



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:	
<input checked="" type="checkbox"/> Consent	cc: City of Eureka, CDS,
<input type="checkbox"/> HCSD, Humboldt Fire No. 1	
<input type="checkbox"/> Departmental	
<input type="checkbox"/> Public Hearing	
<input type="checkbox"/> 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: JUL 11 2006
Chairperson of the Board of Supervisors

CITY OF EUREKA

By:  _____

Date: 4-6-06
City Manager