



RIO DELL CITY COUNCIL AGENDA
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, JANUARY 21, 2020
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

***WELCOME** - By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*



In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Assistance listening devices are now available for the hearing impaired. Please see the City Clerk for a receiver.

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
 - 1) 2019/0121.01 - **Conference with Legal Counsel – Anticipated Litigation**
Initiation and/or exposure to potential litigation pursuant to Section 54956.9(d)(2) (d)(4): 1 potential case – facts and circumstances known to adverse party – River's Edge R.V. Park, 620 Davis St., Rio Dell – Encroachments to Public Right-of-Way
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION
- F. RECONVENE INTO OPEN SESSION – 6:30 P.M.
- G. ORAL ANNOUNCEMENTS
- H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

J. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not intended. Items requiring Council action not listed on this agenda may be placed on the next regular agenda for consideration if the Council directs, unless a finding is made by at least 2/3rds of the Council that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 3 minutes.

K. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Councilmembers if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually following action on the remaining consent calendar items.

- | | |
|---|----|
| 1) 2020/0121.02 - Approve Minutes of the January 7, 2020 Regular Meeting (ACTION) | 1 |
| 2) 2020/0121.03- Approve Reappointment of Jacqui Wilson, Alice Millington and Larry Arsenault to the Rio Dell Planning Commission for 3-year terms ending December 31, 2022 (ACTION) | 10 |
| 3) 2020/0121.04 - Approve Memorial Park Tree Trimming (ACTION) | 20 |
| 4) 2020/0121.05 - Receive and File Check Register for December 2019 (ACTION) | 22 |

G. ITEMS REMOVED FROM THE CONSENT CALENDAR

H. REPORTS/STAFF COMMUNICATIONS

- | | |
|---|----|
| 1) 2020/0121.06 - City Manager Staff Update (RECEIVE & FILE) | 25 |
|---|----|

I. SPECIAL PRESENTATIONS/STUDY SESSIONS

J. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) 2020/0121.07 – Consider Appointment of Ad Hoc Committee to Develop Landscaping Plan for the Wildwood Avenue Gateway
(DISCUSSION/POSSIBLE ACTION) 29
- 2) 2020/0121.08 - City Response to Notice of Filing for Rio Dell Fire Protection District Annexation **(DISCUSSION/POSSIBLE ACTION)** 30
- 3) 2020/0121.09 - Discussion on Water Shutoff Protection Act (SB 998)
(DISCUSSION/POSSIBLE ACTION) 37

K. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2020/0121.10 - Second Reading (by title only) and Adoption of Ordinance 378-2019 Establishing a Water Efficient Landscape Ordinance, Chapter 13.40 of the Rio Dell Municipal Code
(DISCUSSION/POSSIBLE ACTION) 47

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, February 4, 2020 at 6:30 p.m.*

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
JANUARY 7, 2020**

The regular meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Garnes.

ROLL CALL: Present: Mayor Garnes, Mayor Pro Tem Woodall, Councilmembers Johnson, and Wilson

 Absent: Councilmember Strahan

 Others Present: City Manager Knopp, Chief of Police Conner (arrived late), Community Development Director Caldwell, Wastewater Superintendent Taylor and City Clerk Dunham

 Absent: Interim Finance Director Dillingham and Water/Roadways Superintendent Jensen

PUBLIC PRESENTATIONS

Michelle Bushnell, candidate for 2nd District Supervisor introduced herself to the Council and provided copies of her candidate statement. She noted that amongst the many concerns affecting the 2nd district, her goals would be to promote economic stability, improve rural infrastructure, streamline operations of County Planning Department for business, create solutions for supporting elderly, the mentally ill and homeless populations, and to create a more prominent presence of law enforcement and decreased response times in unincorporated areas.

Rick Pelren addressed the Council regarding the Wind Energy Project and praised the Council and the Senior Exercise Group for their efforts in helping to stop the project. He commended 81-year-old Ruth Allen for obtaining 196 of the 620 protest signatures collected. He commented that even though the project is gone, the dialog remains.

Beverly Chang thanked the Council and said that the City truly made a difference in making a corporate beast go away. She offered to step forward and help the City with any energy efficiency projects.

Mayor Garnes extended thanks to everyone.

CONSENT CALENDAR

Mayor Garnes asked if any councilmember, staff or member of the public, would like to remove any item from the consent calendar for separate discussion.

Councilmember Wilson removed consent calendar Item No. 2 for separate discussion.

Motion was made by Johnson/Woodall to approve the consent calendar including approval of minutes of the December 3, 2019 regular meeting; and to receive and file the check register for November 2019. Motion carried 4-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Authorize the City Manager to Execute and Approve an Agreement with Koff and Associates for a Total Compensation Study

Councilmember Wilson referred to page 1 of the Professional Services Agreement regarding the term of the agreement and automatic two-year renewal at the end of 2020. He expressed concern that the initial contract price of \$24,750 could essentially end up to be \$75,000. He said that the \$24,750 was acceptable for the first year but questioned whether it was necessary to spend that same amount for the two subsequent years. He asked if it would be possible to negotiate a lower amount after the first year.

City Manager Knopp explained that the first few pages of the agreement are boilerplate language and that he anticipated the study to be completed by April. He noted that after that, their services would only be needed for updates such as for a new job classification. Provided there are no unexpected surprises, the total contract price would not exceed \$25,000. In subsequent years, the Council would need to appropriate additional funds in the budget however; there would be no need to have another compensation study done over the next couple of years. Only in an unforeseen event would their services be needed, but in the event there were, the charge would be at the billable rate as stated in the agreement.

Mayor Garnes stated for clarification that with no changes to the study, there would no additional costs.

City Manager Knopp clarified that there was no extension beyond the \$24,750 unless charged out at the hourly billable rate but those funds would need to be included in the current budget. He commented that there was discussion about the possibility of hiring a Code Enforcement Officer. The Council could give direction to create the job description and appropriate compensation and the vendor would be able to perform the work under the stated billable rate. In addition, the State has increased regulatory requirements related to wastewater so there may be the need to adjust job descriptions and compensation accordingly. This agreement allows the opportunity to do so as needed.

Mayor Pro Tem Woodall pointed out that the last Total Compensation Study was done 10 years ago for approximately the same amount.

City Manager Knopp reported the cost of the 2010 study at \$23,080; slightly lower than the current quote.

Mayor Garnes called for public comment on the proposed agreement. No public comment was received.

Motion was made by Woodall/Johnson to authorize the City Manager to execute and approve an agreement with Koff and Associates for a Total compensation Study. Motion carried 4-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp provided highlights of the staff report and was happy to announce that the City received signature forms for the Sanitary Sewer Evaluation Study (SSES) grant for around \$300,000 in State funding to do analyses and recommend a plan for the wastewater collection system. He commented that the wastewater treatment plant was upgraded 6 or 7 years ago to relatively new technology and now is being adopted by other jurisdictions. He noted that the City has some of the most stringent standards in the north coast region for water quality because of discharging directly into the Eel River along with having a disposal field. He said that although the wastewater treatment is new, the collection system is aged which causes inflow and infiltration (I & I) when it rains. In addition, there are occasional overflow events that occur. This grant represents a fundamental cornerstone in working to correct those problems; problems that will take 20-30 years to tackle. He further explained that the SSES would make the City eligible for grant funding so ratepayers will not have to pay for the sewer overflows and major construction projects to replace and upgrade the lines.

Councilmember Johnson questioned whether the contract for the Sanitary Sewer Evaluation Study (SSES) would routinely be given to GHD or if it would go through an RFP process.

City Manager Knopp indicated that GHD would be doing the study.

Mayor Pro Tem Woodall asked staff to provide a brief update on the recent installation of the Neighborhood Box Units (NBU's) and parcel boxes on Wildwood Ave. and other areas of the City.

City Manager Knopp explained that last Thursday evening, the USPS began installing these units along Wildwood Ave. without the consent of the City. Staff immediately contacted the USPS representative upon receiving the news on Friday, and instructed him to remove every unit and to follow the necessary steps to secure an Encroachment Permit before proceeding with any new installations. Staff members, along with Rio Dell Postmaster met with the representative on Monday morning and at that time, he agreed to have all of the units removed by the end of the day Friday. He said that staff approved an Encroachment Permit today to allow the replacement of existing units only, provided they use the same footprint as the existing boxes. Approval for the installation of any new NBU's will require coordination between the City and the local post office.

City Manager Knopp indicated that staff was able to notify other cities of these events, as it appears that Rio Dell was the first City in the area to have these installed. When they were stopped from working here, they headed off to other areas including unincorporated areas of the County, Fortuna, Arcata, and then Eureka. They claimed it was a federally mandated program but in talking with Fortuna, it was news to them as well.

Mayor Garnes commented that she happened to be at the post office today and they wanted her to stress to the City that this was not the local post office that initiated this, and that they know how to work with the City on these types of projects. They did not request this to happen and they were equally surprised. She noted that they had removed some of the units and left the bolts sticking up so the installers were supposed to be in town tonight to cut them off level with the sidewalk.

Councilmember Wilson thanked the City Manager for notifying other cities and for taking a proactive approach to the situation.

Rick Pelren commented on the SSES and asked what the extent of the runoff is when the system becomes overloaded during heavy rain.

City Manager Knopp said that he would be happy to discuss it with him after the meeting.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Authorize Mayor to Execute a Letter to the California Public Utilities Commission (CPUC) Regarding PG&E Bankruptcy Proceedings

City Manager Knopp provided a staff report and noted that this item was agenzized at the request of Councilmember Wilson. He explained that a group of elected officials representing government organizations serviced by PG&E sent a letter to the California Public Utilities Commission (CPUC) requesting the Commission consider changing PG&E from an investor-owned utility to a customer-owned utility during bankruptcy proceedings. The Humboldt County Board of Supervisors issued a similar letter calling for the exploration of alternate resolutions beyond the basic debt restructure, followed by a similar letter by Redwood Coast Energy Authority (RCEA).

He provided in the packet, a draft letter from the City similar to the Board of Supervisors letter supporting exploration of alternate options and resolutions to the bankruptcy proceedings.

Councilmember Wilson referred to the letter on page 35 of the packet and noted that the discussions started with Santa Rosa and the concept was brought to the RCEA board for consideration. He said that the Board of Supervisors added a clause to also consider other options, rather than the only option being a public-owned utility. He pointed out that PG&E is a for-profit company and their emphasis is not necessarily on infrastructure. He said the question is whether the City wants to sign on to the idea as a City.

Councilmember Johnson pointed out a typo in the letter.

Mayor Pro Tem Woodall asked who gets final vote on the concept.

Councilmember Wilson indicated that the CPUC would have to approve the restructuring and that Governor supports it.

Mayor Pro Tem Woodall commented that CPUC has done a poor job protecting the environment and that she would feel much better if the City would get to vote rather than someone in Sacramento making the decision. She expressed concern that the letter might be the last of the City's input on the issue.

Councilmember Wilson commented that the CPUC is mandated by the Constitution to protect the environment.

Mayor Garnes called for public comment on the letter. No public comment was received.

Motion was made by Wilson/Johnson authorizing the Mayor to execute the letter to the California Public Utilities Commission (CPUC) as presented. Motion carried 3-1; Mayor Pro Tem dissenting.

Discussion on Danco Project

City Manager Knopp provided brief background on the Danco project including the idea of an adhoc committee to address potential problems suggested by Councilmember Strahan. He reported that the new target date for completion of the project is January 17, 2020 and that apparently a number of the tenants moving in are from Rio Dell. He indicated that staff had requested a tour of the site prior to people moving in but had not yet received confirmation. He said that he would let councilmembers know if and when that is arranged.

He commented that he and the City Clerk met with Kimberly Brown, the property manager and a representative from DHHS to discuss the housing project rollout. He said that staff broached the idea of establishing an adhoc committee and they indicated that they would rather work with city staff as problems arise. They had a positive approach with regard to working with the Chief of Police and the police department.

He said that the biggest take-away from that meeting was that it is the tenants that need to be protected as opposed to what impact they will have on the neighborhood. It was emphasized that these are vulnerable individuals that are at-risk and could be taken advantage of. As Councilmember Johnson mentioned at the last meeting, many of these people will need assistance getting household items and there was positive reception to the idea for some type of donor program to raise funds for household supplies.

Councilmember Johnson asked if it was indicated how people could get donated supplies

and household items to the tenants.

City Manager Knopp explained that they were not in favor of things such as furniture and other household items being dropped off at the site because it would be too hard to manage. The hope is to be able to partner and raise money to purchase initial needs such as towels and toiletries, etc. He said the City would be working with them as a positive force and said that staff took the initiative to purchase "I Love Rio Dell" coffee mugs as a small good faith gesture for the tenants.

Rick Pelren commented that the City is doing a lot of multi-tasking and wanted to mention that he was in Redding visiting his daughter over the holidays and in the apartment complex where she lives, there is only one garbage bin with no recycling bins. He encouraged the City to require that Danco provide adequate recycling bins for the complex.

Discussion on Article Entitled "Beyond Ethics: Establishing a Code of Conduct to Guide Your Council"

Councilmember Johnson noted that at the meeting of December 3, 2019, he referred to an article in the Western Cities magazine related to establishing a Code of Conduct to guide the Council and said that it is a great article and in his opinion a Code of Conduct would serve the current Council as well as City Council's in the future. He recommended the Council and staff read the articles and take the next steps and bring in a facilitator at a neutral location to chart out a map for this Council and future Council's to follow.

Councilmember Wilson asked if this would require update of the Rio Dell Municipal Code section that covers Ethics.

Councilmember Johnson noted that the Ethics section of the City code is referenced in the City Council Protocols, which is a good start but there needs to be more. He said that City Council meetings are recorded and will be archived for many years to come and he feels the City would be well served to have a Code of Conduct to guide the Council.

Councilmember Wilson referred to the Ethics workshop with the League of California Cities held at the Sequoia Zoo a few years ago and said it was worthwhile. He expressed support in strengthening the code.

Mayor Garnes and Mayor Pro Tem Woodall thought it was a great idea.

Consensus of the Council was to direct staff to bring back an item on the agenda related to the first steps in putting together a Code of Conduct for the Council.

City Manager Knopp said the first step would be to identify a third party consultant to help facilitate it and to determine a time and place outside regular City Council meetings.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Introduction and first reading (by title only) of Ordinance No. 378-2019 Establishing a Water Efficient Landscape Ordinance, Chapter 13.40 of the Rio Dell Municipal Code

Community Development Director Caldwell provided a staff report and explained that the purpose of the Model Water Efficient Ordinance is to add provisions to the Rio Dell Municipal Code to address permitting requirements for water efficient landscaping and to promote the conservation and efficient use of water. These changes are to reflect changes in State law under AB 1881 and apply to all new development projects including new and rehabilitated residential, commercial, industrial and institutional projects that require a permit, plan check or design review.

He continued by highlighting key points of the ordinance and noted that staff is recommending adoption of the State's Model rather than a more restrictive model as allowed.

He noted that the water allowance is based on a mathematical equation based on the area, plant materials and amount of turf. In Humboldt County there are only 4 communities identified so he reached out to the Department of Water Resources and they required Rio Dell to use Ferndale's rate, which is 27.5 inches, pointing to the Reference Evapotranspiration (ETO) Table as Attachment 7 to the staff report, which will actually benefit the proponents using the table.

Mayor Pro Tem Woodall asked staff to explain the location and size of spate water meters for landscape.

Community Development Director Caldwell explained that dedicated landscape water meters or submeters are required for landscapes over a certain square footage. This allows the City to monitor how much water is used specifically for landscaping.

Councilmember Wilson questioned the need to implement these restrictions if there is no drought and customers are willing to pay for the water used.

Community Development Director Caldwell indicated that the ultimate goal is water conservation and driven by the 2014 drought.

Mayor Garnes called for public comment regarding the proposed ordinance.

Rick Pelren asked if drip systems would be allowed.

Community Development Director Caldwell said that some drip systems are allowed with limits on the amount of water that can be applied at a given rate. He pointed out that agricultural uses exempt from the regulations.

Motion was made by Johnson/Woodall to introduce and conduct first reading (by title only) of Ordinance No. 378-2020 Establishing a Water Efficient Landscape Ordinance, chapter 13.40 of the Rio Dell Municipal Code and to continue consideration, approval and adoption of the proposed Ordinance to the meeting of January 21, 2020. Motion carried 4-0.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Wilson reported on the January 9, 2020 meeting with the RCEA adhoc committee regarding the PG&E crisis with regard to power. He said the goal is to work with PG&E and hopefully come up with some good answers.

Councilmember Johnson said that he received a copy of the staff report from August 31, 2011 regarding the River's Edge R.V. Park and requested an item azenized to review the information related to access and the Nally Conditional Use Permit. He explained that the CUP allows permanent access and maintenance of the access area for all of the community. CUP's stay with the property rather than the property owner, so that condition is binding.

He commented that he was jogging on the river bar about a month ago and when he came up to Davis St. he was confronted by the manager of the RV park and told to leave. He asked him why he did not call the police if there was a problem and he did. Muriel Spencer whose family once owned that land gets harassed every time she tries to access the river bar to walk her dog and that is just not right. He asked staff to bring to the owner of the park, notice that the City would be pursuing this and if there is an agreement that is mutually agreeable to everyone, then begin that conversation.

Consensus of the Council was to azenize the item on a subsequent agenda.

Mayor Garnes expressed thanks to everyone who signed the petition and came together to support the City Council to the let the County Board of Supervisors, and especially Supervisor Fennell about the community's opposition to the Wind Energy Project. She thanked Supervisor Fennell for listening to the majority of her constituents and voting to deny the project. She said she wanted be on record thanking her.

Councilmember Wilson commented that Redwood Coast Energy Authority (RCEA) was very much in favor of the Terra Gen Wind Energy Project although they did not take a stand on it for political reasons. Supervisor Fennell, as a RCEA board member, came to the meeting, answered questions, and explained her reasons for changing her mind based on public opposition, which ultimately changed the course of the event.

ADJOURNMENT

Motion was made by Johnson/Woodall to adjourn the meeting at 7:52 p.m. to the January 21, 2020 regular meeting. Motion carried 4-0.

Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk



*675 Wildwood Avenue
Rio Dell, CA 95562*

TO: Rio Dell City Council
THROUGH: Kyle Knopp, City Manager
FROM: Karen Dunham, City Clerk
DATE: January 21, 2020
SUBJECT: Planning Commission Appointments

RECOMMENDATION

Approve reappointment of Jacqui Wilson, Alice Millington and Larry Arsenault to the Rio Dell Planning Commission for three-year terms ending December 31, 2022.

BACKGROUND AND DISCUSSION

There are currently three vacancies on the Rio Dell Planning Commission as the result of terms that expired on 12/31/19. A Notice of Vacancy was posted on December 29, 2019 with the final date for submission of applications being January 16, 2020.

The only applications received were from the three members whose terms expired on December 31, 2019 which were:

- Jacqui Wilson
- Alice Millington
- Larry Arsenault

Provided there are no objections or questions from the Council, staff is requesting the Council simply forgo the balloting and approve the reappointment of the three former Planning Commissioners to 3-year terms ending December 31, 2022; appointment of Jacqui Wilson and Alice Millington as Planning Commissioner and Larry Arsenault as Planning Commission Alternate.

ATTACHMENTS:

Planning Commission Applications



RECEIVED

1-13-20 RW



**CITY OF RIO DELL
APPLICATION FOR
PLANNING COMMISSION APPOINTMENT**

Thank you for expressing your interest in serving the community as an appointed member of the Rio Dell Planning Commission. All applicants must permanently reside within the City of Rio Dell at the time of application. The appointed Planning Commissioner will be required to file a Fair Political Practices Commission (FPPC) Statement of Economic Interest Form 700 required by California Government Code §87200 et seq. and the City of Rio Dell Conflict of Interest Code.

This application is considered a public record pursuant to the California Public Records Act (Government Code §6520 et seq.) and may be made available to any member of the public upon request.

PERSONAL DATA:

Name: Jacqui Wilson

Address Where you Reside: 133 Second Ave., Rio Dell, CA 95562

Mailing Address (if different): na

Home Phone: 408-438-1363 Cell Phone: none

Email Address: Jacquiwilson7@gmail.com

EDUCATIONAL DATA:

High School: "Los Gatos" CA

College/University: USF - University of San Francisco

EMPLOYMENT DATA:

Current Employer/Occupation When Employed: Redwoods Rural Health Center, Redway, CA - Referrals Coordinator

GENERAL INFORMATION:

Do you currently serve on a City Board or Commission? Yes No

If yes, please list: Planning Commission

Please list any past or present community involvement: Volunteer to Ruth's Room;
Rio Dell library proponent^{*}; vote no on
windmill project advocate^{*}. Often attend
City Council. Make myself always available for P.C. meetings.

* To neighbors/friends; participated as possible
Please explain why you are interested in the appointment and what you, as a City Planning
Commissioner, would offer to the Planning Commission and the community: _____

I'm interested in the appointment to see that
what is best for the city is being done.

I have been able to contribute by sharing
information I investigated about other cities.

I support the common sense and warmth of the
current Planning Commission and also good communication
Do you or any member of your immediate family residing in your household, hold a position (paid or unpaid) with any person or entity, or have a contract with or any obligation to any person or entity, that might appear to constitute a conflict of interest for a City Planning Commissioner? For purposes of this question, "entity" specifically includes, but is not limited to, the City of Rio Dell and any entity which receives funds from the City. Yes No
Chair person
Nick
Angeloff

If yes, please explain:

CERTIFICATE OF APPLICANT:

I certify that: 1) I permanently reside within the City limits of the City of Rio Dell; and 2) all statements made in this application are true and complete. I understand that any false statement or omission of material facts will subject me to disqualification or dismissal.

DATE: January 13, 2020 SIGNATURE: *Jacqui Wilson*

RETURN COMPLETED APPLICATION TO:

Karen Dunham, City Clerk
675 Wildwood Avenue
Rio Dell, CA 95562
Phone: 764-3532
admin1@riodellcity.com



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APPLICATION FOR
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PERSONAL DATA:

Name: Alice Millington

Address Where you Reside: 378 Wildwood

Mailing Address (if different): _____

Home Phone: 444-0408 msa Cell Phone: 764-4081

Email Address: alissmill@tidypool.com

EDUCATIONAL DATA:

High School: Benedictine - Detroit

College/University: Cal Poly, Pomona, HSU

EMPLOYMENT DATA:

Current Employer/Occupation When Employed: semi-retired real estate Broker, self-employed

GENERAL INFORMATION:

Do you currently serve on a City Board or Commission? Yes No

If yes, please list: Planning

Please list any past or present community involvement: "Arxialia", B10
Census Worker, Police Activity League

Please explain why you are interested in the appointment and what you, as a City Planning Commissioner, would offer to the Planning Commission and the community:

"out of the box" approach, Real Estate Professional

Do you or any member of your immediate family residing in your household, hold a position (paid or unpaid) with any person or entity, or have a contract with or any obligation to any person or entity, that might appear to constitute a conflict of interest for a City Planning Commissioner? For purposes of this question, "entity" specifically includes, but is not limited to, the City of Rio Dell and any entity which receives funds from the City. Yes No

If yes, please explain:

CERTIFICATE OF APPLICANT:

I certify that: 1) I permanently reside within the City limits of the City of Rio Dell; and 2) all statements made in this application are true and complete. I understand that any false statement or omission of material facts will subject me to disqualification or dismissal.

DATE:

1/7/20

SIGNATURE:

Alice Melby

RETURN COMPLETED APPLICATION TO:

Karen Dunham, City Clerk
675 Wildwood Avenue
Rio Dell, CA 95562
Phone: 764-3532
admin1@riodellcity.com

REC-1-8-20 (Ra)



CITY OF RIO DELL APPLICATION FOR PLANNING COMMISSION APPOINTMENT

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This application is considered a public record pursuant to the California Public Records Act (Government Code §6520 et seq.) and may be made available to any member of the public upon request.

PERSONAL DATA:

Name: LARRY ARSENAULT
Address Where you Reside: 378 WILDWOOD AVE.
Mailing Address (if different): _____
Home Phone: 707 273 7838 Cell Phone: SAME
Email Address: THESTORY/PLEASE@YAHOO.COM

EDUCATIONAL DATA:

High School: NORTHSIDE, ATLANTA, GA.
College/University: HOOROLDT STATE

EMPLOYMENT DATA:

Current Employer/Occupation When Employed: TEACHER, INVESTOR, ACTOR
RETIRED (MANY TIMES)

GENERAL INFORMATION:

Do you currently serve on a City Board or Commission? Yes No

If yes, please list: PLANNING BOARD ALTERNATE

Please list any past or present community involvement: _____

RIO DELL BEER FEST

Please explain why you are interested in the appointment and what you, as a City Planning Commissioner, would offer to the Planning Commission and the community: _____

TO BRING A DIFFERENT POINT OF VIEW, HOPEFULLY INTELLIGENT WITH SOME HUMOR IF NEEDED,

Do you or any member of your immediate family residing in your household, hold a position (paid or unpaid) with any person or entity, or have a contract with or any obligation to any person or entity, that might appear to constitute a conflict of interest for a City Planning Commissioner? For purposes of this question, "entity" specifically includes, but is not limited to, the City of Rio Dell and any entity which receives funds from the City. _____ Yes No

If yes, please explain:

CERTIFICATE OF APPLICANT:

I certify that: 1) I permanently reside within the City limits of the City of Rio Dell; and 2) all statements made in this application are true and complete. I understand that any false statement or omission of material facts will subject me to disqualification or dismissal.

DATE:

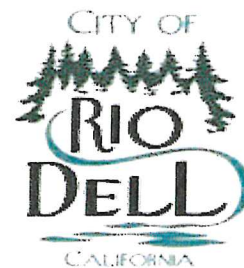
1/7/20

SIGNATURE:



RETURN COMPLETED APPLICATION TO:

Karen Dunham, City Clerk
675 Wildwood Avenue
Rio Dell, CA 95562
Phone: 754-3532
admin1@riodellicity.com



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

January 21, 2020

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager
SUBJECT: Memorial Park Tree Pruning

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive and File; or direct staff to return with this item as an action item at the next meeting.

BACKGROUND AND DISCUSSION

Staff is recommending the trimming of 14 trees in Memorial Park that will include the removal dead, dying or broken limbs, removal of branches adjacent to streets and power poles and canopy reduction by 4'-6' feet. While several firms were contacted to provide a quote for the work, only one contractor provided a quote. The quote is for \$3,850 and this work can be performed within the existing budget.

///

SILVERLINE
TREE SERVICE



707-834-6909

silverlinetree@gmail.com

Date 12/15/19

Job Location Memorial Park Riddell

Customer Name City of Riddell

Job Description _____

Trim 14 trees (maple)

- large leads hanging over Elk St.
- dead/broken limbs through out
- crowded limb unions (hanging over main st, towards power line)
- large lead next to power pole
- basic thinning/canopy reduction by 4'-6' on top

*haul debris *clean up

Job Cost 3,850.00

Estimated by Matt

*Thank you for considering Silverline Tree Service
for your tree management needs!*

City of Rio Dell
Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
8599	12/02/2019	[5942] KEENAN & ASSOCIATES	HEALTH INSURANCE FOR DECEMBER 2019- TO REPLACE CHECK #8573 CASHED BY WRONG VENDOR	17,596.06
8600	12/02/2019	[2757] US POSTMASTER	POSTAGE FOR UTILITY BILLING FOR THE MONTH OF NOVEMBER 2019	355.32
8601	12/03/2019	[6038] ACCURATE TERMITE & PEST SOLUTIONS	BI-MONTHLY PEST CONTROL @ 675 WILDWOOD AVE, MONTHLY RODENT CONTROL @ 475 HILLTOP DR	275.00
8602	12/03/2019	[3975] AT&T - 5709	FAX LINE EXPENSES FOR NOVEMBER 2019	59.81
8603	12/03/2019	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 11/22/19	150.00
8604	12/03/2019	[5127] DELTA DENTAL	DENTAL INSURANCE FOR JANUARY 2020	1,965.83
8605	12/03/2019	[6864] MARCUS L MARTIN dba DOUBLE M FARMING	FARM & SEED IRRIGATION FIELDS	3,180.00
8606	12/03/2019	[5052] GHD, INC	ENGINEERING SERVICES FOR TAC MEETINGS & TRANS PLANNING	393.00
8607	12/03/2019	[4922] GRUNDMAN'S SPORTING GOODS INC.	12 MAGAZINE CLIPS	182.56
8608	12/03/2019	[4451] HARBOR FREIGHT TOOLS	RATCHETING CARGO STRAPS W/FLAT HOOKS; RATCHET TIE DOWNS; ELASTIC CORDS; WD-40	132.83
8609	12/03/2019	[2551] MIRANDA'S ANIMAL RESCUE	ANIMAL CONTROL FOR NOVEMBER 2019	1,900.00
8610	12/03/2019	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS	33.58
8611	12/03/2019	[5934] NORTH COAST JOURNAL	ADVERTISEMENT FOR 2020 CENSUS TEAM THROUGH ONLINE PORTAL, EMPLOYMENT ADVERTISEMENT FOR WW OIT THROUGH ONLINE PORTAL, EMPLOYMENT ADVERTISEMENT FOR WW OIT	302.00
8612	12/03/2019	[6806] PINTERMEDIA LLC	MONTHLY WEB HOSTING FEE FOR DECEMBER	30.00
8613	12/03/2019	[4338] QUILL CORPORATION	LEGAL FLAT FILE JACKETS; FINE POINT DRY ERASE MARKER SET; 1 MULTI PK 32GB DATASTICK	148.95
8614	12/03/2019	[6349] RECOLOGY EEL RIVER	GARBAGE BAGS FOR NOVEMBER 2019	151.20
8615	12/03/2019	[2659] RIO DELL PETTY CASH	TOTE FOR EMERGENCY SUPPLIES; FLASH DRIVES; DISH SOAP	35.89
8616	12/03/2019	[2693] SHELTON'S AUTO LUBE	FULL OIL CHANGE FOR 2017 FORD INTERCEPTOR LICENSE #1523876	55.00
8617	12/03/2019	[2481] VANTAGEPOINT TRANSFER AGENTS	RETIREMENT FOR PPE 11/22/19	6,499.37
8618	12/03/2019	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR DECEMBER 2019	534.58
8619	12/11/2019	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR NOVEMBER 2019	372.99
8620	12/11/2019	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR DECEMBER 2019	3,941.67
8621	12/11/2019	[2405] FORTUNA ACE HARDWARE	LED LIGHT REELS; SIX LED ICICLE LIGHTS; QUICKCRETE MIX, FOUR SETS ICICLE LED LIGHTS, RETURN LED LIGHT REELS, 6 PK HEAVY DUTY SCRUB SPONGE; CLOROX WIPES; TRASH BAGS; 4 GALS DISTILLED WATER; 3 GALS VINEGAR	202.78
8622	12/11/2019	[6486] GREEN TO GOLD ENTERPRISES LLC	GORILLA TAPE; 1 BOX 1/2" STAPLES, PROFESSIONAL-GRADE PURPLE PRIMER	31.29
8623	12/11/2019	[6299] JJACPA. INC.	FINANCIAL STMT AUDIT PLANNING, PREP & INTERIM FIELDWORK FYE 6/30/2019; 11/25/19-11/27/19	4,268.58
8624	12/11/2019	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS	33.58
8625	12/11/2019	[2569] NORTH COAST LABORATORIES, INC.	BOD/NFR, BOD/NFR, COLIFORM PRESENCE/ABSENCE; TOTAL COLIFORM BACTERIA 3X5	315.00
8626	12/11/2019	[6100] NORTHERN CALIFORNIA GLOVE	31 PAIR GLOVES	219.02
8627	12/11/2019	[4393] NYLEX.net. Inc.	FOUR STORAGE DRIVE CAGE-SAS SEAGATE ENTERPRISE PERFORMANCE 10K HDD 900GB	2,175.77
8628	12/11/2019	[2619] PITNEY BOWES, INC.	MONTHLY MAINTENANCE FOR DECEMBER 15 THROUGH JANUARY 15, 2020	
8629	12/11/2019	[2668] RWS SERVICES	QUARTERLY LEASING PAYMENT 9/30/19 - 12/29/19	98.11
8630	12/11/2019		RADIO FOR PATROL VEHICLE	1,046.10

City of Rio Dell
Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
8630	12/11/2019	[2693] SHELTON'S AUTO LUBE	FULL OIL CHANGE FOR 2014 FORD INTERCEPTOR LICENSE #1435260	55.00
8631	12/11/2019	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR NOVEMBER 2019	105.20
8632	12/11/2019	[2719] STATE WATER RESOURCES CONTROL BD	GRADE 2 WATER TREATMENT OPERATOR CERTIFICATION	60.00
8633	12/11/2019	[6825] SUDDENLINK	PD INTERNET SERVICES 12/1/19 - 12/31/19	900.00
8634	12/11/2019	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR NOVEMBER 2019, LEGAL SERVICES FOR NOVEMBER 2019	653.66
8635	12/11/2019	[0382] TRUDY KAY BARTON ESTATE	CUSTOMER CREDIT REFUND	181.62
8636	12/11/2019	[2787] WYCKOFF'S	2" BRASS NIPPLE & SCHEDULE 80 ADAPTER	41.48
8637	12/18/2019	[2237] BANK OF AMERICA BUSINESS CARD	DOLLAR GENERAL - GERM-X HAND SANITIZER & BAND-AIDS, STAPLES - SIX APC BACKUPS; 24 COUNT STEEL KEY, AUTOZONE - DURALAST ALTERNATOR FOR GMC SONOMA TRUCK, MANAGING POLICE RECORDS SEMINAR, PERSONNEL CONCEPTS - CA STATE & FEDERAL LABOR, LAW POSTERS, ADOBE PRO DC MONTHLY SUBSCRIPTION, SHOPLET - FOUR 32X48 YEARLY CALENDARS; TWO 12X27 3-MONTH REFERENCE WALL CALENDARS; TWO 20X30 MONTHLY WALL CALENDARS, VISTAPRINT - FIFTY WRAPAROUND MUGS, LODGING TO ATTEND TRAINING IN SACRAMENTO	2,393.46
8638	12/18/2019	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 12/6/19	150.00
8639	12/18/2019	[5932] HIGH ROCK CONSERVATION CAMP	BRUSH REMOVAL/OLD RANCH ROAD	200.00
8640	12/18/2019	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS	35.10
8641	12/18/2019	[2603] PG&E	UTILITY EXPENSES FOR NOVEMBER 2019	15,127.04
8642	12/18/2019	[6870] PUBLIC AGENCY COALITION ENTERPRISE	HEALTH INSURANCE FOR JANUARY 2020	19,954.99
8643	12/18/2019	[5545] RIVERWALK VETERINARY HOSPITAL	CANINE EXAM & MEDICATION	380.68
8644	12/18/2019	[5606] SWRCB/Safe Drinking Water State Revolving Fund	PRINCIPAL PAYMENT FOR DISBURSEMENTS THROUGH DECEMBER 12, 2019	68,000.00
8645	12/18/2019	[2481] VANTAGEPOINT TRANSFER AGENTS	RETIREMENT FOR PPE 12/6/19	6,499.37
8646	12/18/2019	[6672] WEX BANK	PD FUEL EXPENSES FOR NOVEMBER 2019, PW FUEL EXPENSES FOR NOVEMBER 2019, ADMIN CAR FUEL EXPENSES FOR DECEMBER 2019, PD FUEL EXPENSES FOR DECEMBER 2019, PW FUEL EXPENSES FOR DECEMBER 2019	1,734.19
8647	12/18/2019	[2787] WYCKOFF'S	FOUR PLUGS	10.06
8648	12/26/2019	[4892] KEVIN T CALDWELL	REIMBURSEMENT FOR LODGING & MEALS PER DIEM TO ATTEND CALBO WORKSHOP	934.31
8649	12/26/2019	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 12/20/19	150.00
8650	12/26/2019	[6874] CONVENIENT PAYMENTS	POS TERMINAL USB CARD READER	137.00
8651	12/26/2019	[2411] DEARBORN NATIONAL LIFE INS. CO.	LIFE INSURANCE FOR JANUARY 2020	330.00
8652	12/26/2019	[2750] HD Supply Facility Maintenance DBA: USA BLUEBOOK	pH 7.00 BUFFER YELLOW 4 LITERS; HOLDFAST GRADUATED CYLINDER 1000 ML; HACH NITRATE TNT 25/PK	145.45
8653	12/26/2019	[2471] HUMBOLDT WASTE MANAGEMENT AUTHORITY	E-WASTE EVENT 2019	1,902.81
8654	12/26/2019	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS	33.58
8655	12/26/2019	[2570] NILSEN COMPANY	378 40# BAGS SOLAR SALT	2,240.12
8656	12/26/2019	[4570] SHRED AWARE	SHREDDING	70.00
8657	12/26/2019	[2719] STATE WATER RESOURCES CONTROL BD	WATER DISTRIBUTION OPERATOR GRADE D2 EXAM	65.00
8658	12/26/2019	[2319] SUDDENLINK COMMUNICATIONS	PUBLIC WORKS INTERNET & CITY HALL/PD/ PW PHONE SERVICES 12/10/19 - 1/9/20	530.76

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
8659	12/26/2019	[2754] US CELLULAR	MONTHLY SERVICE FOR SAFETY PHONE 12/8/19 - 1/7/20	60.22
8660	12/26/2019	[5166] VSP-VISION SERVICE PLAN	VISION INSURANCE FOR JANUARY 2020	350.76
8661	12/30/2019	[2757] US POSTMASTER	POSTAGE FOR UTILITY BILLING FOR THE MONTH OF DECEMBER 2019	356.44
Total Checks/Deposits				170,474.17

Ref#	Date	Vendor	Description	Amount
399-168	12/02/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 11/22/2019	-2,027.58
1037235	12/02/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 11/22/2019	-12,234.02
457B Participants	12/04/2019	ELECTRONIC FUNDS TRANSFER	EFT For State of CA - Social Security Administrator for SSA 218 Annual Fee . New State Fee as of Aug. 2019	-450.00
550402	12/12/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE FOR NOVEMBER 2019	-474.36
4094547	12/16/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 12/06/2019	-15,459.12
681-600	12/16/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 12/06/2019	-2,934.03
995335	12/19/2019	WITHDRAWAL	DEPOSITED ITEM RETURNED	-126.00
995336	12/23/2019	WITHDRAWAL	BANK ANALYSIS FEE FOR DECEMBER 2019	-350.00
9424201	12/23/2019	WITHDRAWAL	DEPOSITED ITEM RETURNED	-252.49
5382 Stop Payment	12/27/2019	WITHDRAWAL	DEPOSITED ITEM RETURNED	-121.00
254271	12/27/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR ICMA ACH RETIREMENT PAYMENT FOR DECEMBER 2019	-6,499.37
838-272	12/30/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 12/20/2019	-2,062.24
5594278	12/30/2019	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 12/20/2019	-11,946.84
Total EFT's/Bank Withdrawals				-54,937.05

Ref#	Date	Vendor	Description	Amount
TRX TO PR	12/11/2019	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 12/06/2019	-39,508.17
TRX TO PR	12/23/2019	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 12/20/2019	-32,897.76
Total Transfer Between Accounts				-72,405.93



Staff Update – 2020-01-21

City Council

City Manager

The US Postal Service was in town replacing mail box units and parcel boxes. A permit was issued for this work to be conducted at existing locations without disturbance of the existing pads that these units are stored on. USPS did install new boxes at new locations without a permit, and then removed them at the request of the city.

Rio Dell was asked to host the League of California Cities Redwood Empire Division meeting in March. This is the first time Rio Dell has ever hosted a league meeting. The meeting will be held at the River Bluff Cottages multi-purpose room – also known as the Danco project. The central topic is expected to be housing.

CM will be meeting with Ferndale CM and Recology Eel River to discuss next steps in Universal pickup. CM also attended Solid Waste Local Task Force and was informed Fortuna is also looking into this.

CM executed grant agreement for the Sanitary Sewer Evaluation Study.

Work is nearing completion on the water system capital plan. Next steps involve developing grant application and submittal to the State.

CM is working on a plan to update the City Website to make it ADA compliant.

Staff is developing a charitable donation system in order to purchase housing supplies for residents of the River Bluff Cottages. The idea came from Councilmember Johnson. Towels, shower curtains and other similar items could be purchased using the funds.

City Clerk

Process three (3) Business License Applications

- 1) Will Adams Contracting
- 2) Summer Hesch Virtual Assistant Services
- 3) Jenny Early Virtual Assistant



Processed one (1) Encroachment Permit Application

- 1) Tyree Fields (USPS)– Replacement of existing Neighborhood Mail Box Units and Parcel Lockers

Misc.:

- 1) Submitted Annual Building Permit Report to US Census Bureau
- 2) Submitted Quarterly Building Permit Report Humboldt County Assessor
- 3) Processed Annual FPPC Form 700's
- 4) Submitted CJRPMA Excess Liability Renewal Information to SCORE

City Attorney

Human Resources, Risk & Training

Finance Department

Public Works Water

Public Works Wastewater

Public Works Streets, Buildings and Grounds

Public Works City Engineer

Public Works Capital Projects

Police Department

The Department had the following statistics for the period of January 1, 2020 to January 14, 2020. This period of time saw an above average number of calls for service, a slightly higher than average number of reports, and an average number of arrests compared to last year. The homicide investigation continues to consume a significant portion of Chief Conner's time during this reporting period. The summation of Calls for Service is greater than the total as multiple officers can now be assigned to the same call for service.

Officer	Calls for Service	Reports	Arrests
Conner	29	3	0
Beauchaine	22	4	1
Carnahan	15	1	0
Landry	37	8	4
Mitchell	34	6	5
Valk	23	3	1
Fielder	15	0	0



Totals	141	25	11
Averages	10.1 per day	12.3 per week	5.5 per week
2019 Yearly Average	6.4 per day	10.3 per week	4.6 per week

During the period January 1, 2020, to January 14, 2020, there were four calls for service related to animal control issues. One dog was transported to Miranda's Rescue during this reporting period. In addition, a deer was dispatched in the backyard of a Curtis Lane residence.

On January 7, 2020, Chief Conner and Officer Fielder responded to the Scotia Medical Center after they had called and reported that they were treating the victim of an assault that had occurred in Rio Dell. The officers found a homeless man with a laceration in his head. The medical staff feared that his skull may have been fractured. He was transferred to Redwood Memorial Hospital by ambulance and the fracture was confirmed. The man claimed to have been struck in the head by another transient wielding a handgun. The victim admitted that he had called the suspect a racial slur as well as a thief, not knowing that he was present inside of a tent. His statement was corroborated by a third transient who witnessed the attack. The suspect was arrested later that day when he turned himself in. He claimed that he had only scared the victim, causing him to fall and he rolled down the slope beneath the Eagle Prairie Bridge, causing his head injury. He was booked at the County jail without incident.

On January 9, 2020, Officer Landry stopped a car for having false evidence of registration. The driver had warrants from outside of the County. He was arrested on those warrants. Officer Landry then conducted an inventory of the vehicle, prior to it being towed. She located eleven grams of methamphetamine, packaged for sale. She also located other indicia of sales including cash and empty Ziploc bags. The driver was arrested for possession of a controlled substance for sale, transporting a controlled substance and a host of vehicle code violations.

Code Enforcement

During the period January 1, 2020, through January 14, 2020, the Department opened one new junk vehicle cases and did not close any. There were five open cases at the end of the time period that this report covers.

During the period of January 1, 2020, to January 14, 2020, the Department did not open or close any new cases. There remain 53 open cases at the end of this reporting period.

Community Development Department

Final Inspection 91 Ogle Avenue.

Work on Model Efficient Landscape Ordinance and Handouts.

Foundation Inspection Adams Fourplex.

Participate in CDBG webinar.

DANCO project Inspections. Review Mechanical Code regarding range ventilation requirements.



Preliminary Plan Check, Interwest referral for Olea residence Grayland Heights.

Receive and review Hakuna Matata Cannabis application. Respond, need additional information.

Review and comment on Rio Dell Fire Protection District Annexation.

Preliminary Plan Check, Huessler remodel.

Work with staff on USPS Neighborhood Box Unit (NBU) replacements.

Roof and Water Heater Inspection 502 Wildwood Avenue.

Retrieve and review history of River's Edge RV Park.

Work on ADU regulations/Ordinance.

Chittenden CDBG Foreclosure, Willow Lane.

Final Inspection metal building 1525 Rio Vista Lane.

Intergovernmental

Humboldt-Rio Dell Business Park



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

January 21, 2020

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action to Appoint an Ad Hoc Committee Regarding the Wildwood Avenue Gateway Landscaping

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Appoint two members to an Ad Hoc charged with developing a plan regarding the Wildwood Avenue Gateway Landscaping.

BACKGROUND AND DISCUSSION

Mayor Garnes has requested that this item be agendaized for discussion.

///



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

January 21, 2020

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: City Response to Notice of Filing for Rio Dell Fire Protection District Annexation

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the Mayor to execute the attached letter, or take no action.

BACKGROUND AND DISCUSSION

The City has received a Notice of Filing for the proposed annexation of Fire Service Areas served by Scotia, Redcrest, and Shively Volunteer Fire Companies to the Rio Dell Fire Protection District, including the divestiture of power to provide fire protection services by the Scotia Community Services District. The Notice of Filing is being issued in accordance with Government Code Section 56658(b)(1) and comments, requested conditions or recommendations are being requested by January 31, 2020.

Staff is making a recommendation to include all of the incorporated City of Rio Dell within the Rio Dell Fire Protection District. This would include the area across the Eel River to the north of the Mudgett Bridge on US101. This area is primarily composed of the Humboldt-Rio Dell Business Park (also known as the Sawmill Annexation Area) but also includes the city's wastewater disposal field. Currently this area, while being within the city limits of Rio Dell, is provided fire services through the Fortuna Fire Protection District.

///

*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*



January 21, 2020

Colette Metz Santsche
LAFCo Executive Director
1125 16th Street, Suite 202
Arcata, CA 95521

RE: Notice of Filing – Rio Dell Fire Protection District Annexation

Dear Collette,

We are in receipt of your Notice of Filing for the proposed annexation of Fire Service Areas served by Scotia, Redcrest and Shively by the Rio Dell Fire Protection District (RDFPD).

We are recommending that the annexation also include all Fire Service Areas within the city limits of the City of Rio Dell. This includes the Humboldt-Rio Dell Business Park (formerly the Sawmill Annexation Area) located on the northeast bank of the Eel River, north of the US101 Mudgett Bridge.

The reasons for this are as follows:

- 1.) The area includes the City's wastewater treatment disposal field and also our emergency water backup supply site. The wastewater disposal field was recently included in the amended Sphere of Influence for the City.
- 2.) It's consistent with LAFCo's policy and state law regarding logical boundaries for service providers (CGC §56001).
- 3.) Rio Dell Fire District has responded to this site for many years, and the response time is quicker from the RDFPD due to proximity.
- 4.) Annexation of this area would create one efficient, effective and sustainable emergency service system and make possible a more proactive and responsive emergency services system for the area.
- 5.) Annexation of this area would establish district boundaries that clearly define service responsibilities for the benefit of neighboring fire service providers, land use authorities, the public, and other service providers.

Thank you for your consideration of this matter.

Sincerely,

Debra Garnes, Mayor



NOTICE OF FILING

DATE: January 7, 2020

TO: CAL FIRE Humboldt-Del Norte Unit
CAL FIRE, Director
City of Rio Dell
Ferndale Fire Protection District
Fortuna Fire Protection District
Humboldt Bay Harbor, Recreation and Conservation District
Humboldt County Administrative Office
Humboldt County Assessor's Office
Humboldt County Auditor's Office
Humboldt County Environmental Health
Humboldt County Elections Office
Humboldt County Fire Chiefs Association
Humboldt County Office of Education
Humboldt County Office of Emergency Services
Humboldt County Planning and Building Department
Humboldt County Public Works Department
Humboldt County Resource Conservation District
Humboldt County Sheriff's Office
North Coast EMSA Ambulance Services (City Ambulance)
Redcrest Volunteer Fire Company
Scotia Volunteer Fire Company
Shively Volunteer Fire Company
Scotia Community Services District
Town of Scotia Company LLC

Cc: Shane Wilson, Rio Dell Fire Protection District

FROM: Colette Metz Santsche, LAFCo Executive Officer

SUBJECT: APPLICATION RECEIVED – RIO DELL FIRE PROTECTION DISTRICT ANNEXATION

APPLICATION INFORMATION

Project: Proposed Annexation of Fire Service Areas Served by Scotia, Redcrest, and Shively Volunteer Fire Companies to the Rio Dell Fire Protection District and Divestiture of Power to Provide Fire Protection Services by Scotia Community Services District

Location: Rio Dell, Scotia, Redcrest, and Shively Areas – see Exhibit A

APNs: 608 parcels – see Exhibit B

Notice: The above referenced proposal has been submitted to LAFCo and this notice of filing is being issued in accordance with Government Code Section 56658(b)(1). If you wish to receive a copy of the application and supporting documents, please contact LAFCo at 707-445-7508. We request agency comments, requested conditions, or recommendations by **January 31, 2020**.

Proposal Overview

LAFCo has received a proposal submitted by resolution of application from the Rio Dell Fire Protection District (FPD) for annexation of approximately 11,498 acres (608 parcels) of developed and undeveloped rural residential and resource lands located outside the boundaries that is currently served by volunteer fire companies. The Rio Dell FPD proposes to consolidate operations with the Scotia, Redcrest and Shively Volunteer Fire Companies, and annex the service areas of those volunteer fire companies into the boundaries of the Rio Dell FPD. This action would also necessitate the divestiture of power to provide fire protection services by Scotia Community Services District (CSD).

The proposed annexation does not involve proposed service expansions to accommodate new development. The proposed annexation is intended to redefine the Rio Dell FPD district boundary to secure funding and support improvements to the level of service to areas that are currently being served by volunteer fire companies that lack dedicated funding sources. The Rio Dell FPD proposes to amend its sphere of influence (SOI) beyond the proposed new district boundaries.

Reasons for Proposal

According to the application, the reasons for the proposed annexation are as follows:

1. The Rio Dell FPD has provided fire protection services to its out-of-district response area and the Scotia, Redcrest, and Shively Volunteer Fire Companies have provided service to their communities for many years.
2. The proposed annexation would extend the Rio Dell FPD's current property tax allocation and special assessment revenue sources to the expanded district boundary and consolidate fire protection service operations and administration with the Scotia, Redcrest, and Shively Volunteer Fire Companies, providing regular and ongoing revenue sources to these communities to sustain local fire protection services within each community and to also retain the important local identity of each community's fire department.
3. The proposed annexation would officially merge the operations of the four fire departments into one efficient, effective, and sustainable emergency services system and make possible a proactive, sustainable solution for future fire and emergency service needs for the area by creating a regional district with an improved economy of scale and associated benefits.
4. The proposed annexation would establish district boundaries that clearly define service responsibilities for the benefit of neighboring fire service providers, land use authorizes, the public, and other service providers.

Description of Annexation Areas

Annexation Area 1 (Rio Dell Response Area): The Rio Dell Response Area includes land to the west of the existing district boundary along Blue Slide Road, up to the end of Howe Creek Road and up Price Creek Road. This area is sparsely developed with rural residences and farm dwellings. There are approximately 41 parcels developed with rural

residences and an extensive ranch area. The entire area is proposed to be included in the annexation area because the fire department must pass through the ranch and timberlands to reach all of the rural residences.

Annexation Area 2 (Town of Scotia): The Town of Scotia is approximately 284 acres in area and contains the largest functioning lumber mill in the County; approximately 280 residences; a small shopping center with a grocery store and hardware store as well as other businesses; a hotel; a former mill that is now a multi-tenant industrial park; a school; and miscellaneous public and commercial buildings.

Annexation Area 3 (Scotia Response Area): The Scotia Response Area includes the Stafford community and extends approximately 6.5 miles along Shively Road east of U.S. 101 and south along U.S. 101 to the Jordan Creek exit. There is one home within the Shively Road portion of the response area and the remainder of this area is comprised of forest land. There are approximately 43 homes in the community of Stafford and the Eureka's Redwood Christian Center resort property in Stafford.

Annexation Area 4 (Redcrest Response Area): The Redcrest response zone has approximately 100 residential structures located within the three community areas: Pepperwood, Holmes Flat, and Redcrest. In addition, this area has the former Eel Rivers Sawmill property in Redcrest which is now a multi-tenant industrial park, the Redcrest Resort, U.S. Post Office, and other miscellaneous commercial operations. This area also includes a significant amount of Humboldt Redwoods State Park land.

Annexation Area 5 (Shively Response Area): The Shively Response Zone is comprised of the Shively community and the Larabee area. There are a total of approximately 67 rural residences in this area as well as extensive agricultural and timber land.

Funding Sources

The Rio Dell FPD is principally funded by property taxes (34% of total revenue), parcel-based assessments (64% of total revenue), and funding from a few other miscellaneous sources (2% of total revenue). The District's benefit assessment was approved in 2014 and is applied at a rate of \$25 per "unit of benefit" on a use-of-property basis, with a typical single-family residence paying \$100 per year. Annual revenue from the special assessment is approximately \$144,000. The District also generates approximately \$76,800 per year from its percentage (0.04%) of the 1 percent ad valorem property tax revenue.

Upon annexation, the District would receive approximately \$65,375 per year in special assessment revenue from properties within the annexation areas. In addition, it is estimated the District would generate approximately \$32,423 per year in property tax revenue corresponding with tax exchange agreement offer number 1 authorized by the Humboldt County Board of Supervisors on April 9, 2019.

Property Tax Exchange Agreement

Pursuant to Section 99.01 of the California Revenue and Taxation Code, prior to the effective date of any jurisdictional change that will result in a special district providing one or more services to an area where those services have not previously been provided

by any local agency, the special district and each local agency that receives an apportionment of property tax revenue from the area must negotiate an exchange of property tax increment generated in the area subject to the jurisdictional change and attributable to those local agencies. If a special district involved in the negotiation (other than the district which will provide new services) does not adopt a resolution providing for the exchange of property tax revenue, the Board of Supervisors can determine the exchange of property tax revenue for that special district. The Humboldt County Administrative Office is currently reviewing the proposal and will be commencing negotiations with the Rio Dell FPD and affected agencies. The final exchange resolution(s) shall specify how the annual tax increment will be allocated in future years.

Environmental Review

All matters that involve discretionary action are subject to the applicable provisions of the California Environmental Quality Act (CEQA). Rio Dell FPD has determined that the proposed annexation is exempt from CEQA per CEQA Guidelines Section 15061(b)3 because it can be seen with certainty that there is no possibility that the activity in question will have a significant effect on the environment - where the activity is establishment of a local district boundary to include areas that are already served by the District and the Scotia, Redcrest and Shively Volunteer Fire Companies, and that does not involve development or a change in the manner in which an existing service is provided.

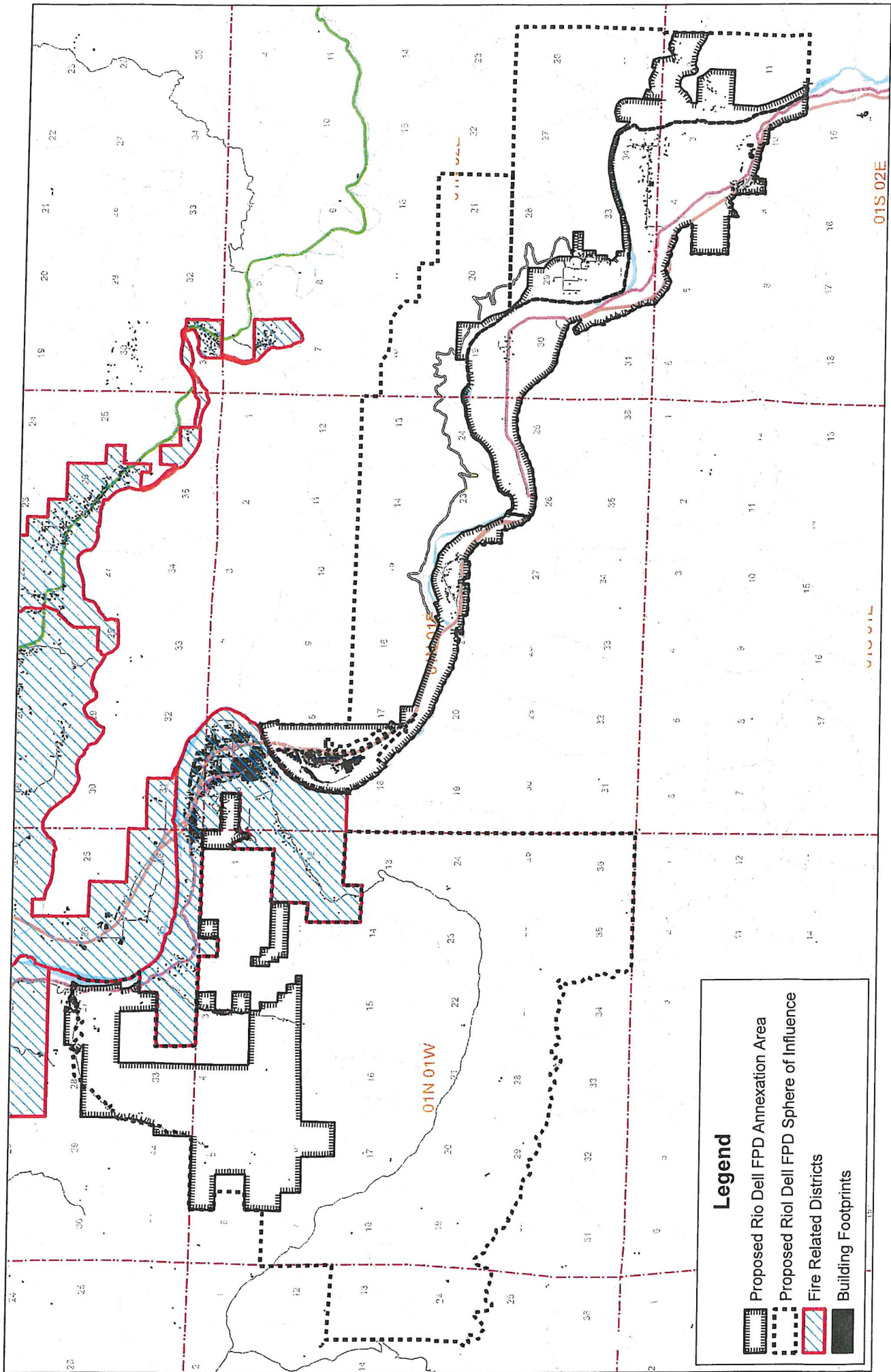
Terms and Conditions

The Rio Dell FPD has requested that the proposed annexation be subject to the following terms and conditions:





1. An Agreement regarding the exchange of ad valorem property tax pursuant to tax exchange agreement offer number 1 authorized by the Humboldt County Board of Supervisors on April 9, 2019, is executed by and between the Rio Dell FPD and the County of Humboldt; and
2. Require that the existing Rio Dell FPD special assessment be extended to all applicable parcels within the proposed annexation area.

The application described above is pending LAFCo review. Please review and respond with any comments, requested conditions, or recommendations by January 31, 2020. If you have any questions or wish to request a copy of the application, please contact LAFCo at (707) 445-7508 or colettem@humboldtiafco.org.

Exhibit A: Annexation Area Figure



Legend

-  Proposed Rio Dell FPD Annexation Area
-  Proposed Rio Dell FPD Sphere of Influence
-  Fire Related Districts
-  Building Footprints



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January 21, 2020

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager
SUBJECT: Discussion on the Water Shutoff Protection Act

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff, if any.

BACKGROUND AND DISCUSSION

Staff will make a presentation on SB 998. A first Reading of a proposed Ordinance in compliance with SB 998 is scheduled to be presented to the Council on February 4, 2020.

SB 998, also known as the Water Shutoff Protection Act, was approved by the Governor in September 2018 and declares that all Californians have the right to safe, accessible and affordable water. The intent of SB 998 is to minimize the number of Californians who lose access to water service due to their inability to pay. This bill requires all public water systems (with more than 200 connections) to have a written policy on discontinuation of residential service, prohibits discontinuance until accounts are at least 60 days delinquent, requires 7 business days' notice before discontinuance and prohibits discontinuance when doing so would pose a serious threat to the health and safety of a resident if the customer demonstrates an inability to pay and is willing to make payments via alternative methods.

The City is required to comply with SB 998 by April 1, 2020. The changes required to bring the City into compliance are as follows:

- Adopt an ordinance to remove all shut-off language currently found in the City's municipal code. (Various sections of Chapters 13.05 and 13.10).
- Adopt a comprehensive shut-off policy by resolution.
- Post the new shut-off policy to the City's website (translated into multiple languages).
- Create multiple new forms including new door hangars and develop a phone notification script.
- Annually report the number of shut-offs on the City's website to the State Water Resources Control Board.

SB 998 is well intentioned but may ultimately end up having the opposite effect of its intention. Water customers who struggle to pay their water bills under the current system usually have outstanding balances in the range of \$200-\$300. With the extension of discontinuance of service to 60 days after delinquency bills will be twice as large or in the range of \$400-600. This may result in the most vulnerable members of our community being faced with an outstanding water bill that they have little hope of overcoming.

///



Senate Bill No. 998

CHAPTER 891

An act to add Chapter 6 (commencing with Section 116900) to Part 12 of Division 104 of the Health and Safety Code, relating to water.

[Approved by Governor September 28, 2018. Filed with Secretary of State September 28, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

SB 998, Dodd. Discontinuation of residential water service: urban and community water systems.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including water corporations. Existing law requires certain notice to be given before a water corporation, public utility district, municipal utility district, or a municipally owned or operated public utility furnishing water may terminate residential service for nonpayment of a delinquent account, as prescribed.

This bill would require an urban and community water system, defined as a public water system that supplies water to more than 200 service connections, to have a written policy on discontinuation of water service to certain types of residences for nonpayment available in prescribed languages. The bill would require the policy to include certain components, be available on the system's Internet Web site, and be provided to customers in writing, upon request. The bill would provide for enforcement of these provisions, including making a violation of these provisions punishable by a civil penalty issued by the board in an amount not to exceed \$1,000 for each day in which the violation occurs, and would require the enforcement moneys collected by the board to be deposited in the Safe Drinking Water Account. The bill would prohibit an urban and community water system from discontinuing residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. The bill would require an urban and community water system to contact the customer named on the account and provide the customer with the urban and community water system's policy on discontinuation of residential service for nonpayment no less than 7 business days before discontinuation of residential service, as prescribed.

This bill would prohibit residential service from being discontinued under specified circumstances. The bill would require an urban and community

water system that discontinues residential service to provide the customer with information on how to restore service. The bill would require an urban and community water system to waive interest charges on delinquent bills for, and would limit the amount of a reconnection of service fee imposed on, a residential customer who demonstrates, as prescribed, to the urban and community water system household income below 200% of the federal poverty line. The bill would require an urban and community water system that furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit structure, mobilehome park, or permanent residential structure in a labor camp, and that the owner, manager, or operator of the dwelling, structure, or park is the customer of record, to make every good faith effort to inform the residential occupants by written notice that service will be terminated and that the residential occupants have the right to become customers, as specified. The bill would require an urban and community water system to report the number of annual discontinuations of residential service for inability to pay on its Internet Web site and to the board, and the bill would require the board to post on its Internet Web site the information reported. The bill would require an urban water supplier, as defined, or an urban and community water system regulated by the commission, to comply with the bill's provisions on and after February 1, 2020, and any other urban and community water system to comply with the bill's provisions on and after April 1, 2020. The bill would provide that the provisions of the bill are in addition to the provisions in existing law duplicative of the bill and that where the provisions are inconsistent, the provisions described in the bill apply.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares as follows:

(a) All Californians have the right to safe, accessible, and affordable water as declared by Section 106.3 of the Water Code.

(b) It is the intent of the Legislature to minimize the number of Californians who lose access to water service due to inability to pay.

(c) Water service discontinuations threaten human health and well-being, and have disproportionate impact on infants, children, the elderly, low-income families, communities of color, people for whom English is a second language, physically disabled persons, and persons with life-threatening medical conditions.

(d) When there is a delinquent bill, all Californians, regardless of whether they pay a water bill directly, should be treated fairly, and fair treatment includes the ability to contest a bill, seek alternative payment schedules, and demonstrate medical need and severe economic hardship.

(e) The loss of water service causes tremendous hardship and undue stress, including increased health risks to vulnerable populations.

(f) It is the intent of the Legislature that this act provide additional procedural protections and expand upon the procedural safeguards contained

in the Public Utilities Code and Government Code as of January 1, 2018, relating to utility service disconnections.

SEC. 2. Chapter 6 (commencing with Section 116900) is added to Part 12 of Division 104 of the Health and Safety Code, to read:

CHAPTER 6. DISCONTINUATION OF RESIDENTIAL WATER SERVICE

116900. This chapter shall be known, and may be cited, as the Water Shutoff Protection Act.

116902. For the purposes of this chapter, the following definitions apply:

- (a) "Board" means the State Water Resources Control Board.
- (b) "Public water system" has the same meaning as defined in Section 116275.
- (c) "Residential service" means water service to a residential connection that includes single-family residences, multifamily residences, mobilehomes, including, but not limited to, mobilehomes in mobilehome parks, or farmworker housing.

(d) "Urban and community water system" means a public water system that supplies water to more than 200 service connections.

(e) "Urban water supplier" has the same meaning as defined in Section 10617 of the Water Code.

116904. (a) An urban water supplier not regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020.

(b) An urban and community water system regulated by the Public Utilities Commission shall comply with this chapter on and after February 1, 2020. The urban and community water system regulated by the Public Utilities Commission shall file advice letters with the commission to conform with this chapter.

(c) An urban and community water system not described in subdivision (a) or (b) shall comply with this chapter on and after April 1, 2020.

116906. (a) An urban and community water system shall have a written policy on discontinuation of residential service for nonpayment available in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by at least 10 percent of the people residing in its service area. The policy shall include all of the following:

- (1) A plan for deferred or reduced payments.
- (2) Alternative payment schedules.
- (3) A formal mechanism for a customer to contest or appeal a bill.
- (4) A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

(b) The policy shall be available on the urban and community water system's Internet Web site, if an Internet Web site exists. If an Internet Web site does not exist, the urban and community water system shall provide the policy to customers in writing, upon request.

(c) (1) The board may enforce the requirements of this section pursuant to Sections 116577, 116650, and 116655. The provisions of Section 116585

and Article 10 (commencing with Section 116700) of Chapter 4 apply to enforcement undertaken for a violation of this section.

(2) All moneys collected pursuant to this subdivision shall be deposited in the Safe Drinking Water Account established pursuant to Section 116590.

116908. (a) (1) (A) An urban and community water system shall not discontinue residential service for nonpayment until a payment by a customer has been delinquent for at least 60 days. No less than seven business days before discontinuation of residential service for nonpayment, an urban and community water system shall contact the customer named on the account by telephone or written notice.

(B) When the urban and community water system contacts the customer named on the account by telephone pursuant to subparagraph (A), it shall offer to provide in writing to the customer the urban and community water system's policy on discontinuation of residential service for nonpayment. An urban and community water system shall offer to discuss options to avert discontinuation of residential service for nonpayment, including, but not limited to, alternative payment schedules, deferred payments, minimum payments, procedures for requesting amortization of the unpaid balance, and petition for bill review and appeal.

(C) When the urban and community water system contacts the customer named on the account by written notice pursuant to subparagraph (A), the written notice of payment delinquency and impending discontinuation shall be mailed to the customer of the residence to which the residential service is provided. If the customer's address is not the address of the property to which residential service is provided, the notice also shall be sent to the address of the property to which residential service is provided, addressed to "Occupant." The notice shall include, but is not limited to, all of the following information in a clear and legible format:

- (i) The customer's name and address.
- (ii) The amount of the delinquency.
- (iii) The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.
- (iv) A description of the process to apply for an extension of time to pay the delinquent charges.
- (v) A description of the procedure to petition for bill review and appeal.
- (vi) A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the written policies provided pursuant to subdivision (a) of Section 116906.

(2) If the urban and community water system is unable to make contact with the customer or an adult occupying the residence by telephone, and written notice is returned through the mail as undeliverable, the urban and community water system shall make a good faith effort to visit the residence and leave, or make other arrangements for placement in a conspicuous place of, a notice of imminent discontinuation of residential service for nonpayment and the urban and community water system's policy for discontinuation of residential service for nonpayment.

(b) If an adult at the residence appeals the water bill to the urban and community water system or any other administrative or legal body to which such an appeal may be lawfully taken, the urban and community water system shall not discontinue residential service while the appeal is pending.

116910. (a) An urban and community water system shall not discontinue residential service for nonpayment if all of the following conditions are met:

(1) The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

(2) The customer demonstrates that he or she is financially unable to pay for residential service within the urban and community water system's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle if any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

(3) The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, consistent with the written policies provided pursuant to subdivision (a) of Section 116906, with respect to all delinquent charges.

(b) (1) If the conditions listed in subdivision (a) are met, the urban and community water system shall offer the customer one or more of the following options:

(A) Amortization of the unpaid balance.

(B) Participation in an alternative payment schedule.

(C) A partial or full reduction of the unpaid balance financed without additional charges to other ratepayers.

(D) Temporary deferral of payment.

(2) The urban and community water system may choose which of the payment options described in paragraph (1) the customer undertakes and may set the parameters of that payment option. Ordinarily, the repayment option offered should result in repayment of any remaining outstanding balance within 12 months. An urban and community water system may grant a longer repayment period if it finds the longer period is necessary to avoid undue hardship to the customer based on the circumstances of the individual case.

(3) Residential service may be discontinued no sooner than 5 business days after the urban and community water system posts a final notice of intent to disconnect service in a prominent and conspicuous location at the property under either of the following circumstances:

(A) The customer fails to comply with an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges for 60 days or more.

(B) While undertaking an amortization agreement, an alternative payment schedule, or a deferral or reduction in payment plan for delinquent charges, the customer does not pay his or her current residential service charges for 60 days or more.

116912. An urban and community water system that discontinues residential service for nonpayment shall provide the customer with information on how to restore residential service.

116914. (a) For a residential customer who demonstrates to an urban and community water system household income below 200 percent of the federal poverty line, the urban and community water system shall do both of the following:

(1) Set a reconnection of service fee for reconnection during normal operating hours at fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021. For the reconnection of residential service during nonoperational hours, an urban and community water system shall set a reconnection of service fee at one hundred fifty dollars (\$150), but not to exceed the actual cost of reconnection if it is less. Reconnection fees shall be subject to an annual adjustment for changes in the Consumer Price Index beginning January 1, 2021.

(2) Waive interest charges on delinquent bills once every 12 months.

(b) An urban and community water system shall deem a residential customer to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

116916. (a) This section applies if there is a landlord-tenant relationship between the residential occupants and the owner, manager, or operator of the dwelling.

(b) If an urban and community water system furnishes individually metered residential service to residential occupants of a detached single-family dwelling, a multiunit residential structure, mobilehome park, or permanent residential structure in a labor camp as defined in Section 17008, and the owner, manager, or operator of the dwelling, structure, or park is the customer of record, the urban and community water system shall make every good faith effort to inform the residential occupants, by means of written notice, when the account is in arrears that service will be terminated at least 10 days prior to the termination. The written notice shall further inform the residential occupants that they have the right to become

customers, to whom the service will then be billed, without being required to pay any amount which may be due on the delinquent account.

(c) The urban and community water system is not required to make service available to the residential occupants unless each residential occupant agrees to the terms and conditions of service and meets the requirements of law and the urban and community water system's rules and tariffs. However, if one or more of the residential occupants are willing and able to assume responsibility for the subsequent charges to the account to the satisfaction of the urban and community water system, or if there is a physical means legally available to the urban and community water system of selectively terminating service to those residential occupants who have not met the requirements of the urban and community water system's rules and tariffs, the urban and community water system shall make service available to those residential occupants who have met those requirements.

(d) If prior service for a period of time is a condition for establishing credit with the urban and community water system, residence and proof of prompt payment of rent or other credit obligation acceptable to the urban and community water system for that period of time is a satisfactory equivalent.

(e) Any residential occupant who becomes a customer of the urban and community water system pursuant to this section whose periodic payments, such as rental payments, include charges for residential water service, where those charges are not separately stated, may deduct from the periodic payment each payment period all reasonable charges paid to the urban and community water system for those services during the preceding payment period.

(f) In the case of a detached single-family dwelling, the urban and community water system may do any of the following:

(1) Give notice of termination at least seven days prior to the proposed termination.

(2) In order for the amount due on the delinquent account to be waived, require an occupant who becomes a customer to verify that the delinquent account customer of record is or was the landlord, manager, or agent of the dwelling. Verification may include, but is not limited to, a lease or rental agreement, rent receipts, a government document indicating that the occupant is renting the property, or information disclosed pursuant to Section 1962 of the Civil Code.

116918. An urban and community water system shall report the number of annual discontinuations of residential service for inability to pay on the urban and community water system's Internet Web site, if an Internet Web site exists, and to the board. The board shall post on its Internet Web site the information reported.

116920. (a) The Attorney General, at the request of the board or upon his or her own motion, may bring an action in state court to restrain by temporary or permanent injunction the use of any method, act, or practice declared in this chapter to be unlawful.

(b) For an urban and community water system regulated by the Public Utilities Commission, the commission may bring an action in state court to restrain by temporary or permanent injunction the use by an urban and community water system regulated by the commission of any method, act, or practice declared in this chapter to be unlawful.

116922. All written notices required under this chapter shall be provided in English, the languages listed in Section 1632 of the Civil Code, and any other language spoken by 10 percent or more of the customers in the urban and community water system's service area.

116924. Where provisions of existing law are duplicative of this chapter, compliance with one shall be deemed compliance with the other. Where those provisions are inconsistent, the provisions of this chapter shall apply. Nothing in this chapter shall be construed to limit or restrict the procedural safeguards against the disconnection of residential water service existing as of December 31, 2018.

116926. This chapter does not apply to the termination of a service connection by an urban and community water system due to an unauthorized action of a customer.


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675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: January 21, 2020

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: January 9, 2020

Subject: Adoption of the State's Model Water Efficient Landscape Ordinance (MWELO), Ordinance No. 378-2020 establishing Chapter 13.40 of the Rio Dell Municipal Code (RDMC).

Recommendation:

That the City Council:

1. Open the public hearing, receive public input and deliberate; and
2. Approve and adopt Ordinance No. 378-2020 which adopts the State's Model Efficient Landscape Ordinance, Chapter 13.40 of the Rio Dell Municipal Code (RDMC).

Discussion

As discussed at your meeting of January 7, 2020, the purpose of the Model Water Efficient Ordinance is to add provisions to the Rio Dell Municipal Code to address permitting requirements for water efficient landscaping. The State mandated that local jurisdictions either adopt the State's Model Water Efficient Landscape.

Staff is recommended adopting the State's Model Water Efficient Landscape Ordinance (MWELO). Your Council concurred with a 4-0 vote. Council member Strahan was absent.

Again, all new development projects are subject to the Ordinance, including new and rehabilitated residential, commercial, industrial and institutional projects that require a permit, plan check or design review.

Attachments

Attachment 1: Ordinance No. 378-2020 establishing Chapter 13.40, Model Water Efficient Landscape Ordinance (MWELO) of the Rio Dell Municipal Code (RDMC).

ORDINANCE NO. 378-2020



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
ESTABLISHING A WATER EFFICIENT LANDSCAPE ORDINANCE,
CHAPTER 13.40 OF THE RIO DELL MUNICIPAL CODE**

WHEREAS, Governor Brown’s Executive Order of April 1, 2015 (EO B-29-15) directed DWR to update the State’s Model Water Efficient Landscape Ordinance (MWELo) through expedited regulation; and

WHEREAS, the California Water Commission approved the revised Ordinance on July 15, 2015; and

WHEREAS, about half of the urban water is used for landscape irrigation in California; and

WHEREAS, large water savings can be gained by efficient landscape design, installation, and maintenance; and

WHEREAS, new development and retrofitted landscape water efficiency standards are governed by the Model Water Efficient Landscape Ordinance (MWELo); and

WHEREAS, all agencies are required to adopt, implement, and enforce the MWELo or a more stringent ordinance.

WHEREAS, all new development projects are subject to the Ordinance, including new and rehabilitated residential, commercial, industrial and institutional projects that require a permit, plan check or design review.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1.

Chapter 13.40 of the Rio Dell Municipal Code is hereby established as follows

(1) Purpose.

The purpose of this Ordinance is to add provisions to the Rio Dell Municipal Code to address permitting requirements for water efficient landscaping. These changes are necessary to reflect changes in California law (Assembly Bill 1881, Government Code Section 65591 et seq.) and to promote the conservation and efficient use of water.

(2) Applicability.

(a) The provisions of this Article shall apply to all of the following landscape projects that are provided and/or required as part of a building permit, grading permit, discretionary permit, or site plan review:

(1) Public agency and private development projects. New construction and rehabilitated landscape projects with landscape area equal to or greater than 2,500 square feet.

(2) Developer-installed in single-family and multi-family residential projects. New construction and rehabilitated landscape projects with landscape area equal to or greater than 2,500 square feet cumulative.

(3) Homeowner-provided in single-family and multi-family residential projects. New construction landscape projects with landscape area equal to or greater than 5,000 square feet that are served by a community water system.

(b) These provisions shall also apply to the following landscape projects with significant water needs:

(1) Existing landscapes equal to or greater than one acre, with a dedicated water meter. Such landscapes are limited to preparing a water efficient landscape worksheet in accordance with the specifications in the Landscape Documentation Package (Section 13.40(4) Submittal Requirements). If water use exceeds the Maximum Applied Water Allowance, the property owner shall consult the Planning and Public Works Department for recommendations to reduce water use and to prevent water waste.

(2) New and rehabilitated cemeteries. Recognizing the special landscape management needs of cemeteries, new and rehabilitated cemeteries shall require the preparation of a water efficient landscape worksheet and submittal of a Certificate of Completion. Existing cemeteries are limited to (1) above.

(c) The provisions of these regulations shall not apply to the following:

(1) Registered local, state or federal historical sites;

(2) Ecological restoration and similar projects that do not require irrigation systems for longer than five years in duration to establish the plants;

(3) Mined-land reclamation projects that do not require irrigation systems for longer than five years in duration to establish the plants;

(4) Plant collections, as part of botanical gardens, arboretums, and nature centers open to the public; and

(5) Community gardens.

(3) Definitions.

For the purposes of these regulations, unless otherwise apparent from the context, certain words and phrases used in these regulations are defined as follows:

“Backflow prevention device” means a safety device used to prevent pollution or contamination of the water supply due to the reverse flow of water from the irrigation system.

“California Invasive Plant Inventory” means the California Invasive Plant Inventory maintained by the California Invasive Plant Council.

“Check valve” or “anti-drain valve” means a valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system to prevent drainage from sprinkler heads when the sprinkler is off.

“Community garden” means a piece of property or area of a property that is dedicated solely to edible plants and gardened by a cooperative group of people living in the area.

“Community water system” means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

“Developer-installed” means a landscape project installed by or under the direction of the developer of a development project.

“Ecological restoration project” means a project, where the primary function of such project is to assist in the recovery of an ecosystem that has been degraded, damaged, or destroyed. For purposes of this ordinance, restoration focuses on establishing the composition, structure, pattern, and ecological processes necessary to make terrestrial and aquatic ecosystems sustainable, resilient, and healthy under current and future conditions.

“Estimated Total Water Use” (ETWU) means the total water used for the landscape.

“ET adjustment factor” (ETAF) means, except for special landscape areas, a factor of 0.7, that, when applied to reference evapotranspiration, adjusts for plant factors and irrigation efficiency, two major influences upon the amount of water that needs to be applied to the landscape. The

ET adjustment factor for special landscape areas shall not exceed 1.0.

“Evapotranspiration” (ETO) means the quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time.

“Head to head coverage” means full coverage from one sprinkler head to the next.

“Homeowner-provided landscaping” means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner.

“Hydrozone” means a portion of the landscaped area having plants with similar water needs. A hydrozone may be irrigated or non-irrigated.

“Invasive plant species” means species of plants not historically found in California that spread outside cultivated areas and can damage environmental or economic resources.

“Irrigation audit” means an in-depth evaluation of the performance of an irrigation system conducted by a Certified Landscape Irrigation Auditor. An irrigation audit includes, but is not limited to: inspection, system tune-up, system test with distribution uniformity or emission uniformity, reporting overspray or runoff that causes overland flow, and preparation of an irrigation schedule.

“Irrigation efficiency” (IE) means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this ordinance is 0.71. Greater irrigation efficiency can be expected from well designed and maintained systems.

“Landscape area” means all the planting areas, turf areas, and water features in a landscape design plan subject to the Maximum Applied Water Allowance calculation. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g., open spaces and existing native vegetation).

“Landscape contractor” means a person licensed by the state of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

“Landscape project” means total area of landscape in a project as defined in “landscape area” for the purposes of this ordinance, meeting requirements under Section 13.40(2) (Applicability).

“Low volume irrigation” (also “point source irrigation”) means the application of irrigation

water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plant.

“Low-head drainage” means water that flows out of the system after the valve turns off due to elevation changes within the system.

“Maximum Applied Water Allowance” (MAWA) means the upper limit of annual applied water for the established landscaped area. It is based upon the area’s reference evapotranspiration, the ET Adjustment Factor (ETAF), and the size of the landscape area. The Estimated Total Water Use shall not exceed the Maximum Applied Water Allowance.

“Mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

“Mulch” means any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

“New construction” means, for the purposes of this ordinance, a new building or structure with a landscape, such as a house, accessory structure, pool, gazebo, or commercial or industrial building. This definition also includes other new landscapes, such as a park, playground, or greenbelt without an associated building.

“Overhead irrigation system” means a system that delivers water through the air (e.g., spray heads and rotors).

“Overspray” means the irrigation water which is delivered beyond the target area.

“Pervious” means any surface or material that allows the passage of water through the material and into underlying soil.

“Plant factor” is a factor, when multiplied by ETO, estimates the amount of water needed by plants. For purposes of this ordinance, the plant factor range for low water use plants is 0 to 0.3, the plant factor range for moderate water use plants is 0.4 to 0.6, and the plant factor range for high water use plants is 0.7 to 1.0. Plant factors cited in this ordinance are derived from the Department of Water Resources 2000 publication “Water Use Classification of Landscape Species.”

“Point source irrigation” see low volume irrigation.

“Precipitation rate” means the rate of application of water measured in inches per hour.

“Rain sensor” means a component which automatically suspends an irrigation event when it rains.

“Recycled water” means treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and water features. This water is not intended for human consumption.

“Reference Evapotranspiration” or “ET)” means a standard measurement of environmental parameters that affect the water use of plants, and is an estimate of the Evapotranspiration of a large field of four- to seven-inch tall, cool-season grass that is well watered.

“Rehabilitated landscape” means any re-landscaping project that requires a permit, plan check, or design review, meets the requirements of Section 8-2.3702 (Applicability), and the modified landscape area is equal to or greater than 2,500 square feet, is 50% of the total landscape area, and the modifications are completed within one year.

“Runoff” means water which is not absorbed by the soil or landscape to which it is applied and flows from the landscape area. For example, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or when there is a slope.

“Special Landscape Area” (SLA) means an area of the landscape dedicated solely to edible plants (food producing gardens), areas irrigated with recycled water, water features using recycled water, storm water detention basins, and areas dedicated to active play such as parks, sports fields, golf courses, and where turf provides a playing surface.

“Subsurface irrigation” means an irrigation device with a delivery line and water emitters installed below the soil surface that slowly and frequently emit small amounts of water into the soil to irrigate plant roots.

“Swing joint” means an irrigation component that provides a flexible, leak-free connection between the emission device and lateral pipeline to allow movement in any direction and to prevent equipment damage.

“Turf” means a ground cover surface of mowed grass. Annual bluegrass, Kentucky bluegrass, Perennial ryegrass, Red fescue, and Tall fescue are cool-season grasses. Seashore Paspalum, St. Augustinegrass, Zoysiagrass, and Buffalo grass are warm-season grasses. The meaning of “turf” does not include landscape areas planted with non-irrigated native California grasses.

“Water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscape area. Constructed wetlands used for on-site wastewater treatment or stormwater best management practices that are not irrigated and used solely for water treatment or stormwater retention are not

water features, and therefore, are not subject to the water budget calculation.

(4) Submittal Requirements.

(a) Landscape Documentation Package. Prior to commencing construction on a landscape project subject to the provisions of this Article, a Landscape Documentation Package shall be submitted to the City for review and approval.

(1) The Landscape Documentation Package shall be filed with the Planning and Public Works Department on a City approved application form. The Landscape Documentation Package application shall include all required fees and/or deposits, and all plans, specifications, and submittals required by the department, including but not limited to:

- (i) General project information
- (ii) Water Efficient Landscape Worksheet
- (iii) Soil management report
- (iv) Landscape and grading design plan
- (v) Irrigation design plan

(2) The Landscape Documentation Package application shall only be approved after the City verifies that the proposed landscape project complies with the provisions of this Ordinance, other applicable provisions of this code, and any applicable conditions of a discretionary permit or other entitlement.

(b) Certificate of Completion. Following installation of landscaping subject to the provisions of this Article, the project applicant shall submit a Certificate of Completion to the City for review and final approval.

(1) Prior to issuance of a certificate of occupancy or final building or grading permit, the Certificate of Completion shall be submitted to the Planning and Public Works Department on a form prescribed by the City that shall include the following information and documentation:

- (i) General project information
- (ii) Certificate of Installation
- (iii) Copy of Landscape Irrigation Audit

(c) Permit Issuance and Enforcement.

(1) Upon successful completion of the Certificate of Completion, the City shall issue a "final" landscape permit to the property owner/project applicant.

(2) The City may conduct inspections for the purpose of enforcing this Ordinance and, as necessary and appropriate, may utilize any of the enforcement mechanisms set forth in the Rio Dell Municipal Code or otherwise authorized by law to address violations.

(5) Landscaping Standards.

All landscape projects subject to the provisions of this Ordinance shall comply with the following landscaping standards.

(a) Plant selection and grouping.

(1) Any plant may be selected for the landscape, providing the Estimated Total Water Use (ETWU) in the landscape area does not exceed the Maximum Applied Water Allowance (MAWA), and that the plants meet the specifications set forth in (2), (3), (4), and (5) below.

(2) With the exception of Special Landscape Areas, a minimum 25% of landscape area shall be comprised of native plants.

(3) Plants having similar water needs shall be grouped together in distinct hydrozones.

(i) Within distinct hydrozones, plants of moderate and low water use, or moderate and high water use can be mixed, so long as the plant factor of the higher water using plant is used for calculations.

(ii) High water use plants shall not be mixed with low water use plants.

(4) Plants shall be selected appropriately based on their adaptability to the climate, geologic, and topographical conditions of the site. Protection and preservation of existing native California species and natural areas is encouraged.

(5) The use of invasive plant species, as listed in the California Invasive Plant Inventory produced by the California Invasive Plant Council, or as determined by the Director of Planning and Public Works, is prohibited.

(6) Fire prevention needs shall be addressed in fire-prone areas. A defensible space or zone around a building or structure is required per Public Resources Code Section 4291(a) and (b).

(b) Turf requirements.

(1) Turf shall not be planted on slopes exceeding 25% where the toe of the slope is adjacent to or within four feet of an impermeable hardscape (rise divided by run x 100 = slope percent).

(c) Soil Amendments, conditioning, and mulching.

(1) A minimum three (3) inch layer of mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications. To provide habitat for beneficial insects and other wildlife, up to 5% of the landscape area may be left without mulch. Designated insect habitat must be included in the

landscape design plan as such.

(2) Stabilizing mulching products shall be used on slopes.

(3) Soil amendments shall be incorporated based on the recommendations of the soil management report.

(d) Water features.

(1) Recirculating water systems shall be used for all water features.

(2) The surface area of a water feature shall be indicated on the landscape plans and included in the high water use hydrozone area of the water budget calculation.

(3) Recycled water shall be used for decorative water features when available on site.

(e) Stormwater Management.

(1) The landscape project area shall be graded so that all irrigation and normal rainfall remains within the property lines and does not drain on to non-permeable hardscapes.

(2) Rain gardens, cisterns, and other landscape features and practices that increase rainwater capture and create opportunities for infiltration and/or onsite storage are recommended.

(3) Soil compaction in landscape areas is prohibited unless required by the geotechnical or engineering report.

(6) Irrigation Requirements.

This section applies to landscaped areas requiring permanent irrigation, not areas that require temporary irrigation solely for the plant establishment period. For the efficient use of water, an irrigation system shall meet all the requirements listed in this section and the manufacturers' recommendations. The irrigation system and its related components shall be planned and designed to allow for proper installation, management, and maintenance. An irrigation design plan meeting the following design criteria shall be submitted as part of the Landscape Documentation Package. All landscape projects subject to the provisions of this Ordinance shall comply with the following irrigation requirements.

(a) Irrigation system.

(1) Landscape water meters, defined as either a dedicated water service meter or private submeter, shall be installed for all non-residential irrigated landscapes of 1,000 sq. ft. but not more than 5,000 sq.ft. (the level at which Water Code 535 applies) and residential irrigated landscapes of 5,000 sq. ft. or greater. A landscape water meter may be either:

- (i) A customer service meter dedicated to landscape use provided by the local water purveyor; or
- (ii) A privately owned meter or submeter.

(2) Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data utilizing non-volatile memory shall be required for irrigation scheduling in all irrigation systems.

(3) If the water pressure is below or exceeds the recommended pressure of the specified irrigation devices, the installation of a pressure regulating device is required to ensure that the dynamic pressure at each emission device is within the manufacturer's recommended pressure range for optimal performance.

- (i) If the static pressure is above or below the required dynamic pressure of the irrigation system, pressure-regulating devices such as inline pressure regulators, booster pumps, or other devices shall be installed to meet the required dynamic pressure of the irrigation system.

- (ii) Static water pressure, dynamic or operating pressure, and flow reading of the water supply shall be measured at the point of connection. These pressure and flow measurements shall be conducted at the design stage. If the measurements are not available at the design stage, the measurements shall be conducted at installation.

(4) Sensors (rain, freeze, wind, etc.), either integral or auxiliary, that suspend or alter irrigation operation during unfavorable weather conditions shall be required on all irrigation systems, as appropriate for local climatic conditions. Irrigation should be avoided during windy or freezing weather or during rain.

(5) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply, to minimize water loss in case of an emergency (such as a main line break) or routine repair.

(6) Backflow prevention devices shall be required to protect the water supply from contamination by the irrigation system. A project applicant shall refer to the applicable local agency code (i.e., public health) for additional backflow prevention requirements.

(7) Flow sensors that detect high flow conditions created by system damage or malfunction are required for all on non-residential landscapes and residential landscapes of 5000 sq. ft. or larger.

(8) Master shut-off valves are required on all projects except landscapes that make use of technologies that allow for the individual control of sprinklers that are individually pressurized in a system equipped with low pressure shut down features.

(9) The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or

other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.

(10) Relevant information from the soil management plan, such as soil type and infiltration rate, shall be utilized when designing irrigation systems.

(11) The design of the irrigation system shall conform to the hydrozones of the landscape design plan.

(12) The irrigation system must be designed and installed to meet, at a minimum, the irrigation efficiency criteria as described in Section 492.4 of Title 23, Division 2, Chapter 2.7 of the California Code of Regulations (CCR) regarding the Maximum Applied Water Allowance.

(13) All irrigation emission devices must meet the requirements set in the American National Standards Institute (ANSI) standard, American Society of Agricultural and Biological Engineers'/International Code Council's (ASABE/ICC) 802-2014 "Landscape Irrigation Sprinkler and Emitter Standard, All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher using the protocol defined in ASABE/ICC 802-2014.

(14) It is highly recommended that the project applicant or local agency inquire with the local water purveyor about peak water operating demands (on the water supply system) or water restrictions that may impact the effectiveness of the irrigation system.

(15) In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.

(16) Sprinkler heads and other emission devices shall have matched precipitation rates, unless otherwise directed by the manufacturer's recommendations.

(17) Head to head coverage is recommended. However, sprinkler spacing shall be designed to achieve the highest possible distribution uniformity using the manufacturer's recommendations.

(18) Swing joints or other riser-protection components are required on all risers subject to damage that are adjacent to hardscapes or in high traffic areas of turfgrass.

(19) Check valves or anti-drain valves are required on all sprinkler heads where low point drainage could occur.

(20) Areas less than ten (10) feet in width in any direction shall be irrigated with subsurface irrigation or other means that produce no runoff or overspray.

(21) Overhead irrigation shall not be permitted within 24 inches of any non-permeable surface.

Allowable irrigation within the setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:

- (i) The landscape area is adjacent to permeable surfacing and no runoff occurs; or
- (ii) The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
- (iii) The irrigation designer specifies an alternative design or technology, as part of the Landscape Documentation Package and clearly demonstrates strict adherence to irrigation system design criteria in Section 492.7 (a)(1)(I) of Title 23, Division 2, Chapter 2.7 of the California Code of Regulations (CCR). Prevention of overspray and runoff must be confirmed during the irrigation audit.

(22) Slopes greater than 25% shall not be irrigated with an irrigation system with a application rate exceeding 0.75 inches per hour. This restriction may be modified if the landscape designer specifies an alternative design or technology, as part of the Landscape Documentation Package, and clearly demonstrates no runoff or erosion will occur. Prevention of runoff and erosion must be confirmed during the irrigation audit.

(b) Hydrozones.

(1) Each valve shall irrigate a hydrozone with similar site, slope, sun exposure, soil conditions, and plant materials with similar water use.

(2) Sprinkler heads and other emission devices shall be selected based on what is appropriate for the plant type within that hydrozone.

(3) Where feasible, trees shall be placed on separate valves from shrubs, groundcovers, and turf to facilitate the appropriate irrigation of trees. The mature size and extent of the root zone shall be considered when designing irrigation for the tree.

(4) Individual hydrozones that mix plants of moderate and low water use, or moderate and high water use, may be allowed if:

- (i) Plant factor calculation is based on the proportions of the respective plant water uses and their plant factor; or
- (ii) The plant factor of the higher water using plant is used for calculations.

(5) Individual hydrozones that mix high and low water use plants shall not be permitted.

(6) On the landscape design plan and irrigation design plan, hydrozone areas shall be designated by number, letter, or other designation. On the irrigation design plan, designate the areas irrigated by each valve, and assign a number to each valve. Use this valve number in the

Hydrozone Information Table (Appendix B Section A of Title 23, Division 2, Chapter 2.7 of the California Code of Regulations (CCR). This table can also assist with the irrigation audit and programming the controller.

(7) Public Education.

Education is a critical component to promote the efficient use of water in landscapes. The use of appropriate principles of design, installation, management and maintenance that save water is encouraged throughout Rio Dell.

(a) Literature and resources. The Planning and Public Works Department shall make available information to the general public regarding the design, installation, management, and maintenance of water efficient landscapes.

(b) Model homes. Landscaping shall be installed, in compliance with this Ordinance, for all model homes in subdivisions where a Final Subdivision Map has been approved by the City. The landscaping for model homes shall incorporate the policies of this Ordinance and the developer shall include the following:

(1) Signs that identify the model home landscaping as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme.

(2) Literature shall be provided to anyone touring a model home that describes the design, installation, management, and maintenance of water efficient landscapes.

Section 2. Limitation of Actions

Any action to challenge the validity or legality of any provision of this ordinance on any grounds shall be brought by court action commenced within ninety (90) days of the date of adoption of this ordinance.

Section 3. CEQA Compliance

The City Council has determined that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), subject to Section 15061(b)(3) of the CEQA Guidelines. Due to the nature of the proposed code revisions, there is no evidence that any significant impact to the environment would occur as a result of adoption of the Ordinance.

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after the date of its approval and adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on January 7, 2020 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the January 21, 2020 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 378-2020 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on January 21, 2020.

Karen Dunham, City Clerk, City of Rio Dell