Special Workshop Meeting Agenda
Fortuna City Council
Thursday, February 1, 2018 – 9:30 A.M.
621 11th Street at Fortuna City Hall

We May Disagree, but We Will Be Respectful of One Another
All Comments Will Be Directed to the Issue at Hand, and Addressed to the City Council
Personal Attacks are Unacceptable

I. CALL TO ORDER / FLAG SALUTE / ROLL CALL

II. ORAL COMMENTS FROM THE PUBLIC

Members of the Public may be heard on any item on the Special Meeting Agenda. Speakers addressing the Council will be limited to 3 minutes per speaker. Be advised, by law the City Council cannot deliberate or take action on issues presented during Oral Comments that are not shown on the Agenda.

III. BUSINESS ITEMS

A. Authorization to Submit a Land and Water Conservation Grant Application to the California Department of Parks and Recreation for the Newburg Park Expansion Project and Designate the Public Works Director as the Authorized Representative; Resolution 2018-04

B. Authorization to Submit a Land and Water Conservation Grant Application to the California Department of Parks and Recreation for the Riverwalk Park Acquisition Project and Designate the Public Works Director as the Authorized Representative; Resolution 2018-05

IV. REPORT OUT AND ADJOURN

Pursuant to Government Code Section 54957.5, any non-confidential documents or writings that the City distributes, less than 72 hours before a regular meeting, to all or a majority of the legislative body's members must be made available to members of the public at the same time as the distribution. Documents and information related to the agenda topics are available for review at City Hall, 621 11th Street, between the hours of 8:00 AM to 5:00 PM. Members of the public are invited to come to the meeting and comment. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at 725-7600. Notification prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Siana L. Emmons
City Clerk
STAFF REPORT
City Council Business Agenda Item

DATE: February 1, 2018
TO: Honorable Mayor and Council Members
FROM: Merritt, Public Works Director/City Engineer
THRU: Mark Wheetley, City Manager

SUBJECT: Authorization to Submit a Land and Water Conservation Grant Application to the California Department of Parks and Recreation for the Newburg Park Expansion Project and Designate the Public Works Director as the Authorized Representative; Resolution 2018-04

STAFF RECOMMENDATION:

It is recommended that the Council adopt Resolution 2018-04 approving the submission of a Land and Water Conservation Grant Application to the California Department of Parks and Recreation for the acquisition of a parcel of land to expand Newburg Park and designate the Public Works Director as the Authorized Representative.

EXECUTIVE SUMMARY:

The California Department of Parks and Recreation Office of Grants and Local Services administers the Land & Water Conservation Fund (LWCF). This program requires a minimum 50% match from grantees. Eligible projects are acquisition projects and development projects.

Staff proposes to request funds to help fund a portion of the 8.5-acre McLean Foundation acquisition that would become part of Newburg Park. The 8.5-acre parcel is located adjacent to the southeast side of Newburg Park between Strong Creek and the existing park boundary. The parcel proposed for acquisition is APN 202-051-008 and a small triangular shaped portion of APN 200-411-018 so that the acquisition would include the entire area southeast of Newburg Park. Limits of the proposed expansion are shown on Attachment B.

This acquisition is consistent with the City’s General Plan, the land use designation is “PRK” (Parks, Greenways and Recreation) and the zoning is “Public Facility” and long-term use of this parcel is for open space or playing fields and it would be a principally permitted use. Additionally, the acquisition of this parcel would be consistent with several General Plan policies including Parks, Recreation and Open Space Policy 1.4: Acquire Adjacent Park Land, which states that the City shall enhance parklands and resource protection opportunities through acquisition of lands adjacent to existing parkland, wherever feasible.

The use of this property was analyzed under the California Environmental Quality Act (CEQA) as a part of the development of the McLean Foundation property for the Gene Lucas Community Center and a Notice of Exemption will be prepared under Categorical Exemption Class 8, Section 15316 for the property acquisition by the City.

The project is recommended as high priority by the Parks and Recreation Commission. A public meeting was held on January 10, 2018 and was well attend. All comments received were supportive of the acquisition of the parcel by the City. The project enjoys wide stakeholder support from local youth sports organizations and the public in general. The City made an effort to acquire this land in the past, but was unsuccessful.
In order to comply with the grant requirements, the property would have to be made accessible to the public within three years. It is anticipated that improved walking trails and access could be completed within three years to meet this requirement. The maintenance of this parcel that would be required in the short term would be mowing the open grass portion of the property 1-3 times per year and trimming any vegetation that falls along Strongs Creek.

The long-term plan for the acquired property would be to develop sports fields and walking trails along Strongs Creek. Staff may also ultimately seek to develop a parking lot and driveway on Rohnerville Road to improve parking for Newburg Park and create another access, as well as add a restroom facility. There has been strong interest from youth soccer and baseball organizations as well as those who would like to see open space and trails. Long-term development of this parcel would require city staff to complete a needs assessment and hold public meetings to determine the best long-term uses of the site and what type of playing fields are most desired by the community. The long-term maintenance necessary would depend upon the type of playing field and associated facilities.

**FINANCIAL IMPACT:**

The Land and Water Conservation Fund Program only allows grants up to 50% of the appraised value for acquisition projects. The McLean Foundation has agreed to sell the City the parcel provided they receive $200,000 from the sale and will donate the value of the property above $200,000. An appraisal of the property is underway and is anticipated to be received prior to consideration of this item by the Council. The council will be asked to provide a commitment for any funding needed for the 50% required match. Therefore, if the parcel appraises for $400,000 then the grant request will be for $200,000 and the Council will not be asked to commit any matching funds. If the parcel appraises for $300,000 grant request will be $150,000 and the City will be asked to commit $50,000 (Final amounts for this request will be presented during the meeting). Any funds for this acquisition would come from the City’s General Fund or from the Measure E designated funds.

**RECOMMENDED COUNCIL ACTION:**

1. Receive staff presentation and review Council questions with staff
2. Open Public Comment
3. Close Public Comment
4. Motion to adopt Resolution 2018-04 and read by title only. Roll call vote.

**ATTACHMENTS:**

- Attachment A – Resolution 2018-04; A Resolution of the City Council of the City of Fortuna Approving the Application for a Land and Water Conservation Fund for the Newburg Park Expansion Project
- Attachment B – Figure Showing Proposed Newburg Park Expansion
RESOLUTION 2018-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA
APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND
FOR THE NEWBERG PARK EXPANSION PROJECT

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund Grant-In-Aid program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing applications by local agencies under the program; and

WHEREAS, the City of Fortuna certifies by resolution the approval of the application and the availability of eligible matching funds prior to submission of the application to the State; and

NOW, THEREFORE BE IT RESOLVED, the City of Fortuna City Council hereby:

1. Approves the filing of an application for Land and Water Conservation Fund assistance for the proposed; Newburg Park Expansion Project

2. Agrees to abide by section 6(f)(3) of Public Law 88-578, which states, “No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.”

3. Certifies that said agency has matching funds from eligible source(s) and can finance 100 percent of the Project, which up to half may be reimbursed; and

4. Appoints the Public Works Director as agent of the City of Fortuna to conduct all negotiations, execute, and submit all documents, including, but not limited to, applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws, which may be necessary for the completion of the aforementioned project.

PASSED AND ADOPTED on this 1st day of February 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

________________________________________
Sue Long, Mayor

ATTEST:

________________________________________
Siana L. Emmons, City Clerk
Attachment B

LWCF Section 6(f)(3) Boundary Map for Newburg Park Extension, City of Fortuna, Project #___________
In the County of Humboldt, CA

NEWBURG PARK
(formerly Fortuna Community Park)

The entire boundary along this side is considered an entry point for pedestrians.

The entire boundary along Rohnerville Road is considered an entry point for pedestrians.

Portion of Parcel 200-411-018 to be added by Lot Line Adjustment

Boundary of land to be protected
8.5 acres

Parcel Boundaries

Creeks

0 100 200 300 400 ft

1 inch = 166.67 feet

Map prepared on January 29, 2018

City of Fortuna
Authorized Representative

CA Dept of Parks and Recreation

National Park Service

This map is not binding until it is signed by NPS when the final GRANT payment is approved by NPS. If there was a previous LWCF PROJECT(S) completed at the same PARK SITE, then the GRANTEE, OGALS, and NPS will review the Section 6(f)(3) BOUNDARY MAPS associated with the previous PROJECT(S) for consistency with the Section 6(f)(3) BOUNDARY MAP for the new LWCF PROJECT.
DATE: February 1, 2018

TO: Honorable Mayor and Council Members

FROM: Merritt, Public Works Director/City Engineer

THRU: Mark Wheeley, City Manager

SUBJECT: Authorization to submit a Land and Water Conservation Grant Application to the California Department of Parks and Recreation for the Riverwalk Park Acquisition Project and Designate the Public Works Director as the Authorized Representative; Resolution 2018-05

STAFF RECOMMENDATION:

It is recommended that the council adopt Resolution 2018-05 approving the grant application and submission of Land and Water Conservation Grant Application to the California Department of Parks and Recreation for the acquisition a parcel of land for a Riverwalk Park and designate the Public Works Director as the Authorized Representative.

EXECUTIVE SUMMARY:

The California Department of Parks and Recreation Office of Grants and Local Services administers the Land & Water Conservation Fund (LWCF). This program requires a minimum 50% match from grantees. Eligible projects are acquisition projects and development projects.

Staff proposes to request funds to help fund a portion of the 54-acre parcel owned by Troy Land and Trudy Ehmke at 1320 Riverwalk Drive that would allow for the creation of a river front park. The parcel proposed for acquisition is APN 200-362-005. The parcel is bounded by Riverwalk Drive and the Sandy Prairie Levee and is immediately north of the Riverlodge. The limits of the proposed acquisition are shown on the attached figure. Purchase of the entire parcel is recommended, however staff split so that the City would only retain the portion of the property within the existing Sandy Prairie Levee. The property owner has indicated that they would like to sell this parcel and three other parcels that are under their ownership across the river instead of just one parcel at a time. Therefore, staff contacted the State Lands Commission in the hope of having that agency acquire the three parcels across the river and the portion of APN 200-362-005 that is on the outside of the Sandy Prairie Levee. Staff would include a cover letter with the grant application indicating that the grant is contingent upon finding another entity to purchase and manage the parcels outside the levee as a contingency for acceptance of the grant.

The parcel being considered for acquisition represents the only large parcel within the City suitable for development as a park. The subject parcel has a land use designation of River Walk District (RWD) with Freeway Commercial Zoning (F-C). The use of this parcel as a park is allowed as a conditionally permitted use. Use of this property as a park is Consistent with Community Vision in the city’s general plan that included “easily accessible, offers scenic and recreational opportunities, and provides development complementary to the riverfront”, “community supports the creation of an extensive open space/trail network along the Eel River and creeks throughout the city”. Acquisition of this parcel is also consistent with the General Plan Policy PROS-3.8, Acquire Significant Natural Resources that states that “the City shall identify and prioritize acquisition of lands with significant natural resources, including areas connected to other open space areas and park facilities, to ensure they are reserved and enhanced for public use”.
The project is recommended as a high priority by the Parks and Recreation Commission. A public meeting of the Parks & Recreation Commission was held on January 10, 2018 and was well attended. The Commission received many comments that were supportive of the acquisition of the parcel by the City.

In order to comply with the grant requirements, the property would have to be made accessible to the public within three years. It is anticipated that improved walking trails and access could be completed within three years to meet this requirement. Staff would also shift the existing rocks adjacent to Riverwalk Drive and create a gravel shoulder to allow for parallel parking and access of the parcel and the Sandy Prairie Levee. The maintenance of this parcel that would be required in the short term would be mowing the open grass portion of the property 1-3 times per year and removing any vegetation that falls from the trees. The long term plan for the acquired property would be to develop picnic areas, and walking trails long-term development of this parcel would primarily for open space.

FINANCIAL IMPACT:

An appraisal of the property is underway and is anticipated to be received prior to consideration of this item by the Council. The council will be asked to provide a commitment for any funding needed for the 50% required match (Final amounts for this request will be presented during the meeting). Any funds for this acquisition would come from the City’s General Fund or from the Measure E designated funds.

RECOMMENDED COUNCIL ACTION:

1. Receive staff presentation and review Council questions with staff
2. Open Public Comment
3. Close Public Comment
4. Motion to adopt Resolution 2018-05 and read by title only. Roll call vote.

ATTACHMENTS:

- Attachment A – Resolution 2018-05; A Resolution of the City Council of the City of Fortuna Approving the Application for a Land and Water Conservation Fund for the Riverwalk Park Acquisition Project
- Attachment B – Figure Showing Proposed Riverwalk Park Acquisition
RESOLUTION 2018-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORTUNA APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUND FOR THE RIVERWALK PARK ACQUISITION PROJECT

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a federal Land and Water Conservation Fund Grant-In-Aid program, providing Matching funds to the State of California and its political subdivisions for acquiring lands and developing Facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing applications by local agencies under the program; and

WHEREAS, the City of Fortuna certifies by resolution the approval of the application and the availability of eligible matching funds prior to submission of the application to the State; and

NOW, THEREFORE BE IT RESOLVED, the City of Fortuna City Council hereby:

1. Approves the filing of an application for Land and Water Conservation Fund assistance for the proposed; Riverwalk Park Acquisition Project
2. Agrees to abide by section 6(f)(3) of Public Law 88-578, which states, “No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.”
3. Certifies that said agency has matching funds from eligible source(s) and can finance 100 percent of the Project, which up to half may be reimbursed; and
4. Appoints the Public Works Director as agent of the City of Fortuna to conduct all negotiations, execute, and submit all documents, including, but not limited to, applications, contracts, amendments, payment requests, and compliance with all applicable current state and federal laws, which may be necessary for the completion of the aforementioned project.

PASSED AND ADOPTED on this 1st day of February 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

________________________________________
Sue Long, Mayor

ATTEST:

________________________________________
Siana L. Emmons, City Clerk
Area Estimate for Land/Ehmke Parcel

APN: 200-362-005
Total Area: 2,070,350 ft.²
~ 47.529 acres

Area east: 313,250 ft.²
of levee ~ 7.191 acres

Area Proposed for River Front Park

Data Sources:
2010 Aerial Orthophoto
Humboldt County Parcel GIS
OSM Streets

Disclaimer:
City of Fortuna assumes no liability for errors, omissions, or inaccuracies of information provided. Mapping and data provided are for planning purposes only.