

**AGENDA**  
**RIO DELL CITY COUNCIL**  
**CLOSED SESSION – 6:00 P.M.**  
**REGULAR MEETING – 6:30 P.M.**  
**TUESDAY, NOVEMBER 4, 2014**  
**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, 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 this meeting.*

**THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS**

A. CALL TO ORDER

B. ROLL CALL

C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

1) 2014/1104.01 - **Public Employee Performance Evaluation**  
Title: City Manager

2) 2014/1104.02 - **Conference with Labor Negotiator – City Manager**  
Rio Dell Employees' Association, Rio Dell Police Officers' Association  
and Contract Employees

D. PUBLIC COMMENT REGARDING CLOSED SESSION

E. RECESS INTO CLOSED SESSION

F. RECONVENUE INTO OPEN SESSION – 6:30 P.M.

G. ORAL ANNOUNCEMENTS

H. PLEDGE OF ALLEGIANCE

## I. CEREMONIAL MATTERS

- 1) 2014-1104.03 - Community Service Award Presented to Madeline Cole

## 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 Councilmembers present 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 Council members 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 in the next section, "SPECIAL CALL ITEMS".*

- 1) 2014/1104.04 - Approve Minutes of the October 21, 2014 Regular Meeting  
(ACTION)

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## L. SPECIAL PRESENTATIONS/PUBLIC HEARINGS

## M. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar

- 2) 2014/1104.05 - Receive 1<sup>st</sup> Quarter Revenue and Expenditure Report for  
FY 2014-2015 (RECEIVE & FILE)

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- 3) 2014/1104.06 - Presentation on Year End Budget Report for FY 2013-2014  
(RECEIVE & FILE)

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## N. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2014/1104.07 - Second Reading (by title only) and Adoption of Ordinance No.  
329-2014 Amending Nuisance Regulations Chapter 8.10 of the  
Rio Dell Municipal Code (RDMC) to Include Administrative  
Citation Provisions (ACTION)

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## O. REPORTS/STAFF COMMUNICATIONS

1. City Manager
2. Chief of Police
3. Finance Director
4. Community Development Director

P. COUNCIL REPORTS/COMMUNICATIONS

Q. ADJOURNMENT

*The next regular meeting will be on November 18, 2014  
at 6:30 p.m. in City Hall Council Chambers*

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
OCTOBER 21, 2014  
MINUTES**

The closed session/regular meeting of the Rio Dell City Council was called to order at 6:00 p.m. by Mayor Thompson.

**ROLL CALL:** Present: Mayor Thompson, Councilmembers Johnson, Marks, Wilson and Woodall

Others Present: (Closed Session): City Manager Knopp, Water/Roadways Superintendent Jensen and City Attorney Gans

(Regular Meeting): City Manager Knopp, Finance Director Woodcox, Community Development Director Caldwell, Water Roadways Superintendent Jensen and City Clerk Dunham

Absent: Chief of Police Hill and Wastewater Superintendent Chicora (excused)

**ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

**Conference with Legal Counsel – Pending Litigation**

Name of Case: City of Rio Dell v. SHN Consulting Engineers & Geologists, Inc. a California Corp. Case No. DR130745 Pursuant to Government Code Section 54956.9(a)

**Conference with Labor Negotiator – City Manager**

Rio Dell Employees' Association, Rio Dell Police Officers' Association and Contract Employees

**Public Employee Performance Evaluation**

Title: City Manager

**PUBLIC COMMENT REGARDING CLOSED SESSION**

There were no members of the public in attendance to comment.

The Council recessed into closed session at 6:00 p.m. to discuss the above matters.

The Council reconvened into open session at 6:42 p.m. Mayor Thompson announced there was no reportable action taken in closed session.

City Attorney Gans left at this time.

**CEREMONIAL MATTERS**

Community Service Award Presented to Madeline Cole

Mayor Thompson announced this item was continued to the meeting of November 4, 2014.

**PUBLIC PRESENTATIONS**

Dave Griffith once again presented Mayor Thompson with a bag of cigarette butts he picked up along the roadways.

Alice Millington complimented the City for lighting up the trees at Memorial Park.

Nick Angeloff reported that the Chamber of Commerce was doing well; said the "Spooktacular" Event hosted by the Eagle Prairie Arts District (EPAD) on Saturday went extremely well; and said with regard to rail efforts they will be attending the Northern California Economic Forecast conference at the Gold Country Casino in Oroville on January 22, 2015 and may or may not be presenting although the focus this year is on international trade.

**CONSENT CALENDAR**

Motion was made by Marks/Wilson to approve the consent calendar including the approval of minutes of the October 7, 2014 Regular meeting. Motion carried 4-0.

**SPECIAL CALL ITEMS/PUBLIC HEARINGS**

Approve Year-End Reserve Balance Transfers for FY 2013-2014

Finance Director Woodcox provided a staff report and said that she will be bringing forward the final year-end reports at a subsequent meeting but transfers from the reserves are necessary at this time to eliminate negative fund balances and move forward with the FY 2013-2014 year-end closeout. She reported that budgeted appropriations were less than actual for Funds (40) SLESF and (26) TDA. She stated that Fund (026) ISTEPA requires a closing adjustment as the funding source is no longer available and shows a positive balance resulting in a transfer of \$6,253 to the Gas Tax Fund.

Motion was made by Johnson/Marks to approve Resolution 1243-2014 *Approving Year-End Reserve Balance Transfers for the Fiscal-Year 2013-2014*. Motion carried 5-0.

Support of Grant Application for "Art Place America" National Grants Application

City Manager Knopp reported that he was approached by the Chamber of Commerce asking for City support of a grant application for "Art Place America" and said the grant would support the arts community, specifically the "Avenue of the Sculptures" concept for Wildwood Avenue. He said the City has been looking for a way to facilitate the project without costing a lot of money and in looking over the outline of the grant it appears to be a good opportunity for the City, the Chamber of Commerce and members of the art community. He indicated that there are no

matching funds required by the City however; there will be ongoing operating costs such as electricity and maintenance. He presented the idea of perhaps charging a fee for the display of art. He commented that this could be tied into economic development of the City creating another incentive for people to stop and do business in the City. He said staff will be bringing the matter back to the Council for further discussion once the application has been submitted.

Nick Angeloff then gave his perspective on the grant proposal and read a letter from the Eagle Prairie Arts District (EPAD) and explained it is collaboration between various organizations.

He said the grants generally range from \$50,000-\$500,000 and are awarded on a case-by-case basis. He said the project focus will be on the "Avenue of the Sculptures" including concrete pads to display the art, kiosks, benches and perhaps clocks. He said the grant would also help to fund a series of events such as Wildwood Days or Christmas festivities. He said the "Notice of Intent to Apply" is due by November 3, 2014 followed by the grant application in January, 2015. He pointed out that last year there were approximately 1,300 grant applications submitted and only 55 grants awarded so it is a very competitive process.

He continued with review of the grant criteria and said the focus must be on art and culture that could potentially build knowledge and strengthen the social, physical, and economic fabric of a community through arts and culture. Also applicants must demonstrate the ability to sustain and maintain the project.

Councilmember Johnson said with the City being the lead agency and Eagle Prairie Arts District (EPAD) a partner, asked if they need to be a 501 (c) 3 organization.

Mr. Angeloff commented that they submitted their application for 501( C)3 status but have not been recognized yet however; will be by the time the grant is funded. He said there are also other partners such as Humboldt State University (HSU), Rio Dell-Scotia Chamber of Commerce, and hopefully College of the Redwoods (CR) and other art agencies in the area.

Councilmember Woodall stated that the grant documents indicate that there is no required match of funds by the City but the City Manager pointed out there will be ongoing operating costs associated with the project.

Mr. Angeloff explained that there is no required cash match although some in-kind services and to qualify for the grant it needs to state that the City will sustain and maintain light standards.

Mayor Thompson called for public comment on the proposed support of the grant application. No public comment was received.

Councilmember Wilson expressed his support for submittal of the letter of intent and said there is a lot of energy among the arts community and overall it is a good idea.

Motion was made by Wilson/Woodall to support the grant concept and direct the City Manager to draft a letter of intent for the Mayor's signature in support of the grant application. Motion carried 5-0.

**ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS**

Second Reading (by title only) and Adoption of Ordinance No. 328-2014 Amending Purchasing Procedures Section 3.30.100 of the Rio Dell Municipal Code (RDMC)

Finance Director Woodcox provided a staff report and said the ordinance was introduced at the October 7, 2014 meeting and as the Council may recall, the purpose of the ordinance amendment is to satisfy the recommendations of the EPA's desk review audit of the City's Brownfield Grant. She said EPA notified staff that the lease vs. purchase policy meets their recommendations however; found that the disciplinary procedures lack the recommended Codes of Conduct in the Procurement Standards.

A public hearing was opened to receive public comment on the proposed ordinance. There being no public comment the public hearing closed.

Motion was made by Johnson/Marks to conduct second reading (by title only) and adopt Ordinance No. 328-2014 *Amending Purchasing Procedures Section 3.30.100 of the Rio Dell Municipal Code*. Motion carried 5-0.

Introduction and First Reading (by title only) of Ordinance No. 329-2014 Amending Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code (RDMC) to Include Administrative Citation Provisions

Community Development Director Caldwell provided a staff report and said the purpose of the ordinance amendment is to allow staff to issue Administrative Citations. He said although the current Nuisance Regulations refer to them, there are no provisions to actually implement and issue Administrative Citations. He said in talking with other jurisdictions, they have been very effective with Code Enforcement and Nuisance Abatement. He noted that the current process is extremely time consuming, costly and not very effective. He said the new provisions will be more cost effective and less time consuming in abating nuisances and code violations since the citation is issued and included with the first letter which is hand-delivered and sent Certified mail. If the violation is not corrected within a specified number of days, the corresponding fine is due and payable; if the violation is corrected, then no fine is assessed. He reported that the fine for the first violation is \$100.00; \$200.00 for the second violation of the same code section within one (1) year of the first violation; and each additional violation of the same code section is \$500.00.

Community Development Director Caldwell then reviewed the process for appeals and referred to the "*Request for Temporary Waiver of Appeal Deposit*" to be completed by any appealing party claiming financial hardship.

He then referred to page 2 of the "*Request for Temporary Waiver*" and said that Councilmember Johnson pointed out that it doesn't include language regarding placing a lien on the property. As such, he said he will amend the form.

A public hearing was opened to receive public input on the proposed ordinance amendment.

Alice Millington asked if the City has established a Nuisance Committee.

Community Director Caldwell said such a committee was established and consists of himself, the City Manager, the Chief of Police and two (2) City Councilmembers; (Johnson and Woodall).

There being no further public comment, the public hearing closed.

Councilmember Woodall asked if it would be possible to restructure the committee membership after the November election to include one member from the public (referring to herself at the end of her term on the City Council).

Community Development Director Caldwell commented that the Committee guidelines could be amended with City Council approval.

Councilmember Woodall asked if the Administrative Citations would apply to vehicles; staff responded that it does not apply to vehicles.

Councilmember Wilson asked if an inoperable vehicle is located entirely on private property if it is in violation of the ordinance.

Community Development Director Caldwell stated that inoperable vehicles and unlicensed vehicles constitute a nuisance unless they are in a garage or other enclosed structure.

Motion was made by Johnson/Wilson to introduce Ordinance No. 329-2014 *Amending the Current Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code (RDMC)* and to continue its second reading, consideration and adoption of the proposed Ordinance to the November 4, 2014 meeting. Motion carried 5-0.



Community Development Director Caldwell left the meeting at this time.

## **REPORTS/STAFF COMMUNICATIONS**

City Manager Knopp provided an update on the proposed emergency water intertie project between Rio Dell and Scotia and to provide background, said the intertie project has been on the City's radar for about 6 months and historically the two communities occasionally shared an intertie composed of a fire hose across the bridge to be used in the event of a fire, earthquake or other emergency. He noted that it has been an aspiration of both communities that the intertie be more permanent and more easy to implement by having a physical intertie for the benefit of both communities. He stated that earlier this year with the prior City Manager, an opportunity arose to grab at some new State funding the Governor had authorized in his budget for projects to help mitigate drought related issues. He said part of the projects in the drought mitigation stream is water intertie projects which are occurring throughout the State to maintain minimum health and safety standards for households but not for agricultural purposes. He said with that in mind, the City Manager saw the opportunity to find grant money to make the intertie project a reality. He noted that staff has worked diligently to move the project forward and has received a considerable amount of success. He said about 6 weeks ago during the North Coast Integrated Regional Water Management Plan (NCIRWMP) process the City began ground water monitoring to make sure the City was eligible for these grant funds.

He said staff met with the Scotia CSD Director, Mark Richardson followed by a meeting with Frank Basik and representatives from the CSD to go over a contingency plan should an emergency occur or in the event one of the systems became extremely stressed or failed. He said during that discussion what came to light was that the Town of Scotia was concerned that the intertie project, independent of the bridge involving directional drilling under the river involved a fair amount of engineering drilling challenges. He said Mr. Basik and the Town of Scotia also had a concern that they have an agreement that the Town of Scotia basically hands over to the CSD a certain type of product, and one that is unencumbered. He said everybody agrees the concept is good but there are reservations by the CSD that the intertie used during drought conditions may jeopardize their right to water, access to water and their own negotiations with the Town of Scotia Corporation. He noted that this is a very unique situation as the Town of Scotia is one of the last, if not the last company owned towns in the country. Another complication is that the CSD does not have its own legal representation so they can't really enter into any agreement or binding contract at this time.

He continued by explaining that part of the reason for moving forward with the intertie project is to have access to drought relief funding but without a firm commitment from the CSD and a pretty clear anti-commitment from the Town of Scotia it takes away the City's ability to provide funding for the project. He said the City has been moving the project forward in the best interest of both the City of Rio Dell and Scotia CSD but the end result is that if the City doesn't have a partner with the intertie project, there really is no project.

**OCTOBER 21, 2014 MINUTES**

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He said with those factors in mind, staff decided to go back to the Engineer and pursue other potential projects such as development of the former wells in Metropolitan as a secondary emergency water source. He said staff has worked diligently to get one of the wells back online after nine (9) years of abandonment and recent test results show the well produces a decent amount of water, unpolluted except for the obvious iron and manganese. He noted that the State seems very receptive to entertain other projects related to the drought situation. He said bringing the wells back on line will not impact the City's water rights but may create an argument with regard to future emergency water curtailments since there will be a secondary water source available.

Councilmember Johnson asked if the water line running across the southbound bridge to Metropolitan is a 4 inch or 6 inch line.

Water Superintendent Jensen explained that back in 1986 a C-900 yellow pipe was installed and basically a check valve was removed to allow water to go that direction to feed a single meter.

Councilmember Johnson stated the idea of water treatment and storage really appeals to him as far as the grant and asked if those items can be included as part of the application.

Water Superintendent Jensen said that same idea was in staff's thoughts and that it can be included in the application.

Councilmember Marks asked if the City's parcel is large enough to facilitate the placement of a new water storage tank.

Superintendent Jensen commented that a large portion of the approximate 1 acre parcel is not being used.

City Manager Knopp commented that it would solve a lot of the City's potential problems as far as water treatment and storage and that added water storage is a good idea and staff will be working toward those objectives. He pointed out that being more independent in the development of the wells is probably the best course for the City to take at this time.

Mayor Thompson commented that it appears that Humboldt Community Services District (HCSD) may be reconsidering the possibility of extending a water line this direction.

City Manager Knopp stated that he spoke to Carol Rische at HCSC and she indicated that they are interested in doing a study on the feasibility of bringing the line south. As such, he said he let her know the City is supportive of the study. He said in all practicality the project will be extremely expensive and may not be feasible. He also asked the Council to not discount the fact that the current water system withstood one of the worst droughts in the history of the City and

said he thinks the Regional Water Quality Control Board will be a little more wary of issuing blanket water curtailments in the future.

Councilmember Wilson asked if the water from the wells is considered surface water.

Water Superintendent Jensen stated it is surface water but actually registered as underflow.

Councilmember Johnson asked what kind of production is anticipated from the wells and their depth.

Water Superintendent Jensen said historically the three (3) wells produced between 240-260 GPM but during a drought it would be a little less. He said well #3 was brought back online for testing and it is producing around 50 GPM which is decent. He noted that the well is at approximately 81 feet and the pump is sitting at around 70 feet.

Mayor questioned the likelihood of other contaminants from the Brownfield site being pulled into the wells.

City Manager Knopp stated there may need to be a series of monitoring wells to test for Brownfield contamination. He also said to keep in mind that staff has been very deliberate in only bringing one (1) well online to see if the project is even viable. He said doing monitoring wells and setting up equipment is expensive so the idea is have the grant cover a majority of the cost. He pointed out that the drought will be over and we don't want to be in a position of spending a large amount of water funds to maintain a secondary water system.

Councilmember Marks asked if the Brownfield site borders the City's parcel with the wells and if there is Brownfield money available to perhaps clean it up to secure the wells from contamination.

Water Superintendent Jensen stated that in order to leverage funding the City has to own the property but it may be an option to work out something with Dennis Wendt who is the owner.

Nick Angeloff commented that if the Brownfield site has potential for damaging the well water it may be a viable use of Brownfield funds as a public health component and suggested staff do an inquiry to see what the stipulations are.

Finance Director Woodcox reported on recent activities in the finance department and said the online credit card payments are up and running and that the prior day there were \$2,000 in credit card payments which was the largest number of transactions since implementation.

Councilmember Johnson asked how any customers use the credit card system at the front counter.

Finance Director Woodcox said there were only two (2) payments done online the first couple of days and the remaining payments were processed at the front counter or over the phone.

**COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Marks stated that she read in the newspaper that the Humboldt County Board of Supervisors will be discussing the idea of changing the language related to Highway 101 as a scenic highway and said the City should pay close attention to what's being discussed because it could entail elimination of the ability to put up signs along the Hwy 101 right-of-ways. She said with potential development of the Todd property the changes could impact the City and feels Rio Dell should be part of those discussions.

Councilmember Johnson announced the League of California Cities Bocce Ball fund raiser was postponed from October 5<sup>th</sup> to October 25<sup>th</sup> in Fortuna. City Manager Knopp interjected that he received an email that the October 25<sup>th</sup> event was cancelled because of rain.

Mayor Thompson made mention of an upcoming event to take place at the Clark Museum on trains which sounded very interesting.

Nick Angeloff stated the event will be taking place October 23-25 at the Clark Museum, Old Town Eureka and the Eagle House Victorian Inn where they will be honoring John Williams, owner of the Northwest Pacific Railroad and that he will be introducing him at the Thursday evening event.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:50 p.m. to the November 4, 2014 regular meeting.

\_\_\_\_\_  
Jack Thompson, Mayor

Attest:

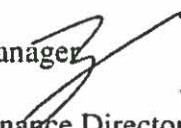

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Karen Dunham, City Clerk

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**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
Tuesday November 14, 2014**

TO: Mayor and Members of the City Council  
THROUGH: Kyle Knopp, City Manager   
FROM: Brooke Woodcox, Finance Director   
DATE: November 4, 2014  
SUBJECT: 1<sup>st</sup> Quarter Revenue and Expenditure Report

**RECOMMENDATION**

File and Review

**BUDGETARY IMPACT**

None

**BACKGROUND AND DISCUSSION**

Expenditures in the Salaries and Benefits line items City-wide are at 24% at the end of the first quarter. Overall Public Works has spent 25% of appropriations for Salaries and Benefits; however specific activities show that Buildings and Grounds, and Sewer and Water Operations are exceeding the quarterly base of 25%. Streets activities are at 22%. Additional details on Salaries and Benefits are given in the attached First Quarter Budget Variance Report.

Services and supplies line item expenditures vary throughout the year as expenditures in these categories are not typically spent in a regular pattern. Exceeding appropriations is not foreseen at this point, as Department Heads are responsible to track budgeted amounts versus actual expenditures. Council approval is necessary for any adjustments.

Revenues for the majority of funds come in at various intervals and aren't easily gauged by a quarterly percentage. For example, the county sends tax revenues twice a year which means actual revenues versus budgeted will be comparable to a quarterly percentage for only two of the four quarters. At this point there aren't any problems foreseen in the revenues category.

Revenues for the Sewer and Water Enterprise Funds come in at regular monthly intervals. At the end of the first quarter Sewer revenues are slightly high at 28%, and Water revenues are low at 22%.

**ATTACHMENTS**

1<sup>st</sup> Quarter Expenditure Report by Department  
1<sup>st</sup> Quarter Revenue Report by Fund

City of Rio Dell  
**First Quarter Expenditure Report By Department**  
 For the period ended September 30, 2014

DEPARTMENT	SALARIES & BENEFITS			SERVICES & SUPPLIES			TOTALS		
	Actual	Budgeted	%	Actual	Budgeted	%	Actual	Budgeted	%
City Manager	56,062	247,740	23%	12,929	77,986	17%	68,991	325,726	21%
Finance	60,980	231,584	26%	22,970	98,526	23%	83,950	330,110	25%
Police	120,714	496,942	24%	31,215	105,201	30%	151,929	602,143	25%
Public Works*	104,214	409,985	25%	110,457	706,012	16%	214,671	1,115,997	19%
Planning	20,457	95,503	21%	2,079	19,117	11%	22,536	114,620	20%
Building	13,495	60,445	22%	4,284	14,737	29%	17,779	75,182	24%
City Council	-	-	0%	1,558	11,512	14%	1,558	11,512	14%
Capital Projects	-	-	0%	13,344	123,920	11%	13,344	123,920	11%
Solid Waste	-	3,115	0%	5,640	6,385	88%	5,640	9,500	59%
<b>Total all departments</b>	<b>375,922</b>	<b>1,545,314</b>	<b>24%</b>	<b>204,476</b>	<b>580,398</b>	<b>35%</b>	<b>580,398</b>	<b>2,708,710</b>	<b>21%</b>

**QUARTER HIGHLIGHTS**

1. The Finance Department budget had an additional \$27,938 added to the salaries and benefits line items in order to keep staff at current levels until January 31, 2015
2. The Police Department transferred \$10,399 out of the Realignment Grant Reserve in order to fund equipment purchases
3. The Finance Department appears to have exceeded the budgeted amounts of salaries and benefits. This is due to the the quarterly budget allocation and having an additional staff member for the first two quarters of the 2014-2015 fiscal year; expenditures will be higher for the first two quarters, and should balance out by year end.
4. Overtime for Public Works and the Police Department are under 24% of budgeted amounts
5. Water charges for Streets \$2,446; Wastewater Treatment Plant \$3,483 (Sewer charges data for PW unavailable at time of report)
6. First quarter water and sewer charges for the Fire Department and Library are \$218-water and \$579-sewer (General Fund Council Budget)
7. PUBLIC WORKS overall is meeting budgeted amounts in the Salaries and Benefits categories; however when looked at more in depth Buildings and Grounds, Sewer Operations, and Water Operations have exceeded appropriations for the first quarter.
8. Buildings and Grounds expenditures have exceeded the overall budgeted amounts by 3%.

PUBLIC WORKS*	SALARIES & BENEFITS			SERVICES & SUPPLIES			TOTALS		
	Actual	Budgeted	%	Actual	Budgeted	%	Actual	Budgeted	%
Building & Grounds	10,095	32,279	31%	1,501	8,735	17%	11,596	41,014	28%
Streets	30,877	139,213	22%	24,844	131,188	19%	55,721	270,401	21%
Sewer Operations	40,016	150,023	27%	57,985	259,707	22%	98,001	409,730	24%
Water Operations	23,226	88,471	26%	26,124	306,382	9%	49,350	394,853	12%
<b>Total Public Works</b>	<b>104,214</b>	<b>409,986</b>	<b>25%</b>	<b>110,454</b>	<b>706,012</b>	<b>16%</b>	<b>214,668</b>	<b>1,115,998</b>	<b>19%</b>

**City of Rio Dell**  
**1st Quarter Revenue and Expenditure Report By Fund**  
**September 30, 2014**

REVENUE by FUND	Actual	Total Budget	%
General Fund	10,294	891,443	14%
Parks and Rec	-	7,300	100%
Gas Tax	26,751	226,081	63%
TDA	-	116,311	7%
Solid Waste	-	9,500	11%
SLESF	-	108,334	8%
Vehicle Abatement	-	1,250	100%
Realignment Grant	-	20,000	100%
Recycling	-	15,033	100%
Admin Fleet	663	-	0%
Building Dept Trust	7,646	81,042	48%
Sewer Operations	177,074	628,797	28%
Sewer Capital	45,321	255,571	18%
Sewer Assessment	-	28,785	0%
Sewer Debt Service	87,632	325,900	27%
Water Operations	115,954	717,971	42%
Spay Neuter Fund	-	2,868	100%
<b>Total All Funds</b>	<b>531,342</b>	<b>3,653,910</b>	<b>28%</b>

EXPENDITURES by FUND	Actual	Total Budget	%
General Fund	196,050	891,445	22%
Parks and Rec	-	7,300	0%
Gas Tax	32,742	205,090	16%
TDA	26,006	116,315	22%
Solid Waste	5,813	9,500	61%
SLESF	28,395	108,335	26%
Vehicle Abatement	-	1,250	0%
Realignment Grant	7,513	20,000	38%
Recycling	-	15,033	0%
Admin Fleet	-	-	0%
Building Dept Trust	18,586	81,042	23%
Sewer Operations	210,508	628,798	33%
Sewer Capital	123,380	255,571	48%
Sewer Assessment	-	1,285	0%
Sewer Debt Service	1,075	-	0%
Water Operations	119,605	717,973	17%
Spay Neuter Fund	-	2,868	0%
<b>Total All Funds</b>	<b>937,074</b>	<b>3,143,529</b>	<b>30%</b>

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**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
Tuesday November 4, 2014**

**TO:** Mayor and Members of the City Council

**THROUGH:** Kyle Knopp, City Manager

**FROM:** Brooke Woodcox, Finance Director

**DATE:** November 4, 2014

**SUBJECT:** Year End Budget Variance Report

**RECOMMENDATION**

File and Review

**BUDGETARY IMPACT**

None

**BACKGROUND AND DISCUSSION**

See Attached Reports

**ATTACHMENTS**

Year End Budget Variance Report

Council Approved Budget Amendment List

Year-to-date Budget Variance Report by Department





## **YEAR END BUDGET VARIANCE REPORT For the Fiscal Year Ended June 30, 2014**

### **INTRODUCTION**

The 2013-2014 Fiscal Year for the City of Rio Dell was different in many ways than recent years. While the year was coming to a close, especially, changes had already taken place. New processes and ways of estimating the next year's budget were implemented and a broader picture of the City's financial condition had developed. The Council and Staff concluded that the City was in need of a new revenue source, and Measure U was put on the ballot.

The City's Staffing saw changes, as well. The Finance Director position was vacant for several months, and a new Finance Director was hired. The City Manager was retiring, and a new City Manager would be brought in with the 2014-2015 fiscal year. Along with these changes many positive activities had come to a close. The City's Wastewater Treatment Plant was completed successfully, as were the Wildwood Streetscape and Safe Routes to School Projects.

In absence of a Finance Director the budget amendment process had changed, as well. Budget amendment items that are normally brought to Council twice a year had moved to being done intermittently, as well as budget monitoring had gone unchecked for a period of time. It follows that during the last six months of the 2013-2014 year Council approved many budget amendments. This report is an attempt to reconcile these items with the original budget, and to compare the data to the actual figures in order to show accountability for management of the City's funds.

November 4, 2014

**BUDGET VARIANCE  
BY FUND GROUPS  
For the Year Ended June 30, 2014**

Fund	ADOPTED	AMENDED	Revenue ACTUAL	Variance	%	ADOPTED	AMENDED	Expenditure ACTUAL	Variance	%
	Revenue Budget	Revenue Budget				Expenditure Budget	Expenditure Budget			
General Fund	\$ 888,449	\$ 988,964	\$ 784,288	\$ (204,676)	79%	\$ 888,449	\$ 963,039	\$ 917,047	\$ 45,992	95%
Streets Funds	\$ 1,097,020	\$ 1,120,588	\$ 963,529	\$ (157,059)	86%	\$ 1,097,020	\$ 1,148,813	\$ 1,012,883	\$ 135,930	88%
Sewer Funds	\$ 4,941,482	\$ 5,008,750	\$ 2,028,794	\$ (2,979,956)	41%	\$ 4,941,481	\$ 5,008,749	\$ 927,743	\$ 4,081,006	19%
Special Revenue Fund	\$ 189,125	\$ 301,425	\$ 125,233	\$ (176,192)	42%	\$ 189,125	\$ 299,125	\$ 185,245	\$ 113,880	62%
Water Funds	\$ 859,747	\$ 914,797	\$ 715,718	\$ (199,079)	78%	\$ 859,748	\$ 914,798	\$ 680,466	\$ 234,332	74%
<b>Total</b>	<b>\$ 7,975,823</b>	<b>\$ 8,334,524</b>	<b>\$ 4,617,562</b>	<b>\$ (3,716,962)</b>	<b>55%</b>	<b>\$ 7,975,823</b>	<b>\$ 8,334,524</b>	<b>\$ 3,723,384</b>	<b>\$ 4,611,140</b>	<b>45%</b>

\* The budget figures presented represent all un-audited financial activity through the fiscal year ending 06/30/2014, and includes all four (4) quarters

**BUDGET VARIANCES CITY WIDE**

**REVENUES**

- Overall, 55% of revenues budgeted were received
- Actual revenues came in under budgeted amounts in most funds
- Revenues for Sewer Operations and Sewer Debt Service were higher than budgeted at 104% and 111%, respectively
- Revenue Budget Amendments Totaled \$358,701 (Budget Amendment List attached)

**EXPENDITURES**

- Expenditures were 55% of appropriated amounts
- All fund groups came in under budgeted expenditure amounts
- Expenditure Budget Amendments Totaled \$358,701 (Budget Amendment List Attached)

## FUND HIGHLIGHTS

### GENERAL FUND HIGHLIGHTS

- 86% of revenue budgeted for the General Fund was received and 95% of appropriations were spent
- Budget amendments totaled \$170,318, including
  - \$30,000 Wildwood Streetscape Project contingency
  - \$25,000 added for City Hall improvements
  - \$15,000 for the acquisition of school property
- Sales Tax Revenue was down 22%; Staff continues to monitor trends in Sales Tax Revenue
- Franchise Fees increased 6%.
- Several expenditure accounts were under budgeted including salaries and benefits; overall, expenditures were under appropriations by 5%
- Building revenue and expenditures were permanently moved out of the General Fund to a newly created Building Fund
- General Fund Reserves absorbed \$17,338 negative fund balance for the SLESF Fund
- The General Fund ending fund balance was \$1,098,039

### STREETS FUNDS HIGHLIGHTS

- The City's Street Funds received 86% of revenues budgeted, and expended 88% of appropriations
- The most significant expenditure item for the Streets Funds was the HTA and Adult Day Health Services pass-thru appropriation, which had been left out of the budget for 2013-2014. This resulted in a transfer from the Gas Tax Fund to account for the TDA fund's negative fund balance of \$40,926
- The ISTEAFund was closed out and a positive fund balance of \$6,253 was transferred to the Gas Tax Fund Reserve
- The ending Gas Tax Fund balance was \$330,095

### WILDWOOD STREETScape AND SAFE ROUTES TO SCHOOL PROJECTS

- STIP Fund Wildwood Streetscape Project and Safe Routes to School Project were both completed during the 2013-2014 fiscal year
- Wildwood Streetscape Project
  - The Streetscape Project had total costs of \$641,723
  - Reimbursements of construction costs were \$614,278.
  - Council approved a transfer of General Fund Reserves in anticipation of the additional costs
- Safe Routes to School Project
  - Expenditures were \$170,857
  - Reimbursements were \$154,191
- In order to close out the projects and close out the STIP Fund, the General Fund Reserve absorbed \$25,032 negative STIP fund balance

- The year-end reconciliation process showed that the STIP Projects had not been closed out; Final invoices and reports have been sent and the City is waiting for final reimbursements of \$65,954 (Streetscape) and \$39,373 (Safe Routes).

#### SEWER FUNDS HIGHLIGHTS

- Sewer Operations actual revenue was 104% of budgeted revenues and actual expenditures were 98% of appropriations
- Electricity was under budgeted at \$55,860 while the actual cost was \$119,639
- Salaries and Benefits were less than budgeted appropriations
- The Wastewater Treatment Plant (WWTP) was completed
  - Total draw downs for the entire project were \$12,516,155 for the WWTP; \$6,516,155 will be repaid to the State Water Resources Control Board (SWRB) in annual payments of \$302,822 thru 2043. The additional funding came from SWRCB Grant totaling \$6,000,000
  - A reserved fund balance has been set up as per the SWRCB financing agreement that stipulates a year's payment be set aside over the course of the loan

#### WATER FUNDS

- Water Operations received 92% of budgeted revenues
- Expenditures were 124% of budgeted appropriations (21% of expenditures were due to an Operations transfer to water Capital that was approved as part of the 2013-2014 Operations Budget)
- The 2013-2014 year end reserve balance for Water Operations was \$24,717; budgeted estimates for the year end fund balance were \$21,760
- A Water Capital Fund was started and received \$64,780 in revenue from Water Operations per Resolution 810-2002. Resolution 810-2002 stipulates that \$4.50 per account per month goes to Water Capital and is on-going

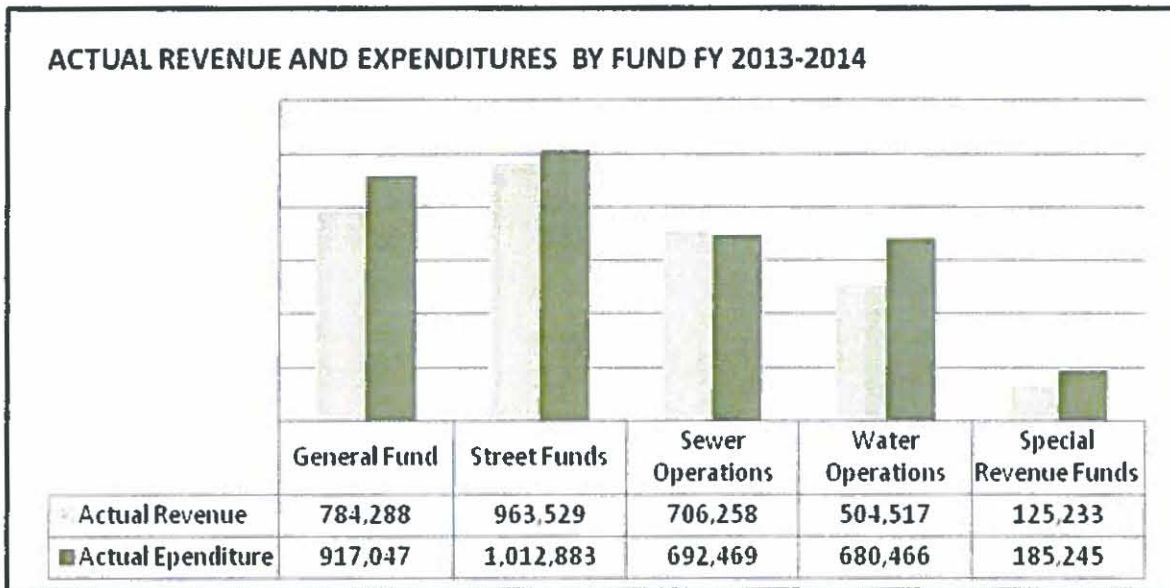
#### SPECIAL REVENUE FUNDS

- Building Fund 008 was created for the last quarter of 2013-2014 and showed revenue of \$2,846 and expenditures of \$4,780 for the final quarter. It is too early to tell if Building fees will cover costs
- Overall, Special Revenue Funds received 42% of revenues and spent 62% of appropriations
- Budgeted revenues include \$100,000 of an anticipated CDBG grant, but the monies weren't received in 2013-2014 (still pending)
- The SLESF Fund had gone over budget and a transfer of \$17,338 was moved to the General Fund. Revenues for this fund were nearly 100% of the budgeted amount
- CDBG Program Income Fund funded a Housing Rehab Loan of \$22,945. Revenues for this fund were \$6,479. Staff has been working to reconcile the CDBG Funds and will report to Council any significant findings at a later period

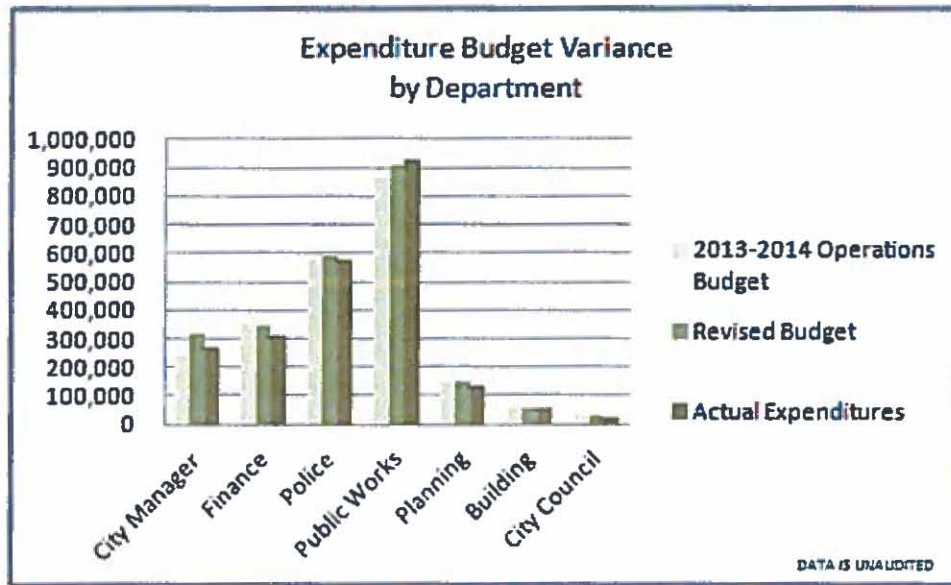
- The Administrative Fleet Fund had budgeted \$5,000 in revenues and received \$987. The Admin Fleet Fund was set up during the 2013-2014 fiscal year and revenues are based on interdepartmental transactions for the use of the City's vehicle

**ACTUAL REVENUE AND EXPENDITURES**

- General Fund: Actual revenues covered 86% of actual expenditures (14% came from reserves)
- Streets Funds: Actual revenues covered 95% of actual expenditures (5% came from reserves)
- Sewer Operations: Actual revenues were 2% more than expenditures (increase in reserves)
- Water Operations: Actual revenues covered 74% of actual expenditures (26% came from reserves)
- Special Revenue Funds: Actual revenues covered 68% of actual expenditures



## DEPARTMENTAL HIGHLIGHTS



**CITY MANAGER DEPARTMENT** Overall actual expenditures for the City Manager Department were 86% of appropriations. Salaries and benefits were under budgeted due to City Manager position that was originally part-time, but had moved to full-time. Amendments to the City Manager budget included \$27,000 for City Manager recruitment, \$25,000 for City Hall improvements and \$18,920 for the acquisition of the School Site.

**FINANCE DEPARTMENT** The Finance Department expended 89% of appropriations. The Finance Department operated without a Finance Director for one-third of the fiscal year, and picked up additional Accounting costs of \$16,970 than originally budgeted for. Computer Maintenance costs exceeded the budgeted appropriations amount by \$6,000.

**POLICE DEPARTMENT** The Police Department exceeded appropriated expenditures by \$17,068. The additional expenditures are mainly due to under budgeted Salaries and Benefits. Salaries and Benefits were 110% over appropriations for these line items, and accounted for 84% of funds spent for the Police Department.

**PUBLIC WORKS DEPARTMENT** Public Works actual costs exceeded appropriations by \$15,551. Salaries and benefits were slightly over appropriated amounts. Contract and Professional Services exceeded the budget by \$44,785 and Legal costs by \$8,368. Electricity was under budgeted by nearly \$30,000.

**BUILDING AND PLANNING DEPARTMENT** The Planning Department spent 90% of appropriations, while the Building Department exceeded appropriations with 109%. The additional expenditures were mainly Salaries and Benefits.

CITY COUNCIL The City Council spent 64% of appropriations. Contract and Professional services had been budgeted for \$8,000, but only \$788 was spent, and Legal costs were budgeted for \$1,000, but none was spent.

**CAPITAL PROJECTS**

The following chart shows budgeted Capital Projects for the 2013-2014 fiscal year and actual expenditures related to each project.

**2013-2014 CAPITAL PROJECTS BUDGETED**

<b>PROJECT DESCRIPTION</b>	<b>Budgeted Cost</b>	<b>Actual Cost</b>	<b>Variance</b>	<b>%</b>
Old Ranch Road Line Rplcmt.	5,400	-	5,400	0%
May/Painter Sinkhole	10,250	10,250	-	100%
City Hall/Memorial Park Sprinkler Sys.	16,000	14,837	1,163	93%
Public Works Utility Van	18,000	3,203	14,797	18%
Council Video Equipment	18,000	-	18,000	0%
Administration Car	23,640	21,202	2,438	90%
Water Infiltration Generator	30,000	-	30,000	0%
Riverside Lateral Replacement	35,000	33,900	1,100	97%
Public Works Bobcat	35,000	-	35,000	0%
City Hall Roof/Vents/Windows	37,000	27,870	9,130	75%
Street Striping	50,000	-	50,000	0%
Public Works Roller	50,000	-	50,000	0%
Infiltration Gallery Engineering Study	61,000	-	61,000	0%
Bellevue Drainage Plans	62,000	2,200	59,800	4%
Street Paving	67,000	-	67,000	0%
Police Cars (2)	67,250	69,717	(2,467)	104%
Safe Routes to School Project	169,700	142,380	27,320	84%
Downtown Streetscape & Imp. Project	491,263	583,758	(92,495)	119%
Facility Effluent & Disposal Project	3,718,874	2,667,665	1,051,209	72%
<b>TOTAL</b>	<b>4,965,377</b>	<b>3,576,982</b>	<b>1,388,395</b>	<b>72%</b>

Generally, projects that weren't completed during the 2013-2014 fiscal year did not get carried over to the 2014-2015 Operations Budget. The only exception is the generator for the Water Infiltration Gallery for \$35,000.

CAPITAL PROJECTS BY FUND The Capital Projects budget was increased by 4% throughout the fiscal year. The Water Debt Service Fund for Capital Projects exceeded budgeted costs due to legal and engineering costs for the Infiltration Gallery. The Water Debt Service Fund exceeded Capital Projects budgeted amounts mainly due to depreciation expenditures. Budget variances for Capital Project expenditures by fund are outlined in the following chart.

CAPITAL PROJECTS BUDGET VARIANCE BY FUND

	YTD				
	YTD Budget	Revised Budget	Y-T-D Actual	Revised Variance	%
General Fund	81,000	97,176	<b>32,840</b>	64,336	34%
Gas Tax	171,440	131,160	<b>35,576</b>	95,584	27%
TDA	20,000	20,140	<b>144</b>	19,996	1%
CDBG 037	0	105,000	<b>0</b>	105,000	0
CDBG 039	5,120	5,120	<b>25,165</b>	(20,045)	492%
SLESF	67,250	67,250	<b>69,717</b>	(2,467)	104%
STIP	675,363	705,363	<b>731,227</b>	(25,864)	104%
Admin Fleet	0	0	<b>3,029</b>	(3,029)	0%
Sewer Ops	45,374	53,895	<b>40,578</b>	13,317	75%
Sewer Capital	3,736,974	3,793,442	<b>2,733,865</b>	1,059,577	72%
Sewer Assess	31,750	31,750	<b>31,750</b>	0	100%
Sewer Debt Svc	37,500	37,500	<b>620</b>	36,880	2%
Water Ops	7,374	9,334	<b>55,301</b>	(45,967)	592%
Water Debt Svc	309,350	309,350	<b>344,651</b>	(35,301)	111%
Water Capital	0	0	<b>58,681</b>	(58,681)	0%
<b>TOTAL</b>	<b>5,188,495</b>	<b>5,366,480</b>	<b>4,163,144</b>	<b>1,203,336</b>	<b>78%</b>



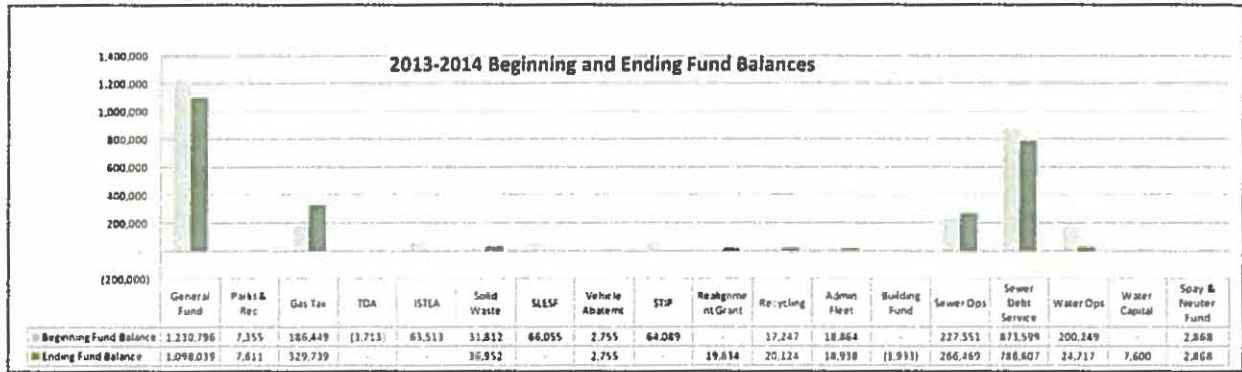
RESERVE DATA

General Fund Reserves Used: \$132,759

Streets Funds Reserves Increased: \$83,490

Sewer Operations Reserves Increased: \$38,918

Water Operations Reserves Used: \$175,532



CONCLUSION

In general, actual expenditures met Council approved appropriations in the majority of funds, while revenues fell short of budgeted amounts. A Budget Variance report is attached that compares budgeted versus actual amounts. The fluctuations within specific line items were in large part due to the temporary absence of the Finance Director whose position is to direct the everyday postings of revenue and expenditure items. In effect, Departmental budgets generally stayed on target of appropriated amounts despite that budget monitoring had been put on hold. In all, the available City staff worked diligently to keep the budget process as open and transparent as possible. This report is meant to follow along that vein of transparency that keeps the City of Rio Dell candid in its purpose of managing public funds.

## FY 2013-2014 OPERATIONS TRANSFERS

(Actual Reserve Transfers)

JE Number	Date Council Approved	Description	Debit	Account	
2455	1	10/10/2013	RESERVE Transfer: General Fund	2,400	7000-00-000
			RESERVE Transfer: Gas Tax Fund	1,762	7000-00-020
			RESERVE Transfer: Sewer Fund	9,600	7000-00-050
			RESERVE Transfer: Water Fund	7,440	7000-00-060
			Purchase of Nissan Altima	(21,202)	7000-00-005
2767	2	7/23/2013	Wildwood Streetscape Project Transfer	68,032	7000-00-000
			RESERVE Transfer: General Fund	(68,032)	7000-00-047-1029-0159
YE	3	10/14/2014	SLESF Negative Fund Balance to General Fund	17,338	7000-00-000
			RESERVE Transfer: General Fund	(17,338)	7000-00-043
YE	4	10/14/2014	TDA Negative Fund Balance to Gas Tax	40,926	7000-00-020
			RESERVE Transfer: Gas Tax Fund	(40,926)	7000-00-024
YE	5	10/14/2014	Close Positive Fund Balance ISTE A to Gas Tax	6,253	7000-00-020
			RESERVE Transfer: ISTE A Fund	(6,253)	7000-00-026
YE	6	6/30/2014	Wildwood Streetscape Project	31,971	7000-00-047
			RESERVE Transfer BACK: General Fund	(31,971)	7000-00-000
YE	6	6/30/2014	Wildwood Streetscape Project	10,738	7000-00-047
			RESERVE Transfer BACK: General Fund	(10,378)	7000-00-000

**FY 2013-2014 BUDGET REVISIONS**  
**For Information Only - Approved throughout FY 2013-/14**

JE Number	Council Approved	Description	Debit	Account
2684	1	7/16/2013 Matson & Vallerga Contract RESERVE Budget Item: General Fund	7,000 (7,000)	5115-02-000 4999-00-000
2567	2	8/20/2013 Council for Council Chamber Chairs LINE ITEM TRANSFER	941 (941)	5138-12-000 5115-12-000
2685	3	8/20/2013 Matson & Vallerga Architec. Svc CH Improvements RESERVE Budget Item: General Fund	18,000 (18,000)	5115-02-000 4999-00-000
2686	4	9/17/2013 Cap Improv. For Boundary Survey and grant Application RESERVE Budget Item: General Fund	15,000 (15,000)	5115-14-000 4999-00-000
2594	5	3/28/2014 Salaries and Benefits Line items in Finance Department to cover additional Accounting costs LINE ITEM TRANSFER	1,176 84 140 2,240 1,960 (1,176) (84) (140) (2,240) (1,960)	5000-03-000 2000-03-020 5000-03-024 5000-03-050 5000-03-060 6525-14-000 6525-14-020 6525-14-024 6525-14-050 6525-14-060
<b>MID YEAR BUDGET AMENDMENTS - Resolution 1215-2013</b>				
2842	6	12/17/2013 WWTP Project Capital Purchases RESERVE Budget Item: Sewer Capital Fund	31,126 (31,126)	6500-14-052-000-0131 4999-14-052
	7	Bartles & Wells Carryover & New Svcs. RESERVE Budget Item: Sewer Capital Fund	8,371 (8,371)	5115-14-052-0000-0177 4999-14-052
	8	12/17/2013 RSTP Apportionment REVENUE Additional	4,171 (4,171)	8000-000-026 4712-00-026
	9	Wildwood Streetscape Const. Contingency RESERVE Budget Item: General Fund	30,000 (30,000)	6500-14-047-1029-0159 4999-14-000
	10	12/17/2013 Increased TDA Allocation REVENUE Additional	14,013 (14,013)	8000-00-024 4045-00-024
	11	Spring & Ogle - Carryover from prior year RESERVE Budget Item: Gas Tax Fund	6,700 (6,700)	5108-00-020 4999-00-020

**FY 2013-2014 BUDGET REVISIONS**  
**For Information Only - Approved throughout FY 2013-/14**

JE Number	Council Approved	Description	Debit	Account
<b>MID YEAR BUDGET AMENDMENTS - Resolution 1215-2013</b>				
12	12/17/2013	CDBG PTA Grant-Ogle/Belleview Drainage	99,900	5514-14-037-1035-0179
		GRANT FUNDS (\$100,000)	5,100	5000-14-037-1035-0179
		RESERVE Budget Item: General Fund	(5,000)	4999-14-000
		REVENUE Additional	(100,000)	4720-14-037-1035-0179
13		WWTP Capital Purchases	16,971	6500-14-052-0000-0131
		RESERVES - Sewer	(16,971)	4999-14-052
14	12/17/2013	Wesley Anderson Appraisal	3,000	6500-14-052-0000-0131
		RESERVES - Water	(3,000)	4999-00-060
15		GHD Prop 84 Grant Application	5,000	5115-09-060
		RESERVES - Water	(5,000)	4999-00-060
16	12/17/2013	Administrative Vehicle IGSF	5,000	5514-09-000
		RESERVE Budget Item: General Fund	(5,000)	4999-00-000
17		Christmas Lights Budget	5,000	5106-12-000
		RESERVE Budget Item: General Fund	(5,000)	4999-00-000
18	12/17/2013	City Manager Recruitment	5,670	5080-02-000
			405	5080-02-020
			675	5080-02-024
			10,800	5080-02-050
			9,450	5080-02-060
		RESERVE Budget Item: General Fund	(5,670)	4999-00-000
		RESERVES - Gas Tax	(405)	4999-00-020
		RESERVES - TDA	(675)	4999-00-024
		RESERVES - Sewer	(10,800)	4999-00-050
		RESERVES - Water	(9,450)	4999-00-060
2687	19	1/21/2014 Wastewater for WWTP additional paving	6,281	6600-14-050
		LINE ITEM TRANSFER	(6,281)	5109-09-050
2527	20	1/29/2014 Nuisance abatement expense	3,000	5192-07-000
		LINE ITEM TRANSFER	(3,000)	5000-07-000
2740	21	3/4/2014 Increase water revenues per Resolution 1219-2014	42,600	8000-00-060
		RESERVES - WATER	(24,600)	4610-00-060
		RESERVES - WATER	(5,600)	4630-00-060
		RESERVES - WATER	(2,400)	4635-00-060
		RESERVES - WATER	(10,000)	4991-00-060

**FY 2013-2014 BUDGET REVISIONS**  
**For Information Only - Approved throughout FY 2013-/14**

JE Number	Council Approved	Description	Debit	Account	
2594	23	3/28/2014	Finance Dept. from Salaries	1,176	6525-14-000
			to Buildings and Improvements;	84	6525-14-020
			moved to cover Stewart Communications	140	6525-14-024
			expenditure for City Hall wiring	2,240	6525-14-050
			improvements (\$5,600.00)	1,960	6525-14-060
			LINE ITEM TRANSFER	(1,176)	5000-03-000
				(84)	5000-03-020
				(140)	5000-03-024
				(2,240)	5000-03-050
				(1,960)	5000-03-060
2595	24	4/16/2014	Finance Dept. from Salaries	2,958	5110-03-000-0000-0000
			to Accounting Services for additional Audit	887	5110-03-020-0000-0000
			and reporting expenditures not budgeted for	444	5110-03-024-0000-0000
			the 2012-2013 fiscal year (\$14,789.76)	5,916	5110-03-050-0000-0000
			LINE ITEM TRANSFER	4,585	5110-03-060-0000-0000
				(2,958)	5000-03-000-0000-0000
				(887)	5000-03-020-0000-0000
				(444)	5000-03-024-0000-0000
2688	25	4/1/2014	School Site Acquisition Resolution 1221-2014	18,920	5115-02-000-0000-0000
			RESERVES - Gas Tax	(1,775)	4999-00-020-0000-0000
			RESERVES - Parks & Rec	(7,300)	4999-00-015-0000-0000
			RESERVES - General Fund	(9,845)	4999-00-000-0000-0000
2689	26	5/6/2014	Allocate Capital Project Budget Funds from	31,208	5000-09-020-0000-0000
			Street Striping and Street Paving projects at Fern,	2,732	5035-09-020-0000-0000
			Eeloa, Eagle Prairie, and Riverside to streets	3,054	5045-09-020-0000-0000
			budget for Salary and Benefits line items	2,836	5050-09-020-0000-0000
			LINE ITEM TRANSFER	534	5055-09-020-0000-0000
				(40,364)	5108-14-020-0000-0000

**City of Rio Dell**  
**Year-to-Date Budget Variance Report by Department**  
**June 30, 2014**

	YTD	YTD Revised	Y-T-D	Budget	Revised Budget	%
REVENUE	Budget	Budget	Actual	Variance	Variance	Revised Budget Variance
4010 Tax - Property Current Secured	100,235	100,235	101,279	1,044	1,044	(1)
4011 Tax - Property Current Unsecur	3,600	3,600	3,716	116	116	(3)
4012 Tax - Property Prior Secured	0	0	62	62	62	0
4013 Tax - Property Prior Unsecured	100	100	0	(100)	(100)	100
4025 Tax - Supplemental Roll	2,200	2,200	3,396	1,196	1,196	(54)
4026 Tax - Home Owner's Property	1,600	1,600	1,567	(33)	(33)	2
4027 Tax - Prior Years - Supplemental	0	0	778	778	778	0
4030 Tax - Transient Occupancy Tax	10,105	10,105	11,594	1,489	1,489	(15)
4035 Tax - Timber Yield	10	10	16	6	6	(60)
4040 Tax - Retail Sales	122,000	122,000	100,140	(21,860)	(21,860)	18
4041 Tax - In Lieu Retail Sales - County	51,192	51,192	43,570	(7,622)	(7,622)	15
4045 Tax - (HCAOG) Transportation - TDA	103,238	117,251	117,477	14,239	226	0
4048 Tax - Gasoline	103,464	103,464	109,540	6,076	6,076	(6)
4050 Tax - Documentary Real Property	2,200	2,200	4,350	2,150	2,150	(98)
4056 Tax - Public Safety .5% sales	3,200	3,200	2,987	(213)	(213)	7
4105 Fees - Recorders Fees	500	500	0	(500)	(500)	100
4110 Fees - Franchise - Electric	24,000	24,000	27,722	3,722	3,722	(16)
4115 Fees - Franchise - Gas	6,000	6,000	6,277	277	277	(5)
4120 Fees - Franchise - Garbage	15,000	15,000	15,145	145	145	(1)
4125 Fees - Franchise - Cable TV	33,000	33,000	33,531	531	531	(2)
4150 Fees - Business License	6,000	6,000	11,500	5,500	5,500	(92)
4151 Fees - Business License CASP SB1186	50	50	285	235	235	(470)
4162 Fees - Motor Vehicle License (VLF)	6,600	6,600	7,943	1,343	1,343	(20)
4163 Fees - In Lieu VLF - County	330,000	330,000	340,093	10,093	10,093	(3)
4170 Fees - Animal License	800	800	1,252	452	452	(57)
4173 Fees - Animal Control/Relinq.	500	500	1,588	1,088	1,088	(218)
4178 Fees - Booking	500	500	547	47	47	(10)
4180 Fees - Notary	0	0	47	47	47	0
4183 Fees - Special Police Services	1,200	1,200	1,712	512	512	(43)
4185 Fees - Street & Sidewalks	300	300	960	660	660	(220)
4186 Fees - Weed & Lot	300	300	0	(300)	(300)	100
4190 Fees - Integrated Waste Management	8,500	8,500	8,173	(327)	(327)	4
4195 Fees - Customer fax and copy	25	25	85	60	60	(242)
4197 Fees - Admin Vehicle User Fees	0	5,000	0	0	(5,000)	100
4220 Fines.-Animal Control/spa-neu	150	150	0	(150)	(150)	100
4310 Interest Income	100	100	190	90	90	(90)
4320 Rental Income - U.S. Cellular	6,000	6,000	6,513	513	513	(9)
4321 Rental Income - T. Mobile	10,800	10,800	13,587	2,787	2,787	(26)
4322 Rental Income - Property	4,500	4,500	0	(4,500)	(4,500)	100
4410 Building Plan - Constr Permits	28,800	28,800	23,951	(4,849)	(4,849)	17
4420 Planning - Zoning Fees	8,000	8,000	5,553	(2,447)	(2,447)	31
4430 Planning - Subdivison Fee	1,500	1,500	0	(1,500)	(1,500)	100
4435 Planning - Home Occupation Permit Fee	750	750	80	(670)	(670)	89
4440 Building Plan - Plan Check Fee	5,000	5,000	9,898	4,898	4,898	(98)
4445 Building - Administrative Fees	0	0	2,846	2,846	2,846	0
4456 Planning - Parks & Recreation	75	75	0	(75)	(75)	100
Development Fees						
4460 Building Plan - Seismic Fees	75	75	142	67	67	(90)
4462 Building Standards- SB1473	125	125	119	(6)	(6)	5
4465 Encroachment Permits	0	0	500	500	500	0
4480 Insurance Premium Reimbursement	0	0	280	280	280	0
4510 Sewer - Service	670,458	670,458	696,322	25,864	25,864	(4)

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

REVENUE	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
4520 Sewer - Connection	4,600	4,600	5,220	620	620	(13)
4570 Sewer - Assmt Dist #1 Current	0	0	379	379	379	0
4571 Sewer - Assmt Dist #1 - Prior	0	0	64	64	64	0
4610 Water - Service	518,797	543,397	466,408	(52,389)	(76,989)	14
4620 Water - Connection	10,800	10,800	8,100	(2,700)	(2,700)	25
4630 Late Fee	32,000	37,600	42,792	10,792	5,192	(14)
4635 Shut Off Fees	7,800	10,200	15,100	7,300	4,900	(48)
4640 Water - Damage Replacement	400	400	1,014	614	614	(154)
4650 Water - Capital	0	0	64,780	64,780	64,780	0
4710 Grant Restr - ISTE A	21,000	21,000	0	(21,000)	(21,000)	100
4712 Grant Restricted - RSTP HCAOG	0	0	46,763	46,763	46,763	0
4740 Grant Restr - Police Grant SLESF	100,000	100,000	98,562	(1,438)	(1,438)	1
4744 Grant Rest - Police Realignment Grant	0	0	20,000	20,000	20,000	0
4746 Grant Restricted - Recycling	0	0	5,000	5,000	5,000	0
4802 Donations- Bicycle Helmets	0	0	300	300	300	0
4803 Donations- Misc	0	0	384	384	384	0
4900 Interfund Revenue	0	0	987	987	987	0
4920 Misc - Special Public Works	2,000	2,000	5,890	3,890	3,890	(194)
4935 Gain/Loss on Disposal of Assets	0	0	54	54	54	0
4936 Bad Debt Recovery	1,000	1,000	2,254	1,254	1,254	(125)
4950 Misc	1,000	1,000	400	(600)	(600)	60
4990 Misc - Other	30,554	30,554	515	(30,039)	(30,039)	98
4991 Misc Income - Suspense	0	10,000	0	0	(10,000)	100
4995 Donations	0	0	100	100	100	0
4999 Revenue- Reserves	541,378	646,998	25,278	(516,100)	(621,720)	96
<b>Total Revenue</b>	<b>2,944,081</b>	<b>3,111,314</b>	<b>2,527,657</b>	<b>(416,424)</b>	<b>(583,657)</b>	<b>19</b>
5104 Printing - Forms	0	0	1	(1)	(1)	0
5108 Streets	0	6,700	0	0	6,700	100
5111 Cash Over/Short	10	10	30	(20)	(20)	(200)
5148 Office Equipment	50	50	0	50	50	100
5410 Interest Expense	0	0	129	(129)	(129)	0
5610 Bad Debt	12,500	12,500	14,311	(1,811)	(1,811)	(14)
7005 Debt Service Transfer	0	0	(149,583)	149,583	149,583	0
7010 Fixed Asset Transfer	0	0	(2,646,495)	2,646,495	2,646,495	0
8000 Reserve Allocation	495,657	552,270	25,278	470,379	526,992	95
<b>Total Expenditures</b>	<b>508,217</b>	<b>571,530</b>	<b>(2,756,329)</b>	<b>3,264,546</b>	<b>3,327,859</b>	<b>582</b>

**City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014**

	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
<b>CITY MANAGER</b>						
Total Revenue	0	0	0	0	0	0
5000 Full Time Salaries	110,019	110,019	137,720	(27,701)	(27,701)	(25)
5032 Retirement - City Manager	11,300	11,300	6,564	4,736	4,736	42
5035 Benefit - ICMA City 457	3,517	3,517	11,611	(8,094)	(8,094)	(230)
5040 Benefit - Health Insurance	14,077	14,077	15,760	(1,683)	(1,683)	(12)
5042 Benefit - Life Insurance	324	324	304	20	20	6
5044 Benefit - Dental/Vision Insur	2,507	2,507	2,426	81	81	3
5045 Worker Compensation Insurance	2,002	2,002	2,920	(918)	(918)	(46)
5050 FICA/MEDI	8,416	8,416	11,558	(3,142)	(3,142)	(37)
5055 Unemployment Insurance	1,100	1,100	642	458	458	42
5080 Hiring Costs	18,251	45,251	27,148	(8,897)	18,103	40
5081 Compensated Absences Payable	0	0	6,333	(6,333)	(6,333)	0
5101 Office Supplies	1,496	1,496	1,675	(179)	(179)	(12)
5102 Operating Supplies	700	700	306	394	394	56
5103 Postage	250	250	235	15	15	6
5104 Printing - Forms	2,000	2,000	3,931	(1,931)	(1,931)	(97)
5106 Promotional	51	51	0	51	51	100
5112 Legal	20,000	20,000	5,849	14,152	14,152	71
5115 Contract/Professional Services	17,500	61,420	21,346	(3,846)	40,074	65
5120 Telephone - Pagers	900	900	1,707	(807)	(807)	(90)
5122 Training - Conference	4,500	4,500	1,501	2,999	2,999	67
5123 Automobile - Transportation	6,000	6,000	2,169	3,831	3,831	64
5125 Publications - Books	100	100	28	72	72	72
5126 Dues & Memberships	2,500	2,500	236	2,264	2,264	91
5128 Employee Relations	151	151	0	151	151	100
5130 Rents - Leases	4,500	4,500	920	3,580	3,580	80
5131 Records Maintenance	0	0	103	(103)	(103)	0
5135 Maintenance - Repair	251	251	537	(286)	(286)	(114)
5138 Office Equipment	251	251	783	(532)	(532)	(212)
5139 Equipment	500	500	0	500	500	100
5140 Bond Insurance	10	10	0	10	10	100
5141 General Liability Insurance	4,167	4,167	1,812	2,355	2,355	57
5143 Property Insurance	936	936	420	516	516	55
5144 Emp Practice Liab Insurance	330	330	102	228	228	69
5148 Office Equipment	201	201	0	201	201	100
5150 Electricity	651	651	676	(25)	(25)	(4)
5151 Natural Gas	300	300	59	241	241	80
5162 Medical	0	0	2	(2)	(2)	0
5166 LAFCO Fees	0	0	1,245	(1,245)	(1,245)	0
5171 Computer Software	500	500	0	500	500	100
5173 Computer Maintenance - Support	1,100	1,100	1,248	(148)	(148)	(13)
5174 Web Design Services	500	500	24	476	476	95
5215 Public Works - Small Tools	100	100	0	100	100	100
5514 Engineering	0	0	272	(272)	(272)	0
5520 Improvements	0	0	191	(191)	(191)	0
6100 Fixed Asset - Computer Hardware	1,497	1,497	0	1,497	1,497	100
<b>Total Expenditures</b>	<b>243,455</b>	<b>314,375</b>	<b>270,363</b>	<b>(26,908)</b>	<b>44,012</b>	<b>14</b>



**City of Rio Dell**  
**Year-to-Date Budget Variance Report by Department**  
**June 30, 2014**

	YTD	YTD Revised	Y-T-D	Budget	Revised Budget	%
FINANCE	Budget	Budget	Actual	Variance	Variance	Revised Budget Variance
Total Revenue	0	0	0	0	0	0
5000 Full Time Salaries	192,602	172,212	148,874	43,728	23,339	14
5030 Overtime Salaries	2,000	2,000	1,015	985	985	49
5035 Benefit - ICMA City 457	20,693	20,693	15,133	5,560	5,560	27
5040 Benefit - Health Insurance	26,568	26,568	21,802	4,766	4,766	18
5042 Benefit - Life Insurance	630	630	435	195	195	31
5044 Benefit - Dental/Vision Insur	3,845	3,845	3,453	392	392	10
5045 Worker Compensation Insurance	1,674	1,674	3,496	(1,822)	(1,822)	(109)
5050 FICA	14,735	14,735	12,532	2,203	2,203	15
5055 Unemployment Insurance	1,926	1,926	2,103	(177)	(177)	(9)
5080 Hiring Costs	3,000	3,000	903	2,097	2,097	70
5081 Compensated Absences Payable	0	0	1,648	(1,648)	(1,648)	0
5101 Office Supplies	3,500	3,500	3,046	454	454	13
5102 Operating Supplies	1,500	1,500	787	713	713	48
5103 Postage	5,526	5,526	4,054	1,472	1,472	27
5104 Printing - Forms	2,000	2,000	3,825	(1,825)	(1,825)	(91)
5105 Advertising	0	0	2,937	(2,937)	(2,937)	0
5110 Accounting	22,000	36,790	36,970	(14,970)	(180)	0
5112 Legal	1,000	1,000	252	749	749	75
5115 Contract/Professional Services	500	500	942	(442)	(442)	(88)
5116 Bank Fees	2,000	2,000	2,117	(117)	(117)	(6)
5120 Telephone - Pagers	1,530	1,530	1,330	200	200	13
5122 Training - Conference	4,500	4,500	2,402	2,098	2,098	47
5123 Automobile - Transportation	1,300	1,300	3,950	(2,650)	(2,650)	(204)
5125 Publications - Books	200	200	34	166	166	83
5126 Dues & Memberships	151	151	126	25	25	17
5128 Employee Relations	100	100	0	100	100	100
5130 Rents - Leases	3,000	3,000	2,549	451	451	15
5131 Records Maintenance	0	0	630	(630)	(630)	0
5135 Maintenance - Repair	1,800	1,800	1,395	405	405	23
5138 Office Equipment	3,000	3,000	2,582	418	418	14
5139 Equipment	100	100	0	100	100	100
5141 General Liability Insurance	10,938	10,938	4,794	6,144	6,144	56
5143 Property Insurance	2,460	2,460	1,112	1,348	1,348	55
5144 Emp Practice Liab Insurance	907	907	270	637	637	70
5150 Electricity	1,500	1,500	1,788	(288)	(288)	(19)
5151 Natural Gas	151	151	155	(4)	(4)	(3)
5162 Medical	0	0	100	(100)	(100)	0
5163 Property Tax Admin Fees	3,000	3,000	2,777	223	223	7
5171 Computer Software	500	500	68	432	432	86
5172 Computer Training	3,000	3,000	75	2,925	2,925	98
5173 Computer Maintenance - Support	8,999	8,999	14,998	(5,999)	(5,999)	(67)
5174 Web Design Services	196	196	73	124	124	63
5520 Improvements	0	0	505	(505)	(505)	0
<b>Total Expenditures</b>	<b>353,031</b>	<b>347,431</b>	<b>308,037</b>	<b>44,994</b>	<b>39,394</b>	<b>11</b>

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
RECYCLING						
Total Revenue	0	0	0	0	0	0
5000 Full Time Salaries	2,000	2,000	1,954	46	46	2
5030 Overtime Salaries	0	0	125	(125)	(125)	0
5032 Retirement - City Manager	0	0	198	(198)	(198)	0
5035 Benefit - ICMA City 457	0	0	83	(83)	(83)	0
5045 Workers Compensation Insurance	0	0	144	(144)	(144)	0
5050 Fica	0	0	186	(186)	(186)	0
5055 Unemployment Insurance	0	0	9	(9)	(9)	0
5101 Office Supplies	200	200	14	186	186	93
5102 Operating Supplies	1,000	1,000	572	428	428	43
5103 Postage	500	500	13	487	487	97
5104 Printing - Forms	200	200	14	186	186	93
5105 Advertising	300	300	222	78	78	26
5106 Promotional	250	250	0	250	250	100
5112 Legal	0	0	746	(746)	(746)	0
5115 Contract Professional Services	3,671	3,671	140	3,531	3,531	96
5120 Telephone - Pagers	0	0	29	(29)	(29)	0
5123 Automobile - Transportation	100	100	0	100	100	100
5125 Publications - Books	0	0	2	(2)	(2)	0
5130 Rents & Leases	0	0	146	(146)	(146)	0
5131 Records Maintenance	0	0	9	(9)	(9)	0
5135 Maintenance - Repair	0	0	84	(84)	(84)	0
5138 Office Equipment	0	0	1	(1)	(1)	0
5141 General Liability Insurance	521	521	298	223	223	43
5143 Property Insurance	117	117	69	48	48	41
5144 Emp Practice Liab Insurance	41	41	17	24	24	59
5150 Electricity	0	0	111	(111)	(111)	0
5151 Electricity	150	150	10	140	140	94
5154 Garbage	1,400	1,400	1,413	(13)	(13)	(1)
5173 Computer Maintenance - Support	0	0	30	(30)	(30)	0
5174 Web Design Services	50	50	4	46	46	92
5520 Improvements	0	0	31	(31)	(31)	0
Total Expenditures	10,500	10,500	6,674	3,826	3,826	36

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

	YTD	YTD Revised	Y-T-D	Budget	Revised Budget	%
POLICE	Budget	Budget	Actual	Variance	Variance	Revised Budget Variance
Total Revenue	0	0	0	0	0	0
5000 Full Time Salaries	281,897	278,897	302,774	(20,877)	(23,877)	(9)
5030 Overtime Salaries	8,000	8,000	11,087	(3,087)	(3,087)	(39)
5035 Benefit - ICMA City 457	60,599	60,599	54,173	6,426	6,426	11
5040 Benefit - Health Insurance	59,352	59,352	68,717	(9,365)	(9,365)	(16)
5042 Benefit - Life Insurance	990	990	1,013	(23)	(23)	(2)
5044 Benefit - Dental/Vision Insur	8,680	8,680	8,797	(117)	(117)	(1)
5045 Worker Compensation Insurance	11,389	11,389	20,203	(8,814)	(8,814)	(77)
5050 FICA	21,565	21,565	27,059	(5,494)	(5,494)	(25)
5055 Unemployment Insurance	2,199	2,199	2,356	(157)	(157)	(7)
5060 Clothing Allowance	3,751	3,751	3,759	(8)	(8)	0
5080 Hiring Costs	3,000	3,000	566	2,434	2,434	81
5101 Office Supplies	1,200	1,200	880	320	320	27
5102 Operating Supplies	3,200	3,200	2,740	460	460	14
5103 Postage	1,000	1,000	790	210	210	21
5104 Printing - Forms	800	800	303	497	497	62
5105 Advertising	50	50	40	10	10	20
5106 Promotional	50	50	0	50	50	100
5112 Legal	1,500	1,500	1,506	(6)	(6)	0
5115 Contract/Professional Services	3,000	3,000	3,680	(680)	(680)	(23)
5117 Animal Control	5,000	5,000	8,882	(3,882)	(3,882)	(78)
5120 Telephone - Pagers	7,000	7,000	7,798	(798)	(798)	(11)
5122 Training - Conference	2,000	2,000	(2,931)	4,931	4,931	247
5123 Automobile - Transportation	1,000	1,000	193	807	807	81
5125 Publications - Books	500	500	2,226	(1,726)	(1,726)	(345)
5126 Dues & Memberships	2,000	2,000	1,638	362	362	18
5128 Employee Relations	2,550	2,550	0	2,550	2,550	100
5130 Rents - Leases	2,000	2,000	2,521	(521)	(521)	(26)
5131 Records Maintenance	0	0	242	(242)	(242)	0
5135 Maintenance - Repair	2,000	2,000	1,963	37	37	2
5138 Office Equipment	2,200	2,200	28	2,172	2,172	99
5139 Equipment	5,450	5,450	4,052	1,398	1,398	26
5141 General Liability Insurance	13,543	13,543	6,009	7,534	7,534	56
5143 Property Insurance	3,045	3,045	1,394	1,651	1,651	54
5144 Employee Practice Liab Insurance	1,114	1,114	339	775	775	70
5150 Electricity	0	0	2,482	(2,482)	(2,482)	0
5151 Natural Gas	0	0	194	(194)	(194)	0
5154 Garbage	0	0	166	(166)	(166)	0
5162 Medical	6,000	6,000	1,425	4,575	4,575	76
5171 Computer Software	1,500	1,500	378	1,122	1,122	75
5173 Computer Maintenance - Support	3,200	3,200	5,069	(1,869)	(1,869)	(58)
5174 Web Design Services	100	100	89	11	11	11
5192 Code Enforcement	0	3,000	20	(20)	2,980	99
5193 Nuisance Abatement-Vehicle	2,500	2,500	80	2,420	2,420	97
5212 Gas & Oil	15,000	15,000	15,712	(712)	(712)	(5)
5213 Vehicle Repair	4,000	4,000	3,443	557	557	14
5215 Public Works - Small Tools	0	0	30	(30)	(30)	0
5305 Booking Fees Due	1,500	1,500	(3,439)	4,939	4,939	329
5308 Dispatch Service Due	18,503	18,503	18,504	(1)	(1)	0
5520 Improvements	0	0	634	(634)	(634)	0
6100 Fixed Asset - Computer Hardware	1,300	1,300	2,711	(1,411)	(1,411)	(109)

City of Rio Dell  
 Year-to-Date Budget Variance Report by Department  
 June 30, 2014

	<u>YTD</u>	<u>YTD Revised</u>	<u>Y-T-D</u>	<u>Budget</u>	<u>Revised Budget</u>	<u>%</u>
POLICE	<u>Budget</u>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>	<u>Variance</u>	<u>Revised</u>
Total Expenditures	<u>575,227</u>	<u>575,227</u>	<u>592,295</u>	<u>(17,068)</u>	<u>(17,068)</u>	<u>Budget</u>
						<u>Variance</u>
						<u>(3)</u>

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
<b>PUBLIC WORKS</b>						
Total Revenue	0	0	0	0	0	0
5000 Full Time Salaries	234,742	265,950	254,910	(20,168)	11,040	4
5030 Overtime Salaries	7,500	7,500	5,529	1,971	1,971	26
5035 Benefit - ICMA City 457	25,784	28,516	25,454	330	3,062	11
5040 Benefit - Health Insurance	44,428	44,428	58,296	(13,868)	(13,868)	(31)
5042 Benefit - Life Insurance	714	714	760	(46)	(46)	(6)
5044 Benefit - Dental/Vision Insur	6,042	6,042	7,344	(1,302)	(1,302)	(22)
5045 Worker Compensation Insurance	11,502	14,556	18,708	(7,206)	(4,152)	(29)
5050 FICA	17,958	20,794	21,134	(3,176)	(340)	(2)
5055 Unemployment Insurance	2,346	2,880	2,590	(244)	290	10
5060 Clothing Allowance	1,952	1,952	2,281	(329)	(329)	(17)
5080 Hiring Costs	255	255	0	255	255	100
5081 Compensated Absences Payable	0	0	72	(72)	(72)	0
5101 Office Supplies	1,600	1,600	1,184	416	416	26
5102 Operating Supplies	4,250	4,250	6,749	(2,499)	(2,499)	(59)
5103 Postage	651	651	4,978	(4,327)	(4,327)	(665)
5104 Printing - Forms	751	751	1,005	(254)	(254)	(34)
5105 Advertising	361	361	1,250	(889)	(889)	(246)
5107 Memorial Park Expense	2,500	2,500	1,410	1,090	1,090	44
5108 Streets	17,370	17,370	10,754	6,616	6,616	38
5109 Chemicals	54,000	47,719	42,329	11,671	5,389	11
5112 Legal	4,751	4,751	13,119	(8,368)	(8,368)	(176)
5115 Contract/Professional Services	18,000	21,000	65,785	(47,785)	(44,785)	(213)
5119 Safety Supplies & Equipment	4,500	4,500	1,268	3,232	3,232	72
5120 Telephone - Pagers	8,300	8,300	8,322	(22)	(22)	0
5122 Training - Conference	4,850	4,850	215	4,635	4,635	96
5123 Automobile - Transportation	600	600	1,055	(455)	(455)	(76)
5125 Publications - Books	250	250	193	57	57	23
5126 Dues & Memberships	2,800	2,800	1,557	1,243	1,243	44
5127 License	0	0	420	(420)	(420)	0
5128 Employee Relations	129	129	0	129	129	100
5130 Rents - Leases	3,800	3,800	3,123	677	677	18
5131 Records Maintenance	0	0	305	(305)	(305)	0
5135 Maintenance - Repair	61,500	61,500	61,903	(403)	(403)	(1)
5136 Parks Maintenance - Repair	2,500	2,500	0	2,500	2,500	100
5138 Office Equipment - P.W.	2,500	2,500	1,659	841	841	34
5139 Equipment	9,500	9,500	10,604	(1,104)	(1,104)	(12)
5141 General Liability Insurance	16,668	16,668	8,234	8,434	8,434	51
5143 Property Insurance	3,746	3,746	1,910	1,836	1,836	49
5144 Employee Practice Liability Insurance	1,320	1,320	465	855	855	65
5148 Office Equipment	0	0	215	(215)	(215)	0
5150 Electricity	140,000	140,000	169,225	(29,225)	(29,225)	(21)
5151 Natural Gas	10,000	10,000	20,057	(10,057)	(10,057)	(101)
5154 Garbage	2,660	2,660	225	2,435	2,435	92
5162 Medical	801	801	538	263	263	33
5164 Regulatory Fees	26,000	26,000	28,310	(2,310)	(2,310)	(9)
5165 Property Tax Assessment	101	101	0	101	101	100
5171 Computer Software	1,901	1,901	502	1,400	1,400	74
5173 Computer Maintenance - Support	1,301	1,301	1,932	(631)	(631)	(48)
5174 Web Design Services	30	30	108	(78)	(78)	(259)
5175 Community Promotions	20	20	0	20	20	100
5212 Gas & Oil	16,700	16,700	17,199	(499)	(499)	(3)
5213 Vehicle Repair	10,500	10,500	6,707	3,793	3,793	36

**City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014**

	YTD	YTD Revised	Y-T-D	Budget	Revised Budget	%
	Budget	Budget	Actual	Variance	Variance	Revised Budget Variance
<b>PUBLIC WORKS</b>						
5215 Public Works - Small Tools	7,646	7,646	9,119	(1,473)	(1,473)	(19)
5217 License	0	0	68	(68)	(68)	0
5225 Public Works - Lab Testing	17,985	17,985	15,035	2,950	2,950	16
5227 Public Works - Equip. Repair	6,250	6,250	6,254	(4)	(4)	0
5229 Public Works - Equip. Rental	2,751	2,751	0	2,751	2,751	100
5410 Interest Expense	0	0	1	(1)	(1)	0
5430 Fines/Penalties	3,000	3,000	50	2,950	2,950	98
5514 Engineering	38,000	43,000	3,409	34,591	39,591	92
5520 Improvements	2,996	2,996	868	2,128	2,128	71
<b>Total Expenditures</b>	<b>869,062</b>	<b>911,145</b>	<b>926,696</b>	<b>(57,634)</b>	<b>(15,551)</b>	<b>(2)</b>

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
PLANNING						
Total Revenue	0	0	0	0	0	0
5000 Full Time Salaries	91,780	91,780	89,092	2,688	2,688	3
5035 Benefit - ICMA City 457	12,919	12,919	11,088	1,831	1,831	14
5040 Benefit - Health Insurance	7,649	7,649	8,754	(1,105)	(1,105)	(14)
5042 Benefit - Life Insurance	297	297	333	(36)	(36)	(12)
5044 Benefit - Dental/Vision Insur	379	379	406	(27)	(27)	(7)
5045 Worker Compensation Insurance	1,670	1,670	2,078	(408)	(408)	(24)
5050 FICA	7,021	7,021	7,740	(719)	(719)	(10)
5055 Unemployment Insurance	918	918	543	376	376	41
5101 Office Supplies	400	400	336	64	64	16
5102 Operating Supplies	300	300	147	153	153	51
5103 Postage	600	600	428	172	172	29
5104 Printing - Forms	250	250	2,896	(2,646)	(2,646)	(1,059)
5112 Legal	3,000	3,000	363	2,638	2,638	88
5115 Contract/Professional Services	1,000	1,000	52	948	948	95
5120 Telephone - Pagers	826	826	962	(136)	(136)	(16)
5122 Training - Conference	1,500	1,500	851	649	649	43
5123 Automobile - Transportation	1,750	1,750	606	1,144	1,144	65
5125 Publications - Books	250	250	110	140	140	56
5126 Dues & Memberships	300	300	178	122	122	41
5128 Employee Relations	50	50	0	50	50	100
5130 Rents - Leases	700	700	771	(71)	(71)	(10)
5131 Records Maintenance	0	0	93	(93)	(93)	0
5135 Maintenance - Repair	500	500	881	(381)	(381)	(76)
5138 Office Equipment	100	100	7	93	93	93
5141 General Liability Insurance	3,646	3,646	1,491	2,155	2,155	59
5143 Property Insurance	820	820	346	474	474	58
5144 Employee Practice Liab Insurance	289	289	84	205	205	71
5150 Electricity	560	560	556	4	4	1
5151 Natural Gas	90	90	48	42	42	46
5164 Regulatory Fees	4,000	4,000	50	3,950	3,950	99
5166 Regulatory Fees	1,700	1,700	0	1,700	1,700	100
5171 Computer Software	900	900	474	427	427	47
5173 Computer Maintenance - Support	250	250	762	(512)	(512)	(205)
5174 Web Design Services	250	250	20	231	231	92
5520 Improvements	0	0	157	(157)	(157)	0
Total Expenditures	146,664	146,664	132,703	13,961	13,961	10

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

BUILDING	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
Total Revenue	0	0	0	0	0	0
5000 Full Time Salaries	14,654	14,654	16,712	(2,058)	(2,058)	(14)
5035 Benefit - ICMA City 457	3,664	3,664	1,929	1,735	1,735	47
5040 Benefit - Health Insurance	4,399	4,399	6,402	(2,003)	(2,003)	(46)
5042 Benefit - Life Insurance	45	45	48	(3)	(3)	(6)
5044 Benefit - Dental/Vision Insur	379	379	406	(27)	(27)	(7)
5045 Worker Compensation Insurance	267	267	474	(207)	(207)	(78)
5050 FICA	1,121	1,121	1,292	(171)	(171)	(15)
5055 Unemployment Insurance	147	147	109	39	39	26
5101 Office Supplies	80	80	56	24	24	30
5102 Operating Supplies	50	50	243	(193)	(193)	(386)
5103 Postage	50	50	32	18	18	35
5104 Printing - Forms	200	200	273	(73)	(73)	(36)
5112 Legal	1,000	1,000	1,363	(363)	(363)	(36)
5115 Contract/Professional Services	24,000	24,000	24,139	(139)	(139)	(1)
5120 Telephone - Pagers	128	128	37	91	91	71
5122 Training - Conference	0	0	1,708	(1,708)	(1,708)	0
5123 Automobile - Transportation	0	0	810	(810)	(810)	0
5125 Publications - Books	1,000	1,000	2	998	998	100
5126 Dues & Memberships	500	500	525	(25)	(25)	(5)
5130 Rents - Leases	300	300	171	129	129	43
5131 Records Maintenance	0	0	102	(102)	(102)	0
5135 Maintenance - Repair	50	50	1,595	(1,545)	(1,545)	(3,089)
5138 Office Equipment	0	0	1	(1)	(1)	0
5141 General Liability Insurance	1,302	1,302	298	1,004	1,004	77
5143 Property Insurance	293	293	69	224	224	76
5144 Employee Practice Liab Insurance	124	124	17	107	107	86
5150 Electricity	300	300	111	189	189	63
5151 Natural Gas	50	50	10	40	40	81
5164 Regulatory Fees	50	50	185	(135)	(135)	(270)
5167 Seismic Fees	200	200	152	48	48	24
5171 Computer Software	25	25	0	25	25	100
5173 Computer Maintenance - Support	99	99	28	71	71	72
5174 Web Design Services	0	0	4	(4)	(4)	0
5215 Public Works - Small Tools	0	0	7	(7)	(7)	0
5520 Improvements	0	0	31	(31)	(31)	0
Total Expenditures	54,477	54,477	59,341	(4,864)	(4,864)	(9)



City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

CITY COUNCIL	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
Total Revenue	0	0	0	0	0	0
5102 Operating Supplies	51	51	0	51	51	100
5104 Printing - Forms	51	51	0	51	51	100
5106 Promotional	0	5,000	4,128	(4,128)	872	17
5112 Legal	1,000	1,000	0	1,000	1,000	100
5115 Contract/Professional Services	8,000	7,059	788	7,212	6,271	89
5122 Training - Conference	0	0	663	(663)	(663)	0
5123 Automobile - Transportation	0	0	1,409	(1,409)	(1,409)	0
5126 Dues & Memberships	2,751	2,751	2,578	173	173	6
5129 Meeting	2,100	2,100	0	2,100	2,100	100
5135 Maintenance - Repair	0	0	947	(947)	(947)	0
5138 Office Equipment	1,951	2,892	2,890	(939)	2	0
5141 General Liability Insurance	1,302	1,302	0	1,302	1,302	100
5143 Property Insurance	294	294	0	294	294	100
5450 Miscellaneous Expense	6,250	6,250	6,250	0	0	0
5540 Mayor Woodall	251	251	0	251	251	100
5541 Gordon Johnson	251	251	525	(274)	(274)	(109)
5560 Council Member Marks	251	251	0	251	251	100
5563 Council Member Thompson	1,096	1,096	0	1,096	1,096	100
5564 Council Member Wilson	1,096	1,096	0	1,096	1,096	100
Total Expenditures	26,695	31,695	20,178	6,517	11,517	36

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
<b>CAPITAL PROJECTS</b>						
4310 Interest Income	0	0	1,077	1,077	1,077	0
4456 Planning - Parks & Recreation Development Fees	6,000	6,000	0	(6,000)	(6,000)	100
4516 Sewer - Debt Serice	323,184	323,184	359,382	36,198	36,198	(11)
4540 Sewer - Replacement Reserve	172,216	172,216	185,812	13,596	13,596	(8)
4570 Sewer - Assmt Dist #1 Current	28,785	28,785	27,780	(1,005)	(1,005)	3
4571 Sewer - Assmt Dist #1 - Prior	0	0	1,945	1,945	1,945	0
4615 Water - Debt Service	134,000	134,000	144,920	10,920	10,920	(8)
4720 Grant Headwaters	0	100,000	0	0	(100,000)	100
4725 Grant Restr - CDBG PROGRAM INCOME PRINCIPAL	0	0	5,366	5,366	5,366	0
4727 Grant Restr - CDBG PROGRAM INCOME INTEREST	0	0	47	47	47	0
4729 Deferred Revenue	5,120	5,120	(17,701)	(22,821)	(22,821)	446
4750 Grant Restr- DOT RPSTLE-5396	0	0	536,412	536,412	536,412	0
4755 Grant Restricted - STIP	491,263	491,263	0	(491,263)	(491,263)	100
4757 Grant - Safe Routes To School	152,300	152,300	128,062	(24,238)	(24,238)	16
4759 Grant Restr-SWRCB Grant Facility & Effluent Disposal	3,718,874	3,718,874	716,804	(3,002,070)	(3,002,070)	81
4999 Revenue-Reserves	0	91,468	0	0	(91,468)	100
<b>Total Revenue</b>	<b>5,031,742</b>	<b>5,223,210</b>	<b>2,089,906</b>	<b>(2,941,836)</b>	<b>(3,133,304)</b>	<b>60</b>
5000 Full Time Salaries	5,120	10,220	8,126	(3,006)	2,094	20
5035 Benefit - ICMA City 457	0	0	815	(815)	(815)	0
5045 Worker Compensation Insurance	0	0	284	(284)	(284)	0
5050 FICA	0	0	653	(653)	(653)	0
5055 Unemployment Insurance	0	0	119	(119)	(119)	0
5103 Postage	0	0	288	(288)	(288)	0
5104 Printing - Forms	0	0	90	(90)	(90)	0
5108 Streets	127,250	86,886	27,587	99,663	59,299	68
5112 Legal	0	0	4,428	(4,428)	(4,428)	0
5115 Contract/Professional Services	0	23,371	173,563	(173,563)	(150,192)	(643)
5122 Training - Conference	0	0	338	(338)	(338)	0
5123 Automobile - Transportation	0	0	358	(358)	(358)	0
5131 Records Maintenance	0	0	3	(3)	(3)	0
5135 Maintenance - Repair	0	0	627	(627)	(627)	0
5374 CDBG Housing Rehab Expense	0	0	22,945	(22,945)	(22,945)	0
5410 Interest Expense	37,500	37,500	55,865	(18,365)	(18,365)	(49)
5514 Engineering	123,000	222,900	77,745	45,255	145,155	65
5610 Bad Debt	0	0	5,659	(5,659)	(5,659)	0
5701 Depreciation-Vehicles	0	0	3,751	(3,751)	(3,751)	0
5702 Depreciation- Building & Improvements	0	0	13,140	(13,140)	(13,140)	0
5705 Depreciation - Mach & Equip	0	0	10,484	(10,484)	(10,484)	0
5710 Depreciation - Infrastructure	0	0	288,111	(288,111)	(288,111)	0
6000 Fixed Asset - Equipment	98,000	98,000	28,294	69,706	69,706	71
6300 Fixed Asset - Heavy Equipment	35,000	35,000	0	35,000	35,000	100
6400 Fixed Asset - Vehicles	108,890	108,890	100,813	8,077	8,077	7
6500 Infrastructure	4,420,237	4,498,334	3,131,471	1,288,766	1,366,863	30
6525 Building and Improvements	0	5,600	5,133	(5,133)	467	8
6600 Fixed Asset - Land Improvements	53,000	59,281	27,870	25,130	31,411	53
6700 Fixed Asset - Debt Service	180,498	180,498	174,583	5,915	5,915	3

City of Rio Dell  
 Year-to-Date Budget Variance Report by Department  
 June 30, 2014

	<u>YTD Budget</u>	<u>YTD Revised Budget</u>	<u>Y-T-D Actual</u>	<u>Budget Variance</u>	<u>Revised Budget Variance</u>	<u>% Revised Budget Variance</u>
CAPITAL PROJECTS						
Total Expenditures	<u>5,188,495</u>	<u>5,366,480</u>	<u>4,163,143</u>	<u>1,025,352</u>	<u>1,203,337</u>	<u>22</u>

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

Report Recap	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
4010 Tax - Property Current Secured	100,235	100,235	101,279	1,044	1,044	(1)
4011 Tax - Property Current Unsecur	3,600	3,600	3,716	116	116	(3)
4012 Tax - Property Prior Secured	0	0	62	62	62	0
4013 Tax - Property Prior Unsecured	100	100	0	(100)	(100)	100
4025 Tax - Supplemental Roll	2,200	2,200	3,396	1,196	1,196	(54)
4026 Tax - Home Owner's Property	1,600	1,600	1,567	(33)	(33)	2
4027 Tax - Prior Years - Supplemental	0	0	778	778	778	0
4030 Tax - Transient Occupancy Tax	10,105	10,105	11,594	1,489	1,489	(15)
4035 Tax - Timber Yield	10	10	16	6	6	(60)
4040 Tax - Retail Sales	122,000	122,000	100,140	(21,860)	(21,860)	18
4041 Tax - In Lieu Retail Sales - County	51,192	51,192	43,570	(7,622)	(7,622)	15
4045 Tax - (HCAOG) Transportation - TDA	103,238	117,251	117,477	14,239	226	0
4048 Tax - Gasoline	103,464	103,464	109,540	6,076	6,076	(6)
4050 Tax - Documentary Real Property	2,200	2,200	4,350	2,150	2,150	(98)
4056 Tax - Public Safety .5% sales	3,200	3,200	2,987	(213)	(213)	7
4105 Fees - Recorders Fees	500	500	0	(500)	(500)	100
4110 Fees - Franchise - Electric	24,000	24,000	27,722	3,722	3,722	(16)
4115 Fees - Franchise - Gas	6,000	6,000	6,277	277	277	(5)
4120 Fees - Franchise - Garbage	15,000	15,000	15,145	145	145	(1)
4125 Fees - Franchise - Cable TV	33,000	33,000	33,531	531	531	(2)
4150 Fees - Business License	6,000	6,000	11,500	5,500	5,500	(92)
4151 Fees - Business License CASP SB1186	50	50	285	235	235	(470)
4162 Fees - Motor Vehicle License (VLF)	6,600	6,600	7,943	1,343	1,343	(20)
4163 Fees - In Lieu VLF - County	330,000	330,000	340,093	10,093	10,093	(3)
4170 Fees - Animal License	800	800	1,252	452	452	(57)
4173 Fees - Animal Control/Relinq.	500	500	1,588	1,088	1,088	(218)
4178 Fees - Booking	500	500	547	47	47	(10)
4180 Fees - Notary	0	0	47	47	47	0
4183 Fees - Special Police Services	1,200	1,200	1,712	512	512	(43)
4185 Fees - Street & Sidewalks	300	300	960	660	660	(220)
4186 Fees - Weed & Lot	300	300	0	(300)	(300)	100
4190 Fees - Integrated Waste Management	8,500	8,500	8,173	(327)	(327)	4
4195 Fees - Customer fax and copy	25	25	85	60	60	(242)
4197 Fees - Admin Vehicle User Fees	0	5,000	0	0	(5,000)	100
4220 Fines - Animal Control/spa-neu	150	150	0	(150)	(150)	100
4310 Interest Income	100	100	1,267	1,167	1,167	(1,167)
4320 Rental Income - U.S. Cellular	6,000	6,000	6,513	513	513	(9)
4321 Rental Income - T. Mobile	10,800	10,800	13,587	2,787	2,787	(26)
4322 Rental Income - Property	4,500	4,500	0	(4,500)	(4,500)	100
4410 Building Plan - Constr Permits	28,800	28,800	23,951	(4,849)	(4,849)	17
4420 Planning - Zoning Fees	8,000	8,000	5,553	(2,447)	(2,447)	31
4430 Planning - Subdivison Fee	1,500	1,500	0	(1,500)	(1,500)	100
4435 Planning - Home Occupation Permit Fee	750	750	80	(670)	(670)	89
4440 Building Plan - Plan Check Fee	5,000	5,000	9,898	4,898	4,898	(98)
4445 Building - Administrative Fees	0	0	2,846	2,846	2,846	0
4456 Planning - Parks & Recreation	6,075	6,075	0	(6,075)	(6,075)	100
Development Fees						
4460 Building Plan - Seismic Fees	75	75	142	67	67	(90)
4462 Building Standards- SB1473	125	125	119	(6)	(6)	5
4465 Encroachment Permits	0	0	500	500	500	0
4480 Insurance Premium Reimbursement	0	0	280	280	280	0
4510 Sewer - Service	670,458	670,458	696,322	25,864	25,864	(4)

City of Rio Dell  
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Report Recap	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
4516 Sewer - Debt Service	323,184	323,184	359,382	36,198	36,198	(11)
4520 Sewer - Connection	4,600	4,600	5,220	620	620	(13)
4540 Sewer - Replacement Reserve	172,216	172,216	185,812	13,596	13,596	(8)
4570 Sewer - Assmt Dist #1 Current	28,785	28,785	28,159	(626)	(626)	2
4571 Sewer - Assmt Dist #1 - Prior	0	0	2,009	2,009	2,009	0
4610 Water - Service	518,797	543,397	466,408	(52,389)	(76,989)	14
4615 Water - Debt Service	134,000	134,000	144,920	10,920	10,920	(8)
4620 Water - Connection	10,800	10,800	8,100	(2,700)	(2,700)	25
4630 Late Fee	32,000	37,600	42,792	10,792	5,192	(14)
4635 Shut Off Fees	7,800	10,200	15,100	7,300	4,900	(48)
4640 Water - Damage Replacement	400	400	1,014	614	614	(154)
4650 Water - Capital	0	0	64,780	64,780	64,780	0
4710 Grant Restr - ISTE A	21,000	21,000	0	(21,000)	(21,000)	100
4712 Grant Restricted - RSTP HCAOG	0	0	46,763	46,763	46,763	0
4720 Grant Headwaters	0	100,000	0	0	(100,000)	100
4725 Grant Restr - CDBG PROGRAM INCOME PRINCIPAL	0	0	5,366	5,366	5,366	0
4727 Late Fees - CDBG 125	0	0	47	47	47	0
4729 Deferred Revenue	5,120	5,120	(17,701)	(22,821)	(22,821)	446
4740 Grant Restr - Police Grant SLESF	100,000	100,000	98,562	(1,438)	(1,438)	1
4744 Grant Rest - Police Realignment Grant	0	0	20,000	20,000	20,000	0
4746 Grant Restristed - Recycling	0	0	5,000	5,000	5,000	0
4750 Grant Restr- DOT RPSTLE-5396	0	0	536,412	536,412	536,412	0
4755 Grant Restricted - STIP	491,263	491,263	0	(491,263)	(491,263)	100
4757 Grant - Safe Routes To School	152,300	152,300	128,062	(24,238)	(24,238)	16
4759 Grant Restr-SWRCB Grant Facility & Effluent Disposal	3,718,874	3,718,874	716,804	(3,002,070)	(3,002,070)	81
4802 Donations- Bicycle Helmets	0	0	300	300	300	0
4803 Donations- Misc	0	0	384	384	384	0
4900 Interfund Revenue	0	0	987	987	987	0
4920 Misc - Special Public Works	2,000	2,000	5,890	3,890	3,890	(194)
4935 Gain/Loss on Disposal of Assets	0	0	54	54	54	0
4936 Bad Debt Recovery	1,000	1,000	2,254	1,254	1,254	(125)
4950 Misc	1,000	1,000	400	(600)	(600)	60
4990 Misc - Other	30,554	30,554	515	(30,039)	(30,039)	98
4991 Misc Income - Suspense	0	10,000	0	0	(10,000)	100
4995 Donations	0	0	100	100	100	0
4999 Revenue- Reserves	541,378	738,466	25,278	(516,100)	(713,188)	97
<b>Total Revenue</b>	<b>7,975,823</b>	<b>8,334,524</b>	<b>4,617,563</b>	<b>(3,358,260)</b>	<b>(3,716,961)</b>	<b>45</b>
5000 Full Time Salaries	932,814	945,732	960,162	(27,348)	(14,430)	(2)
5030 Overtime Salaries	17,500	17,500	17,756	(256)	(256)	(1)
5032 Retirement - City Manager	11,300	11,300	6,761	4,539	4,539	40
5035 Benefit - ICMA City 457	127,176	129,908	120,286	6,890	9,622	7
5040 Benefit - Health Insurance	156,473	156,473	179,732	(23,259)	(23,259)	(15)
5042 Benefit - Life Insurance	3,000	3,000	2,892	108	108	4
5044 Benefit - Dental/Vision Insur	21,832	21,832	22,833	(1,001)	(1,001)	(5)
5045 Worker Compensation Insurance	28,504	31,558	48,306	(19,802)	(16,748)	(53)
5050 FICA/MEDI	70,816	73,652	82,154	(11,338)	(8,502)	(12)
5055 Unemployment Insurance	8,636	9,170	8,469	167	701	8
5060 Clothing Allowance	5,703	5,703	6,040	(337)	(337)	(6)

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014

Report Recap	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
5080 Hiring Costs	24,506	51,506	28,617	(4,111)	22,889	44
5081 Compensated Absences Payable	0	0	8,053	(8,053)	(8,053)	0
5101 Office Supplies	8,476	8,476	7,190	1,286	1,286	15
5102 Operating Supplies	11,051	11,051	11,544	(493)	(493)	(4)
5103 Postage	8,577	8,577	10,819	(2,242)	(2,242)	(26)
5104 Printing - Forms	6,252	6,252	12,337	(6,085)	(6,085)	(97)
5105 Advertising	711	711	4,450	(3,739)	(3,739)	(526)
5106 Promotional	351	5,351	4,128	(3,777)	1,223	23
5107 Memorial Park Expense	2,500	2,500	1,410	1,090	1,090	44
5108 Streets	144,620	110,956	38,342	106,278	72,614	65
5109 Chemicals	54,000	47,719	42,329	11,671	5,389	11
5110 Accounting	22,000	36,790	36,970	(14,970)	(180)	0
5111 Cash Over/Short	10	10	30	(20)	(20)	(200)
5112 Legal	32,251	32,251	27,624	4,627	4,627	14
5115 Building - Administrative Fees	75,671	145,021	290,435	(214,764)	(145,414)	(100)
5116 Bank Fees	2,000	2,000	2,117	(117)	(117)	(6)
5117 Animal Control	5,000	5,000	8,882	(3,882)	(3,882)	(78)
5119 Safety Supplies & Equipment	4,500	4,500	1,268	3,232	3,232	72
5120 Telephone - Pagers	18,684	18,684	20,185	(1,501)	(1,501)	(8)
5122 Training - Conference	17,350	17,350	4,746	12,604	12,604	73
5123 Automobile - Transportation	10,750	10,750	10,549	201	201	2
5125 Publications - Books	2,300	2,300	2,595	(295)	(295)	(13)
5126 Dues & Memberships	11,002	11,002	6,838	4,164	4,164	38
5127 License	0	0	420	(420)	(420)	0
5128 Employee Relations	2,980	2,980	0	2,980	2,980	100
5129 Bank Fees	2,100	2,100	0	2,100	2,100	100
5130 Rents - Leases	14,300	14,300	10,200	4,100	4,100	29
5131 Records Maintenance	0	0	1,488	(1,488)	(1,488)	0
5135 Maintenance - Repair	66,101	66,101	69,931	(3,830)	(3,830)	(6)
5136 Parks Maintenance - Repair	2,500	2,500	0	2,500	2,500	100
5138 Office Equipment	10,002	10,943	7,952	2,050	2,991	27
5139 Equipment	15,550	15,550	14,657	893	893	6
5140 Bond Insurance	10	10	0	10	10	100
5141 General Liability Insurance	52,087	52,087	22,936	29,151	29,151	56
5143 Property Insurance	11,711	11,711	5,319	6,392	6,392	55
5144 Emp Practice Liab Insurance	4,125	4,125	1,294	2,831	2,831	69
5148 Office Equipment	251	251	215	36	36	14
5150 Electricity	143,011	143,011	174,948	(31,937)	(31,937)	(22)
5151 Natural Gas	10,741	10,741	20,532	(9,791)	(9,791)	(91)
5154 Garbage	4,060	4,060	1,804	2,256	2,256	56
5162 Medical	6,801	6,801	2,065	4,736	4,736	70
5163 Property Tax Admin Fees	3,000	3,000	2,777	223	223	7
5164 Regulatory Fees	30,050	30,050	28,545	1,505	1,505	5
5165 Property Tax Assessment	101	101	0	101	101	100
5166 LAFCO Fees	1,700	1,700	1,245	455	455	27
5167 Seismic Fees	200	200	152	48	48	24
5171 Computer Software	5,326	5,326	1,421	3,905	3,905	73
5172 Computer Training	3,000	3,000	75	2,925	2,925	98
5173 Computer Maintenance - Support	14,949	14,949	24,068	(9,119)	(9,119)	(61)
5174 Web Design Services	1,126	1,126	320	806	806	72
5175 Community Promotions	20	20	0	20	20	100
5192 Code Enforcement	0	3,000	20	(20)	2,980	99
5193 Nuisance Abatement-Vehicle	2,500	2,500	80	2,420	2,420	97

City of Rio Dell  
Year-to-Date Budget Variance Report by Department  
June 30, 2014



Report Recap	YTD Budget	YTD Revised Budget	Y-T-D Actual	Budget Variance	Revised Budget Variance	% Revised Budget Variance
5212 Gas & Oil	31,700	31,700	32,910	(1,210)	(1,210)	(4)
5213 Vehicle Repair	14,500	14,500	10,150	4,350	4,350	30
5215 Public Works - Small Tools	7,746	7,746	9,155	(1,409)	(1,409)	(18)
5217 License	0	0	68	(68)	(68)	0
5225 Public Works - Lab Testing	17,985	17,985	15,035	2,950	2,950	16
5227 Public Works - Equip. Repair	6,250	6,250	6,254	(4)	(4)	0
5229 Public Works - Equip. Rental	2,751	2,751	0	2,751	2,751	100
5305 Booking Fees Due	1,500	1,500	(3,439)	4,939	4,939	329
5308 Dispatch Service Due	18,503	18,503	18,504	(1)	(1)	0
5374 CDBG Housing Rehab Expense	0	0	22,945	(22,945)	(22,945)	0
5410 Interest Expense	37,500	37,500	55,995	(18,495)	(18,495)	(49)
5430 Fines/Penalties	3,000	3,000	50	2,950	2,950	98
5450 Miscellaneous Expense	6,250	6,250	6,250	0	0	0
5514 Engineering	161,000	265,900	81,426	79,574	184,474	69
5520 Improvements	2,996	2,996	2,419	577	577	19
5540 Mayor Woodall	251	251	0	251	251	100
5541 Gordon Johnson	251	251	525	(274)	(274)	(109)
5560 Council Member Marks	251	251	0	251	251	100
5563 Council Member Thompson	1,096	1,096	0	1,096	1,096	100
5564 Council Member Wilson	1,096	1,096	0	1,096	1,096	100
5610 Bad Debt	12,500	12,500	19,970	(7,470)	(7,470)	(60)
5701 Depreciation-Vehicles	0	0	3,751	(3,751)	(3,751)	0
5702 Depreciation- Building & Improvements	0	0	13,140	(13,140)	(13,140)	0
5705 Depreciation - Mach & Equip	0	0	10,484	(10,484)	(10,484)	0
5710 Depreciation - Infrastructure	0	0	288,111	(288,111)	(288,111)	0
6000 Fixed Asset - Equipment	98,000	98,000	28,294	69,706	69,706	71
6100 Fixed Asset - Computer Hardware	2,797	2,797	2,711	86	86	3
6300 Fixed Asset - Heavy Equipment	35,000	35,000	0	35,000	35,000	100
6400 Fixed Asset - Vehicles	108,890	108,890	100,813	8,077	8,077	7
6500 Fixed Asset- Infrastructure	4,420,237	4,498,334	3,131,471	1,288,766	1,366,863	30
6525 Building and Improvements	0	5,600	5,133	(5,133)	467	8
6600 Fixed Asset - Land Improvements	53,000	59,281	27,870	25,130	31,411	53
6700 Fixed Asset - Debt Service	180,498	180,498	174,583	5,915	5,915	3
7005 Debt Service Transfer	0	0	(149,583)	149,583	149,583	0
7010 Fixed Asset Transfer	0	0	(2,646,495)	2,646,495	2,646,495	0
8000 Reserve Allocation	495,657	552,270	25,278	470,379	526,992	95
<b>Total Expenditures</b>	<b>7,975,823</b>	<b>8,329,524</b>	<b>3,723,091</b>	<b>4,252,732</b>	<b>4,606,433</b>	<b>55</b>

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



For Meeting of: November 4, 2014

To: City Council  
From: Kevin Caldwell, Community Development Director   
Through: Kyle Knopp, City Manager   
Date: October 28, 2014  
Subject: Nuisance Ordinance Amendments

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**Recommendation:**

That the City Council:

1. Receive staff's report regarding the proposed text amendment; and
2. Re-Open the public hearing, receive public input, and deliberate; and
3. Adopt Ordinance No. 329-2014 amending the current Nuisance regulations to include Administrative Citation provisions, Chapter 8.10 of the Rio Dell Municipal Code (RDMC); and
4. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

**Background and Discussion**

At your meeting of October 21, 2014 staff introduced Ordinance No. 329-2014 amending the current Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code (RDMC) to include Administrative Citations.

The intent of the amendment is that staff believes the Administrative Citation provisions will be more cost effective and less time consuming in abating nuisances and code violations. Again,



the Citation is issued and included with the first letter which will be hand delivered and sent Certified mail. The person receiving the citation would have a certain number, but typically no more than thirty (30) days depending on the violation, to remedy the situation. If the violation is not remedied within the specified time period then the payment of the fine is due and payable. If the violation is remedied within the specified time the fine is **not due and payable**.

Again, the amounts of the fines for violations will be:

- ♦ A fine of one hundred dollars (\$100.00) for a first violation;
- ♦ A fine of two hundred dollars (\$200.00) for a second violation of the same code section within one (1) year of the first violation;
- ♦ A fine of five hundred dollars (\$500.00) for each additional violation of the same code section within one (1) year of the first violation.

As discussed at the previous meeting all Citations are appealable. The fine must be paid within thirty (30) days of the citation or the appeal decision date if the appeal was unsuccessful. A ten percent (10%) late payment fee will be imposed on any fine which is not paid within thirty days of the issuance of the citation or the appeal decision date. If the fine is not paid the City could pursue payment by either:

- ♦ A trial in Civil Court with subsequent garnishment of their earnings.
- ♦ A lien placed against their California Franchise Tax return.
- ♦ This claim assigned to a collection agency.
- ♦ A lien placed against the property.

Should the violation not be remedied, then the City will pursue the abatement of the nuisance. Of course the purpose of the Administrative Citation provisions is to encourage voluntary compliance in abating violations, including nuisances.

### **Attachments**

Attachment 1: Ordinance No. 329-2014.

Attachment 2: Post Adoption Summary.

**ORDINANCE NO. 329 – 2014**



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL  
AMENDING THE CURRENT NUISANCE REGULATIONS, CHAPTER 8.10  
OF THE RIO DELL MUNICIPAL CODE:**

**THE CITY COUNCIL OF THE CITY OF RIO DELL ORDAINS AS FOLLOWS:**

**WHEREAS** staff is recommending that the City adopt Administrative Citation provisions as part of the Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code (RDMC); and

**WHEREAS** although the current Nuisance Regulations refer to Administrative Citations, there are no provisions to actually implement and issue Administrative Citations; and

**WHEREAS** staff has learned from conversations with other jurisdictions that Administrative Citations are very effective in abating nuisances; and

**WHEREAS** under the current provisions, when a complaint is made or a violation is identified, the City notifies the owner and or occupant by mail with a "Courtesy Letter" requesting that they contact the City typically within ten (10) days of receipt of the letter and informing us of their intentions; and

**WHEREAS** more times than not, the City does not hear from the owner or occupant. The City then sends a second letter requesting they contact the City within five (5) or ten (10) days, depending on the nature of the violation, of receipt of the letter and inform them that if they don't contact the City within the specified time period, the City will record a Notice of Violation. Again, many times the letters are ignored; and

**WHEREAS** staff believes that the Administrative Citation provisions will be more cost effective and less time consuming in abating nuisances and code violations in that the Citation is issued and included with the first letter which will be hand delivered and sent Certified mail; and

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

Section 1. The Nuisance Regulations, Chapter 8.10 of the Rio Dell Municipal Code is hereby amended as follows:

## Chapter 8.10

### NUISANCES

#### Article 1. Nuisances Generally

##### 8.10.010. Application.

The provisions of this chapter shall apply to all property throughout the City of Rio Dell wherein any of the conditions, hereinafter specified, are found to exist; provided, however, that any condition which would constitute a violation of this chapter, but which is duly authorized under any other City, state or federal law, shall not be deemed to violate this chapter.

##### 8.10.020. Definitions.

For the purposes of this chapter, the following words shall have the specified meanings:

**(A) Blight.** For purposes of this Code, visual blight is any unreasonable, non permitted or unlawful condition or use of real property, Premises or of building exteriors which by reason of its appearance as viewed from the public right-of-way, *is detrimental to the property of others or to the value of property of others, offensive to the senses, or reduces the aesthetic appearance of the neighborhood. Visual blight includes, but is not limited to, the keeping, storing, depositing, scattering over or accumulation on the Premises any of the following:*

- (1) Lumber, junk, trash, debris, scrap metal, rubbish, packing materials, building materials, and the growth of tall grass and weeds.
- (2) Abandoned, discarded or unused objects or equipment such as furniture, stoves, appliances, refrigerators, freezers, cans or containers, automotive parts and equipment.
- (3) Abandoned, wrecked, disabled, dismantled or inoperative vehicles or parts thereof except inoperative vehicles that are not abandoned and are in an active state of renovation or restoration. For purposes of this article, "active state of renovation or restoration" means that the vehicle is actively being restored or renovated in a manner intended to make the vehicle operational, and shall not include restoration or renovation that solely improves the interior or exterior appearance, but not the operation, of the vehicle. A vehicle shall only be permitted to be in an active state of renovation or restoration for a period that shall not exceed ninety days, whether consecutive or non-consecutive, out of any twelve month period.
- (4) Stagnant water or excavations.

(5) Any personal property, object, device, decoration, design, fence, structure, clothesline, landscaping or vegetation which is unsightly by reason of its condition or its inappropriate location.

(6) Vehicles parked on any surface other than an "improved surface" or "driveway" as those terms are defined.

(7) Any condition of a building or structure deemed to be unsafe or that in the discretion of the City Manager or his/her designee, or the Department Head, would constitute a threat to public safety, health, or welfare, or poses a security problem by reason of dilapidation, fire hazard, disaster, damage or other similar occurrence specified in this Code or any other applicable law.

(8) Any condition of a building or portion thereof which constitutes a substandard building, as defined in Health and Safety Code Section 17920.3 or its successor.

(9) Filling of any swimming pool with water prior to the final safety inspection required by the California Code of Regulations, conducted by City inspectors and before such final inspection has been noted on the permit card obtained from the City.

**(B) City.** The City of Rio Dell, a municipal corporation of the State of California.

**(C) City Council.** The duly elected City Council for the City of Rio Dell.

**(D) City Council Member.** Any currently seated member of the City Council for the City of Rio Dell.

**(E) City Manager.** The City Manager for the City of Rio Dell.

**(F) Code or City Code.** The "Code" shall mean the Municipal Code for the City of Rio Dell.

**(G) Code Compliance Administrator.** The City Manager and the authorized representative(s) of the City Manager.

**(H) Department Head.** The Police Chief, the City Manager, and the City Attorney, and their authorized representative(s).

**(I) Driveway.** An improved all weather, including gravel, decomposed granite, asphalt, concrete or comparable surface, access road from a private or public street onto a parcel.

**(J) Highway.** Any road, street, alley, way or place of whatever nature, publicly maintained and opened to the use of the public for purposes of vehicular travel. Highway includes City streets.

**(K) Improved Surface.** An improved all weather, including gravel, decomposed granite, asphalt, concrete or comparable surface.

**(L) Inoperative vehicle.** Any vehicle which cannot be legally operated on the street because of lack of current registration or, lack of an engine, transmission, wheels, tires, windshield or any other part or equipment necessary to operate on public streets and/or highways.

**(M) Junk.** Any cast-off, damaged, discarded, junked, obsolete, salvage, scrapped, unusable, worn-out or wrecked object, thing or material, including but not limited to those composed in whole or in part of asphalt, brick, carbon, cement, plastic or other synthetic substance, fiber, glass, plaster, plaster of parts paris, rubber, terra cotta, wool, cotton, cloth, canvas, wood, metal, sand, organic matter or other substance.

**(N) Junkyard.** Any Premises on which any junk is abandoned, bailed, bartered, bought, brought, bundled, deposited, disassembled, disposed of, exchanged, handled, kept, stored or transported, regardless of whether or not such activity is done for profit.

**(O) Notice and Order.** A Notice and Order is legal notice which details structural or technical Code violations such as illegal construction, conversions, alterations, illegal plumbing, mechanical or electrical installations, dangerous buildings, substandard housing or similar.

**(P) Owner.** Owner of record of real property, occupant, lessee, or interested holder in same, as the case may be including the owner of real property whereon a vehicle(s) or part(s) thereof is located.

**(Q) Person.** Any individual, group of individuals, firm, entity or corporation owning, occupying or using any Premises.

**(R) Planning Commission.** The Planning Commission for the City of Rio Dell.

**(S) Police Chief.** The Police Chief for the City of Rio Dell.

**(T) Premises.** Any real property or improvements thereon located in the City of Rio Dell.

**(U) Service Station.** Any Premises upon which the improvements are designed and built for the primary purpose of selling to or providing others with fuels for internal combustion engines or motor vehicles, whether or not providing related automotive maintenance and repair service.

**(V) Special Assessment Lien.** A special assessment lien is a lien placed on real property and is collected by the county tax assessor.

**(W) Vehicle.** Any device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

### **8.10.030. Nuisances.**

It is hereby declared unlawful and a public nuisance per se for any person owning, leasing, occupying and/or having charge or possession of any Premises or land in this City to permit, allow, or maintain such Premises or land such that any one or more of the following conditions or activities exist:

(A) Any condition recognized in law or equity as constituting a public nuisance including, without limitation, any condition on or use of property which would constitute a nuisance as defined in California Penal Code Sections 370, 371 and/or 11225;

(B) Any dangerous, unsightly, or blighted condition that is detrimental to the health, safety or welfare of the public;

(C) Any condition that is in violation of any duly enacted ordinance of the Rio Dell Municipal Code, or resolution or lawful order promulgated by authorized City officials;

(D) Any condition in violation of Chapters 8, 15, and 17 of this Code, including any condition in violation of any written design finding, including design standard, design guideline, or development standard that may be adopted by resolution or ordinance from time to time by the City Council or the planning commission, or any condition imposed on any entitlement, permit, contract, or environmental document issued or approved by the City;

(E) Any condition in violation of Chapter 8.25 of this Code entitled "Premises Used for Drug Related Activity."

(F) Anything defined as a nuisance pursuant to state and federal law including but not limited to California Civil Code Section 3479 et seq.;

(G) Any condition in violation of the weed and rubbish abatement laws defined at Government Code Sections 39501 et seq. and 39560 et seq. as enacted or hereafter amended and enforced by City ordinance and resolutions;

(H) Any vacant, unoccupied or abandoned building or structure that is not reasonably secured against uninvited entry or that constitutes a fire hazard, or is in a state of unsightly or dangerous condition so as to constitute a blighted condition detrimental to property values in the neighborhood or otherwise detrimental to the health, safety and welfare of the public;

(I) Any condition that constitutes an attractive nuisance; those objects or conditions that, by their nature may attract children or other curious individuals including, but not limited to, unprotected hazardous or unfilled pools, ponds, including pools or ponds that have not been properly barricaded, ice boxes, refrigerators or excavations;

(J) Any condition that constitutes a visual Blight.

**8.10.040. Responsibility for Property Maintenance.**

(A) Every owner of real property within the City is required to maintain such property in a manner so as not to violate the provisions of this chapter and such owner remains liable for violations thereof regardless of any contract or agreement with any third party regarding such property.

(B) Every occupant, lessee, tenant or holder of any interest in property, other than as owner thereof, is required to maintain such property in the same manner as is required of the owner thereof, and the duty imposed on the owner thereof shall in no instance relieve those persons referred to from the similar duty.

**Article 2. Enforcement**

**8.10.050. Authority.**

(A) The City Manager is hereby authorized to administer and enforce all of the provisions of this chapter. In accordance with approved procedures, the City Manager may assign said authority to Department Heads and/or employ qualified officers, inspectors, assistants, and other employees as shall be necessary to carry out the provisions of this chapter. The authority of the City Manager to enforce the provisions of this chapter is independent of and in addition to the authority of other City officials to enforce the provisions of any other chapter of the City Code.

(B) Pursuant to California Code of Regulations, Title 25, Section 52, the procedures contained in this chapter are deemed to be equivalent for the purposes intended by, and may be used in lieu of, the regulations and procedures for abatement contained in Article 6 of Subchapter 1 of Chapter 1 of Division 1 of Title 25 of the California Code of Regulations which addresses mobile homes and parks.

(C) Nothing in this chapter shall be construed to limit the authority of the Police Chief of the City to enforce all laws within the Police Chief's jurisdiction.

**8.10.060. Right of Entry.**

(A) Whenever it is necessary to make an inspection of any Premises to enforce the provisions of this chapter, and to the extent authorized by law, the Code Compliance Administrator or a Department Head authorized by the Code Compliance Administrator may enter on such Premises at all reasonable times to inspect the same or to perform any duty imposed upon him/her by this Code, subject to the requirements of Amendment IV of the United States Constitution and any other provisions of applicable law.

(B) Whenever practicable, the Code Compliance Administrator or the Department Head shall contact the occupant of such Premises 24 hours prior to entry and inform the occupant of the

reasons for such entry onto such property, and if the occupant is other than the owner, the Code Compliance Administrator or the Department Head shall also, if practicable, contact such owner. This does not prevent entering the property within the 24 hours of notification with the owner or occupant's permission.

(C) If entry onto any Premises is denied by the owner or occupant of such Premises, or by any third party, the Code Compliance Administrator or authorized Department Head shall have recourse to every remedy provided by law to secure peaceable entry on such Premises to perform the duties required by this chapter.

#### **8.10.070. Violations and Penalties.**

(A) It shall be unlawful for any person, firm, corporation, or other entity to violate any provision of this chapter. Any person, firm, corporation, or other entity, whether as owner, lessee, sub lesser, sub lessee, or occupant of any Premises that violates the provisions of this chapter or any order issued pursuant to this chapter shall be subject to any or all of the following:

- (1) Such person shall be subject to weed abatement, summary or administrative abatement of the nuisance by the City, and be subject to Administrative Citations, fines, civil penalties, fees and costs, including reasonable attorney fees imposed by the City pursuant to the summary or administrative abatement procedures contained in the City Code or any other provisions of law;
- (2) Such person shall be guilty of a misdemeanor for each day such violation continues, and upon conviction thereof, shall be punished for each violation by a fine not to exceed one thousand (\$1,000.00) dollars, or by imprisonment of not longer than six months, or both for each violation;
- (3) Such person shall be prosecuted in a civil action, criminal action, or both brought by the City. The City Attorney or other authorized legal representative may bring an action in a court of competent jurisdiction to enjoin or prosecute any nuisance violation of this chapter, or violation of any other ordinance of the City;
- (4) Each and every day that any such violation continues to exist shall constitute a continuing and separate offense.

**(B) To address the variety of circumstances that may arise in conjunction with addressing violations of the Municipal Code of Rio Dell, including, but not limited to, nuisance regulations, such as difficult and/or recurrent cases, the following mechanisms shall facilitate a prompt and responsive code compliance program. The City Council finds that there is a need to establish several mechanisms, including fines.**



(C) These provisions provides for administrative procedures and citations as provided in Government Code Section 53069.4.

(D) The remedies provided by these provisions are in addition to all other legal remedies, administrative, criminal and/or civil, which may be pursued by the City to address any violation of this Code.

(E) Use of these provisions shall be at the sole discretion of the City.

#### 8.10.080. Code Compliance Administrator Authority

The Code Compliance Administrator has authority to issue administrative citations pursuant to these provisions.

#### 8.10.090. Administrative Citation.

(A) Whenever an enforcement officer charged with the enforcement of any provision of this code determines that a violation has occurred, the enforcement officer may issue an Administrative Citation to any person responsible for the violation.

(B) Each Administrative Citation shall contain the following information:

(1) The date of the violation;

(2) The address or a definite description of the location where the violation occurred;

(3) The section of this code violated and a description of the violation;

(4) The amount of the fine for the code violation;

(5) A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;

(6) An order prohibiting the continuation or repeated occurrence of the code violation described in the Administrative Citation;

(7) An order to correct the code violation described in the Administrative Citation if said violation is correctable as described in Chapter 8.10;

(8) A description of the Administrative Citation review process, including the time period within which the Administrative Citation may be contested and the place from which a request for hearing form to contest the Administrative Citation may be obtained and an advance deposit waiver; and

(9) The name and signature of the citing enforcement officer.

(C) In addition to the Administrative Citation and penalty authorized by this chapter, an order to correct a violation under subsection (b)(7) of this section may be enforced as set forth in the chapter applicable to that violation.

(D) In the case of a continuing violation pertaining to building, plumbing, electrical or other similar structural or zoning issue that in the opinion of the code compliance administrator or designee, does not create an immediate danger to health, safety or public welfare, a reasonable time, not to exceed one-hundred and twenty (120) days, shall be provided to remedy or correct the violation prior to imposition of fines or penalties. In determining what constitutes a reasonable time, the code compliance administrator may consider the estimate of local professionals including licensed contractors, but shall have sole discretion to make the final determination as to what the reasonable time shall be. In the case of such violations, the time within which the violation must be corrected, in order to avoid a fine, shall also be specified on the Administrative Citation.

#### 8.10.100. Amount of Fines.

(A) The amounts of the fines for violations of the Rio Dell Municipal Code and local building and safety codes, including the California Building Code (CBC), California Residential Code (CRC), Section 17920.3 of the California Health and Safety Code, Uniform Housing Code (UHC) are imposed pursuant to Government Code Section 53069.4 and this chapter and shall be as follows:

(1) A fine of one hundred dollars (\$100.00) for a first violation;

(2) A fine of two hundred dollars (\$200.00) for a second violation of the same section of the Rio Dell Municipal Code within one (1) year of the first violation;

(3) A fine of five hundred dollars (\$500.00) for each additional violation of the same section of the Rio Dell Municipal Code within one (1) year of the first violation.

(B) A ten percent (10%) late payment fee shall be imposed on any fine which is not paid within thirty days of the issuance of the citation.

(C) The administrative fines outlined in this chapter are levied in addition to any recovery of costs outlined in this Chapter.

**8.10.110. Payment of Fines.**

**(A) The fine shall be paid to the city within thirty (30) days from the date of the Administrative Citation.**

**(B) Payment of a fine under this chapter shall not excuse or discharge any continuation or repeated occurrence of the code violation that is the subject of the Administrative Citation.**

**8.10.120. Hearing Request.**

**Any recipient of an administrative citation may contest the existence of a violation of the code, that he or she is the responsible party, or any order issued under Section 8.10.090(B) pursuant to Section 8.10.270 of these regulations. Any person, corporation, or entity seeking to contest an Administrative Citation shall notify the City Clerk in writing on a form provided by the City of Rio Dell within twenty-one (21) days from the date the Administrative Citation was issued.**

**8.10.130 Late Payment Charges.**

**Any person who fails to pay to the City any fine imposed pursuant to the provisions of this chapter on or before the date that fine is due also shall be liable for the payment of any applicable late payment charges identified in Section 8.10.100(B), as well as interest at the legal rate.**

**8.10.140 Recovery of Administrative Citation Fines and Costs.**

**The City may collect any past due administrative citation fine or late payment charges by use of all available legal means, including, but not limited to, means available for the collection of judgments, liens and actions for recovery of money. The City also may recover its collection costs. Special assessment liens against property may only be applied when the administrative citation fine was issued for a violation directly connected to the property.**

**8.10.150 Right to Judicial Review.**

**Any person aggrieved by a final administrative decision issued pursuant to Section 8.10.270(E) of an administrative citation may obtain judicial review of the administrative decision by filing a petition seeking review in accordance with Government Code Section 53069.4.**

**8.10.160 Notices.**

**(A) Whenever a notice or report is required to be given or provided under this chapter, unless different provisions herein are otherwise specifically made, such notice may be given**

either by personal delivery thereof to the person to be notified or by First Class U.S. mail, postage prepaid with confirmation of delivery by the U.S. Postal Service, upon the record owner at the address as it appears on the latest equalized assessment roll of Humboldt County, and upon the occupant of the Premises, if any. If neither of these methods result in the notice being served upon the record owner and any occupants after reasonable attempts to serve, a copy of the notice shall be posted on the Premises.

(B) Failure to receive any notice specified in this chapter does not affect the validity of proceedings conducted hereunder.

(C) Proof of giving any notice may be made by the certificate of any officer or employee of the city, or by affidavit of any person over the age of eighteen years, which shows service in conformity with this code or other provisions of law applicable to the subject matter concerned.

**~~8.10.080.~~ 8.10.170 Additional Enforcement.**

Nothing in this chapter shall be deemed to prevent the City from commencement of any available administrative, civil and/or criminal proceeding to abate a nuisance pursuant to all applicable provisions of law as an alternative and/or in addition to any enforcement proceedings set forth in this chapter.

**~~8.10.090.~~ 8.10.180 Cumulative Remedies.**

The remedies set forth in this chapter include summary and administrative abatement, administrative citations, civil actions, criminal actions and all other remedies provided for by law. All remedies set forth in this chapter and in all City ordinances for the abatement or punishment of any violation thereof, are cumulative and may be pursued alternatively or in combination. Provisions of this Code are to be supplementary and complementary to all of the City ordinances, the Rio Dell Municipal Code, state law, and any law cognizable at common law or in equity, and nothing herein shall be read, interpreted or construed in any manner so as to limit any existing right or power of the City to abate any and all nuisances and to enforce its ordinances.

**~~8.10.100.~~ 8.10.190 Permits Required.**

When a permit is required to correct a Code violation pursuant to a Code compliance action, the property owner shall complete the permit, including all inspections, corrections, and work in accordance with a timeline established by the Code Compliance Administrator. In establishing the timeline the Code Compliance Administrator shall provide a time frame, which in his or her judgment, is reasonable to expeditiously complete the permit. Failure to strictly adhere to the established timeframe shall be deemed a continuing violation subject to the remedies established in this article. Nothing in this chapter shall be construed to relieve the

violator from payment of any and all costs incurred by the City in enforcing and/or causing the abatement of any violation of the City of Rio Dell Municipal Code.

### **Article 3. ~~Summary Abatement~~ Weed Abatement**

#### **8.10.200. Weed Abatement.**

**The City shall seek authority to abate/destroy weeds, dry grass, rubbish and other inflammable material or vegetation 10 days from the delivery of the Administrative Citation and/or the Notice of Violation. The costs of such abatement, including administrative costs, shall be the responsibility of the property owner.**

### **Article ~~3~~ 4. Summary Abatement**

#### **~~8.10.110~~ 8.10.210. Summary Abatement.**

(A) The City may immediately abate any nuisance or violation of this chapter that poses a clear and imminent danger to, or requires immediate action to prevent or mitigate the loss or impairment of, life, health, property, or essential public services. The City may perform this abatement without providing prior notice or hearing to the owner or occupier of the offending Premises. Such summary abatement may proceed only upon the authorization of the City Manager and the City Attorney, or their respective designees. The abatement shall include all actions necessary to secure the Premises to prevent further occurrences of the nuisance.

(B) The owner and/or occupier of the Premises or the persons creating, causing, committing, or maintaining the nuisance shall be subject to any administrative fines, penalties, fees and costs, including reasonable attorney fees, imposed or incurred by the City pursuant to this chapter.

(C) Any abatement performed by the City pursuant to this section shall be at the expense of the owner and/or occupier of the Premises or the persons creating, causing, allowing, permitting, committing, or maintaining the nuisance. The City shall recover its expenses pursuant to the special assessment lien procedures contained in this Code or any other applicable provision of law.

(D) As soon as practicable following completion of the abatement, the Code Compliance Administrator or the Department Head shall issue a Notice of Violation and/or Notice and Order in accordance with this chapter. Persons receiving such notice shall be entitled to all hearing rights as provided herein.

(E) If a structure is deemed untenable pursuant to California Civil Code § 1941.1 and the Code Compliance Officer determines that the structure is in such a condition as to make it immediately dangerous to the health and safety of the occupants or public, it shall be ordered to be vacated and posted as unsafe.

## Article 4 5. Administrative Abatement

### ~~8.10.120.~~ 8.10.220 Commencement of Proceedings.

(A) Whenever the Code Compliance Administrator or the Department Head has inspected or caused to be inspected any Premises or condition and has found and determined that such Premises or condition are in violation of this chapter, and that such violation does not pose an immediate danger to health or safety, the City Manager or his/her designee may commence proceedings to cause abatement of the nuisance as provided herein. When the City Manager or his/her designee, or Department Head has found that a violation of this chapter poses an immediate danger to health or safety, the City Manager or his/her designee, or Department Head may pursue any remedies available under this chapter or by law, including, but not limited to, summary abatement or administrative citation.

(B) Once proceedings have been commenced pursuant to this chapter to declare a public nuisance, no Premises or building shall be deemed to be in compliance with this chapter solely because such building or Premises thereafter becomes occupied or unoccupied.

### ~~8.10.130.~~ 8.10.230 Notice of Violation.

(A) Upon determination by the Code Compliance Administrator or the Department Head that a premise is in violation of this chapter, and a Notice of Violation and/or a Notice and Order has not been issued against the same Premises, or the same property owner but at a different premise, address or location, within the City, within the last (12) twelve months, and that the violation does not create an immediate danger to health or safety, City Manager or his/her designee or the Department Head may issue a Notice of Violation to the owner of record of the Premises and to the occupant of the Premises, if any. The Notice of Violation shall contain:

- (1) The name and address of the person, firm, or corporation in violation, and the street address of the property where the violation is present;
- (2) A statement specifying the condition(s) which constitute a nuisance;
- (3) A statement explaining which specific Code sections has been violated;
- (4) The range of the administrative, civil and/or criminal actions and monetary penalties, as described herein, that the City may impose for such violations if not corrected;
- (5) An order to correct the violation within a date certain, said date which shall be specified on the notice of violation and determined by the specific violation; and
- (6) A statement informing the recipient of the name and office telephone number of the person to contact should the recipient desire to explain why he or she believes

- (a) the Premises should not be declared to be a public nuisance and abated,
- (b) penalties should not be assessed, and
- (c) the costs of such abatement should not become a charge and lien against the Premises. The Department Head may rescind or modify the Notice of Violation based on substantive evidence presented by the recipient.

**~~8.10.140.~~ 8.10.240 Stop Work Order.**

If the violation is related to a permit, license or other approval of a project, the notice of violation may be accompanied by a stop work order which orders the recipient to stop immediately any and all work on the project that is subject to the permit, license or approval until the violation is corrected.

**~~8.10.150.~~ 8.10.250 Service of Notice of Violation.**

A copy of the notice of violation, and any amended or supplemental notices, shall be served either by personal delivery or by First Class U.S. mail, postage prepaid with confirmation of delivery by the U.S. Postal Service, upon the record owner at the address as it appears on the latest equalized assessment roll of Humboldt County, and upon the occupant of the Premises, if any. If neither of these methods result in the notice being served upon the record owner and any occupants after reasonable attempts to serve, a copy of the notice shall be posted on the Premises.

**~~8.10.160~~ 8.10.260 Notice and Order—Structural and Technical**

Notice and Orders are primarily used for structural or technical Code violations such as illegal construction, conversions, alterations, illegal plumbing, mechanical or electrical installations, dangerous buildings, substandard housing or similar. When issued, the violation must be remedied in thirty calendar days, unless there is an immediate danger risk. If there is an eminent threat of danger the violation must be remedied immediately.

**(A) Grounds for Issuance.** A Notice and Order may be issued under any of the following circumstances:

- (1) When a Notice of Violation has been served, and the specified time has passed without adequate correction and abatement of the violation;
- (2) When a stop work order has been issued but has not been complied with;
- (3) When the City has performed a summary abatement pursuant to this chapter;

(4) When the same type or character of violation has been committed by the same person, or on the same Premises, or a notice of violation, an administrative citation, or a Notice and Order has been served on the same person, or on the same Premises, within the past twelve months.

**(B) Contents of Notice and Order.** A Notice and Order shall contain the following:

- (1) The name and address of the person, corporation, or entity in violation, and the street address of the property where the violation is present;
- (2) A statement specifying the condition(s) which constitute a violation and nuisance;
- (3) A statement explaining which specific Code section(s) have been violated;
- (4) A statement informing the recipient of the number of days from the date of the Notice and Order the recipient has to voluntarily abate the violation and nuisance;
- (5) A statement informing the recipient of his or her right to appeal the determination to a hearing officer by filing with the City Clerk within ~~ten~~ **twenty-one (21)** calendar days from the date of the Notice and Order, and on a form available from the City of Rio Dell, a written statement requesting a hearing and providing a factual and specific explanation of:
  - (a) why the Premises should not be declared to be a public nuisance and abated; and
  - (b) why the costs of such abatement should not become a special assessment lien against the Premises;
- (6) A statement informing the recipient of the Notice that there is a fee, which is set by resolution by the City Council of the City of Rio Dell that must be deposited at the time an appeal is filed.
- (7) A statement that if the person, corporation or entity fails to abate the violation and nuisance or fails to file within ten calendar days, a request for an appeal hearing, the Notice and Order shall be final and not subject to judicial review, and all persons served with such notice shall be deemed to have consented to the abatement of the nuisance and that, at the election of the City, the City will abate the nuisance and the costs of such abatement may be charged against the Premises and may be recorded as a special assessment lien against the Premises.
- (8) A statement regarding the range of the administrative, civil and/or criminal actions and monetary penalties, as described herein, that the City may impose for such violations if not corrected;



(9) A statement regarding the failure to obey order and abatement by the City or private contractor, including the City to obtain a warrant if required to enter upon the Premises for the purpose of abating the nuisance.

(10) A statement regarding the costs of abatement and that such person or persons who fail to abate the nuisance shall be liable to the City for any and all costs and expenses, including attorneys' fees, to the City involved in abating the nuisance.

(11) A statement regarding the procedure for assessing the costs for the abatement: If the person or persons liable to pay the costs of abatement fails to do so within thirty (30) calendar days of receiving the statement of such costs, the City may initiate proceedings to have such costs assessed against the real property or Premises on which the City abated the nuisance. Such proceedings and notice of such proceedings shall be performed in accordance with Section 54954.6 of the California Government Code. The costs of abatement shall be treated as a new assessment for purposes of Section 54954.6. No majority protest rights exist for this assessment. City staff shall present to the City Council a report of costs for abating the nuisance at the public meeting required by Section 54954.6.

(12) A statement regarding the total cost for abating a nuisance shall constitute a special assessment against the Premises to which it relates, and upon recordation in the office of the county recorder of a notice of lien, shall constitute a lien on the property for the amount of such assessment. The procedure for collecting abatement costs through a special assessment lien shall be in accordance with California Government Code Section 38773.5.

After such recordation, a copy of the lien shall be turned over to the county assessor, who shall then enter the amount of the lien on the assessment rolls as a special assessment. Thereafter, said amount shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided by Government Code Section 38773.5 and as provided for ordinary municipal taxes.

13. A statement informing the recipient of the names or names and phone numbers of the person to contact at the City should they have any questions regarding the process.

**(C) Service of Notice and Order.**

(1) **Persons Entitled to Service.** The Notice and Order shall be served upon the owner of the Premises, any occupants of the Premises, and any other person, corporation, or entity in violation. If the City proposes to impose a special assessment lien on the

property, the City official issuing the Notice and Order shall also serve one copy on each of the following if known or disclosed from official public records:

(a) the holder of any mortgage, deed of trust, or other encumbrance of record;  
and

(b) the owner or holder of any lease of record. The failure of the City official issuing the order to serve any person required to be served shall not invalidate any proceedings under this chapter or relieve any person who was duly served from any duty or obligation imposed on him/her by the provisions of this section.

(2) Method of Service. Unless otherwise provided in this section, service of a Notice and Order shall be made by personal service or by First Class U.S. mail, postage prepaid with confirmation of delivery by the U.S. Postal Service. Service on any property owner in violation is deemed complete when it is served or delivered at the address listed by the property owner on the latest equalized assessment roll of Humboldt County, or as known to the City official issuing the order. If personal service or service by mail with confirmation of delivery is not reasonably feasible, service of the Notice and Order may be made by posting the notice on the subject Premises and sending a copy by regular United States mail service. Service posting in the manner herein provided shall be effective on the date of posting. As an alternative, substituted service of the Notice and Order may be made as follows:

(a) (i) By leaving a copy during usual business hours at the recipient's business with the person who is apparently in charge, and then mailing a copy by first-class mail to the recipient at the address where the copy was left; or

(ii) By leaving a copy at the recipient's dwelling or usual place of abode, in the presence of a competent member of the household, and then mailing a copy by first-class mail to the recipient at the address where the copy was left.

(b) If the party entitled to service has a property manager or rental agency overseeing the Premises, substituted service may be made as set forth in above upon the property manager or rental agency.

(c) Substituted service may be made by posting the Notice and Order on the Premises and mailing a copy of the Notice and Order to the person, corporation, or entity in violation at the address of the property on which the violation has occurred or is occurring.

(d) If the person, corporation, or entity in violation or other person entitled to service cannot be located or service cannot be made as set forth in this section, service may be made by publication in a newspaper of general circulation in Humboldt County. Service shall be deemed sufficient when it is accomplished pursuant to Government Code Section 6063.

(D) **Record.** Preparation of a record of the proceeding shall be governed by California Code of Civil Procedure Section 1094.6, as presently written or hereinafter amended.

**~~8.10.170.~~ 8.10.270 Appeal Hearing—Administrative Citations & Notice and Order.**

(A) **Payment of Appeal Fee.** Any person, corporation, or entity seeking to appeal an Administrative Citation shall submit an advance deposit of the fine(s). No appeal request is valid unless accompanied by the advance deposit of the fine(s) or a City hardship. If it is determined that the Administrative Citation was not warranted or the responsibility of the citant(s) the advance deposit of the fine shall be returned.

Any person, corporation, or entity seeking to appeal of a Notice and Order shall be required to pay to the City, at the time the appeal is requested (within twenty-one (21) days from the date of the Notice and Order), a nonrefundable appeal fee to be set by resolution of the City Council. The appeal fee is intended to cover the costs, expenses, and City employees' time incurred by the City in processing, preparing for, and hearing of the appeal. No appeal request is valid unless accompanied by the appeal fee or a City hardship waiver is granted.

(1) **Hardship Waiver.** The appealing party shall complete and request a waiver on a form provided by the City. If the appealing party establishes to the satisfaction of the City Manager or designee, by means of tax returns, pay stubs or other similar documentary evidence, and submits a declaration under penalty of perjury that paying the appeal fee or the advance deposit of an administrative citation fine would cause undue financial hardship to the appealing party the City Manager may grant a waiver of the appeal fee or the advance deposit of any fine(s). The City Manager's determination is not appealable and shall be final as to the hardship waiver request. If the City determines not to approve a request for a waiver, the appealing party must remit the appeal fee or advance deposit to the City within ten (10) days of the date of that decision or thirty (30) days from the date of the administrative citation, whichever is later. If you do not do so you will not be entitled to a hearing.

(B) **Hearing Committee.** The appeal shall be heard by a committee (the "Hearing Committee"). The Hearing Committee shall consist of two Members of the City Council and the City Manager, plus one alternate City Council Member to facilitate timely hearings pursuant to this ordinance and resolve any potential conflicts of interest. The alternate City Council Member shall only participate in appeals where one of the other two City Council Members is unable to serve due to scheduling concerns or a conflict of interest. City Council Members shall be selected to serve on the Hearing Committee at the same time that other committees are formed by the City

Council. Committee members shall not participate in the hearing process in cases when the member has had a substantial personal involvement with the party requesting the hearing and that personal involvement is a conflict of interest. The Hearing Committee shall be advised by the City Attorney to ensure proper legal procedures are followed and adhered to.

**(C) Setting Appeal Hearing.** The appeal hearing shall be set by the City Manager or his or her designee, and notice of the appeal hearing shall be sent to the appellant by first class mail at the address provided with the written appeal request. The appeal hearing shall be set for a date no sooner than ~~twenty (20)~~ **fifteen (15)** days **and not more than 30 days** following a request for an appeal hearing. Notice of the appeal hearing shall be mailed at least ~~fifteen (15)~~ **ten (10)** days before the date set for hearing.

**(D) Conduct of Appeal Hearing.**

(1) **Testimony at the Hearing.** At the time set for the appeal hearing, the Hearing Committee shall proceed to hear testimony from the representative of the City, the appellant, and any other competent persons with respect to the determination of a violation and nuisance or the imposition of an administrative penalty.

(2) **Record of Oral Evidence at Hearing.** The proceedings at the hearing shall be reported by a tape recording, or video recording. Either party may provide a certified shorthand reporter to maintain a record of the proceedings at the requesting party's own expense.

(3) **Continuances.** The Hearing Committee may, upon request of the person, corporation, or entity against whom a penalty is to be imposed, or upon request of the City, grant continuances from time to time for extreme or unusual cause shown, or upon the Hearing Committee's own motion.

(4) **Oaths; Certification.** The City Clerk or certified shorthand reporter shall administer the oath or affirmation.

(5) **Evidence Rules.** Government Code Section 11513, subsections (a), (b), and (c) shall apply to all administrative hearings. At the Hearing Committee's sole discretion, other relevant evidence may be admissible and hearsay evidence may be used for the purpose of supplementing and explaining other evidence.

(6) **Burden of Proof.** The accuracy of **an Administrative Citation and the accuracy of a** Notice and Order containing the description of the violations and/or public nuisance and the actions required to abate such nuisance or violation is deemed a rebuttable presumption and the burden is on the appellant to provide such facts and information to overcome such presumption by a preponderance of the evidence.

**(7) Rights of Parties.**

**(a) Each party shall have the following rights among others:**

**(i) To call and examine witnesses on any matter relevant to the issues of the hearing;**

**(ii) To introduce documentary and physical evidence;**

**(iii) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;**

**(iv) To impeach any witness regardless of which party first called that witness to testify;**

**(v) To rebut the evidence against him or her;**

**(vi) To represent himself or herself or to be represented by anyone of his or her choice.**

**(b) If a party does not proficiently speak or understand the English language, that party may provide an interpreter, at that party's own cost, to translate for the party. An interpreter shall not have been a resident of the Premises or have had any personal relationship with or involvement in the parties or issues of the case prior to the hearing.**

**(8) Official Notice.** In reaching a decision, the Hearing Committee may take official notice, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or which may appear in any of the official records of the City or county, or any of their departments.

**(9) Inspection of the Premises.**

**(a) The hearing officer may inspect the Premises involved in the hearing prior to, during, or after the hearing, provided that:**

**(i) Notice of such inspection shall be given to the parties before the inspection is made;**

**(ii) The parties consent and are given an opportunity to be present during the inspection; and**

**(iii) The hearing officer shall state for the record during the hearing, or file a written statement after the hearing for inclusion in the hearing**

record, upon completion of the inspection, the material facts observed and the conclusions drawn there from.

(b) Each party shall then have a right to rebut or explain the matters so stated by the hearing officer either for the record during the hearing or by filing a written statement after the hearing for inclusion in the hearing record.

(c) Notice to the parties or the owner(s)' consent to inspect the building and surrounding properties is not required if the property can be inspected from areas in which the general public has access or with permission of the other persons authorized to provide access to the property on which the building is located.

**(E) Form and Contents of the Decision; Finality of Decision.**

(1) Format of Hearing Committee's Decision. The Hearing Committee shall issue a written decision containing findings of fact and a determination of the issues presented. The Hearing Committee may affirm, modify or reverse the [Administrative Citation](#), [Notice of Violation](#) or the Notice and Order imposed by the City or find that the imposition of the penalty is not warranted or is not in the interest of justice.

(2) Contents of Hearing Committee's Decision. If it is shown by a preponderance of all the evidence that the condition of the Premises constitutes a violation of the Rio Dell Municipal Code or is a public nuisance as defined in this chapter, the decision shall declare the Premises to be a public nuisance and shall order and require the appellant to abate the nuisance not later than ten [\(10\)](#) calendar days after the issuance of the decision or, if ten [\(10\)](#) calendar days is insufficient to abate the nuisance, within such other time as specified by the Hearing Committee not to exceed sixty [\(60\)](#) days. The decision shall inform the appellant that if the nuisance is not abated within the time specified, the nuisance may be abated by the City in such manner as may be ordered by the Department Head and the expense thereof made a special assessment lien upon the property involved. This is in addition to any other legal remedies that the City may choose to compel compliance.

(3) Service of the Hearing Committee's Decision. Upon issuance of the decision, the City shall serve a copy on the appellant by first class mail to the address provided by appellant in the written notice of appeal. The Hearing Committee's decision shall be deemed served three days after the date it is mailed to the address provided by the appellant.

(4) Finality of Hearing Committee's Decision. The decision of the Hearing Committee on an appeal of an [Administrative Citation, Notice of Violation and or a](#) Notice and Order shall constitute the final administrative decision of the City and shall not be appealable to the City Council or any committee or commission of the City.

Article 5 **6.** Enforcement of Hearing Committee Order

~~8.10.180.~~ **8.10.280** Generally

After any **Administrative Citation and/or Notice of Violation** or any decision of a Hearing Committee made pursuant to this chapter has become final, no person to whom any such order is directed shall fail, neglect or refuse to obey such order.

~~8.10.190.~~ **8.10.290** Failure to Obey Order—Abatement by City.

(A) If, after any notice of violation or any order of a Hearing Committee made pursuant to this chapter has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the Department Head is authorized and directed to cause the nuisance to be abated by City personnel or private contract. In furtherance of this section, the Department Head shall obtain a warrant, if required, and thereafter is expressly authorized to enter upon the Premises for the purpose of abating the nuisance.

(B) Additionally, any person who fails to obey such order shall be guilty of a misdemeanor punishable as specified in Section 8.10.070(a)(2) of this chapter.

~~8.10.200.~~ **8.10.300** Interference with Work Prohibited.

No person shall obstruct, impede or interfere with any officer, employee, contractor or authorized representative of the City, or with any person who owns or holds any estate or interest in any Premises on which a nuisance exists and which must be abated under the provisions of this chapter, whenever such officer, employee, contractor or authorized representative of the City, or person having an interest or estate in such Premises is engaged in the work of abating any nuisance as required by the provisions of this chapter, or in performing any necessary act preliminary to or incidental to such work authorized or directed pursuant to this chapter.

~~8.10.210.~~ **8.10.310** Costs of Abatement.

(A) The Department Head shall keep an account of the costs and expenses of abating such nuisance, and the City shall render a statement of such costs to the person or persons receiving the notice to abate.

(B) Such person or persons receiving the notice of violation or decision of the hearing officer shall be liable to the City for any and all costs and expenses to the City involved in abating the nuisance. Such costs and expenses are due upon receipt of the statement required in subsection (A) of this section.

(C) Costs and expenses as referred to in this section shall include all costs allowed to be recovered by law, including attorneys' fees as allowed by Government Code Section 38773.5 or its successor.

**~~8.10.220.~~ 8.10.320 Procedure for Assessing Costs.**

If the person liable to pay the costs of abatement fails to do so within thirty calendar days of receiving the statement of such costs, the City may initiate proceedings to have such costs assessed against the real property or Premises on which the City abated the nuisance. Such proceedings and notice of such proceedings shall be performed in accordance with Section 54954.6 of the California Government Code. The costs of abatement shall be treated as a new assessment for purposes of Section 54954.6. No majority protest rights exist for this assessment. The Department Head shall present to the City Council a report of costs for abating the nuisance at the public meeting required by Section 54954.6.

**~~8.10.230.~~ 8.10.330 Assessment of Costs—Special Assessment Lien Against Property.**

(A) The total cost for abating a nuisance shall constitute a special assessment against the Premises to which it relates, and upon recordation in the office of the county recorder of a notice of lien, shall constitute a lien on the property for the amount of such assessment. The procedure for collecting abatement costs through a special assessment lien shall be in accordance with California Government Code Section 38773.5.

(B) After such recordation, a copy of the lien shall be turned over to the county assessor, who shall then enter the amount of the lien on the assessment rolls as a special assessment. Thereafter, said amount shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure under foreclosure and sale in case of delinquency as provided by Government Code Section 38773.5 and as provided for ordinary municipal taxes.

**Article 6 7. Additional Provisions Governing Abatement of Vehicles**

**~~8.10.240.~~ 8.10.340 Application of Article.**

The requirements of this article apply to any action taken under this chapter to abate as a public nuisance an abandoned, wrecked, dismantled or inoperative vehicle or parts thereof from private or public property.

**~~8.10.250.~~ 8.10.350 Exemptions.**

(A) This article shall not apply to:

- (1) A vehicle, or part thereof, that is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or



(2) A vehicle, or part thereof, that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler, licensed vehicle dealer, or a junkyard.

(B) Nothing in this section shall authorize the maintenance of a public or private nuisance as defined under provisions of a law other than Chapter 10, commencing with Section 22650, of Division 11 of the California Vehicle Code and this article.

**~~8.10.260.~~ 8.10.360 Article Not Exclusive Regulation.**

This article is not the exclusive regulation of abandoned, wrecked, dismantled or inoperative vehicles within the City. It shall supplement and be in addition to the other regulatory Codes, statutes and ordinances heretofore or hereafter enacted by the City, the state or any legal entity or agency having jurisdiction.

**~~8.10.270.~~ 8.10.370. Persons Granted Franchise or Contract—Right of Entry.**

When the City has contracted with or granted a franchise to any person or persons, such person or persons shall be authorized to enter upon private or public property to remove or cause the removal of a vehicle or parts thereof declared to be a nuisance pursuant to this article.

**~~8.10.280.~~ 8.10.380. Assessment of Administrative Costs Determination.**

Administrative costs incurred by the City under this article shall be assessed pursuant to Article 8.10.2320 of this chapter.

**~~8.10.290.~~ 8.10.390. Abatement and Removal Authority.**

Upon discovering the existence of an abandoned, wrecked, dismantled or inoperative vehicle, or parts thereof, on private property or public property within the City, the Department Head shall have the authority to cause the abatement and removal thereof in accordance with the procedure prescribed in this chapter.

**~~8.10.300.~~ 8.10.400. Notice of Violation for Abandoned or Inoperable Vehicles.**

A notice of violation to abate and remove a vehicle or parts thereof as a public nuisance, as required **provided** by Section 8.10.1230, shall be served by registered or certified mail on the owner of the land as shown on the last equalized assessment roll and the owner of record of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine ownership. The notice of violation shall comply with Section 8.10.140-230, and also shall be in substantially the following forms:

**NOTICE OF INTENTION TO ABATE AND  
REMOVE AN ABANDONED, WRECKED,  
DISMANTLED, OR INOPERATIVE  
VEHICLE OR PARTS THEREOF AS  
A PUBLIC NUISANCE**

(Name and address of owner or land)

As owner shown on the last equalized assessment roll of the land located at (address), you are hereby notified that the undersigned, pursuant to Rio Dell Municipal Code Chapter 8.15 has determined that there exists upon your land an abandoned, wrecked, dismantled or inoperative vehicle (or parts thereof) registered to \_\_\_\_\_, license number \_\_\_\_\_, which constitutes a public nuisance pursuant to provisions of Chapter 8.10. You are hereby notified to abate the nuisance by removing the vehicle (or parts of the vehicle) within ten (10) days from the date of mailing of this notice. If you fail to remove the vehicle or parts within ten (10) days, the City will abate the nuisance by removing the vehicle or parts to a scrap yard or automobile dismantler's yard, after which the vehicle or parts shall not again be made operable or reconstructed.

Removal costs and administrative costs will then be assessed to you as owner of the land on which the vehicle or parts are located. As owner of the land on which the vehicle or parts of the vehicle are located, you are hereby notified that you may, within ten (10) days after the mailing of this notice, request a public hearing. If such a request is not received by the Department Head within the ten (10) day period, the Department Head shall have the authority to abate and remove the vehicle or parts of the vehicle as a public nuisance and assess the removal and administrative costs without a public hearing. You may submit a sworn written statement within such ten (10) day period denying responsibility for the presence of the vehicle or parts of the vehicle on your land, with your reasons for denial. Such statement shall be construed as a request for hearing at which your presence is not required.

You may appear in person at the hearing requested by you or the owner of the vehicle or, in lieu thereof, may present a sworn written statement in time for consideration at the hearing. You may, through such sworn written statement deny responsibility for the presence of the vehicle or parts on your land with your reasons for denial.

Notice mailed \_\_\_\_\_ (date) [Department Head]

**NOTICE OF INTENTION TO ABATE AND  
REMOVE AN ABANDONED, WRECKED,  
DISMANTLED OR INOPERATIVE  
VEHICLE OR PARTS THEREOF AS  
A PUBLIC NUISANCE**

(Name and address of last registered and/or legal owner of record of vehicle—Notice should be given to both if different)

As the last registered (and/or legal) owner of record of (description of vehicle - make, model, license, etc) you are hereby notified that the undersigned pursuant to Rio Dell Municipal Code Chapter 8.15, has determined that the vehicle (or parts of the vehicle) exist as an abandoned, wrecked, dismantled, or inoperative vehicle at (describe location on public or private property) and constitutes a public nuisance pursuant to the provisions of Chapter 8.15.

You are hereby notified to abate the nuisance by removing the vehicle or parts of the vehicle within ten (10) days from the date of mailing of this notice. If you fail to remove the vehicle or parts within ten (10) days, the City will abate the nuisance by removing the vehicle or parts to a scrap yard or automobile dismantler's yard.

Removal costs and administrative costs will then be assessed to you as owner of the land on which the vehicle or parts are located. As registered (and/or legal) owner of record of the vehicle (or parts of the vehicle), you are hereby notified that you may, within ten (10) days after mailing of this notice, request a public hearing. If such a request is not received by the Department Head within the ten (10) day period, the Department Head shall have the authority to abate and remove the vehicle or parts of the vehicle without hearing.

Notice mailed \_\_\_\_\_ (date) [Department Head]

**~~8.10.310.~~ 8.10.410. Hearing—Generally.**

Upon request by the owner of the vehicle or owner of the land received by the Department Head within ten days after the mailing of the notices of intention to abate and remove, a public hearing shall be held in accordance with Section 8.10.~~170~~**270** on the question of abatement and removal of the vehicle or parts thereof as an abandoned, wrecked, dismantled or inoperative vehicle, and the assessment of the administrative costs and the cost of removal of the vehicle or parts thereof against the property on which it is located.

The owner of the land on which the vehicle is located may appear in person at the hearing or may present a sworn written statement denying responsibility for the presence of the vehicle on the land, with his or her reasons for the denial. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that the landowner has not subsequently acquiesced to its presence, then the City shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located

or otherwise attempt to collect those costs from the landowner, if the vehicle has been removed from the property

**~~8.10.320.~~ 8.10.420. Hearing—Presence of Owner Not Required—Abatement Without Hearing.**

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his or her land within ten days after the mailing of the notice of violation to abate and remove, the statement shall be construed as a request for a hearing that does not require the owner's presence. If such a request for hearing is not received within the ten days after mailing of the notice of intention to abate and remove, the City shall have the authority to abate and remove the vehicle or parts thereof as a public nuisance without holding a public hearing.

**~~8.10.330.~~ 8.10.430. Order Requiring Removal.**

At the conclusion of the public hearing, the Hearing Committee may find that a vehicle or parts thereof has been abandoned, wrecked, dismantled or is inoperative on private or public property and order the same removed from the property as a public nuisance and disposed of as provided in this article and determine the administrative costs and the cost of removal to be charged against the owner of the land. The order requiring removal shall include a description of the vehicle or parts thereof and the correct identification number and license number of the vehicle, if available at the site.

**~~8.10.340.~~ 8.10.440. Hearing—Non-assessment of Costs.**

If it is determined at the hearing that the vehicle was placed on the land without consent of the owner of the land and that he or she has not subsequently acquiesced in its presence, the Hearing Committee shall not assess the costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect such costs from such owner of the land.

**~~8.10.350.~~ 8.10.450. Hearing—Notification of Decision.**

If the owner of the land submits a sworn written statement denying responsibility for the presence of the vehicle on his or her land but does not appear, or if an interested party makes a written presentation to the hearing officer but does not appear, he or she shall be notified in writing of the decision.

**~~8.10.360.~~ 8.10.460. Removal—When**

Once the decision of the Hearing Committee becomes final, the vehicle or parts thereof found to be a public nuisance may be disposed of by removal to a scrap yard or automobile

dismantler's yard ten calendar days after adoption of the order declaring the vehicle or parts thereof to be public nuisance.

**~~8.10.370.~~ 8.10.470 Removal—Notice to Department of Motor Vehicles.**

Within five days after the date of removal of the vehicle or parts thereof, notice shall be given to the Department of Motor Vehicles identifying the vehicle or parts thereof removed. At the same time there shall be transmitted to the Department of Motor Vehicles any evidence or registration available, including registration certificates, certificates of title and license plates.

**~~8.10.380.~~ 8.10.480 Removal—Costs—Assessment—Collection.**

If the administrative costs and the cost of removal which are charged against the owner of the land pursuant to Section ~~8.10.280-380~~ 380 are not paid within thirty (30) days of the date of the order, such costs shall be assessed against the parcel of land pursuant to Section 38773.5 of the Government Code and shall be transmitted to the assessor for placement on the property tax roll and collected by the tax collector. The assessment shall have the same priority as other City taxes.

**Section 2. Severability**

If any provision of the ordinance is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

**Section 3. 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 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 October 21, 2014 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 November 4, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Jack Thompson, 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. 329-2014 adopted by the City Council of the City of Rio Dell on November 4, 2014.

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Karen Dunham, City Clerk, City of Rio Dell



**Public Notice**  
**City of Rio Dell City Council**  
**SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE**

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

**Summary**

On **Tuesday, November 4, 2014 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall and approved and adopted **Ordinance No. 329-2014** amending the current Nuisance regulations to include Administrative Citation provisions, Chapter 8.10 of the Rio Dell Municipal Code (RDMC). The amendment will establish Administrative Citation (monetary fines) provisions for violations of the Rio Dell Municipal Code (RDMC), the California Building Codes, the California Health and Safety Code (H&SC) and the Uniform Housing Code (UHC). Recommended fines are one hundred dollars (\$100.00) for the first violation; two hundred dollars (\$200.00) for a second violation of the same provision within one (1) year of the first violation; and five hundred dollars (\$500.00) for each additional violations of the same provision within one (1) year of the first violation.

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the November 4, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk at 675 Wildwood Avenue in Rio Dell. General questions regarding the Ordinance and the process should be directed to Kevin Caldwell, Community Development Director, (707) 764-3532.