

# AGENDA SUMMARY

<b>RE: MEMORANDUM OF AGREEMENT BETWEEN CITY AND COUNTY FOR TRAFFIC IMPACT FEE STUDY</b>	<b>FOR AGENDA DATE: MAY 19, 2015</b>  <b>AGENDA ITEM NO.:</b> <span style="font-size: 1.5em; margin-left: 100px;">17</span>
---	---

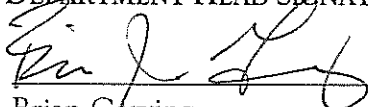
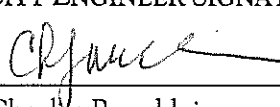
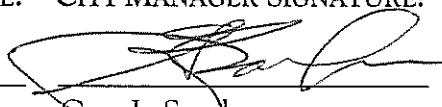
- RECOMMENDATIONS:**
1. Approve Draft Memorandum of Agreement (MOA) between City and county, and authorize city manager to sign MOA after County Supervisors Regular Meeting on June 2, 2015,
  2. Forward Approved MOA to County Board of Supervisors for Action at their June 2, 2015 Regular Meeting, along with Cover Letter regarding Interim Traffic Impact Fees to be implemented as soon as possible to allow continued development, and
  3. Allocate \$20,000 of Martin Slough Interceptor project funds to cover City Staff time and City's share of the Impact Fee Study Cost.

**SUMMARY:**  
 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. A Memorandum of Understanding (MOU) was entered into by the County and City in 2006 in response to traffic circulation goals contained in the Greater Eureka Plan and to a mitigation requirement contained in the Martin Slough Interceptor CEQA document. A Memorandum of Agreement (MOA) is the next step in the process that will do two things:

1. Authorize County and City staff to prepare a Request for Proposals (RFP) for soliciting a Traffic Impact Study consultant, and
2. Establish the commitments and requirements of each party working together to issue the (RFP) and complete the Traffic Impact Study.

*Continued on Page 2*

**FISCAL IMPACT:**     No Fiscal Impact         Included in Budget         Additional Appropriation

<b>DEPARTMENT HEAD SIGNATURE:</b>  Brian Gerving <i>Director of Public Works</i>	<b>CITY ENGINEER SIGNATURE:</b>  Charles Roecklein <i>City Engineer</i>	<b>CITY MANAGER SIGNATURE:</b>  Greg L. Sparks <i>City Manager</i>
--	---	---

<b>REVIEWED BY:</b> City Attorney Finance Department	<b>DATE:</b> _____ _____	<b>INITIALS:</b> _____ _____
--	--------------------------------	------------------------------------

**Council Action:**

Ordinance No.	Resolution No.
---------------	----------------

<b>RE: MEMORANDUM OF AGREEMENT BETWEEN CITY AND COUNTY FOR TRAFFIC IMPACT FEE STUDY</b>	<b>FOR AGENDA DATE: MAY 19, 2015 AGENDA ITEM NO.:</b>
---	---

**SUMMARY** *(continued)*

The MOA has been reviewed and revised to the satisfaction of both City and County staff and the Draft form is expected to be the same, or substantially the same, as the final form. Comments were received at a meeting in late April requested by the County for the purpose of soliciting input from interested parties on the Impact Fee Study prior to being considered at a Board of Supervisor's meeting. County staff is currently considering whether the comments affect the MOA and how they might be incorporated, but staff is not expecting substantive changes from the draft MOA currently in front of Council. Staff recommends that the City Manager be authorized to sign the MOA once it is in its final form.

The County will fund the majority of the cost to hire a consultant to conduct the Traffic Impact Fee Study upon approval of the MOA, however City staff will work closely with County staff in the selection of consultant and with the study itself. Staff is requesting a \$20,000 allocation of City funds to cover staff time and contingency if special city areas need review. The study area will be the "Greater Eureka Area."

Time is of the essence. 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, until a MOA and Program are in place and appropriate funding has been secured for the improvements identified in the Program. 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.

Given the fact that it will take 8-9 months, at best, to select a consultant and complete the study, staff is recommending implementation of "interim traffic impact fees." Payment of the interim fees will allow development to proceed unhindered. Adjustments to the paid fees can be made upon completion of the Study and implementation of the approved impact fee schedule.

In conclusion, staff recommends Council take the following actions:

1. Approve Draft Memorandum of Agreement (MOA) between City and county, and authorize city manager to sign MOA after County Supervisors Regular Meeting on June 2, 2015,
2. Forward Approved MOA to County Board of Supervisors for Action at their June 2, 2015 Regular Meeting, along with Cover Letter regarding Interim Traffic Impact Fees to be implemented as soon as possible to allow continued development, and
3. Allocate \$20,000 of Martin Slough Interceptor project funds to cover City Staff time and City's share of the Impact Fee Study Cost.

**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**

**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 Assessment Program To be Implemented within the Greater Eureka Area, May 2015**

---

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 Assessment Program To be Implemented within the Greater Eureka Area, May 2015**

---

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 Assessment Program To be Implemented within the Greater Eureka Area, May 2015**

---

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  
Mayor