

## **Attachment 4**

---

### **Public Comments**

- Part A:       Comments from 02/09/2016 presentation at Greater Eureka Area Municipal Advisory Committee Meeting
  
- Part B:       Written comments received by 02/18/2016
  
- Part C:       Comments from 03/08/2016 presentation at Greater Eureka Area Municipal Advisory Committee Meeting
  
- Part D:       Comments from 04/07/2016 presentation at Humboldt County Planning Commission
  
- Part E:       Comments from 04/21/2016 presentation at Humboldt County Planning Commission
  
- Part F:       Comments from 05/05/2016 presentation at Humboldt County Planning Commission
  
- Part G:       Additional comments discovered on 12/30/2016

**Part A:           Comments from 02/09/2016 presentation at Greater  
Eureka Area Municipal Advisory Committee  
Meeting**

- HISTORICAL BLDG PERMIT DATA NOT USED?
- SCOPE NOT TO BE BROADENED
- HUMBOLDT HILL INCLUDED?
- MORATORIUM AUTHORITY?
- FEE "PER DWELLING UNIT" FOR RESIDENTIAL
- $\frac{2}{3}$  GROWTH OF 30 YR PLAN EXCEPT HOUSING AT 30 YR
- SOURCE OF HOUSING NO'S
- BOUNDARY NOT THE SAME AS MARTIN SLOUGH BOUNDARY

- BOUNDARY NOT CONSISTENT w/ BOS  
MOU
- MOA ≠ MOU ON WEBSITE
- MARTIN SLOUGH INTENT  
-VS- REPORT
- BUILD OUT OF COMMUNITY PLAN  
≠ ACTUAL GROWTH
- COMM. PLAN ASSUMPTIONS  
-VS- REALITY
- WHAT IS ZONING IN MARTIN  
SLOUGH BOUNDARY
- HARRIS/I - HERRICK  
COULD A SMALLER GROUP OF PROJECTS  
AFFECT LOS?

- SOURCE/AMOUNT OF AVAIL LAND IN MARTIN SLOUGH BOUNDARY
- RES. FEE REASONABLE  
COMM. FEE HIGH
- ADJUSTMENT OF FIGURES AFFECTS FEE  
LOWER HOUSING # = HIGHER FEE
- BOUNDARY DOESN'T MATCH MARTIN SLOUGH BOUNDARY
- NEEDS TO BE REDONE TO MATCH MARTIN SLOUGH BOUNDARY
- NEW DEVELOPMENT NOT TO FIX (E) PROBLEMS
- MARTIN SLOUGH LOOKED AT 3 INTERSECTIONS HARRIS/F

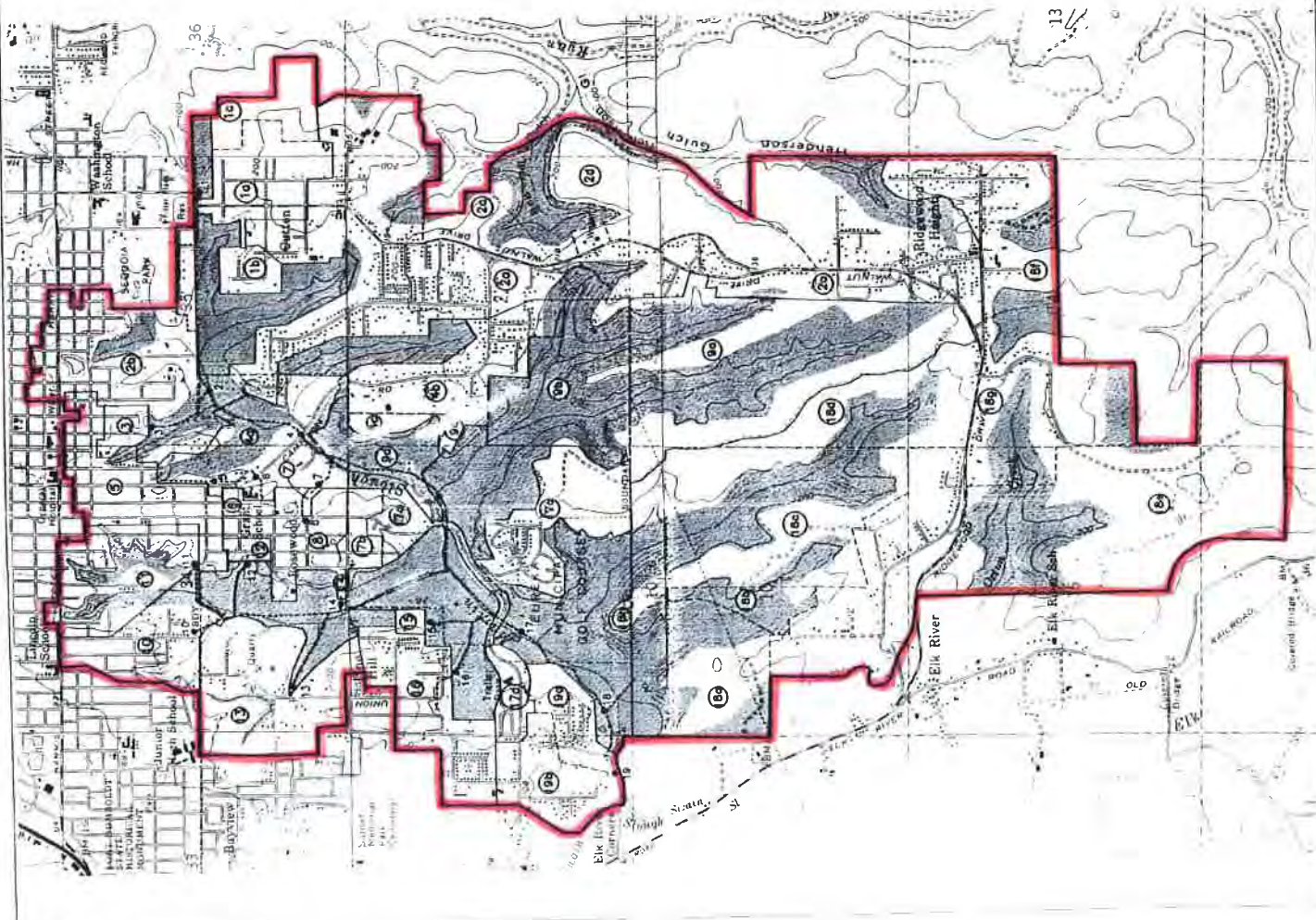
- SUBZONES TO COLLECT FEES FOR USE ONLY IN SUBZONE
- SECOND STAKEHOLDER MEETING
  - BOUNDARY
- HCSD TO BE INVOLVED
- ASSUMPTIONS
  - BUILDING RATES LOW
  - SMALLER BUILDOUT  $\approx$  SMALLER IMPACT
- EXIST DEF. INTERSECTIONS
  - 9% PAID BY NEW DEVELOPER
- OTHER FINANCING OPTIONS
  - SALES TAX
- NO REF. TO MARTIN SLOUGH IN STUDY

- COORDINATION w/ W-TRANS WORK ON CITY GEN PLAN UPDATE
- MODEL INCLUDE CITY & COUNTY TAZ'S.
- REPORT TO SHOW PRE & POST VOLUMES
- HAVE 1 FEE FOR COMMERCIAL AND NOT A "MENU" FOR DIFFERENT TYPES.
- AM, PM, DAILY
- 3.3 MILLION - COST TO FIX DEFIC.
- DO COSTS ADDRESS OTHER DEFICIENCIES? MAKE SURE "HIDDEN" PROBLEMS (OLD WATER LINES FD DURING CONSTRUCTION) ARE NOT FUNDED w/ FEE



# SUMMARY OF SERVICE AREA CONTRIBUTORS

NO.	NAME	AREA (AC)	POPULATION	SEWERAGE	WATER SUPPLY	INDUSTRIAL	AGRICULTURAL	FOREST	UNDEVELOPED	TOTAL
1	1. WASHINGTON SCHOOL	1.0	100	100	100	0	0	0	0	100
2	2. JUNIOR HIGH SCHOOL	1.0	100	100	100	0	0	0	0	100
3	3. SENIOR HIGH SCHOOL	1.0	100	100	100	0	0	0	0	100
4	4. COMMERCIAL DISTRICT	1.0	100	100	100	0	0	0	0	100
5	5. RESIDENTIAL DISTRICT	1.0	100	100	100	0	0	0	0	100
6	6. INDUSTRIAL DISTRICT	1.0	100	100	100	0	0	0	0	100
7	7. AGRICULTURAL DISTRICT	1.0	100	100	100	0	0	0	0	100
8	8. FOREST DISTRICT	1.0	100	100	100	0	0	0	0	100
9	9. UNDEVELOPED DISTRICT	1.0	100	100	100	0	0	0	0	100
10	10. TOTAL	10.0	1000	1000	1000	0	0	0	0	1000



## LEGEND

- PROJECT BOUNDARY
- ③ LIMITS OF SEWER COLLECTION BASIN
- ⑱ LIMITS OF SEWER COLLECTION SUB-BASIN
- ▨ AREAS NOT USED IN CALCULATING FUTURE GROWTH
- HOPE DESIGNATION AT INTERCEPTOR OR EXISTING SEWER LINE
- \*\*\*\*\* PROPOSED MARTIN SLOUGH INTERCEPTOR AND COLLECTORS



SCALE: 1" = 1000'



**Part B:           Written comments received by 02/18/2016**

**From:** Don Smullin [mailto:█@eurekachamber.com]  
**Sent:** Thursday, February 04, 2016 12:00 PM  
**To:** Bass, Virginia <VBass@co.humboldt.ca.us>  
**Subject:** how did you delineate the traffic impact fee area

**From:** ernieorjudy [REDACTED]@suddenlink.net  
**Sent:** Saturday, February 06, 2016 04:54 PM Pacific Standard Time  
**To:** Mattson, Tom  
**Cc:** [bgerving@ci.eureka.ca.gov](mailto:bgerving@ci.eureka.ca.gov)  
**Subject:** Traffic Impact Fee

Gentlemen: The article in today's (Sat.) Times Standard asked for public input on the proposed Traffic Impact Fee. This is the first notice I've seen about this proposal. Why didn't you print the proposal, why is it necessary, what will it cost the taxpayer, where it will apply, how it will be enforced, who does it apply to, etc.? You get my point. It is impossible to "comment" on something we, the public, have never seen. Please print the exact wording of the fee proposal and answers to the questions I've raised in this e-mail. I assume, since the County is involved, that it will apply to EVERYONE, even tho the article states "Eureka area", whatever that means. It is not convenient for everyone to attend the meeting to comment, and it is unreasonable to expect that we first hear of the wording of this fee and expect us to comment at the same time without giving it due consideration. Therefore, it is imperative that you print the wording of the proposed fee, by TJKM, and answers to my questions so we, the public, can make reasoned comment. I'd also appreciate an answer to this e-mail. Regards, Ernie DeGraff, Fortuna, CA

**From:** Lois Sullivan [mailto: [REDACTED]@pacbell.net]  
**Sent:** Sunday, February 07, 2016 10:44 PM  
**To:** Mattson, Tom <[TMattson@co.humboldt.ca.us](mailto:TMattson@co.humboldt.ca.us)>  
**Subject:** Traffic Impact Fee

The Saturday 2-6-16 Times-Standard newspaper has an article about a meeting to discuss the formation of a proposed traffic impact fee for the Eureka area. What does this mean? Who came up with this idea? Who would be paying the "fee" and what would the money be used for? Isn't this proposed "fee" like the "fire fee" (which is really a tax but is called a fee to avoid having to have it voted on by the public). We object to any additional "fees" that are just imposed on the general public.

Lois and David Sullivan

[REDACTED]  
Eureka, Ca 95503

Telephone 707 [REDACTED]

**From:** J Cloutier [mailto: [REDACTED]@gmail.com]

**Sent:** Monday, February 08, 2016 11:23 AM

**To:** Mattson, Tom <TMattson@co.humboldt.ca.us>

**Subject:** Curious about traffic impact fee

I work during the day so the 2 PM meeting is not accessible. I'd really like more details. For instance how will this fee be levied? Property tax? Building permits?

I live and work in Eureka.

thanks,

Joanna Cloutier

**From:** J Cloutier [mailto: [REDACTED]@gmail.com]

**Sent:** Monday, February 08, 2016 12:13 PM

**To:** Mattson, Tom <TMattson@co.humboldt.ca.us>

**Subject:** Re: FW: Modified Newsflash Discuss Development of Traffic Impact Fee for Greater Eureka Area  
- Report now available For County of Humboldt

Is there any forum where it's appropriate to ask these questions?

For some of the proposed signaling projects why are we not considering traffic circles?  
Are traffic circles cheaper than signals? Better in some cases because they maintain flow? (from my layperson viewpoint seems like several of the locations we are concerned about would benefit from no delay due to green time for oncoming traffic because they could turn unimpeded -- walnut & hemlock for instance).

I also really like the lack of maintenance that a traffic circle requires compared to a signal.

Here are some **pros for traffic circles** from  
(<http://www.roundaboutsusa.com/design/roundabouts-vs-signals.html>):

Traffic signals cause unnecessary delay for many reasons:

- The need to provide a minimum green time to each movement in every cycle creates time intervals in which no vehicles are entering the intersection.
- The need to provide for the most critical of two or more movements that proceed simultaneously results in an ineffective use of green time by non-critical movements.
- The "lost time" associated with startup and termination of a green phase detracts further from the amount of time that is available for moving traffic.
- Left turns that take place from shared lanes impede the other movements in the shared lanes unnecessarily. This results in a very inefficient utilization of the available roadway space.
- Heavy left turns, even from exclusive lanes, require dedicated phases that rob time from the major movements and increase the total time lost due to startup and termination of traffic movements.
- Signals are mechanical devices that not only require maintenance but also periodically malfunction. They are also dependent upon electrical power and do not, therefore, provide any control during power failures.
- Many signal violations occur at higher speeds so that the severity of accidents is often high.
- Permitted left turns and right turns on red introduce additional conflicts.



**From:** Adrienne Blair [mailto:██████████@humbx.com]  
**Sent:** Monday, February 08, 2016 3:21 PM  
**To:** undisclosed-recipients:  
**Subject:** LEGISLATIVE ALERT - Traffic Impact Fee

## **LEGISLATIVE ALERT**

**Please be aware that the city of Eureka and County of Humboldt are working to impose yet another fee on builders and homeowners to further increase housing prices and reduce affordability for our fellow citizens. This traffic impact fee will be on top of existing fees and taxes we pay including fire fees, school bonds, sales tax, and measure Z just to mention a few. As evidenced in part by our homeless problem, home affordability is already out of reach for many of our citizens – let's not make it worse. Please review the attached material and attend the meeting on Tuesday at 2:00 at the Humboldt Community Service District Office on Walnut Drive and let them know enough is enough.**

## Chapter 1. Introduction and Summary

### Introduction

This analysis provides the technical basis for establishing the required nexus between anticipated future development in the Greater Eureka Area and the need for certain improvements to the local transportation facilities.

Transportation impact fees are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use (cities and counties). To guide the widespread imposition of public facilities fees, the State Legislature adopted the Mitigation Fee Act (the Act) with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code §§66000-66025, establishes requirements on local agencies for the imposition and administration of fee programs.

The specific tasks performed in preparing this analysis and their results are summarized in this section. The County of Humboldt and the City of Eureka (Agencies) have joined together to consider the adoption of the Greater Eureka Area Traffic Impact Fee (GEATIF). This report recommends the adoption of an Interim Fee, specifically to take advantage of previous studies and to enact such a program on a timely basis. The Agencies retained TJKM to establish the technical aspects of this interim program and the forthcoming Final Fee. The GEATIF program encompasses the entirety of the City of Eureka and the surrounding developed area in unincorporated Humboldt County. The proposed fee area is shown in Figure 1. The fee area was selected as the area where development is likely to occur. The fee boundaries include the Eureka city limits, the City of Eureka Planning Area, the Humboldt Community Services District boundary, the Humboldt Community Services District sphere, and the Eureka Community Plan boundary. If any portion of a property is within the fee boundary area, then the entire parcel is subject to the fee.

The development of the GEATIF program involved the major tasks described below.

### Chapter 4 – Program Costs and Fee Calculation

The basic fee per peak hour trip is calculated by dividing the total cost of the TIF program, \$5,448,585 by the total projected 4,564 new p.m. peak hour trips. The TIF requirement calculates to a cost of \$1,194 per p.m. peak hour trip. The proposed Interim GEATIF fee schedule is as follows:

**Proposed Fee Schedule**

Land Use Category	Unit	Fee Amount
Single-Family Residential	Dwelling Unit	\$1,194
Multi-Family Residential	Dwelling Unit	740
Senior/Assisted Living	Room	298
General Retail	KSF <sup>1</sup>	4,430
Hotel	Room	740
Gasoline Service Station	Fueling Position	6,624
General Office	KSF	1,779
Medical/Dental Office	KSF	4,262
Government Office	KSF	1,445
Industrial/Service Commercial	KSF	1,158
Warehouse/Distribution < 100 KSF	KSF	370
Warehouse/Distribution > 100 KSF	KSF	143
Mini-Storage	KSF	310
School	Student	179
Church	KSF	657
Other uses	P.M. Trip	1,194

# County Administrative Office

Posted on: February 3, 2016

Discuss Development of Traffic Impact Fee for Greater Eureka Area - Report now available



The County of Humboldt invites you to participate in an informational meeting on Tuesday, Feb. 9 to discuss the formation of a proposed traffic impact fee for the Greater Eureka Area.

The [meeting will begin at 2 p.m.](#) at the Humboldt Community Services District Office, located at 5055 Walnut Drive in Eureka. The consultant retained by the county, TJKM, will be on-hand to present information regarding the proposed fee.

Transportation impact fees are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use (cities and counties). To guide the widespread imposition of public facilities fees, the State Legislature adopted the Mitigation Fee Act (the Act) with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code §§66000-66025, establishes requirements on local agencies for the imposition and administration of fee programs.

A draft report for this fee is now available on the [Public Works, Land Use web page](#).

Comments on the proposed fee will be accepted until Feb. 26 at 5 p.m. You can direct written comments to both:

Thomas K. Mattson, Director of Public Works  
County of Humboldt  
1106 Second Street  
Eureka, CA 95501  
[tmattson@co.humboldt.ca.us](mailto:tmattson@co.humboldt.ca.us)

Brian Gerving, Director of Public Works  
City of Eureka  
531 K Street  
Eureka, CA 95501  
[bgerving@ci.eureka.ca.gov](mailto:bgerving@ci.eureka.ca.gov)

**Adrienne Blair**  
Office Manager  
Humboldt Builders' Exchange  
[REDACTED] Eureka, CA 95501  
Phone 707-[REDACTED] | Fax 707-[REDACTED]  
[www.humbx.com](http://www.humbx.com)  
[www.facebook.com/humbx](http://www.facebook.com/humbx)



**From:** manuel ferreira [mailto:██████████@outlook.com]  
**Sent:** Tuesday, February 09, 2016 5:13 PM  
**To:** Mattson, Tom <[TMattson@co.humboldt.ca.us](mailto:TMattson@co.humboldt.ca.us)>  
**Subject:** Increased development fee's

Special kind of stupid are you?

**From:** Chris Mikkelsen [mailto:██████@kkramer.com]  
**Sent:** Wednesday, February 10, 2016 12:40 PM  
**To:** Bronkall, Bob  
**Subject:** Traffic Impact Fee Study - Stakeholder's Meeting

Hi Bob,

Thank you for hosting the stakeholder's meeting yesterday; you have been a positive factor in this process. Just want to share that I appreciate the manner in which you posted each comment and concern, taking extra time to ensure you got them all down. This is a tough process and in the end I am sure we will reach amicable direction. It certainly appears that is what you have strived for.

Thanks again,

-Chris

*Chris Mikkelsen*

**KIC I kramer investment corp.**

████████████████████

eureka, ca 95501

(707) ██████ office

(707) ██████ fax

(707) ██████ cell



**From:** David Hull [mailto:████████@humboldtcsd.org]  
**Sent:** Friday, February 26, 2016 9:21 AM  
**To:** Bronkall, Bob; 'Brian Gerving'; Chris Kinzel  
**Cc:** Mattson, Tom  
**Subject:** HCSD Traffic Fee Comment Letter

All,

As per our discussion earlier this week, I am attaching a letter expressing HCSD's comments on the Draft Greater Eureka Area Interim Traffic Impact Fee as presented at the GEAMAC meeting on February 9, 2016. Please let me know if you have any questions!

*David*

*David Hull  
General Manager  
Humboldt Community Services District  
5055 Walnut Drive  
Eureka, CA 95534  
707.443.4550 x 216  
[www.humboldtcsd.com](http://www.humboldtcsd.com)*

# Humboldt Community Services District

*Dedicated to providing high quality, cost effective water and sewer service for our customers*

February 26, 2016

Tom Matson  
Director of Public Works  
County of Humboldt  
1106 Second Street  
Eureka, CA 95501

Brian Gerving  
Director of Public Works  
City of Eureka  
531 K Street  
Eureka, CA 95501

Subject: Comments Regarding the Greater Eureka Area Interim Traffic Impact Fee

Dear Msrs. Matson and Gerving,

On February 9, 2016, the Greater Eureka Area Municipal Advisory Committee (GEAMAC) hosted a presentation by the County of Humboldt and the City of Eureka entitled *Informational Meeting Regarding the Development of the Greater Eureka Area Traffic Impact Fee (GEATIF)*. The Board of Directors of the Humboldt Community Services District (District) reviewed and discussed the information presented at the GEAMAC meeting at their regular Board meeting of February 23, 2016. At that meeting, the Board took action to provide you with the following comments.

## **District's Interest in the Interim GEATIF Process**

The District's interest in the Interim GEATIF process stems from the District's role in the Martin Slough Interceptor project (MSI). The MSI was a joint project between the District and the City of Eureka to construct new wastewater collection and conveyance components that include new collection lines connecting up to 16 existing lift stations to a new gravity wastewater collection pipeline; a new pump station; and new force main and appurtenant improvements. Although many of the lift station improvements tying into the main interceptor are still under construction, the main interceptor was completed in 2014. The City of Eureka now owns and operates the system with a 36% allocated volumetric capacity and the District pays for and receives the remaining 64% of the volumetric capacity. The 36% City of Eureka Project cost-share was approximately \$6 million and the 64% HCSD cost-share was approximately \$11 million.

The Environmental Impact Report certified by the City of Eureka and the District for the MSI project contained a mitigation measure that reads:

Mitigation Measure 11-3.1 states:

*"The City (of Eureka) shall cooperate with local governments in the Project area to enter into a Memorandum of Agreement (MOA) to develop and implement a suitable "Cumulative Traffic Assessment and Mitigation Program" (Program). The aim of the MOA, and of the resulting Program, will be to*

*formally identify indirect or cumulative traffic and circulation impacts, and the required improvements necessary to offset indirect or cumulative impacts, within the areas of the City of Eureka and the County of Humboldt that will be served, whether directly or indirectly, by the Martin Slough Interceptor Project.*

*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. The methodology for creating the Circulation Improvement Fund Program shall be identified as part of the MOA and the Program. Payments to the circulation improvement fund shall be secured for each connection to the wastewater collection system prior to the authorization by the City of that connection.*

Therefore, since the District is responsible for the majority of the cost of the Martin Slough Interceptor project and since that project cannot be fully utilized until the Cumulative Traffic Assessment and Mitigation Program is in place and appropriate funding has been secured for improvements identified in the Program (i.e. the Interim GEATIF) mandated as a part of Mitigation Measure 11-3.1 is completed, the District is extremely interested in the expedited completion of an Interim GEATIF.

### **Open and Transparent Process**

The District's Board of Directors is very supportive of the GEATIF and is committed to ensuring the process is open and transparent. The Board believes that the GEAMAC is an appropriate venue to hold presentations and stakeholder input meetings on the proposed GEATIF. In addition, the Board encourages the City and County to continue to involve the District's General Manager in the GEATIF planning process.

### **Support the Establishment of an Interim GEATIF to Move the Process Forward**

The District's Board of Directors is supportive of the establishment of an Interim GEATIF. The District believes that an Interim fee is the most expeditious method to obtain compliance with the Martin Slough EIR's mitigation requirement.

### **The Interim GEATIF Should be Based Upon the Information Generated from the Forster Gill Traffic Study, Which is Presumably Supported by TJKM Engineers.**

The District believes that utilizing existing relevant traffic studies and traffic mitigation information is the quickest way to establish the interim GEATIF and gain compliance with the requirements of the Martin Slough EIR Mitigation Measure 11-3.1. A 2009 traffic study

created for the Ridgewood Village Development (aka Forster Gill) appears to not only cover the Martin Slough Basin, but also includes traffic mitigation projects and costs and was created by the same consultant that is presently contracted to produce the Interim and Final GEATIF. The District requests that the information and traffic study boundary used in the Traffic Impact Study for the Ridgewood Village Development to be used to craft the Interim GEATIF.

**Funds from the Interim and Final GEATIF Should be Spent Within the Martin Slough Basin Boundaries.**

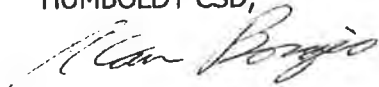
As previously noted, the need for an Interim GEATIF arises from Mitigation Measure 11-3.1 contained in the Martin Slough Interceptor EIR. The District's Board of Directors concluded that, in consideration of its constituents best interests, and to meet the nexus criteria that charges on new developments have a relationship to that development, any funds accumulated as the result of development projects within the Martin Slough Basin boundary (as identified by SHN City of Eureka Martin Slough Interceptor Project Map dated January 2004) be applied toward traffic mitigation projects within that same specified area for both the interim GEATIF and final GEATIF. Similarly, it may be logical for the City and County to treat projects in other geographic basins in a similar manner i.e., funds generated in those geographic basin areas be applied to traffic mitigation projects in those specific geographic basin areas.

It is not the District's intent to hinder the development of a comprehensive traffic study for the City of Eureka proper and/or the County of Humboldt. We are, however, committed to ensuring that promises made to our community to gain their acceptance and assume 64% of the debt of the Martin Slough Interceptor project are fulfilled.

The District appreciates the opportunity to participate in, and comment on, the Draft Greater Eureka Area Interim Traffic Impact Fee and fee development process. The District sincerely hopes that the City of Eureka and County of Humboldt understand the necessity to not delay in the establishment and implementation of an interim GEATIF. We look forward to continuing to work with the City and County to quickly resolve this issue.

Very truly yours,

HUMBOLDT CSD,



Alan Bongio  
President, Board of Directors

C: Paul Brisso, District Counsel  
HCSB Board of Directors

## Greater Eureka Area Municipal Advisory Committee

### Meeting Minutes February 9th, 2016

- 1) The meeting was called to order by Chairman Ziemer at 2:00: p.m. at the Humboldt Community Services District office.
- 2) Those present completed the pledge of allegiance.
- 3) The Roll was called with the following members present:  
Rob Holmund (COE), Darrel Petersen, Glenn Ziemer, Richard Yeider George Davis and Greg Gardiner.
- 4) Minutes of the January 12th, 2016 meeting were reviewed with a motion for approval by Gardiner/Davis. The motion passed unanimously.
- 5) Public Comment - None.
- 6) Old Business- None
- 7) New Business:
  - a) Representatives of the Humboldt County Public Works Department staff introduced Chris Kinzel, a consultant hired by the County and the City of Eureka to develop a traffic mitigation fee study for the greater Eureka Planning Area. Mr. Kinzel provided an overview of the development fee process and the specific determinations of his draft study.  
The public comment section of the meeting was lively and lasted one and one half hours. The major issues raised by the public were:
    - 1) The development assumptions used in the draft were outdated and not consistent with current or future levels of development.
    - 2) The process of determination of the area boundaries was not able to be identified.
    - 3) Inclusion of Humboldt Hill and Fields Landing in the fee area was not appropriate.
    - 4) Current and future levels of development are likely to be significantly lower than assumed in the study and the revenue and therefore the mitigation projects were unlikely to be funded.

After public comment and discussion the committee voted to forward a letter to the Board of Supervisors suggesting staff response to the issues raised, and also recommend another public scoping session with the revised draft. Motion by Holmund/Yeider.

Due to time limitations the second agenda item was postponed to the March meeting.

The meeting was adjourned at 3:56 p.m.

Minutes prepared by Glenn Ziemer

**Part C:           Comments from 03/08/2016 presentation at Greater  
Eureka Area Municipal Advisory Committee  
Meeting**



- REFINE GROWTH BASED UPON DECLINING INDUSTRY
- ADDITIONAL REQUIREMENTS ON DEVELOP.
- FEE'S PER USE TYPE HARD ON BUSINESS NEED TO BE BALANCED
- FEE DRIVES GROWTH ELSEWHERE (OUTSIDE FEE BOUNDARY)
- CUMULATIVE EFFECT OF INCREASED COST ON BUILDING PERMIT
- JUSTIFICATION OF LARGER BOUNDARY
- 1995 ECP "ALL FEASIBLE ALTERNATIVES"  
- WHERE IS REPORT?
- OUTSIDE TRIPS INTO PROGRAM AREA
- NOT GONE TO PUBLIC
- MORE PARTICIPATION

- PUBLIC NOTIFICATION

MAKE SURE COMMUNITY IS NOTIFIED

- FEE STRUCTURE

- LOW INCOME HOUSING

- TIME OF PAYMENT @ TIME OF BLDG. PERMIT

- FEE SIGNIFICANT FINANCIAL HURDLE

- MORE FAIR & REALISTIC METHOD

- HCSD ~ MINIMALIST BOUNDARY

- ACCURATELY REFLECT SENTIMENT AT MEETING: GENERAL OPPOSITION

- MEETING TIMES TO BETTER INVOLVE PUBLIC

- PUBLIC AWARENESS
  - FEE AMOUNT - MAKE KNOWN
  - ADOPT FINAL FEE SO THERE IS NO INCREASE
- MORATORIUM ON CONNECTIONS?  
WILL THERE BE ONE
- BOUNDARY SHOULD BE MARTIN SLOUGH  
DIRECT BOUNDARY
- CONSTRUCTION COSTS NOT IN STUDY
- ALT. IN REPORT: NO FEE OPTION
- PUT ITEM ON BALLOT
- DEVELOP SUB-BASINS
- START w/ MARTIN SLOUGH AREA  
FOR INTERIM FEE

# GEAMAC

- BABEC MARTIN SLOUGH BOUNDARY
- "MARTIN SLOUGH" INCLUDED IN DRAFT.
- 2/11 LETTER TO BOS
  - GROWTH ASSUMPTION
  - BOUNDARY
  - VIABILITY OF FEE
  - ? FIELDS LANDING  $\leq$  HUM. MILL
  - GENERAL SUPPORT OF FEE
- UNFAIR BURDEN
- PUBLIC NOTIFICATION  $\neq$  OUTREACH

**Part D:                   Comments from 04/07/2016 presentation at  
Humboldt County Planning Commission**

**On 04/07/2016, the Humboldt County Planning Commission was scheduled to hear a presentation from the Department of Public Works regarding Traffic Impact Fees in Humboldt County (New Business, Item 10). Due to insufficient time, the presentation was rescheduled to 04/21/2016.**

**Included in the Planning Commission agenda package was the following correspondence.**



MAR 25 2016

# Humboldt Community Services District

*Dedicated to providing high quality, cost effective water and sewer service for our customers*

March 24, 2016

Robert Morris, Chair  
Humboldt County Planning Commission  
825 Fifth Street  
Eureka, CA 95501

Subject: Humboldt County Traffic Impact Fee

Dear Commissioner Morris:

The Humboldt Community Services District (HCSD) Board of Directors has great concerns with regard to the current process that the County and City of Eureka (City) staff have followed to draft a Traffic Impact Fee proposal.

We understand this proposal will be presented to the Board of Supervisors and City Council in the very near future. Thus, we feel it critical that we bring the matter to the Humboldt County Planning Commission's attention as the Traffic Impact Fee affects land use issues.

It is widely acknowledged that the reason the County and City are looking at establishing a traffic mitigation fee is because the Martin Slough Interceptor (MSI) Project Environmental Impact Report (EIR) Mitigation Measure 11-3.1 requires such. It is unfortunate that this fee process was not performed years ago as dictated by the Martin Slough EIR adopted in 2004. Now the County and City find themselves in an emergency situation to push through the process.

The City and County recently presented their draft interim traffic impact fee report at two Greater Eureka Area Municipal Advisory Committee (GEAMAC) meetings. At both meetings, the recommendations were passionately contested by the public as well as HCSD. Based upon the first GEAMAC presentation, HCSD's Board of Directors submitted a comment letter detailing specific concerns and requests to be included in the Traffic Interim Fee process (attached). Even with HCSD's input, it appears that the County and City staff, along with their consultant, is proceeding with their plan as they initially envisioned it.

It is our understanding that there must be a direct nexus between an impact fee imposed for development and the use of such funds collected. We are concerned that County and City staffs are getting away from the intent of the MSI Project traffic impact fee by addressing traffic impacts from an area far larger than the MSI project area. From our perspective, it is not the responsibility of the MSI to mitigate issues not associated with the Martin Slough basin nor is it prudent to have areas that have nothing to do with the Martin Slough basin, such as development in Freshwater or

Robert Morris, Chair  
Humboldt County Planning Commission  
March 24, 2016  
Page Two

Humboldt Hill, associated with this Martin Slough traffic mitigation measure. If the County and City want to address traffic issues beyond the Martin Slough Project area, that traffic impact fee program should be separate from Martin Slough.

The HCSD Board feels it is imperative that the Martin Slough basin is treated as a standalone mitigation area. We took on 64% of the approximate \$20 Million MSI Project costs based upon assurances that any development within the Martin Slough basin would drive a mitigation fund to deal with necessary traffic improvements within the Martin Slough basin.

The City and County's current proposal expands the scope of the boundary that will be included in the traffic mitigation fee to address long standing traffic issues beyond the Martin Slough project area. Let it be clear that HCSD is not against the idea of a larger traffic study area. However, we do feel that all fees collected from development within the Martin Slough basin must be utilized within the Martin Slough Project area to mitigate potential traffic impacts. Further, this is the approach that both HCSD and the City presented to the public when garnering support for the Martin Slough Interceptor project.

In conclusion, we are not contesting the necessity for a traffic mitigation fee. In fact, we are very supportive of the creation and implementation of a Traffic Impact Fee that achieves compliance with the MSI Mitigation Measure 11-3.1. However, we are concerned about the proposed fee as presented. We feel the funds generated within the Martin Slough basin need to be used to mitigate the impacts of growth in the Martin Slough basin. As we mentioned in our February 26, 2016 letter, the District feels that it is important that the fee process must be as transparent as possible and include definable parameters. Mitigation measure 11-3.1 was solely based upon Martin Slough. Therefore, it is our opinion that the traffic fee should also represent the same area.

Thank you for the opportunity to present this matter for your review and consideration. Should you have any question or require additional information, please feel free to call me.

Sincerely,

HUMBOLDT CSD



David Hull  
General Manager

c: HCSD Board of Directors

# Humboldt Community Services District

*Dedicated to providing high quality, cost effective water and sewer service for our customers*

February 26, 2016

Tom Matson  
Director of Public Works  
County of Humboldt  
1106 Second Street  
Eureka, CA 95501

Brian Gerving  
Director of Public Works  
City of Eureka  
531 K Street  
Eureka, CA 95501

Subject: Comments Regarding the Greater Eureka Area Interim Traffic Impact Fee

Dear Mssrs. Matson and Gerving,

On February 9, 2016, the Greater Eureka Area Municipal Advisory Committee (GEAMAC) hosted a presentation by the County of Humboldt and the City of Eureka entitled *Informational Meeting Regarding the Development of the Greater Eureka Area Traffic Impact Fee (GEATIF)*. The Board of Directors of the Humboldt Community Services District (District) reviewed and discussed the information presented at the GEAMAC meeting at their regular Board meeting of February 23, 2016. At that meeting, the Board took action to provide you with the following comments.

## **District's Interest in the Interim GEATIF Process**

The District's interest in the Interim GEATIF process stems from the District's role in the Martin Slough Interceptor project (MSI). The MSI was a joint project between the District and the City of Eureka to construct new wastewater collection and conveyance components that include new collection lines connecting up to 16 existing lift stations to a new gravity wastewater collection pipeline; a new pump station; and new force main and appurtenant improvements. Although many of the lift station improvements tying into the main interceptor are still under construction, the main interceptor was completed in 2014. The City of Eureka now owns and operates the system with a 36% allocated volumetric capacity and the District pays for and receives the remaining 64% of the volumetric capacity. The 36% City of Eureka Project cost-share was approximately \$6 million and the 64% HCSO cost-share was approximately \$11 million.

The Environmental Impact Report certified by the City of Eureka and the District for the MSI project contained a mitigation measure that reads:

Mitigation Measure 11-3.1 states:

*"The City (of Eureka) shall cooperate with local governments in the Project area to enter into a Memorandum of Agreement (MOA) to develop and implement a suitable "Cumulative Traffic Assessment and Mitigation Program" (Program). The aim of the MOA, and of the resulting Program, will be to*

*formally identify indirect or cumulative traffic and circulation impacts, and the required improvements necessary to offset indirect or cumulative impacts, within the areas of the City of Eureka and the County of Humboldt that will be served, whether directly or indirectly, by the Martin Slough Interceptor Project.*

*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. The methodology for creating the Circulation Improvement Fund Program shall be identified as part of the MOA and the Program. Payments to the circulation improvement fund shall be secured for each connection to the wastewater collection system prior to the authorization by the City of that connection.*

Therefore, since the District is responsible for the majority of the cost of the Martin Slough Interceptor project and since that project cannot be fully utilized until the Cumulative Traffic Assessment and Mitigation Program is in place and appropriate funding has been secured for improvements identified in the Program (i.e. the Interim GEATIF) mandated as a part of Mitigation Measure 11-3.1 is completed, the District is extremely interested in the expedited completion of an Interim GEATIF.

### **Open and Transparent Process**

The District's Board of Directors is very supportive of the GEATIF and is committed to ensuring the process is open and transparent. The Board believes that the GEAMAC is an appropriate venue to hold presentations and stakeholder input meetings on the proposed GEATIF. In addition, the Board encourages the City and County to continue to involve the District's General Manager in the GEATIF planning process.

### **Support the Establishment of an Interim GEATIF to Move the Process Forward**

The District's Board of Directors is supportive of the establishment of an Interim GEATIF. The District believes that an Interim fee is the most expeditious method to obtain compliance with the Martin Slough EIR's mitigation requirement.

### **The Interim GEATIF Should be Based Upon the Information Generated from the Forster Gill Traffic Study, Which is Presumably Supported by TJKM Engineers.**

The District believes that utilizing existing relevant traffic studies and traffic mitigation information is the quickest way to establish the interim GEATIF and gain compliance with the requirements of the Martin Slough EIR Mitigation Measure 11-3.1. A 2009 traffic study

created for the Ridgewood Village Development (aka Forster Gill) appears to not only cover the Martin Slough Basin, but also includes traffic mitigation projects and costs and was created by the same consultant that is presently contracted to produce the Interim and Final GEATIF. The District requests that the information and traffic study boundary used in the Traffic Impact Study for the Ridgewood Village Development to be used to craft the Interim GEATIF.

**Funds from the Interim and Final GEATIF Should be Spent Within the Martin Slough Basin Boundaries.**

As previously noted, the need for an Interim GEATIF arises from Mitigation Measure 11-3.1 contained in the Martin Slough Interceptor EIR. The District's Board of Directors concluded that, in consideration of its constituents best interests, and to meet the nexus criteria that charges on new developments have a relationship to that development, any funds accumulated as the result of development projects within the Martin Slough Basin boundary (as identified by SHN City of Eureka Martin Slough Interceptor Project Map dated January 2004) be applied toward traffic mitigation projects within that same specified area for both the interim GEATIF and final GEATIF. Similarly, it may be logical for the City and County to treat projects in other geographic basins in a similar manner i.e., funds generated in those geographic basin areas be applied to traffic mitigation projects in those specific geographic basin areas.

It is not the District's intent to hinder the development of a comprehensive traffic study for the City of Eureka proper and/or the County of Humboldt. We are, however, committed to ensuring that promises made to our community to gain their acceptance and assume 64% of the debt of the Martin Slough Interceptor project are fulfilled.

The District appreciates the opportunity to participate in, and comment on, the Draft Greater Eureka Area Interim Traffic Impact Fee and fee development process. The District sincerely hopes that the City of Eureka and County of Humboldt understand the necessity to not delay in the establishment and implementation of an interim GEATIF. We look forward to continuing to work with the City and County to quickly resolve this issue.

Very truly yours,

HUMBOLDT CSD,

Alan Bongio  
President, Board of Directors

C: Paul Brisso, District Counsel  
HCSD Board of Directors

## Hegler, Suzanne

---

**From:** HumCPR <humcpr@gmail.com>  
**Sent:** Monday, April 04, 2016 7:08 PM  
**To:** Planning Clerk  
**Cc:** bgerving@ci.eureka.ca.gov; Mattson, Tom; Bass, Virginia; Bohn, Rex; Fennell, Estelle; Lovelace, Mark; Sundberg, Ryan  
**Subject:** HumCPR comments on GEATIF for Planning Commission meeting of 4/7/16  
**Attachments:** HumCPR Letter to the Planning Commission - GEATIF.pdf

Hello,

Please accept the submission of the attached letter for inclusion as public comment with regards to the Humboldt County Department of Public Works presentation to the Planning Commission on Traffic Impact Fees, slated for the Commission's meeting on April 7th, 2016.

Best regards,

Alec Ziegler

--

Humboldt Coalition for Property Rights  
(707) 268-8773  
[www.HumCPR.org](http://www.HumCPR.org)



April 4<sup>th</sup>, 2016

Robert Morris, Chair  
Humboldt County Planning Commission  
825 Fifth Street  
Eureka, CA 95501

RE: The Greater Eureka Area Traffic Impact Fee (GEATIF)

Dear Chairman Morris,

With this letter, Humboldt Coalition for Property Rights wishes to express our extreme concerns with regards to the proposed implementation of the Greater Eureka Area Traffic Impact Fee. HumCPR does not contest the necessity for improvements to local infrastructure nor to the concept of an impact fee in and of itself. We also applaud both the City of Eureka and the County of Humboldt for taking steps to develop a satisfactory and appropriate method of combating increased strain on Humboldt's roadways.

However, HumCPR's various concerns with the GEATIF necessitate that our organization express our opposition to the impact fee in its current form. Chief among our concerns is that the GEATIF goes far beyond the acceptable scope of the project. It is widely recognized that the Martin Slough Interceptor Project Environmental Impact Report is the catalyst for the development of a traffic impact fee. However, the proposed interim impact fee has expanded its range of influence well beyond the Martin Slough Interceptor's original project area. HumCPR feels that such an unwarranted expansion of scope is an alarming example of bureaucratic overreach devoid of the proper amount of public input and discussion.

HumCPR has further concerns that, contrary to public opinion expressed at multiple informational GEATIF meetings held at the Humboldt Community Services District headquarters, the City and the County have not reduced the scope of the GEATIF impact fee area. The City and County have also failed to provide adequate justification for the parameters of the project as currently proposed. Likewise, HumCPR feels the City and County did not give proper consideration to the objections raised by HCSO as outlined both at GEATIF informational meetings and via a letter submitted to the Humboldt County Planning Commission on March 24th, 2016.

HumCPR asks that the current proposed GEATIF project be amended to reduce its scope of influence

**Hegler, Suzanne**

---

**From:** Humboldt Association of Realtors <ida@harealtors.com>  
**Sent:** Tuesday, April 05, 2016 4:04 PM  
**To:** Fennell, Estelle; Lovelace, Mark; Bohn, Rex; Sundberg, Ryan; Bass, Virginia  
**Cc:** Planning Clerk  
**Subject:** Traffic Impact Fee  
**Attachments:** 4-4-16 Traffic Impact Letter.pdf

Dear County Board of Supervisors and Planning Commission,  
Please see the attached letter from Humboldt Association of Realtors® addressing the proposed Martin Slough Interceptor Traffic Impact Fee.

*~ Ida*

Ida Heinen, Executive Officer  
Humboldt Association of Realtors  
707-442-2978/Phone, 707-442-7985/Fax  
CELL – 707-362-9511





April 4, 2016

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


**RE: Proposed Traffic Impact Fee**

Dear Mr. Lovelace and Board,

The Humboldt Association of Realtors® shares the concerns of the Humboldt Community Services District and those of the Greater Eureka Area Municipal Advisory Committee with regard to the draft interim traffic impact fee report presented by City and County staff at the GEAMAC meeting on March 8, 2016.

The Association is not disputing the necessity of the traffic mitigation fee but is concerned with the current proposal as it relates to the boundaries identified in the current plan, which exceed those originally presented for the Martin Slough Interceptor Project. HAR would like to express our support of the attached letters from HCSD and GEAMAC and request that the boundaries of the Martin Slough Interceptor Project be confined to those in the original proposal.

Sincerely,

  
Brenda Lockhart  
Board President

  
Jeff Ragan  
Government Relations - Chair

cc: Robert Morris, Humboldt County Planning Commission

**PRESIDENT**  
Brenda Lockhart

**PRESIDENT-ELECT**  
Kristi Machado

**SECRETARY/TREASURER**  
Elizabeth Campbell

**PAST PRESIDENT**  
Jeremy Stanfield

**DIRECTORS**  
Kevin Dreyer  
Marci Ebert  
          lia Foersterling

Kyra O'Rourke  
Joe Matteoli  
Andy Parker  
Marci Pigg  
Kim Quintal  
Robin Ronay-MLS  
Michelle Voyles  
Dean Wilson  
Joyce West

**AFFILIATE LIAISON**  
Kim Preston

**EXECUTIVE OFFICER**  
Ida Heinen

March 9, 2016

Humboldt County Board of Supervisors  
Mark Lovlace, Chairman  
825 5th Street  
Eureka, Ca 95501

Ref: Proposed Interim Traffic Mitigation Fee Proposal

Chairman Lovelace and members of the Board:

At the March 8<sup>th</sup> meeting of the Greater Eureka Area Municipal Advisory Committee, County Public Works Staff, City of Eureka Staff and their third party consultant presented a revised draft of a proposed Interim Traffic Mitigation Fee.

Following the staff presentation and more than two hours of public comment the committee determined that they could not support the current proposal for the following reasons:

- 1) The review of alternatives required in the fee foundational documents has never been undertaken.
- 2) There is concern that the fee boundary as proposed is inconsistent with the provisions of the Martin Slough EIR.
- 3) At the revised growth levels, the fee would have difficulty funding even a small portion of the proposed projects.

Sincerely,

Glenn Ziemer  
Chair- GEAMAC

**Part E:                   Comments from 04/21/2016 presentation at  
Humboldt County Planning Commission**

**On 04/21/2016, the Humboldt County Planning Commission was scheduled to hear a presentation from the Department of Public Works regarding Traffic Impact Fees in Humboldt County (New Business, Item 4). Due to insufficient time, the presentation was rescheduled to 05/05/2016.**

**While the Planning Commission did not hear the item, Julie Williams handed Bob Bronkall the attached document.**

B  
E  
G  
I  
N  
  
H  
E  
R  
E

**PETITION INITIATED CFD**

1. 10% Landowners
2. 10% Registered voters
3. Payment of pre-formation costs

**LOCAL AGENCY INITIATED CFD**

1. Written request of 2 members of legislative body, or
2. Majority approval of legislative body

Within 90 days

**LEGISLATIVE BODY COMMENCES PROCEEDINGS**

1. Adopt Goals and Policies
2. Adopt resolutions to:
  - a. Approve boundaries
  - b. Designate name of CFD
  - c. Identify types of facilities & services
- d. Declare intention to:
  - 1) Form CFD
  - 2) Levy special tax
  - 3) Issue bonds
- e. Set time and place of public hearing
- f. Establish voting procedures

Prepare Report

Public hearing held not less than 30 days or not more than 60 days from adoption of Resolution of Intention

REQUIRED – Publish notice (not later than 7 days before Public Hearing)  
OPTION – Mailed notice (not later than 15 days before Public Hearing)

**PUBLIC HEARING**

May be continued up to 30 days, or with finding up to 6 months.

If no majority protest, resolutions adopted to form CFD\* by:

1. Establishing boundaries
2. Determining necessity to incur bonded indebtedness
3. Authorizing levy of special tax
4. Approving types of facilities and services
5. Setting election

If more than 50% of registered voters (at least 6), or if the owners of more than 50% of the land area protest, then CFD abandoned for one year. If majority protest only against specific facilities, services or special tax, only that facility, service or tax must be dropped.

\* Environmental review should be completed before formation of CFD

GENERAL ELECTION or SPECIAL ELECTION  
90/180 days from Resolution of Formation  
(unless time period shortened by 100% of electors)

2/3 vote required  
(if less than 12 registered voters or if no tax on residential property -- landowner election)

**ELECTION**

Voters consider:

1. Levy of Special Tax
2. Establish appropriations limit
3. Authorize issuance of bonds

**ACTIONS BY LEGISLATIVE BODY**

1. Certify election results
2. Enact ordinance to levy special tax
3. Authorize issuance of bonds
4. Approve Preliminary Official Statement and Continuing Disclosure Agreement

1. Record Notice of Special Tax Lien
2. Initiate validation proceedings, if necessary
3. 30 day statute of limitations

1. Sell and deliver bonds and receive bond proceeds
2. Initiate construction or acquisition
3. Commence activities to administer debt, levy and collect special taxes and comply with continuing disclosure requirements

**Usual Sequence of Events for Mello Roos Community Facilities Districts**

(Commencing with Section 53311 of the Government Code)



**Part F:                   Comments from 05/05/2016 presentation at  
Humboldt County Planning Commission**

5/5/2016

- Seems like a lot of overreach
- Martin Slough was a specific project - scope has grown - Fee needs to be specific to M-S.
- Consider setting up different basins
- Restrict funds to M-S area
- 2 county comparisons: Butte + Placer
  - Placer example: divide into simple areas - fees generated in specific area, stays in area
- Almost all projects not in M-S
- More discussion of boundary areas needed
- Intent of M-S EIR was to mitigate traffic impacts there, not for development in other areas
- Concern about nexus
- Eureka - 0.2% growth. County = 0% growth, per the state stats
- Are there specific projects identified?

- Pop of Eureka declining?
  - demographic data shows population in Eu. declining
  - how would this function in area of declining population?
- Rate of development in MSR not what it used to be
- what is mechanism used to collect fee?
- what is authority to enter into contract?
- EIR refers to specific areas
  - why aren't the other areas listed



- Why doesn't EIR list areas that are the cause?
- Why talking about huge area when EIR was done on constrained area around Martin Slough?
- "all feasible alternatives prior to impact fee" - sounds like we should have looked at anything + everything. Can you explain how we got to this point?
- Was a tax looked at?
- How did we get to this point when foundational documents don't support it
- Not seeing the nexus between BOS authorized (M-s project) and this larger, "greater Eureka area"
- Nexus between MOU + houses in Kneeland area?
- MOU doesn't seem to imply the fee will be applied to greater Eureka area

- Which of projects listed in Table 3 are w/in M.S. area?
- no street improvements in projects listed in Table 3
- Board considered millage + sales tax
- EIR not certified?
- NCHB concerned about appearance that City + County decided to stretch boundary
- Why needs to include Manila, Freshwater, Humboldt Hill + Fields Landing
- Some intersections are under jurisdiction of Caltrans
- Request TC draft comments or recommendations to BOS
- Inappropriate to pass along impact fees only to new development

- would be appropriate to consider Mello-Roos +  
County-wide assessment

**PART G: Additional comments discovered on 12/30/2016**