



AGENDA
RIO DELL CITY COUNCIL
REGULAR MEETING - 6:30 P.M.
TUESDAY, NOVEMBER 7, 2017
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE

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

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

1) 2017/1107.01- Proclamation – National American Indian Heritage Month 1

E. PUBLIC PRESENTATIONS

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

F. 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) 2017/1107.02 - Approve Minutes of the October 17, 2017 Regular Meeting
(ACTION) 3
- 2) 2017/1107.03 - Approve Pay Request No. 2 in the amount of \$45,047.25 to DCI Builders for work related to the Architectural Barrier Removal (ABR) (Porch) Project **(ACTION)** 13
- 3) 2017/1107.04 - Approve Pay Request No. 8 in the amount of \$176,945.42 to Wahlund Construction for work related to the Metropolitan Wells Project **(ACTION)** 16
- 4) 2017/1107.05 - Receive & File FY 2017/18 Quarterly Update on Measure Z Funding **(ACTION)** 24
- 5) 2017/1107.06 - Approve Resolution No. 1363-2017 approving Budget Transfer for Repair and Maintenance costs to date for Wastewater System Painter St. Lift Station **(ACTION)** 26
- 6) 2017/1107.07 - Approve Resolution No. 1364-2017 adding an Open Door Policy to the City of Rio Dell Employee Handbook **(ACTION)** 31
- 7) 2017/1107.08 - Approve Resolution No. 1365-2017 Designating the City Manager as the authorized representative for the grant application related to a Sanitary Sewer Evaluation Study **(APPROVE)** 35

G. ITEMS REMOVED FROM THE CONSENT CALENDAR

H. SPECIAL PRESENTATIONS/STUDY SESSIONS

- 1) 2017/1107.09 - Presentation – Concept of Skate Park in Rio Dell 38
- 2) 2017/1107.10 - Presentation from Employment Development Department (EDD) on Labor Market Information 39

- I. SPECIAL CALL ITEMS
- J. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS
 - 1) 2017/1107.11 - Introduction and First Reading (by title only) of Ordinance No. 362-2017 Amending Section 1730.235 of the Rio Dell Municipal Code (RDMC) Personal Cannabis Cultivation Regulations (**DISCUSSION/POSSIBLE ACTION**) 40
- K. REPORTS/STAFF COMMUNICATIONS
- L. COUNCIL REPORTS/COMMUNICATIONS
- M. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, November 21, 2017 at 6:30 p.m.*



*675 Wildwood Avenue
Rio Dell, CA 95562*

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Karen Dunham, City Clerk

DATE: November 7, 2017

SUBJECT: Proclamation - National American Indian Heritage Month

RECOMMENDATION

Read and present the Proclamation in recognition of November as National American Indian Heritage Month.

BACKGROUND AND DISCUSSION

Virginia Howard Mullan, Chair of the American Indians Committee will be present to receive the proclamation.

ATTACHMENTS: Proclamation

NATIONAL AMERICAN INDIAN HERITAGE MONTH

WHEREAS, the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and

WHEREAS, the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and

WHEREAS, the time has come to stop suppressing the memories of crimes committed against American Indians by the seizing and occupying of their land; and

WHEREAS, their customs and traditions which were once repressed but are now respected and celebrated as part of a rich legacy throughout the United States; and

WHEREAS, Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and

WHEREAS, in honor of National American Indian Heritage Month community celebrations as well as cultural, artistic, educational, and historical activities have been planned throughout the nation;

NOW THEREFORE, I, Frank Wilson, by virtue of the authority vested in me as Mayor of the City of Rio Dell, do hereby proclaim November as National American Indian Heritage Month in the City and urge all our citizens to observe this month with appropriate programs, ceremonies, and activities.

In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of Rio Dell to be affixed this 7th day of November, in the year of our Lord two thousand and seventeen.

Karen Dunham, City Clerk

Frank Wilson, Mayor

**RIO DELL CITY COUNCIL
REGULAR MEETING
OCTOBER 17, 2017
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 5:00 p.m. by Mayor Wilson.

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

Others Present: City Manager Knopp, Finance Director Woodcox, Interim
Chief of Police Beauchaine, Community Development
Director Caldwell, City Clerk Dunham, and City
Attorney Gans

Absent: Water/Roadways Superintendent Jensen

CLOSED SESSION

Public Employee Appointment – Title: Chief of Police (Pursuant to §54957 of the Govt' Code)
Mayor Wilson announced there was no reportable action taken in closed session.

PUBLIC PRESENTATIONS

Nick Angeloff provided an update on Chamber of Commerce activities and displayed for public view, seven of the twelve Christmas cutouts. He noted that he will meet with staff next week to identify actual locations for placement of the cutouts. He announced that they received some donations from local businesses including \$300 from K creations, \$100 from Humboldt Gables Motel, and \$500 from Aqua Dam in addition to the \$1,500 from the City. He said with the extra donations it may be possible to also place garland across Wildwood Ave.; next will be banners and door lights down Wildwood Ave.

He also commented that he was prepared to submit the \$1,500 check to the City from the grant for the sculptures but had forgotten it so will get it to staff this week.

CONSENT CALENDAR

Councilmember Strahan asked that items (3) and (4) be removed from the consent calendar for separate discussion.

Motion was made by Garnes/Marks to approve the remaining consent calendar items including minutes of the October 3, 2017 regular meeting; authorizing the City Manager to sign an agreement with the County of Humboldt for Measure Z funding; and to receive and file the check register for September 2017. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Resolution No. 1362-2017 Adopting Revised Master Fee Schedule

Councilmember Strahan stated that revisions to the Master Fee Schedule are related to the Track and Trace Program and since the contract for Track and Trace services is also on the agenda for possible approval, she would like consideration of this item delayed until after that discussion. Council concurred.

Receive & File City's Health Insurance Update

Councilmember Strahan asked if the increase in health insurance premiums will require a budget adjustment and if the current insurance plan is an HMO or PPO plan.

Finance Director Woodcox explained that the increase will require an overall budget amendment which will likely come back to the Council as part of the mid-year budget adjustments. She said when the budget was prepared, staff didn't know what the increase would be so projected a 5% increase; the actual increase however will be 9%. Also, when staff budgeted insurance costs for the vacant positions, they were budgeted at the full-family rate which is not necessarily the case so the overall adjustment will reflect that difference as well and may not represent a full 4% budget adjustment.

She also explained that the current health insurance coverage is under a PPO plan and noted that in 2015 the City switched to a new insurance provider and went from an HMO plan to a PPO plan which represented a substantial cost savings to the City.

Councilmember Strahan commented that the reason she asked that question is that she was going to suggest the City go to a PPO plan to save money.

Motion was made by Garnes/Johnson to receive and file the City's health insurance update. Motion carried 5-0.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Discuss and Provide Input on Proposed Council Voting System

City Manager Knopp turned this item over to the City Clerk to provide an update.

City Clerk Dunham provided a brief staff report and explained that this item is returning to the Council for further discussion and consideration as requested at the last meeting. She noted that staff, at the last meeting provided a brief demonstration on the Electrovote System and that a voting system is the next phase of the project in improving the public address system in the council chambers. She said staff did some additional research on voting systems and this particular system is one of the few systems that is not wireless and doesn't require additional hardware or software. Also, there is approximately \$8,500 remaining in the budget for additional improvements and although the \$5,300 expenditure is within the purchasing authority of the City Manager, staff is asking for Council input.

Mayor Pro Tem Johnson questioned the age of the current voting system and its reliability.

City Clerk Dunham explained that the voting display box was installed in the 1980's and that the mixer was replaced approximately three (3) years ago but the rest of the system was at least 20 years old.

Councilmember Garnes supported the purchase since funds are budgeted and especially because the voting system eliminates the possibility of influenced votes which she felt was important.

Mayor Wilson expressed concern that the Electrovote system is an electronic device and that the company may not even be in business when components need to be replaced. He noted that this type of system is not designed to be repaired whereas the current system is a simplistic system that takes only basic electric skills to repair. He said his suggestion would be to research a video system and put the money into that rather than on a voting system and expressed the importance of having video recordings of meetings.

Mayor Wilson called for public comment on the item.

A student addressed the Council and said she agreed with the importance of video recording and noted that the agendas and minutes of meetings were unorganized on the City's web page.

Motion was made by Johnson/Garnes to authorize the City Manager to purchase the Electrovote System as proposed. Motion carried 3-2; Mayor Wilson and Councilmember Strahan dissenting.

Discussion on the Display of the Motto "In God We Trust" in the City Council Chambers

City Manager Knopp provided a staff report and said this item was placed on the October 3, 2017 agenda at the request of Mayor Pro Tem Johnson. At that time, the Council asked that the City Attorney provide a legal opinion regarding the display of the motto and on the validity of the Resolution that was adopted by the Council in 2009 supporting the display.

He noted that the City Attorney provided a memo as requested and in his opinion, the motto "In God We Trust" can be displayed in the Council Chambers. Also, in his opinion, Resolution No. 1064-2009 directing the motto to become permanently displayed above the City seal in the City Council Chambers is still valid. He did note that if the resolution is challenged, the Council could simply readopt the resolution.

City Manager Knopp said topics of discussion by the Council may be with regard to how and where the motto is displayed, who designs and installs it and how it's financed. If the Council is unable to come to an agreement, another consideration is to create an ad hoc committee to come up with a plan and recommendation to the Council.

Mayor Pro Tem Johnson noted that he has several scrap redwood slabs and that he had talked with Councilmember Marks and he indicated that he would like to work on a design and router out the inscription and bring it back to the Council for consideration.

Councilmember Garnes again expressed her concern about the separation between church and state because while the display is good for a majority of citizens it isn't necessarily good for all citizens pointing out that the City Council's responsibility is to represent all citizens rather than just the majority.

City Attorney Gans said as summarized in his report, under current law it is not deemed as a violation of Federal Constitution and there is no California state case that directly addresses the issue in the context of the California Constitution. He said again, the case law cites that it would be permissible to display the motto.

Mayor Wilson called for public comment.

Bryan Richter offered his assistance in hanging the display.

Mayor Wilson asked for clarification that the existing resolution is valid.

City Manager Knopp clarified that it is still valid and noted that the item can be placed back on the agenda once the display is ready to be presented to Council.

Approve Contract with SICPA for Track and Trace Services and Authorize City Manager to Sign the Contract

City Manager Knopp provided a brief staff report and said there are two fundamental questions attached with this contract. The first is whether the City wants to have a Track and Trace vendor in addition to what the State is pursuing; and whether they want to adopt the regional model.

He reviewed some of the advantages of contracting with SICPA and noted that as the City pursues development projects at the Humboldt Rio Dell Business Park, it is in compliance with federal guidance regarding marijuana activities, brand protection, and regional coordination with the County of Humboldt, Eureka, County of Mendocino and Yolo County participating. He noted that another advantage is transparency as it will help provide city staff with more tools in terms of enforcement.

He explained the contract comes at no cost to the city other than as a pass-through to the permit holder. SICPA will charge fees for training, ongoing monthly maintenance per permit; the City will then charge the permit holder. Also, with adoption of the fee Resolution will be an additional fee on top of the actual cost of the unique identifier tags to help cover the city's costs.

City Manager Knopp introduced Alex Bowman, Vice President of Business Development for SICPA who was present to answer questions about the program.

Councilmember Strahan commented that she called SICPA and spoke with Brian and learned that the pilot program ended February 2017 however; the program was extended until the end of the year.

Alex Bowman clarified that SICPA did an initial trial program with the County that started in August 2016 and ran through February 2017 with a limited number of participants. He said the County has decided to expand that to all permits issued from this point forward noting that they did their first round of training this week.

Councilmember Strahan asked for clarification that the State will essentially have its own track and trace program.

Alex explained that the State selected a vendor (Franwell) that also provides services to Colorado and Oregon which is expected to roll out and become effective January 2018 to coincide with the State's issuance of both permits and temporary licenses. He noted that the concept of that system will be for state use and not necessarily support any local variations nor is it designed to provide proof of origin components as authorized in the SB 94 trailer bill.

Councilmember Strahan asked if the vendors will have their own stamp with a different stamp placed on the product when it goes to a different site.

Alex stated that the concept they are proposing, in working with the City Manager is for Rio Dell to leverage the same platform as the County of Humboldt, like the City of Eureka is leveraging and provide a single uniform technology construct for both the unincorporated areas and cities. He said what they anticipate is that the system will integrate with any third party systems the industry may choose to use whether it's a cultivator using a cultivation management application or a distributor using a warehouse or inventory function, or a dispensary with a point of sale system, SICPA provides electronic integration capabilities so those systems can communicate with the system used by the city for regulatory administrative purposes.

Alex explained that there is only one stamp which they will distribute to the city and the city will then issue to the permit holders. He said that stamp (identifier) is used to go on any product that is created within the supply chain so it can track the product from "seed to sale." He said the unique identifier stamp is wrapped around the base of a plant or might get applied to a quarter ounce of flower, or a sleeve of infused cookies, etc. It is a single design stamp that has a set of currency grade counterfeit features so when the stamp is placed on a product; you know it is an original stamp and not a fake or duplicate stamp. He said the stamp then links back into the technology they maintain so all of the events in moving a product get recorded in the database which is available to law enforcement and the regulatory authorities.

Alex further explained that there are a set of reconciliation pieces that run within the program to identify potential non-compliant events and eliminate mixing any black-market activities with legitimate activities.

Councilmember Strahan asked if the stamp (unique identifier) will be specific to Humboldt County.

Alex noted that counties are allowed to designate themselves as places of origin and protect against permit holders from using the Humboldt brand as well as providing consumers with information on the point of origin.

Mayor Wilson called for public comment on the proposed contract.

Nick Angeloff had a question regarding documentation and the possibility of Humboldt County establishing a higher quality rating of products produced locally. He asked if a permit holder could identify their product as "Humboldt Organics" for example and get a higher level of quality including a brand or even a trade mark and Good Housekeeping seal.

Alex explained the idea of their platform is that it presents the ability for a permit holder to present their products in a way that is consistent with the product and as such they can't use the term "organic" or use trademarks. He commented that the State of California has designated in state law and verified the need to have appellations which the Department of Food and Agriculture is charged with, by 2021 to promulgate rules for establishing appellations. For now, it's just the "proof of origin" that protects the Humboldt brand. He added that the UR code can be scanned through an application that can be downloaded to get product profile information including the creation, potency etc. of the product.

Also, the County will be having conversations with the industry regarding rating guidelines to differentiate one product from another with regard to quality.

Mayor Wilson asked for confirmation that the contract will only be in effect until the end of 2018.

City Manager Knopp noted that the effective date for termination of the contract is December 31, 2018 which will allow the City time to see how the state system is working and how SICPA plays into that system and reassess it at that time.

Mayor Wilson referred to the staff report indicating that staff anticipates only one cannabis permittee to be in position for startup in 2018 at the Humboldt Rio Dell Business Park.

City Manager Knopp confirmed that currently there is only the one permittee expected to be doing business in 2018 so the City is not anticipating having a heavy use of Track and Trace services the first year. He said as the council is aware, staff is still trying to work out details to

get some of the facilities constructed but as the business park develops, use of the Track and Trace system will increase. He added that the ramp-up associated with this program will be manageable for staff.

Mayor Wilson asked for confirmation that the program will be cost neutral for the City.

City Manager Knopp commented that the Track and Trace program will actually open up a small new revenue source for the city through the mark-up of the unique identifier stamp to help cover the cost of administering and overseeing the program.

Motion was made by Johnson/Garnes to approve the contract with SICPA for Trace and Trace services from November 1, 2017 to December 31, 2018, authorize the City Manager to sign the contract, and authorize the City Attorney to make any non-substantive changes to the contract as he deems necessary in coordination with the City Manager and report back to the Council of any non-substantive change for ratification. Motion carried 5-0.

Resolution No. 1362-2017 Adopting Revised Master Fee Schedule

City Manager Knopp provided a brief staff report and explained the proposed resolution will amend the Master Fee Schedule to establish Track and Trace fees; incorporate the recently adopted Billable Burden rates; and include a reference regarding annual water and sewer rate increases to ask that citizens contact the city to get the current rates in effect.

Mayor Wilson called for public comment on the proposed resolution; no public comment was received.

Motion was made by Johnson/Garnes to approve *Resolution No. 1362-2017 Amending the Master Fee Schedule*. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager Knopp distributed a written City Manager Update of recent activities and events (Attachment 1 to these minutes) and reported that the Pavement Management Update (2016-17) Final Report was distributed to Councilmembers; reported on the emergency repairs made to the Painter Street lift station due to pump failure; reported on SB 231 that Governor Brown recently signed into law that allows for storm drain charges to be adopted by the majority protest procedure; basically treated the same as water and sewer rates under Prop 218; and reported that the Governor also vetoed SB 649, the bill that would have taken away local control over cell towers.

Mayor Wilson asked for an update on the City's new website and said there is outdated information on the old website and expressed the need to keep it updated as long as it is available to the public.

City Manager Knopp noted that construction of the new city website is still in progress and

simply stated that he wished that staff had more time to devote to it.

Finance Director Woodcox reported that it was business as usual in the finance department with nothing new to report.

Interim Chief of Police Beauchaine reported on recent activities and events in the police department and said since the last council meeting they made 30 incident reports, 15 arrests and approximately 100 calls for service. He also reported that Officer Walstrom was involved in two vehicle pursuits; one involving a stolen vehicle and the other with a 15 yr. old suspect brandishing a weapon.

Community Development Director Caldwell reported on recent activities in the community development department and said the next regular meeting of the planning commission is scheduled for October 24th and the Commission will be considering the Design Review for a residential 4-Plex on the corner of First and Berkeley; minor amendment to the Cannabis Regulations; and amendment to the Sign Regulations.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Johnson reported on his attendance at the last HCAOG meeting and said they presented the public review draft of the 2017 update of the 20-Year Regional Transportation Plan (VROOM...Variety in Rural Options of Mobility). He said the document should help the city establish a roadmap on how to maintain and rehabilitate the streets and what the long-term commitment will be for the city. He encouraged the councilmembers to read the document and said although it not a perfect document it is a well-considered document.

He also announced that he will be in San Diego next week attending the Annual Statewide Local Agency Formation Commission (LAFCO) meeting. He also announced that he will not be attendance at the November 7th council meeting as he will be in Colorado hunting.

Mayor Wilson reported on his attendance at the Redwood Coast Energy Authority (RCEA) meeting and said they are moving forward with the Community Choice Energy (CCE) Program. He said there was also a presentation on off-shore wind energy and said there is a company based out of France working with local fishermen and that there is real potential for off-shore wind power here in the future. He commented on the success of wind energy in other sea ports bringing increased business to the local communities.

He also reported on his attendance at Humboldt Waste Management Authority (HWMA) and said that something interesting that was brought to his attention had to do with recyclables that we sell. He said that they are losing their value because a large portion of them went to China and the items they had no use for they simply burned as they weren't concerned about pollution. Recently that has changed and they no longer will take everything so some of the

recyclables now go to the landfill. He noted that this could have an effect on the State's goal for 75% waste reduction going to landfills by 2020.

Mayor Wilson said the other subject brought up was the concept of a regional recycling program and the City will need to decide whether they want to participate or not. He said unfortunately, garbage will be a topic of discussion for the council in the near future.

ADJOURNMENT

Motion was made by Johnson/Garnes to adjourn the meeting at 7:28 p.m. to the November 7, 2017 regular meeting. Motion carried 5-0.

Attest:

Frank Wilson, Mayor

Karen Dunham, City Clerk

The Pavement Management Update (2016-17) Final Report has been distributed to Councilmembers in paper format. The report assists decision makers to assess the adequacy of ideal and projected revenues to meet the maintenance needs recommended for the City. A previous DRAFT version was distributed electronically on October 4th.

Painter Street Lift Station – An emergency repair was made to the painter street lift station as a result of one dead pump and one impaired pump at the station. These are the only two pumps that help prevent overflow situations. The station has original infrastructure installed during construction of the bypass and needed to be replaced prior to the rains this year. An adjustment will be coming to the Council on the November 7th Agenda.

Governor Brown signed Senate Bill number 231 (SB 231) into law on October 6, 2017. This new law explicitly allows for storm drain charges to be adopted by the majority protest procedure. Storm drain rates and charges are now to be treated in the same manner as water, sewer, and solid waste under Proposition 218 (California Constitution Article XIII D). This is important because it provides local governments a funding source to support storm water conveyance, collection, and even treatment, through a rate study for storm water services. This potentially provides the City with future financial options to deal with long-standing deferred maintenance and outright failed drainage systems throughout the City, but only after it works its way through the court system.

SB 649 the Cell Tower bill that would have taken away local control over cellular towers was vetoed by the Governor. No word yet on whether the veto will be overridden.

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: kknopp@cityofriodell.ca.gov



CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
November 7, 2017

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager *[Signature]*

FROM: Brooke Woodcox, Finance Director *[Signature]*

DATE: November 7, 2017

SUBJECT: CDBG Architectural Barrier Removal Pay Request #2 – DCI Builders

Recommendation

Receive and File Pay Request #2

Background and discussion

The City Council approved construction at City Hall for architectural barrier removal (ABR) on June 6, 2017 for a total of \$296,785. Change order #1 – Removal of decorative walls – has reduced project costs by \$7,000 for a current total completion cost of \$289,785. Prior amounts paid to date total \$25,940.25. Construction for the project began September 18, 2017 and is scheduled to be completed on December 8, 2017.

Budgetary Impact

Pay Request #2 in the amount of \$45,047.25 is funded through CDBG program income (PI). 10% retention to date is \$7,887.50. Remaining amounts to complete the ABR project total \$210,910. Pay Request #2 and subsequent payments will be paid per contract agreement dated August 3, 2017.

DCI BUILDERS
 118 PORT KENYON ROAD
 FERNDALE, CA 95536
 (707) 786-5450 Fax (707) 786-4566

CUSTOMER #: CORD
 INVOICE #: 68380
 INVOICE DATE: 10/25/17
 DUE DATE: 10/31/17

BILL TO:
 CITY OF RIO DELL
 675 WILDWOOD AVENUE
 RIO DELL, CA 95562

JOB: 17260
 CITY OF RIO DELL
 ARCHITECTURAL BARRIER
 REMOVAL IMPROVEMENTS
 RIO DELL, CA 95562

CODE	DESCRIPTION	CURRENT CONTRACT	PREVIOUS BILLED	PREV %	% COMPL	CURRENT BILLING
PLEASE SEE ATTACHED SCHEDULE OF VALUES FOR A MORE COMPREHENSIVE BILLING DETAIL.						
00	Contract	296,785.00	28,822.50	9.7	27.3	52,152.50
	TOTALS:	296,785.00	28,822.50	9.7	27.3	52,152.50
C001	REMOVE DECORATIVE	-7,000.00			30.0	-2,100.00
	CHANGE ORDER TOTALS:	-7,000.00			30.0	-2,100.00
					SUBTOTAL:	50,052.50
					LESS RETENTION:	-5,005.25
					NET DUE:	45,047.25

Thank you! We appreciate your business!



17260 ~ City of Rio Dell- ADA Barrier Removal Project at City Hall

Application No: 2
 Application Date: 10/25/17
 Period To: 10/31/17
 Contract/SCOV Date: 08/03/17

Schedule of Work Completed

Description of Work	Scheduled Value	From Previous Application	This Period	Materials Presently Stored(not in D or E)	Total Completed & Stored to Date (D+E+F)	% Complete (G/C)	Balance To Finish (C-G)	10% Retention
General Requirements/mobilization	9,375.00	7,500.00			7,500.00	80.00%	1,875.00	750.00
Demolition/disposal	18,700.00	5,610.00	3,740.00		9,350.00	50.00%	9,350.00	935.00
Site prep/layout	1,750.00	525.00	350.00		875.00	50.00%	875.00	87.50
Footling excavation	3,900.00	390.00	1,560.00		1,950.00	50.00%	1,950.00	195.00
Parking/stripping/signage	2,460.00				0.00	0.00%	2,460.00	0.00
Fill material	16,100.00		8,050.00		8,050.00	50.00%	8,050.00	805.00
Landscaping	1,075.00				0.00	0.00%	1,075.00	0.00
Concrete- forming	54,050.00	5,405.00	10,810.00		16,215.00	30.00%	37,835.00	1,621.50
Concrete- strip forms	7,950.00		1,192.50		1,192.50	15.00%	6,757.50	119.25
Concrete- rebar/lies	14,350.00	2,870.00	2,870.00		5,740.00	40.00%	8,610.00	574.00
Concrete- pour	45,475.00	4,547.50	13,642.50		18,190.00	40.00%	27,285.00	1,819.00
Concrete- decorative/stamp walls	17,500.00		5,250.00		5,250.00	30.00%	12,250.00	525.00
Metal fabrication/painting	40,650.00				0.00	0.00%	40,650.00	0.00
Carpentry- temporary access	4,500.00		2,250.00		2,250.00	50.00%	2,250.00	225.00
Storefront doors	24,500.00				0.00	0.00%	24,500.00	0.00
Windows	11,800.00				0.00	0.00%	11,800.00	0.00
Plumbing	2,900.00		1,450.00		1,450.00	50.00%	1,450.00	145.00
Electrical/light fixtures	19,750.00	1,975.00	987.50		2,962.50	15.00%	16,787.50	296.25
Total Contract:	296,785.00	28,822.50	52,152.50	0.00	80,975.00	27.28%	215,810.00	8,097.50
Changer Order #1: Remove Decorative Pattern Stamped Walls/Change to Standard Formed Walls & Colored/Pattern Stamped Walks	(7,000.00)		(2,100.00)		(2,100.00)	30.00%	(4,900.00)	(210.00)
Total Change Orders PR #1:	(7,000.00)	0.00	(2,100.00)	0.00	(2,100.00)	30.00%	(4,900.00)	(210.00)
Total Adjusted Contract:	289,785.00	28,822.50	50,052.50	0.00	78,875.00	27.22%	210,910.00	7,887.50

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: knoppk@cityofriodell.ca.gov



CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
November 7, 2017

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager *3*
FROM: Brooke Woodcox, Finance Director *BW*
DATE: November 7, 2017
SUBJECT: Metropolitan Well Project Pay Request #8

Recommendation

Approve Pay Request #8

Budgetary Impact

Pay Request #8 in the amount of \$176,945.42 will be reimbursed through two (2) grant sources. The State Water Resources Control Board Drinking Water State Revolving Fund (DWSRF), which has a remaining balance of \$12,538.89, will be drawn down expending all grant funds for a total of \$665,876. The remaining amount of \$164,406.53 will be drawn down against Prop 84 funds.

The total budget for the Metropolitan Well Project is \$1,879,076. Expenditures to date at September 30, 2017 (including pay request #8) are \$1,647,932.40 (88%). To date all funds have been drawn down from USDA (\$373,200) and DWSRF (\$665,876). Prop 84 funds (\$783,000) have an amount of \$203,923.39 remaining; while the City's portion of \$57,000 shows funds of \$27,220.21 remaining.

Background and discussion

Pay Request #8 has been approved for payment by the City's Engineering Firm (GHD) and the City Manager.



October 17, 2017

Kyle Knopp
City Manager
City of Rio Dell
675 Wildwood Ave
Rio Dell, CA 95562
(707) 764-3532

RE: Metropolitan Wells Redevelopment Project
Progress Payment Request No. 8 for Wahlund Construction

Dear Kyle,

Construction of the Metropolitan Wells Redevelopment Project has continued to advance, with significant project progress being made during the pay request period of September 1-30. There are minor punch list items that need to be completed by the Contractor (e.g. installing fiberglass enclosures over the wells, completing the SCADA integration, and other miscellaneous items), but otherwise, the project is substantially complete. The fiberglass enclosures have been shipped and are expected to be onsite this week. The Contractor plans to have a crew at the site for one final day to install the enclosures and complete the remaining punch list items. Bret Rinehart said that he plans to be complete with construction by Wednesday October 18.

The State Water Resources Control Board (SWRCB) sent a letter to the City on August 1, 2017 noting that the construction completion date was previously established as October 3, 2017. Kevin Warring, the Project Manager for the SWRCB, has noted that the miscellaneous items that still need to be completed do not necessitate a formal extension through the SWRCB, and that SWRCB funds can be disbursed for the construction items that will be completed this month.

Summary of Change Orders

Six change orders have been fully executed for this project to date.

No.	Change	Cost	Need	Status
1	Adding six inches of class 2 aggregate base underneath slab. Add additional aggregate base underneath new driveway.	\$6,267.59	An additional six inches of class 2 aggregate base will be added underneath the new building slab to provide additional support under the new footings and slab. Some additional aggregate base will also be required underneath the new driveway to match driveway elevations with the new building elevations.	Executed
2	Replacing existing asbestos cement pipe with PVC pipe with joint restraints.	\$6,118.02	Replacing the existing ACP at the site will allow for easier connections, prevent damage from the site construction activities in the vicinity of the existing pipe, and reduce potential future risk of damage due to issues with the ACP. This existing pipe will be replaced with new PVC pipe with joint restraints.	Executed
3	Contract Extension	\$0	The wet weather in the winter and early springtime significantly hindered construction	Executed



			progress. The heavy rains had deleterious effects on the workability of the soil, and it likely would not have been possible to achieve adequate compaction of material during this time. Because of this, there was a construction hiatus that spanned months, and a contract extension was required.	
4	Sandblast Clear Well	\$6,185.01	The Xypex product that will be used to coat the interior of the clear well requires a clean, bare concrete surface to adhere properly. Because pressure washing the clear well specified did not remove all of the residue on the interior, the clear well needs to be sandblasted. In addition, City Staff requested pipes in the chlorine enclosure be raised for easier access.	Executed
5	Additional Exterior Lighting	\$1,621.83	The original design included exterior lighting on the front and the side of the treatment building. The wells and chlorination enclosure are located at the rear of the building, so two additional exterior lights were added at this end.	Executed
6	Wiring/Relays to Booster Pump Motor Heaters; Additional 220V Outlet for Future Building Heater; Additional Light Switch for Independent Control of Exterior Lights	\$1,765.35	<p>The motors for the booster pumps have heaters inside them to reduce condensation. For the heaters to work, wire, conduit, and relays need to be installed to the motors.</p> <p>City staff will need a heater in the building that can be turned on when required during the cold winter months. An additional 220V outlet will be installed inside the building to allow for a heater to be plugged in.</p> <p>The new exterior lights on the building are all controlled by one light switch. The lights on the front of the building shine onto neighboring properties and buildings. The City needs to be able to turn the front lights off to not be a nuisance to neighbors while keeping the lights in the back of the building on for working and security purposes. An additional light switch will be installed to allow for the independent control of the exterior lighting.</p>	Executed
TOTAL		\$21,957.80		

As shown in the table, the total cost for all change orders is currently \$21,957.80. Per the update memo provided to the City on September 20, 2017 (attached), the original project contingency of \$130,290 was reduced due to previously incurred City costs in the amount of \$52,244.66. These costs were applied to the project in the form \$23,427.74 in planning and design costs identified as being reimbursable by the DWR Prop 84 grant and \$28,816.92 in administrative, planning and design costs being identified as counting toward the City's required \$57,000 contribution. This left the overall project contingency at



\$78,314.03. Accounting for the approved Change Orders Nos. 1-6, the remaining contingency is \$56,087.54.

Pay Recommendation

Wahlund Construction's Pay Request No. 8 is attached to this memo. A summary table is included with the Contractor's submittal which shows the total contract price, approved change orders, the value of work completed to date, the amount of previous payment requested, and the current payment due (which includes subtraction of the required 5% retention). The pay request is based on the bid schedule lump sum breakdown provided by the Contractor and the actual quantities of work completed. GHD construction management staff reviewed the accuracy of the percentage of completion estimates for each item and they are reasonable.

We recommend payment to Wahlund Construction for Pay Request No. 8 in an amount of \$176,975.42. Payment to the Contractor is due within 30 calendar days of this recommendation for payment (due by November 16, 2017). Please contact me if you have any questions regarding the pay request.

Sincerely,
GHD Inc.

A handwritten signature in cursive script that reads "Nathan Stevens".

Nathan Stevens, PE

ATTACHMENTS

Wahlund Construction Pay Request No. 8
Update on Metropolitan Wells Project Funding; September 20, 2017

CC:

Brooke Woodcox, Rio Dell Finance Director, 675 Wildwood Avenue Rio Dell, CA 95562
Quinn Donovan, USDA Area Specialist 777 Sonoma Avenue, E Street Annex, Santa Rosa, CA 95404;
Kevin Warring, Water Resources Control Engineer, SWRCB



Contractor's Application for Payment No. 8

Application Period: 8/1/2017 - 9/30/2017		Application Date: 9/30/2017	
To (Owner): City of Rio Dell	From (Contractor): Ryan Wahlund, Wahlund Construction	Via (Engineer): Steve McHaeve, PE	
Project: Metropolitan Wells Redevelopment Project	Contract: Metropolitan Wells Redevelopment Project		
Owner's Contract No: #0190	Contractor's Project No: 43-16	Engineer's Project No: 11140078	

**Application For Payment
Change Order Summary**

Approved Change Orders				
Number	Additions	Deductions		
1	\$6,267.59		1. ORIGINAL CONTRACT PRICE	\$ 1,301,900.00
2	\$6,118.02		2. Net change by Change Orders	\$ 12,385.61
3			3. Current Contract Price (Line 1 ± 2)	\$ 1,314,285.61
			4. TOTAL COMPLETED AND STORED TO DATE	
			(Column F total on Progress Estimates)	\$ 1,266,855.30
			5. RETAINAGE:	
			a. 5% X 1,266,855.30 Work Completed	\$ 63,342.76
			b. X Stored Material	\$ -
			c. Total Retainage (Line 5.a + Line 5.b)	\$ 63,342.76
			6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5.c)	\$ 1,203,512.53
			7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)	\$ 1,026,537.11
			8. AMOUNT DUE THIS APPLICATION	\$ 176,975.42
			9. BALANCE TO FINISH, PLUS RETAINAGE	
			(Column G total on Progress Estimates + Line 5.c above)	\$ 111,773.05
TOTALS	\$12,385.61			
NET CHANGE BY CHANGE ORDERS	\$12,385.61			

Contractor's Certification
 The undersigned Contractor certifies, to the best of its knowledge, the following:
 (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
 (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances), and
 (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor Signature: *Rick Page*
 By: **RICK PAGE** Date: **10/16/17**

Payment of \$ 176,975.42
 (Line 8 or other - attach explanation of the other amount)

is recommended by *[Signature]* **10/16/17**
 (Engineer) (Date)

Payment of \$ 176,975.42
 (Line 8 or other - attach explanation of the other amount)

is approved by _____
 (Owner) (Date)

Progress Estimate - Unit Price Work

Contractor's Application

Item	Item Description	Item Quantity	Unit Price (\$)	Total Value of Item (\$)	Estimated Quantity Installed this Period	Value of Work Installed this Period	Materials Presently Stored	Quantity Previous Period	Quantity Complete to Date	Value of Work to Date (\$)	Quantity Remaining%	Value of Work Remaining (\$)
1	Mobilization/Demobilization	1	\$ 52,000.00	\$ 52,000.00		\$ -		100%	100%	\$ 52,000.00		\$ -
	Head and Insurance	1	\$ 15,000.00	\$ 15,000.00		\$ -		100%	100%	\$ 15,000.00		\$ -
	Preconstruction Administration	1	\$ 15,000.00	\$ 15,000.00		\$ -		100%	100%	\$ 15,000.00		\$ -
	Temporary Facilities	1	\$ 10,000.00	\$ 10,000.00	10%	\$ 1,000.00		90%	90%	\$ 9,000.00		\$ 1,000.00
	Equipment Mobilization	1	\$ 7,000.00	\$ 7,000.00	10%	\$ 700.00		90%	90%	\$ 6,300.00		\$ 700.00
	Demobilization	1	\$ 5,000.00	\$ 5,000.00	90%	\$ 4,500.00		10%	10%	\$ 500.00		\$ 4,500.00
2	Construction Staking	1	\$ 5,000.00	\$ 5,000.00		\$ -		100%	100%	\$ 5,000.00		\$ -
	Boundary Staking	1	\$ 4,000.00	\$ 4,000.00		\$ -		100%	100%	\$ 4,000.00		\$ -
	Construction Staking	1	\$ 1,000.00	\$ 1,000.00	10%	\$ 100.00		90%	90%	\$ 900.00		\$ 100.00
3	Shoring and Trench Safety	1	\$ 1,000.00	\$ 1,000.00		\$ -		100%	100%	\$ 1,000.00		\$ -
4	Erosion and Sediment Control	1	\$ 2,000.00	\$ 2,000.00		\$ -		100%	100%	\$ 2,000.00		\$ -
5	Berm/Buffing/Retention/Disposal	1	\$ 12,000.00	\$ 12,000.00	15%	\$ 1,800.00		85%	95%	\$ 10,200.00		\$ 1,800.00
	Concrete Retention	1	\$ 4,000.00	\$ 4,000.00		\$ -		100%	100%	\$ 4,000.00		\$ -
	Mechanical / Piping Demolition	1	\$ 4,000.00	\$ 4,000.00		\$ -		100%	100%	\$ 4,000.00		\$ -
	Herzokan Materials	1	\$ 3,000.00	\$ 3,000.00		\$ -		100%	100%	\$ 3,000.00		\$ -
	Repad Ties	1	\$ 1,000.00	\$ 1,000.00		\$ -		100%	100%	\$ 1,000.00		\$ -
6	Clearing/Grubbing, Site Grading, and Percolation Pond Construction	1	\$ 22,000.00	\$ 22,000.00		\$ -		100%	100%	\$ 22,000.00		\$ -
	Cleaning and Grubbing	1	\$ 4,000.00	\$ 4,000.00		\$ -		100%	100%	\$ 4,000.00		\$ -
	Site Grading	1	\$ 6,000.00	\$ 6,000.00	10%	\$ 600.00		90%	100%	\$ 5,400.00		\$ 600.00
	Percolation Pond Construction	1	\$ 12,000.00	\$ 12,000.00	5%	\$ 600.00		95%	95%	\$ 11,400.00		\$ 600.00
7	Restoration of Existing Wells	1	\$ 5,000.00	\$ 5,000.00		\$ -		100%	100%	\$ 5,000.00		\$ -
	Well Demolition/Removal	1	\$ 1,500.00	\$ 1,500.00		\$ -		100%	100%	\$ 1,500.00		\$ -
	Well Reconstruction	1	\$ 4,200.00	\$ 4,200.00		\$ -		100%	100%	\$ 4,200.00		\$ -
8	Well #1 Equipment, Piping, and Appurtenances	1	\$ 20,000.00	\$ 20,000.00		\$ -		100%	100%	\$ 20,000.00		\$ -
	Well #1 Pump	1	\$ 7,500.00	\$ 7,500.00	100%	\$ 7,500.00		0%	100%	\$ 7,500.00		\$ -
	Well #1 Piping and Appurtenances	1	\$ 8,000.00	\$ 8,000.00	50%	\$ 4,000.00		50%	100%	\$ 4,000.00		\$ 4,000.00
	Installation	1	\$ 4,500.00	\$ 4,500.00	50%	\$ 2,250.00		50%	100%	\$ 2,250.00		\$ 2,250.00
9	Well #2 Equipment, Piping, and Appurtenances	1	\$ 17,000.00	\$ 17,000.00		\$ -		100%	100%	\$ 17,000.00		\$ -
	Well #2 Pump	1	\$ 5,000.00	\$ 5,000.00	100%	\$ 5,000.00		0%	100%	\$ 5,000.00		\$ -
	Well #2 Piping and Appurtenances	1	\$ 8,000.00	\$ 8,000.00	50%	\$ 4,000.00		50%	100%	\$ 4,000.00		\$ 4,000.00
	Installation	1	\$ 4,000.00	\$ 4,000.00	50%	\$ 2,000.00		50%	100%	\$ 2,000.00		\$ 2,000.00
10	Chlorination Equipment and Eye Wash Station	1	\$ 17,000.00	\$ 17,000.00		\$ -		100%	100%	\$ 17,000.00		\$ -
	Chlorination Equipment	1	\$ 5,000.00	\$ 5,000.00	75%	\$ 3,750.00		25%	100%	\$ 3,750.00		\$ 3,250.00
	Eye Wash Station	1	\$ 5,000.00	\$ 5,000.00	75%	\$ 3,750.00		25%	100%	\$ 3,750.00		\$ 1,250.00
	Installation	1	\$ 7,000.00	\$ 7,000.00	50%	\$ 3,500.00		50%	100%	\$ 3,500.00		\$ 3,500.00
11	Slabs and Fiberglass Hoop for Well and Chlorination Equipment	1	\$ 50,000.00	\$ 50,000.00		\$ -		100%	100%	\$ 50,000.00		\$ -
	Concrete Slabs for Wells	1	\$ 2,500.00	\$ 2,500.00	100%	\$ 2,500.00		0%	100%	\$ 2,500.00		\$ -
	Concrete Slabs for Chlorination Equipment	1	\$ 5,000.00	\$ 5,000.00	100%	\$ 5,000.00		0%	100%	\$ 5,000.00		\$ -
	Fiberglass Hoop for Wells	1	\$ 15,000.00	\$ 15,000.00	50%	\$ 7,500.00		50%	100%	\$ 7,500.00		\$ 7,500.00
	Fiberglass Hoop for Chlorination Equipment	1	\$ 20,000.00	\$ 20,000.00		\$ -		100%	100%	\$ 20,000.00		\$ -
	Installation	1	\$ 2,500.00	\$ 2,500.00		\$ -		100%	100%	\$ 2,500.00		\$ -
12	Perimeter Fencing and Gate	1	\$ 15,000.00	\$ 15,000.00	95%	\$ 14,250.00		5%	95%	\$ 14,250.00		\$ 750.00
13	Electrical and Controls System	1	\$ 250,000.00	\$ 250,000.00		\$ -		100%	100%	\$ 250,000.00		\$ -
	Electrical Mobilization	1	\$ 7,000.00	\$ 7,000.00	50%	\$ 3,500.00		50%	100%	\$ 3,500.00		\$ 3,500.00
	Power Panel - Material	1	\$ 26,500.00	\$ 26,500.00		\$ -		100%	100%	\$ 26,500.00		\$ -
	Power Panel - Labor	1	\$ 15,500.00	\$ 15,500.00		\$ -		100%	100%	\$ 15,500.00		\$ -
	Light Fixtures - Material	1	\$ 2,500.00	\$ 2,500.00		\$ -		100%	100%	\$ 2,500.00		\$ -
	Light Fixtures - Labor	1	\$ 2,500.00	\$ 2,500.00	100%	\$ 2,500.00		0%	100%	\$ 2,500.00		\$ -

Progress Estimate - Unit Price Work

Contractor's Application

Application Period	City of New Bedford Metropolitan Water Reclamation Project	Application Number	9/10/2017										
Item	Item	Quantity	Unit Price (\$)	Total Value of Item (\$)	Estimated Quantity Installed this Period	Value of Work Installed this Period	Milestone Priority	Quantity Previous Period	Quantity Complete to Date	Value of Work to Date (\$)	Quantity Remaining	Value of Work Remaining (\$)	
14	Instrumentation & Controls - Materials	1	L.S. \$ 103,000.00	\$ 103,000.00	22.9600%	\$ 13,338.30		87.03%	100.00%	\$ 100,000.00	0%	\$ -	
	Instrumentation & Controls - Labor	1	L.S. \$ 33,500.00	\$ 33,500.00	95%	\$ 31,725.00		100%	100.00%	\$ 36,500.00	2.00%	\$ 1,775.00	
	Trenching and Backfill and Conduits - Materials	1	L.S. \$ 26,500.00	\$ 26,500.00		\$ -		100%	100.00%	\$ 11,000.00	0%	\$ -	
	Trenching and Backfill and Conduits - Labor	1	L.S. \$ 31,000.00	\$ 31,000.00		\$ -		100%	100.00%	\$ 11,000.00	0%	\$ -	
	Single Vessel Greenand Filter Packaged Water Treatment System at 200 gpm	1	L.S. \$ 310,000.00	\$ 310,000.00		\$ -							
	Equipment Submittals	1	L.S. \$ 31,012.41	\$ 31,012.41		\$ -							
	Equipment Fabrication	1	L.S. \$ 72,362.30	\$ 72,362.30		\$ -							
	Equipment Delivered	1	L.S. \$ 103,374.71	\$ 103,374.71		\$ -							
	Freight	1	L.S. \$ 9,317.46	\$ 9,317.46		\$ -							
	Installation	1	L.S. \$ 80,240.29	\$ 80,240.29	8%	\$ 6,419.22		90%	98%	98%	\$ 78,615.48	2.00%	\$ 1,624.81
	Startup	1	L.S. \$ 13,692.83	\$ 13,692.83	100%	\$ 13,692.83							
	CMU Treatment and Controls Building	1	L.S. \$ 170,000.00	\$ 170,000.00		\$ -							
	Excavation and Sitegrade Prep	1	L.S. \$ 25,000.00	\$ 25,000.00		\$ -							
	Concrete Foundation	1	L.S. \$ 50,000.00	\$ 50,000.00		\$ -							
CMU	1	L.S. \$ 45,000.00	\$ 45,000.00		\$ -								
Roofs and Vents	1	L.S. \$ 4,000.00	\$ 4,000.00	50%	\$ 2,000.00								
Roof Structure	1	L.S. \$ 30,000.00	\$ 30,000.00		\$ -								
Doors	1	L.S. \$ 10,000.00	\$ 10,000.00		\$ -								
Painting	1	L.S. \$ 6,000.00	\$ 6,000.00	10%	\$ 600.00								
Clear Well Booster Pumps and Motors	2	E.A. \$ 40,000.00	\$ 80,000.00		\$ -								
Clear Well Booster Pumps and Motors Installation	2	E.A. \$ 36,000.00	\$ 72,000.00	10%	\$ 7,200.00								
Painting	2	E.A. \$ 4,000.00	\$ 8,000.00	100%	\$ 8,000.00								
Site Piping, Valves, and Appurtenances	2	E.A. \$ 1,000.00	\$ 2,000.00	100%	\$ 2,000.00								
Raw Water Pump	1	L.S. \$ 7,000.00	\$ 7,000.00	10%	\$ 700.00								
Wastewater Pump	1	L.S. \$ 5,000.00	\$ 5,000.00	10%	\$ 500.00								
Backwash Pump	1	L.S. \$ 3,000.00	\$ 3,000.00	10%	\$ 300.00								
Site Gravel	1	L.S. \$ 11,000.00	\$ 11,000.00	10%	\$ 1,100.00								
Gravel Delivery	1	L.S. \$ 12,000.00	\$ 12,000.00	10%	\$ 1,200.00								
Clear Well Cleaning, Disinfection, and Reconting	1	L.S. \$ 5,000.00	\$ 5,000.00		\$ -								
Clear Well Cleaning	1	L.S. \$ 3,000.00	\$ 3,000.00		\$ -								
Clear Well Disinfection	1	L.S. \$ 1,000.00	\$ 1,000.00	100%	\$ 1,000.00								
Clear Well Reconting	1	L.S. \$ 1,000.00	\$ 1,000.00		\$ -								
Paved Driveway	1	L.S. \$ 11,000.00	\$ 11,000.00	100%	\$ 11,000.00								
Double Vessel Greenand Filter Packaged Water Treatment System at 200 gpm each vessel (difference in cost from Item 14)	1	L.S. \$ 116,000.00	\$ 116,000.00		\$ -								
Equipment Submittals	1	L.S. \$ 11,604.65	\$ 11,604.65		\$ -								
Equipment Fabrication	1	L.S. \$ 27,077.51	\$ 27,077.51		\$ -								
Equipment Delivered	1	L.S. \$ 38,682.15	\$ 38,682.15		\$ -								
Freight	1	L.S. \$ 3,486.53	\$ 3,486.53		\$ -								
Installation	1	L.S. \$ 30,025.38	\$ 30,025.38	8%	\$ 2,402.03								
Startup	1	L.S. \$ 5,123.77	\$ 5,123.77	100%	\$ 5,123.77								
Serpentine Chlorine Contact Pipe	1	L.S. \$ 88,000.00	\$ 88,000.00		\$ -								
Piping	1	L.S. \$ 29,000.00	\$ 29,000.00	10%	\$ 2,900.00								
Installation	1	L.S. \$ 59,000.00	\$ 59,000.00	10%	\$ 5,900.00								
Wave Generator Fabric Under Site Gravel and Driveway	1	L.S. \$ 8,700.00	\$ 8,700.00		\$ -								
Add additional 4" of aggregate base under the slab of the CMU Treatment & Controls building & driveway	1	L.S. \$ 6,267.59	\$ 6,267.59	10%	\$ 626.76								

Contractor's Application

Progress Estimate - Unit Price Work

For Contract		City of Rio Pied Metropolitan Water Redevelopment Project		Application Number		K	
Application Period		9/1/2017 - 9/30/2017		Application Date		9/3/2017	
Item		Contract Information		Value of Work		Value of Work	
Old Item No	Description	Units	Unit Price (\$)	Total Value of Item (\$)	Quantity Installed this Period	Quantity to be Installed this Period	Value of Work Remaining (\$)
CC11 No. 2	Replace the length of existing pipe from the 16th location (Station 28 on Drawing C111) to the southern property line with new 6-inch CPVC pipe with bell restraints.	1	\$ 6,118.02	\$ 6,118.02	0%	100%	\$ -
Totals				\$ 6,118.02	\$ 6,118.02	\$ 6,118.02	\$ -
				\$ 1,266,855.36	100%	100%	\$ -



675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: knoppk@cityofriodell.ca.gov

**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
November 7, 2017**

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager *[Signature]*
FROM: Brooke Woodcox, Finance Director *[Signature]*
DATE: November 7, 2017
SUBJECT: Measure Z Funding 1st Quarter Report – FY 2017/18

RECOMMENDATION

1. Receive and File report on first quarter Measure Z activities

BACKGROUND AND DISCUSSION

Fiscal year 2017/18 is the third year that the City has been granted funding for a part-time Police Records Technician in the Rio Dell Police Department (RDPD). This position provides departmental administrative support, and to a smaller degree, code enforcement activities.

Measure Z funded administrative assistance allows the RDPD doors to reliably be open four days per week. In addition, code enforcement logs reflect a total of 187 complaints received with 146 cases closed since July 2015.

Each quarter the City submits a quarterly narrative to report on the benefits that Measure Z funding has provided. The first quarter narrative is attached.

ATTACHMENT S

Measure Z Quarterly Narrative Report Form – Q1 2017/18

**COUNTY OF HUMBOLDT – MEASURE Z
Quarterly Narrative Report Form**

Organization Name: CITY OF RIO DELL Report Date: September 30, 2017

Contact Name: Brooke Woodcox Phone: 707.764.3532

1. Please describe the Measure Z activities completed and/or total numbers served or reached.

The purpose of Measure Z funding is to provide clerical support in the City’s police department to support law enforcement, nuisance abatement and code enforcement. With the added administrative support Police Officers are able to spend more time on essential services such as 9-1-1 emergency response, crime investigation/prosecution, drug/illegal marijuana growhouse enforcement prevention, and other law enforcement duties that serve to create a safer community for Rio Dell.

By having the Records Technician in the Police Department law enforcement response times have been shortened. In addition, the Police Department doors are open more often to take calls and assist walk-in traffic. Overall, the community is better served by having administrative assistance available in the Police Department to immediately assist the public.

The Police Records Technician position has also created an effective plan towards making a more harmonious community through Code Enforcement. By actively responding to complaints and facilitating abatement, the City is also enhancing the housing inventory and improving property values in the City of Rio Dell.

Code enforcement and nuisance abatement activities include animal control, building code enforcement, tampering with City property, marijuana, noise, camping, trash, vehicle, and visual blight nuisances.

FISCAL YEAR 2017/18
SUMMARY - CODE ENFORCEMENT AND NUISANCE ABATEMENT ACTIVITIES

	1ST QTR	2ND QTR	3RD QTR	4TH QTR	CURRENT YEAR	PRIOR YEARS	PROGRAM TOTAL
OPENED CASES (New)	40				40	147	187
CLOSED CASES (All)	42				42	104	146
CASES OPEN AT September 30, 2017							41

During the 1st quarter for FY 2017/18 seventeen (40) new code enforcement cases were received. The majority were for marijuana (21). Other complaints received during the 1st quarter were for garbage (1), visual blight (6), trailer camping (1), building/land use (4) and vehicles (7). At the end of the 1st quarter a total of seventeen (17) cases during the period had been closed, while a total of two (2) cases from prior periods were closed.

2. What difference did Measure Z funding make in the Community and for the population you are serving?

Code enforcement activities are more effectively monitored, which helps to eliminate nuisances in the Rio Dell community. The four day a week clerical position adds safety to the community, as well, by designating more time that an officer can spend in the field, instead of simultaneously being available for active patrol and customer assistance at the Police Department.

3. Describe any unanticipated impacts of receiving Measure Z funding, positive or negative, not already described above. N/A



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(707) 764-3532
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E-mail: cm@riodellcity.com

City of Rio Dell
Staff Report
City Council Agenda
November 7, 2017

To: Honorable Mayor Wilson and Members of the City Council

From: Kyle Knopp, City Manager

Date: November 7, 2017

Subject: Resolution 1363-2017 FY 2017/18 **Budget Transfer** of funds for Repair and Maintenance Costs to Date for the Wastewater System's Painter St. Lift Station

RECOMMENDATION

It is recommended that the City Council approve Resolution No. 1363-2017 adjusting the Operating and Capital budget to **transfer funds** from the I & I Reduction Project (\$60,000 budgeted amount) to the Painter Street lift station repairs:

PROJECT: Painter Street Lift Station (9020)	\$ 9,133 – Sewer Capital Fund (052)
PROJECT: I & I Reduction (9010)	<u>\$ (9,133)</u> – Sewer Capital Fund (052)

BACKGROUND

The City's wastewater system is a highly intensive capital investment (\$7.4 million net investment in capital assets) and from time to time unanticipated repairs and maintenance arise. The lift station at Painter Street has had on-going issues and \$30,000 was budgeted in FY 2016/17 for repairs. The original budgeted amount was underestimated in FY 2016/17 and additional costs were incurred for a total of \$35,831 during FY 2016/17. There are still replacement and repair costs being incurred to date that total \$9,133 for the current fiscal year. Staff does not have final cost estimates for this project, but will come back at a later date for an additional budget adjustment to cover the full replacement and repair of the Painter Street lift station.

BUDGETARY IMPACT

None. Appropriations for the Sewer Capital Fund have been approved at \$164,250. Resolution 1363-2017 transfers \$9,133 from I & I Reduction to Painter Street lift station.

BUDGETARY IMPACT continued

The budget was originally adopted with \$4,119,688 in appropriations and \$3,673,014 in revenues. Budget amendments, including Resolution 1363-2017, show increased appropriations of \$68,070 bringing the total budget to \$4,187,758.

The following lists budget adjustment details to date:

DATE	AMOUNT	DESCRIPTION	FUND	RESOLUTION
07/18/17	\$ 5,000	Relocation costs for Wastewater Op.	SEWER FUND 050	1344-2017
07/18/17	1,782	Increase lawn mower purchase cost	GENERAL FUND 000	1344-2017
08/01/17	17,538	Replace Blower Motor	SEWER FUND 052	1347-2017
08/15/17	14,000	GHD Sewer line engineering project	SEWER CAPITAL FUND 052	1349-2017
08/15/17	12,000	GHD Water backwash project	WATER CAPITAL FUND 062	1352-2017
08/15/17	17,750	Sewer machine replacement	SEWER FUND 052	1352-2017
11/07/17	9,133	PAINTER ST. LIFT STATION	SEWER CAPITAL FUND 052	1363-2017
11/07/17	(9,133)	I & I REDUCTION	SEWER CAPITAL FUND 052	1363-2017
TOTAL	\$ 68,070			

ATTACHMENTS

- Resolution 1363-2017
- Adopted Capital Projects List 2017/18
- Invoices to date for Painter Street Lift Station



RESOLUTION NO. 1363-2017
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
FOR A BUDGET TRANSFER AMENDING THE OPERATING AND CAPITAL BUDGET
FOR THE FISCAL-YEAR 2017-2018
PAINTER STREET WASTEWATER LIFT STATION

WHEREAS, the City adopted Resolution 1333-2017 establishing the City's Operating and Capital Budget for the Fiscal-Year 2017/18; and

WHEREAS, the City has approved its 2017/18 fiscal year Operating and Capital Budgets and have identified a budget transfer that should be included to update the 2017/18 fiscal-year budget; and

WHEREAS, unanticipated costs are incurred due to on-going repairs and maintenance of the wastewater system's highly intensive capital investments;

NOW THEREFORE BE IT RESOLVED, that the City of Rio Dell City Council does hereby amend the City of Rio Dell 2017/18 Operating and Capital Budget with the following amendment:

To Project: Painter Street Lift Station Repairs (9020)	\$ 9,133 – Sewer Capital Fund (052)
From Project: I & I Reduction (9010)	\$(9,133) – Sewer Capital Fund (052)

PASSED AND ADOPTED by the City Council of the Rio Dell on this 7th day of November by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Frank Wilson, Mayor

ATTEST:

Karen Dunham, City Clerk

FY 2017/18
PROPOSED CAPITAL/SPECIAL PROJECTS

GENERAL FUND (000)	AMOUNT	DESCRIPTION
Bellevue/Ogle (carry-over 15/16)	45,000	Bellevue/Ogle repairs
Lawn Mower	20,000	Replacement for aged City Lawn Mower
City Hall Repairs and Improvements		
CDBG ABR ADA Improvements	90,000	GF Subsidy for City Hall ADA improvements
Council Chambers	15,000	Acoustics, misc. improvements
Reception Area	20,000	ADA, Security, misc. improvements
Broken Windows	10,000	Repairs and maintenance
GEN FUND PROJECTS	200,000	

WATER FUND (062)	AMOUNT	DESCRIPTION
Water Plant Effluent Redirection	150,000	Project to lower silt emission into WWTP
"Hawk" Calibration	15,000	Contractor to calibrate instrumentation
Four Ft. Roller & Trailer (.25)	8,250	Equipment for small paving projects.
Utility Truck (0.40)	14,000	Replacement for aged Jeep and GMC Utility
Forklift (0.15)	2,250	Replacement for aged forklift
WATER FUND PROJECTS	189,500	

SEWER FUND (062)	AMOUNT	DESCRIPTION
Contact Basic Covers	30,000	Project for compliance with SWRCB
Sewer Machine Replacement	35,000	Replacement of aged Sewer Machine
Sewer Push Camera	5,000	Replacement of aged Camera
Utility Truck (0.40)	14,000	Replacement for aged Jeep and GMC Utility
Four Ft. Roller & Trailer (.25)	8,250	Equipment for small paving projects.
I & I Reduction	60,000	Manhole repair project
Forklift (0.80)	12,000	Replacement for aged forklift
SEWER FUND PROJECTS	164,250	

STREETS FUNDS (020, 024)	AMOUNT	DESCRIPTION
Four Ft. Roller & Trailer (.5)	16,500	Equipment for small paving projects.
Utility Truck (0.20)	7,000	Replacement for aged Jeep and GMC Utility
Street Striping	20,000	Safety work
Drainage replacements	30,000	Repair of various drains in town.
Forklift (0.05)	750	Replacement for aged forklift
STREETS FUNDS PROJECTS	74,250	

CDBG FUND (037)	AMOUNT	DESCRIPTION
CDBG ABR ADA Improvements	160,000	City Hall ABR ADA (plus GF \$90k Subsidy)
CDBG FUND PROJECT	160,000	

788,000

POTENTIAL/FUTURE ADDITIONS	AMOUNT	DESCRIPTION
Street Sweeper	0	Estimated cost range \$80,000 to \$150,000
Bobcat w/ Attachments	0	Estimated Cost Range of \$65,000 to \$115,000
ADDITIONS	0	

PAINTER STREET LIFT STATION
 RESOLUTION 1363-2017
 Invoice List

Date	Description	Amount
10/02/2017	BANK OF AMERICA BUSINESS CARD ENGLUND MARINE - MISC STAINLESS STEEL CAP SCREWS & NUTS	792.48
10/02/2017	KEENAN SUPPLY 3 EA ROMAC FLNG COUPLING ADAPTERS; 4 EA FLNG BOLT & NUT KITS	1,045.44
10/02/2017	KEENAN SUPPLY 4 EA SS FLNG BOLT & NUT KITS	117.45
10/03/2017	KEENAN SUPPLY 6 DI STD BLIND FLNG	78.30
10/03/2017	ROTO ROOTER PUMP OUT LIFT STATION	1,050.00
10/05/2017	ROGERS MACHINERY INC INSTALLATION OF NEW ROTATING ASSEMBLY & VALVES; INSTALLATION OF PUMPS AT PAINTER STREET	1,378.00
10/12/2017	KEENAN SUPPLY AYM MIPXFIP LEAD FREE CORP STOP	257.17
10/12/2017	KEENAN SUPPLY 8 EA 1/8 RED RUBBER FULL FACE GASKETS; 2 EA 6X2 TAP BLIND FLNG; 2 EA 150 IMP GALV MI SQ HEAD PLUGS	250.13
10/12/2017	STEVE'S SEPTIC PUMP OUT MAN-HOLE	3,325.00
10/16/2017	FORTUNA ACE HARDWARE 2 EA GALV PLUGS	5.19
10/16/2017	WYCKOFF'S 1" GALV MALLEABLE PLUG	2.15
10/16/2017	INDUSTRIAL ELECTRIC 2 NEMA SIZE 1 STARTER 12V COIL; 6 GE O/L HEATERS	831.70
TOTAL		9,133.01

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



TO: Mayor and Members of the City Council
FROM: Kyle Knopp, City Manager and Russell Gans, City Attorney
DATE: November 1, 2017
SUBJECT: Adoption of Resolution No. 1364-2017, adopting an Open Door Policy

RECOMMENDATIONS

Adopt Resolution No. 1364-2017 adding Section 3.41 entitled "Open Door Policy" to the City of Rio Dell Employee Handbook.

BACKGROUND AND DISCUSSION

On September 5, 2017 the City Council adopted amendments to the Employee Handbook through Resolution No. 1356-2017. The Council also gave direction to the City Attorney to create an Open Door Policy.

The purpose of an open door policy is to encourage open communications between staff, Department Heads and the City Manager. Most problems can be resolved simply, fairly and informally when dealt with through an open door policy. The Council directed the City Attorney to revise the draft open door policy proposed for inclusion in the Employee Handbook to provide a method to notify an Ad Hoc Committee of the City Council regarding issues directly related to the City Manager. The Policy should recite that it is not to be used to circumvent employee organization obligations to negotiate directly with the City Manager. The City seeks to achieve these goals by adopting the attached Resolution and incorporating the attached Open Door Policy into the Employee Handbook.

ATTACHMENTS:

- (1) Proposed Resolution No. 1364-2017

RESOLUTION NO. 1364-2017



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
ADDING SECTION 3.41 ENTITLED "OPEN DOOR POLICY" TO THE CITY
OF RIO DELL EMPLOYEE HANDBOOK**

WHEREAS, the City Council of the City of Rio Dell adopted the Employee Handbook for the City employees and officer on September 5, 2017;

WHEREAS, the purpose of the Employee Handbook is to help employees get acquainted with the City of Rio Dell and provide information about its employment practices and to ensure the City is sensitive to, and responsible for, the efficient, economical, and legal implementation of its business operations;

WHEREAS, revisions and amendments to the Employee Handbook may be made following consideration by the City Council at a regular City Council meeting, and shall become effective upon adoption by resolution of the City Council pursuant to Section 3.02 of the Employee Handbook:

WHEREAS, the City Council has reviewed the Open Door Policy attached hereto as Exhibit A and has determined that adoption of the Open Door Policy is in the best interest of the City of Rio Dell and the employees of the City of Rio Dell.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rio Dell:

1. The foregoing recitals are true and correct and are hereby incorporated by reference.
2. The City Council hereby amends the Employee Handbook to add Section 3.41 entitled "Open Door Policy", to read as attached hereto as Exhibit A, and incorporated herein by this reference.
3. If any section, part of provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

4. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Rio Dell, State of California, on November 7, 2017, by the following vote:

AYES:

NOES:

ABSENT:

Frank Wilson, Mayor

Attest:

Karen Dunham, Rio Dell City Clerk

Exhibit A

3.41 Open Door Policy

For employee complaints involving: (i) harassment employees should refer to Section 2.05, page 3 of this Handbook, (ii) for complaints involving workplace violence, Section 4.04, page 36 of this Handbook; (iii) for the City's "whistleblower policy", employees should refer to Section 3.38, page 30 of this Handbook; and (iv) Termination, Discipline and Rules of Conduct, Section 3.36, page 24 of this Handbook. For other, more generic issues and problems, this "Open Door Policy" applies.

Most problems can be resolved simply and fairly, or avoided entirely, if the issue or incident is dealt with through the Open Door Policy. The City's Open Door Policy is informal. If the employee is having a problem, complaint, or dispute, the employee should make every effort to resolve the matter through informal discussion with the employee's immediate Department Head. If the matter remains unresolved or directly relates to the employee's immediate Department Head, the employee should speak to the City Manager, who has final authority on all personnel matters. If the matter relates solely to the City Manager, the employee shall send notice jointly to the City Manager and the Ad Hoc Committee formed by the Rio Dell City Council for personnel matters generally and shall state the nature of the matter. Once referred, the Ad Hoc Committee, in its sole discretion, will elect whether it wishes to directly speak with the employee further, or provide a response through the City Manager. In no event will the Ad Hoc Committee have any supervisory authority over any employee, nor will it have the authority to bind the City to any specific course of action related to personnel matters. In this circumstance, the Ad Hoc Committee serves solely as an outlet to hear issues relating directly to the City Manager, and potentially facilitate better communication between the affected employee and City Manager, with no obligation of any sort to act assigned to the Ad Hoc Committee.

The Written notice pursuant to this Policy shall be marked "**CONFIDENTIAL**" and hand delivered as follows:

To the City Council Ad Hoc Committee:

Attention: City of Rio Dell Personnel Ad Hoc Committee
675 Wildwood Avenue, Rio Dell, California

To the City Manager:

Attention: City Manager
675 Wildwood Avenue, Rio Dell, California

City employees may express their concerns or complaints at any time without fear of reprisal in accord with this policy. It is always best, however, to resolve problems right away, as small problems tend to turn into big problems if they are not raised as soon as possible.

Neither this Open Door Policy nor any other policy in this Handbook shall be used in a manner to circumvent the obligation of all contract employees and/or any Recognized Employee Organization or members thereof to meet, confer and negotiate with the City Manager on all terms and conditions of employment and issues subject to the MMBA as stated in Section 3.22 of this Handbook.



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*

November 7, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approval of Resolution No. 1365-2017 Designating the City Manager as the Authorized Representative for Grant Application Related to Sanitary Sewer Evaluation Study

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve Resolution No. 1365-2017.

BACKGROUND AND DISCUSSION

On August 15, 2017 the City Council authorized a budget adjustment to move forward with a Scope of Services with the City's engineer, GHD Inc. to develop a grant application for a Sanitary Sewer Evaluation Study. The study is a necessary step in order for the City to be competitive for future grants that address the wastewater collection system's Inflow & Infiltration issue. Resolution No. 1365-2017 is a necessary part of the grant application process.

///

RESOLUTION NO. 1365-2017



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
DESIGNATING THE CITY MANAGER AS THE AUTHORIZED
REPRESENTATIVE TO FILE A FINANCIAL ASSISTANCE APPLICATION
WITH THE STATE WATER RESOURCES CONTROL BOARD FOR A
SANITARY SEWER EVALUATION STUDY**

WHEREAS, the City of Rio Dell's Wastewater collection infrastructure is aged and prone to high levels of Inflow and Infiltration (I&I); and

WHEREAS, the City of Rio Dell seeks to address these issues in order to comply with State and Federal environmental regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rio Dell:

The City Manager is hereby authorized and directed to sign and file, for and on behalf of the Entity, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of Sanitary Sewer Evaluation Study. This Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto. The Authorized Representative, or his/her designee, is designated to represent the Entity in carrying out the Entity's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the Entity and compliance with applicable state and federal laws.

PASSED AND ADOPTED by the City Council of the City of Rio Dell, State of California, on November 7, 2017, by the following vote:

AYES:

NOES:

ABSENT:

Frank Wilson, Mayor

Attest: _____
Karen Dunham, Rio Dell City Clerk



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*

November 7, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion on a Skate Park in the City of Rio Dell

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff, if any.

BACKGROUND AND DISCUSSION

Member of the public Amanda Shelton appeared before the City Council on September 19, 2017 and requested an item be agendaized to discuss work underway to build a skate park in Rio Dell. The Council agreed to place an item on the agenda.

///



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November 7, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Informational Presentation from the Employment Development Department.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentation from the Employment Development Department on labor market information.

BACKGROUND AND DISCUSSION



It is requested that the Council receive a presentation on labor market information from the Employment Development Department (EDD). Randy Weaver, EDD's North Coast Labor Market Consultant will give the presentation via powerpoint which will include an update on the 2017 edition of the Targets of Opportunity study of the regional economy. The study looks at the areas of economic strength in Del Norte, Humboldt, Mendocino, Siskiyou and Trinity Counties. In addition to a look at the regional economy, the webinar will also present some information about how the Targets have fared in the individual counties since the recession, as well as a look at entrepreneurial growth. No action is required.

The Council last received a presentation on similar economic data at the meeting of August 19, 2014.

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



For Meeting of: November 7, 2017

To: City Council
From: Kevin Caldwell, Community Development Director 
Through: Kyle Knopp, City Manager 
Date: October 25, 2017
Subject: Amendment of Personal Cannabis Cultivation Regulations

Recommendation:

That the Planning Commission:

1. Receive staff's report regarding amending Section 17.30.235 of Rio Dell Municipal Code, the City's Personal Cannabis Cultivation Regulations; and
 2. Open the public hearing, receive public input and deliberate; and
 3. Introduce (first reading) Ordinance No. 362-2017 amending Ordinance No. 358-2017 and continue consideration, approval and adoption of the proposed Ordinance to your meeting of November 21, 2017 for the second reading and adoption.
-
-

Background and Discussion

As the Council is aware the City recently adopted Ordinance No. 358-2017 which established personal recreational cultivation regulations as required by Proposition 64, the Adult Use of Marijuana Act (AUMA).

Councilmember Garnes recently returned from the League of California Cities Annual Conference where she attended a workshop regarding Proposition 64. At this workshop, it was reported that jurisdictions must allow cultivation within a residence. The reasoning is that

residents of apartment complexes or dwellings that do not have access to detached accessory buildings would not be able to cultivate cannabis for their personal recreational use.

The City's adopted regulations require that cultivation activities occur in a detached accessory building. Staff contacted the City Attorney and he concurs that the City must allow cultivation to occur within a residence. Under Proposition 64, cities are allowed to reasonably regulate personal cannabis cultivation but they cannot ban it. Under the current regulations it could be argued that the City has effectively banned personal cultivation.

In addition, to allowing cultivation within a residence, the City Attorney recommended some other minor modifications to the regulations. Staff is also recommending that the allowable area for cultivation be reduced from 150 square feet to 50 square feet and that the kitchen and bathrooms be maintained for their intended uses.

The proposed amendments were presented to the Planning Commission at their meeting of October 24, 2017. A couple of minor amendments to the proposed Ordinance were made at the meeting including requiring renters to provide written approval from the property owner and to prohibit cultivation in cargo/shipping containers. The Planning Commission unanimously recommends that the City Council adopt the proposed amendments.

Procedures for Zoning Ordinance Amendments

Pursuant to Section 17.35.010 of the City of Rio Dell Municipal Code, the following City procedures are required to amend the Ordinance:

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.35.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.
- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.
- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.

- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

The proposed amendments are in the public interest in that they would carry out the intent of Proposition 64 regarding the personal cultivation of cannabis for recreational use while establishing reasonable performance standards to protect the City's housing inventory and neighbors from potential impacts from the cannabis activities.

2. The proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected.

There are no specific General Plan goals, policies or discussions that are contrary to the recommended amendments. Therefore, staff believes the proposed regulations are consistent with the General Plan.

3. The proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA).

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project.

Based on the nature of the project, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Where it can be seen with certainty that there is no possibility that the project in question may have a significant effect on the environment, the project is not subject to CEQA. Based on the nature of the proposed amendments, staff believes there is no evidence to suggest that the amendments to the sign regulations will have a significant effect on the environment.

Attachments:

Attachment 1: Draft Ordinance No. 362-2017 amending Section 17.30.235 of Rio Dell Municipal Code, the City's Personal Cannabis Cultivation Regulations.

ORDINANCE NO. 362-2017



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING ORDINANCE NO. 358-2017, PERSONAL CANNABIS CULTIVATION
REGULATIONS, SECTION 17.030.235 OF THE RIO DELL MUNICIPAL CODE:**

THE CITY COUNCIL OF THE CITY OF RIO DELL DOES ORDAIN AS FOLLOWS:

WHEREAS Proposition 64, the Adult Use of Marijuana Act (AUMA) was approved and became effective November 9, 2016; and

WHEREAS AUMA legalizes the use of recreational cannabis and creates a State regulatory and licensing system for commercial cultivation, testing, manufacturing and distribution of nonmedical marijuana; and

WHEREAS AUMA allows persons 21 years of age or older to possess, plant, cultivate, harvest, dry, or process not more than six (6) living cannabis plants and possess the cannabis produced by the plants; and

WHEREAS local governments may "reasonably regulate" but not prohibit "indoor" cultivation; and

WHEREAS indoor cultivation includes a greenhouse or other detached accessory building; and

WHEREAS local governments may ban outdoor cultivation, but those that do will not be eligible for grants; and

WHEREAS it is the intent of the City to minimize the impacts of cannabis cultivation in neighborhoods and the impacts that can accompany cannabis cultivation; and

WHEREAS the City has reviewed and processed the proposed Cannabis Cultivation Regulations in conformance with Sections 65350 – 65362 of the California Government Code; and

WHEREAS the City has reviewed and processed the proposed Medical Marijuana Regulations in conformance with Section 17.30.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed Cannabis Cultivation Regulations are deemed to be in the public interest; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed Cannabis Cultivation Regulations are consistent and compatible with a

comprehensive view of the General Plan and any implementation programs that may be affected; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed Personal Cannabis Cultivation Regulations has been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

WHEREAS the proposed Personal Cannabis Cultivation Regulations has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

WHEREAS the City has determined that the proposed Personal Cannabis Cultivation Regulations is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rio Dell:

1. Finds that the proposed Personal Cannabis Cultivation Regulations are in the public interest and consistent with an overall comprehensive view of the General Plan; and
2. Finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed Personal Cannabis Cultivation Regulations have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and
3. Finds that based on the nature of the project, the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment.
4. Approves and adopts the proposed Personal Cannabis Cultivation Regulations.

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

Section 1. Section 17.030.235 is hereby added to the Rio Dell Municipal Code as follows:

Section 17.030.235 Personal Cannabis Cultivation Regulations

(1) Authority and Title. Pursuant to the authority granted by Article XI, section 7 of the California Constitution, California Government Code Section 38773.5 the City Council does hereby enact this Ordinance, which shall be known and may be cited as the "Cannabis Cultivation Regulations".

(2) Purpose and Intent. The purpose and intent of the Cannabis Cultivation Regulations is to regulate the cultivation of cannabis for personal use in a residence and detached accessory buildings and ban the production of cannabis products as defined herein and Section 11018.1 of the Health and Safety Code, the commercial production and sale of non-medical cannabis and cannabis products.

It is the intent of the City that the cultivation of cannabis for personal use be conducted in a manner that is consistent with State law and which promotes the health, safety, comfort, convenience, and general welfare of the residents and businesses within the incorporated area of the City of Rio Dell.

It is the intent of the City to balance the right's of our residents to cultivate and possess cannabis and minimize the impacts of cannabis cultivation in neighborhoods.

(3) Findings. The City Council hereby finds and declares the following:

(a) Widespread indoor cultivation of cannabis in the County and Cities has led to a decrease in needed rental housing stock, as rental homes are converted solely to structures to grow marijuana in, as well as excessive energy consumption to power the lights, fans, and other systems needed for a large indoor cannabis growing operation. As rental homes are converted to these grow structures, the character of the neighborhood around the grow structure deteriorates.

(b) Cannabis that is grown indoors can lead to mold, mildew, and moisture damage to the building in which it is grown. Landlords, who thought they were renting a home for people to live in, later find that their property was turned into a structure to grow cannabis and extensively damaged by that use, requiring new flooring, walls, ceiling, electrical and plumbing work to return the home to a habitable state. Growing cannabis is susceptible to plant diseases, mold, mildew, and insect damage and may be treated with insecticides and herbicides that may harm human health when applied or when the chemical is disposed of in the trash or in the sewage disposal system.

(c) Cultivation of cannabis may also result in private or public nuisances. Whether grown indoors or outdoors, marijuana plants, particularly as they mature, produce a distinctive odor that is often detectable far beyond property boundaries. This strong, distinctive odor can interfere with neighboring owners' use and enjoyment of their property. In addition, this odor of growing or "green" cannabis may alert malefactors to the location where marijuana is grown and thereby create the risk of burglary and robbery at that location.

(d) The right of citizen's under state law to possess and cultivate cannabis for personal purposes does not confer upon them a right to create or maintain a nuisance. By adopting this Ordinance, which regulates the land use aspects of indoor residential cultivation of cannabis for personal use, the City expects a reduction in complaints regarding cannabis related odors and residential mold and moisture issues affecting rental housing stocks, as well as a decrease in crime and fires related to the cultivation and processing of cannabis.

(e) The City finds that while the right of citizens to use and cultivate cannabis is authorized by Adult Use of Marijuana Act, the potential land use impacts to the environment and to public health, safety and welfare as identified, necessitates that the City create regulations, such as this Ordinance, to govern the cultivation of cannabis for personal use in a residence or detached accessory buildings.

(f) The City finds that the indoor cultivation of more than one-hundred-fifty (150) square feet of cannabis that is more than ten (10) feet tall per residence or detached accessory building, as defined herein, within the City may result in an unreasonable risk of crime, fire, and other nuisance-related impacts such as odors offensive to people living or working or recreating nearby, as well as resulting in the deterioration of the neighborhood character, decrease in

rental housing stock, and excessive energy consumption and carbon dioxide emissions. Therefore, the indoor cultivation of more than one-hundred-fifty (150) square feet of cannabis that is more than ten (10) feet tall per residence or detached accessory building is hereby found and declared to be unlawful and a public nuisance.

(g) The City further finds that the indoor cultivation of one-hundred-fifty (150) square feet or less of cannabis that is ten (10) feet tall or less per residence or detached accessory building is subordinate, incidental, and accessory to the residential use, within the City will achieve the goals of allowing citizen's the ability to cultivate cannabis in or at their residence as allowed by the Adult Use of Marijuana Act for their personal use, while minimizing, to the extent possible, the negative impacts on the neighbors, the neighborhood, and the community from a citizen's right to cultivate and process cannabis.

(4) Applicability and Interpretation

(a) The cultivation and processing of cannabis for personal use in a residence or detached accessory building within the jurisdiction of the City shall be controlled by the provisions of this Ordinance, regardless of whether the cultivation or processing existed or occurred prior to the adoption of this Ordinance.

(b) Nothing in this Ordinance is intended, nor shall it be construed, to exempt any cultivation of cannabis for personal use, from compliance with the City of Rio Dell's zoning and land use regulations, or all applicable local and state construction, electrical, plumbing, land use, or any other building or land use standards or permitting requirements, or any other applicable provisions of the Rio Dell Municipal Code, or any other applicable state or federal laws.

(c) Nothing in this Code is intended, nor shall it be construed, to preclude a landlord from limiting or prohibiting cannabis cultivation, smoking, or other related activities by tenants.

(d) The definitions in this Code are intended to apply to the Medical Marijuana Regulations. Applicable definitions in the Rio Dell Municipal Code may also apply to this Code.

(5) Definitions

Except where the context otherwise requires, the following definitions shall govern the construction of this Ordinance:

"Cannabis" means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds thereof. "Cannabis" also means cannabis as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972. For the purpose of this section, "cannabis" does not mean "industrial hemp" as defined by Section 81000 of the Food and Agriculture Code or Section 11018.5 of the Health and Safety Code.

"Cannabis products" has the same meaning as in Section 11018.1 of the Health and Safety Code, except that it does not include cannabis products manufactured, processed, transported, distributed, or sold for medical purposes under Chapter 3.5 of Division 8.

“Commercial cannabis activity” includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, labeling, transportation, distribution, delivery or sale of non-medical cannabis and non-medical cannabis products as provided for in the Adult Use of Marijuana Act.

“Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of ~~marijuana~~ cannabis.

“Detached Accessory Building – Residential” means a building which is incidental and subordinate to the residence or residential use and be located on the same parcel. Detached Accessory Buildings must be fully enclosed, secure and lockable structure that has a roof supported by connecting walls extending continuously to a perimeter foundation or equivalent base to which the connecting walls are securely attached. A “greenhouse”, “hoophouse” “cargo or shipping container” is not considered to be a Detached Accessory Building – Residential for purposes of these Cannabis Cultivation Regulations.

“Indoor(s)” means within a fully enclosed and secure structure that has a roof supported by connecting walls extending from the ground to the roof, and a foundation, slab, or equivalent base to which the floor is securely attached.

“Residence” means any structure designed or used for residential occupancy, including an attached garage, regardless of whether it is located in a residential zone.

“Residential Cultivation” means the growing of not more than six (6) cannabis plants by a person 21 years of age or older within a Residence or Detached Accessory Building ~~one hundred fifty (150) square feet or less that is ten (10) feet or less in interior height of cannabis cultivation indoors within a residence or detached accessory building as defined herein. Such cultivation shall be subordinate, incidental, and accessory to the residential use.~~

“Person” includes any individual, firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, and the plural as well as the singular.

~~“Purchaser” means the customer who is engaged in a transaction with a licensee for purposes of obtaining cannabis or marijuana products.~~

~~“Sell,” “sale,” and “to sell” include any transaction whereby, for any consideration, title to cannabis is transferred from one person to another, and includes the delivery of cannabis or cannabis products pursuant to an order placed for the purchase of the same and soliciting or receiving an order for the same.~~

(6) Residential Cultivation for Personal Use

The City shall not interfere with a the cultivation of cannabis for personal use, so long as the cultivation is in conformance with ~~this Ordinance~~ the Rio Dell Municipal Code and state law.

In order to eliminate the potential nuisance and health and safety impacts to the greatest extent possible, residential cannabis cultivation and processing for personal use shall be in conformance with the following standards:

- (a) Outdoor, and greenhouse ~~and~~ cultivation ~~in a residence~~ is prohibited; and

(b) Indoor cannabis cultivation shall be limited to a private residence and/or in a detached accessory buildings and shall not exceed six (6) plants and ~~one hundred-fifty (150)~~ square feet or less per residence. ~~on a parcel. The maximum allowed~~ and shall not exceed an interior ceiling height is ten (10) feet; and

(c) In residence's where the cannabis cultivation occurs, kitchen and bathroom(s) shall be maintained for their intended use.

~~(c)~~ (d) The cannabis cultivation and processing area ~~in the detached accessory building~~ shall be indoors and secured against unauthorized entry; and

~~(d)~~ (e) Grow lights for cannabis cultivation ~~in the detached accessory building~~ shall not overload the capacity of the branch circuits; and

~~(e)~~ (f) All electrical equipment used in the indoor cultivation of cannabis ~~in the detached accessory building~~ shall be plugged directly into a wall outlet or otherwise hardwired. The use of extension cords to supply power to electrical equipment used in the residential cultivation of cannabis is prohibited. Any electrical or mechanical work or alterations may require a Building Permit; and

~~(f)~~ (g) The use of gas products (CO₂, butane, etc.) for indoor cannabis cultivation is prohibited; and

~~(g)~~ (h) No toxic or flammable fumigant shall be used for indoor cultivation unless the requirements of Section 1703 of the California Fire Code have been met; and

~~(h)~~ (i) No odor of cannabis shall be detectable from the property boundaries by a person of ordinary senses. To achieve this, the cultivation area shall be, at a minimum, mechanically ventilated with a carbon filter or other superior method to prevent the odor of cannabis from escaping the indoor cultivation area and negatively impacting neighbors and the surrounding community. Ventilation systems shall be installed in a manner that facilitates decommissioning and a return of the cultivation area to non-cultivation uses; and

~~(i)~~ (j) From a public right of way, neighboring properties, or neighboring housing units, there shall be no auditory evidence of the cultivation that is detectable by a person of ordinary senses; and

~~(j)~~ (k) Cannabis cultivation, processing, or transfers are prohibited as a Home Occupation; and

~~(k)~~ (l) No sale, trading, or dispensing of cannabis is allowed on a parcel where cultivation of cannabis occurs; and

~~(l)~~ (m) All waste materials shall be disposed of properly. No effluent, including but not limited to waste products, chemical fertilizers or pesticides shall be discharged into drains, septic systems, community sewer systems, water systems or other drainage systems including those that lead to rivers and streams as a result of the cultivation of cannabis; and

~~(m)~~ (n) The cultivation of cannabis shall not adversely affect the health or safety of residents, neighbors, or nearby businesses by creating dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration, or other impacts, or be hazardous due to use or

storage of materials, processes, products or wastes associated with the cultivation of cannabis; and

(#) ~~(o)~~ The indoor personal recreational cultivation of cannabis must comply with all applicable state and county laws, including fire and building codes; and

(#) ~~(p)~~ ~~In detached accessory buildings with wooden floors, a~~ **A** waterproof membrane or other waterproof barrier shall be installed to protect the floor of the indoor cultivation area from water damage.

(#) ~~(q)~~ Cultivation areas must be maintained in a clean and sanitary condition.

(#) ~~(r)~~ An annual Permit and Acknowledgement is required. **Renters must provide written authorization from the property owner.** The applicant shall be required to pay the Life-Safety Inspection Fee in effect at that time.

(#) ~~(s)~~ Upon proper notification consent to a minimum of one additional on-site compliance inspection annually, to be conducted by appropriate City officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays). The applicant shall be required to pay the Life-Safety Inspection Fee in effect at that time.

(7) Violation of Regulations.

It shall be unlawful for any person, whether principal, agent, employee, firm, corporation or otherwise, to violate or causing or permitting the violation of any of the provisions of these regulations.

(8) Penalty.

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 summary or administrative abatement of the nuisance by the City, and be subject to 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 dollars (\$1,000.00), 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.

(9) Declaration of Public Nuisance.

Any building or use operated or maintained contrary to the provisions of these regulations shall be, and the same is hereby declared to be, a public nuisance and shall be subject to injunction and abatement as such.

(10) Remedies.

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 violation or nuisance pursuant to all applicable provisions of law as an alternative and/or in addition to any enforcement proceedings set forth in the Rio Dell Municipal Code.

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 violations or nuisances and to enforce its ordinances.

(11) Police Chief Responsible for Enforcement of this Title.

(1) The Police Chief shall be responsible for the enforcement of the provisions of these regulations.

(2) These regulations may be enforced by an authorized representative of the Police Chief.

(3) The Community Development Director is hereby designated as an authorized representative of the Police Chief.

(4) The Police Chief, or his authorized representative(s), shall have authority to request entry to any building, structure, or premises, during normal business hours for the purpose of performing his/her official duty.

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. CEQA Compliance

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

Section 5. 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 November 7, 2017 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 21, 2017 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Frank Wilson, 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. 362-2017 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on November 21, 2017.

Karen Dunham, City Clerk, City of Rio Dell