

**AGENDA**  
**RIO DELL CITY COUNCIL**  
**STUDY SESSION – 6:00 P.M.**  
**REGULAR MEETING – 6:30 P.M.**  
**TUESDAY, FEBRUARY 18, 2014**  
**CITY COUNCIL CHAMBERS**  
**675 WILDWOOD AVENUE, RIO DELL**

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

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.*

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

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. STUDY SESSIONS - 6:00 - 6:30 p.m.

- 1) 2014/0218.01 - Presentation by Alison Talbott, PG&E on High Energy Use Tax Program

E. CEREMONIAL MATTERS

- 1) 2014/0218.02 - Swearing In of Police Officer Dmitriy Gavryush

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F. PUBLIC PRESENTATIONS

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

G. CONSENT CALENDAR

*The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS".*

- 1) 2014/0218.03 - Approve Minutes of the February 4, 2014 Regular Meeting  
**(ACTION)** 2
- 2) 2014/0218.04 - Declare (2) Real Properties of the Water Fund Surplus to the City  
and Available for Sale **(ACTION)** 10
- 3) 2014/0218.05 - Accept Conditions for Gift of Rio Dell Elementary School District  
Property **(ACTION)** 13

H. SPECIAL PRESENTATIONS

- 1) 2014/0218.06 - Project Status Report from City Engineer, Merritt Perry, GHD

I. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2014/0218.07 - Direct Staff to Prepare Notice for Public Hearing on Establishment  
of Building Department Administrative Fees for March 4, 2014.  
**(ACTION)** 16
- 3) 2014/0218.08 - Approve Agreement with Arnie Kemp for Contract Plan Check  
and Building Inspection Services effective February 18, 2014  
**(ACTION)** 24
- 4) 2014/0218.09 - Approve Water Fund Budget Adjustments **(ACTION)** 36

J. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2014/0218.10 - Approve Resolution No. 1217-2014 Restating Water Rates, Charges  
and Fees as set forth in Resolution No. 1168-2012, Correcting and  
Clarifying the Text and Rescinding Resolution No. 1168-2012  
**(ACTION)** 41
- 2) 2014/0218.11 - Conduct second reading (by title only) and adopt Ordinance No.  
317-2014 Amending Section 2.60.030(4) of the Rio Dell Municipal  
Code Changing the Planning Commission's Monthly Regular Meetings  
from the 4<sup>th</sup> Wednesday of the month to the 4<sup>th</sup> Thursday **(ACTION)** 50
- 3) 2014/0218.12 - Introduce and conduct first reading (by title only) of Ordinance No.  
312-2014 Amending Current Home Occupation Regulations, Section  
17.10.010 of the Rio Dell Municipal Code **(ACTION)** 56

- 4) 2014/0218.13 - Introduce and conduct first reading (by title only) of Ordinance No. 313-2014 Establishing Cottage Industry Regulations, Section 17.10.010 of the Rio Dell Municipal Code (**ACTION**) 79

K. REPORTS/STAFF COMMUNICATIONS

1. City Manager
2. Chief of Police - **Monthly Police Report for January 2014** 97
3. Finance Director – **Check Register for January 2014** 105
4. Community Development Director

L. COUNCIL REPORTS/COMMUNICATIONS

M. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS: **No Closed Session Items Scheduled**

N. ADJOURNMENT

*The next regular meeting will be on March 4, 2014  
at 6:30 p.m. in City Hall Council Chambers*

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



To: Honorable Mayor and Members of the City Council  
Through: Jim Stretch, City Manager  
From: Graham Hill, Chief of Police  
Date: February 18, 2014  
Subject: Swearing in of Police Officer Dmitriy Gavryush

**Action**

Ceremonial- Swearing in by Mayor

**Summary**

Dmitriy made it through a thorough background process and was hired on February 8<sup>th</sup> to fill the vacant full-time Police Officer position in our department. Dmitriy was previously employed with us as a level 1 Reserve Police Officer and then was hired by the Ferndale Police Department about seven months ago, where he worked successfully for that agency in a full-time capacity. Dmitriy learned of our opening and discussed the matter with his Chief in Ferndale and elected to apply with us with Chief Smith's blessing and a positive performance review. We are happy to have him back and are looking forward to getting back to full staffing.

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
FEBRUARY 4, 2014  
MINUTES**

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

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

Absent: Mayor Thompson (excused)

Others Present: City Manager Stretch, Community Development Director Caldwell and City Clerk Dunham

Absent: Chief of Police Hill, Water/Roadways Superintendent Jensen and Wastewater Superintendent Chicora

**PUBLIC PRESENTATIONS**

**Carol Theuriet** addressed the Council regarding a traffic issue on Pacific Ave. and stated that there are many citizens who walk along Pacific Ave. with no sidewalks to protect them and also many children who play along Pacific Ave. who are at risk from being hit by speeding vehicles. She said there is also a high school bus that stops at the corner of Pacific and Elm St. that needs consideration. She said during the logging season many of the truck drivers disregard the 25 MPH speed limit. She said some motorists will disregard the speed limit no matter what but since Pacific Ave. from Monument Road to Davis St. is the City's designated truck route, citizens should afford the effort to control the 25 MPH speed limit. She said a traffic study was done 4 or 5 years ago but believes it is time to readdress the changing use of Pacific Ave. She said many citizens find it more convenient to use Pacific Ave rather than Wildwood Ave. to reach the upper areas of the City and suggested a 4-way stop at Douglas St. and a speed monitor be installed to help slow traffic. She also suggested the placement of additional signs including a "Children at Play" sign and a crosswalk at Elm and Pacific where the school bus stops. She said it would be nice to have the speed trailer placed on Pacific Ave. the next time it's available. She stated that she approached the Police Department several months ago about the ongoing speed problem but doesn't believe any action has been taken to try to control the speed. She said she would like to know our citizens are being protected.

**Deborah Bare** addressed the Council regarding the current deposits required for water and sewer service and said she knows someone who recently moved to town and rented a studio apartment for \$700/mo. and had to come up with \$3,000 to get into the apartment; when she called the City she was told that she also had to pay a \$300 deposit go get the water and sewer service started. She asked that the Council give consideration for a payment plan or funding assistance for residents with limited income.

Mayor Pro Tem Wilson commented that the deposit policy was recently addressed during a public hearing.

City Manager Stretch said he would be glad to explain the policy during the next day or two if Mrs. Bare would like to come in.

**Nick Angeloff** provided a brief update on the East-West Rail efforts and said there is nothing new to report since the last meeting. He said in regard to the Little League, the Board will be holding a meeting February 10<sup>th</sup> which he will be attending and handling whatever coordination is needed to insure that Rio Dell and Scotia has a team this year and hopefully the kids will be playing on the home field this year.

### **CONSENT CALENDAR**

Councilmember Johnson asked that Item 1, *Approval of Minutes of the January 21, 2014 Regular Meeting* be removed from the consent calendar and placed under Special Call Items for separate discussion.

Motion was made by Marks/Woodall to approve the consent calendar including the approval of an Agreement between Rio Dell and Humboldt Waste Management Authority for Administration of the Recycling Program; and approval of Amendment to the Rio Dell/Scotia Chamber of Commerce Agreement for Business Incubator Cash Match to allow funds to be made in the 2013-14 and 2014-15 fiscal years. Motion carried 4-0.

### **SPECIAL CALL ITEMS FROM CONSENT CALENDAR**

#### Approve Minutes of the January 21, 2014 Regular Meeting

Councilmember Johnson noted a correction to the minutes on page 13 related to the City Manager's statement regarding the recent drought proclamation made by the Governor and said he brought the correction to the City's Clerks attention and the minutes were revised as such. The corrected minutes read in part "if the dry weather persists, the SWRQCB will be notifying water rights holders to limit or stop diversion under this water crisis; and based on priority, the right to divert is based on the water right type being claimed. In times of drought, "junior right holders" such as the City are the first to discontinue use but we do have priority over ag or any use, and potable water to the community is a No. 1 priority."

Motion was made by Johnson/Woodall to approve the minutes of the January 21, 2014 regular meeting as revised. Motion carried 4-0.

### **SPECIAL CALL ITEMS/COMMUNITYAFFAIRS**

Public Hearing – Unmet Transit Needs

City Manager Stretch provided a staff report and said each year the Humboldt County Association of Governments (HCAOG), as part of the Regional Transportation Planning Agency (RTPA), conducts a citizen participation process to access unmet transit needs within Humboldt County. He said this process helps HCAOG properly apply funds by the Transportation Development Act (TDA). In addition to the County's public hearing, HCAOG recommends that each entity conduct a separate public hearing to receive comments specific to their jurisdiction; any public comments received will be sent to HCAOG for inclusion in the Unmet Transit Needs Report of Findings.

He reported that in the past, the City received approximately \$103,000; \$56,000 of which was dedicated to meet the transit needs of public transportation, \$6,500 for Adult Day Health Services, with the balance dedicated to local street maintenance.

A public hearing was opened at 6:45 p.m. to receive public comment on unmet transit needs.

**Nick Angeloff** commented that although it is not really an unmet transit need he wanted to mention that he recently had experience with the Adult Day Health Care Program and assured the Council that it works well and is very effective. He urged the City to look into a program that provides meals to seniors as an added benefit.

Councilmember Marks asked if Adult Day Health provides seniors with rides to medical appointments.

Nick Angeloff responded that they will pick up seniors and take them to their appointments; however as he understands it they don't wait and take them back home.

Councilmember Marks said she would like to see why HCAR (Humboldt Community Access and Resource Center) doesn't expand their dial-a-ride services to include Rio Dell. She said the issue was brought up during the prior year's public hearing but she is not sure if the concern was addressed.

There being no further public comment, the public hearing closed at 6:49 p.m.

Provide Staff Direction on Concept of Establishing Building Inspection Administrative Fees to Fund the Building Inspection Program

City Manager Stretch provided a staff report and said during the 2013-14 budget hearings, the City Council addressed the issue of the Building Inspection Program not being self-supported; generally running with an annual deficit of around \$22,000 depending on building activity. Staff was directed to develop a concept to allow the service to be provided without a general fund

subsidy. As such, a concept proposal was developed and is now being presented for consideration.

He said to add to the budget situation, during recent negotiation with Arnie Kemp for a new professional services agreement, the matter of professional liability insurance was introduced as a requirement. When it was presented to him, he determined that he could not afford the insurance and gave the City a termination notice. He said the quote from a local Broker for general liability and errors and omissions coverage was \$3,300; assuming that 60% of that coverage is related to inspection services provided to Rio Dell, the net cost would be \$1,980.

He explained the proposal establishes an administrative fee to be added as a percentage of the building permit fees beginning immediately with 15%, 28% the following year, 40% in 2015-16 and thereafter if necessary to raise program revenues to fully fund the program. He further explained that if at the end of any fiscal year program revenues are greater than expenditures, the surplus revenue would be deposited into a restrictive fund to be drawn against in future years where the revenue is less than expenditures. In the event revenues should accrue over time to \$20,000 or more, any amount over \$10,000 would be used to reduce the Building Department Administrative Fee accordingly.

Additional options were then reviewed for consideration which included:

1. Delete the requirement for the inspector to carry professional insurance coverage thereby shifting the liability and defense costs for claims filed against him to the City; or
2. Take the position that the cost of insurance should be considered as a "cost of doing business" thus not allowing him any reimbursement from the new administrative fees; or
3. Accept Arnie Kemp's letter of termination effective February 28, 2014 and direct staff to find a replacement to provide the service, either an individual or a public agency.

Upon further review of the building department revenues and expenditures, it was determined there was an error in the calculations, and that the percentage to be added to each building permit for the building program administrative fee would need to be recalculated.

A public hearing was opened at 6:57 p.m. to receive public comment on the concept of establishing Building Administrative fees to fund the Building Inspection Program.

**Sharon Wolff** addressed the Council stating that in the past the City utilized the services of the County Building Department and even if it does cost more for the service, it would be worth it to have a competent building inspector.



**Roger Barisdale** commented that without annexation of additional lands to the City, he doesn't foresee much potential for growth with regard to building.

There being no further public comment, the public hearing closed at 7:00 p.m.

Councilmember Johnson commented that he likes the idea of the Building Inspection Program being self-supporting and the concept for establishing a trust fund in the event the revenues exceed the expenditures.

Mayor Pro Tem Wilson said he also would like to see the program self-supporting but would like to see how the City's building permits fees compare to other local jurisdictions. He said if the insurance is needed to keep the inspection program going, it might be necessary for the City to pick up the cost under the first step and bring the matter back to Council for further consideration during the next budget process.

City Manager Stretch noted that the first step for a 15% administrative fee imposed on all building permits would cover the current insurance costs.

Councilmember Woodall questioned the reason for implementing the administrative fee in steps.

City Manager Stretch said the idea was to ease the fee in over a three year period but if the Council prefers, the fee could be stepped up to over a shorter time frame.

Councilmember Marks commented that she has been getting a lot of building permits lately and the last permit was only \$25.50. She said residents don't realize how good they have had it. She said she would support being more aggressive with the administrative fee, provided staff has the data to back up the cost of providing the service.

City Manager Stretch offered to make the correction to the calculations based on implementation of the full fee over a two year period and bring the item back at the next meeting on February 18<sup>th</sup> including permit fee comparisons from other agencies.

Motion was made by Marks/Woodall to direct staff to bring the matter back at the next meeting including liability and errors and omissions insurance costs at 60%; in the meantime to authorize reimbursement for those insurance costs to Arnie Kemp (Kemp Inspection Services) for the amount necessary to carry on the Building Inspection Program. Motion carried 4-0.

## **ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS**

Introduce and Conduct First Reading (by title only) of Ordinance No. 317-2014  
Amending Section 2.60.030(4) of the Rio Dell Municipal Code Changing the Planning  
Commission's Monthly Regular Meetings from the 4th Wednesday of the Month to the 4<sup>th</sup>  
Thursday

Community Development Director Caldwell provided a brief staff report and said at the request of one of the Planning Commissioner's at their last meeting; the Planning Commission considered and discussed changing the regular monthly meeting date because of an apparent conflict for one of the Commissioners with the Wednesday meetings. He said after a fairly lengthy discussion, the Planning Commission voted 4-1 to recommend to the City Council that the regular meeting date be changed from the fourth Wednesday to the fourth Thursday of each month.

Councilmember Johnson asked if the Commissioner with the dissenting vote would be able to attend the meetings on Thursdays. Community Development Caldwell commented that she indicated there may be a potential conflict and couldn't promise she would be available for every meeting.

Councilmember Woodall commented that she found it strange to change the meeting date because of one request when another Commissioner is not in support of the change.

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

Planning Commissioner Nick Angeloff stated for clarification that there was a lengthy discussion by the Commission and not until after the decision was made to recommend the date be changed to Thursday did it come up that there may be a possible conflict.

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

Motion was made by Johnson/Marks to introduce and conduct the first reading (by title only) of Ordinance No. 317-2014 Amending Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month. Motion carried 4-0.

Continue Public Hearing, Introduction and First Reading (by title only) of Ordinance No. 312-2014 Amending Current Home Occupation Regulations to the Meeting of February 18, 2014  
Community Development Director Caldwell stated that staff is recommending this item be continued to the next regular meeting on February 18, 2014 to allow for some additional revisions to the draft ordinance.

Motion was made by Woodall/Johnson to continue the public hearing, introduction and first reading (by title only) of Ordinance No. 312-2014 Amending Home Occupation Regulations to the meeting of February 18, 2014. Motion carried 4-0.

## **REPORTS/STAFF COMMUNICATIONS**

City Manager Stretch reported on recent activities and events and said what staff thought to be a major water leak under the north bridge turned out to be a pipe that had pulled apart and Wendt

Construction was able to make the necessary repairs much easier than anticipated. With regard to the current drought situation, he reported that Water Superintendent Jensen was out sick and unable to put together the information requested at the last meeting; he said the information will be provided at the February 18<sup>th</sup> meeting. He said at the next meeting he will also be bringing forward a review and status report on the Water Fund; noting that due to additional legal fees Capital purchases in the Water department will need to be trimmed.

He also reported that the Rio Dell School Board will be meeting on February 12<sup>th</sup> and will be discussing the proposal to gift to the City a portion of school property as previously discussed. He said should the Board approve the proposal; staff will follow up with regard to the survey. He then reported that two of the appraisals on the water fund properties were completed; the Metropolitan site containing the wells was appraised at \$48,000; the parcel on Bellevue at \$50,000. He noted that the appraisal of the Monument Spring site is still outstanding.

City Manager Stretch further reported that related to the Wastewater Rate changes, Prop 218 requires a 45 day notice sent to all property owners and rate payers prior to holding the public hearing which brings it to either the April 1<sup>st</sup> or April 15<sup>th</sup> regular meeting.

Councilmember Marks asked if a traffic study is needed before a 4-way stop can be considered for Douglas and Pacific. City Manager Stretch indicated that a study would be needed.

Councilmember Marks also asked if Water/Roadways Superintendent is still working on a plan to establish different levels of repairs for street improvements.

Councilmember Johnson commented that the public works department recently did some cleaning of the sewer line at DJ's Burger Bar and asked whose responsibility it is to keep the lines cleaned.

City Manager Stretch responded that the City is responsible for the line from the City right-of-way to the main and the property owner is responsible for their lateral.

Councilmember Johnson asked is there a grease trap to prevent grease from plugging the lines.

City Manager Stretch commented that the Wastewater Superintendent has been working with them on a plan and stated this particular problem was the result of a break in the line rather than a grease problem.

Councilmember Johnson also commented that although he is not a Traffic Engineer, he believes a Traffic Engineer would recommend against the installation of Stop signs to control speed. He did think it would be a good idea to place the speed trailer in the area of Pacific Ave. and Douglas St. the next time the Police Department borrows the equipment to see if it is effective in slowing traffic.

Community Development Director Caldwell reported on recent activities in the Planning Department and said the Planning Commission will be holding a study session on February 13<sup>th</sup> for the purpose of continuing review and discussion of the Land Use Matrix; on the next City Council agenda he would be bringing forward Home Occupations, Address of Convenience and Cottage Industry regulations. He said he is also working on an adjusted fee schedule for Project Development Review Fees; actually reducing some of the deposit amounts to bring them more in line with the actual cost of providing the service.

Community Development Director Caldwell also reported he was working on a lot line adjustment application for the parcels south of Moore Fuel between Wendt and McWhorter; a zone reclassification on Rigby Ave. to comply with the State mandate to allow 15 units per acre, density bonus provisions and provisions for transitional housing.

Councilmember Johnson questioned the status of the proposed Danco Project. Community Development Director Caldwell said the latest information he had was that Danco was still waiting to hear from the State regarding the grant. He announced that the Dollar General planned to close on the property on Friday and that an out-of-state contractor was selected as the General Contractor for the project.

**COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Johnson reported that he and City Manager Stretch, in the absence of Mayor Thompson will be attending the next HWMA meeting on hauling and disposing of garbage.

Mayor Pro Tem Wilson commented that during the past month or so the attendance at City Council meetings has increased which is healthy for the City; he encouraged citizens to continue to attend.

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 7:30 p.m. to the February 18, 2014 regular meeting.

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Frank Wilson, Mayor Pro Tem

Attest:

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Karen Dunham, City Clerk

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



February 18, 2014

TO: Honorable Mayor and City Council  
FROM: Jim Stretch, City Manager  
SUBJECT: Declare (2) Real Properties of the Water Fund Surplus to the City and available for sale

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Declare real estate parcels identified by Assessor's parcel Numbers 205-111-026 and 205-111-027 as surplus to City use and available for sale, and
2. Authorize the City Manager, if necessary, to enter into real estate agent sales agreements with one or more Real Estate Broker and negotiate commissions for the sale of the (2) properties, and
3. Direct City staff to consult with City Attorney as to the surplus property process, and
4. Let it be known to the public that the City Council retains the authority unto itself to accept or reject any offer for the purchase of surplus City property.

BACKGROUND AND DISCUSSION

On September 17, 2013 the City Council took an action to declare (2) Water Fund Properties surplus and authorized real property appraisals to be conducted in anticipation of the properties being offered to the public for sale. The properties were located on Belleview Road and Old Ranch Road, the latter often referred to as Monument Springs. Those appraisals have been completed and the City Manager is presently working with the City Attorney on the rather complicated legal process to sell them.

The Water Fund has ownership of two (2) additional properties (.53 acres) on Northwestern Avenue that are no longer used by the fund. These are the old water well sites that were abandoned in 2006 when the City acquired water rights for an infiltration gallery in the Eel River. The Council will recall that the water from the wells were very high in manganese and iron and had to be abandoned. However, the wells may have value for a non-potable commercial water use.

Rio Dell Municipal Code section 3.40.040 (e) sets forth the policy of the City regarding surplus real estate property. "All activity involving the declaration and sale of surplus real estate shall require authorization by the City Council regardless of the actual or estimated value." And, Code

Section 3.40.040 (2) provides in part that the proceeds from the sale of property shall be deposited into the appropriate fund; the Water Fund in this case.

Code section 3.40.040 (1) (c) (ii) provides that surplus may be offered for sale for the highest estimated market value and sold by public auction, electronic auction or sealed bid. In this case the City Manager is recommending that authority be delegated so that the services of a Real Property Broker can be retained, if necessary, and that the Council delegate the authority to the City Manager to negotiate commissions as appropriate and sign the real estate agent sales agreements

The City Manager has determined that other City departments have no use for the properties, and therefore recommends that the Council declare them surplus and offer them for sale to the public at the highest price.

An aerial maps of the properties recommended for surplus declaration is attached.

The City Manager is prepared to answer any question that the Council or the public may have on this item.



## Eel River Industrial Park Parcels

APN's 205-111-026 & -027

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



February 18, 2014

TO: Rio Dell City Council  
FROM: Jim Stretch, City Manager  
SUBJECT: Accept Conditions for Gift of Rio Dell School District Property

IT IS RECOMMENDED THAT, IN EXCHANGE FOR THE CITY OF RIO DELL RECEIVING A GIFT OF 3.39 ACRES FROM THE RIO DELL ELEMENTARY SCHOOL DISTRICT TO BE USED FOR COMMUNITY RECREATION:

1. The City of Rio Dell agrees to fund the costs for: 1.) surveying the property, 2.) preparing the legal documents, legal fees and other costs related to the property transfer, and 3.) fencing the property, and
2. Direct the City Manager and City Attorney to do what is necessary and proper for both agencies to complete the transfer.

BACKGROUND AND DISCUSSION

Since October 10, 1980 the City and the Rio Dell District School Board have had an Joint Powers Agreement whereby the City would apply for grant funds to establish recreational opportunities for the community on section of their school site in exchange for the school's priority use of the site during normal schools hours. The agreement expired in 2009, but the relationship has continued nonetheless.

Over the years there have been discussions about transferring ownership of the area used for tennis courts, a parking lot, Little League Baseball field, concession stand and restroom, and a small park area to the City. It seems that both parties have been willing to complete the transfer, but other priorities have gotten in the way and it didn't get done.

Recently it was determined that the present District School Board and City Council still embrace the ownership transfer and so staff members have met to move the idea forward. On February 12, 2014 the District School Board determined their willingness to transfer ownership, conditioned on the City funding the following costs:



1. Surveying the property
2. Preparing and filing documents necessary for the transfer
3. Legal expenses related to the transfer, and
4. Fencing the property.

A fencing contractor has been asked to quote a price for the fencing, which may not be received by the Council meeting.

It is recommended that the City Council accept these conditions and direct the City Manager and City Attorney to do what is necessary and proper to complete the transfer.



City of Rio Dell  
Possible Park Acquisition 3.39+/- acres

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675 Wildwood Avenue  
Rio Dell, CA 95562  
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February 18, 2104

TO: Rio Dell City Council

FROM:  Jim Stretch, City Manager

SUBJECT: Establish Building Department Administrative Fees to Recoup Cost

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Direct staff to prepare the required notice for a public hearing on establishing Building Department Administrative fees for the March 4, 2014 City Council meeting, and
2. Receive and file this report

FOREWARD

This report is intended to engender a discussion of the proposed Building Department Administrative fees, slated for a public hearing and adoption by the City Council on March 4, 2014.

BACKGROUND AND DISCUSSION

In some jurisdictions the Building Inspection Program is totally supported by user fees; i.e. parties who require building inspection services pay for them and other residents of the City do not subsidize the cost. The Building Inspection Program in Rio Dell is not on a self-supported basis, generally running a deficit in excess of \$22,000/year depending on building activity.

During the 2013-14 budget hearings the City Council addressed this issue and directed staff to develop a concept to allow the service to be provided without a general fund subsidy. The recommendation set forth above is intended to address the imbalance between building program revenue and expenditures and provide financial stability to the program.

On February 4, 2014 the City Council considered staff's recommendation on stabilizing the revenue program for the building inspection program and approved it in concept. However, the building program administrative fee was understated and staff was directed to make the correction and perhaps implement the full fee over a shorter period of time.

### THE SITUATION

In particular, the building inspection department budget for 2013-14 totals roughly \$54,500. In a recent negotiation with Arnie Kemp for a new professional services contract the matter of professional liability insurance coverage was introduced as a requirement. He determined that he could not afford the insurance and gave the City a termination notice. That notice has been extended to February 28, 2014.

A local Insurance Broker quotes a price for Mr. Kemp for general liability and errors and omissions coverage required in the draft agreement at \$3,300 for the year. Assuming that 60% of that amount is related to his Rio Dell services agreement (\$1,980), the total program cost would increase to \$56,480, but is only offset by approximately \$34,000 of revenue. That leaves \$22,480 (66%) of the cost of the program being shouldered by the general taxpayer.

### THE PROPOSAL

The proposal is to establish an administrative fee to be added as a percentage of the building permit fees beginning with 33% to be effective 60 after the Council approved the Resolution establishing the fees and 66% effective July 1, 2014 and thereafter. The purpose of the administrative fee is to increase building program revenues to a level that will fully fund the program.

A provision to stabilize the funding for the building inspection program is included in the recommendation, whereby, if at the end of any fiscal year program revenues are greater than expenditures, the surplus revenue would be deposited in a restrictive fund to be drawn against in future years where the revenue is less than expenditures. And, in the event revenues should accrue over time to \$20,000 or more at the end of a fiscal year, the amount over \$10,000 would be used to reduce the "Building Department Administrative Fee" accordingly.

Likewise, if revenue in the "Building Department Trust Fund" after initially reaching \$10,000 or more then falls below \$10,000 at the end of any fiscal year, the "Building Department Administrative Fee" shall be adjusted (increased) by an amount estimated to achieve a balance of at least \$10,000 by the end of that fiscal year.

### JURISDICTIONAL PERMIT FEE COMPARISONS

At the study session on this topic, the City Council requested comparative building permit fee information for the City of Fortuna and the County of Humboldt. That

comparison was compiled by the City Clerk and is attached to this report. As you may note, the plan check and building permit fees for a 1280 sq. ft. residence in Rio Dell is currently \$2,811.68. That same permit in the City of Fortuna is \$4,953 and \$4,535.33 in the County's jurisdiction. Applying the proposed administrative fee of 66% to our current fees, the cost for the City of Rio Dell permit and plan check would be \$4,667.39—right in the ball park.

The City Clerk also gathered the particulars about a number of separate fees charged by other agencies (attached) that Rio Dell has not implemented. The proposed 66% administrative fee is apparently equal to the basic fee of others, including all of their miscellaneous fees.

## OPTIONS

The recommended action presented to the Council is responsive to its directive, which was to make the program self-supporting effective July 1, 2014. The implementation of the administrative fee is recommended to be stepped-in at 33% this fiscal year and the remaining 33% July 1, 2014. The Council may either lengthen the implementation period or make the fee effective in its entirety 60 days after the adoption of Resolution 1218-2014.

Building permit fees are not subject to the Proposition 218 protest process, but are subject to the public hearing process.

## THE RECOMMENDATION

The March 4, 2014 staff report as drafted contains the following recommendations:

1. Conduct a public hearing on establishing "Building Department Administrative Fee" in the amount of 33% of all plan check and building permit fees effective 60 days after the adoption of the establishing Resolution and 66% of all plan check and building permit fees effective July 1, 2014 and thereafter, and
2. Direct that the revenue collected from the administrative fee shall be deposited in a revenue account entitled "Building Department Administrative Fee" for the purpose of fully funding the activities of the Building Department, including the professional insurance requirements of a contract building inspector attributable to the City, or to cover the additional costs of such services charged to the City by another public agency, and
3. Direct that in any fiscal year that the total revenue from building plan check and building permits fees is greater than the gross cost of the department, the additional revenue shall be deposited into a "Building Department Revenue Trust Fund" to be used in future years when revenues fall short of covering the total cost of the program, and

4. a). Direct that, if the revenue in the “Building Department Trust Fund” accrues at the end of any fiscal year to \$20,000 or more, the Fund shall be reduced to \$10,000 by applying the amount in excess of \$10,000 to reduce the “Building Inspection Administrative Fee” for the ensuing fiscal year.  
  
b). Direct that, if the revenue in the “Building Department Trust Fund” after initially reaching \$10,000 or more then falls below \$10,000 at the end of any fiscal year, the “Building Department Administrative Fee” shall be adjusted (increased) administratively by an amount estimated to achieve a balance of at least \$10,000 by the end of the fiscal year, and
5. Adopt Resolution 1218-2104 to establish the Building Department Administrative fee and the Trust Fund Mechanism to increase and stabilize the building inspection revenue program.

EFFECTIVE DATE FOR FEES IF APPROVED

The effective date for the new fees, if approved, is set by State law at 60 days after adoption by the Council, or May 5, 2014.

Cc: Arnie Kemp, Contract Building Inspector  
Kevin Caldwell, Community Development Director  
City Clerk, Karen Dunham  
Finance Department

## RESOLUTION NO. 1218-2014

### A RESOLUTION ESTABLISHING ADMINISTRATIVE FEES FOR THE CITY BUILDING PROGRAM FOR THE PURPOSE OF GENERATING REVENUE SUFFICIENT TO FULLY FUND THE PROGRAM

**WHEREAS;** the City of Rio Dell is authorized by the California Constitution and the California Government Code Section 66014 to impose fees to cover expenses for the services it provides, with the proviso that the fee may not exceed the estimated reasonable cost of providing the service ; and

**WHEREAS;** during the fiscal year 2013-14 Budget Hearings the Rio Dell City Council gave staff direction to develop a conceptual administrative fee program for their consideration in order to put the building plan check, permit issuance and inspection program on a fee for service basis with no General Fund subsidy; and

**WHEREAS;** on February 4, 2014 the City Council of Rio Dell received a staff report and conducted a public study session on establishing building department administrative fees to enable the building program to become self-supporting for plan checks, building permit issuance and inspections, directing that an agenda item be prepared for a public hearing on the proposed Building Department Administrative Fee.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Rio Dell that Administrative Fees for the City Building Program related to plan checks, permit issuance, building inspections and the administration thereof as follows:

1. Building Department Administrative Fees shall be established in the amount of 33% of all plan check and building permit fees 60 days after the adoption of this Resolution and 66% of all plan check and building permit fees effective July 1, 2014 and thereafter.
2. Revenue collected from the administrative fees shall be deposited in a revenue account entitled "Building Department Administrative Fees" for the purpose of fully funding the activities of the Building Department, including the professional insurance requirements of a contract building inspector attributable to the City, or to cover the costs of such contract services charged by another individual or public agency.
3. If, at the end of any fiscal year, the total revenue from all Building Department sources is determined to be greater than the gross cost of the Building Department, the total amount of revenue determined to be greater than the gross cost shall be deposited into a "Building Department Revenue Trust Fund" to be used in future years when revenues fall short of covering the annual cost of the program.

4. If, at the end of any fiscal year, the balance in the “Building Department Trust Fund” accrues to the amount of \$20,000 or more, the Fund shall be reduced to \$10,000 by applying the amount in excess of \$10,000 to reduce the “Building Inspection Administrative Fees” for the ensuing fiscal year.
5. a). Direct that, if the revenue in the “Building Department Trust Fund” after initially reaching \$10,000 or more then falls below \$10,000 at the end of any fiscal year, the “Building Department Administrative Fee” shall be adjusted (increased) administratively by an amount estimated to achieve a balance of at least \$10,000 by the end of that fiscal year.  
  
b). If, by the end of the fiscal year the adjustment proves not to be adequate to achieve a balance of at least \$10,000, the fees shall be administratively adjusted to achieve a balance of at least \$10,000 by the end of that fiscal year.

**PASSED AND ADOPTED** by the City Council of the City of Rio Dell on this 4<sup>th</sup> day of March, 2014 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

Attest:

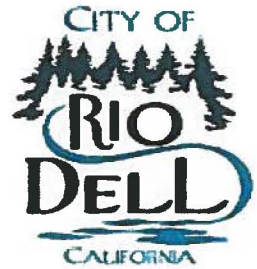
\_\_\_\_\_  
Karen Dunham, City Clerk



BUILDING PERMIT FEES/COMPARISONS						
TYPE OF PERMIT	AGENCY	PERMIT FEE	VALUATION	BASIS FOR CALCULATION	NOTES/COMMENTS	
Single Family Residence	City of Rio Dell	\$2,811.68	\$149,667	Building Valuation Table		1280 sq ft/484 sq ft garage
	City of Fortuna	\$4,953.49		Cost-Base Fee Structure	40% General Fund Subsidy	* See Note Below
	City of Arcata			Cost-Base Fee Structure		
	City of Eureka	\$3,174.86	\$151,110	Cost-Base Fee Structure		Same Approx. size/valuation
	County of Humboldt	\$4,535.33	\$149,667	Valuation & Cost-Base	** See Note Below	1280 sq ft/484 sq ft garage
100 Amp Elect. Upgrade	City of Rio Dell	\$70.25				
	City of Fortuna	\$123.15				
	City of Arcata	\$101.00				
	City of Eureka	\$90.00				Minimum permit fee-\$90.00
	County of Humboldt	\$96.05			*** See Note Below	
* The City of Fortuna charges a \$40.00 permit issuance fee and a \$43.15 admin. fee on every permit						
** The net permit fee for the County = \$2,815.59 (\$4.31 difference) before they add 10 additional misc. fees						
*** County Electrical fee = \$70.25 (same as Rio Dell) + \$25.80 in misc. fees						
ADDITIONAL NOTES: The permit fees for the same 9,100 sq. ft. Dollar General Store in Fortuna are approx. \$4,000-5,000 higher than Rio Dell's fees.						

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*675 Wildwood Avenue  
Rio Dell, CA 95562*



Misc. Building Permit Fees Charged by Other Agencies

- Administrative Fee
- User Fee
- Technology Fee
- Green Building Plan Review & Inspection Fee
- Certificate of Occupancy Fee (\$60-\$75)
- New Address Assignment Fee (\$50-\$75)
- Energy Compliance Fee
- Encroachment Permit Fee
- Permit Fee Adjustments?
- Microfilm Fee
- Education Fee/AB 717 – Certification, training and continued education for building inspectors, building officials and plans examiners  
(Section 18965-18971, Part 2.5 of Division 13 of Health & Safety Code)

Options for Increasing Building Department Revenue

- Establish Administration Fee based on actual staff time
- City retain 100% of all Building Permit Issuance fees
- Add Issuance Fee to Building portion of permit
- Increase Issuance Fee from \$24.00 to \$40.00
- Establish Certificate of Occupancy Fee
- Establish Address Assignment Fee
- Implement AB 717 Education Fee
- Research and explore implementation of other related fees and charges

---

*Rio Dell City hall  
675 Wildwood Avenue  
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(707) 764-3532  
cm@riodellcity.com*



February 18, 2014

TO: Rio Dell City Council

FROM: ~~Jim~~ Stretch, City Manager

SUBJECT: Approval of Agreement with Arnie Kemp for Contract Plan Check and Building Inspection Services

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the attached agreement with Arnie Kemp for plan check and building inspection services, effective March 1, 2014.

BACKGROUND AND DISCUSSION

On February 18, 2009, the City Manager and Arnie Kemp signed an agreement for the provision of plan check and building inspection services to the City. In error, the agreement was not offered to the City Council for approval, but has been honored and in force since that date. A new agreement has been negotiated with the present City Manager and contractor with major provisions as follows:

1. Compensation to contractor under the agreement for plan check and building inspection services is basically an 80%-20% sharing of fees and charges paid, with the contractor receiving 80% (no change).
2. The full amount of fees collected for violation penalties, issuance and permit renewals and administrative fees are retained by the City (new).
3. Professional insurance coverages are required of contractor for general liability, automobile liability and professional liability (E&O) (new).
4. City is to establish administrative fees to be added to permit fees to reimburse contractor on a monthly basis for insurance requirements in the agreement.
5. Contractor is paid the 80% of fees in (4) installments (30%, 30%, 30%, 10%), after tasks identified in the agreement are completed (new).
6. Inspections not listed in the agreements as tasks are compensated at \$60/ per hour with a 1 hour minimum, up from \$50/hour (increase).
7. City records of building activity are to be kept current on a daily basis (new).

As the City Council was advised on February 4, 2014 in a study session on the topic, the Building Program has a budget of approximately \$54,500, including \$25,600 of fees on the average paid to the Arnie Kemp, which is offset by the estimated \$34,000 of revenue. The \$20,000+ difference between revenues and expenses has been subsidized by City residents who do not benefit from building activities. Accordingly, the Council approved in concept establishing building program administrative fees to be added to permit costs to close the gap, including the insurance cost of the contract building inspector under this agreement, estimated at \$2,000 annually.

The agreement recommended to the Council has been approved by the City Manager and Mr. Kemp and has been approved by the City Attorney as to legal form.

Cc: Arnie Kemp, Kemp Inspection Service



**AGREEMENT TO PROVIDE BUILDING PLAN CHECK AND BUILDING INSPECTION SERVICES FOR THE CITY OF RIO DELL**

This Agreement to Provide Building Plan Check and Building Inspection Service for the City of Rio Dell (this "Agreement") is made and entered into as of March 1, 2014 (the "Effective Date"), by and between the City of Rio Dell, a municipal corporation within the State of California (hereinafter referred to as "City" or "Rio Dell") and Arnold C. Kemp, doing business as Kemp Inspection Service, a private building inspection firm owned by Arnold C. Kemp, a sole proprietor (hereinafter "Kemp Inspection Service"). Where collective reference is intended, the City and Kemp Inspections Service are hereinafter referred to as the "Parties".

**RECITALS**

- A. WHEREAS**, the City is obligated to receive and process building (and related) permits within the jurisdictional boundaries.
- B. WHEREAS**, the City does not employ any person(s) licensed or qualified to conduct building and plan check inspections; and
- C. WHEREAS**, the City desires to contact with Arnorld Kemp and Kemp Inspection Service, a licensed and independent building inspector who provides such services in the capacity as an independent contractor.

**AGREEMENT**

Now, therefore, for good and valuable consideration, the receipt of which is hereby acknowledged, the Parties agree as follows:

1. Kemp Inspection Service shall perform construction plan checks and building inspections when and as requested by the City in compliance with any and all

applicable provisions of the California Building Codes, (California Code of Regulations, Title 24) (CBC), including, without limitation, the California Building Code, California Residential Code, California Plumbing Code, California Electric Code and California Mechanical Code, California Energy Code, California Historical Building Code, California Fire Code, California Green Building Standards Code, Existing Building, California Referenced Standards Code. In performing such work, Kemp Inspection Service shall exercise the powers and duties of Rio Dell Building Inspector and Building Official in compliance with the Rio Dell Municipal Code and all applicable laws as aforementioned.

2. The City of Rio Dell shall give at least twenty-four (24) hour advanced notice to Kemp Inspection Service for requested inspections.

3. Kemp Inspection Service shall endeavor to provide services on a prompt and punctual basis, Monday through Friday, as requested by the City.

4. Kemp Inspection Service shall provide at least a one (1) week notice when Kemp Inspection Service is not available to provide services. At all times during the term of this Agreement, and during any period of unavailability, the City is free to contract with third parties to provide inspection services.

5. The City of Rio Dell shall furnish all forms necessary for administration and compliance of the California Building Codes, including but not limited to:

(a) Commercial Plan Checklist;

(b) Residential Plan Checklist;

(c) Sprinkler System Checklist;

(d) Pre-Site Inspection Checklist;

(e) Inspection Record Card; and

(f) Any other forms or documents reasonably necessary to complete building inspections.

6. The City of Rio Dell shall provide all maps and local ordinances required by Kemp Inspection Service to perform this Agreement without charge to Kemp Inspection Service.

7. The City of Rio Dell shall determine Building Permit Fees based on the California Building Code Valuation Data, and applicable municipal ordinances, in effect at the time of application.

8. Kemp Inspection Service shall conduct all inspections in a professional, expedient and courteous manner.

9. The City of Rio Dell shall pay Kemp Inspection Service under this Agreement sums equivalent to eighty percent (80%) of all Building Permit Fees actually collected by the City for Plan Check and Building Inspections actually performed by Kemp Inspection Service pursuant to the Fee and Payment Schedules recited in **Exhibit A** and **Exhibit B**, which are attached hereto and incorporated by reference. Said payment, along with the insurance cost reimbursement amount recited in Section \_\_\_ of this Agreement, below, shall constitute the City's total payment obligation for services rendered under this Agreement and shall represent payment in full for all costs and expenses associated with providing the services under this Agreement including, but not limited to, transportation expense, continuing education, reference materials and periodicals, training, membership dues, insurance costs, licensure fees, tools and equipment.

10. Kemp Inspection Service shall submit to the City by the first work day of each month during the term of this Agreement the completed plan check and inspection

services verifications performed for the prior month and the City shall pay for services rendered within ten (10) days of the receipt of the required verifications in accord with this Agreement and the schedules attached hereto as **Exhibits A and B**.—Permit fees collected by the City for any code violations, penalties for work started without required permits, permit renewal fees and administrative fees are and shall be the exclusive property of the City and shall not be shared with Kemp Inspection Service. Furthermore, plan checks and inspections subcontracted out by Kemp Inspection Service as the result of the complex or specialized nature of the plan or construction shall be paid by Kemp Inspection Service as provided by the payment schedule **Exhibits A and B**, and Kemp Inspection Service shall hold the City harmless from any costs and expenses associated therewith.

11. The City of Rio Dell shall keep all Plan Check and Inspection records completed by Kemp Inspection Service and all such files and records shall be kept and maintained at the City offices in the City of Rio Dell. Kemp Inspection Service shall endeavor to update all City Building Inspection records at City Hall on a daily basis. In the event time constraints require Kemp Inspection Service to retain records overnight, he shall return them to City offices on the next available business day.

12. Kemp Inspection Service shall maintain current Building Inspector and Plans Examiner Certifications from the International Code Council (ICC).

13. All Inspections shall be scheduled by the public through the City Clerk and the City Clerk shall notify Kemp Inspection Service of all calls for inspection service.

14. This Agreement with Kemp Inspection Service cannot be subcontracted out without the express written consent of the City of Rio Dell. Kemp Inspection Services will not seek to subcontract any services unless Kemp Inspection Service does not possess the proper certification or license due to the technical nature of the plans, engineering or construction.



15. This Agreement shall become effective on the Effective Date and shall remain in effect until terminated pursuant to the provisions of paragraph sixteen (16).

16. This Agreement may be terminated by either party, for any reason, upon thirty (30) days prior written notice to the other party. In the event of termination, Kemp Inspection Service shall be entitled to all payments due for services actually rendered prior to notice of Agreement termination, and during the thirty (30) day period thereafter in accord with the payment schedule(s) established by this Agreement.

17. Kemp Inspection Services agrees to indemnify, defend and hold harmless the City of Rio Dell from and against any and all claims, demands, damages, costs, and expenses (including, without limitation, attorney fees) (collectively "Liabilities") arising out of any wrongful acts, errors or omissions, or negligence of Kemp Inspection Service, its agents, employees and subcontractors, in the performance of this Agreement. The City agrees to indemnify, defend and hold harmless Kemp Inspection Service from and against any and all claims, demands, damages, costs, and expenses (including, without limitation, attorney fees) (collectively "Liabilities") to the extent such Liabilities actually arise out of any wrongful acts, errors or omissions, or negligence of the City of Rio Dell, its agents (excluding Kemp Inspection Service and its agents, employees and subcontractors) and employees, in the performance of this Agreement.

18. Kemp Inspection Service shall procure and maintain for the duration of this Agreement insurance against all claims for injuries to persons and/or damage to property which may arise from, or in connection with, the performance of the work hereunder by Kemp Inspection Service as follows:

**Minimum Scope and Limit of Insurance.** Coverage shall be at least as broad as:

- a. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and

property damage, including products-completed operations, personal injury and advertising injury, with limits no less than **\$1,000,000** per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately or the general aggregate limit shall be twice the required occurrence limit.

- b. Automobile Liability: Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto) with a limit no less than **\$1,000,000** per accident for bodily injury and property damage.
- c. Professional Liability (Errors and Omissions) Insurance with a limit of no less than **\$1,000,000** per occurrence or claim, **\$2,000,000** per aggregate.

Kemp shall maintain proof of such insurance on file with the City at all times during the term of this Agreement. If Kemp Inspection Service maintains higher limits than the minimums shown above, the City shall be entitled to coverage for the higher limits maintained by Kemp Inspection Service.

19. The City shall reimburse Kemp Inspection Service on a monthly basis for the City's share of the insurance cost for the policies set forth in section 18 above, which is currently estimated to be sixty percent (60%) of the insurance policy premium applicable to a twelve (12) month policy period. To determine this sum, the total annual cost of the insurance premiums for a twelve month policy period will be added, then divided by twelve (12) and multiplied by sixty percent (60%) to calculate twelve (12) equal monthly payments. The City's monthly payment obligation shall not exceed more than sixty percent (60%) of the insurance policy premium (prorated over a twelve (12) month policy period) during the term of this Agreement. The City's cost shall be determined by a fair allocation and proportion determination of the amount of Kemp's work for the City. If either Kemp Inspection Service or the City terminates this Agreement, the City's

insurance payment obligation will automatically cease once notice of termination is issued in accord with Section 16, above.

20. Kemp Inspection Service acknowledges that it shall serve as an **independent contractor** relative to the provision of services under this Agreement, and not as an employee of the City of Rio Dell. As such, Kemp Inspection Service shall be solely and separately liable for all Liabilities arising out of its services in accord with Section 17 of this Agreement above. Kemp Inspection Service shall control all aspects related to the performance of its work under this Agreement, and shall provide all expertise, skill, licensure, tools, equipment and other requirements necessary to perform the work.

IN WITNESS WHEREOF, Kemp Inspection Service and the City of Rio Dell agree to the terms herein and have duly executed this Agreement on the date written above.

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Arnold C. Kemp, Kemp Inspection Service

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James R. Stretch  
City Manager  
City of Rio Dell

**EXHIBIT A**

	<b>TASK</b>	<b>DELIVERABLE</b>
1.	<b><u>Plan Check</u></b>	Completed and Approved Plan Checklist <u>submitted to the City Clerk.</u>
<b>PAYMENT #1 (30% OF 80% OF PERMITTING FEE) PLAN CHECK FEE</b>		
2.	<b><u>Site and Foundation Inspection:</u></b> Setbacks, excavations, forms, reinforcement and under floor access.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
3.	<b><u>Under Floor Inspection:</u></b> Rough plumbing, heating and mechanical (water, waste water and gas piping strapped and under test; heat ducts installed, supported and insulated).	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
4.	<b><u>Under Floor Insulation Inspection:</u></b> Verify required under floor insulation.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
<b>PAYMENT #2 (30% OF 80% OF PERMITTING FEE)</b>		
5.	<b><u>Framing, Shear and Roof Nailing Inspection:</u></b> Includes framing, bracing, roof and floor sheathing.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
6.	<b><u>Close-In Inspection:</u></b> Siding, roofing, windows, rough plumbing water (under test), rough electrical and mechanical installed and complete.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
7.	<b><u>Insulation Inspection:</u></b> Verify wall and ceiling insulation.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
8.	<b><u>Drywall, Lath Inspection:</u></b> Verify drywall,	Completed Inspection Record Card

	sheetrock, lath installation (interior and exterior) before tape, texture, plaster or stucco is applied.	and Field Notes <u>submitted to the City Clerk.</u>
<b>PAYMENT #3 (30% OF 80% OF PERMITTING FEE)</b>		
9.	<b><u>Final Electrical, Plumbing and Mechanical Inspection:</u></b> Required before utilities are connected to the structure.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
10.	<b><u>Final Inspection:</u></b> Construction is complete, all appliances, electrical fixtures, convenience outlets, switches and plates are in place.	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>
<b>PAYMENT #4 (10% OF 80% OF PERMITTING FEE) FINAL PAYMENT</b>		

**EXHIBIT B**

	<b>TASK</b>	<b>DELIVERABLE</b>	<b>COMPENSATION</b>
1.	<b><u>Electrical, Plumbing and Mechanical Permit Inspections</u></b>	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	80% of the required <u>and</u> paid Building Permit fee.
2.	<b><u>Roofing Permit Inspections</u></b>	Completed Inspection Record Card and Field Notes	80% of the required <u>and</u> paid Building Permit fee.
3.	<b><u>Grading Permit Inspections</u></b> not subject to General Permits and Storm Water Pollution Prevention Plan (SWPPP) required by the Regional Water Quality Control Board (RWQCB).	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	80% of the required <u>and</u> paid Building Permit fee.


4.	<b><u>Demolition Permits</u></b>	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	80% of the required <u>and</u> paid Building Permit fee.
5.	<b><u>Re-Inspections</u></b>	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	No charge for first re-inspection. 80% of the required <u>and</u> paid \$75.00 Re-Inspection fee.
6.	<b><u>Life Safety Inspection</u></b>	Completed Life Safety Inspection Checklist <u>submitted to the City Clerk.</u>	80% of the required <u>and</u> paid \$75.00 (current fee) Life Safety Inspection fee.
7.	<b><u>Inspections Not Listed Above</u></b>	Completed Inspection Record Card and Field Notes <u>submitted to the City Clerk.</u>	\$60.00 per hour. (1 hour minimum)



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

February 18, 2014

TO: Honorable Mayor and City Council  
FROM: Jim  Stretch, City Manager  
SUBJECT: Water Fund Financial Review and Adjustments

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Adopt the budget adjustments set forth in Attachment "A"

BACKGROUND AND DISCUSSION

As the result of recent unexpected expenditures for emergency permits and unanticipated engineering and legal costs experienced by the Water Fund, there has been concern that the fund may need a loan from the General Fund in order to pay its bills. That item was pulled by the City Manager at a recent Council meeting for a closer look.

A more in-depth review reveals that the Water Fund may not need General Fund assistance for this year if several capital expenditures are deferred and a number of line item adjustments are made. However, water rate adjustments must be made as soon as possible to meet immediate needs.

The budget review indicates that expenditures in the Operations budget could be \$38,000 less than budgeted and revenues will likely be \$42,600 more than anticipated. The net result of these two items will increase the Water Fund Reserve by \$80,600.

Similarly, the 2013-14 Capital and Special Projects budget includes Water Fund projects totaling \$175,350. A review of each item suggests the following action:

<u>Project</u>	<u>Budget \$</u>	<u>Suggested Status</u>
1. Infiltration gallery infiltration study	\$61,000	Increase to \$82,100

Project	Budget \$	Suggested Status
2. Old Ranch Road line replacement	\$5,400	Add \$10,000 revenue for reimbursement, to include parts & labor.
3. Infiltration gallery generator	30,000	Defer until Spring
4. City Hall sprinkler system-share	4,960	Spent \$4,573
5. Public Works roller-share	7,500	Defer until 2014-15
6. PW bobcat w/attachments-share	7,000	Defer until 2014-15
7. Administrative car-share	7,440	Spent \$6,573
8. Riverside lateral replacement	35,000	All spent
9. Council chambers video-share	5,580	Defer until 2014-15
10. City Hall roof/windows-share	11,470	Est. \$9,000 cost
11. Used ¾ ton pick-up-share	<u>0000</u>	<u>\$2,526 cost unbudgeted</u>
Totals	\$175,350	\$175,472 ( no change)

The \$80,712 identified above from budget savings and the over-realization of revenues in the operations budget is available for transfer to the Water Fund Reserve, bringing the projected balance the Operations Reserve as of July 1, 2014 up from \$21,760 to \$102,238.

With these adjustments and deferrals, the Water Fund is projected to be in the black this year.

There are two other positive notes to make. Before the end of the fiscal year the City Council should have analytical information available to consider for rate adjustments in water user rates for capital requirements. As you are aware, there are currently no monies generated from the rate structure to fund improvements and replacements for such things as waterlines and mains, pumps, infiltration gallery, water tanks or any other capital asset in the water system last valued at \$12,836,554 in 2010 \*.

The second good news item is that the appraised value of the 4 parcels owned by the Water Fund presently in the process of being leally surplusd for sale have a collective value of approximately \$198,000. Once sold, this revenue will be deposited in the Water Capital Fund which was projected at the beginning of the fiscal year to have a zero balance as of July 1. 2014.

\*City of Rio Dell Water System Asset Management Plan and Preliminary Capital Improvement Plan-October 2010, Winzler & Kelly.



ADJUSTMENTS TO VARIOUS REVENUE  
AND EXPENDITURE ACCOUNTS  
IN WATER FUND  
February 18, 2014

<u>ACCOUNT</u>	PROJECTED EXPENDITURE \$ AMOUNT (Over spent) (Excess)	<u>ACTION</u>
1. 5000 Full time salaries	\$20,000	Transfer \$13,500 to 5040 Transfer \$ 2,000 to 5112 Transfer balance \$4,500 to Operations Reserve
2. 5040 Health Insurance	13,500	Status change for employee
3. 5190 Chemicals	15,000	Transfer to Oper. Reserves
4. 5112 Legal	2,000	Legal expense over drawn
5. 5135 Maintenance-repairs	5,000	Transfer to Oper. Reserve
6. 5150 Electricity	5,000	Transfer to Oper. Reserve
7. 5164 Regulatory Fees	6,000	Transfer to Oper. Reserve
8. 5213 Vehicle repair	1,500	Transfer to Oper. Reserve
9. 5225 Public works-lab tests	<u>1,000</u>	Transfer to Oper. Reserve
Total \$ to Operations Reserve	\$38,000	

REVENUE  
ACCOUNT

1. 4610 Water service	\$24,600	Increase Operating Reserve
2. 4630 Water service late fees	5,600	Increase Operating Reserve
3. 4635 Water shut off charges	2,400	Increase Operating Reserve
4. 4990 Misc. other	10,000	Reimbursement for Old Ranch Road line replacement
Total revenue account adjustments	<u>\$42,600</u>	

SUMMARY OF RECOMMENDED WATER FUND ADJUSTMENTS

Expenditures	\$38,000 savings	
Revenues	42,600 increase	
Capital projects	<u>0</u>	basically no change overall
Change in financial position	+\$80,600	(Assumes that the \$30,000 backup generator for the infiltration gallery will occur in the spring)

City of Rio Dell  
 Year-to-Date Budget Variance Report by Department (CC#3)  
 January 31, 2014

# WATER FUND EXPENDITURES

09 PUBLIC WORKS	Y-T-D Actual	YTD Budget	Budget Variance	Annual Budget	Annual Variance
	0	0	0	0	0
5000 Full Time Salaries	37,415	89,202	51,787	89,202	51,787
5030 Overtime Salaries	1,104	2,850	1,747	2,850	1,747
5035 Benefit - ICMA City 457	3,811	9,798	5,987	9,798	5,987
5040 Benefit - Health Insurance	13,547	16,883	3,336	16,883	3,336
5042 Benefit - Life Insurance	176	271	95	271	95
5044 Benefit - Dental/Vision Insur	1,682	2,296	614	2,296	614
5045 Worker Compensation Insurance	3,683	4,371	688	4,371	688
5050 FICA	3,240	6,824	3,584	6,824	3,584
5055 Unemployment Insurance	367	892	525	892	525
5060 Clothing Allowance	499	741	242	741	242
5080 Hiring Costs	0	190	190	190	190
5101 Office Supplies	185	500	315	500	315
5102 Operating Supplies	1,195	1,500	305	1,500	305
5103 Postage	917	500	(417)	500	(417)
5104 Printing - Forms	56	500	444	500	444
5105 Advertising	0	110	110	110	110
5108 Streets	1,189	1,200	11	1,200	11
5109 Chemicals	5,662	25,000	19,338	25,000	19,338
5112 Legal	6,006	4,000	(2,006)	4,000	(2,006)
5115 Contract/Professional Services	3,472	5,000	1,528	5,000	1,528
5119 Safety Supplies & Equipment	0	1,000	1,000	1,000	1,000
5120 Telephone - Pagers	1,906	2,600	694	2,600	694
5122 Training - Conference	125	2,000	1,875	2,000	1,875
5123 Auto/Transportation - Public Works	352	250	(102)	250	(102)
5125 Publications - Books	23	100	77	100	77
5126 Dues & Memberships	499	1,800	1,301	1,800	1,301
5127 License	25	0	(25)	0	(25)
5128 Employee Relations	0	60	60	60	60
5130 Rents - Leases	669	1,000	331	1,000	331
5131 Records Maintenance	86	0	(86)	0	(86)
5135 Maintenance - Repair	27,078	43,000	15,922	43,000	15,922
5138 Office Equipment - P.W.	15	1,200	1,185	1,200	1,185
5139 Equipment	3,080	3,000	(80)	3,000	(80)
5141 General Liability Insurance	3,040	6,334	3,294	6,334	3,294
5143 Property Insurance	706	1,424	718	1,424	718
5144 Employee Practice Liab Insurance	163	502	339	502	339
5148 Office Equipment	290	0	(290)	0	(290)
5150 Electricity	12,700	60,000	47,300	60,000	47,300
5151 Natural Gas	58	2,000	1,942	2,000	1,942
5154 Garbage	69	100	31	100	31
5162 Medical	225	400	175	400	175
5164 Regulatory Fees	4,799	13,000	8,202	13,000	8,202
5165 Property Tax Assessment	0	30	30	30	30
5171 Computer Software	176	750	574	750	574
5173 Computer Maintenance - Support	245	1,000	755	1,000	755
5174 Web Design Services	42	20	(22)	20	(22)
5175 Community Promotions	0	10	10	10	10
5212 Gas & Oil	2,635	6,000	3,365	6,000	3,365
5213 Vehicle Repair	744	5,500	4,756	5,500	4,756
5215 Public Works - Small Tools	999	3,000	2,001	3,000	2,001
5217 License	24	0	(24)	0	(24)
5225 Public Works - Lab Testing	1,233	5,000	3,767	5,000	3,767

**City of Rio Dell**  
**Year-to-Date Budget Variance Report by Department (CC#3)**  
**January 31, 2014**

00	Y-T-D Actual	YTD Budget	Budget Variance	Annual Budget	Annual Variance
4310 Interest Income	0	0	0	0	0
4480 Insurance Premium Reimbursement	(35)	0	(35)	0	(35)
4610 Water - Service	317,470	518,797	(201,327)	518,797	(201,327)
4620 Water - Connection	5,400	10,800	(5,400)	10,800	(5,400)
4630 Water - Service Late Fees	12,593	16,000	(3,407)	16,000	(3,407)
4635 Shut Off Fees	3,665	3,900	(235)	3,900	(235)
4640 Water - Damage Replacement	1,014	400	614	400	614
4935 Gain/Loss on Disposal of Assets	8	0	8	0	8
4936 Bad Debt Recovery	525	500	25	500	25
4950 Misc -	10	0	10	0	10
4990 Misc - Other	140	0	140	0	140
4999 Revenue- Reserves	0	175,350	(175,350)	175,350	(175,350)
<b>Total Revenue</b>	<b>340,790</b>	<b>725,747</b>	<b>(384,957)</b>	<b>725,747</b>	<b>(384,957)</b>
5410 Interest Expense	65	0	(65)	0	(65)
5610 Bad Debt	4,212	6,250	2,038	6,250	2,038
7000 Operation Transfer	(30,000)	0	30,000	0	30,000
7005 Debt Service Transfer	(74,791)	0	74,791	0	74,791
8000 Reserve Allocation	0	5,452	5,452	5,452	5,452
<b>Total Expenditures</b>	<b>(100,514)</b>	<b>11,702</b>	<b>112,216</b>	<b>11,702</b>	<b>112,216</b>

## **WATER FUND REVENUES**

**City of Rio Dell**  
**Year-to-Date Budget Variance Report by Department (CC#3)**  
**January 31, 2014**

09 PUBLIC WORKS	Y-T-D Actual	YTD Budget	Budget Variance	Annual Budget	Annual Variance
5227 Public Works - Equip. Repair	711	2,500	1,789	2,500	1,789
5229 Public Works - Equip. Rental	0	1,500	1,500	1,500	1,500
5410 Interest Expense	0	0	0	0	0
5514 Engineering	487	2,000	1,513	2,000	1,513
5520 Improvements	0	1,000	1,000	1,000	1,000
<b>Total Expenditures</b>	<b>147,410</b>	<b>340,708</b>	<b>193,298</b>	<b>340,708</b>	<b>193,298</b>

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Rio Dell City hall  
675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
cm@riodellcity.com



February 18, 2014

TO: Rio Dell City Council

FROM: Jim Stretch, City Manager

SUBJECT: Water Fees, Rates and Charges Resolution Clarification

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Adopt Resolution No. 1217-2014 correcting and clarifying Water rate, Charges and Fees Resolution No. 1168-2012, then rescind Resolution 1168-2012, and
2. Direct staff to prepare amendments to the Rio Dell City Code to implement and make it compatible with Resolution 1217-2014.

BACKGROUND AND DISCUSSION

In 2012 the Rio Dell City Council adopted Resolution 1168-2012 which established water rates, fees and charges, including an annual inflation adjustment of 3% for water rates. It also included a Reconnection fee of \$40.00, \$60 and \$100 for successive reconnections. Staff has found that the intent and meaning of the Resolution is problematic because:

1. The terms "Rates" and "Charges" are used interchangeably, but mean different things, and
2. The example in the Resolution is confusing, if not incorrect, and
3. The annual inflation adjustment is stated to apply only to rates not charges or fees, and
4. The language in Reconnection Fee Section 10 was incomplete, causing monthly issues when attempting to collect delinquent charges.
5. Mobile home parks operators with RV spaces do not file the required monthly certification for recreational vehicles.

THE RECOMMENDED RESOLUTION DOES NOT INCLUDE ANY CHANGES IN THE CURRENTLY APPROVED WATER RATE STRUCTURE.

Here's what Resolution 1217-2014 is intended to do:

- a) The term "rates" applies to a cost per unit or a measured quantity and the term "charge" means a set price. Amend the Resolution to use the terms correctly.
- b) Identifies dollar values and uses correct symbols.
- c) Prepares new "Example" for computing a monthly bill for water use in a mobile home park, based on number of spaces, type of use and volume of water used.
- d) Clarifies that customers placed on the shut-off list will be charged a reconnection fee when City workers are in the process of turning off the water service. They will no longer be able to beat the charge by hurrying in to pay their delinquent amount when they see the PW crew approaching their property.
- e) Makes clear that the City's water license from the State for Eel River water extraction requires that it be used only within the City limits.
- f) Allows Mobile home Parks that rent transient RV spaces to file retrospectively for a credit, based on actual experience.

In staff's review of this Resolution, a number of commercial accounts were manually calculated and compared to the billing amounts prepared by our system. We determined that the system is under billing the mobile home parks surveyed as much as 30%. Corrections are being made.

Resolution 1217-2014 with amendments in "red" and the new text are both attached.

Since water rates and charges are not being adjusted in Resolution 1217-2014, no special hearing or Proposition 218 process is required for the agenda item.

Cc: Finance Department  
City Clerk  
Water Superintendent

**RESOLUTION NO. 1217-2014**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL, RESTATING WATER RATES, CHARGES AND FEES AS SET FORTH IN RESOLUTION 1168-2012, CORRECTING AND CLARIFYING THE TEXT AND RESCINDING RESOLUTION 1168-2012**

**WHEREAS**, the City of Rio Dell is authorized by the California Constitution and California Government Code Section 66013 to impose fees to cover expenses for the services it provides; and

**WHEREAS**, the City Council of Rio Dell did on November 7, 2000 adopt Water Ordinance No. 241 (RDMC Chapter 13.05) that allows for all rates, charges, fees and penalties contained in the ordinance to be modified by resolution of the City Council of the City of Rio Dell to provide for future charges; and

**WHEREAS**, the City Council of Rio Dell did on May 21, 2002 adopt Ordinance No. 243-2002, amending Water Ordinance No. 241, allowing for monthly bills to be calculated as set forth by resolution duly adopted by the City Council of the City of Rio Dell; and

**WHEREAS**, the City Council of Rio Dell did on August 7, 2012 adopt Resolution 1168-2012 establishing water rates, charges and fees pursuant to provisions of the Rio Dell Municipal Code Chapter 13.05.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Rio Dell that this Resolution rescinds Resolutions No. 998-2008, 1142-2012, 1159-2012 and 1168-2012, and that all rates, charges, and fees, hereinafter set forth shall remain levied and assessed as of the date of this Resolution as follows:

**SECTION 1. Backflow Preventer**

~~At consumer's expense plus a \$50.00 reconnection charge.~~ **The reconnection charge for a backflow preventer purchased and installed by the customer's is \$50.00.**

**SECTION 2. Installation of Shut-Off Valves**

~~At consumer's expense plus a \$35.00 shut-off charge.~~ **The shut-off charge to allow a customer to install their shut-off valve is \$35.00.**

**SECTION 3. Fees for New Service Connections**

~~\$2,500.00 (\$2,000.00 Operational + \$500.00 Capital)~~ **The charge for each new service connection is \$2,500.00, or actual costs, whichever is greater (80% Operational & 20% Capital).**

**SECTION 4. Charges for Installing Meters**

~~\$200.00 or actual costs, whichever is greater~~ **The charge for installing a City meter is \$200.00, or actual costs, whichever is greater.**

**SECTION 5. Fees ~~Charges~~ for New Service Connections for Multi-Use Motels and Hotels**

~~The service charge for a new service connection for a multi-use motel or hotel \$110.00 per each said unit that has no more than (1) bedroom and no kitchen facilities per unit or is \$1,000.00, or \$110 each unit, whichever is greater (80% Operational; 20% Capital).~~

**SECTION 6.**

**For all Residential, Commercial and Institutional Customers Inside City Limits**

Minimum Monthly Base Charge Rate effective (July 1, 2012) shall be \$26.24

Usage Charge Rate:

0 to 100 cubic feet - Included in Monthly Base Charge Rate  
(100 cubic feet equals 1 unit or 748 gallons)

Usage Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$2.37 per 100 cubic feet  
Over 1,000 cubic feet - \$3.56 per 100 cubic feet

**For all R.V. Parks and Mobile Home Parks with Significant Space Committed to Recreational Vehicle Parking**

Minimum Monthly Base Charge Rates - \$26.24

0 to 100 cubic feet - Included in Monthly Base Charge Rate

Usage Charge Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$2.37 per 100 cubic feet  
Over 1,000 cubic feet - \$3.56 per 100 cubic feet

**Eligibility** for R.V. Park and Mobile Home Park with significant R.V. space will be based on the following conditions and definitions:

1. Mobile home spaces will be are calculated as residential units.
2. Significant R.V. space is defined as being at least 20% of the total spaces in the facility.
3. Base charge rate per R.V. space is calculated at 0.65% and \$1.00 per mobile home Space. of the base rate.
4. Total Park water consumption must have average less than 90% of the average residential water consumption to maintain eligibility for this the RV rate.
5. Certification: Mobile home park owners or operators must file a monthly sworn statement certifying that the total number of spaces in the park and the number of spaces dedicated to recreational vehicles for the entire month met the above criteria in order to qualify for the retrospective 35% credit for reported RV spaces on the next billing cycle.
6. If any condition is not met, the base charge will be \$1.00 per space.

**Example:** A 40-unit mobile home park dedicates 8 spaces to recreational vehicles for an entire month with water usage metered at 10,000 cubic feet (100 units).

Base charges rate (\$26.24) for the 40 mobile home spaces	\$1049.60
Base charges Prior month credit for 4 R.V. spaces (65% of \$26.24 x 4)	- 68.22
<del>Water included in base charge (32.00 + 5.20 x 100)</del>	<del>7.20</del>
Water at \$2.37 per 100 cubic feet (32+5.20x900)	334.80
for 6,000 cubic feet (60 units) additional use	\$ 142.20
<b>Total monthly charge</b>	<b>\$1,123.58</b>

**Outside City Limits for all Residential and Commercial Customers Alike**

Minimum Monthly Base Charge Rate - \$39.39

0-100 cubic feet - Included in Monthly Base Charge Rate

Usage Charge Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$3.56 per 100 cubic feet  
Over 1,000 cubic feet - \$5.73 per 100 cubic feet

**SECTION 7. Billing**

The City may read water meters on a monthly or bi-monthly basis. If a bi-monthly meter reading schedule is established, billings for the month the meters are not read shall be based on one half of the previous two month’s usage.

**SECTION 8. Meter Reading Issues**

Should any particular monthly meter reading not be possible due to malfunctioning equipment, temporary inaccessibility or other reason, each such account shall be billed for the month and subsequent months based on the average usage of the 2 prior months until such time as the problem is resolved and the monthly meter reading can be resumed.

**SECTION 8-9. Water Deposits**

There shall be no water deposits required for owner/occupied customers. Water Deposits for all non-owner customers (tenants) shall be \$100.00; refundable after all final charges are applied.

**SECTION 9-10. Penalty**

Delinquent payments: 10% penalty for the first month and an additional 0.5% further penalty per each additional month.

**SECTION 10-11. Reconnection Fees**

A reconnection fee will be imposed on any delinquent account that has been placed on the shut-off list (due to nonpayment) since the shut-off is in process. Requests for reconnection may be made between 8:00 a.m. and 4:00 p.m. when City Hall is open. The fee charged for the first reconnection is \$40.00 for the first reconnect; \$60.00 for the second reconnection and \$100.00 for all subsequent reconnections.

~~The prepaid charge of \$75.00 is required for a reconnection that requires City staff to work after 4:30pm on a week day. Reconnections are not available on weekends and holidays. on weekdays. An additional charge of \$75.00 will be made for requests made between 4:00 p.m. and 8:00 a.m. on week days and anytime on weekends and holidays.~~

**SECTION 11-12. Shut-off Fee Charge Following Unauthorized Connection or Tampering**

~~\$400.00 plus actual costs~~ The charge to the customer for an unauthorized connection after a shut-off by the City or for the tampering with the meter is \$400.00, plus actual costs. The customer benefitting from the unauthorized connection or meter tampering is subject to the charge.

**SECTION 12-13. Taking Water From Hydrants**

The hydrant at the City Corporation yard is the only metered hydrant available for bulk water sales. The connection fee for taking water from the hydrant is \$25.00, plus the cost of water as set forth in section 6 above. Water may not be transported or used outside of City limits, except by existing agreement.

**SECTION 13-14. Charges for Vacation Locks**

~~To lock: \$10.00~~

~~To renew service: \$10.00~~ The charge for a vacation lock is \$10.00. The charge to renew service after a vacation lock is \$10.00.

**BE IT FURTHER RESOLVED**, that rates will be increased by three (3) percent annually effective July 1<sup>st</sup> of each year.



**PASSED AND ADOPTED** by the City Council of the City of Rio Dell on this 18<sup>th</sup> day of February, 2014 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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

Attest:

\_\_\_\_\_  
Karen Dunham, City Clerk

## RESOLUTION NO. 1217-2014

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL, RESTATING WATER RATES, CHARGES AND FEES AS SET FORTH IN RESOLUTION 1168-2012, CORRECTING AND CLARIFYING THE TEXT AND RESCINDING RESOLUTION 1168-2012

**WHEREAS**, the City of Rio Dell is authorized by the California Constitution and California Government Code Section 66013 to impose fees to cover expenses for the services it provides; and

**WHEREAS**, the City Council of Rio Dell did on November 7, 2000 adopt Water Ordinance No. 241 (RDMC Chapter 13.05) that allows for all rates, charges, fees and penalties contained in the ordinance to be modified by resolution of the City Council of the City of Rio Dell to provide for future charges; and

**WHEREAS**, the City Council of Rio Dell did on May 21, 2002 adopt Ordinance No. 243-2002, amending Water Ordinance No. 241, allowing for monthly bills to be calculated as set forth by resolution duly adopted by the City Council of the City of Rio Dell; and

**WHEREAS**, the City Council of Rio Dell did on August 7, 2012 adopt Resolution 1168-2012 establishing water rates, charges and fees pursuant to provisions of the Rio Dell Municipal Code Chapter 13.05.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Rio Dell that this Resolution rescinds Resolutions No. 998-2008, 1142-2012, 1159-2012 and 1168-2012, and that all rates, charges, and fees, hereinafter set forth shall remain levied and assessed as of the date of this Resolution as follows:

#### **SECTION 1. Backflow Preventer**

The reconnection charge for a backflow preventer purchased and installed by the customer's is \$50.00.

#### **SECTION 2. Installation of Shut-Off Valves**

The shut-off charge to allow a customer to install their shut-off valve is \$35.00.

#### **SECTION 3. Charge for New Service Connections**

The charge for a new service connection charge is \$2,500.00, or actual cost (Operations-80% & Capital-20%).

#### **SECTION 4. Charge for Installing Meters**

The charge for installing a City meter is \$200.00, or actual cost, whichever is greater.

#### **SECTION 5. Charges for New Service Connections for Multi-Use Motels and Hotels**

The service charge for a new service connection for a multi-use motel and hotel, that has no more than (1) bedroom and no kitchen facilities per unit, is \$1,000.00, or \$110 for each rental unit, whichever is greater (80% Operational; 20% Capital).

#### **For all Residential, Commercial and Institutional Customers Inside City Limits**

Minimum Monthly Base Rate effective July 1, 2012 shall be \$26.24

Usage Rate:

0 to 100 cubic feet - Included in Monthly Base Rate  
(100 cubic feet equals 1 unit or 748 gallons)

Usage Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$2.37 per 100 cubic feet  
Over 1,000 cubic feet - \$3.56 per 100 cubic feet

**For all R.V. Parks and Mobile Home Parks with Significant Space Committed to Recreational Vehicle Parking**

Minimum Monthly Base Rate - \$26.24  
0 to 100 cubic feet - Included in Monthly Base Rate

Usage Rate by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$2.37 per 100 cubic feet  
Over 1,000 cubic feet - \$3.56 per 100 cubic feet

**Eligibility** for R.V. Park and Mobile Home Park with significant R.V. space will be based on the following conditions and definitions:

1. Mobile home spaces are calculated as residential units.
2. Significant R.V. space is defined as being at least 20% of the total spaces in the facility.
3. Base rate per R.V. space is calculated at 65% of the \$26.24 monthly base rate.
4. Total Park water consumption must have average less than 90% of the average residential water consumption to maintain eligibility for this the RV rate.
5. Certification: Mobile home park owners or operators must file a monthly sworn statement certifying that the total number of spaces in the park and the number of spaces dedicated to recreational vehicles for the entire month met the above criteria in order to qualify for the retrospective 35% credit for reported RV spaces on the next billing cycle.

**Example:** A 40-unit mobile home park with water usage metered at 10,000 cubic feet (100 units), with (4) RV spaces reported as rented in the previous month.

Base rate (\$26.24) for the 40 mobile home spaces	\$1049.60
Prior month credit for 4 R.V. spaces (65% of \$26.24 x 4)	- 68.22
Water at \$2.37 per 100 cubic feet for 6,000 cubic feet (60 units) additional use.	<u>142.20</u>
<b>Total monthly charge</b>	<b>\$1,123.58</b>

**Outside City Limits for all Residential and Commercial Customers**

Minimum Monthly Base Rate - \$39.39  
0-100 cubic feet - Included in Monthly Base Rate

Usage Rates by Volume in Addition to the Base Rate:

101 to 1,000 cubic feet - \$3.56 per 100 cubic feet  
Over 1,000 cubic feet - \$5.73 per 100 cubic feet

**SECTION 7. Billing**

The City may read water meters on a monthly or bi-monthly basis. If a bi-monthly meter reading schedule is established, billings for the month the meters are not read shall be based on one half of the previous two month's usage.

**SECTION 8. Water Deposits**

There shall be no water deposits required for owner/occupied customers. Water Deposits for all non-owner customers (tenants) shall be \$100.00; refundable in whole or part after all final charges are applied.

**SECTION 9. Penalty**

Delinquent payments: 10% penalty for the first month and an additional 0.5% penalty for each additional delinquent month.

**SECTION 10. Reconnection Fees**

A reconnection fee will be imposed on any delinquent account that has been placed on the shut-off list (due to nonpayment) since the shut-off is in process. Requests for reconnection may be made between 8:00 a.m. and 4:00 p.m. when City Hall is open. The fee charged for the first reconnection is \$40.00, \$60.00 for the second reconnection and \$100.00 for all subsequent reconnections.

The prepaid charge of \$75.00 is required for a reconnection that requires City staff to work after 4:30pm on a week day. Reconnections are not available on weekends and holidays.

**SECTION 11. Shut-off Charge Following Unauthorized Connection/Tampering**

The charge to the customer for an unauthorized connection after a shut-off by the City or for the tampering with the meter is \$400.00, plus actual costs. The customer benefitting from the unauthorized connection or meter tampering is subject to the charge.

**SECTION 12. Taking Water From Hydrants**

The hydrant at the City Corporation Yard is the only metered hydrant available for bulk water sales. The connection fee for taking water from the hydrant is \$25.00, plus the cost of water as set forth in section 6 above. Water may not be transported or used outside of City limits, except by existing agreement.

**SECTION 13. Charges for Vacation Locks**

The charge for a vacation lock is \$10.00. The charge to renew service after a vacation lock is \$10.00.

**BE IT FURTHER RESOLVED**, that rates will be increased by three (3) percent annually effective July 1<sup>st</sup> of each year.

**PASSED AND ADOPTED** by the City Council of the City of Rio Dell on this 18<sup>th</sup> day of February, 2014 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

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

Attest:

\_\_\_\_\_  
Karen Dunham, City Clerk

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



For Meeting of: February 18, 2014

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Jim Stretch, City Manager

Date: February 13, 2014

Subject: Text Amendment Revising the Planning Commission's Regularly Scheduled Meeting of Each Month, Section 2.60.030(4) of the Rio Dell Municipal Code

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**Recommendation:**

That the City Council:

1. Receive staff's report regarding the proposed text amendments; and
2. Continue the public hearing, receive public input, and deliberate; and
3. Adopt Ordinance No. 317-2014 amending Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month.
4. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

## **Background/Summary**

At the meeting of February 4, 2014 your Council introduced Ordinance No. 317-2014 which if adopted would amend Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month.

Staff is recommending that the Council conduct the second reading, receive any public comments and approve and adopt Ordinance No. 317-2014.

## **Financial Impact**

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

## **Attachments**

1. Ordinance No. 317-2014 amending Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month.
2. Post Adoption Summary

**ORDINANCE NO. 317 – 2014**



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL  
AMENDING SECTION 2.60.030(4) OF THE RIO DELL MUNICIPAL CODE (RDMC) CHANGING  
THE PLANNING COMMISSION'S MONTHLY REGULAR MEETING FROM THE FOURTH  
WEDNESDAY OF THE MONTH TO THE FOURTH THURSDAY OF THE MONTH

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

**WHEREAS** at the request of one of the Planning Commissioner's at their meeting of January 22, 2014 the Planning Commission considered and discussed changing the regular monthly meeting date; and

**WHEREAS** the Planning Commission currently meets the fourth Wednesday of the month; and

**WHEREAS** the Commissioner who requested the change apparently has conflicts with the Wednesday evening meetings; and

**WHEREAS** because the City Council regularly meets the first and third Tuesday's of each month and sometimes the second and fourth Tuesday of the month for special meetings or study sessions, staff suggested that the Planning Commission meet either the second or fourth Monday or Thursday of the month; and

**WHEREAS** upon further discussion, staff felt and the Planning Commission concurred that Mondays are somewhat problematic because many times unexpected issues are raised on Mondays; and

**WHEREAS** after a fairly lengthy discussion, the Planning Commission voted 4 – 1 to request that the City Council amend the regular meeting date to the fourth Thursday of the month; and

**WHEREAS** should the Council decide to approve the Planning Commission's recommendation to move the regularly scheduled meeting to the fourth Thursday of the month, staff and the Planning Commission recommends that Section 2.60.030(4) be further amended; and

**WHEREAS** the current language of Section 2.60.030(4) requires that if the meeting date falls on a legal holiday, the meeting shall be held the following day at the same hour; and

**WHEREAS** if the Council does decide to approve the Planning Commission’s recommendation, staff recommends that if the meeting date does fall on a holiday, the meeting will be either cancelled or rescheduled to the following Thursday.

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

**Section 1.** Section 2.60.030(4) of the Rio Dell Municipal Code is hereby amended as follows:

*The Commission shall hold at least one regular meeting each month. The regular meeting of the Planning Commission shall be held at 6:30 p.m. on the fourth ~~Wednesday~~ **Thursday** of the month and, in the event that the fourth ~~Wednesday~~ **Thursday** falls on a legal holiday, the meeting shall be held the following ~~day~~ **Thursday** at the same hour. Location shall be in the Rio Dell City Hall Council Chambers at 675 Wildwood Avenue.*

**Section 2. Severability**

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

**Section 3. Limitation of Actions**

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

**Section 4. Effective Date**

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

**I HEREBY CERTIFY** that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on February 4, 2014 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 18, 2014 by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

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



ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 317-2014 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 18, 2014.

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Karen Dunham, City Clerk, City of Rio Dell

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



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

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

**Summary**

On **Tuesday, February 18, 2014 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall and approved and adopted **Ordinance No. 317-2014** amending Section 2.60.030(4) of the Rio Dell Municipal Code (RDMC) changing the Planning Commission's monthly regular meeting from the fourth Wednesday of the month to the fourth Thursday of the month.

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 18, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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


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



For Meeting of: February 18, 2014

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Jim Stretch, City Manager 

Date: February 3, 2014

Subject: Text Amendments to Section 17.30.120 of the Rio Dell Municipal Code, the Home Occupation Regulations, including the establishment of Address of Convenience provisions and the Zoning Definitions Section 17.10.010 of the Rio Dell Municipal Code to include additional definitions.

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**Recommendation:**

That the City Council:

1. Receive staff's report regarding the proposed text amendment;
2. Open the public hearing, receive public input, and deliberate; and
3. Introduce Ordinance No. 312-2014 amending the current Home Occupation regulations, Section 17.30.120 and the Zoning Definitions, Section 17.10.010 of the Rio Dell Municipal Code and continue consideration, approval and adoption of the proposed Ordinance to your meeting of February 18, 2014 for the second reading and adoption

**Background/Summary**

Currently the City requires Home Occupation Permits for almost every business that is operated from a residence. Many Home Occupations are actually "mobile" businesses that don't really

fit the definition of a Home Occupation. Below is the current definition of a “Home Occupation”:

*“Home occupation” means the conduct of an art or profession, the offering of a service on the conduct of a business, or the manufacture of handcraft products in a dwelling in accordance with the regulations prescribed in Chapter 17.30 RDMC.*

Home Occupations include but are not limited to: Artists, Seamstress’s/Tailors, Accountants/Bookkeepers, Attorneys, Architects/Designers, Computer Programmers/Technicians, Engineers, Surveyors, Land Use Consultants and other consultants. Attachment 1 is a copy of the current Home Occupation Permit application, including the current operational standards.

Staff recommended some minor changes to the Home Occupation provisions and establishing Address of Convenience provisions to the Planning Commission for those businesses that do not receive any deliveries and do not conduct any activities at the residence other than receiving mail, phone calls and related record keeping.

It should be noted that two (2) of the Planning Commissioner’s currently have Home Occupation Permits and another Commissioner’s wife has made application for a Business License which requires a Home Occupation Permit. That application approval is pending the submittal and approval of the Home Occupation application.

The issue of a potential conflict of interest was raised by one the Commissioner’s prior to discussing the recommended text amendment. Staff did respond that we felt no conflict existed because the provisions would apply equally to all residents of the City and there was no direct personal financial gain. After the Planning Commission meeting, staff did discuss the potential conflict of interest issue with the City Attorney and he felt that if there was/is a perceived conflict of interest, two (2) of the Commissioner’s would constitute a quorum. The proposed text amendment was approved by a 5 – 0 vote. In addition, because the Planning Commission’s recommendation is “advisory” only, we were not obligated to remand the changes back to the Planning Commission.

## Issues

The only issue with the recommended text amendment is whether or not signs should be allowed for Home Occupations and Addresses of Convenience. The current Home Occupation regulations prohibit the exterior storage of materials and any other exterior indication, **including signs**, of the Home Occupation or variation from the residential character of the principal building.

## Discussion

In regards to the Home Occupation provisions, the Planning Commission is recommending amending the definition of a "Home Occupation". Below is a copy of the recommended definition of a "Home Occupation":

*"Home Occupation" means the conduct of an art or profession, the offering of a service on the conduct of a business, or the manufacture of handicraft products in a dwelling by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Home Occupation.*

The Planning Commission is also recommending a minor grammatical change, the capitalization of "Home Occupation" throughout the provisions. Other recommended revisions include limiting the total area used for the Home Occupation to 25 percent or 500 square feet (whichever is less) of the total floor area within the dwelling unit or no more than 500 square feet of an accessory building.

Again, the current Home Occupation regulations prohibit the exterior storage of materials and any other exterior indication, including signs, of the Home Occupation or variation from the residential character of the principal building.

Staff had originally recommended to the Planning Commission that signs limited to two (2) square feet be allowed for Home Occupations in Urban Residential (UR), Suburban Residential and Suburban zones and four (4) square feet in the Rural (R) zone subject to the setback requirements of the zone. Staff's recommendation was based on the existing Sign Regulations, Section 17.30.260 of the RDMC, which allow nameplates limited to a statement of the name, address and occupational designation of the occupant in residential zones. Below is a copy of Section 17.30.260:

### **17.30.260 Signs and Nameplates.**

*(1) On-Site Signs. Nameplates (which shall be limited to a statement of the name, address and occupational designation of the occupant) and signs shall be permitted in conformity with the following regulations:*

*(a) One nameplate, not illuminated, appurtenant to any permitted use, not exceeding two square feet shall be permitted in urban residential, suburban residential or suburban zones, and not exceeding four square feet shall be permitted in all other zones.*

The above provision conflicts with the Home Occupation provisions which clearly states that there shall be no exterior indication of the Home Occupation or variation from the residential

character of the principal building. In cases of conflicting provisions, the more restrictive provision applies unless otherwise noted.

The Planning Commission discussed the recommended sign provision and is recommending to your Council that signs up to four square feet be allowed in all residential zones. Below is the Planning Commission’s recommended language:

*Signs or nameplates limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height.*

The current Home Occupation provisions refer to the “Planning Secretary” being responsible for the administration of the Home Occupation regulations. There is no definition of the “Planning Secretary” in the Zoning Regulations, Chapter 17 of the Rio Dell Municipal Code (RDMC) and there is no “Planning Secretary” position on the City staff. As such, staff is recommending that that the term “Planning Secretary” be replaced with “Community Development Director or their authorized representative(s)”. Staff also discovered that the Zoning Regulations do include definitions of the “City Manger” or the “Community Development Director”. Accordingly, staff is recommending that those definitions be included in the Zoning Regulations.

As indicated above, the Planning Commission is also recommending establishing “Address of Convenience” provisions for those businesses that do not receive any deliveries and do not conduct any activities at the residence other than receiving mail, phone calls and related record keeping. Below is a copy of the recommended definition and performance standards of and for the Address of Convenience:

**Address of Convenience Performance Standards.** Address of Conveniences as defined herein, shall be permitted as appurtenant and accessory uses to any residential use, subject to the following minimum performance standards:

- (a) The primary function of the Address of Convenience is for receiving mail, phone calls and related record keeping (typically a mobile business);
- (b) An Address of Convenience shall not include any employees at the premises;
- (c) An Address of Convenience shall not include the rendering of services to clients or customers at the premises;
- (d) An Address of Convenience shall not generate more than one delivery per day to the residence;

- (e) No more than one truck or other motor vehicle no larger than one ton shall be permitted in conjunction with any Address of Convenience;
- (f) The Address of Convenience shall be carried on wholly within a dwelling unit or accessory building;
- (g) There shall be no exterior storage of materials, equipment or vehicles and no other exterior indication of the Address of Convenience other than the vehicle allowed by subdivision (e) or the sign or nameplate allowed by subdivision (i) or variation from the residential character of the principal building.
- (h) Not more than 25 percent or 500 square feet (whichever is more) of the total floor area within the dwelling unit or accessory building shall be used in connection with any Address of Convenience;
- (i) Signs or nameplates, limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height.

The sign issue also applies to the proposed Address of Convenience regulations. As with the Home Occupation, and Address of Convenience Permit will also be required to ensure that the applicant understands and acknowledges the required performance standards of the Address of Convenience. A copy of the proposed Address of Convenience Permit is included as Attachment 2.

### **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 Reclassification Required Finding:**

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

One of the six Goals identified in the Land Use Element of the General Plan is: "To grow sustainably, provide economic opportunities and local jobs". In addition, Land Use Policy LU-17 includes the following language: "Strengthen and diversify the local economy and maintain and improve property values." Furthermore, Land Use Policies LU-21 and LU-24 calls for in part "...the creation and retention of employment opportunities... and ...economic development in Rio Dell...". The proposed revisions to the Home Occupation regulations and the establishment of Address of Convenience regulations is consistent with the Goals and Polices of the General Plan

**2. 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, including the existing and proposed performance standards, staff believes there is no evidence to suggest that the amendments will have a **significant** effect on the environment.

### **Financial Impact**

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

### **Attachments:**

1. Existing Home Occupation Permit.
2. Proposed Address of Convenience Permit.
3. Proposed Home Occupation Permit.
4. Proposed definitions and Home Occupation and Address of Convenience regulations.
5. Draft Ordinance No. 312-2014 amending the Home Occupation Regulations, Section 17.30.120 and the Zoning Definitions, Section 17.10.010 of the Rio Dell Municipal Code (RDMC).

**17.30.120 Home Occupation Businesses.**

(1) Minimum Performance Standards. Home occupations, as defined herein, shall be permitted as appurtenant and accessory uses to any residential use (emphasis added), subject to the following minimum performance standards:

(a) The primary function of a home occupation shall not necessitate the rendering of services to customers or clients on the premises;

(b) A home occupation shall not include, but such exclusion shall not be limited to, the following: automobile repair, automobile wrecking, barber shops and beauty parlors, commercial stables, veterinary offices, kennels, or restaurants;

(c) There shall be no more than one home occupation in any dwelling unit;

(d) Home occupation permits shall be limited to the applicant only and shall not be transferable;

(e) The activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.;

(f) The occupation or profession shall be carried on wholly within a dwelling unit or accessory building;

(g) Not more than 20 percent of the total floor area within the dwelling unit shall be used in connection with any home occupation;

(h) There shall be no exterior display, no exterior storage of material and no other exterior indication of the home occupation or variation from the residential character of the principal building;

(i) A home occupation shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount in the district;

(j) No mechanical equipment shall be used that produces offensive noise, vibration, smoke, dust, odors, or heat. No lighting that produces offensive glare shall be used;

(k) No signs, nameplates, or other advertising shall be affixed to the premises;

(l) Special considerations, exceptions, etc., may be granted by the Planning Commission upon submittal of satisfactory evidence of physical handicap, which precludes normal employment or conduct of business anywhere but as a home occupation;

(m) Any business not complying with the above standards shall require a conditional use permit.

(2) Business License Required. Every home occupation permittee shall obtain a business license.

(3) Home Occupation Permit Required. In order to ensure that the intent of this regulation is implemented and that all home occupations will be operated under the performance standards required herein, all home occupations in the City of Rio Dell must secure approval of a home occupation permit. Such home occupation permit shall contain a listing of all home occupation performance standards and a certification that the applicant has read and agrees to comply with all City regulations and performance standards contained therein.

(4) Action by the Planning Secretary. The Planning Secretary is authorized to grant a home occupation permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of this section and the performance standards. The Planning Secretary may refuse a home occupation permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title.

(5) Appeal. The decision of the Planning Secretary may be appealed to the Planning Commission by the applicant or any interested party. [Ord. 252 § 6.08, 2004.]



**Application for Address of Convenience Permit**  
 Section 17.30.120 Rio Dell Municipal Code

Applicant Information		Business Information	
Name:		Name:	

**“Address of Convenience”** means non-residential activities associated with any profession, occupation or hobby, having no employees, receiving no more than one delivery per day at the residence and utilizing a private residence only for receiving mail, phone calls and related record keeping (typically a mobile business). No more than one truck or other motor vehicle no larger than one ton and shall be permitted at the site of the Home Occupation.

**Address of Convenience Performance Standards.** Address of Conveniences as defined herein, shall be permitted as appurtenant and accessory uses to any residential use, subject to the following minimum performance standards:

- (a) The primary function of the Address of Convenience is for receiving mail, phone calls and related record keeping (typically a mobile business);
- (b) An Address of Convenience shall not include any employees at the premises;
- (c) An Address of Convenience shall not include the rendering of services to clients or customers at the premises;
- (d) An Address of Convenience shall not generate more than one delivery per day to the residence;
- (e) No more than one truck or other motor vehicle no larger than one ton shall be permitted in conjunction with any Address of Convenience;
- (f) The Address of Convenience shall be carried on wholly within a dwelling unit or accessory building;
- (g) There shall be no exterior storage of materials, equipment or vehicles and no other exterior indication of the Address of Convenience other than the vehicle allowed by subdivision (e) or the sign or nameplate allowed by subdivision (i) or variation from the residential character of the principal building.
- (h) Not more than 25 percent or 500 square feet (whichever is more) of the total floor area within the dwelling unit or accessory building shall be used in connection with any Address of Convenience;
- (i) Signs or nameplates, limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall

be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height.

**(2) Business License Required.** Every Home Occupation and Address of Convenience permittee shall obtain a business license and keep it current during the life of the business.

**(3) Action by the Community Development Director or their authorized representative(s).** The Community Development Director or their authorized representative is authorized to grant a Address of Convenience permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of the performance standards. The Community Development Director or their authorized representative(s) may refuse a Address of Convenience permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title, including maintaining the residential character and compatibility of the area.

**(4) Appeal.** The decision of the Community Development Director or their authorized representative may be appealed to the Planning Commission by the applicant or any interested party. The appeal must be in writing and clearly state the reason for the appeal and be accompanied by the filing fee.

**I hereby certify that I have read and understand the above Address of Convenience provisions, Section 17.10.120 of the Rio Dell Municipal Code (RDMC). I further agree to abide to the Address of Convenience Performance Standards. I understand that non-compliance with the Address of Convenience Performance Standards will result in revocation of my Business License and Home Occupation Permit.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**Staff Use Only**

Amount Paid:	Receipt No.	Approved By:	Date:



**Application for Home Occupation Permit**  
 Section 17.30.120 Rio Dell Municipal Code

Applicant Information		Business Information	
Name:		Name:	

**“Home Occupation”** means the conduct of an art or profession, the offering of a service on the conduct of a business, or the manufacture of handicraft products in a dwelling by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling. No more than one truck or other motor vehicle no larger than one ton and no equipment, including but not limited to equipment trailers, backhoes, skid steers, excavators, etc shall be permitted at the site of the Home Occupation.

**(1) Home Occupation Performance Standards.** Home Occupations, as defined herein, shall be permitted as appurtenant and accessory uses to any residential use, subject to the following minimum performance standards:

- (a) The primary function of a Home Occupation shall not necessitate the rendering of services to customers or clients on the premises;
- (b) A Home Occupation shall not include, but such exclusion shall not be limited to, the following: automobile repair, automobile wrecking, barber shops and beauty parlors, commercial stables, veterinary offices, kennels, or restaurants;
- (c) There shall be no more than one Home Occupation in any dwelling unit;
- (d) Home Occupation permits shall be limited to the applicant only and shall not be transferable;
- (e) The activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.;
- (f) The occupation or profession shall be carried on wholly within a dwelling unit or accessory building;
- (g) Not more than 25 percent or 500 square feet (whichever is more) of the total floor area within the dwelling unit or no more than 500 square feet of an accessory building shall be used in connection with any Home Occupation;
- (h) There shall be no exterior storage of material and no other exterior indication of the Home Occupation other than the sign or nameplate allowed by subdivision (k) or variation from the residential character of the principal building;
- (i) A Home Occupation shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount in the district;

(j) No mechanical equipment shall be used that produces offensive noise, vibration, smoke, dust, odors, or heat. No lighting that produces offensive glare shall be used;

(k) Signs or nameplates limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height

(l) No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Home Occupation;

(m) Special considerations, exceptions, etc., may be granted by the Planning Commission upon submittal of satisfactory evidence of physical handicap, which precludes normal employment or conduct of business anywhere but as a home occupation;

(n) Any business not complying with the above standards shall require a conditional use permit.

**(2) Business License Required.** Every Home Occupation permittee shall obtain a business license and keep it current during the life of the business.

**(3) Action by the Community Development Director or their authorized representative(s).** The Community Development Director or their authorized representative is authorized to grant a Home Occupation permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of the performance standards. The Community Development Director or their authorized representative(s) may refuse a Home Occupation permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title, including maintaining the residential character and compatibility of the area.

**(4) Appeal.** The decision of the Community Development Director or their authorized representative may be appealed to the Planning Commission by the applicant or any interested party. The appeal must be in writing and clearly state the reason for the appeal and be accompanied by the filing fee.

**I hereby certify that I have read and understand the above Home Occupation provisions, Section 17.30.120 of the Rio Dell Municipal Code (RDMC). I further agree to abide to the Home Occupation Performance Standards. I understand that non-compliance with the Home Occupation Performance Standards will result in revocation of my Business License and Home Occupation Permit.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**Staff Use Only**

Amount Paid:	Receipt No.	Approved By:	Date:



#### **17.10.010 Definitions:**

“Address of Convenience” means non-residential activities associated with any profession, occupation or hobby, having no employees, receiving no more than one delivery per day at the residence and utilizing a private residence only for receiving mail, phone calls and related record keeping (typically a mobile business). No more than one truck or other motor vehicle no larger than one ton and shall be permitted at the site of the Home Occupation.

“City Manager” means the City Manager for the City of Rio Dell.

“Community Development Director” means the Director of Planning and Building for the City of Rio Dell.

“Home Occupation” means the conduct of an art or profession, the offering of a service on the conduct of a business, or the manufacture of handicraft products in a dwelling by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling. No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Home Occupation.

#### **17.30.120 Home Occupation Businesses and Address of Convenience.**

**(1) Home Occupation Performance Standards.** Home Occupations, as defined herein, shall be permitted as appurtenant and accessory uses to any residential use, subject to the following minimum performance standards:

- (a) The primary function of a Home Occupation shall not necessitate the rendering of services to customers or clients on the premises;
- (b) A Home Occupation shall not include, but such exclusion shall not be limited to, the following: automobile repair, automobile wrecking, barber shops and beauty parlors, commercial stables, veterinary offices, kennels, or restaurants;
- (c) There shall be no more than one Home Occupation in any dwelling unit;
- (d) Home Occupation permits shall be limited to the applicant only and shall not be transferable;
- (e) The activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.;
- (f) The occupation or profession shall be carried on wholly within a dwelling unit or accessory building;
- (g) Not more than 25 percent or 500 square feet (whichever is more) of the total floor area within the dwelling unit or no more than 500 square feet of an accessory building shall be used in connection with any Home Occupation;



(h) There shall be no exterior storage of material and no other exterior indication of the Home Occupation other than the sign or nameplate allowed by subdivision (k) or variation from the residential character of the principal building;

(i) A Home Occupation shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount in the district;

(j) No mechanical equipment shall be used that produces offensive noise, vibration, smoke, dust, odors, or heat. No lighting that produces offensive glare shall be used;

(k) Signs or nameplates limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height

(l) No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Home Occupation;

(m) Special considerations, exceptions, etc., may be granted by the Planning Commission upon submittal of satisfactory evidence of physical handicap, which precludes normal employment or conduct of business anywhere but as a home occupation;

(n) Any business not complying with the above standards shall require a conditional use permit.

**(2) Address of Convenience Performance Standards.** Address of Conveniences as defined herein, shall be permitted as appurtenant and accessory uses to any residential use, subject to the following minimum performance standards:

(a) The primary function of the Address of Convenience is for receiving mail, phone calls and related record keeping (typically a mobile business);

(b) An Address of Convenience shall not include any employees at the premises;

(c) An Address of Convenience shall not include the rendering of services to clients or customers at the premises;

(d) An Address of Convenience shall not generate more than one delivery per day to the residence;

(e) No more than one truck or other motor vehicle no larger than one ton shall be permitted in conjunction with any Address of Convenience;

(f) The Address of Convenience shall be carried on wholly within a dwelling unit or accessory building;

(g) There shall be no exterior storage of materials, equipment or vehicles and no other exterior indication of the Address of Convenience other than the vehicle allowed by subdivision (e) or the sign or nameplate allowed by subdivision (i) or variation from the residential character of the principal building.

(h) Not more than 25 percent or 500 square feet (whichever is more) of the total floor area within the dwelling unit or accessory building shall be used in connection with any Address of Convenience;

(i) Signs or nameplates, limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height.

**(3) Business License Required.** Every Home Occupation and Address of Convenience permittee shall obtain a business license and keep it current during the life of the business.

**(4) Home Occupation Permit Required.** In order to ensure that the intent of these regulations are implemented and that all Home Occupations will be operated under the performance standards required herein, all Home Occupations in the City of Rio Dell must secure approval of a Home Occupation permit. Such Home Occupation permit shall contain a listing of all Home Occupation performance standards and a certification that the applicant has read and agrees to comply with all City regulations and performance standards contained therein.

**(5) Address of Convenience Permit Required.** In order to ensure that the intent of these these regulations are implemented and that all Address of Conveniences will be operated under the performance standards required herein, all Address of Conveniences in the City of Rio Dell must secure approval of a Address of Convenience permit. Such Address of Convenience permit shall contain the requirements of the Address of Convenience and a certification that the applicant has read and agrees to comply with all City regulations and performance standards contained therein.

**(6) Action by the Community Development Director or their authorized representative(s).** The Community Development Director or their authorized representative(s) is authorized to grant a Home Occupation or Address of Convenience permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of this section and the performance standards. The Community Development Director or their authorized representative(s) may refuse a Home Occupation or Address of Convenience permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title-, including maintaining the residential character and compatibility of the area.

**(7) Appeal.** The decision of the Community Development Director or their authorized representative(s). may be appealed to the Planning Commission by the applicant or any interested party. The appeal must be in writing and clearly state the reason for the appeal and be accompanied by the filing fee. [Ord. 252 § 6.08, 2004.]

**ORDINANCE NO. 312 – 2014**



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL  
AMENDING THE HOME OCCUPATION REGULATIONS,  
SECTION 17.30.120 AND THE ZONING DEFINITIONS, SECTION 17.10.010 OF THE  
RIO DELL MUNICIPAL CODE

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

**WHEREAS** the City requires Home Occupation Permits for almost every business that is operated from a residence. Many Home Occupations are actually “mobile” businesses that don’t really fit the definition of a Home Occupation; and

**WHEREAS** Home Occupations include but are not limited to: Artists, Seamstress’s/Tailors, Accountants/Bookkeepers, Attorneys, Architects/Designers, Computer Programmers/Technicians, Engineers, Surveyors, Land Use Consultants and other consultants; and

**WHEREAS** the Planning Commission is recommending some minor changes to the Home Occupation provisions and establishing Address of Convenience provisions for those businesses that do not receive any deliveries and do not conduct any activities at the residence other than receiving mail, phone calls and related record keeping; and

**WHEREAS** the Planning Commission is recommending amending the definition of a “Home Occupation” to require that the Home Occupation be conducted by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling and that no more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Home Occupation; and

**WHEREAS** the Planning Commission is also recommending a minor grammatical change, the capitalization of “Home Occupation” throughout the provisions and limiting the total area used for the Home Occupation to 25 percent or 500 square feet (whichever is more) of the total floor area within the dwelling unit or no more than 500 square feet of an accessory building; and

**WHEREAS** the Planning Commission is also recommending that signs be allowed for Home Occupations and limited to a statement of the name and contact information, not illuminated

and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height; and

**WHEREAS** the current Home Occupation provisions refer to the “Planning Secretary” being responsible for the administration of the Home Occupation regulations; and

**WHEREAS** there is no definition of the “Planning Secretary” in the Zoning Regulations and there is no “Planning Secretary” position on the City staff. As such, staff is recommending that that the term “Planning Secretary” be replaced with “Community Development Director or their authorized representative”; and

**WHEREAS** staff also discovered that the Zoning Regulations do include definitions of the “City Manager” or the “Community Development Director”. Accordingly, staff is recommending that those definitions be included in the Zoning Regulations; and

**WHEREAS** the Planning Commission is also recommending establishing “Address of Convenience” provisions for those businesses that do not receive any deliveries and do not conduct any activities at the residence other than receiving mail, phone calls and related record keeping; and

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

**WHEREAS** the City has reviewed and processed the proposed amendment 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 amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

**WHEREAS** the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Rio Dell finds that:

1. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
2. The proposed amendment 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 FURTHER RESOLVED** that the City Council of the City of Rio Dell does hereby ordain as follows:

**Section 1.** Section 17.10.010, Definitions, of the Rio Dell Municipal Code is hereby amended to include the following definitions:

**17.10.010 Definitions**

“Address of Convenience” means non-residential activities associated with any profession, occupation or hobby, having no employees, receiving no more than one delivery per day at the residence and utilizing a private residence only for receiving mail, phone calls and related record keeping (typically a mobile business). No more than one truck or other motor vehicle no larger than one ton and shall be permitted at the site of the Home Occupation.

“City Manager” means the City Manager for the City of Rio Dell.

“Community Development Director” means the Director of Planning and Building for the City of Rio Dell.

“Home Occupation” means the conduct of an art or profession, the offering of a service on the conduct of a business, or the manufacture of handicraft products in a dwelling by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling. No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Home Occupation.

**Section 2.** Section 17.30.120, Home Occupation Businesses, of the Rio Dell Municipal Code is hereby amended as follows:

**17.30.120 Home Occupation Businesses and Address of Convenience.**

**(1) Home Occupation Performance Standards.** Home Occupations, as defined herein, shall be permitted as appurtenant and accessory uses to any residential use, subject to the following minimum performance standards:

- (a) The primary function of a Home Occupation shall not necessitate the rendering of services to customers or clients on the premises;
- (b) A Home Occupation shall not include, but such exclusion shall not be limited to, the following: automobile repair, automobile wrecking, barber shops and beauty parlors, commercial stables, veterinary offices, kennels, or restaurants;
- (c) There shall be no more than one Home Occupation in any dwelling unit;

- (d) Home Occupation permits shall be limited to the applicant only and shall not be transferable;
- (e) The activity shall be limited to the hours between 7:00 a.m. and 10:00 p.m.;
- (f) The occupation or profession shall be carried on wholly within a dwelling unit or accessory building;
- (g) Not more than 25 percent or 500 square feet (whichever is more) of the total floor area within the dwelling unit or no more than 500 square feet of an accessory building shall be used in connection with any Home Occupation;
- (h) There shall be no exterior storage of material and no other exterior indication of the Home Occupation other than the sign or nameplate allowed by subdivision (k) or variation from the residential character of the principal building;
- (i) A Home Occupation shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount in the district;
- (j) No mechanical equipment shall be used that produces offensive noise, vibration, smoke, dust, odors, or heat. No lighting that produces offensive glare shall be used;
- (k) Signs or nameplates limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height
- (l) No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Home Occupation;
- (m) Special considerations, exceptions, etc., may be granted by the Planning Commission upon submittal of satisfactory evidence of physical handicap, which precludes normal employment or conduct of business anywhere but as a home occupation;
- (n) Any business not complying with the above standards shall require a conditional use permit.

**(2) Address of Convenience Performance Standards.** Address of Conveniences as defined herein, shall be permitted as appurtenant and accessory uses to any residential use, subject to the following minimum performance standards:

- (a) The primary function of the Address of Convenience is for receiving mail, phone calls and related record keeping (typically a mobile business);

- (b) An Address of Convenience shall not include any employees at the premises;
- (c) An Address of Convenience shall not include the rendering of services to clients or customers at the premises;
- (d) An Address of Convenience shall not generate more than one delivery per day to the residence;
- (e) No more than one truck or other motor vehicle no larger than one ton shall be permitted in conjunction with any Address of Convenience;
- (f) The Address of Convenience shall be carried on wholly within a dwelling unit or accessory building;
- (g) There shall be no exterior storage of materials, equipment or vehicles and no other exterior indication of the Address of Convenience other than the vehicle allowed by subdivision (e) or the sign or nameplate allowed by subdivision (i) or variation from the residential character of the principal building.
- (h) Not more than 25 percent or 500 square feet (whichever is more) of the total floor area within the dwelling unit or accessory building shall be used in connection with any Address of Convenience;
- (i) Signs or nameplates, limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height.

**(3) Business License Required.** Every Home Occupation and Address of Convenience permittee shall obtain a business license and keep it current during the life of the business.

**(4) Home Occupation Permit Required.** In order to ensure that the intent of these regulations are implemented and that all Home Occupations will be operated under the performance standards required herein, all Home Occupations in the City of Rio Dell must secure approval of a Home Occupation permit. Such Home Occupation permit shall contain a listing of all Home Occupation performance standards and a certification that the applicant has read and agrees to comply with all City regulations and performance standards contained therein.

**(5) Address of Convenience Permit Required.** In order to ensure that the intent of ~~this~~ these regulations are implemented and that all Address of Conveniences will be operated under the performance standards required herein, all Address of Conveniences in the City of Rio Dell must secure approval of a Address of Convenience permit. Such Address of Convenience permit shall contain the requirements of the Address of Convenience and a certification that the applicant

has read and agrees to comply with all City regulations and performance standards contained therein.

**(6) Action by the Community Development Director or their authorized representative(s).**

The Community Development Director or their authorized representative(s) is authorized to grant a Home Occupation or Address of Convenience permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of this section and the performance standards. The Community Development Director or their authorized representative(s) may refuse a Home Occupation or Address of Convenience permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title, including maintaining the residential character and compatibility of the area.

**(7) Appeal.** The decision of the Community Development Director or their authorized representative(s) may be appealed to the Planning Commission by the applicant or any interested party. The appeal must be in writing and clearly state the reason for the appeal and be accompanied by the filing fee.

**Section 3 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 4. 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 5. CEQA Compliance**

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

**Section 6. 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 February 18, 2014 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the March 4, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 312-2014 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the March 4, 2014.

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Karen Dunham, City Clerk, City of Rio Dell


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



For Meeting of: February 18, 2014

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Jim , City Manager

Date: February 3, 2014

Subject: Text Amendment Establishing Cottage Industry Regulations and Definition, Sections 17.30.075 and 17.10.010 of the Rio Dell Municipal Code

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**Recommendation:**

That the City Council:

1. Receive staff's report regarding the proposed text amendment;
2. Open the public hearing, receive public input, and deliberate; and
3. Introduce Ordinance No. 313-2014 establishing Cottage Industry Regulations, Section 17.30.075 and amending the Zoning Definitions, Section 17.10.010 of the Rio Dell Municipal Code (RDMC) to include Cottage Industry and continue consideration, approval and adoption of the proposed Ordinance to your meeting of March 4, 2014 for the second reading and adoption.

**Background/Summary**

The City is contacted time to time regarding potential home occupations, including ceramic studios, wood-working and metal fabrication and welding. These types of uses do not fit the definition of a Home Occupation. Although exceptions to the Home Occupation performance

standards could be approved with a Conditional Use Permit (CUP); the cost of a CUP almost always discourages potential businesses from making application. As such, staff recommended to the Planning Commission that the City establish Cottage Industry provisions and performance standards. Below is a copy of the recommended definition of a Cottage Industry:

*“Cottage Industry” means the on-site production of goods by hand manufacturing in an enclosed building which involves only the use of hand tools or domestic mechanical equipment or a single kiln, and the incidental direct sale to consumers of only those goods produced on-site by the inhabitants of the property and which is clearly incidental and secondary to the residential use of the property. Typical uses include, but are not limited to, ceramic studios, custom jewelry, wood-working, small furniture and cabinet manufacturers or metal fabrication and welding. No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Cottage Industry.*

Staff recommended and the Planning Commission concurred to a performance based approach, similar to the Home Occupation and Address of Convenience regulations. The recommended regulations are included as Attachment 1.

Cottage Food Operations are included as a Cottage Industry. The California Homemade Food Act (AB 1616) became effective on January 1, 2013. The California Homemade Food Act exempts home-based food businesses, known as Cottage Food Operations, from many regulations that apply to traditional food production. AB 1616 requires cities and counties to allow Cottage Food Operations in private residences, but permits local ordinances that impose “reasonable” standards, restrictions and requirements concerning spacing and concentration, traffic control, parking and noise control.

Cottage Food products are defined as “non-potentially hazardous food” prepared for sale in the private kitchen of a cottage food operator. Foods such as meats, dairy products, or perishable items do not qualify as cottage foods since they require refrigeration to keep them safe or prevent bacterial growth. Items that can be produced by Cottage Food operators include baked goods, candy, dried fruit and pasta, and certain jams, jellies and preserves. The State Public Health Officer may add to or delete items from the list of allowed cottage foods.

AB 1616 allows customers to come to the residence, and allows one employee who does not reside within the home. The recommended Performance Standards are consistent with State law. Below is a copy of the recommended additional Performance Standards for Cottage Industry Food Operations:

*(a) No more than one (1) employee other than residents of the dwelling shall be employed to conduct the Cottage Industry Food Operations;*

*(b) The applicant shall obtain a Class A or Class B permit for Cottage Food Operations from the Humboldt County Department of Environmental Health prior to the approval of the Cottage Industry Permit.*

## **Issues**

As with the Home Occupation and Address of Convenience regulations, staff believes the only issue with the recommended text amendment is whether or not signs should be allowed for Cottage Industries. Again, the current Home Occupation regulations prohibit the exterior storage of materials and any other exterior indication, *including signs*, of the Home Occupation or variation from the residential character of the principal building.

Staff had originally recommended to the Planning Commission that signs limited to two (2) square feet be allowed for Cottage Industries in Urban Residential (UR), Suburban Residential and Suburban zones and four (4) square feet in the Rural (R) zone subject to the setback requirements of the zone. Staff's recommendation was based on the existing Sign Regulations, Section 17.30.260 of the RDMC, which allow nameplates limited to a statement of the name, address and occupational designation of the occupant in residential zones. Below is a copy of Section 17.30.260:

### ***17.30.260 Signs and Nameplates.***

*(1) On-Site Signs. Nameplates (which shall be limited to a statement of the name, address and occupational designation of the occupant) and signs shall be permitted in conformity with the following regulations:*

*(a) One nameplate, not illuminated, appurtenant to any permitted use, not exceeding two square feet shall be permitted in urban residential, suburban residential or suburban zones, and not exceeding four square feet shall be permitted in all other zones.*

The above provision conflicts with the Home Occupation provisions which clearly state that there shall be no exterior indication of the Home Occupation or variation from the residential character of the principal building. In cases of conflicting provisions, the more restrictive provision applies unless otherwise noted.

The Planning Commission discussed the recommended sign provision and as with Home Occupations and Addresses of Convenience, they are recommending to your Council that signs up to four (4) square feet be allowed in all residential zones. Below is the Planning Commission's recommended language:

*Signs or nameplates limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the*

*side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height.*

### **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 Reclassification Required Finding:**

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

One of the six Goals identified in the Land Use Element of the General Plan is: "To grow sustainably, provide economic opportunities and local jobs". In addition, Land Use Policy LU-17 includes the following language: "Strengthen and diversify the local economy and maintain and improve property values." Furthermore, Land Use Policies LU-21 and LU-24 calls for in part "...the creation and retention of employment opportunities... and ...economic development in Rio Dell...". The proposed establishment of Cottage Industry regulations is consistent with the Goals and Polices of the General Plan

### **2. 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, including the recommended Performance Standards, staff believes there is no evidence to suggest that the amendments will have a *significant* effect on the environment.

## **Financial Impact**

The City is responsible for the costs associated with the proposed amendment. The cost is insignificant and will not result in additional budget expenditures or revisions.

## **Attachments:**

1. Proposed Cottage Industry Regulations.
2. Proposed Cottage Industry Permit.
3. Draft Ordinance No. 313-2014 establishing Cottage Industry Regulations, Section 17.30.075 and amending the Zoning Definitions, Section 17.10.010 of the Rio Dell Municipal Code (RDMC) to include Cottage Industry.



**Section 17.10.010, Definitions, of the Rio Dell Municipal Code is hereby amended to include the following definition:**

**“Cottage Industry”** means the on-site production of goods by hand manufacturing in an enclosed building which involves only the use of hand tools or domestic mechanical equipment or a single kiln, and the incidental direct sale to consumers of only those goods produced on-site by the inhabitants of the property and which is clearly incidental and secondary to the residential use of the property. Typical uses include, but are not limited to, ceramic studios, custom jewelry, wood-working, small furniture and cabinet manufacturers or metal fabrication and welding. No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Cottage Industry.

**17.30.075 COTTAGE INDUSTRY.**

**(1) Purpose.** The purpose of these regulations is to establish performance standards and limitations for the operation and maintenance of Cottage Industries.

**(2) Applicability.** Notwithstanding any other provisions of this Code to the contrary, Cottage Industries, as defined in this Code, that meet all the criteria of the following Performance Standards section, shall be permitted as appurtenant, accessory and incidental to a residential use in the Urban Residential (UR), Suburban Residential (SR), Suburban (S) and Rural (R) zones.

**(3) Cottage Industry Performance Standards.** Cottage industries defined herein are allowed as principally permitted appurtenant and accessory uses to existing residential uses subject to the following minimum performance standards:

- (a) The Cottage Industry shall conform with the development standards in the applicable zoning district;
- (b) The dwelling on the site shall be occupied by the owner of the Cottage Industry;
- (c) The Cottage Industry shall occupy no more than twenty five percent (25%) of the floor area of the dwelling; Cottage Industries in accessory buildings shall be limited to not more than fifty (50%) or 1000 square feet, which is ever more of the floor area of the building.
- (d) The Cottage Industry shall not create noise, odors, smoke or other nuisances to a degree greater than that normal for the neighborhood;
- (e) All noise generating operations shall be buffered so that they do not exceed 60 dB(a) at the property lines;
- (f) There shall be no structural, electrical or plumbing alterations necessary for the Cottage

Industry which are not customarily found in dwellings or residential accessory structures;

(g) No persons other than residents of the dwelling shall be employed to conduct the Cottage Industry;

(h) All lights shall be directed on site and shielded to reduce glare to adjacent areas;

(i) There shall be no more than one Cottage Industry in any dwelling unit or accessory building;

(j) Cottage Industry permits shall be limited to the applicant only and shall not be transferable;

(k) The activity shall be limited to the hours between 8:00 a.m. and 5:00 p.m.;

(l) The occupation or profession shall be carried on wholly within a dwelling unit or accessory building;

(m) There shall be no exterior storage of material and no other exterior indication of the Cottage Industry other than the sign or nameplate allowed by subdivision (p) or variation from the residential character of the principal building;

(n) A Cottage Industry shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount in the district;

(o) No mechanical equipment shall be used that produces offensive noise, vibration, smoke, dust, odors, or heat;

(p) Signs or nameplates, limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height;

(q) No more than one truck or other motor vehicle no larger than one (1) ton shall be permitted at the site of the Cottage Industry;

(r) No visual or audible interference of radio or television reception by the operations shall be permitted;

(s) All manufacturing and fabricating areas shall be enclosed in buildings;

(t) On-site customers and the incidental direct sale of only those goods produced on-site shall only be allowed on the property between the hours of 9:00 a.m. to 6:00 p.m., seven days a week.



(u) Not more than four (4) on-site customer vehicle trips per day shall be allowed.

(v) Any business not complying with the above performance standards shall require a Conditional Use Permit.

**(4) Cottage Industry Food Operations.** In addition to the above Performance Standards, unless otherwise identified herein, Cottage Industry Food Operations as defined under the California Homemade Food Act (AB 1616) shall comply with the following regulations:

(a) No more than one (1) employee other than residents of the dwelling shall be employed to conduct the Cottage Industry Food Operations;

(b) The applicant shall obtain a Class A or Class B permit for Cottage Food Operations from the Humboldt County Department of Environmental Health prior to the approval of the Cottage Industry Permit.

**(5) Business License Required.** Every Cottage Industry permittee shall obtain a business license and keep it current during the life of the business.

**(6) Cottage Industry Permit Required.** In order to ensure that the intent of these regulations are implemented and that all Cottage Industries will be operated under the performance standards required herein, all Cottage Industries in the City of Rio Dell must secure approval of a Cottage Industry permit. Such Cottage Industry permit shall contain a listing of all Cottage Industry performance standards and a certification that the applicant has read and agrees to comply with all City regulations and performance standards contained therein.

**(7) Action by the Community Development Director or their authorized representative(s).** The Community Development Director or their authorized representative(s) is authorized to grant a Cottage Industry permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of this section and the performance standards. The Community Development Director or their authorized representative(s) may refuse a Cottage Industry permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title, including maintaining the residential character and compatibility of the area.

**(8) Appeal.** The decision of the Community Development Director or their authorized representative(s) may be appealed to the Planning Commission by the applicant or any interested party. The appeal must be in writing and clearly state the reason for the appeal and be accompanied by the filing fee.

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



**Application for Cottage Industry Permit**  
Section 17.30.075 Rio Dell Municipal Code

Applicant Information		Business Information	
Name:		Name:	

**17.30.075 COTTAGE INDUSTRY.**

**(1) Purpose.** The purpose of these regulations is to establish performance standards and limitations for the operation and maintenance of Cottage Industries.

**(2) Applicability.** Notwithstanding any other provisions of this Code to the contrary, Cottage Industries, as defined in this Code, that meet all the criteria of the following Performance Standards section, shall be permitted as appurtenant, accessory and incidental to a residential use in the Urban Residential (UR), Suburban Residential (SR), Suburban (S) and Rural (R) zones.

**(3) Cottage Industry Performance Standards.** Cottage industries defined herein are allowed as principally permitted appurtenant and accessory uses to existing residential uses subject to the following minimum performance standards:

- (a) The Cottage Industry shall conform with the development standards in the applicable zoning district;
- (b) The dwelling on the site shall be occupied by the owner of the Cottage Industry;
- (c) The Cottage Industry shall occupy no more than twenty five percent (25%) of the floor area of the dwelling; Cottage Industries in accessory buildings shall be limited to not more than fifty (50%) or 1000 square feet, which is ever more of the floor area of the building.
- (d) The Cottage Industry shall not create noise, odors, smoke or other nuisances to a degree greater than that normal for the neighborhood;
- (e) All noise generating operations shall be buffered so that they do not exceed 60 dB(a) at the property lines;
- (f) There shall be no structural, electrical or plumbing alterations necessary for the Cottage Industry which are not customarily found in dwellings or residential accessory structures;

- (g) No persons other than residents of the dwelling shall be employed to conduct the Cottage Industry;
- (h) All lights shall be directed on site and shielded to reduce glare to adjacent areas;
- (i) There shall be no more than one Cottage Industry in any dwelling unit or accessory building;
- (j) Cottage Industry permits shall be limited to the applicant only and shall not be transferable;
- (k) The activity shall be limited to the hours between 8:00 a.m. and 5:00 p.m.;
- (l) The occupation or profession shall be carried on wholly within a dwelling unit or accessory building;
- (m) There shall be no exterior storage of material and no other exterior indication of the Cottage Industry other than the sign or nameplate allowed by subdivision (p) or variation from the residential character of the principal building;
- (n) A Cottage Industry shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount in the district;
- (o) No mechanical equipment shall be used that produces offensive noise, vibration, smoke, dust, odors, or heat;
- (p) Signs or nameplates, limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height;
- (q) No more than one truck or other motor vehicle no larger than one (1) ton shall be permitted at the site of the Cottage Industry;
- (r) No visual or audible interference of radio or television reception by the operations shall be permitted;
- (s) All manufacturing and fabricating areas shall be enclosed in buildings;
- (t) On-site customers and the incidental direct sale of only those goods produced on-site shall only be allowed on the property between the hours of 9:00 a.m. to 6:00 p.m., seven days a week.
- (u) Not more than four (4) on-site customer vehicle trips per day shall be allowed.

(v) Any business not complying with the above performance standards shall require a Conditional Use Permit.

**(4) Cottage Industry Food Operations.** In addition to the above Performance Standards, unless otherwise identified herein, Cottage Industry Food Operations as defined under the California Homemade Food Act (AB 1616) shall comply with the following regulations:

(a) No more than one (1) employee other than residents of the dwelling shall be employed to conduct the Cottage Industry Food Operations;

(b) The applicant shall obtain a Class A or Class B permit for Cottage Food Operations from the Humboldt County Department of Environmental Health prior to the approval of the Cottage Industry Permit.

**(5) Business License Required.** Every Cottage Industry permittee shall obtain a business license and keep it current during the life of the business.

**(6) Cottage Industry Permit Required.** In order to ensure that the intent of these regulations are implemented and that all Cottage Industries will be operated under the performance standards required herein, all Cottage Industries in the City of Rio Dell must secure approval of a Cottage Industry permit. Such Cottage Industry permit shall contain a listing of all Cottage Industry performance standards and a certification that the applicant has read and agrees to comply with all City regulations and performance standards contained therein.

**(7) Action by the Community Development Director or their authorized representative(s).** The Community Development Director or their authorized representative(s) is authorized to grant a Cottage Industry permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of this section and the performance standards. The Community Development Director or their authorized representative(s) may refuse a Cottage Industry permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title, including maintaining the residential character and compatibility of the area.

**(8) Appeal.** The decision of the Community Development Director or their authorized representative(s) may be appealed to the Planning Commission by the applicant or any interested party. The appeal must be in writing and clearly state the reason for the appeal and be accompanied by the filing fee.

**I hereby certify that I have read and understand the above Cottage Industry provisions, Section 17.30.075 of the Rio Dell Municipal Code (RDMC). I further agree to abide to the Cottage Industry Performance Standards. I understand that non-compliance with the Cottage Industry Performance Standards will result in revocation of my Business License and Cottage Industry Permit.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

**Staff Use Only**

Amount Paid:	Receipt No.	Approved By:	Date:

**ORDINANCE NO. 313 – 2014**



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL  
ESTABLISHING COTTAGE INDUSTRY REGULATIONS,  
SECTION 17.30.075 AND AMENDING THE DEFINITIONS, SECTION 17.10.010 OF  
THE RIO DELL MUNICIPAL CODE TO INCLUDE COTTAGE INDUSTRY

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

**WHEREAS** the City is contacted time to time regarding potential home occupations, including ceramic studios, wood-working and metal fabrication and welding; and

**WHEREAS** these types of uses do not fit the definition of a Home Occupation; and

**WHEREAS** although exceptions to the Home Occupation performance standards could approved with a Conditional Use Permit (CUP), the cost of a CUP almost always discourages potential businesses from making application; and

**WHEREAS** the Planning Commission is recommending the City establish Cottage Industry provisions and performance standards to allow Cottage Industries in residential zones; and

**WHEREAS** "Cottage Industry" means the on-site production of goods by hand manufacturing in an enclosed building which involves only the use of hand tools or domestic mechanical equipment or a single kiln, and the incidental direct sale to consumers of only those goods produced on-site by the inhabitants of the property and which is clearly incidental and secondary to the residential use of the property; and

**WHEREAS** typical Cottage Industry uses include, but are not limited to, ceramic studios, custom jewelry, wood-working, small furniture and cabinet manufacturers or metal fabrication and welding; and

**WHEREAS** the Planning Commission is recommending that no more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Cottage Industry; and

**WHEREAS** Cottage Food Operations are included as a Cottage Industry. The California Homemade Food Act (AB 1616) became effective on January 1, 2013 and exempts home-based

food businesses, known as Cottage Food Operations, from many regulations that apply to traditional food production; and

**WHEREAS** AB 1616 requires cities and counties to allow Cottage Food Operations in private residences, but permits local ordinances that impose “reasonable” standards, restrictions and requirements concerning spacing and concentration, traffic control, parking and noise control; and

**WHEREAS** AB 1616 allows customers to come to the residence, and allows one employee who does not reside within the home; and

**WHEREAS** the Planning Commission is recommending a performance based approach, similar to the Home Occupation and Address of Convenience regulations, to the Cottage Industry regulations; and

**WHEREAS** the General Plan contains goals and policies that encourage economic development; and

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

**WHEREAS** the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 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 amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

**WHEREAS** the proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA); and

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

1. The proposed amendment is consistent with the General Plan and any applicable specific plan; and
2. The proposed amendment 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 FURTHER RESOLVED** that the City Council of the City of Rio Dell does hereby ordain as follows:

**Section 1.** Section 17.10.010, Definitions, of the Rio Dell Municipal Code is hereby amended to include the following definition:

**“Cottage Industry”** means the on-site production of goods by hand manufacturing in an enclosed building which involves only the use of hand tools or domestic mechanical equipment or a single kiln, and the incidental direct sale to consumers of only those goods produced on-site by the inhabitants of the property and which is clearly incidental and secondary to the residential use of the property. Typical uses include, but are not limited to, ceramic studios, custom jewelry, wood-working, small furniture and cabinet manufacturers or metal fabrication and welding. No more than one truck or other motor vehicle no larger than one ton shall be permitted at the site of the Cottage Industry.

**Section 2.** Section 17.30.075, Cottage Industry Regulations, of the Rio Dell Municipal Code is hereby established as follows:

**17.30.075 COTTAGE INDUSTRY.**

**(1) Purpose.** The purpose of these regulations is to establish performance standards and limitations for the operation and maintenance of Cottage Industries.

**(2) Applicability.** Notwithstanding any other provisions of this Code to the contrary, Cottage Industries, as defined in this Code, that meet all the criteria of the following Performance Standards section, shall be permitted as appurtenant, accessory and incidental to a residential use in the Urban Residential (UR), Suburban Residential (SR), Suburban (S) and Rural (R) zones.

**(3) Cottage Industry Performance Standards.** Cottage industries defined herein are allowed as principally permitted appurtenant and accessory uses to existing residential uses subject to the following minimum performance standards:

(a) The Cottage Industry shall conform with the development standards in the applicable zoning district;

(b) The dwelling on the site shall be occupied by the owner of the Cottage Industry;

(c) The Cottage Industry shall occupy no more than twenty five percent (25%) of the floor area of the dwelling; Cottage Industries in accessory buildings shall be limited to not more than fifty (50%) or 1000 square feet, which is ever more of the floor area of the building.

(d) The Cottage Industry shall not create noise, odors, smoke or other nuisances to a degree greater than that normal for the neighborhood;

(e) All noise generating operations shall be buffered so that they do not exceed 60 dB(a) at the property lines;



- (f) There shall be no structural, electrical or plumbing alterations necessary for the Cottage Industry which are not customarily found in dwellings or residential accessory structures;
- (g) No persons other than residents of the dwelling shall be employed to conduct the Cottage Industry;
- (h) All lights shall be directed on site and shielded to reduce glare to adjacent areas;
- (i) There shall be no more than one Cottage Industry in any dwelling unit or accessory building;
- (j) Cottage Industry permits shall be limited to the applicant only and shall not be transferable;
- (k) The activity shall be limited to the hours between 8:00 a.m. and 5:00 p.m.;
- (l) The occupation or profession shall be carried on wholly within a dwelling unit or accessory building;
- (m) There shall be no exterior storage of material and no other exterior indication of the Cottage Industry other than the sign or nameplate allowed by subdivision (p) or variation from the residential character of the principal building;
- (n) A Cottage Industry shall not create pedestrian, automobile, or truck traffic significantly in excess of the normal amount in the district;
- (o) No mechanical equipment shall be used that produces offensive noise, vibration, smoke, dust, odors, or heat;
- (p) Signs or nameplates, limited to a statement of the name and contact information, not illuminated and not exceeding four (4) square feet and not exceeding four (4) feet in height shall be permitted subject to a ten (10) front yard setback and the side and rear yard setbacks of the zone. On corner lots within the area thirty (30) feet from the intersection of the street lot lines, signs shall be limited to three feet in height;
- (q) No more than one truck or other motor vehicle no larger than one (1) ton shall be permitted at the site of the Cottage Industry;
- (r) No visual or audible interference of radio or television reception by the operations shall be permitted;
- (s) All manufacturing and fabricating areas shall be enclosed in buildings;
- (t) On-site customers and the incidental direct sale of only those goods produced on-site shall only be allowed on the property between the hours of 9:00 a.m. to 6:00 p.m., seven days a week.

(u) Not more than four (4) on-site customer vehicle trips per day shall be allowed.

(v) Any business not complying with the above performance standards shall require a Conditional Use Permit.

**(4) Cottage Industry Food Operations.** In addition to the above Performance Standards, unless otherwise identified herein, Cottage Industry Food Operations as defined under the California Homemade Food Act (AB 1616) shall comply with the following regulations:

(a) No more than one (1) employee other than residents of the dwelling shall be employed to conduct the Cottage Industry Food Operations;

(b) The applicant shall obtain a Class A or Class B permit for Cottage Food Operations from the Humboldt County Department of Environmental Health prior to the approval of the Cottage Industry Permit.

**(5) Business License Required.** Every Cottage Industry permittee shall obtain a business license and keep it current during the life of the business.

**(6) Cottage Industry Permit Required.** In order to ensure that the intent of these regulations are implemented and that all Cottage Industries will be operated under the performance standards required herein, all Cottage Industries in the City of Rio Dell must secure approval of a Cottage Industry permit. Such Cottage Industry permit shall contain a listing of all Cottage Industry performance standards and a certification that the applicant has read and agrees to comply with all City regulations and performance standards contained therein.

**(7) Action by the Community Development Director or their authorized representative(s).** The Community Development Director or their authorized representative(s) is authorized to grant a Cottage Industry permit only upon a finding that the nature of the use and/or past performance of the requested use or similar use demonstrates the ability to fully conform with the intent of this section and the performance standards. The Community Development Director or their authorized representative(s) may refuse a Cottage Industry permit even though the proposed use may appear technically in conformance with all of the performance standards, if the possibility exists that the proposed use will not be in keeping with the intent of this title, including maintaining the residential character and compatibility of the area.

**(8) Appeal.** The decision of the Community Development Director or their authorized representative(s) may be appealed to the Planning Commission by the applicant or any interested party. The appeal must be in writing and clearly state the reason for the appeal and be accompanied by the filing fee.

### Section 3 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 4. 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 5. CEQA Compliance

The City Council has determined that the adoption of this ordinance is exempt from review under the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines. Based on the nature of the proposed amendments, including the recommended Performance Standards, staff believes there is no evidence to suggest that the amendments will have a *significant* effect on the environment.

### Section 6. 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 February 18, 2014 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the March 4, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Jack Thompson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 313-2014 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the March 4, 2014.

---

Karen Dunham, City Clerk, City of Rio Dell

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



To: Honorable Mayor and Members of the City Council  
Through: Jim Stretch, City Manager  
From: Graham Hill, Chief of Police *GH*  
Date: February 18, 2014  
Subject: Police activity for January 2014

**Action**

Receive and File

**Summary**

In January we completed the background process for new hire Dmitriy Gavryush, who is now employed full time and currently in the field training program. We are looking forward to getting back to full staffing at the end of Dmitriy's training period.

We are still employing former Sergeant Josh Wiener as our records clerk. This arrangement is working well and we have been able to make a significant dent in getting prior year crime reports into our electronic filing system (we have been able to eliminate one large file cabinet and have two more to go).

The Law Enforcement Analysis Program (LEAP) is coming shortly. This is the program I discussed several months ago that incorporates data from multiple law enforcement agencies and allows quick access to area crime data by any subscribing agency. The costs for this are being applied to realignment funds received by area agencies from the state.

I am working on getting the parking citation vendor lined up. That project was derailed for a short period of time but is back on track. I'm hoping to have that up and running next month, barring any unforeseen issues.

Attached is some statistical data for the month of January 2014.

**CITY OF RIO DELL  
POLICE DEPARTMENT**

675 WILDWOOD AVENUE  
RIO DELL CA, 95562

Date : 02/14/2014  
Page : 1  
Agency : RDPD

**Arrest Totals By Violation**

01/01/2014 TO 01/31/2014

<b>Violation</b>		<b>Total</b>
B/W - M	RDPD Bench Warrant - Misdemeanor	1
CVC 14601	Driving w/ Suspended or Revoked	2
CVC 16028(a)	No Vehicle Insurance	1
O/W - F	Outside Agency Arrest/Bench Warrant -...	1
PC 1203.2	Misdemeanor Violation of Probation	1
PC 148.9(a)	False ID to Police Officer	1
PC 243(e)(1)	Battery on a Cohabitant	1
PC 273.5	Domestic Violence	1
PC 422	Criminal Threats	1
PC 594	Vandalism	1
PC 647(f)	Public Intoxication	1
<b>Grand Total</b>		<b>12</b>

**CITY OF RIO DELL  
POLICE DEPARTMENT**

675 WILDWOOD AVENUE  
RIO DELL CA, 95562

Date : 02/14/2014  
Page : 1  
Agency : RDPD

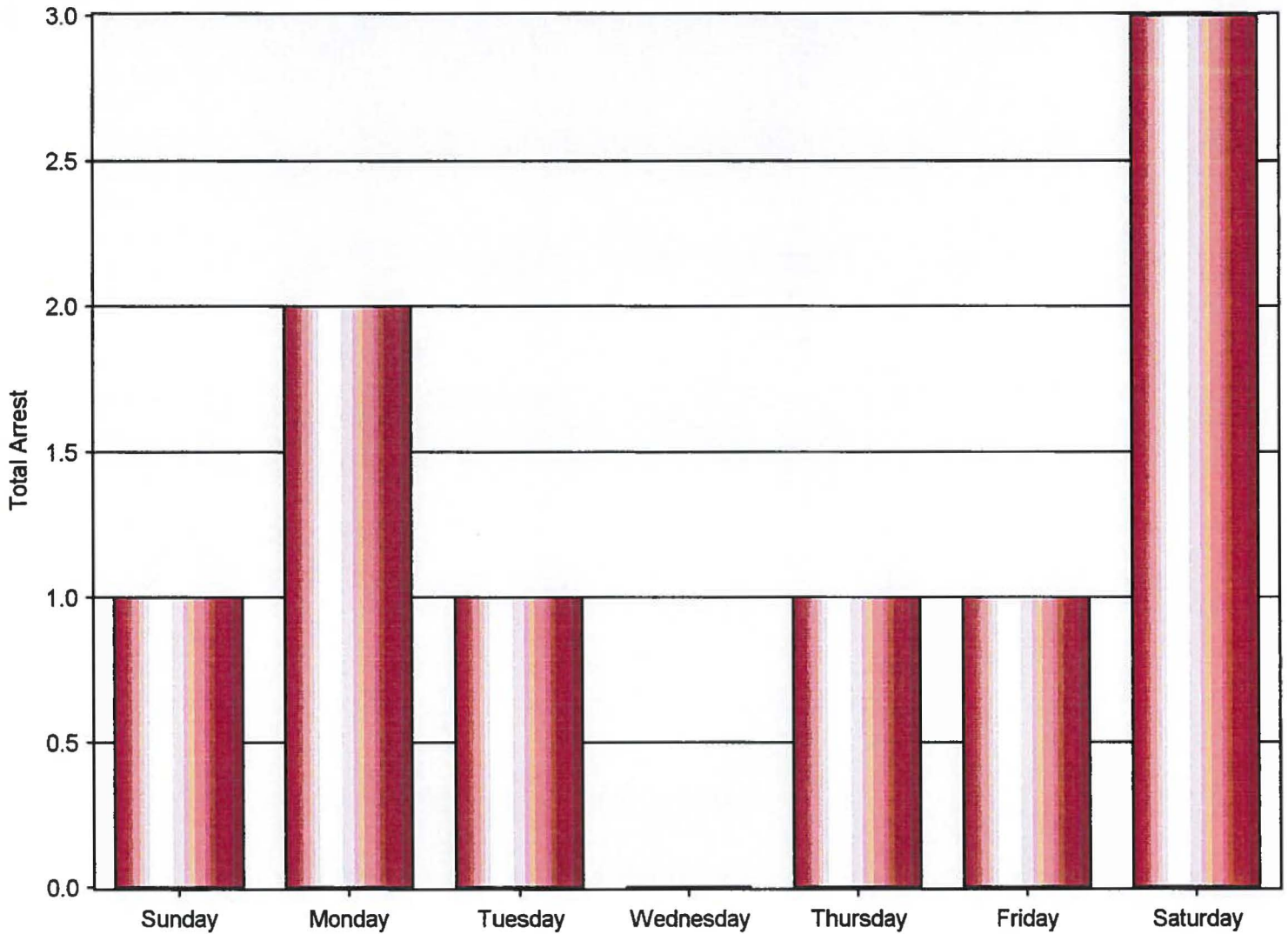
**Arrest By Time of Day / Day of Week**

01/01/2014 TO 01/31/2014

Time of Day / Day of Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
0000 - 0059 Hrs	0	0	0	0	0	0	0	0
0100 - 0159 Hrs	0	0	0	0	0	0	0	0
0200 - 0259 Hrs	0	0	0	0	0	0	0	0
0300 - 0359 Hrs	0	0	0	0	0	0	0	0
0400 - 0459 Hrs	0	0	0	0	0	0	0	0
0500 - 0559 Hrs	0	0	0	0	0	0	0	0
0600 - 0659 Hrs	0	0	0	0	0	0	0	0
0700 - 0759 Hrs	0	0	0	0	0	0	1	1
0800 - 0859 Hrs	0	0	0	0	0	0	0	0
0900 - 0959 Hrs	0	0	0	0	0	0	0	0
1000 - 1059 Hrs	1	0	0	0	0	0	0	1
1100 - 1159 Hrs	0	0	0	0	0	0	1	1
1200 - 1259 Hrs	0	0	0	0	0	0	0	0
1300 - 1359 Hrs	0	0	1	0	1	0	0	2
1400 - 1459 Hrs	0	0	0	0	0	0	0	0
1500 - 1559 Hrs	0	0	0	0	0	0	0	0
1600 - 1659 Hrs	0	0	0	0	0	0	0	0
1700 - 1759 Hrs	0	1	0	0	0	0	0	1
1800 - 1859 Hrs	0	0	0	0	0	1	0	1
1900 - 1959 Hrs	0	0	0	0	0	0	0	0
2000 - 2059 Hrs	0	1	0	0	0	0	0	1
2100 - 2159 Hrs	0	0	0	0	0	0	1	1
2200 - 2259 Hrs	0	0	0	0	0	0	0	0
2300 - 2359 Hrs	0	0	0	0	0	0	0	0
<b>Total</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>3</b>	<b>9</b>

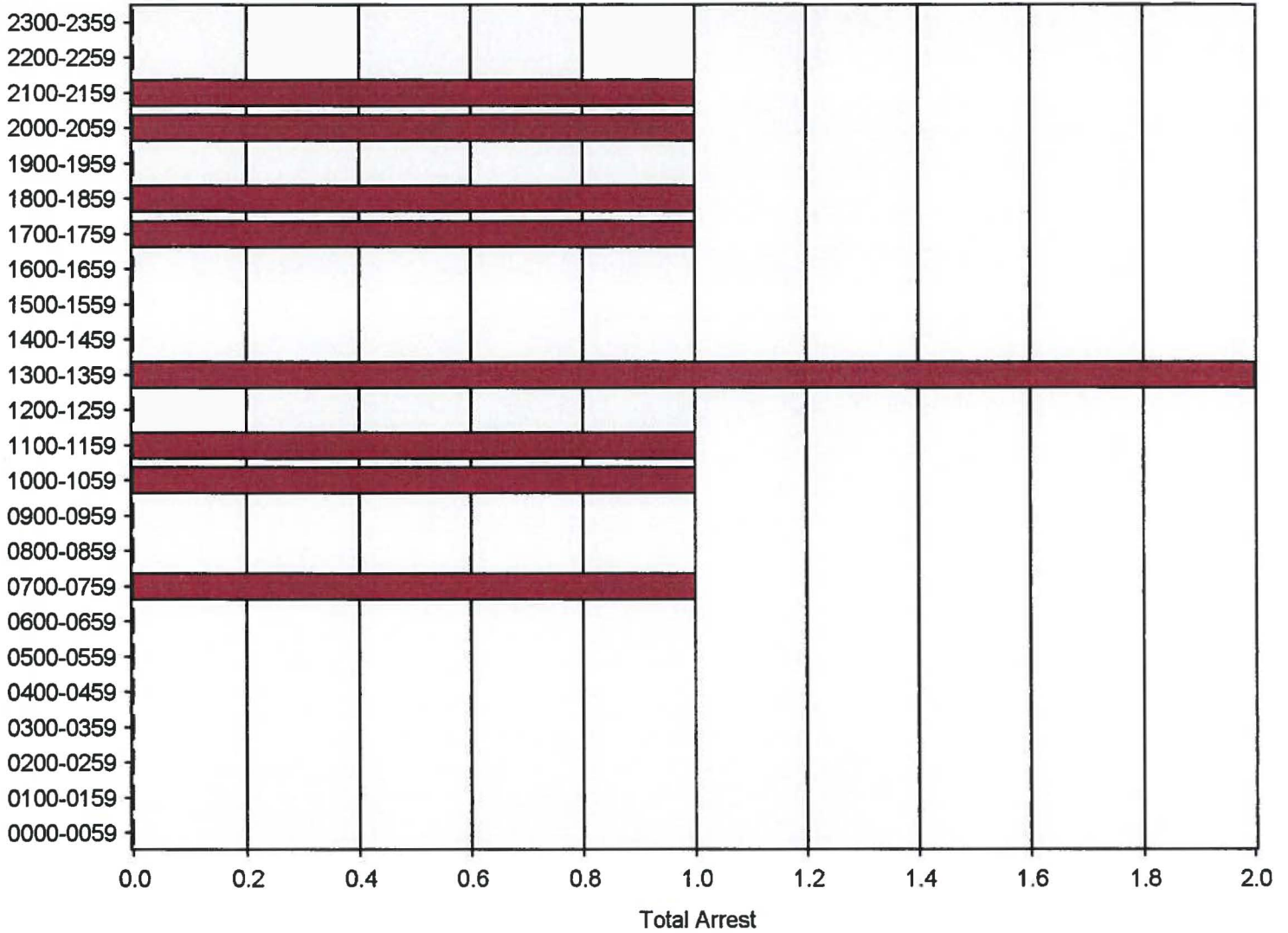
# CITY OF RIO DELL POLICE DEPARTMENT

Arrest By Day of Week  
From: 01/01/2014 To: 01/31/2014



# CITY OF RIO DELL POLICE DEPARTMENT

Arrest By Time of Day  
From: 01/01/2014 To: 01/31/2014





**CITY OF RIO DELL  
POLICE DEPARTMENT**

675 WILDWOOD AVENUE  
RIO DELL CA, 95562

Date : 02/14/2014  
Page : 1  
Agency : RDPD

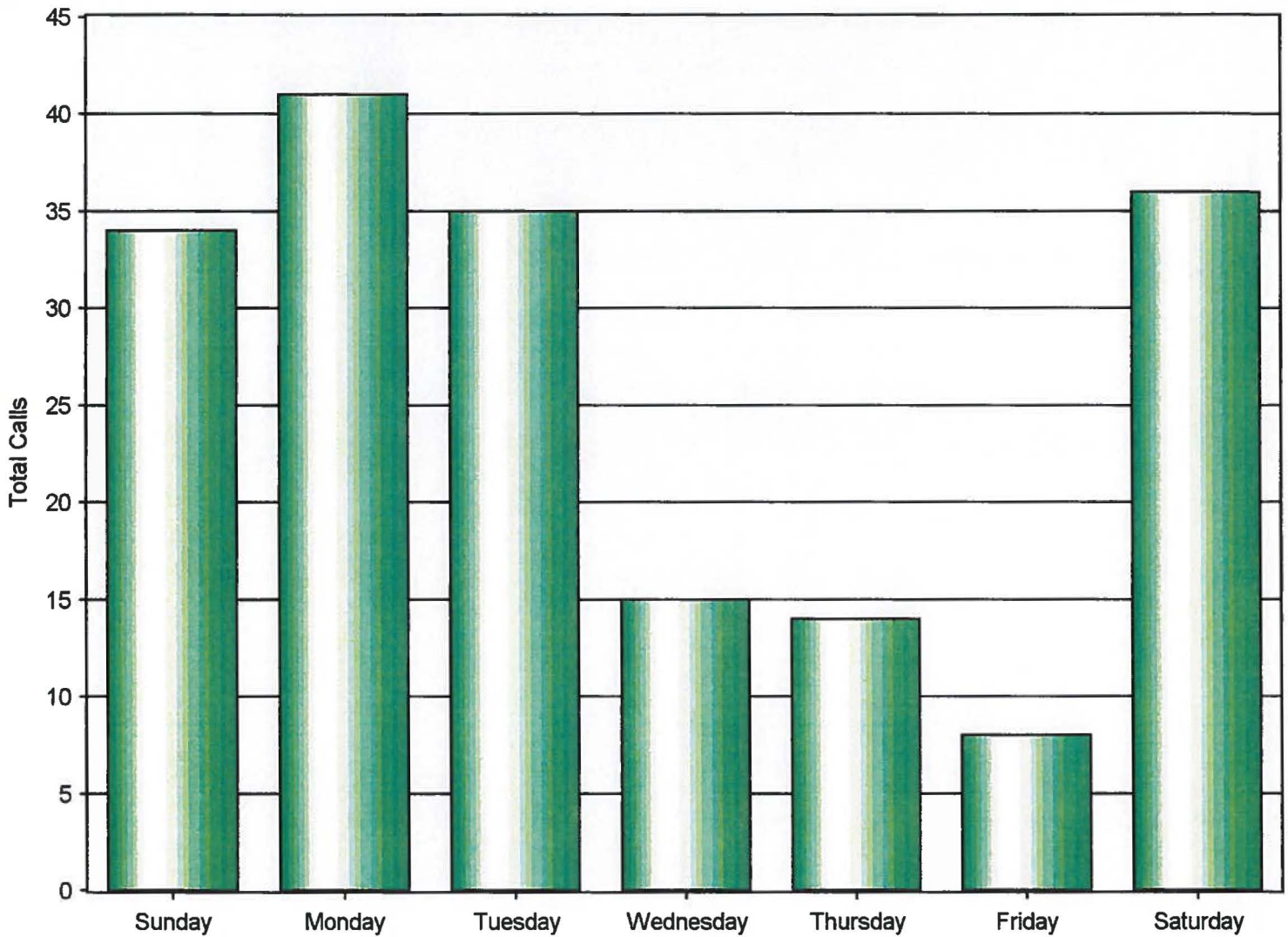
**Calls For Service By Time of Day / Day of Week**

01/01/2014... to 01/31/2014...

Time of Day / Day of Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
0000 - 0059 Hrs	2	0	0	1	0	0	0	3
0100 - 0159 Hrs	0	0	0	1	1	2	0	4
0200 - 0259 Hrs	0	0	0	0	1	1	0	2
0300 - 0359 Hrs	0	0	0	0	0	1	0	1
0400 - 0459 Hrs	0	0	0	0	0	0	0	0
0500 - 0559 Hrs	0	0	0	0	0	0	0	0
0600 - 0659 Hrs	0	0	1	0	0	0	0	1
0700 - 0759 Hrs	5	5	6	0	0	0	4	20
0800 - 0859 Hrs	0	0	2	0	0	0	2	4
0900 - 0959 Hrs	0	2	1	0	0	0	2	5
1000 - 1059 Hrs	5	2	1	1	1	0	1	11
1100 - 1159 Hrs	3	3	2	0	0	1	2	11
1200 - 1259 Hrs	1	4	0	0	0	0	5	10
1300 - 1359 Hrs	3	2	4	0	1	0	5	15
1400 - 1459 Hrs	2	3	1	0	0	0	2	8
1500 - 1559 Hrs	1	5	4	0	0	0	3	13
1600 - 1659 Hrs	3	3	3	2	1	1	1	14
1700 - 1759 Hrs	1	0	3	2	4	2	2	14
1800 - 1859 Hrs	1	4	2	0	0	0	0	7
1900 - 1959 Hrs	3	2	2	1	0	0	2	10
2000 - 2059 Hrs	2	2	2	4	1	0	3	14
2100 - 2159 Hrs	0	0	1	1	2	0	1	5
2200 - 2259 Hrs	1	2	0	2	1	0	1	7
2300 - 2359 Hrs	1	2	0	0	1	0	0	4
<b>Total</b>	<b>34</b>	<b>41</b>	<b>35</b>	<b>15</b>	<b>14</b>	<b>8</b>	<b>36</b>	<b>183</b>

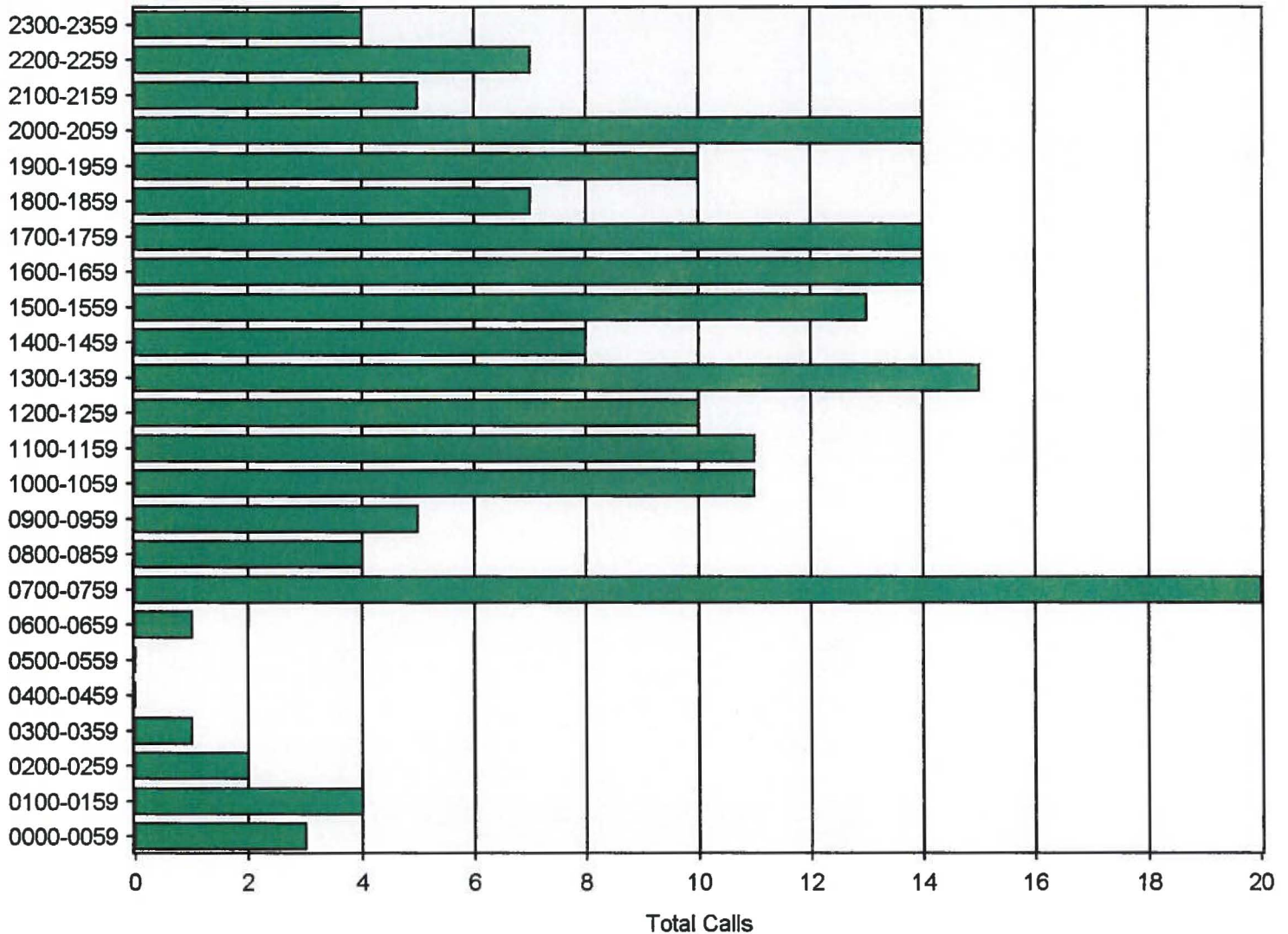
# CITY OF RIO DELL POLICE DEPARTMENT

Calls For Service By Day of Week  
From: 01/01/2014 To: 01/31/2014 For Agency:RDPD



# CITY OF RIO DELL POLICE DEPARTMENT

Calls For Service By Time of Day  
From: 01/01/2014 To: 01/31/2014 For Agency:RDPD



# CITY OF RIO DELL CHECK REGISTER

## General Checking - US Bank of California

<u>Check</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Check / Payment</u>
002345	1/10/2014	[0576] 101 AUTO PARTS	CAP SCREW, ELECTRICAL TAPE HOSE CLAMP GASKET MATERIAL, GASKET SEALER BLADES, HD LAZOR KNIFE CHAIN, PADLOCK	116.08
002380	1/16/2014	[4109] ACCESS HUMBOLDT	ON BEHALF OF LFAs PER AGREEMENT OF JUNE 1, 20	270.00
002346	1/10/2014	[0000] ADVANTAGE FINANCIAL SERVICES	MONTHLY PAYMENT FOR DOCSTAR 3.12 SOFTWARE PAC	148.35
002445	1/31/2014	[0000] ADVANTAGE FINANCIAL SERVICES	MONTHLY PAYMENT FOR DOCSTAR 3.12 SOFTWARE PAC	148.35
002381	1/16/2014	[5443] AIRGAS USA, LLC	CYLINDER RENTAL	16.64
002382	1/16/2014	[2247] ANTHEM BLUE CROSS	HEALTH INSURANCE FOR FEBRUARY 2014	15,906.00
002347	1/10/2014	[3975] AT&T - 5709	PHONE EXPENSES FOR DECEMBER 2013	526.45
002444	1/30/2014	[5528] AVERY & ASSOCIATES, INC	HIRING COST FOR NEW CITY MANAGER	6,900.00
002340	1/07/2014	[2237] BANK OF AMERICA BUSINESS CARD	RADIOSHACK - 3 SANDISK 32GB ULTRA OFFICE SUPPLY HUT - ADAMS VOICE MAIL LOG BOOK NORMAC, INC - 2 VICTOR PVC PIPE CUTTERS, 3 TR GOTOMYPC - MONTHLY PAYMENT SCOTIA TRUE VALUE - CHRISTMAS TREE LIGHTS ASAP LOCK & KEY - RE-KEY FINANCE DIRECTORS OF NORDISCO - 6 LARGE WALL CALENDARS THE DELL ONLINE STORE - BLACK TONER CARTRIDGE WINZIP - SOFTWARE FOR ACCUFUND SERVER CREDIT - REFUND	5,107.28
0002408	1/23/2014	[2237] BANK OF AMERICA BUSINESS CARD	SCOTIA TRUE VALUE - CHRISTMAS TREE LIGHTS ASAP LOCK & KEY - RE-KEY FINANCE DIRECTORS OF NORDISCO - 6 LARGE WALL CALENDARS THE DELL ONLINE STORE - BLACK TONER CARTRIDGE WINZIP - SOFTWARE FOR ACCUFUND SERVER CREDIT - REFUND	482.74
0002442	1/30/2014	[5413] BAREILLES, KENNETH	CUSTOMER DEPOSIT REFUND	130.20
0002409	1/23/2014	[5308] BARTLE WELLS ASSOCIATES	PROFESSIONAL SERVICES FROM NOVEMBER 4, 2013 T	700.00
0002423	1/30/2014	[3604] STEPHANIE N. BEAUCHAINE	FINANCE CONSULTANT MILEAGE & PER DIEM TO & FR	467.92
0002348	1/10/2014	[2705] CA DEPT. OF JUSTICE	BLOOD ALCOHOL ANALYSIS FOR NOVEMBER 2013 BLOOD ALCOHOL ANALYSIS FOR SEPTEMBER 2013 H & S ANALYSIS FOR SEPTEMBER 2013	320.00
0002349	1/10/2014	[5490] CAL ELECTRO INC.	PERFORM WORK ON SEVERAL ITEMS PER PROPOSAL #2	14,760.00
0002420	1/23/2014	[5490] CAL ELECTRO INC.	WILDWOOD AVENUE IMPROVEMENT PROJECT PAYMENT R	51,607.16
0002446	1/31/2014	[4892] KEVIN T. CALDWELL	MILEAGE AND PER DIEM FOR OHV WORKSHOP IN SACR	559.09
0002447	1/31/2014	[4907] CALIFORNIA CONTRACTORS SUPPLIES, INC	12 BLACK DISPOSABLE NITRILE GLOVES	247.21

# CITY OF RIO DELL CHECK REGISTER

## General Checking - US Bank of California

<u>Check</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Check / Payment</u>
002424	1/30/2014	[4937] CALIFORNIA DEPARTMENT OF TRANSPORTATION	SIGNALS & LIGHTING FOR OCTOBER 2013 THROUGH D	498.88
002383	1/16/2014	[2273] CALIFORNIA RURAL WATER ASSOCIATION	MEMBERSHIP DUES, FEB 2014-FEB 2015	639.00
002341	1/07/2014	[2261] CALIFORNIA STATE DISB UNIT	GARNISHMENT CASE #200000001183524 FOR PPE 12/	102.11
002410	1/23/2014	[2261] CALIFORNIA STATE DISB UNIT	GARNISHMENT CASE #200000001183524 FOR PPE 1/1	81.69
002448	1/31/2014	[2261] CALIFORNIA STATE DISB UNIT	GARNISHMENT CASE #200000001183524 FOR PPE 1/2	81.69
002425	1/30/2014	[5330] CAPITAL ONE COMMERCIAL	COSTCO - CUPS	9.93
002449	1/31/2014	[5330] CAPITAL ONE COMMERCIAL	40PK AA BATTERIES, SHARPIE PENS	27.29
002426	1/30/2014	[2285] CC MARKET (1)	BIRTHDAY CAKE FOR JANUARY 2014	30.00
002450	1/31/2014	[2291] CITY OF EUREKA	HAZ-MAT JPA CONTRIBUTION FY 2013-14	1,322.00
002384	1/16/2014	[2293] CITY OF FORTUNA	LAB TESTING SERVICES FOR OCTOBER THRU DECEM	3,457.00
002427	1/30/2014	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES - JANUARY 2014	
002342	1/07/2014	[2303] COAST CENTRAL CREDIT UNION	LIVE SCAN FOR RIO DELL PD	66.00
002411	1/23/2014	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 12/27/13	90.00
002451	1/31/2014	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 1/10/2014	90.00
002452	1/31/2014	[2283] COASTAL BUSINESS SYSTEMS	POA DUES FOR PPE 1/24/2014	90.00
002428	1/30/2014	[2313] COSTCO	DOCSTAR MAINTENANCE AGREEMENT	2,013.17
002350	1/10/2014	[3883] DARRYL J SELBY DBA SUPERIOR INSTALLS	BLACK, MAGENTA & CYAN TONER	
002453	1/31/2014	[2411] DEARBORN NATIONAL LIFE INSURANCE COMPANY	MEMBERSHIP RENEWAL FOR 2014	55.00
002351	1/10/2014	[5127] DELTA DENTAL	REMOVE CANOPY,BOXES & LIGHTING FROM FORD F-25	1,200.00
002429	1/30/2014	[4382] DOCUSTATION	LIFE INSURANCE FOR FEBRUARY	216.00
002343	1/07/2014	[2366] EEL RIVER DISPOSAL INC	DENTAL INSURANCE FOR FEBRUARY 2014	1,661.31
002430	1/30/2014	[2366] EEL RIVER DISPOSAL INC	MONTHLY MAINTENANCE AND COPY CHARGES FOR THE	477.38
002385	1/16/2014	[2383] EUREKA OXYGEN CO., INC	DEBRIS AND CAR TIRE REMOVAL	908.90
002386	1/16/2014	[2393] FASTENAL COMPANY	GARBAGE BAGS FOR DECEMBER 2013	
002352	1/10/2014	[2396] FERNBRIDGE TRACTOR & EQUIPMENT CO., INC.	DEBRIS AND FREON REMOVAL	102.50
002412	1/23/2014	[2396] FERNBRIDGE TRACTOR & EQUIPMENT CO., INC.	230 CF NITROGEN NONFLAMMABLE GAS	104.80
002353	1/10/2014	[2407] FORBUSCO LUMBER	CYLINDER RENTAL	
			MISC HARDWARE	17.80
			WASHER, SCREW, CLAMP, WINDSHIELD K FOR JOHN D	442.23
			REMAINING BALANCE ON JD WINDSHIELD KIT	38.34
			ADD BACK IN DISCOUNT TAKEN THAT WAS NOT GIVEN	26.48
			ADD BACK IN DISCOUNT TAKEN THAT WAS NOT GIVEN	

# CITY OF RIO DELL CHECK REGISTER

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002387	1/16/2014	[2405] FORTUNA ACE HARDWARE	25' EXTENSION CORD, CONNECTOR ARMORED VINL20A	47.28
002354	1/10/2014	[2413] FORTUNA FEED & FARM	8 BALES OF STRAW	77.40
002388	1/16/2014	[2408] FORTUNA GLASS & PAINT INC	2- GAL PIT 11-53 TRAFFIC, FOAM COVERS, SURELI	82.88
002389	1/16/2014	[5241] GE CAPITAL	XEROX COPY MACHINE RENTAL PAYMENT FOR JANUARY	475.49
002431	1/30/2014	[0000] GHD, INC	ENGINEERING SERVICES FOR ..PROP 84 GRANT APPL ENGINEERING SERVICES FOR DOWNTOWN IMPROVEMENT ENGINEERING SERVICES FOR REVIEW RETAINING WAL	2,291.75
002390	1/16/2014	[4099] HARPER MOTORS	TAILGATE HARDWARE FOR POLICE CHIEF TRUCK	30.52
002391	1/16/2014	[2452] HORIZON BUSINESS PRODUCTS	2 LARGE 12 MONTH HANGING WALL CALENDARS	48.38
002392	1/16/2014	[2460] HUMBOLDT COUNTY SHERIFF ATTN: ADMIN. SERVICES	BOOKING FEES FOR FOURTH QTR 2013	416.50
002355	1/10/2014	[2474] HUMMEL TIRE & WHEEL, INC	2002 FORD CROWN VICTORIA FLAT REPAIR TIRES FOR 2008 FORD F-250 #01	904.42
002454	1/31/2014	[2474] HUMMEL TIRE & WHEEL, INC	FLAT REPAIR FOR UNIT #1	14.50
002413	1/23/2014	[5441] JC CONTRACTING	RIVERSIDE WATER SERVICES - REMAINDER OF CONTR EXTRA SUPPLY OF PIPE SADDLES FOR CITY INVENTO	18,490.00
002344	1/07/2014	[2502] KEMP INSPECTION SERVICE	INSPECTION SERVICES FOR THE MONTH OF DECEMBER	354.16
002393	1/16/2014	[2502] KEMP INSPECTION SERVICE	FIRE INSPECTION AT 851 RIO DELL AVE AND YELLO	75.00
002394	1/16/2014	[5158] KURT HIRTZER INSPECTION SERVICES	INSPECTION/CONSTRUCTION MANAGEMENT SERVICES	18,000.00
0002414	1/23/2014	[2519] LC ACTION POLICE SUPPLY	XTREME XT02 LEVEL 3A BLACK VEST, ABA-TACI-PKT	950.24
0002395	1/16/2014	[2521] LEAGUE OF CALIF. CITIES	REDWOOD EMPIRE DIVISION GENERAL MEETING 9/19/ 2014 MEMBERSHIP DUES	110.00
0002415	1/23/2014	[3539] LEXIPOL LLC	1 YEAR LAW ENFORCEMENT POLICY MANUAL	1,950.00
0002416	1/23/2014	[5479] MARK VELLIS CONSTRUCTION	LOUISE BETTS JOB ON 1256 RIVERSIDE DR - MECHA	7,575.00
0002396	1/16/2014	[3478] MATTHEWS PAINTS	LOUISE BETTS JOB ON 1256 RIVERSIDE DR - INTER BRASS COUPLER, NIPPLE, 4000 PSI HOSE	104.44
0002397	1/16/2014	[4908] MITCHELL BRISSO DELANEY & VRIEZE	PROFESSIONAL SERVICES FOR THE MONTH OF DECEMB PROFESSIONAL SERVICES FOR THE MONTH OF DECEMB PROFESSIONAL SERVICES FOR THE MONTH OF DECEMB	3,536.00

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002432	1/30/2014	[2795] NALLEY & ASSOCIATES	PROFESSIONAL SERVICES FOR 12/16/2013 THROUGH	397.50
002455	1/31/2014	[3484] NATIONAL METER & AUTOMATION, INC	24 WATER METERS	1,756.50
002456	1/31/2014	[4138] NELCO	FORMS & ENVELOPES- W-2's, MISC 1099's & 1098	252.67
002356	1/10/2014	[5395] NET TRANSCRIPTS, INC.	PROFESSIONAL SERVICES FOR JULY 2013	128.10
002433	1/30/2014	[5395] NET TRANSCRIPTS, INC.	PROFESSIONAL SERVICE FOR DECEMBER 2013	218.40
002357	1/10/2014	[2410] NORTH COAST CLEANING SERVICES, INC.	MONTHLY CLEANING SERVICE FOR DECEMBER 2013	471.00
002358	1/10/2014	[2569] NORTH COAST LABORATORIES, INC.	TESTING - COLIFORM QUANTI-TRAY	50.00
002398	1/16/2014	[2569] NORTH COAST LABORATORIES, INC.	AMMONIA NITROGEN WITHOUT DISTILLATION, NITRAT	140.00
002359	1/10/2014	[5101] NORTH VALLEY LABOR COMPLIANCE SERVICES	WWTP LABOR COMPLIANCE SERVICE FOR DECEMBER 20	750.00
002360	1/10/2014	[4393] NYLEX.NET	TROUBLESHOOT ISSUE WITH PRINTER SHARED FROM A FIX OFFICE FILE ASSOC ISSUE FOR FRONT COUNTER PERFORM SETUP AND PROFILE TRANSFER FOR NEW PC	432.00
002399	1/16/2014	[4393] NYLEX.NET	PARTIAL PAYMENT PER MOHSIN - MOVE MACHINE/INS	288.00
002434	1/30/2014	[4393] NYLEX.NET	CONTACT AESTHETIC DESIGN REGARDING EMAIL OF F TROUBLESHOOT AUDIO ARCHIVING SOFTWARE & MISCR SECURITY GATEWAY SERVICE AGREEMENT FOR OCTOBE	916.00
002435	1/30/2014	[2603] PG&E	UTILITY EXPENSES FOR DECEMBER 2013	13,543.02
002361	1/10/2014	[2616] PIERSON BUILDING CENTER	PVC CEMENT, SCH40 PVC ELBOWS, TEES, ADAPTER, 3 X 100FT WEED BARRIER, 150 EA GARDEN SHOP -	211.56
002400	1/16/2014	[3343] PITNEY BOWES RESERVE ACCOUNT	POSTAGE PURCHASE FOR RESERVE	400.00
002362	1/10/2014	[4338] QUILL CORPORATION	LASER CHECKS FOR PAYROLL	64.49
002436	1/30/2014	[4338] QUILL CORPORATION	3 - COUNTERFEIT DETECTOR PENS	11.28
002457	1/31/2014	[4338] QUILL CORPORATION	VERTEX ELECTRIC SHARPENER, PENS	41.88
002363	1/10/2014	[5222] R.J. RICCIARDI, INC	PROFESSIONAL SERVICES IN CONNECTION WITH AUDI	670.00
002364	1/10/2014	[3029] REDWOOD COFFEE SERVICE	COFFEE	60.00
002437	1/30/2014	[3029] REDWOOD COFFEE SERVICE	COFFEE	63.00
002365	1/10/2014	[2657] RIO DELL EMPLOYEES ASSOC	DUES FOR QUARTER ENDING 12/31/2013	76.00
002366	1/10/2014	[2659] RIO DELL PETTY CASH	PROPANE, WASTE WATER WORKSHOP	75.33
002438	1/30/2014	[1944] RIVER'S EDGE R.V. PARK OF RIO DELL (EHRlich)	REFUND FOR ENCROACHMENT PERMIT FEE NOT NEEDED	125.00
002367	1/10/2014	[2742] SCOTIA TRUE VALUE HARDWARE	1" SXS COUPLING, 27- AMB OVAL ALU REFLECTOR	55.57

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002401	1/16/2014	[2742] SCOTIA TRUE VALUE HARDWARE	BRS BOLT/SCR SET, WAX GASKET 8" RECYCLED SCISSORS 4 - NICKEL PLATED KEYS, 4 - SXS COUPLINGS, 2 AMB OVAL ALU REFLECTOR DRYWALL SCREWS	123.42
002417	1/23/2014	[2742] SCOTIA TRUE VALUE HARDWARE	3PK BLK ICE FRESHENER, 2 - OXY MULTI-SURFACE SILICON SEALER, 12PK ORG WIRE CONNECTOR, 25' 2" GALV PIPE CAP	52.63
002439	1/30/2014	[2742] SCOTIA TRUE VALUE HARDWARE	14PC BLK OXIDE BIT SET, 2 U-BOLTS UPS SHIPPING CHARGES	187.03
002458	1/31/2014	[2742] SCOTIA TRUE VALUE HARDWARE	2" TEST PLUG, 25PK WIRE CONNECTORS MPSEL 2 PK 4" 3/8" COVER, 10 PK HALF CIRC SPR OUTLET TIMER, 16PK AA BATTERIES, ADAPTERS, BU 3/4"MPT STRAIGHT BIBB, STREET ELBOWS, TEE, NI 1/2" WHT SXT ADAPTER	167.45
002402	1/16/2014	[2694] SHELL OIL CO.	16 PK AA BATTERY TWO 1/4X2 - 1/2 HEX LAG BOLTS 6 PK GRN GROUND CONNECTOR, 25' 14/2 CABLE, 50 5.5 OZ CLR DYNAFLEX, 2-10 PK 1/4" TEE, 3-1/2 5 PK 9" BI-METAL BLADES, 2 - 80 LB CONCRETE M 10 PK PRES DRIPPER	2,207.30
002368	1/10/2014	[4525] SHERLOCK RECORDS MGMT	PD FUEL EXPENSES FOR JANUARY 2014 PW FUEL EXPENSES FOR JANUARY 2014 PD FUEL EXPENSES FOR DECEMBER 2013 PW FUEL EXPENSES FOR DECEMBER 2013	171.20
002403	1/16/2014	[5465] SJL CONSTRUCTION, INC	STORAGE SERVICES FOR JANUARY 2014 AND BOX RET	6,546.15
002404	1/16/2014	[2682] SMALL CITIES ORGANIZED RISK EFFORT (SCORE)	WILDWOOD & DAVIS STREETS SAFE ROUTE TO SCHOOL	15,632.00
002369	1/10/2014	[2709] STAPLES DEPT. 00-04079109	JANUARY - MARCH 2014 QUARTERLY PREMIUM FOR WO	637.46
002418	1/23/2014	[2709] STAPLES DEPT. 00-04079109	XEROX TONER CARTRIDGES - 2 BLACK, 1 MAGENTA, COPY PAPER 3 HOLE PUNCHED, SCOTCH HEAVY- DUTY	210.70
002459	1/31/2014	[2709] STAPLES DEPT. 00-04079109	DELL LASER PRINTER AND TONER CARTRIDGE	61.25
002370	1/10/2014	[2710] STARPAGE	SAUNDERS FORMS HOLDER, HANDY FILE BOX	12.95
002460	1/31/2014	[2710] STARPAGE	PAGING SERVICES FOR JANUARY 2014	12.95
002371	1/10/2014	[4662] JAMES R STRETCH	PAGING SERVICES FOR FEBRUARY 2014	1,990.08
002405	1/16/2014	[4662] JAMES R STRETCH	CLAIM FOR INSURANCE COVERAGE JULY 1, 2013 THR REIMBURSEMENT - CAR WASH AND FUEL FOR CITY CA	57.05



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002461	1/31/2014	[4662] JAMES R STRETCH	REIMBURSEMENT FOR CITY CAR WASH & FUEL, RECOR	43.60
002372	1/10/2014	[2319] SUDDENLINK COMMUNICATIONS	MONTHLY BROADBAND SERVICES FOR JANUARY 2014	243.66
002462	1/31/2014	[2319] SUDDENLINK COMMUNICATIONS	MONTHLY BROADBAND SERVICES FOR FEBRUARY 2014	243.67
002373	1/10/2014	[5159] TECHNICHEM, INC	8 - SLUDGEBUGS AR	2,857.10
002374	1/10/2014	[5476] MICHAEL A. TEIXEIRA	CUSTOMER DEPOSIT REFUND	22.86
002440	1/30/2014	[3682] THOMSON REUTERS-WEST	SUBSCRIPTION PRODUCT CHANGES	95.14
002406	1/16/2014	[2717] TIMES-STANDARD-CIRCULATION	52 WEEK SUBSCRIPTION	162.11
002422	1/28/2014	[2757] US POSTMASTER	POSTAGE FOR JANUARY 2014 FOR UTILITY BILLING	343.83
002375	1/10/2014	[2750] USA BLUEBOOK	GOJO HAND CLEANER, RAP-O MANHOLE COVER CUSHI	582.79
002376	1/10/2014	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 12/27/2013	6,219.71
002419	1/23/2014	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 1/10/2014	6,219.71
002463	1/31/2014	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 1/24/2014	6,219.71
002377	1/10/2014	[5297] VERSATILE INFORMATION PRODUCTS, INC.	ANNUAL SUPPORT FOR PUMA LITE MANAGEMENT APPLI	999.00
002378	1/10/2014	[5166] VSP-VISION SERVICE PLAN	VISION INSURANCE FOR JANUARY 2014	361.65
002464	1/31/2014	[5166] VSP-VISION SERVICE PLAN	VISION INSURANCE FOR FEBRUARY 2014	361.65
002421	1/23/2014	[5108] WAHLUND CONSTRUCTION INC.	EXTRA PAVING COST FOR WASTEWATER FACILITY COR WWTF CONSTRUCTION PROJECT LAST PROGRESS PAYME	281,608.58
002443	1/30/2014	[2772] WENDT CONSTRUCTION, INC	2002 GMC 2500 4X4 3/4 TON LONG BED PICKUP; 6.	10,103.00
002407	1/16/2014	[2787] WYCKOFF'S	2 PVC CAPS	2.25
002379	1/10/2014	[4310] CAMERON D. YAPLE	CLOTHING ALLOWANCE	274.45
002441	1/30/2014	[4310] CAMERON D. YAPLE	REIMBURSEMENT FOR CLASS B PERMIT TO DRIVE CIT	68.00
<b>Total Checks/Deposits</b>				<b>534,096.32</b>