traffic Model and other calibrated traffic models. The County agrees to

**Memorandum of Agreement Between City of Eureka and County of Humboldt for Planning and Establishment of a Traffic Impact Fee Program To be Implemented within the Greater Eureka Area, May 2015**

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issue the RFP and receive proposals from qualified consultants who are able to perform the necessary study tasks. The City will participate by reviewing and commenting on the RFP prior to issuance, reviewing proposals with the County after they are submitted, and helping select the consultant to perform the Study.

**3. Agreement**

The parties to this MOA agree to work together to establish appropriate funding mechanisms for governmental facilities necessary to serve growth in the Greater Eureka Area. Although this MOA does not bind the parties to adopt the impact fees that result from the Traffic Impact Study, either in part or in whole, the conditions of the certified EIR for the Martin Slough Interceptor Project do require a fee to be assessed. Mitigation Measure 11-3.1 in the EIR requires the following specific outcomes:

- “...formally identify indirect or cumulative traffic and circulation impacts [resulting from the Martin Slough Project], and the required improvements necessary to offset traffic and circulation impacts...”
- “The City shall prohibit connections to the Martin Slough Interceptor, or to any part of the City’s wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project, until the MOA and the Program are in place and appropriate funding has been secured for improvements identified in the Program.”

**Section 1. Transportation and Planning Relationships**

City and County rely upon cooperative relationships that are part of the ongoing local and regional transportation planning process. The process is continuous, cooperative, and comprehensive and each entity recognizes that they have a shared interest in or responsibility for the local and regional effects of future development within their respective jurisdictions.

**Section 2. Purpose and Objective**

The purpose of this MOA is to commit each agency to the working relationships necessary to prepare the Traffic Impact Study for the Greater Eureka Area. This MOA will also assist in compliance with the Cumulative Traffic Impact Assessment and Mitigation Program (Program) pursuant to Mitigation Measure 11-3.1 in the certified Environmental Impact Report for the Martin Slough Interceptor project. This measure requires that the City prohibit connections to the Martin Slough Interceptor, or to any of the City’s wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project, until a MOA and Program are in place and appropriate funding has been secured for the improvements identified in the Program.

**Memorandum of Agreement Between City of Eureka and County of Humboldt for Planning and Establishment of a Traffic Impact Fee Program To be Implemented within the Greater Eureka Area, May 2015**

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This MOA will also provide for the development and implementation of provisions contained in Section 4220 of the County's General Plan, Volume II, Eureka Community Plan; specifically the Goals and Policies of Sections F & G, p. 72, which call for a financing program for future circulation improvements and coordination with other agencies and jurisdictions. Work completed under the MOA will contribute to the County of Humboldt and City of Eureka General Plan Updates.

The Traffic Impact Study will formally identify indirect or cumulative traffic and circulation impacts resulting from development in the Greater Eureka Area. This will include the areas directly or indirectly served by the Martin Slough Interceptor Project. The Traffic Impact Study is intended to identify the required improvements necessary to offset those impacts along with the methodology for securing funding for the required improvements.

The Traffic Impact Study prepared as a result of this MOA, together with this MOA, will complete the following steps identified in the MOU regarding transportation planning in the Greater Eureka Area. Specifically, this MOA will:

1. Satisfy the requirement to enter into an MOA to develop a cumulative traffic impact assessment and mitigation program, pursuant to Martin Slough EIR Mitigation Measure 11-3.1;
2. Identify and implement interim sanitary sewer connection restrictions;
3. Identify the indirect and/or cumulative traffic and circulation impacts within the Greater Eureka Area through the use of the Greater Eureka Traffic Model and other calibrated traffic models as may be required to achieve accurate analyses;
4. Identify the improvements and associated costs necessary to offset such traffic impacts;
5. Develop a project prioritization and construction timing methodology that strives to have the required improvements in place to offset such traffic impacts before they occur;
6. Develop and propose an appropriate funding methodology to secure funds for the required improvements.

Section 3. Agency Commitments

RFP: County shall provide staff and funding to prepare and process the overall Traffic Impact Fee Study RFP and to hire the selected consultant. City and County shall provide the appropriate personnel to coordinate the issuance, review, and recommendation of the consultant to perform the work. The contract for the Study shall be between the County and the consultant.

Traffic Impact Fee Study: County shall provide staff to perform the engineering analysis and provide cost estimates for improvements on County facilities and major roads (arterials and collectors) within the limits of the Greater Eureka Traffic Model Area. City

**Memorandum of Agreement Between City of Eureka and County of Humboldt for Planning and Establishment of a Traffic Impact Fee Program To be Implemented within the Greater Eureka Area, May 2015**

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shall provide staff to perform the engineering analysis and provide cost estimates for improvements on the routes within City jurisdiction.

City and County shall provide appropriate personnel to cooperatively direct the work of the consultant; with the County ultimately providing direction to the Consultant. City and County shall provide staff to assist in the review of the Traffic Impact Fee Study. The Study shall not be accepted as complete and final until both the City Engineer and County Public Works Director have approved the Study.

Optional facilities: City may wish to include in the Study city roads that are not deemed major roads. City shall provide funding for any elements of the Traffic Impact Fee Study that are not deemed to be major roads within City limits, and which the City wants to include in the Study. The RFP shall require a separate cost breakdown for any optional facilities included in the Study.

**COUNTY OF HUMBOLDT**

By: \_\_\_\_\_ Date \_\_\_\_\_  
Chairperson of the Board of Supervisors

**CITY OF EUREKA**

By:  \_\_\_\_\_ Date 5/21/15  
City Manager

**Attachment 2:**

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**07/11/2006 Board of Supervisors Agenda Item for Transportation Memorandum of Understanding (MOU) between the County of Humboldt and the City of Eureka**



# COUNTY OF HUMBOLDT

For the meeting of: July 11, 2006

Date: June 21, 2006

To: Board of Supervisors

From:  Thomas K. Mattson, Director of Public Works

Subject: Transportation Memorandum of Understanding (MOU) Between the County of Humboldt and the City of Eureka.

## RECOMMENDATION

That the Board of Supervisors:

1. Approve and authorize the Chair to sign on behalf of the Board the MOU between the City of Eureka and the County of Humboldt to provide a framework for the development and implementation of an MOA and "Cumulative Traffic Impact Assessment and Mitigation Program" pursuant to Mitigation Measure 11-3.1 in the certified EIR for the martin Slough Interceptor Project.
2. Direct staff from the Humboldt County Public Works Department and the Community Development Services to participate in the Program Development and Implementation steps in Section 3 of the MOU.

Prepared by Kirk Gothier, CDS

CAO Approval 

**REVIEW:**

Auditor \_\_\_\_\_ County Counsel gs Personnel X Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

**TYPE OF ITEM:**

Consent cc: City of Eureka, CDS,  
 HCSD, Humboldt Fire No. 1  
 Departmental  
 Public Hearing  
 Other \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT  
Upon motion of Supervisor **NEELY**  
Seconded by Supervisor **GEIST**  
And unanimously carried by those members present,  
The Board hereby adopts the recommended action  
contained in this report.

**PREVIOUS ACTION/REFERRAL:**

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

Dated: 7-11-06  
Lora Canzoneri, Clerk of the Board

By: 

## SOURCE OF FUNDING

Public Works and Community Development Services Departments' Administrative funds, and Budgeted General Plan Update revenues.

## DISCUSSION

The need for this MOU between the City and County rises from both implementation measures called for in the Eureka Community Plan and a mitigation measure contained in the Martin Slough Interceptor Project EIR. Additionally, the traffic analysis conducted through the General Plan Update process for the Eureka Urban Study Area supports the need for this MOU.

Policy F-2 of Section 4220 of the Eureka Community Plan states that:

**“GOAL F: FINANCING:** To provide a financing program for future circulation improvements.

**POLICIES:**

2. After all feasible alternatives have been exhausted; the County should develop a traffic fee schedule to be applied to new development to pay a pro rata cost of the required improvements in Section 4204 of the Eureka Community Plan.

The Plan gives more detailed guidance on the measure in its Implementation Chapter, Section 5-4220.

In the Martin Slough Interceptor Project EIR, Mitigation Measure 11-3.1 was approved that limits connection to the Martin Slough Interceptor pending the development of a Memorandum of Agreement to identify mitigation for cumulative traffic impacts, and the implementation of a circulation improvement fund program.

Approval of this MOU contained in Attachment 1, is an important step in satisfying the requirements of both the mitigation measure called for in the Martin Slough EIR and policies within the Eureka Community Plan. Additionally, the MOU will provide a framework for City and County staff to pro-actively address transportation issues that may be identified through the General Plan Update process, within the Eureka Urban Study Area.

## FINANCIAL IMPACTS

Signing of the MOU will more formally commit the County to a continued role in coordination of implementation of traffic improvement plans with the City of Eureka. It is difficult to estimate the staff commitment associated with the MOU but it is seen as critical parts of the jobs of both the Public Works and Community Development Services staff.

## **ALTERNATIVES**

The Board could consider alternative wording of the document; to either expand or narrow the scope of the MOU.

## **OTHER AGENCY INVOLVEMENT**

The City of Eureka authorized the City Manager to sign the MOU. This board item was also routed to County Counsel's office for review. Because the Martin Slough EIR Mitigation Measure links traffic improvement implementation to sewer connection, HCSD and Humboldt Fire District 1 have expressed an interest in the document and have been provided a copy of this Board Report for their review and comment.

## **ATTACHMENTS**

Attachment 1: Transportation MOU between the City of Eureka and the County of Humboldt

**ON FILE WITH THE  
CLERK OF THE BOARD**

# **Memorandum of Understanding Between the City of Eureka and County of Humboldt**

This Memorandum of Understanding (MOU) is entered into between the City of Eureka (City) and the County of Humboldt (County).

This MOU does not establish additional requirements for communication or consultation with each party to the MOU but serves to build partnerships and consensus to effectively plan for the future transportation and mobility of the Greater Eureka Area. This MOU establishes no obligation, nor contractual duty on any party, nor does it contain any exchange of promises. This MOU precedes the requirement for an Memorandum of Agreement (MOA) pursuant to Mitigation Measure 11-3.1 cited in Section 2 below.

## **Section 1. Transportation Planning Relationship**

City and County rely upon the cooperative relationships that are part of the ongoing local and regional transportation planning process. This process is continuous, cooperative, and comprehensive and each entity recognizes they have a shared interest in or responsibility for local and regional transportation activities and priorities.

## **Section 2. Purpose and Objective**

The purpose of this MOU is to provide a framework for the development and implementation of the MOA and "Cumulative Traffic Impact Assessment and Mitigation Program" (Program) pursuant to Mitigation Measure (11-3.1, p.11-15) in the certified EIR for the Martin Slough Interceptor Project (SCH No.2002082043). This measure requires that the City prohibit connections to the Martin Slough Interceptor, or to any part of the City's wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project, until the MOA and Program are in place and appropriate funding has been secured for improvements identified in the Program.

This MOU will also provide a framework for the development and implementation of the County Eureka Community Plan Circulation Element provisions contained in Section 4220, specifically the Goals & Policies of F & G, p. 72, which call for a financing program for future circulation improvements and coordination with other agencies and jurisdictions. Work completed under the MOU will contribute to the County of Humboldt General Plan Update, specifically the South Eureka Urban Study Area analysis.

The objective of the MOA and the resulting Program is to formally identify indirect or cumulative traffic and circulation impacts resulting from development within the areas of the City and County that will be directly or indirectly served by the Martin Slough Interceptor Project (Program Area), and the required improvements necessary to offset those impacts; and to identify the methodology for securing funding for the required improvements.

### Section 3. Program Development and Implementation

The following steps are recognized as necessary for the development and implementation of the MOA and the Program:

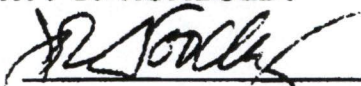
1. Enter into a Memorandum of Agreement (MOA) to develop and implement the Program.
2. Identify and implement interim restrictions on connections within the Program Area pending implementation of the Program.
3. Identify the indirect and/or cumulative traffic and circulation impacts of development within the Program Area.
4. Identify the required improvements and associated costs necessary to offset such impacts.
5. Develop a project prioritization and construction timing methodology to ensure that the required improvements are in place to offset the identified impacts.
6. Develop an appropriate funding methodology to secure funds for the required improvements.
7. Implementing the appropriate funding methodology; and planning, designing and constructing the required improvements.

### Section 4. Ongoing Support and Cooperation

The City and the County agree to cooperate and mutually support each other in developing the Program.

IN WITNESS THEREOF, the parties hereto have executed this Memorandum of Understanding the day and year first written above by their duly authorized representatives, having full authority to so act for and on behalf of the parties hereto.

#### COUNTY OF HUMBOLDT

By: 

Date: 04.11.20  
Chairperson of the Board of Supervisors

#### CITY OF EUREKA

By: 

Date: 4-6-20  
City Manager

**Attachment 3:**

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**08/28/2012 Board of Supervisors Agenda Item for request for proposal (RFP) for preparation of a county-wide development impact fee study**



COUNTY OF HUMBOLDT

AGENDA ITEM NO. C-11

For the meeting of: August 28, 2012

Date: August 8, 2012

To: Board of Supervisors

From: Thomas K. Mattson, Public Works Director

SUBJECT: REQUEST FOR PROPOSAL (RFP) FOR PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY

RECOMMENDATION(S): That the Board of Supervisors:

- 1. Directs the Department of Public Works to issue a request for proposal (RFP) for the preparation of a county-wide Development Impact Fee Study with proposals due on October 5, 2012.
2. Directs the Department of Public Works to report to the Board of Supervisors with the ranking of the firms.
3. Directs the Department of Public Works to work with the County Administrative Office to identify funding for the preparation of a county-wide Development Impact Fee Study.

SOURCE OF FUNDING: General Fund - Land Use.

DISCUSSION: On July 11, 2006, the Board of Supervisors approved a Memorandum of Understanding (MOU) between the County of Humboldt and the City of Eureka and directed the Department of Public Works and the Planning & Building Department to participate in the Program Development and Implementation steps in Section 3 of the MOU.

Prepared by Robert W. Bronkall, Deputy Director

CAO Approval Cheryl Dillingham

REVIEW: Auditor County Counsel Human Resources Other

TYPE OF ITEM: X Consent Departmental Public Hearing Other

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT Upon motion of Supervisor Secended by Supervisor Ayes Nays Abstain Absent

PREVIOUS ACTION/REFERRAL:

Board Order No. C-27

Meeting of: 07/11/2006

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

## wide Development Impact Fee Study.

While the largest numbers of impact fees within the State of California are for roads, impact fees can be legally charged for many facilities including emergency services (fire/law enforcement), general government, libraries, drainage, transit and parks. Impact fees are also being considered in other jurisdictions for air quality impacts. The Mitigation Fee Act (Assembly Bill 1600, passed in 1987) of the State of California (Government Code Section 66000 et seq.) does not limit the types of capital improvements for which impact fees can be charged. Under AB 1600, impact fees may be charged for "public improvements, public services, and community amenities". As an example, on April 5, 2011 the Board of Supervisors adopted a fire district development impact fee ordinance for Humboldt No. 1 Fire Protection District. However, California Government Code (Section 65913.8) does prohibit the use of impact fees for maintenance or operational costs.

Based upon the flexibility of impact fees, the Department reviewed several different options for maximizing the use of these allocated funds including the following:

1. Development of a County-wide County-road traffic impact fee.
2. Development of regional County-road traffic impact fees.
3. Development of fees for all public roads (i.e., city/county/state) either by region or county-wide.
4. Development of an impact fee for all appropriate facilities, either by region or county-wide.

Due to the interest by agencies throughout the County, the Department recommends that the allocation be used to develop a county-wide impact fee (Option #4). This recommendation is to be fully inclusive of all services and jurisdictions within the region that provide support and funding for the analysis of their portion of the impact fee. The following summarizes interest from various stakeholder agencies throughout the County.

The Department is currently involved with two working groups for impacts to the greater Eureka area. One working group has focused on the total infrastructure improvements needed in the area, the other has focused on traffic. The first working group includes the Humboldt Community Services District, City of Eureka, Humboldt Fire District 1, Humboldt County, Green Diamond Resource Co. (Simpson Timber) and private developers. The second working group includes local road and planning agencies, including Humboldt County, City of Eureka, California Department of Transportation (Caltrans) and the Humboldt County Association of Governments (HCAOG). As a result of these stakeholder meetings, the County signed a Memorandum of Understanding with the City of Eureka regarding a "Cumulative Traffic Impact Assessment and Mitigation Program" pursuant to Mitigation Measure 11.3.1 in the certified Environmental Impact Report for the Martin Slough Interceptor Project.

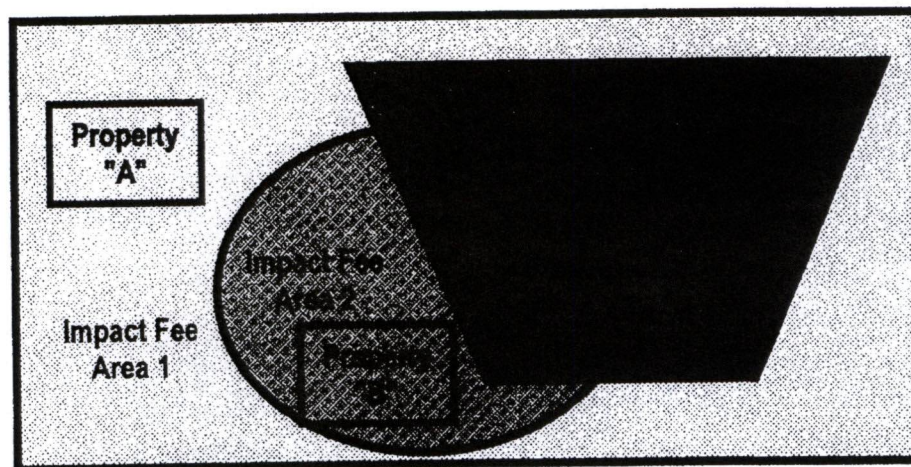
Some of the stakeholders discussed above are also involved with areas outside of the greater Eureka area. These stakeholders include: Green Diamond Resource Co., private developers, Humboldt County Association of Government, and Caltrans. The Department is also discussing impact fees with McKinleyville Community Service Districts (MCSD) Humboldt Transit Authority (HTA) and the County Planning and Building, Sheriff, Probation and Library departments.

The Department has identified the following areas as being potential candidates for impact fees:

- Sheriff's Patrol and Investigation (County-wide)
- County Criminal Justice (County-wide)
- Juvenile Justice Facility (County-wide)
- Libraries (County-wide)
- County Parks, Trails and Open Space (County-wide and/or Regional)

- Storm Drainage and Flood Control (County-wide and/or Regional)
- Roads and Transportation (County-wide and/or Regional)
- General Government (County-wide)
- Fire Protection (County-wide and/or Regional)
- McKinleyville Service District Facilities [Water Facilities, Sewer Facilities, Storm Water Facilities, Parks, Trails and Open Space] (Regional)

The overall "per parcel" impact fee would be different throughout the County based upon which impact fee boundary a parcel is within. For example, the Sheriff may have a county-wide impact fee (Impact Fee Area 1); Public Works may have a regional traffic impact fee (Impact Fee Area 2); and Public Works may have a regional storm drain impact fee (Impact Fee Area 3). In the diagram below, Property "A" would be subject to one (1) impact fee (Sheriff) ; Property "B" would be subject to two (2) impact fees (Sheriff and traffic); and Property "C" would be subject to three (3) impact fees (Sheriff, traffic and drainage).



*Above: diagram showing the potential for overlapping impact fee areas.*

While the exact details of how the fee would be assessed have yet to be determined, the concept is that the impact fee would only be applied to new development. The exact method of assessment would be established in the development impact fee study. The Department proposes that the fee would be assessed on building permits for new residential dwelling units; and building permits for new commercial floor space (based upon square footage). Residential properties would be exempt from the impact fees until additional residential dwelling units are added. Commercial properties would be exempt from the impact fees until additional commercial floor space is added. Vacant properties would be exempt from the fee until such time that a building permit is issued. Replacement of destroyed structures would be exempt as well as remodeling of existing structures. These exemptions are shown in the examples below. The following are examples of how the proposed development impact fees would affect various landowners:

*Residential Property Examples:*

- A residential property with an existing dwelling unit would not pay any impact fees at the time that the impact fees are adopted. However, any new dwelling units constructed after adoption of the impact fees would be subject to the impact fees at the time the building permit is issued.
- A vacant residential property would not pay any impact fees at the time that the impact fees are adopted. However, any new dwelling units constructed after adoption of the impact fees would be subject to the impact fees at the time the building permit is issued.

- A residential property with two dwelling units is destroyed by fire. The replacement of the two residential dwelling units would be exempt from the impact fees. However, any new dwelling units (beyond the existing two residential units being replaced) constructed after adoption of the impact fees would be subject to the impact fees at the time the building permit is issued.

*Commercial Property Examples:*

- A commercial property with 10,000 square feet of floor space would not pay any impact fees at the time that the impact fees are adopted. However, any new floor space (beyond the existing 10,000 square feet) constructed after adoption of the impact fees would be subject to the impact fees at the time the building permit is issued.
- A vacant commercial property would not pay any impact fees at the time that the impact fees are adopted. However, any new commercial floor space constructed after adoption of the impact fee would be subject to the impact fees at the time the building permit is issued.
- A commercial property with 8,000 square feet of floor space is destroyed by fire. The replacement of the 8,000 square feet of floor space would be exempt from the impact fees. However, any new floor space (beyond the existing 8,000 square feet being replaced) constructed after adoption of the impact fees would be subject to the impact fees at the time the building permit is issued.

After completion of the report, the Board has the discretion to adopt fees up to the maximum determined in the Development Impact Fee Study.

At this time, the Department is recommending that the request for proposal for the preparation of the Development Impact Study be issued. After the RFP submittal deadline, the Department will rank the firms who submitted a proposal in accordance with the RFP process. The Department will then present to the Board of Supervisors the ranking of the firms and request authorization to begin negotiations with the top ranked firms in accordance with the RFP process. At the conclusion of the RFP process, the Department will present recommendations to the Board of Supervisors concerning the contract for the preparation of the County-wide development impact fee study.

Funding for the study (\$150,000) was originally included in the 2007-08 budget as a supplemental funding request. Due to the complexities of coordinating with multiple Departments and the recession the RFP was not finalized until now.

**FINANCIAL IMPACT:** Funding of \$150,000 was budgeted in 2007-08 was reserved as an encumbrance in the General Fund through June 30, 2012. It is recommended that the Board direct the Public Works Department to work with the County administrative Office to identify potential funding for the study in the current fiscal year. The Department will return with a funding plan when the contract for the impact fee study is presented to the Board. Additional funding necessary to study other facilities would be required from participating agencies.

This item conforms with the Board of Supervisors' Core Role of providing for and maintaining infrastructure.

**OTHER AGENCY INVOLVEMENT:**

- Caltrans
- City of Eureka
- Humboldt County Library
- Humboldt County Planning & Building Department
- Humboldt County Probation Department

- Humboldt County Sheriff's Office
- Humboldt Transit Authority
- McKinleyville Community Services District

ALTERNATIVES TO STAFF RECOMMENDATIONS: The Board could direct Public Works staff to perform any of the following alternatives:

1. Reduce the scope of work and develop an impact fee report for only County Maintained Roads and General Plan circulation routes in the Greater Eureka Area.
2. Reduce the scope of work and develop an impact fee report for all County Maintained Roads and General Plan circulation routes in Humboldt County.
3. Board's discretion to expand or reduce the scope of the project on an agency-by-agency basis.

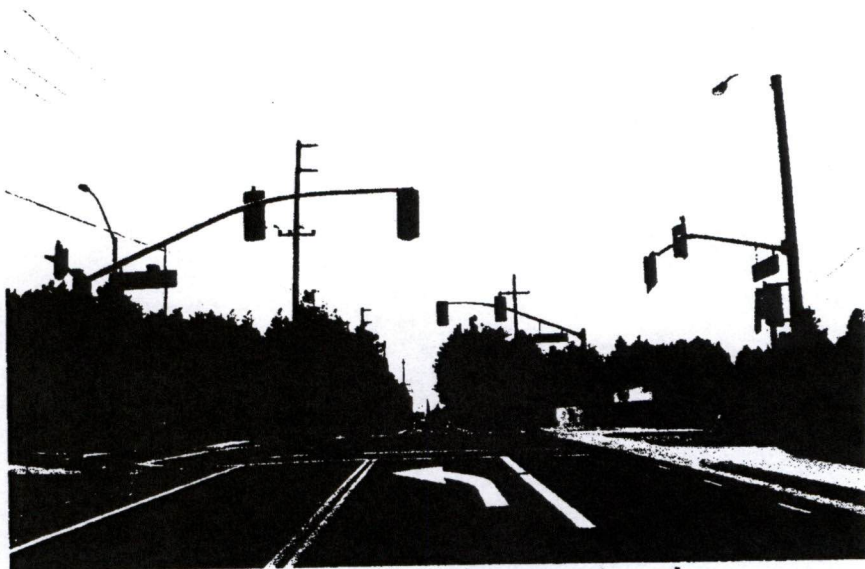
ATTACHMENTS:

- Request for Proposal (RFP) for the preparation of a county-wide Development Impact Fee Study
- Memorandum of Understanding Between the City of Eureka and County of Humboldt

County of Humboldt • Department of Public Works  
1106 Second Street • Eureka • CA • 95501 • 707.445.7652



# REQUEST FOR PROPOSAL (RFP) FOR COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY



*Above: Traffic Signal under construction at the  
Harris Street/Walford Avenue intersection (greater Eureka area)*

**PROPOSAL DUE OCTOBER 5, 2012 AT 5:00 P.M.**

DELIVER OR MAIL PROPOSAL TO:

Thomas K. Mattson, Director  
Humboldt County Department of Public Works  
1106 Second Street  
Eureka, CA 95501

07/26/2012

**REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A  
COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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# **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

## **1.0 INTRODUCTION**

Humboldt County ("County") is seeking professional consulting services to conduct a study to determine appropriate and comprehensive Development Impact Fees ("impact fees") to be charged by the County that meet the requirements of the Mitigation Fee Act (Government Code Section 66000 et seq.). The County is experiencing impacts from growth and is interested in developing a mechanism to generate revenue over time to address what is anticipated to be substantial capital improvement needs.

The County intends to award a contract to a consultant ("Firm") that meets the requirements listed in Section 5.0 and has a history of successfully performing services on similar Development Impact Fee Studies. In reviewing the proposals, the County will utilize the evaluation criteria listed in Section 6.0 and follow the evaluation procedures listed in Section 7.0.

The County, on behalf of the McKinleyville Community Services District (MCS D), is also seeking proposals to develop an impact fee for MCS D facilities as described in this document. Proposals are to be provided which show the services for the MCS D facilities as an additive alternative to the base County facilities.

The County is interested in having Firms suggest cost-effective mechanisms for completing the study. This could include alternative methodologies based on such factors as population growth. The County has an all-inclusive budget of \$150,000 to establish the fee; this budget amount does not include the additive option for MCS D. The County intends to establish impact fees for each infrastructure category listed below that comply with the Mitigation Fee Act and the California Constitution. The Firm shall independently assess and evaluate the facilities needed in each infrastructure category and develop a fair and reasonable fee structure in compliance with Assembly Bill 1600. The proposed Fee structure shall adequately fund each identified component for new development's share of the capital costs of necessary community assets.

## **2.0 BACKGROUND**

The County of Humboldt is interested in determining appropriate impact fees within the unincorporated area for the following infrastructure categories:

- Sheriff's Patrol and Investigation
- County Criminal Justice
- Juvenile Justice Facility
- County Libraries
- County Parks, Trails and Open Space
- Storm Drainage and Flood Control
- Roads and Transportation
- General Government
- Fire Protection
- Community Service Districts

The County and the City of Eureka are interested in determining the appropriate regional impact fees within the Greater Eureka Area (defined as the limits of the Greater Eureka Area Traffic Model (GEATM)) for traffic and drainage improvements necessary to serve new growth in this region.

# **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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The County desires to have an impact fee analysis performed for State Highway needs crossing all jurisdictions in the County with the understanding that each incorporated City would have the option to adopt the specific fee allocations to incorporated areas.

The County also desires to determine what impact fees should be collected by the County and transferred to special districts providing fire protection or parks and recreation related services. The unincorporated area of Humboldt County contains 23 special districts that provide fire protection services and the County participates with these outside agencies in operating a regional fire dispatch cooperative. There are also six special districts that provide parks and recreation services.

The County and each of the participating outside agencies will be responsible for providing all current information available to the Firm for jurisdictional specific impact fee analyses.

### **3.0 SCOPE OF SERVICES**

The Scope of Services involves all necessary analyses and documentation to develop and support a comprehensive impact fee program that meets the requirement of the Mitigation Fee Act. In general, the scope of work shall involve the following tasks; however, the RFP response should include any approach that in the Firm's judgment offers a better method of achieving the County's desired goal. Additionally, any enhancements that the Firm may want to suggest will be considered, provided that such enhancements are properly supported and their costs itemized.

#### **3.1 Data Collection and Development**

The Firm shall work with various County and outside agencies to collect available data and to develop additional data regarding needed infrastructure development required to fully support a comprehensive impact fee program. Extensive information is available for much of the infrastructure, however, in some cases, the County and outside agencies may lack adequate and current master plans. In this case, the Firm will need to develop preliminary information in support of interim fees until such plans are developed and approved by the County and/or the outside agencies.

Information from the following sources is available for use by the Firm in preparing the Development Impact Fee Study. This list is provided for informational purposes and is not to be considered exhaustive.

- Humboldt County Facilities Master Plan, 2007
- Greater Eureka Area Travel Demand Model
- Humboldt County Regional Transportation Plan, 2008 (<http://www.hcaog.net>)
- Community Infrastructure and Services Technical Report, 2008  
(<http://co.humboldt.ca.us/planning/gp/gpdemo/GPU-TOC-Demo3.htm#ch7>)
- other Humboldt County General Plan Update background reports  
(<http://co.humboldt.ca.us/planning/gp/meetings/download.asp#BKGRND>)
- Humboldt County Master Fire Protection Plan, 2006  
([http://co.humboldt.ca.us/planning/fire\\_safe\\_council/fsc\\_default.asp](http://co.humboldt.ca.us/planning/fire_safe_council/fsc_default.asp))
- Humboldt County Geographic Information System (GIS) data download source  
(<http://co.humboldt.ca.us/planning/maps/datainventory/gisdatalist.asp>)
- Humboldt County online web GIS  
(<http://gis.co.humboldt.ca.us>)

**REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A  
COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

**3.2 Fee Calculation and Analysis**

The Firm shall determine the impact fees based on the proposed facility or infrastructure requirements reflected in Task 3.1. Additionally, the Firm may suggest unique areas or separate zones where appropriate and necessary to identify opportunities for additional revenue to accommodate growth. Fees shall be calculated to support facilities, equipment, and infrastructure needed to serve growth based on forecasts of new development and population growth over a 20-year period. The proposed impact fee analysis should take into account existing fees, if any, and be compared to surrounding and/or comparable cities and counties to ensure reasonableness, consistency and feasibility.

**3.3 Draft Development Impact Fee Study**

The Firm shall prepare and provide to the County and participating outside agencies a draft Development Impact Fee Study that documents the impact fee study results, including, but not limited to, a description of the overall methodology, findings, supporting justification, recommended impact fees, and the calculations that provide the legal nexus between impact fee recommendations and new development and population growth. Drafts of Ordinances to be adopted by the County and outside agencies shall be included as part of the draft study.

The Firm shall provide an impact fee structure that separates the jurisdictional impact fees, the local road impact fees, non-highway regional road impact fees where it is shown that development in one jurisdiction causes impacts to another jurisdiction, and the State Highway impact fees.

The Firm shall distribute copies of the draft Development Impact Fee Study as follows:

| <b>Office</b>                                  | <b>Number of Copies<sup>1</sup></b> |
|--|-------------------------------------|
| Caltrans                                       | Up to 10                            |
| City of Eureka City Council                    | Up to 15                            |
| City of Eureka City Manager                    | 3                                   |
| County Administrative Office                   | 3                                   |
| County Board of Supervisors                    | 15                                  |
| County Planning and Building Department        | 2                                   |
| County Library                                 | 2                                   |
| County Probation Department                    | Up to 5                             |
| County Public Works Department                 | 10                                  |
| County Sheriff's Department                    | Up to 15                            |
| Fire Districts                                 | Up to 22                            |
| MCSO (if included in the scope of the project) | 15                                  |
| Transit Districts                              | Up to 6                             |
| <b>ESTIMATED TOTAL</b>                         | <b>50 to 123</b>                    |

<sup>1</sup> The County shall provide the Firm with the exact number of copies of the study to distribute.

# **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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The Firm shall also provide to the County the draft Development Impact Fee Study in Microsoft Word format (.docx); and as a searchable Adobe Acrobat Reader (.pdf) file.

## **3.4 Presentation of Materials**

The Firm shall present information at briefing meetings with the County and outside agency staff at critical points in the preparation process. In addition, upon completion of the draft Development Impact Fee Study, the Firm shall be prepared to present the study, including all above elements and impact fee recommendations, at public meetings, with staff and with the development community. The Firm shall be available for a minimum of four meetings, two with the general public/development community and staff and two with legislative bodies. If included with the scope of the project, an additional (fifth) meeting may be required to meet with MCSD.

## **3.5 Final Development Impact Fee Study and Presentations**

After the presentation of materials and the meetings outlined in Section 3.4, the County will provide direction to the Firm on how the study is to be modified for the final Development Impact Fee Study. The firm shall review the County's direction and then have a telephone meeting with the County to discuss the County's direction and the preparation of the final version of the study.

Based upon direction from the County, the Firm shall finalize the Development Impact Fee Study.

The Firm shall distribute copies of the final Development Impact Fee Study to the parties as specified in Section 3.3. The Firm shall also provide to the County the final Development Impact Fee Study in Microsoft Word (.docx) format; and as a searchable Adobe Acrobat Reader (.pdf) file.

In addition to the meetings in Section 3.4, the Firm shall be available to make a minimum of two presentations to present the final Development Impact Fee Study to the legislative bodies: the first to the Board of Supervisors, and the second to the Eureka City Council. If included in the scope of the project, the Firm shall be available to make a third presentation to the MCSD Board of Directors.

## **4.0 FACILITIES**

Development in Humboldt County is constrained by infrastructure and service limitations. The County defined specific "Urban Study Areas" to evaluate infrastructure capacity in light of the projected development over the next 20 years (see the Community Infrastructure and Services Technical Report, 2008). The County is currently updating its General Plan ([www.planupdate.org](http://www.planupdate.org)) and is incorporating new financing options for infrastructure and services that support new development. What follows are general descriptions of those facilities to be addressed in the Firm's study. However, other facilities may be added.

### **4.1 Sheriff's Patrol and Investigation (County-wide)**

The Humboldt County Sheriff's Office has a centralized administration/central area patrol operations facility located within the Humboldt County Courthouse in the city of Eureka. Sheriff's patrol services are divided into four areas of operation within the county. Outside of the main office in Eureka, which serves the immediate Humboldt Bay

# **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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and Eel River Valley areas, the Sheriff's Office Patrol Division has a station in the community of McKinleyville in the northwestern portion of the county, a station in Hoopa in the northeastern area of the county, and an additional station located in the community of Garberville in the southern Humboldt. A recent facilities study contracted by the county indicates that Sheriff's facilities will require additional staff workspace, secure vehicle parking, and storage.

## **4.2 County Criminal Justice (County-wide)**

There is a need to increase the bed space within the Correctional Facility. The current facility, which has a rated capacity to hold a total of 391 inmates, lacks sufficient bed space for high security male inmates and medium to high security female inmates. While most inmates are housed in the larger, direct supervision dormitories the County is experiencing an ever increasing number of inmates, who for the safety and security of our staff and other inmates, must be segregated from the general population and housed in more secure housing units. The current higher security housing units are generally at capacity. In particular the facility currently has bed space for only 55 female inmates and frequently is either at or exceeds our housing capacity. The average daily population for female inmates in 2006/07 was 51 and in 2011 was 60.14.

### **4.2.1 Community Corrections (County-wide)**

The Governor's 2011 Public Safety Realignment significantly changed felony sentencing law and has diverted hundreds of convicted felons to County responsibility. The legislative changes have resulted in increased numbers of adult offenders being placed on formal probation as well as significant numbers being sentenced to local jail terms longer than 1-year as well as community supervision and management. County Probation, the Sheriff's Office and community social service providers are essential partners in implementing the County's Local Community Corrections Plan to address this monumental shift. Beside the impacts to the already burdened jail, adult Probation services are presently housed in multiple leased sites across downtown Eureka and are at capacity. Additional staff workspace, secure vehicle parking, storage and offender group space will be needed.

### **4.2.2 Juvenile Court Facility (County-wide)**

The Superior Court of California presently holds juvenile court hearings in spaces that are neither designed nor adequate for those purposes. Hearings for most in-custody delinquent minors are held in a converted conference room at the Northern California Regional Facility. The space lacks: Security screening; separated waiting areas for offenders, their families and victims and their support persons; a secure and confidential holding area screened from public view for minors pending hearing; adequate space and configuration for offender family members, victims and support persons in the make-shift courtroom; and, judge chambers. Hearings held at the Humboldt County courthouse are similarly inadequate. The courthouse lacks a proper and safe holding area for offenders; a co-ed population cannot reasonably be held together due to a single open toilet located in the middle of the room, and for security and staff safety probation/correctional staff are necessarily locked outside the holding area and do not have ready access should the need arise.

## **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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As a result, a juvenile justice court facility is needed. Location of such facilities would best be on county property at 2002 Harrison Avenue, the site of the current Juvenile Hall. As with the Juvenile Hall replacement project, the County should engage in a planning process that takes into account current infrastructure and the needs identified above and consider them in relation to present constitutional, operational and security standards.

### **4.3 Juvenile Justice Facility (County-wide)**

The Humboldt County Juvenile Hall, constructed in 1970, is a co-ed facility with a rated capacity of 26 beds. Many of the facility detention systems and building infrastructure are original with or without modification. Since 1998, the Juvenile Hall has continued to be chronically crowded, consistently operating at or near peak capacity levels, with its physical and programmatic capabilities extended to the limits.

The Juvenile Hall, an aging and outdated building, continues to face increasing demands on its use. Although the facility continues to be well maintained, has undergone several improvements in recent years which have extended the useful life of the building, the juvenile hall remains not sufficiently sized nor configured to support the security level, program requirements and safety of the youthful offender population it is now required to serve.

As recommended in the Juvenile Hall Needs Assessment completed in October 2008, the County should embark on a logical sequence of construction planning intended to take the Juvenile Hall and its infrastructure and systematically realign it to today's constitutional, operational, and security standards. There is an immediate need for the intervening period between 2008-2018 to replace the existing Juvenile Hall with a new 30-bed facility. The current cost of replacing the existing Juvenile Hall is estimated to be in the amount of \$16,000,000. Beyond 2018, the Juvenile Hall will need to have an additional 30-bed housing unit to accommodate the projected average daily population and peak population that will need secure bed space.

### **4.4 County Libraries (County-wide)**

The Humboldt County Library, in cooperation with other local jurisdictions, serves all County residents through the ten library branches listed below, a bookmobile, and a central library facility. Library system branches are located in Arcata, Blue Lake, Eureka Main Library, Ferndale, Fortuna, Garberville, Hoopa, McKinleyville, Rio Dell, Trinidad, and Willow Creek. The library serves the largest geographic area of any California library in its population group. Library system circulation has grown from 525,773 items borrowed in fiscal year 2004/05 to 696,948 items borrowed in fiscal year 2010-2011. For fiscal year 2011-2012 projected circulation of borrowed items is 697,000. The County would like the study to evaluate the use of impact fees and propose appropriate fee levels to support the expansion of library facilities and library collections in response to growth in service population.

### **4.5 County Parks, Trails and Open Space (County-wide and/or Regional)**

Humboldt County Parks is a Division of the Public Works Department and operates 17 park facilities around the County with a combined total acreage of nearly 950 acres. The County park system is comprised of a diverse set of public lands containing unique

## **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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natural and cultural features. All of the county parks are regional in nature, providing natural areas, trails, picnic and camping areas, and access to rivers, Humboldt Bay, and the Pacific Ocean. The Parks Division is responsible for the ongoing operation and maintenance of the County park system. The Firm shall evaluate the feasibility of an impact fee and propose appropriate fee levels to offset the demand for new regional and neighborhood parks, trails and open space from new development.

### **4.6 Storm Drainage and Flood Control (County-wide and/or Regional)**

The County is responsible for storm drainage and flood control within the unincorporated areas. The majority of the County relies on natural conveyance systems, and storm water therefore follows more of a natural drainage pattern either infiltrating the soil or entering a waterway. However, portions of the County (such as McKinleyville, Cutten, Humboldt Hill, Myrtle town, Redway, and Garberville) do contain storm water conveyance systems that collect stormwater from developed areas and roadways and discharge it to waterways with minimal or no filtration or treatment. McKinleyville is currently the only community within the County where a drainage impact fee has been implemented and capital improvement projects are constructed as funds are available (County Code Section 328.1-13). However, the fees that are being collected are insufficient and are not indexed to increases in inflation. Other smaller communities within the County also contain minimal levels of storm water infrastructure. The Firm shall propose methods for evaluating storm drainage facilities where master storm drainage plans are not available and propose appropriate fee levels. In addition, the County maintains three federal flood control projects (levees) located in Orick, Blue Lake, and Fortuna. Development impact fees are desired to address funding needs for levee operation and maintenance and capital improvements.

The community of McKinleyville has been subject to the National Pollution Discharge Elimination System (NPDES) General Permit for storm water discharges from small municipal separate storm sewer systems (MS4s) since 2005. Storm water from the community of Shelter Cove is subject to requirements under the state Ocean Plan for discharge to an Area of Special Biological Significance. The State Water Resources Control Board is in the process of revising the NPDES Small MS4 General Permit. The revised NPDES Small MS4 General Permit is expected to affect the unincorporated areas around Eureka (Myrtle town, Cutten, Humboldt Hill, Pine Hill, Bayview, Rosewood, Ridgewood Heights). Development impact fees are desired to address funding needs for municipal storm water permit requirements.

### **4.7 Roads and Transportation (County-wide and/or Regional)**

The General Plan Update includes policies to ensure that County roadway rights of way accommodate increased volumes of both vehicular and non-vehicular transportation modes. To facilitate this planning the City of Eureka, County of Humboldt, and State of California Department of Transportation (Caltrans) are improving a regional traffic demand model for the greater Eureka area that is useful for projecting growth and road deficiencies for future planning scenarios and timeframes.

The County is working with a consultant who will use this model to evaluate the environmental effects of the General Plan Update on regional roads and transportation

## **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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facilities. This analysis will identify existing and future deficiencies and list needed improvements as proposed mitigation measures. A preliminary list of improvements has been compiled by the County, the City of Eureka, and Caltrans, portions of which are contained in the Highway and Roadway Transportation System Element of the 2008 Humboldt County Regional Transportation Plan and Chapter 2, Road Infrastructure, of the Community Infrastructure and Services Technical Report, 2008.

It is anticipated that transportation needs in areas closer to urban centers will necessitate separate zones of benefit with higher impact fees. These zones will be established based on the traffic generation and the impacted facilities in both the City of Eureka and the County. The impact fees should include improvements to the State Highway System as well as the local roads.

The County's public transportation system consists of three commuter transit services, the Redwood Transit System (RTS) and the Willow Creek RTS Extension Service, the Southern Humboldt Transit Service and four fixed route public transit services, the largest of which are the Eureka Transit Service and the Arcata & Mad River Transit Service. Mixed use policies in the General Plan Update encourage walkable communities, compact development, and the use of public transit. With rising fuel prices, the need for public transit, and enhanced transit services, is increasing, countywide.

### **4.8 General Government (County-wide)**

For the purposes of this RFP, general government facilities refer to County government facilities not otherwise described in this section and could include financial services, administration, public works, community development services, etc. Demand for general government services resulting from new development should be considered as part of this analysis.

### **4.9 Fire Protection (County-wide and/or Regional)**

There are 23 local government agencies with responsibility for structural fire protection in the unincorporated area including 1 County Service Area (CSA), 4 Community Service Districts (CSDs), 16 Fire Protection Districts (FPDs), and 1 Resort Improvement District (RID). Most fire departments are staffed by all volunteer personnel and operate with limited financial resources. New development creates higher demand for fire protection services. The need for additional fire related facilities and equipment is dependent upon projected increases in service population and the spatial distribution of development.

The Humboldt Fire Dispatch Cooperative is a Joint Powers Authority made up of 29 fire organizations. CAL FIRE staff answers calls and provides dispatch services for local fire protection resources under two separate Cooperative Agreements (this term covers the Amador and Dispatch Agreement) with the County of Humboldt and the Humboldt County Dispatch Cooperative respectively. The agreements pay for the additional expenses incurred by CAL FIRE for staffing the dispatch center year-round, 24 hours per day, 7 days per week. Population growth effects on the dispatch center should be considered in this analysis as well.

# **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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## **4.10 McKinleyville Community Services District (MCSD) (Regional)**

MCSD is interested in appropriate impact fees for the following infrastructure needs:

- Water Distribution, Boosters and Storage Facilities
- Wastewater Collection, Lifting and Treatment Facilities
- Storm Drainage Facilities
- Street Lights
- Parks, Trails, facilities, and Open Space

In May 2011, MCSD received a draft Water and Sewer Capacity Fee Study prepared by Wildan Financial Services. A copy of this report is available at:

<http://mckinleyvillecsd.com/sites/mckinleyvillecsd.com/files/documents/050511%20Capacity%20Fee%20Study%20Final%20Report.pdf>

### **4.10.1 Water Distribution, Boosters and Storage Facilities**

MCSD operates the Grant A. Ramey Pump Station located at the corner of North Bank Road and Azalea Road at the southern end of McKinleyville. The pump station delivers water diverted from Humboldt Bay Municipal Water District's (HBMWD) million gallon tank on Essex Hill across the Mad River to the District's primary pressure zone which serves the entire District except McCluski Hill. The District has two storage tanks on Norton Road and Cochran Road representing a total of 2.5 million gallons of storage in the primary pressure zone.

MCSD has completed an upgrade to the Grant A. Ramey Pump Station with new pumps able to meet the average daily and peak summertime demands of the MCSD. The design criteria for the new pump station consisted of meeting a demand of 4.5 MGD. MCSD will be required to increase the reservoir volume to meet existing and future needs of the community. Two tanks sites have been identified and negotiations are in progress for their purchase. An increase in storage capacity of approximately 10 million gallons will allow MCSD to meet fire flow and peak demand needs to the projected build out of McKinleyville with a five day reserve as required by MCSD Board of Directors. MCSD is interested in using impact fees to finance the increase in capacity needed to maintain storage and pumping to maximum build out. The Firm shall propose methods for evaluating feasibility of impact fees and propose appropriate fee levels for the water distribution and storage facilities to offset the demand for capacity increase beyond original planning estimations.

### **4.10.2 Wastewater Collection, Lifting and Treatment Facilities**

MCSD owns and operates a secondary treatment facility. The treatment system consists of four aerated ponds followed by a two-stage polishing wetland marsh. During the discharge season, which extends from October 1 through May 14, wastewater is discharged to the Mad River, a water of the United States, to percolation ponds adjacent to the Mad River Estuary, and recycles treated effluent to pasture land for fodder crop when the flow in the Mad River is less than 200 cubic feet per second (cfs). MCSD owns approximately 70 acres of land for the recycling purposes, known as the Fischer Road

## **REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A COUNTY-WIDE DEVELOPMENT IMPACT FEE STUDY**

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Ranch, and has an agreement to irrigate on property adjacent to the Ranch. MCSD also owns 5 sewer lift stations and 65 miles of sewer collection piping. As growth increases beyond the planning estimates that were used to design the system originally, new development at much higher densities will need to shoulder the cost of upgrading the infrastructure. There will be areas of the collection system that will need to be increased; and sewer lift stations pumping capacities that will need to be increased. The treatment facilities capacities will need to be increased as they will be at 75% capacity before full build out of McKinleyville. The Firm shall evaluate the feasibility of impact fees and propose appropriate fee levels to offset the demand on the treatment, collection, transfer and recycling systems to accommodate full build out.

### **4.10.3 Storm Drainage Facilities**

MCSD owns approximately 7 acres of upland constructed storm water detention and treatment wetlands just to the east of the sewage treatment facilities. Storm water runoff from the central drainage area in McKinleyville is collected, treated and runoff events cause the Hiller storm water treatment marsh to overflow into an unnamed tributary to the Mad River estuary. These wetlands have capacity to handle a larger volume of storm water runoff than the conveyance structures in the drainage area can convey. The Firm shall evaluate the feasibility of an impact fee and propose appropriate fee levels to increase these conveyance structures to utilize these wetlands to their full potential.

### **4.10.4 Parks, Trails and Open Space**

MCSD operates 539 acres of parks and facilities throughout the 12,000 acres that makes up the district's boundaries. McKinleyville's park system includes parks that are operated by MCSD, the State, County, and local schools. MCSD's parks include Hiller West, Hiller Park Playground and Picnic Area, Hiller Sports Complex, Pierson Park, Larissa Park, and Hewitt Ranch Park. MCSD's recreation facilities include the McKinleyville Activity Center, Azalea Hall, McKinleyville Senior Center, McKinleyville Library, and the Law Enforcement Facility.

MCSD maintains several Open Space Maintenance Zones, including landscape areas, riparian areas, detention basins and wildlife areas. MCSD also maintains several miles of trails, including Mid Town Trail, School Road Trail, and the Hiller Park Loop Trails. MCSD's Parks & Recreation Department is responsible for the ongoing operation and maintenance of each of these parks and facilities.

The Firm shall evaluate the feasibility of implementing an impact fee and propose appropriate fee levels in order to offset the impact on existing parks, trails, and open space, as well as the demand for new parks and facilities from new development in McKinleyville.

## **5.0 PROPOSAL REQUIREMENTS**

### **5.1 Proposal Contents**

The proposal shall include:

- A. A summary of the Firm's (and the Firm's consultants) qualifications and experience. Experience with multiple zones of benefits, multiple jurisdictions, and multiple consultants is preferred.

**REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A  
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- B. The address of the Firm (and the Firm's consultants) that will be involved; websites for the Firm (and the Firm's consultants); and the contact information (name, title, phone number, e-mail) of the person responsible for the proposal.
- C. A list of the Firm's personnel (and the Firm's consultant's personnel) who will be assigned to the project, including their specific responsibilities and individual qualifications. No substitution of personnel or consultants will be allowed except as authorized in writing by the County.
- D. An organizational chart showing the relationship of the Firm's personnel (and the Firm's consultant's personnel) who will be assigned to the project.
- E. A statement of understanding of the scope of the work proposed and a conceptual plan for proceeding.
- F. A separate description of work for each of the tasks identified in Section 3.
- G. An implementation schedule for the entire project broken down into phases; and that follows the tasks in Section 3.
- H. A proposed fee schedule for each element of the work; including sub-totals for each of the items identified in Section 4. The fee for items included in Sections 4.1 through 4.9 shall be considered the base fee. Fee schedules for the Section 4.10 (MCSD) shall be shown as an "additive alternative". The fee schedule shall include a not-to-exceed cost for each task of the work, including itemization of the labor costs, fixed costs, direct and indirect costs, expenses, markups and overhead. An hourly rate schedule and any extra unit costs shall also be provided.

**5.2 Questions and Addenda**

Questions regarding the request for proposal submitted to Tom Mattson via e-mail at [tmattson@co.humboldt.ca.us](mailto:tmattson@co.humboldt.ca.us) on or before 09/26/2012 will be answered and posted on the Department's website:

<http://www.co.humboldt.ca.us/pubworks/>.

It is the intent of the Department to post "questions & answers" as soon as possible from the date received. It is the responsibility of the proposer to frequently check the website for "questions & answers".

Any addenda issued for the RFP will be posted to the County's website.

**5.3 Acknowledgement of Questions and Addenda**

All proposals shall acknowledge receipt of all "questions & answers" and addenda posted on the County's website. The last date that the County will post questions & answers and addenda is 09/28/2012.

**5.4 Submittal Requirements**

One (1) original of the proposal, signed by an officer of the Firm, and ten (10) copies must be received in the office of the Humboldt County Department of Public Works no later than 5:00 pm on 10/05/2012. Proposals received after the deadline will not be accepted. Unsigned proposals will not be accepted. The proposal package shall be sealed

**REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A  
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and clearly labeled "**Proposal for the Preparation of a County-wide Development Impact Fee Study for Humboldt County**". It shall be mailed or delivered to:

Attention: Thomas K. Mattson, Director  
Humboldt County Department of Public Works  
1106 Second Street  
Eureka, CA 95501

**5.5 Public Records and Trade Secrets**

All proposals and materials submitted shall become the property of the County and are subject to disclosure under the California Public Records Act (Government Code Section 6250 et seq.). This RFP and all responses are considered public information, except for trade secrets specifically identified, which will be handled according to state statutes or other laws. Any information that contains trade secrets shall be communicated to the County by the Firm. Any page of the Firm's proposal that is deemed to be a trade secret by the Firm shall be clearly marked "PROPRIETARY INFORMATION" at the top of the page in at least one-half inch (1/2") size letters. In the event that the County receives a request for the disclosure of any such specifically identified information, prior to the release of any such specifically identified information, the County will contact the Firm and will not release the specifically identified information if the Firm agrees to indemnify, defend, and hold harmless the County in any action brought to disclose such information. The Firm by submitting such information, agrees that the failure of the County to contact the Firm prior to the release of such information will not be a basis for liability by the County or any County employee to the Firm.

**5.6 Costs**

The County will not pay any costs incurred or associated with the preparation of proposals or participation in the RFP process.

**6.0 EVALUATION CRITERIA**

The Contract will be awarded to the responsible Firm whose proposal is determined to be the most advantageous to the County. Some of the factors to be considered in ranking the proposals for this particular project include, but are not limited to, the following:

|  | <b>Approximate<br/>Breakdown<br/>of Points</b> |
|--|--|
| A. Technical approach/understanding of project.....                                  | 30   |
| B. Experience of the Firm, the Firm's staff, and the Firm's consultants.....         | 10   |
| C. A work plan and ability to meet project deadlines .....                           | 10   |
| D. The Firm's past record of performance on similar projects.....                    | 20   |
| E. Familiarity with local government administrative procedures and organization..... | 10   |
| F. Cost Effectiveness.....   | 20   |
| <b>TOTAL POINTS.....</b>   | <b>100</b>                                     |

**REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A  
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**7.0 EVALUATION PROCEDURE**

All proposals meeting the minimum qualifications will be evaluated by County's evaluation committee and ranked. The three Firms deemed to be the most qualified will be scheduled for an oral interview. After the oral interviews, the top three Firms will then be re-ranked. The ranking of the firms will then be presented to the Board of Supervisors. Upon direction from the Board of Supervisors, the Director of the Humboldt County Department of Public Works will ask the Firm with the highest rank to enter into contract negotiations. If an agreement that the County determines to be fair and reasonable cannot be reached with the highest ranking Firm, then negotiations with that Firm will be terminated. The County will then ask the second highest ranked Firm to enter negotiations and so on. Once terminated, negotiations will not be reopened with the same Firm.

The successful Firm will be required to enter into a contract with the County in a format acceptable to the County. The contract shall include provisions for the Firm to provide and maintain an Auto/Motor Liability policy, Workers Compensation and Employers Liability policy as required by the Labor Code of the State of California, and Professional Liability insurance/errors and omissions coverage or evidence of self-insurance. The minimum limits of each coverage shall be \$2,000,000. The Firm shall also agree to complete and file a certificate of insurance with the County prior to approval of the contract. This certificate shall name the County of Humboldt, its officers and agents, and/or employees as additional insureds and will provide for 30-days prior written notice by the Firm's insurance company in the event of cancellation, intent not to renew, or material change in coverage. The contract will include a provision for compliance with the Nuclear Free Humboldt County Ordinance. The contract will be presented to the Humboldt County Board of Supervisors for approval.

**8.0 TIMELINE**

The following timeline is anticipated:

| Item  | Anticipated Timeline   |
|---|--|
| RFP Issued  | 08/28/2012   |
| Questions   | Answers to e-mailed questions received on or before 09/26/2012 will be posted on the Department's website as soon as possible from the date received. The last date that the County will post questions & answers and addenda is 09/28/2012. |
| RFP Due   | 10/05/2012   |
| Evaluation of Proposals                                   | 10/08/2012 through 10/19/2012  |
| Oral Interviews   | 10/22/2012 through 11/09/2012  |
| Presentation of Firm Rankings to the Board of Supervisors | 12/04/2012   |
| Contract Negotiations                                     | 12/05/2012 through 01/11/2013  |
| Approval of the Contract by the Board of Supervisors      | 02/05/2012   |

**REQUEST FOR PROPOSAL (RFP) FOR THE PREPARATION OF A  
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**9.0 RESERVATIONS**

The County reserves the right to cancel the RFP process at any time.

The County reserves the right to reject any and all proposals, and to waive any informality, technical defect or clerical error in any proposal as the interests of the County may require.

The County reserves the right to request additional information from a Firm after the proposals have been submitted.

The County reserves the right to modify the scope of work as it finds necessary to meet budget limitations or address other needs.

As noted above, the County welcomes any approach that, in the Firm's judgment, offers a better method of achieving the desired end. Additionally, any enhancements that the Firm may want to suggest will be considered, provided that such enhancements are properly supported and their costs are itemized.

Any Firm who attempts to influence the RFP process by interfering or colluding with other proposers, with any County officer, employee or agent, or who deviates from the process as set forth in this RFP may be disqualified at any time from further participation in this project. However, nothing is to prevent Firms from forming partnerships to provide a comprehensive proposal.

If you have any questions concerning the RFP, please contact Thomas K. Mattson, Director of Public Works, Humboldt County Department of Public Works, telephone 707.445.7491, FAX 707.445.7409, e-mail: [tmattson@co.humboldt.ca.us](mailto:tmattson@co.humboldt.ca.us).

// END //



AGENDA ITEM C-27

# COUNTY OF HUMBOLDT

For the meeting of: July 11, 2006

Date: June 21, 2006

To: Board of Supervisors

From:  Thomas K. Mattson, Director of Public Works

Subject: Transportation Memorandum of Understanding (MOU) Between the County of Humboldt and the City of Eureka.

## RECOMMENDATION

That the Board of Supervisors:

1. Approve and authorize the Chair to sign on behalf of the Board the MOU between the City of Eureka and the County of Humboldt to provide a framework for the development and implementation of an MOA and "Cumulative Traffic Impact Assessment and Mitigation Program" pursuant to Mitigation Measure 11-3.1 in the certified EIR for the martin Slough Interceptor Project.
2. Direct staff from the Humboldt County Public Works Department and the Community Development Services to participate in the Program Development and Implementation steps in Section 3 of the MOU.

Prepared by Kirk Gothier, CDS

CAO Approval 

|         |         |                          |                    |              |       |
|---------|---------|--------------------------|--------------------|--------------|-------|
| REVIEW: | Auditor | County Counsel <u>gs</u> | Personnel <u>X</u> | Risk Manager | Other |
|---------|---------|--------------------------|--------------------|--------------|-------|

TYPE OF ITEM:  
 Consent      cc: City of Eureka, CDS,  
 Departmental  
 Public Hearing  
 Other


BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT  
 Upon motion of Supervisor  
 Seconded by Supervisor **NEELY**  
 And unanimously carried by those members present, **GEIST**  
 The Board hereby adopts the recommended action  
 contained in this report.

PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

Dated: 7-11-06  
Lora Canzoneri, Clerk of the Board

By: 

## SOURCE OF FUNDING

Public Works and Community Development Services Departments' Administrative funds, and Budgeted General Plan Update revenues.

## DISCUSSION

The need for this MOU between the City and County rises from both implementation measures called for in the Eureka Community Plan and a mitigation measure contained in the Martin Slough Interceptor Project EIR. Additionally, the traffic analysis conducted through the General Plan Update process for the Eureka Urban Study Area supports the need for this MOU.

Policy F-2 of Section 4220 of the Eureka Community Plan states that:

**“GOAL F: FINANCING:** To provide a financing program for future circulation improvements.

**POLICIES:**

2. After all feasible alternatives have been exhausted; the County should develop a traffic fee schedule to be applied to new development to pay a pro rata cost of the required improvements in Section 4204 of the Eureka Community Plan.

The Plan gives more detailed guidance on the measure in its Implementation Chapter, Section 5-4220.

In the Martin Slough Interceptor Project EIR, Mitigation Measure 11-3.1 was approved that limits connection to the Martin Slough Interceptor pending the development of a Memorandum of Agreement to identify mitigation for cumulative traffic impacts, and the implementation of a circulation improvement fund program.

Approval of this MOU contained in Attachment 1, is an important step in satisfying the requirements of both the mitigation measure called for in the Martin Slough EIR and policies within the Eureka Community Plan. Additionally, the MOU will provide a framework for City and County staff to pro-actively address transportation issues that may be identified through the General Plan Update process, within the Eureka Urban Study Area.

## FINANCIAL IMPACTS

Signing of the MOU will more formally commit the County to a continued role in coordination of implementation of traffic improvement plans with the City of Eureka. It is difficult to estimate the staff commitment associated with the MOU but it is seen as critical parts of the jobs of both the Public Works and Community Development Services staff.

## **ALTERNATIVES**

The Board could consider alternative wording of the document; to either expand or narrow the scope of the MOU.

## **OTHER AGENCY INVOLVEMENT**

The City of Eureka authorized the City Manager to sign the MOU. This board item was also routed to County Counsel's office for review. Because the Martin Slough EIR Mitigation Measure links traffic improvement implementation to sewer connection, HCSD and Humboldt Fire District 1 have expressed an interest in the document and have been provided a copy of this Board Report for their review and comment.

## **ATTACHMENTS**

Attachment 1: Transportation MOU between the City of Eureka and the County of Humboldt

**ON FILE WITH THE  
CLERK OF THE BOARD**

# **Memorandum of Understanding Between the City of Eureka and County of Humboldt**

This Memorandum of Understanding (MOU) is entered into between the City of Eureka (City) and the County of Humboldt (County).

This MOU does not establish additional requirements for communication or consultation with each party to the MOU but serves to build partnerships and consensus to effectively plan for the future transportation and mobility of the Greater Eureka Area. This MOU establishes no obligation, nor contractual duty on any party, nor does it contain any exchange of promises.

This MOU precedes the requirement for an Memorandum of Agreement (MOA) pursuant to Mitigation Measure 11-3.1 cited in Section 2 below.

## **Section 1. Transportation Planning Relationship**

City and County rely upon the cooperative relationships that are part of the ongoing local and regional transportation planning process. This process is continuous, cooperative, and comprehensive and each entity recognizes they have a shared interest in or responsibility for local and regional transportation activities and priorities.

## **Section 2. Purpose and Objective**

The purpose of this MOU is to provide a framework for the development and implementation of the MOA and "Cumulative Traffic Impact Assessment and Mitigation Program" (Program) pursuant to Mitigation Measure (11-3.1, p.11-15) in the certified EIR for the Martin Slough Interceptor Project (SCH No.2002082043). This measure requires that the City prohibit connections to the Martin Slough Interceptor, or to any part of the City's wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project, until the MOA and Program are in place and appropriate funding has been secured for Improvements identified in the Program.

This MOU will also provide a framework for the development and implementation of the County Eureka Community Plan Circulation Element provisions contained in Section 4220, specifically the Goals & Policies of F & G, p. 72, which call for a financing program for future circulation improvements and coordination with other agencies and jurisdictions. Work completed under the MOU will contribute to the County of Humboldt General Plan Update, specifically the South Eureka Urban Study Area analysis.

The objective of the MOA and the resulting Program is to formally identify indirect or cumulative traffic and circulation impacts resulting from development within the areas of the City and County that will be directly or indirectly served by the Martin Slough Interceptor Project (Program Area), and the required improvements necessary to offset those impacts; and to identify the methodology for securing funding for the required improvements.

### Section 3. Program Development and Implementation

The following steps are recognized as necessary for the development and implementation of the MOA and the Program:

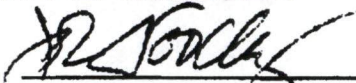
1. Enter into a Memorandum of Agreement (MOA) to develop and implement the Program.
2. Identify and implement interim restrictions on connections within the Program Area pending implementation of the Program.
3. Identify the indirect and/or cumulative traffic and circulation impacts of development within the Program Area.
4. Identify the required improvements and associated costs necessary to offset such impacts.
5. Develop a project prioritization and construction timing methodology to ensure that the required improvements are in place to offset the identified impacts.
6. Develop an appropriate funding methodology to secure funds for the required improvements.
7. Implementing the appropriate funding methodology; and planning, designing and constructing the required improvements.

### Section 4. Ongoing Support and Cooperation

The City and the County agree to cooperate and mutually support each other in developing the Program.

IN WITNESS THEREOF, the parties hereto have executed this Memorandum of Understanding the day and year first written above by their duly authorized representatives, having full authority to so act for and on behalf of the parties hereto.

#### COUNTY OF HUMBOLDT

By: 

Date: 4-6-06  
Chairperson of the Board of Supervisors

#### CITY OF EUREKA

By: 

Date: 4-6-06  
City Manager

**Attachment 4:**

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**Comments**

**A. Comments captured at 04/20/2015 informational meeting**

| Comment   | Notes   | Action Required  |
|---|---|--|
| 1. Assessment District versus Traffic Impact Fee: A question was raised regarding the need to fund maintenance (overlays, slurry seals, micro surfacing, etc.) of the existing infrastructure; and would the proposed impact fee cover this.  | The proposed impact fee would cover improvements to the transportation network such as new traffic signals, etc.; not ongoing maintenance such as overlays, slurry seals, micro-surfacing etc. A County wide assessment district, or sales tax, would be the appropriate method to provide additional funding for this type of maintenance. | The Board may request that staff present information regarding a County-wide assessment district and/or sales tax to fund existing infrastructure.     |
| 2. 2003 Fire District Assessment: A question was raised regarding the ability to achieve a nexus for the proposed fee considering the issues that the 2003 fire district assessment had along with the growth rate of the area.   | The traffic impact study determines the impacts over a defined period of time and establishes projects that will address the identified impacts. Therefore there is a nexus.  | None required.   |
| 3. Interim Connections: A question was raised that it will take time to get to the point where an impact fee can be adopted. Therefore, what connections will be allowed between now and the time that the impact fee is adopted? How does this affect any approved tentative maps as well as any existing lots? What about tentative maps that have not yet been approved by the County or City? What effect will it have on any development agreements? What about any remaining conveyance capacity that existed prior to the construction of the Martin Slough Interceptor project? | These are policy questions that need to be addressed by the City of Eureka and/or HCSD.   | The City of Eureka and HCSD will need to address interim connections to the system.  |
| 4. Interim Fee: Can an interim fee be adopted while the traffic impact fee is being prepared?   | This is a possibility that needs further research.  | Direct staff to work with the City of Eureka to assess the process necessary to adopt an interim fee while the traffic impact study is being prepared. |

**B. Written comments received through 05/20/2015**

| Comment                         | Notes                | Action Required                                 |
|---------------------------------|----------------------|---|
| 1. HCSD letter dated 05/14/2015 | See attached letter. | Consider the request from HCSD to adopt the MOA |

**C. Additional items**

| Comment                                   | Notes                | Action Required   |
|---|----------------------|---|
| 1. City of Eureka letter dated 05/22/2015 | See attached letter. | Consider the request from the City of Eureka to adopt the MOA |



Estelle Fennel, Chair  
Humboldt County Board of Supervisors  
Page 2 of 2

County hosted a meeting to "kick off" a new effort to get the Program done and the fee in place. City and County staff have reported that by June 2, 2015 they will have a new MOA completed.

The Board of Directors of the Humboldt Community Services District (District) are extremely concerned that this process has taken nine-years and may take another one to two-years to complete. The District was responsible for 64-percent of the total construction costs for the Martin Slough Interceptor Project, which totals more than \$11 million. With all of the public monies invested in the Martin Slough Interceptor Project, the District is disappointed with the County's lack of progress on this Program.

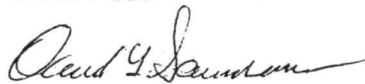
Therefore, the District insists that the Board of Supervisors of the County of Humboldt:

- Approve the MOA with the City of Eureka at the Board of Supervisors' June 2, 2015 Board meeting; and
- Direct County Public Works to propose an interim Program process, including a legal and technical analysis of the interim fee, at the June 2, 2015 Board of Supervisors meeting; and
- Make the development and initiation of an Interim Program a top priority with it to be implemented no later than July 1, 2015; and
- Direct County Public Works staff to retain a consultant to begin working on the Program no later than July 1, 2015; and
- Include a District representative in any and all meetings and communications regarding the interim and final Program and fee establishment.

The District sincerely hopes that the Board of Supervisors understands the necessity to establish an interim Program and fee and to initiate the Program process is an extremely high priority. We look forward to working with you to quickly resolve this issue.

Very truly yours,

HUMBOLDT CSD



David L. Saunderson  
President, Board of Directors

C: Tom Mattson, Humboldt County Public Works  
Greg Sparks, Eureka City Manager  
Paul Brisso, District Counsel  
Board of Directors, HCSD



# CITY OF EUREKA

531 K Street • Eureka, California 95501-1146 • (707) 441-4172

CITY COUNCIL

May 22, 2015

Humboldt County Board of Supervisors  
825 5<sup>th</sup> Street  
Eureka, CA 95501

Subject: Traffic Impact Fee Study and Interim Fee Structure

Dear Humboldt County Board of Supervisors,

The City Council of the City of Eureka approved the Memorandum of Agreement (MOA) that is attached to this letter at its regular Council Meeting on May 19<sup>th</sup>. City and county staff worked together to prepare the mutually acceptable MOA, which defines the roles and responsibilities assigned to both entities. The final approved MOA authorizes county and city staff to prepare a Request for Proposal to solicit a qualified consultant who can perform the Traffic Impact Fee Study.

As you are aware, timing is critical. The City is legally bound to restrict all development in areas affected by the Martin Slough Project. Specifically, pursuant to Mitigation Measure 11-3.1 in the certified Environmental Impact Report for the Martin Slough Interceptor project, the City is required to prohibit connections to the Martin Slough Interceptor, or to any of the City's wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project. Previous attempts to complete the MOA and initiate the Impact Fee Study were unsuccessful and, now that the Martin Slough system is operational, it is imperative that the Study be completed quickly.

Staff estimates that an 8-10 month time period will be needed to select a consultant and complete the study. Therefore the City of Eureka recommends an "interim traffic impact fee structure." Payment of the interim fees will allow development to proceed without delays caused by the incomplete Impact Fee Study. The City suggests that county staff continue to work with our staff in developing the Interim Fee Structure, obtaining the technical information and provide guidance for a reasonable and appropriate structure that can be utilized in the short term until the Study is complete.

Please feel free to contact me at 441-4140 should you have questions or wish to discuss the City's recommendations further. On behalf of the City, we look forward to working with Humboldt County toward the goal of appropriate traffic impact mitigation.

Respectfully,

Greg L. Sparks, City Manager

C: Mayor & City Council Members  
Bob Bronkall, PE/LS, Deputy Director, Department of Public Works—Land Use Division  
Charles Roecklein, City Engineer