



RIO DELL CITY COUNCIL AGENDA
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, FEBRUARY 6, 2018
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 American with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to the meeting. Assistance listening devices are now available for the hearing impaired. Please see the City Clerk for a receiver.

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
 - 1) 2018/0206.01 - **Public Employee Performance Evaluation**
Title: City Manager (Pursuant to Gov't Code §54957)
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION
- F. RECONVENUE INTO OPEN SESSION – 6:30 P.M.
- G. ORAL ANNOUNCEMENTS
- H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

- 1) 2018/0206.02 - Proclamation in Recognition of Engineers Week 1

J. PUBLIC PRESENTATIONS

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

K. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the 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) 2018/0206.03 - Approve Minutes of the January 16, 2018 Regular Meeting **(ACTION)** 3
- 2) 2018/0206.04 - Approve Agreement between the City of Rio Dell and Humboldt Waste Management Authority (HWMA) to Provide Compliance and Waste Reduction Services Related to California Integrated Waste Management Act (CIWMP) and authorize the Mayor to sign **(ACTION)** 16
- 3) 2018/0206.05 - Approve Final Pay Request No. 5 in the amount of \$41,105.32 to DCI Builders for work related to the CDBG Architectural Barrier Removal Project **(ACTION)** 24
- 4) 2018/0206.06 - Receive and File 2nd Quarter Financial Report for FY 2017/18 and Approve Resolution No. 1375-2018 Approving Mid-Year Budget Amendment **(ACTION)** 27
- 5) 2018/0206.07 - Receive and File 2017 Annual Building Permit Activity Report **(ACTION)** 48
- 6) 2018/0206.08 - Receive and File Measure Z Funding 2nd Quarter Report **(ACTION)** 54

- L. ITEMS REMOVED FROM THE CONSENT CALENDAR
- M. SPECIAL PRESENTATIONS/STUDY SESSIONS
 - 1) 2018/0206.09 - Presentation - GHD Engineering – Update on City Projects
(RECEIVE & FILE) 56
- N. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS
- O. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS
 - 1) 2018/0206.10 - Introduction/First Reading (by title only) of Ordinance No. 364-2018 Amending the City’s Medical Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code to Eliminate the Reference to Medical or Medicinal Cannabis and to include some new definitions and other minor changes consistent with new State Regulations
(DISCUSSION/POSSIBLE ACTION) 70
 - 2) 2018/0206.11 - Introduction/First Reading (by title only) of Ordinance No. 365-2018 Amending Chapter 5.10 of Title 5 of the Rio Dell Municipal Code Pertaining to Cannabis Taxation
(DISCUSSION/POSSIBLE ACTION) 107
 - 3) 2018/0206.12 - Introduction/First Reading (by title only) of Ordinance No. 362-2018 Amending the Sign Regulations, Section 17.30.300, repealing Outdoor Advertising Regulations Section 17.30.210 of the Rio Dell Municipal Code
(DISCUSSION/POSSIBLE ACTION) 111
- P. REPORTS/STAFF COMMUNICATIONS
- Q. COUNCIL REPORTS/COMMUNICATIONS
- R. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, February 20, 2018 at 6:30 p.m.*



*675 Wildwood Avenue
Rio Dell, CA 95562*

STAFF REPORT

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager
FROM: Karen Dunham, City Clerk
DATE: February 6, 2018
SUBJECT: **Proclamation in Recognition of Engineer's Week**

RECOMMENDATION

Read and present the Proclamation in recognition of Engineer's Week February 18th to 24th.

BACKGROUND AND DISCUSSION

Nathan Stevens, President of the North Coast Branch of ASCE will be present at the meeting to accept the Proclamation.

ATTACHMENTS: Proclamation



PROCLAMATION OF ENGINEERS WEEK
FEBRUARY 18th through 24th, 2018

WHEREAS, America's Engineers transform ideas into reality, solving problems using science and technology to produce services and systems to better serve the needs of society; and,

WHEREAS, Engineers serving the City of Rio Dell, the County, the State and the Country, work to design and construct the following types of projects:

- | | |
|----------------|------------------------------|
| ▪ Airports | ▪ Bridges |
| ▪ Roads | ▪ Buildings |
| ▪ Railroads | ▪ Water Systems |
| ▪ Harbors | ▪ Flood Control Facilities |
| ▪ Parks | ▪ Wastewater Treatment |
| ▪ Subdivisions | ▪ Seismic Safety Projects |
| ▪ Surveys | ▪ Environmental Enhancements |

WHEREAS, Engineers strive for quality, economy and the betterment of life of our community; and,

WHEREAS, throughout the Nation the week of February 18th through the 24th, 2018 is being recognized as National Engineers Week, coinciding with George Washington's birthday, our nation's first engineer,

NOW, THEREFORE, BE IT RESOLVED that the City of Rio Dell in recognition of the contribution of Engineers to society and in an effort to promote the interest of the youth in the community in math, science and engineering, does hereby declare the week of February 18th, 2018 as Engineers Week in the City of Rio Dell.

Attest:

Karen Dunham
Rio Dell City Clerk

Frank Wilson
Mayor, City of Rio Dell

**RIO DELL CITY COUNCIL
REGULAR MEETING
JANUARY 16, 2018
MINUTES**

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

ROLL CALL: Present: (Closed Session) Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes and Marks, City Manager Knopp, Community Development Director Caldwell and City Attorney Gans

Absent: Councilmember Strahan (excused)

Present: (Regular Meeting) Mayor Wilson, Mayor Pro Tem Johnson, Councilmember Garnes and Marks

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

Absent: Water/Roadways Superintendent Jensen and Wastewater Superintendent Trainee Purvis

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS

Conference with Legal Counsel – Anticipated Litigation – 1 Potential Case: Facts and Circumstances Unknown

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

The Council reconvened into open session at 6:30 p.m.

Mayor Wilson announced there was no reportable action taken in closed session.

PUBLIC PRESENTATIONS

Nick Angeloff provided an update on recent activities in the Chamber of Commerce and thanked everyone for efforts with regard to Christmas lights. He noted that they will be purchasing additional lights soon to take advantage of the after Christmas sales. The goal is to extend garland throughout town and eventually light up the Rio Dell Scotia Bridge. He thanked the many businesses that contributed funds toward the holiday decorations.

CONSENT CALENDAR

Motion was made by Johnson/Garnes to approve the consent calendar as presented. Motion carried 4-0.

Mayor Wilson announced a change in the order of the agenda and moved the discussion related to Cannabis Regulations as the next matter of business.

Discussion Related to Possible Revision of the City's Cannabis Regulations to Include Adult "A" Activities

City Manager Knopp distributed a handout on discussion points related to Medical/Recreational Cannabis (Attachment 1 to these minutes). He continued with review of the discussion points including an overview of the following topics:

- Current Cannabis Proposals in Rio Dell
- Cannabis Background and Facts
- What Other Jurisdictions are Doing
- Medicinal Market Only
- Advantages of Allowing Adult (A) Activities

He noted that the Council received a series of correspondence from stakeholders regarding proposed changes to the City's Cannabis Regulations they feel are necessary and noted that the City's Medical Cannabis Ordinance was adopted in October 2016 prior to the approval of Proposition 64 Adult Use of Marijuana Act (AUMA).

He said so far the Planning Commission has approved 50,000 square feet of development across the river with \$8 million in investments with estimated 53 new jobs and another 100,000 square feet is currently under review. He said the potential annual revenue to be generated for the City is \$980,000 which can be used for infrastructure, public safety and other community services.

He continued with review of the various Cannabis ballot measures and noted that Measure T, the Cannabis Advisory Measure passed by Rio Dell voters with 53.41% yes votes and Measure X, the Cannabis Tax Measure with an overwhelming 80.96% yes votes. He pointed out that the ballot measures did not specifically refer to "Medicinal" Cannabis only.

City Manager Knopp reported that Humboldt County, Eureka and Arcata are currently in the process of eliminating references to medical commercial cannabis and allowing both recreational and medical cannabis activities. He said a key fact to remember is that there is little appreciable difference between an ordinance that regulates medical marijuana, and an ordinance that regulates recreational marijuana. Both are agricultural products and are chemically identical for purposes of local regulation. The only difference is with regard to labeling; one will include an "M" for Medical Cannabis and the other with and "A" for Adult Cannabis.

Another important point is that prohibiting Adult "A" activities will not eliminate recreational cannabis in the City as residents may cultivate up to six (6) plants and/or purchase recreational cannabis in the County, Eureka and Arcata including having it delivered to Rio Dell.

He explained that the problem with only allowing a medicinal market is that manufacturers are restricted to purchase only Medicinal (M) raw materials and most of the local cultivators are focusing on the larger Adult (A) market. In addition, the testing labs would be limited to testing only Medicinal (M) products which is only about 25% of the potential market. He said this would also apply to processors and distributors. He pointed out that restricting cannabis to the (M) market only would put Rio Dell at a competitive disadvantage.

City Manager Knopp continued with a review of the advantages of allowing Adult (A) activities and noted that in addition to allowing businesses to reap the benefits of the anticipated \$4.3 billion industry, it would result in substantial increased tax revenue for the City as well. The revenue could provide services including additional police officers, code enforcement for both the new industry and the black market, infrastructure improvements in sewer, water, drainage, and much needed street repairs. In addition, it would create jobs, trigger additional economic and residential development and encourage a legal, regulated market hopefully reducing the black market.

He also pointed out that Measure "U", the City's local sales tax measure which generates approximately \$255,000 a year will end in 2019.

He said staff is recommending the Council consider allowing Adult (A) cannabis activities at the Humboldt Rio Dell Business Park and encouraged them to listen to the comments and concerns of stakeholders. He said staff is looking for direction from the Council and the range of options would include either 1) to terminate any action; 2) to refer the matter back to the Planning Commission; or 3) to direct staff to return to Council with the first reading of the draft ordinance.

Mayor Wilson opened the public hearing to receive public comment on the proposed matter.

Glen Broder addressed the Council and said he was very interested in Rio Dell because of the primary focus on medical cannabis. As the State progressed it made Rio Dell more difficult to deal with because they would be restricted to medical providers only. He said without Adult (A) activities it will limit the size of companies. He said having it would help patients as products could be distributed to more parts of the State.

Susan Combs, CEO of CW Ranch in the Salmon Creek watershed presented correspondence to the Council (Attachment 2 to these minutes) urging the Council to expand the cannabis permitting process to include Adult (A) activities. She pointed out that as a permitted mom and pop cannabis business they have encountered a tremendous bottle neck with regard to seeking legal outlets for their medical and adult use products. She pointed out that studies show an expansion of adult use cannabis as the medical market shrinks and Rio Dell is in a unique position to take advantage of that expanding market. She said adding adult use to the permit process not only will help Rio Dell but the growing number of permitted cultivators seeking to move away from a non-regulated black market and provide tested, tracked, safe products to the medical consumer as well as the adult consumer.

Glen White addressed the Council and commented that his project has obviously been delayed but indicated that he would be ready to submit application for a building permit in approximately two (2) weeks. He advised the Council that there is currently a huge demand for adult cannabis although it may level out in time because of the taxes. He pointed out that his development alone requires an \$8-10 million investment just for the shell and expressed concern for their tenants who are also concerned about investing \$1.5 million, for example a testing facility that will be restricted to testing only medical cannabis. He said the difference in the medical market that kept everyone in business and vertically integrated is that there are a lot of people as everyone knows, consuming cannabis under a medical card for personal use. The goal is to bring cannabis out of the hills so it can be tested, tracked and traced. The only difference in Medical (M) and Adult (A) cannabis is the label and if the Council doesn't wrap their arms around it, the developers will go elsewhere. He encouraged the Council to put the taxes back into Rio Dell by expanding the permitting process to include Adult (A) activities.

He commented that he recently visited an FDA laboratory (BioZone) in Pittsburg, CA and they want to become a component of what his business will be doing such as producing medical salves, creams, applications etc. and they have a product called "gelatine" that has CBD added that they are marketing. He said they also want to be able to kick back a percentage of gross profits to medical research which is what he would like to do. In the end if they are limited to the medical market only, there will be no extra profits to go toward medical research. He added that everyone knows there is a federal cloud hanging over everything but it will likely always be there. He said if Jeff Sessions and the Federal government comes after California and limits permits to medical only, those store fronts will still be there and they will move back into the medical only market. He urged the Council to help create the flow and get the product out of the hill and get it regulated.

Heidi Schneider, Rio Dell Holdings said that they were in the process of permitting a large project and Adult (A) activities are a huge factor in their success. She said with both Medical (M) and Adult (A) type activities, they anticipate the creation of 50-60 jobs; without it they might as well go somewhere else.

Nick Angeloff addressed the Council as President of the Chamber of Commerce and said in looking at this issue objectively there are several factors to consider. Without the Adult (A) activities, access to products will be much more difficult. Also, the tax benefit to the City would be limited to 25% of the market rather than 100% resulting in less money available for enforcement efforts not only at the business park but on this side of the river as well. He noted that since there will be no dispensaries in the City there is really no difference between Medical (M) cannabis and Adult (A) cannabis.

He emphasized the fact that the City's main focus on the industry has been for medical research and suggested it be stated as such in the ordinance and that the term "Medical Cannabis" be changed to "Commercial Cannabis" with the inclusion of Adult (A) activities to let the developers be on a competitive paying field.

Alex Moore, Honeydew Farms noted that they currently own two (2) parcels at the Humboldt Rio Dell Business Park and without the inclusion of Adult (A) activities they will be forced to terminate their project.

Teisha Mechetti, Agricultural Specialist, Ag Dynamix pointed out that legislation has led to legalization of adult use cannabis and that both medical cannabis and adult cannabis are regulated the same. She said she sees Rio Dell as becoming a service base and Adult (A) use becoming predominant. As such she said she would hate to see it bottle neck now. From an economic aspect, it is a wise move for the City to expand the regulations to include adult cannabis as it would be an economic stimulator for the City.

Shannon McWhorter commented that he and his brother own a 3 acre parcel in the business park and are currently working on a multi-million dollar project. He said the way the State has moved the bar up and down has made Rio Dell's ordinance obsolete as far as being competitive with the rest of the market and encouraged the Council to look real hard and allow both medical and adult cannabis activities.

Tina Christensen, local realtor, addressed the Council and said that over the years she has seen industries come and go pointing out the decline in the fishing and timber industry. She said it is sometimes hard for our older folks to accept that change is eminent. Everyone may not like it but it is happening so they have to accept it and move forward. She recognized the young entrepreneurs with innovative ideas coming forward with what was a hidden industry for so many years and now there is an avenue to make it legal and expressed support for the inclusion of adult cannabis activities.

There being no further public comment, the public hearing closed at 7:12 p.m.

Mayor Pro Tem Johnson asked Chief of Police Conner to comment on the subject.

Chief of Police Conner commented that he has been involved in law enforcement for 25 years and Prop 215 has been place for approximately 20 years. The reality is that the majority of cannabis acquired under 215 legislation was for recreational use rather than medical use as intended. He said his belief is that the main purpose of regulating cannabis is to bring in the black market and decrease environmental damage and public risk by reducing the number of illegal hash labs. Also to protect streams and wildlife and preserve water supplies. He said the tax revenue coming into the City will provide for increased enforcement to force the black market to stop growing in an unsafe environment.

Community Development Director Caldwell pointed out that had the City not annexed the sawmill site, it would be developed as a cannabis park under the County's jurisdiction with both medical and adult cannabis activities and the County would benefit from the taxes rather than the City. He said the City has the unique opportunity to capitalize on this industry with the creation of jobs, increased tax revenue and economic development. He commented that this

is the best economic opportunity he has seen in Humboldt County in the entire 35 years he has lived here.

Mayor Pro Tem Johnson said he would like staff to work with the City Attorney and develop a draft ordinance to include both medical and adult cannabis.

Councilmember Marks was in support of scheduling a study session with the city council and the planning commission to review the proposed changes prior to submittal of the draft ordinance.

Mayor Wilson agreed and said it is obvious there needs to be further discussion on the ordinance with the planning commission and the Council as a whole. He commented that it was originally thought that medical users would be able to purchase cannabis at large then decide its end use but more recently the Bureau of Cannabis Control has made it crystal clear that Adult (A) cannabis can only be used for (A) products and the same thing with Medical (M) cannabis.

He suggested a public study session be scheduled with the Council, Planning Commission and the stakeholders. He added that the City Council as a whole needs to come to a conclusion on what they want the end picture of the City to look like. The Council has huge latitude in the ability to create ordinances and the ordinance needs to be well vetted before bringing it forward for adoption.

Councilmember Garnes expressed concern about the review becoming a long drawn out process and said the Council needs to allow legal businesses to thrive when the City doesn't have anything else to give them except the ability to thrive. She pointed out that the ordinance doesn't allow retail sales and no one is talking about destroying the City or putting cannabis in the hands of children. If the businesses can't make a profit then the City doesn't receive those profits in taxes. She said the reality is that both medical and adult cannabis are legal in California and the voters have spoken so it doesn't make sense to draw the process out. She noted that the Council has restricted all activities across the river, there are developers who are willing to invest millions of dollars which can go towards repairing the City's horrible streets yet the Council is sitting here trying to decide whether to allow them to move forward. She said it is an injustice to the stakeholders and the citizens of Rio Dell if the Council doesn't take this opportunity to fix this city because they are trying to decide whether adult cannabis activities should be allowed when it's already legal. She suggested staff be directed to simply remove the word "medical" from the text of the ordinance and bring it back to Council.

Mayor Wilson commented that he would still like to have a study session with the full Council and Planning Commission so everyone is on the same page.

Community Development Director Caldwell said one option would be to hold the study session on January 23rd during the regular Planning Commission meeting.

Mayor Pro Tem Johnson announced that he would be out of town until February 1st but had no objection of holding the study session in his absence as he had already expressed his opinion about the ordinance.

A Study Session with the Planning Commission was scheduled for January 23rd at 6:00 p.m. as suggested.

Mayor Wilson called for a 5 minute recess at this time, 7:30 p.m.

The meeting reconvened at 7:35 p.m.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Annual Financial Report for FY Ended 6/30/17 Independent Auditor's Report Management Discussion and Analysis (MD&A)

Finance Director Woodcox introduced Mr. Joe Arch, the City's auditor from JJA, CPA's who was present to provide a report on the City's audited Financial Statements for FY 2016/17.

He began by reviewing the financial highlights and provided a breakdown of the various components of the audit including the Independent Auditors' Report; Management Discussion and Analysis (MD&A); and Basic Financial Statements.

He said the auditor's responsibility is to conduct an audit in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in *Government Auditing Standards* to obtain reasonable assurance about whether the financial statements are free from material misstatement. After which, they are required to express an opinion on the financial statements based on the audit.

The City received an unqualified opinion in that no material weaknesses were identified, and that the controls that produce the financial statements are effective.

He reported the City's net position at \$25,981,162; an increase of \$829,742 from the prior year; \$20,137,780 in capital assets; \$443,869 in restricted funds and 5,399,513 in unrestricted. He pointed out that the City's unrestricted fund balance is good because there is no unfunded *Other Post-Employment Benefits (OPED's)* to report unlike numerous other cities throughout the state that have incurred massive unfunded retirement benefit liabilities for retiree health care.

He continued with review of the Balance Sheet; Statement of Revenues and Expenditures, and Financial Statements for each of the individual funds.

Overall Citywide revenues increased by \$86,618 compared to the prior year and expenditures decreased by \$235,205.

In summary, he noted that the city is in a solid position financially and went into FY 2017/18 with a balanced budget with the economic outlook for the short and long term considered stable, with the exception of the streets fund. The stabilization was reported as a result of a continuing and reliable tax revenue stream, adequate utility rates, and the City's efforts over the past years to contain and control expenditures.

Mayor Wilson called for public comment on the audit report.

Nick Angeloff congratulated the finance department for a job well done.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Approve Design and Location for Sculpture Pedestals

City Manager Knopp provided a staff report and distributed a map representing the new locations for the pedestals as suggested by the Council at the last meeting.

Mayor Pro Tem Johnson commented that he went out and looked at the proposed locations and saw no problem with placement of the north pedestal but agreed with staff that the median in front of City Hall was too congested for the second pedestal. As suggested by staff, he agreed the second pedestal should be placed in the median adjacent to the Dollar General and Kreations.

After brief discussion, the Council agreed to place the first pedestal closer to the middle of the north median between the trees, and the second pedestal adjacent to the common property line between the Dollar General and Kreations.

Mayor Wilson called for public comment on the proposed locations.

Nick Angeloff agreed and said with regard to the pedestal adjacent to the Chamber of Commerce office they would like to find funding to construct an alternate pedestal and keep the existing pedestal for the Christmas tree; Council concurred.

Bryan Richter agreed with moving the northern pedestal between the trees and commented that he tows trailers and the way it was proposed before would create a hindrance for making turns from Wildwood Ave. onto Painter St.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Public Hearing – Community Development Block Grant (CDBG) Closeout for 13-CDBG-8971
Community Development Director Caldwell provided a staff report and explained the CDBG program requires jurisdictions to have a public hearing with closeout of projects to allow members of the public to comment on the projects.

He said the City received \$100,000 in CDBG grant funding for a Planning and Technical Assistance (PTA) grant for a drainage study and preliminary improvement plans in the Belleview/Ogle neighborhood. The cost of the study and preliminary improvement plans was approximately \$57,000. He said the City requested the remaining \$43,000 be utilized as a supplement to the City's CDBG Program Income (PI) to implement the Architectural Barrier Removal (ABR) (Porch) Project at City Hall.

The public hearing was opened at 8:02 to receive public comment regarding the two (2) projects; no public comment was received so the public hearing was closed.

Councilmember Garnes commented on the ABR project and said there was a recent article in Western Cities magazine asking cities to send in photos of recent renovations noting it would be nice to do that for the porch project if it weren't for the color of the stucco which she said she still has a problem with.

City Manager Knopp indicated that there are still some final items to be completed on the project including landscaping and painting of the stucco in the spring after it cures.

Mayor Pro Tem Johnson said it was a much needed improvement and that he was impressed with the contractor and quality of the work.

REPORTS/STAFF COMMUNICATIONS

City Manager Knopp stated that he would be sending out an email to councilmembers to determine their availability for the remainder of the fiscal year in order to forecast meetings.

Mayor Wilson indicated that he would be unavailable to attend the second meeting in July.

Mayor Pro Tem Johnson announced that he would be leaving on Thursday and returning February 1, 2018.

Finance Director Woodcox stated that she had nothing new to report at this time.

Community Development Director Caldwell reported on recent activities and events and said that he attended a Track and Trace workshop in Eureka and what came out of that workshop is that he likes the SICPA program better than what the State is using. He said the City hosted a Track and Trace training for stakeholders the prior week and will be arranging training for the City's administrative staff. He said he also attended a workshop on the California Electrical Code in Sacramento which was by far the best training he had attended.

He also announced at the next Planning Commission meeting on January 23rd, in addition to the study session with the City Council, staff will be presenting revisions to the Sign Regulations. With regard to the Study Session, he noted that he will distribute copies of the Counties Cannabis ordinance as well as the City's draft ordinance.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Garnes announced that she was selected by the League of California to sit on the Environmental Quality Policy Committee and will be attending a meeting in Sacramento on Thursday and Friday.

Mayor Wilson reported on his attendance at the last Humboldt Waste Management Authority (HWMA) meeting and reported that the Humboldt Bay Keepers sued HWMA and part of the settlement agreement requires HWMA to repair a portion of the Marsh near Elk River. As a result, it will cost HWMA additional money for monitoring and reporting.

Mayor Pro Tem Johnson announced the cancellation of the January 18th Humboldt County Association of Governments (HCAOG) meeting.

ADJOURNMENT

Motion was made by Johnson/Garnes to adjourn the meeting at 8:17 p.m. to the February 6, 2018 regular meeting. Motion carried 4-0.

Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk

Current Cannabis Proposals in Rio Dell

- Current Cannabis Proposals in Rio Dell
- 50,000 square feet of development approved by planning commission; \$8,000,000 in investments currently proposed and 53 jobs.
- Another 100,000 square feet currently under review.
- Potentially up to \$980,000 in annual revenue that can be used for infrastructure, public safety and other community services.
- Development of an abandoned mill site that had no prior developer interest.

Cannabis Background and Facts

California 5.8 Billion Dollar Industry by 2021
Recreational Sales \$4.3 billion (74%); Medical Sales \$1.5 billion (26%)
Source: BDS Analytics/Arcview Market Research

Statewide, Voters Approved Proposition 64 Adult Use of Marijuana Act (AUMA) on November 8, 2016.

Rio Dell Vote

46.89% YES 53.11% NO

Statewide Vote

57.13% YES 42.87% NO

Measure T Cannabis Advisory Vote 2016

53.41% YES

46.59% NO

“Should the City of Rio Dell, by the necessary and appropriate action, permit commercial cannabis business activity, including cannabis cultivation, testing, processing and sales, within the area of the City that is located to the north of the Eel River and commonly referred to as the Sawmill Annexation Area if that activity is subject to local taxation?”

Measure X Cannabis Tax Vote 2017

80.96% YES

19.04% NO

“Shall the ordinance creating a new business tax of up to five dollars per square foot of space utilized for certain commercial cannabis cultivation activity and,

- Locally, Humboldt County, Eureka and Arcata are in the process of eliminating references to medical commercial cannabis so as to allow both recreational and medical cannabis activities.
- As the LOCC points out, a key fact to remember is that there is little appreciable difference between an ordinance that regulates medical marijuana, and an ordinance that regulates recreational marijuana. *Both are agricultural products and are chemically identical for purposes of local regulation.*
- The County is currently allowing potentially up to 15 dispensaries to be located throughout the unincorporated areas, potentially just outside of city limits.
- Prohibiting Adult (A) activities will not eliminate recreational cannabis in Rio Dell. Residents may cultivate up to six (6) plants and/or purchase recreational cannabis in the County, Eureka and Arcata. In addition, they can have it delivered here in Rio Dell as well.
- The only difference between the products of the Adult (A) market and the Medicinal (M) market is the “A” or the “M” on the label.

Medicinal Market Only

- Manufacturers are restricted to purchase only Medicinal (M) raw materials. Most local farmers are focusing on the larger Adult (A) market.
- The approved testing lab (DigiPath) would be limited to testing only Medicinal (M) products. This only allows access to about 25% of the potential market.
- Processors and distributors would also be limited to processing and distributing Medicinal (M) products. Again that’s only about 25% of the expected market.
- Nurseries, including tissue culture propagation would be limited to Medicinal (M) plants. The proposed nurseries would not be able to provide

To: Rio Dell City Council

From: Susan Combes

Re: Adult Cannabis Use

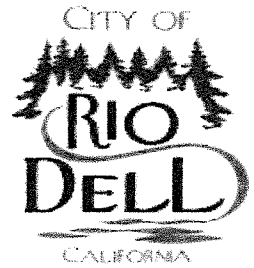
Date: January 16, 2018

Thank you for the opportunity to address the council. I am Susan Combes, CEO of CW Ranch. We are a county permitted 5,000 square foot mom and pop (minus the pop) cultivation business in the Salmon Creek watershed and have applied for a temporary state permit.

As we seek legal outlets for our medical and adult use products we encounter a tremendous bottle neck. There is a severe shortage of licensed distributors and dispensaries, especially those permitting adult sales as well as medical. I urge you to expand your permitting process to include adult use.

Studies of the market show an expansion of adult use as the medical market shrinks. Adding adult use to those seeking Rio Dell permits will provide additional revenue for your city, create new jobs and expand opportunities for those of us seeking legal outlets for our products. Rio Dell is centrally located on the 101 corridor and therefore in a unique position to take advantage of a market that is sure to expand. Adding adult use to your permits helps not only Rio Dell but the growing number of permitted cultivators throughout Humboldt County seeking to move away from a non-regulated black market and provide tested, tracked, safe, quality products to the adult consumer as well as those using cannabis medically.

Again, thank you for the opportunity to speak and I want to say that I love what Rio Dell has done to beautify your main street and revitalize your town.



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

February 6, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager *3*

SUBJECT: Approval of Agreement between the City of Rio Dell and Humboldt Waste Management Authority to Provide Compliance and Waste Reduction Services Related to the California Integrated Waste Management Act (CIWMP).

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the Mayor to Sign.

BACKGROUND AND DISCUSSION

The City is required to perform certain planning, event and reporting requirements for State mandated recycling programs. Program requirements are strict and ever-changing. CalRecycle, the State agency in charge of enforcement and recently has been more assertive with annual site visits. The City has contracted with HWMA to perform these functions and leverage the expertise of the Authority since 2014.

In November of 2013, staff began discussions with the Executive Director of the HWMA to determine the feasibility of the Authority providing these services to the City. The City Council approved this agreement in concept on November 7, 2013 and a formal agreement was approved by the Council on February 4, 2014. The agreement has been extended since then through a series of amendments. HWMA has a similar agreement with two other local jurisdictions.

The agreement before the Council proposes a five-year term for HWMA to continue to provide CalRecycle waste reduction and compliance activities in line with the California Integrated Waste Management Act (CIWMA). As in the past, funding for this agreement is derived from the AB939 pass through payments and the California Beverage Container grant. The proposed agreement covers from July 1, 2017 through June 30, 2018 at a cost of \$3,100.

Specific services will include the submission of the Annual Electronic Report (EAR), litter and recycling reduction activities and the annual E-waste event, amongst other services.

///

**AGREEMENT BETWEEN THE CITY OF RIO DELL AND
THE HUMBOLDT WASTE MANAGEMENT AUTHORITY TO
PROVIDE COMPLIANCE AND WASTE REDUCTION SERVICES**

This Agreement is entered into this ____ day of _____, 20__ (“Agreement”), by and between the City of Rio Dell, a municipality, (hereinafter “Member Agency”), and the Humboldt Waste Management Authority, a joint powers agency (hereinafter “Authority”).

RECITALS

WHEREAS, the Authority is a joint powers agency created pursuant to the provisions of Government Code Sections 6500 in order to provide the economic coordination of solid waste management and disposal services, and the City of Rio Dell is a member agency of the Authority; and

WHEREAS, Section 6.6 of the Authority’s Joint Exercise of Powers Agreement authorizes the Authority to provide other related waste management duties for member agencies, provided such services are paid for solely by the contracting member; and

WHEREAS, the Member Agency and Authority desire to enter into an agreement whereby the Authority will provide California Integrated Waste Management Act (Public Resources Code §§ 40000 et seq., and Title 14 California Code of Regulations, Division 7, Chapter 9, Section 18700 et seq., collectively referred to as the “CIWMA”) services for the Member Agency on the terms below.

NOW THEREFORE, based on the mutual conditions and covenants recited herein and made a material part hereof, the parties agree as follows:

1. Services To Be Provided. The Authority shall perform those services described in the Scope of Work attached hereto as Exhibit “A” and incorporated herein as material term(s) of this Agreement. All services shall be performed consistent with applicable local and state law, including but not limited to the CIWMA. The Member Agency authorizes the Authority to request relevant solid waste and recycling data from the Member Agency’s franchise solid waste hauler for purposes of performing any services under this Agreement.
2. Term of Agreement. This Agreement shall become effective on July 1, 2017, and shall remain in effect until June 30, 2022, unless sooner terminated as provided herein. The term of this Agreement may be extended upon the written consent of the parties.
3. Early Termination.
 - a. This Agreement may be terminated for any reason by either party with ninety (90) days written notice to the other party. If CalRecycle issues any compliance

order according to Title 14 CCR 18772, the Member Agency may terminate this Agreement with thirty (30) days written notice to the Authority.

- b. This Agreement may be terminated by either party for cause, defined as the breach of a material provision of this Agreement, with thirty (30) days written notice to the other party, provided that the party alleging material breach has previously delivered a notice of default and opportunity to cure within 30 days, and the default has not been cured.

In the event of any termination under this Section 3, the Authority will be entitled to invoice the Member Agency and to receive payment for all acceptable services performed or furnished and all reimbursable expenses incurred through the effective date of termination.

- 4. Compliance With Laws. Each party agrees to comply with all federal, state and local laws and regulations applicable to its performance under this Agreement.
- 5. Payment for Services. Payments to the Authority shall be made by the Member Agency based upon the payment schedule in Exhibit B, attached hereto and incorporated herein. Authority services will be funded from CalRecycle funds available for the specific activity, or from the Member Agency's quarterly "AB 939 pass through" payments from the Authority.
- 6. Indemnification. Each party to this Agreement shall indemnify, defend and hold harmless the other party hereto and their respective officers, agents, and employees, from any and all claims, demands, losses, damages, and liabilities of any kind or nature, including attorney's fees, which arise by the virtue of its own acts or omissions (either directly or through or by its officers, agents or employees) in connection with its duties and obligations under this Agreement and any amendments hereto.
- 7. Relationship of Parties. The parties intend that the AUTHORITY, in performing services herein specified, shall act as an independent contractor and shall have control of its work and the manner in which it is performed. The AUTHORITY is not to be considered an agent or employee of MEMBER AGENCY, and is not entitled to participate in any pension plans, worker's compensation insurance, or similar benefits that MEMBER AGENCY provides for its employees.
- 8. Notices. Any and all notices required to be given pursuant to the terms of this Agreement shall be in writing and served personally, or sent by certified mail, return receipt requested, to the respective addresses set forth below. Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

MEMBER AGENCY
City Manager
City of Rio Dell

AUTHORITY
Executive Director
Humboldt Waste Management Authority

675 Wildwood Avenue
Rio Dell, CA 95562

1059 West Hawthorne St
Eureka, CA 95501

9. Waiver, Modification or Amendment Ineffective Unless in Writing. No waiver or modification of this Agreement, the Scope of Work, or any covenant, condition, or limitation herein contained, shall be valid unless in writing and duly executed by the parties to be charged therewith. Modifications to the Scope of Work may be made administratively if set forth in writing and signed by each party's duly authorized representative; provided, however, that any modification which either increases the cost to Member agency or alters the basic purpose of the Agreement may be made only with prior written approval of legislative bodies of both parties.
10. Provisions Required by Law. This Agreement is subject to any additional local, state and federal restrictions, limitations or conditions that may affect the provisions, terms or funding of this Agreement. This Agreement shall be read and enforced as though all legally required provisions are included herein, and if for any reason any such provision is not included, or is not correctly stated, the parties agree to amend the pertinent section to make such insertion or correction.
11. Designated Representatives. With the execution of this Agreement, the Authority and Member Agency shall designate specific individuals to act as their respective representatives regarding the services to be performed or furnished under this Agreement. Such individuals shall have authority to transmit instructions, receive information, and implement the contract on behalf of each respective party.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first hereinabove written.

(Signatures on following page)

MEMBER AGENCY:

_____ Date: _____
Title:

Attest:

_____ Date: _____
Clerk of Member Agency

Approved as to form:

_____ Date: _____
Attorney of Member Agency

**HUMBOLDT WASTE
MANAGEMENT AUTHORITY:**

_____ Date: _____
Chair of the Board
Humboldt Waste Management Authority

Attest:

_____ Date: _____
Clerk,
Humboldt Waste Management Authority

Approved as to form:

_____ Date: _____
Nancy Diamond, General Counsel

EXHIBIT A
SCOPE OF WORK

A. City/County Payment Program Activities

The Authority will oversee administration of the Member Agency's waste reduction program, including administration of CalRecycle's City/County Payment Program (CCPP) Funds allocated to the Member Agency by providing the following services:

1. Each fiscal year, the Authority will complete a CCPP application, submit the application to CalRecycle, and receive direct payment of the Member Agency's CCPP funds. The application will be responsive to CalRecycle's annual notice of funding specific to the Member Agency. The Authority will perform CCPP activities only if the Member Agency is awarded funding or provides alternate and equal funding to the Authority.
2. The Authority will provide recycling and litter reduction activities as approved by the Member Agency and in compliance with the provisions of California Public Resources Code (PRC) Section 14581 of the California Beverage Container Recycling and Litter Reduction Act. Eligible activities include, but are not limited to, recycling assistance and supplies for large events including fairs and community festivals, classroom education promoting recycling, public outreach promoting local recycling options including CRV buyback facilities, cooperative regional efforts among two or more cities or counties, or both, or other beverage container recycling programs. Funds may not be used for activities unrelated to beverage container recycling or waste reduction.

B. CIWMA Implementation and Compliance

The Authority will provide the following CIWMA compliance services on behalf of the Member Agency:

1. Electronic Annual Reporting (EAR) to CalRecycle

No later than August 1 of each year, or later date if extended by CalRecycle, prepare an annual progress report as required by PRC Section 41821, according to the procedures and requirements of Title 14, CCR, Sections 18794.0 through 18794.5. The report will encompass the previous calendar year, January 1 to December 31, inclusive, and will summarize the Member Agency's annual disposal tonnage and progress in reducing solid waste as required by PRC Section 41780. A copy of the report will be provided to the Member Agency.

2. Compliance and other Responsibilities

- a. Handle Member Agency's annual jurisdictional review as required by PRC section 41825. The yearly conference call and site visit administered by Calrecycle will be coordinated by HWMA staff, in conjunction with Rio Dell staff. The Authority may

request a Rio Dell representative to arrange access to Member Agency facilities and properties as necessary to meet jurisdictional review requirements.

- b. Respond to all requests for information from CalRecycle concerning the Member Agency's compliance with the CIWMA. The Authority's written responses regarding compliance will be provided to the Member Agency' City Manager for review prior to forwarding to CalRecycle, unless the item is for information or minor clarification.

3. *CIWMA Waste Reduction Activities*

No later than July 1 of each year, provide the Member Agency with an implementation plan and budget outlining proposed activities for the upcoming fiscal year. The Member Agency will respond with any comments in a timely matter. The following types of waste reduction activities may be implemented by HWMA as requested:

a. Outreach and Promotional Activities

Coordinating outreach and promotional activities for waste reduction events and programs about, for example, new and ongoing State legislation, mandatory commercial recycling (AB 341), waste reduction programs, hazardous waste mobile collection events, and satellite drop off sites.

b. Waste Reduction Assistance

- i. Collect and compile existing data so that the Member Agency may evaluate its existing diversion programs.
- ii. Hosting one electronic waste collection event for the Member Agency, in which residents and businesses can bring qualifying materials for collection.
- iii. Consult with Member Agency staff as necessary to give updates about and complete the tasks outlined in this Scope of Work.

EXHIBIT B
BUDGET FOR PROVIDING COMPLIANCE AND WASTE REDUCTION SERVICES
TO CITY OF RIO DELL
FY 17/18

City/County Payment Program Activities:

Complete and submit "DOC" grant application	\$100
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AB 939 Activities:

Electronic Annual Report (EAR)	
Gather Solid Waste Data for EAR	\$150
Gather Diversion Data for EAR	\$150
Complete and Submit EAR to Rio Dell and CalRecycle	\$1,200
Advertising for AB 341 or other legislation	\$500
Calrecycle yearly conference call/site visit	\$400
<u>Final Report to Rio Dell</u>	<u>\$500</u>

Total AB939 Pass-Through withheld	\$3,000
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Total Estimated Cost:	\$3,100
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675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)
E-mail: kknopp@cityofriodell.ca.gov

**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
February 6, 2018**

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Brooke Woodcox, Finance Director 

DATE: February 6, 2018

SUBJECT: CDBG Architectural Barrier Removal Final Pay Request #5 – DCI Builders

Recommendation

Approve Pay Request #5

Background and discussion

The City Council approved construction at City Hall for architectural barrier removal (ABR) on June 6, 2017. Construction for the project began September 18, 2017 and is complete, besides a few minor alterations that DCI will complete when weather allows and prior to July 1, 2018. Pay request #5 totals \$41,105.32 (\$12,197.50 plus \$28,907.82 10% retention). The project is funded through CDBG program income General Fund monies. Pay request #5 is the final pay request.



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

Application No: 5 & FINAL
 Application Date: 01/25/18
 Period To: 01/31/18
 Contract/SOV Date: 08/03/17

Schedule of Work Completed

Description of Work	Scheduled Value	From Previous Application	This Period	Materials Presently Stored(not in D or E)	Total Completed & Stored to Date (D+E+F)	% Complete (G/C)	Balance To Finish (C-G)	10% Retention
General Requirements/mobilization	9,375.00	8,437.50	937.50		9,375.00	100.00%	0.00	937.50
Demolition/disposal	18,700.00	18,700.00			18,700.00	100.00%	0.00	1,870.00
Site prep/layout	1,750.00	1,750.00			1,750.00	100.00%	0.00	175.00
Footing excavation	3,900.00	3,900.00			3,900.00	100.00%	0.00	390.00
Parking/stripping/signage	2,460.00		2,460.00		2,460.00	100.00%	0.00	246.00
Fill material	16,100.00	16,100.00			16,100.00	100.00%	0.00	1,610.00
Landscaping	1,075.00	1,075.00			1,075.00	100.00%	0.00	107.50
Concrete- forming	54,050.00	54,050.00			54,050.00	100.00%	0.00	5,405.00
Concrete- strip forms	7,950.00	7,950.00			7,950.00	100.00%	0.00	795.00
Concrete- rebar/ties	14,350.00	14,350.00			14,350.00	100.00%	0.00	1,435.00
Concrete- pour	45,475.00	45,475.00			45,475.00	100.00%	0.00	4,547.50
Concrete- decorative/stamp walls	17,500.00	17,500.00			17,500.00	100.00%	0.00	1,750.00
Metal fabrication/painting	40,650.00	40,650.00			40,650.00	100.00%	0.00	4,065.00
Carpentry- temporary access	4,500.00	4,500.00			4,500.00	100.00%	0.00	450.00
Storefront doors	24,500.00	24,500.00			24,500.00	100.00%	0.00	2,450.00
Windows	11,800.00	11,800.00			11,800.00	100.00%	0.00	1,180.00
Plumbing	2,900.00	2,900.00			2,900.00	100.00%	0.00	290.00
Electrical/light fixtures	19,750.00	9,875.00	9,875.00		19,750.00	100.00%	0.00	1,975.00
Total Contract:	296,785.00	283,512.50	13,272.50	0.00	296,785.00	100.00%	0.00	29,678.50
Changer Order #1: Remove Decorative Pattern Stamped Walls/Change to Standard Formed Walls & Colored/Pattern Stamped Walks	(7,000.00)	(7,000.00)	0.00	0.00	(7,000.00)	100.00%	0.00	(700.00)
Total Change Orders PR #1:	(7,000.00)	(7,000.00)	0.00	0.00	(7,000.00)	100.00%	0.00	(700.00)
Change Order #2: Remove Rot	553.17	553.17			553.17	100.00%	0.00	55.32



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

Application No: 5 & FINAL
 Application Date: 01/25/18
 Period To: 01/31/18
 Contract/SOV Date: 08/03/17

Schedule of Work Completed

Total Change Orders PR #3:	553.17	553.17	0.00	0.00	553.17	100.00%	0.00	55.32
Change Order #3: Outside Phone Lines Cut - Repaired by Stewart Telecommunications and Billed to City of Rio Dell	(185.00)	(185.00)			(185.00)	100.00%	0.00	(18.50)
Total Change Orders PR #4:	(185.00)	(185.00)	0.00	0.00	(185.00)	100.00%	0.00	(18.50)
Total Adjusted Contract:	290,153.17	276,880.67	13,272.50	0.00	290,153.17	100.00%	0.00	29,015.32



675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
(707) 764-5480 (fax)

**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
February 6, 2018**

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager
FROM: Brooke Woodcox, Finance Director *BW*
DATE: February 6, 2018
SUBJECT: 2017/18 Second Quarter Financial Report and Resolution 1375-2018 Mid-Year Budget Amendment

Recommendation

- 1) Receive and file fiscal year 2017/18 2nd quarter financial report
- 2) Approve Resolution 1375-2018 Amending the FY 2017/18 Operating and Capital Budget

Background and Discussion

The Quarterly Financial Report is a benchmark for budgeted versus actual amounts and to explain significant variations below or above the 50% benchmark. Overall, revenues and expenditures are meeting expectations at December 31, 2017. The report explains any amounts that appear to deviate from anticipated estimations at midyear.

Mid-year is also used as the point in time to bring the budget up to date through the amendment process, if necessary. At December 31, 2017 the following budget amendments are being requested for Council approval:

- Appropriations for salary and benefit items need to be increased due to Council approved contractual changes that occurred earlier in the fiscal year
- Sales tax line items in the General Fund also need adjusting due to expired legislation and a Measure U revenue increase that more closely matches prior year amounts
- The Chamber of Commerce Christmas donation was approved in FY 2016/17, and needs formal approval to be integrated into the FY 2017/18 City Council budget

There have been several budget amendments throughout the first half of the fiscal year and those items and amounts are included in the midyear financial report.

The mid-year financial report is for informational purposes and a final yearend report will be provided as an annual summary wrap-up after the fiscal year closes. The annual report done later in the year highlights any budgetary savings giving a clearer picture of the City's reserve balances once actual revenue and expenditures are netted and closed into the fund's balance.

Additional financial information can be found in the audited Financial Statements, which are generally completed in the early part of the calendar year.

Attachments

- Fiscal year 2017/18 Second Quarter Financial Report

- Resolution 1375-2018 Budget Amendment
 - Salaries and benefits related to employee compensation
 - Sales tax revenues amended: In lieu Retail Sales Tax revenues legislation ended, pick up in Retail sales tax line item; Measure U revenues increased based on previous year's collection amounts
 - Approve Chamber Christmas donation to officially integrate into FY 2017/18 appropriations

- Expenditures by Department

MID YEAR FINANCIAL REPORT

DECEMBER 31, 2017

SECOND QUARTER REPORT 2017/18

BUDGET VARIANCE BY DEPARTMENT

City-wide a total of \$1,659,558 (45%) of appropriations were spent at mid-year (12/31/17). Operating expenditures were at 45% and activities were at 43%.

EXPENDITURES BY DEPT.	YTD ACTUAL	AMENDED	
		BUDGET	%
City Manager	122,079	288,421	42%
Finance	183,437	379,369	48%
City Council	9,744	19,330	50%
Police Department	315,565	700,940	45%
General Government	13,143	28,778	46%
Public Works	579,231	1,283,295	45%
<hr/>			
Streets	86,216	239,143	36%
Water	164,082	445,953	37%
Sewer	296,562	561,133	53%
Building & Grounds	32,371	37,066	87%
<hr/>			
Building	27,058	63,213	43%
Planning	31,218	74,790	42%
TOTAL DEPT. EXPENDITURE	1,281,475	2,838,136	45%
<hr/>			
ACTIVITY EXPENDITURES			
Admin. Car	106	2,650	4%
Recycling/Solid Waste	2,185	8,511	26%
Capital Projects *	375,792	876,805	43%
TOTAL ACTIVITY EXPENDITURE	378,083	887,966	43%
<hr/>			
TOTAL CITY-WIDE	1,659,558	3,726,102	45%
* Not including Metro Wells			

The chart below indicates budget amendments may be necessary at year end to appropriately account for Public Works employees' actual time spent in each department. Actual amounts are driven by Public Works' priorities.

PUBLIC WORKS ALLOCATED AMOUNTS FOR LABOR			
	Actual Labor Allocation	Budgeted Labor Allocation	Change Increase (Decrease)
PUBLIC WORKS			
B&B	12%	4%	8%
STREETS	14%	21%	-7%
SEWER	42%	39%	3%
WATER	32%	35%	-3%

EXPENDITURES BY MAJOR CATEGORY

Operating costs related to salaries and benefits are at 46% for the second quarter, while operating supplies are at 44%. Both categories are under the 50% benchmark.

At midyear there have been slight budgetary savings related to salaries and benefits. One reason is because the position of Police Chief was unfilled for several months.

Expenditures by Major Category	YTD ACTUAL	BUDGET	%
CITY WIDE OPERATIONS			
Salaries & Benefits	775,733	1,690,240	46%
Services & Supplies	505,742	1,147,896	44%
TOTAL EXPENDITURES	1,281,475	2,838,136	45%

REVENUES

At mid-year revenues are at 44% of budget. Amounts for sewer and water have been collected at 52% and 56%, respectively. This is indicative of higher water consumption both in the winter months that the FY 2017/18 sewer rates are based, and water consumption is at an all-time average high resulting in higher revenues.

Low variances in the Governmental funds are attributable to the modified accrual basis of accounting where revenues are recorded when received and later accrued at year end. The Building Fund shows a shortfall of expectations at midyear, while SLESF fund reflects higher than anticipated amounts.

REVENUES BY FUND	YTD Actual	BUDGET	%
General Fund	206,396	923,580	22%
SLESF	71,414	100,000	71%
Streets	78,033	236,797	33%
Building Fund	12,197	35,131	35%
Sewer	627,593	1,214,781	52%
Water	621,343	1,102,763	56%
Other	10,599	59,961	18%
TOTAL	1,627,575	3,673,013	44%

The following chart shows water sales from FY 2013/14 through FY 2017/18. There was a decline in water sales in FY 2014/15, the year that the State Water Resources

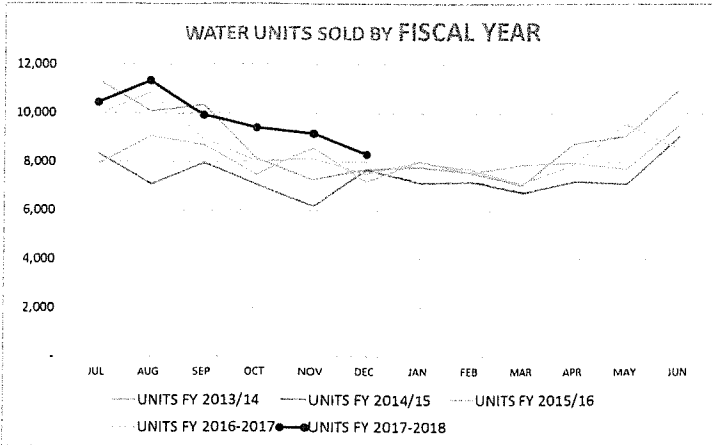
MID YEAR FINANCIAL REPORT

DECEMBER 31, 2017

SECOND QUARTER REPORT 2017/18

Control Board (SWRCB) curtailed water draws from the Eel River and the City was mandated to implement drastic water conservation efforts.

Outreach Project, is in its early stages (4%). The project will provide safer passage ways for pedestrians along Bellevue, Wildwood, Eeloa, and Davis street locations.



CAPITAL PROJECTS

Total spending for capital projects at mid-year was \$375,792 (44%) of appropriations totaling \$876,805.

At midyear FY 2017/18 a total of \$912,582, or 52% of total costs, had been spent for the construction of the Metropolitan Wells; in all, total spending through December 31, 2017 was \$1.76 million (94% completion). The project has been on-going since FY 2013/14 with major construction for the Metropolitan Well project beginning last fiscal year. The well project will provide an additional water source for the City.

The Well project was made possible with generous grant funding through SWRCB Drinking Water State Revolving Fund Prop 1 (\$665,876), the USDA Rural Development Emergency and Imminent Community Water Assistance Grant (ECWAG) (\$373,200), North Coast Resource Partnership's (NCRP) Proposition 84 Integrated Regional Water Management Program (IRWMP) Implementation Grant (\$783,000) and the City's contribution of \$57,000.

MAJOR PROJECTS THRU DECEMBER 2018	TOTAL Actual	TOTAL Budget	%
Metro Well Project	1,760,210	1,879,076	94%
ATP Project	65,765	1,533,000	4%
TOTAL TO DATE	1,825,975	3,412,076	54%

The ATP project, which is funded at \$1.5 million through the K-8 Schools Safety Improvement and Community

CAPITAL PROJECTS	YTD Actual	Budget	%
GENERAL FUND			
Bellevue/Ogle	-	45,000	0%
Lawn Mower	21,782	21,782	100%
City Hall Repairs and Imp.			
CDBG ABR ADA Imp.	89,273	90,000	100%
Council Chambers	6,712	15,000	45%
Reception Area	-	20,000	0%
Broken Windows	-	10,000	0%
TOTAL GENERAL FUND	117,767	201,782	
WATER FUND (062)			
Water Plant Effluent Re.	-	150,000	0%
Hach Calibration	-	5,151	0%
SCADA Equipment	9,849	9,849	100%
Roller & Trailer (.25)	-	8,250	0%
Utility Truck (0.40)	-	14,000	0%
Forklift (0.15)	-	2,250	0%
WATER FUND PROJECTS	9,849	189,500	
SEWER FUND (062)			
Contact Basic Covers	-	30,000	
Sewer Compliance Project	9,677	47,075	21%
WWTP Blower Motor Rep.	-	17,582	0%
Sewer Machine Rep.	57,366	57,366	100%
Sewer Push Camera	-	5,000	0%
Utility Truck (0.40)	-	14,000	0%
Roller & Trailer (.25)	-	8,250	0%
I & I Reduction	-	50,867	0%
Painter Street Pump Rep.	9,133	9,133	100%
Forklift (0.80)	12,000	12,000	100%
SEWER FUND PROJECTS	88,176	251,273	
STREETS FUNDS (020, 024)			
Roller & Trailer (.5)	-	16,500	0%
Utility Truck (0.20)	-	7,000	0%
Street Striping	-	20,000	0%
Drainage replacements	-	30,000	0%
Forklift (0.05)	-	750	0%
STREETS FUNDS PROJECTS	-	74,250	
CDBG FUND (037)			
CDBG ABR ADA Improvemen	160,000	160,000	100%
CDBG FUND PROJECT	160,000	160,000	
TOTAL CAPITAL PROJECTS	375,792	876,805	43%

CDBG: By midyear City Hall's front porch was brought in to compliance with the Adults with Disabilities Act (ADA).

MID YEAR FINANCIAL REPORT

DECEMBER 31, 2017

SECOND QUARTER REPORT 2017/18

The project was made possible with CDBG program income and a contribution from the City's General Fund.

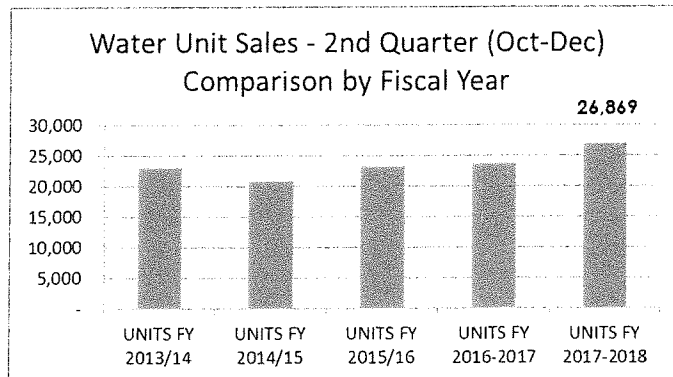
There were several capital and special project budget amendments during the first half of the FY 2017/18 fiscal year. Additional appropriations were approved for the Sewer Compliance project (\$47,075), wastewater treatment plant blower motor replacement (\$17,538), engineering services to evaluate water and sewer drainage and resizing (\$26,000), increased amounts for sewer machine (\$19,532) and lawn mower (\$1,782). Internal amendments were a transfer of project amounts for Painter Street pump replacement from I & I project amounts (\$9,133) and the purchase of SCADA equipment (\$9,849) transferred from calibration project.

ENTERPRISE FUNDS

Water Fund revenues are meeting expectations at midyear (56%). Looking at the entire fiscal year water sales fluctuate between high use in the summer months to lowered use in the winter and spring months. Since the next quarter (Jan-Mar) is historically the City's lowest sales period for units of water, intuitively revenues generally smooth out to anticipated levels by yearend.

WATER FUND REVENUES	YTD Actual	BUDGET	%
Operating Fund	410,622	724,120	57%
Debt Service Fund	104,964	164,200	64%
Capital Fund	85,561	176,904	48%
Metro Wells Fund	8,752	14,795	59%
Dinsmore Zone Fund	11,444	22,744	50%
TOTAL	621,343	1,102,763	56%

The following chart shows water unit sales for the 2nd quarter months of October through December for the past five (5) fiscal years. Fiscal year 2014/15 showed the lowest sales (20,903 units), which was a direct result of water conservation efforts mandated from the SWRCB. In comparison, the current quarter shows water consumption was 26,869 units sold (29% increase). In monetary figures, water rates were considerably lower in FY 2014/15 and when coupled with the low water usage that year, revenues collected by 12/31/15 were \$384,040 (62% decrease), which was a preemptive for the water rate increase adopted in December 2015.



Sewer Fund revenues are at 52% (\$627,914) of budget at the mid-year mark. Revenues remain constant since the current year's revenues are calculated with the same data each month.

SEWER FUND REVENUES	YTD Actual	BUDGET	%
Operating Fund	418,928	811,351	52%
Debt Service Fund	157,974	303,000	52%
Capital Fund	50,691	71,930	70%
Assessment District	-	28,500	0%
TOTAL	627,593	1,214,781	52%

Last year's winter water consumption was higher than in previous fiscal year's that is reflected as a boost in revenues. Higher than anticipated revenues help replenish reserves when costly and unanticipated costs are incurred, such as has been the case in FY 2017/18.

BUDGET OUTLOOK

There may be significant budgetary savings as some Capital Projects will have to be carried over to next fiscal year. Revenues will see higher realizations based on the information presented here. More significantly, what isn't reported in the numbers are the budgetary savings across all funds for healthcare premiums and staff's concerted efforts at stabilizing fund balances. **Measure Z** funding also plays a crucial role in budgetary savings by funding a part-time position in the Police Department. In addition, Measure U amounts have exceeded expectations adding another boost in the financial affairs of the City. These underreported changes have significant positive effects on fund balances. Healthy reserve balances, which are integrated into the administrative function of the City, are an imperative for a financially sound City.



RESOLUTION NO. 1375-2018
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
TO AMEND THE OPERATING AND CAPITAL PROJECTS BUDGET
FOR THE FISCAL-YEAR 2017-2018

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

WHEREAS, the City has approved its 2017/18 fiscal year Operating and Capital Budgets and have identified additional costs, revenue amounts, and transfers that should be included to update the 2017/18 fiscal-year budget; and

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

- 1) Increase appropriations for Salary and Benefits Contractual changes totaling \$32,217 allocated as follows:

General Fund (000) \$14,612, Building Fund (008) \$570, Gas Tax Fund \$1,016 (020), TDA Fund (024) \$625, RSTP Fund (026) \$203, Sewer Fund \$5,670 (050), Water Fund (060) \$4,752, SLESF (040) \$3,191, and Measure Z (044) \$1,579.

- 2) Increase revenue for Measure U \$60,000
- 3) Decrease revenue for In Lieu Retail Sales Tax \$19,000 and increase revenue for Retail Sales tax \$19,000 to reflect legislative changes
- 4) Increase appropriations for FY 2016/17 carry over Chamber of Commerce City donation for Christmas decorations \$1,500

PASSED AND ADOPTED by the City Council of the Rio Dell on this 6th day of February by the following vote:

Ayes:
Noes:
Abstain:
Absent:

Frank Wilson, Mayor

ATTEST:

Karen Dunham, City Clerk

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

00 REVENUE DEPT	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Un- collected
4010 Tax - Property Current Secured	-	107,246	(107,246)	-	107,246	(107,246)	100
4011 Tax - Property Current Unsecur	-	7,426	(7,426)	-	7,426	(7,426)	100
4013 Tax - Property Prior Unsecured	-	46	(46)	-	46	(46)	100
4025 Tax - Supplemental Roll	-	1,798	(1,798)	-	1,798	(1,798)	100
4026 Tax - Home Owner's Property	-	1,342	(1,342)	-	1,342	(1,342)	100
4027 Tax - Prior Years - Supplemental	-	172	(172)	-	172	(172)	100
4030 Tax - Transient Occupancy Tax	7,191	13,152	(5,962)	-	13,152	(5,962)	45
4035 Tax - Timber Yield	-	26	(26)	-	26	(26)	100
4040 Tax - Retail Sales	64,590	104,997	(40,407)	19,000	123,997	(59,407)	48
4041 Tax - In Lieu Retail Sales - County	-	19,000	(19,000)	(19,000)	-	-	-
4042 Tax - Measure U Sales Tax	92,034	173,168	(81,134)	60,000	233,168	(141,134)	61
4045 Tax - (HCAOG) Transportation - TDA	49,202	114,217	(65,015)	-	114,217	(65,015)	57
4048 Tax - Gasoline (Highway Users Tax)	28,675	100,580	(71,905)	-	100,580	(71,905)	71
4050 Tax - Documentary Real Property	-	2,365	(2,365)	-	2,365	(2,365)	100
4056 Tax - Public Safety .5% sales	-	2,460	(2,460)	-	2,460	(2,460)	100
4110 Fees - Franchise - Electric	-	28,869	(28,869)	-	28,869	(28,869)	100
4115 Fees - Franchise - Gas	-	6,020	(6,020)	-	6,020	(6,020)	100
4120 Fees - Franchise - Garbage	4,225	16,778	(12,553)	-	16,778	(12,553)	75
4125 Fees - Franchise - Cable TV	8,894	36,144	(27,250)	-	36,144	(27,250)	75
4150 Fees - Business License	4,767	10,694	(5,927)	-	10,694	(5,927)	55
4151 Fees - Business License CASP SB1186	101	285	(184)	-	285	(184)	65
4152 Fees - Memorial Park	95	-	95	-	-	95	-
4162 Fees - Motor Vehicle License (VLF)	-	4,309	(4,309)	-	4,309	(4,309)	100
4163 Fees - In Lieu VLF - County	-	356,194	(356,194)	-	356,194	(356,194)	100
4170 Fees - Animal License	764	1,657	(893)	-	1,657	(893)	54
4173 Fees - Animal Control/Relinq.	219	928	(709)	-	928	(709)	76
4178 Fees - Booking	-	350	(350)	-	350	(350)	100
4180 Fees - Notary	75	75	-	-	75	-	-
4183 Fees - Special Police Services	1,326	2,100	(774)	-	2,100	(774)	37
4190 Fees - Integrated Waste Manageme	1,608	9,000	(7,392)	-	9,000	(7,392)	82
4195 Fees - Customer fax and copy	27	35	(8)	-	35	(8)	23
4310 Interest Income	257	800	(543)	-	800	(543)	68
4320 Rental Income - U.S. Cellular	2,843	6,657	(3,814)	-	6,657	(3,814)	57
4321 Rental Income - T. Mobile	7,273	14,212	(6,939)	-	14,212	(6,939)	49
4410 Building Plan - Constr Permits	5,937	14,500	(8,563)	-	14,500	(8,563)	59
4420 Planning - Zoning Fees	9,993	2,500	7,493	-	2,500	7,493	(300)
4435 Planning - Home Occupation Permit	120	200	(80)	-	200	(80)	40
4440 Building Plan - Plan Check Fee	1,516	4,100	(2,584)	-	4,100	(2,584)	63
4445 Building - Administrative Fees	4,210	15,500	(11,290)	-	15,500	(11,290)	73
4456 Planning - Parks & Recreation Develk	-	1,500	(1,500)	-	1,500	(1,500)	100
4460 Building Plan - Seismic Fees	47	75	(28)	-	75	(28)	37
4462 Building Standards- SB1473	30	56	(26)	-	56	(26)	46
4463 Building - Continuing Education	42	100	(58)	-	100	(58)	58
4464 Building - Technology Fee	94	300	(206)	-	300	(206)	69
4465 Encroachment Permits	300	500	(200)	-	500	(200)	40
4480 Insurance Premium Reimbursement	1,622	650	972	-	650	972	(150)
4510 Sewer - Service	395,410	803,326	(407,916)	-	803,326	(407,916)	51
4516 Sewer - Debt Service	157,974	303,000	(145,026)	-	303,000	(145,026)	48
4520 Sewer - Connection	10,440	5,000	5,440	-	5,000	5,440	(109)
4540 Sewer - Replacement Reserve	48,603	71,930	(23,327)	-	71,930	(23,327)	32
4570 Sewer - Assmt Dist #1 Current	-	28,500	(28,500)	-	28,500	(28,500)	100
4610 Water - Service	385,186	684,720	(299,534)	-	684,720	(299,534)	44
4615 Water - Debt Service	87,471	136,700	(49,229)	-	136,700	(49,229)	36
4616 Water - Debt Service Restricted	17,493	27,500	(10,007)	-	27,500	(10,007)	36
4620 Water - Connection	5,400	5,400	-	-	5,400	-	-
4630 Late Fee	27,639	25,000	2,639	-	25,000	2,639	(11)
4635 Delinquent Fees	4,880	12,500	(7,620)	-	12,500	(7,620)	61
4640 Water - Damage Replacement	400	-	400	-	-	400	-
4650 Water - Capital	84,555	172,584	(88,029)	-	172,584	(88,029)	51
4653 Water - Metro Wells	8,752	14,795	(6,043)	-	14,795	(6,043)	41
4654 Water - Dinsmore Zone	11,444	22,744	(11,300)	-	22,744	(11,300)	50

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

00 REVENUE DEPT	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Un- collected
4712 Grant Restricted - RSTP HCAOG	-	22,000	(22,000)	-	22,000	(22,000)	100
4725 GEN. FUND FROM CDBG PRINCIPAL II	1,845	3,174	(1,329)	-	3,174	(1,329)	42
4727 Late Fees - GEN. FUND FROM CDBG	1	-	1	-	-	1	-
4729 Deferred Revenue	(536)	-	(536)	-	-	(536)	-
4740 Grant Restr - Police Grant SLESF	71,414	100,000	(28,586)	-	100,000	(28,586)	29
4744 Grant Rest - Police Realignment Grc	-	4,800	(4,800)	-	4,800	(4,800)	100
4746 Grant Restristed - Recycling	-	5,000	(5,000)	-	5,000	(5,000)	100
4747 Grant - Measure Z	6,444	34,100	(27,656)	-	34,100	(27,656)	81
4804 Sculptures on the Avenue	1,250	-	1,250	-	-	1,250	-
4900 Interfund Revenue	870	2,387	(1,517)	-	2,387	(1,517)	64
4920 Misc - Special Public Works	-	1,745	(1,745)	-	1,745	(1,745)	100
4936 Bad Debt Recovery	1,871	2,100	(229)	-	2,100	(229)	11
4950 Misc	260	325	(65)	-	325	(65)	20
4990 Misc - Other	433	100	323	-	100	323	(323)
4995 Donations	-	500	(500)	-	500	(500)	100
TOTAL REVENUE	1,627,576	3,673,013	(2,045,448)	60,000	3,733,013	(2,105,448)	41

YTD Budget Variance by Dept with Revised Budget December 31, 2017

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02 02 CITY MANAGER	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	69,377	149,690	80,313	1,894	151,584	82,207	54
5035 Benefit - ICMA City 457	9,234	19,153	9,919	211	19,364	10,130	52
5040 Benefit - Health Insurance	7,790	13,745	5,955	-	13,745	5,955	43
5042 Benefit - Life Insurance	185	333	148	-	333	148	44
5044 Benefit - Dental/Vision Insur	1,023	1,754	731	-	1,754	731	42
5045 Worker Compensation Insuranc	758	2,245	1,487	28	2,273	1,515	67
5050 FICA/MEDI	5,517	11,451	5,934	145	11,596	6,079	52
5055 Unemployment Insurance	-	707	707	-	707	707	100
5101 Office Supplies	440	1,500	1,060	-	1,500	1,060	71
5102 Operating Supplies	41	348	307	-	348	307	88
5103 Postage	347	547	200	-	547	200	37
5104 Printing - Forms	2,815	4,350	1,535	-	4,350	1,535	35
5105 Advertising	-	210	210	-	210	210	100
5106 Promotional	-	200	200	-	200	200	100
5112 Legal	11,891	28,700	16,809	-	28,700	16,809	59
5115 Contract/Professional Services	632	18,250	17,618	-	18,250	17,618	97
5120 Cell Phones	568	1,500	932	-	1,500	932	62
5121 Telephone - Pager	121	360	239	-	360	239	66
5122 Training - Conference	799	3,000	2,201	-	3,000	2,201	73
5123 Automobile - Transportation	2,349	4,645	2,296	-	4,645	2,296	49
5125 Publications - Books	20	87	67	-	87	67	77
5126 Dues & Memberships	1,194	3,850	2,656	-	3,850	2,656	69
5128 Employee Relations	-	100	100	-	100	100	100
5130 Rents - Leases	619	1,925	1,306	-	1,925	1,306	68
5131 Records Maintenance	44	128	84	-	128	84	66
5135 Maintenance - Repair	438	700	262	-	700	262	37
5138 Office Equipment	-	1,405	1,405	-	1,405	1,405	100
5139 Equipment	-	500	500	-	500	500	100
5141 General Liability Insurance	2,605	3,510	905	-	3,510	905	26
5143 Property Insurance	489	574	86	-	574	85	15
5144 Emp Practice Liab Insurance	213	225	12	-	225	12	5
5150 Electricity	349	795	446	-	795	446	56
5151 Natural Gas	20	140	120	-	140	120	86
5152 Water	212	225	13	-	225	13	6
5153 Sewer	115	103	(12)	-	103	(12)	(12)
5160 Elections	-	2,000	2,000	-	2,000	2,000	100
5166 LAFCO Fees	-	1,850	1,850	-	1,850	1,850	100
5171 Computer Software	-	500	500	-	500	500	100
5173 Computer Maintenance - Supp	1,503	2,743	1,240	-	2,743	1,240	45
5174 Web Design Services	109	875	766	-	875	766	88
5514 Engineering	262	1,000	738	-	1,000	738	74
5520 Improvements	-	220	220	-	220	220	100
TOTAL EXPENDITURES	122,079	286,143	164,065	2,278	288,421	166,342	58

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

03 03 FINANCE	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	100,280	203,336	103,056	3,823	207,159	106,879	52
5030 Overtime Salaries	507	-	(507)	-	-	(507)	-
5035 Benefit - ICMA City 457	10,440	21,355	10,915	382	21,737	11,297	52
5040 Benefit - Health Insurance	22,443	38,397	15,954	-	38,397	15,954	42
5042 Benefit - Life Insurance	424	768	344	-	768	344	45
5044 Benefit - Dental/Vision Insur	3,827	5,973	2,146	-	5,973	2,146	36
5045 Worker Compensation Insuranc	1,085	3,050	1,965	57	3,107	2,022	65
5050 FICA	8,353	15,555	7,202	292	15,847	7,494	47
5055 Unemployment Insurance	-	1,905	1,905	-	1,905	1,905	100
5101 Office Supplies	1,473	3,612	2,140	-	3,612	2,139	59
5102 Operating Supplies	42	500	458	-	500	458	92
5103 Postage	1,085	3,500	2,415	-	3,500	2,415	69
5104 Printing - Forms	673	3,301	2,628	-	3,301	2,628	80
5106 Promotional	-	50	50	-	50	50	100
5110 Accounting	18,045	32,000	13,955	-	32,000	13,955	44
5112 Legal	191	400	209	-	400	209	52
5115 Contract/Professional Services	17	750	733	-	750	733	98
5116 Bank Fees	400	1,200	800	-	1,200	800	67
5120 Cell Phones	577	1,450	873	-	1,450	873	60
5121 Telephone - Pager	122	283	161	-	283	161	57
5122 Training - Conference	380	2,902	2,522	-	2,902	2,522	87
5123 Automobile - Transportation	375	3,209	2,834	-	3,209	2,834	88
5125 Publications - Books	75	95	20	-	95	20	21
5126 Dues & Memberships	110	125	15	-	125	15	12
5127 License	43	-	(43)	-	-	(43)	-
5130 Rents - Leases	569	1,750	1,181	-	1,750	1,181	67
5131 Records Maintenance	403	1,000	597	-	1,000	597	60
5135 Maintenance - Repair	444	1,600	1,156	-	1,600	1,156	72
5138 Office Equipment	10	3,200	3,190	-	3,200	3,190	100
5141 General Liability Insurance	2,665	2,127	(538)	-	2,127	(538)	(25)
5143 Property Insurance	500	348	(152)	-	348	(152)	(44)
5144 Emp Practice Liab Insurance	218	136	(82)	-	136	(82)	(60)
5150 Electricity	357	1,400	1,043	-	1,400	1,043	75
5151 Natural Gas	21	140	119	-	140	119	85
5152 Water	301	585	284	-	585	284	49
5153 Sewer	163	280	117	-	280	117	42
5163 Property Tax Admin Fees	-	2,800	2,800	-	2,800	2,800	100
5171 Computer Software	189	200	11	-	200	11	6
5173 Computer Maintenance - Suppr	6,518	15,183	8,665	-	15,183	8,665	57
5174 Web Design Services	112	350	238	-	350	238	68
TOTAL EXPENDITURES	183,437	374,815	191,379	4,554	379,369	195,932	52

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

04 04 RECYCLING	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE		-		-	-		-
5000 Full Time Salaries	818	1,799	981	-	1,799	981	55
5035 Benefit - ICMA City 457	115	238	124	-	238	124	52
5040 Benefit - Health Insurance	64	112	48	-	112	48	43
5042 Benefit - Life Insurance	2	3	1	-	3	1	33
5044 Benefit- Dental/Vision Ins	8	15	7	-	15	7	47
5045 Workers Compensation Insuranc	9	27	18	-	27	18	67
5050 Fica	65	138	73	-	138	73	53
5055 Unemployment Insurance	-	7	7	-	7	7	100
5101 Office Supplies	12	17	5	-	17	5	29
5102 Operating Supplies	4	50	46	-	50	46	92
5103 Postage	-	23	23	-	23	23	100
5104 Printing - Forms	1	-	(1)	-	-	(1)	-
5112 Legal	256	-	(256)	-	-	(256)	-
5115 Contract Professional Services	-	5,000	5,000	-	5,000	5,000	100
5120 Cell Phones	9	-	(9)	-	-	(9)	-
5121 Telephone - Pager	11	8	(3)	-	8	(3)	(38)
5123 Automobile - Transportation	35	-	(35)	-	-	(35)	-
5125 Publications - Books	2	-	(2)	-	-	(2)	-
5130 Rents & Leases	3	-	(3)	-	-	(3)	-
5131 Records Maintenance	1	-	(1)	-	-	(1)	-
5135 Maintenance - Repair	25	-	(25)	-	-	(25)	-
5141 General Liability Insurance	242	234	(8)	-	234	(8)	(3)
5143 Property Insurance	45	46	1	-	46	1	2
5144 Emp Practice Liab Insurance	20	55	35	-	55	35	64
5150 Electricity	32	44	12	-	44	12	27
5151 Natural Gas	2	-	(2)	-	-	(2)	-
5154 Garbage	365	650	285	-	650	285	44
5173 Computer Maintenance - Suppr	29	25	(4)	-	25	(4)	(16)
5174 Web Design Services	10	20	10	-	20	10	50
TOTAL EXPENDITURES	2,185	8,511	6,327	-	8,511	6,327	74

YTD Budget Variance by Dept with Revised Budget December 31, 2017

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05 ADMIN CAR	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5135 Maintenance - Repair	-	500	500	-	500	500	100
5212 Gas & Oil	20	650	630	-	650	630	97
5213 Vehicle Repair	86	1,500	1,414	-	1,500	1,414	94
TOTAL EXPENDITURES	106	2,650	2,544	-	2,650	2,544	96

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

06 06 GENERAL GOVERNMENT	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	9,428	21,043	11,616	-	21,043	11,616	55
5035 Benefit - ICMA City 457	1,177	3,082	1,906	-	3,082	1,906	62
5040 Benefit - Health Insurance	469	975	506	-	975	506	52
5042 Benefit - Life Insurance	48	7	(41)	-	7	(41)	(569)
5045 Worker Compensation Insurance	412	316	(97)	-	316	(97)	(31)
5050 FICA	861	1,610	749	-	1,610	749	47
5055 Unemployment Insurance	-	143	143	-	143	143	100
5101 Office Supplies	6	-	(6)	-	-	(6)	-
5102 Operating Supplies	2	41	39	-	41	39	95
5103 Postage	36	32	(4)	-	32	(4)	(12)
5104 Printing - Forms	26	39	13	-	39	13	34
5112 Legal	250	-	(250)	-	-	(250)	-
5115 Contract/Professional Services	1	98	97	-	98	97	99
5120 Cell Phones	173	218	45	-	218	45	20
5121 Telephone - Pager	6	64	58	-	64	58	91
5123 Automobile - Transportation	-	-	-	-	-	-	-
5125 Publications - Books	1	10	9	-	10	9	91
5130 Rents - Leases	43	78	35	-	78	35	45
5131 Records Maintenance	-	-	-	-	-	-	-
5135 Maintenance - Repair	13	49	36	-	49	36	74
5138 Office Equipment	-	98	98	-	98	98	100
5141 General Liability Insurance	121	591	470	-	591	470	79
5143 Property Insurance	23	97	74	-	97	74	76
5144 Emp Practice Liab Insurance	10	38	28	-	38	28	74
5150 Electricity	16	54	38	-	54	38	70
5151 Natural Gas	1	17	16	-	17	16	94
5173 Computer Maintenance - Suppr	15	39	23	-	39	23	60
5174 Web Design Services	5	39	34	-	39	34	87
TOTAL EXPENDITURES	13,143	28,778	15,635	-	28,778	15,635	893

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

07 07 POLICE	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	140,618	296,462	155,845	12,784	309,246	168,628	55
5026 Part Time Temporary Salaries	11,112	24,621	13,509	-	24,621	13,509	55
5030 Overtime Salaries	13,966	23,405	9,439	-	23,405	9,439	40
5035 Benefit - ICMA City 457	25,240	57,802	32,562	1,952	59,754	34,514	58
5040 Benefit - Health Insurance	36,568	71,021	34,454	-	71,021	34,453	49
5042 Benefit - Life Insurance	695	1,440	746	-	1,440	745	52
5044 Benefit - Dental/Vision Insur	5,621	10,517	4,896	-	10,517	4,896	47
5045 Worker Compensation Insuranc	12,744	33,955	21,212	1,243	35,198	22,454	64
5050 FICA	14,225	26,353	12,129	978	27,331	13,106	48
5055 Unemployment Insurance	-	2,856	2,856	-	2,856	2,856	100
5060 Clothing Allowance	1,219	3,750	2,531	-	3,750	2,531	67
5080 Hiring Costs	3,127	3,000	(127)	-	3,000	(127)	(4)
5101 Office Supplies	445	1,200	755	-	1,200	755	63
5102 Operating Supplies	1,364	2,200	836	-	2,200	836	38
5103 Postage	149	600	451	-	600	451	75
5104 Printing - Forms	209	480	271	-	480	271	56
5105 Advertising	992	300	(692)	-	300	(692)	(231)
5106 Promotional	-	50	50	-	50	50	100
5112 Legal	421	1,000	579	-	1,000	579	58
5115 Contract/Professional Services	1,907	3,650	1,743	-	3,650	1,743	48
5117 Animal Control	6,000	12,000	6,000	-	12,000	6,000	50
5119 Safety Supplies & Equipment	-	1,239	1,239	-	1,239	1,239	100
5120 Cell Phones	1,189	3,110	1,921	-	3,110	1,921	62
5121 Telephone - Pager	1,761	4,500	2,739	-	4,500	2,739	61
5122 Training - Conference	1,192	4,400	3,208	-	4,400	3,208	73
5123 Automobile - Transportation	390	500	110	-	500	110	22
5125 Publications - Books	29	500	471	-	500	471	94
5126 Dues & Memberships	331	1,800	1,469	-	1,800	1,469	82
5127 License	56	-	(56)	-	-	(56)	-
5128 Employee Relations	-	250	250	-	250	250	100
5130 Rents - Leases	1,391	2,900	1,509	-	2,900	1,509	52
5131 Records Maintenance	124	400	276	-	400	276	69
5135 Maintenance - Repair	1,423	5,523	4,100	-	5,523	4,100	74
5138 Office Equipment	-	2,100	2,100	-	2,100	2,100	100
5139 Equipment	(2,241)	7,025	9,266	-	7,025	9,266	132
5141 General Liability Insurance	3,877	12,265	8,388	-	12,265	8,388	68
5143 Property Insurance	727	2,013	1,285	-	2,013	1,286	64
5144 Employee Practice Liab Insuran	316	827	511	-	827	511	62
5150 Electricity	650	1,425	775	-	1,425	775	54
5151 Natural Gas	30	200	170	-	200	170	85
5152 Water	541	878	337	-	878	337	38
5153 Sewer	293	390	97	-	390	97	25
5162 Medical	385	2,800	2,415	-	2,800	2,415	86
5171 Computer Software	-	500	500	-	500	500	100
5173 Computer Maintenance - Supp	3,564	6,901	3,338	-	6,901	3,337	48
5174 Web Design Services	163	500	337	-	500	337	67
5192 Code Enforcement	-	500	500	-	500	500	100
5193 Nuisance Abatement-Vehicle	1,732	1,750	18	-	1,750	18	1
5212 Gas & Oil	6,171	13,225	7,054	-	13,225	7,054	53
5213 Vehicle Repair	2,399	4,000	1,601	-	4,000	1,601	40
5308 Dispatch Service Due	12,450	24,900	12,450	-	24,900	12,450	50
TOTAL EXPENDITURES	315,565	683,983	368,423	16,957	700,940	385,375	55

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

08 08 SEWER - PUBLIC WORKS	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	49,665	115,306	65,641	1,618	116,924	67,259	58
5030 Overtime Salaries	1,749	-	(1,749)	-	-	(1,749)	-
5035 Benefit - ICMA City 457	4,735	11,322	6,587	152	11,474	6,739	59
5040 Benefit - Health Insurance	12,986	27,972	14,986	-	27,972	14,986	54
5042 Benefit - Life Insurance	245	432	187	-	432	187	43
5044 Benefit - Dental/Vision Insur	1,981	3,872	1,891	-	3,872	1,891	49
5045 Worker Compensation Insurance	9,120	17,296	8,176	243	17,539	8,419	48
5050 FICA	4,183	8,821	4,638	124	8,945	4,762	53
5055 Unemployment Insurance	396	1,071	675	-	1,071	675	63
5060 Clothing Allowance	554	1,125	571	-	1,125	571	51
5080 Hiring Costs	859	-	(859)	629	629	(230)	(37)
5101 Office Supplies	713	525	(188)	-	525	(188)	(36)
5102 Operating Supplies	529	3,300	2,771	-	3,300	2,771	84
5103 Postage	1,382	3,700	2,318	-	3,700	2,318	63
5104 Printing - Forms	936	1,900	964	-	1,900	964	51
5105 Advertising	83	500	417	-	500	417	83
5106 Promotional	-	90	90	-	90	90	100
5108 Streets	-	1,000	1,000	-	1,000	1,000	100
5109 Chemicals	23,278	32,675	9,397	-	32,675	9,397	29
5112 Legal	46	500	455	-	500	454	91
5115 Contract/Professional Services	7,657	13,500	5,843	-	13,500	5,843	43
5119 Safety Supplies & Equipment	652	2,150	1,498	-	2,150	1,498	70
5120 Cell Phones	315	1,415	1,100	-	1,415	1,100	78
5121 Telephone - Pager	1,069	2,000	931	-	2,000	931	47
5122 Training - Conference	2,868	1,350	(1,518)	3,318	4,668	1,800	39
5123 Automobile - Transportation	1,056	500	(556)	1,053	1,553	497	32
5125 Publications - Books	72	575	503	-	575	503	87
5126 Dues & Memberships	68	-	(68)	-	-	(68)	-
5127 License	350	800	450	-	800	450	56
5128 Employee Relations	-	50	50	-	50	50	100
5130 Rents - Leases	1,375	2,105	730	-	2,105	730	35
5131 Records Maintenance	42	196	154	-	196	154	79
5135 Maintenance - Repair	5,611	20,000	14,389	(4,417)	15,583	9,972	64
5138 Office Equipment - P.W.	1,526	800	(726)	-	800	(726)	(91)
5139 Equipment	8,911	4,500	(4,411)	4,417	8,917	6	0
5141 General Liability Insurance	9,541	17,817	8,276	-	17,817	8,276	46
5143 Property Insurance	1,790	2,915	1,125	-	2,915	1,125	39
5144 Emp Practice Liab Insurance	779	1,141	362	-	1,141	362	32
5150 Electricity	82,543	137,434	54,891	-	137,434	54,891	40
5151 Natural Gas	7,360	22,000	14,640	-	22,000	14,640	67
5152 Water	17,137	19,560	2,423	-	19,560	2,423	12
5162 Medical	148	490	342	-	490	342	70
5164 Regulatory Fees	8,013	8,600	587	-	8,600	587	7
5165 Property Tax Assessment	2,385	2,443	58	-	2,443	58	2
5171 Property Insurance	217	500	283	-	500	283	57
5173 Computer Maintenance - Support	1,285	2,805	1,520	-	2,805	1,520	54
5174 Web Design Services	401	375	(26)	-	375	(26)	(7)
5212 Gas & Oil	2,397	4,017	1,620	-	4,017	1,620	40
5213 Vehicle Repair	948	2,500	1,552	-	2,500	1,552	62
5215 Public Works - Small Tools	680	1,250	570	-	1,250	570	46
5225 Public Works - Lab Testing	4,487	16,800	12,313	-	16,800	12,313	73
5227 Public Works - Equip. Repair	9,614	15,501	5,887	-	15,501	5,887	38
5229 Public Works - Equip. Rental	1,825	1,500	(325)	-	1,500	(325)	(22)
5430 Fines/Penalties	-	1,000	1,000	-	1,000	1,000	100
5514 Engineering	-	1,000	1,000	12,000	13,000	13,000	100
5520 Improvements	-	1,000	1,000	-	1,000	1,000	100
TOTAL EXPENDITURES	296,562	541,996	245,435	19,137	561,133	264,571	47

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

09 09 WATER - PUBLIC WORKS	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	38,572	108,343	69,771	1,203	109,546	69,771	64
5030 Overtime Salaries	828	-	(828)	-	-	(828)	-
5035 Benefit - ICMA City 457	3,890	10,887	6,997	113	11,000	6,997	64
5040 Benefit - Health Insurance	10,519	19,957	9,438	-	19,957	9,438	47
5042 Benefit - Life Insurance	212	374	162	-	374	162	43
5044 Benefit - Dental/Vision Insur	1,317	2,714	1,397	-	2,714	1,397	51
5045 Worker Compensation Insuranc	7,428	16,252	8,824	180	16,432	8,824	54
5050 FICA	3,331	8,288	4,957	92	8,380	4,957	60
5055 Unemployment Insurance	90	928	838	-	928	838	90
5060 Clothing Allowance	118	975	857	-	975	857	88
5101 Office Supplies	554	600	46	-	600	46	8
5102 Operating Supplies	524	3,100	2,576	-	3,100	2,576	83
5103 Postage	1,148	3,700	2,552	-	3,700	2,552	69
5104 Printing - Forms	798	1,900	1,102	-	1,900	1,102	58
5105 Advertising	83	450	367	-	450	367	82
5108 Streets	-	2,000	2,000	-	2,000	2,000	100
5109 Chemicals	4,487	26,300	21,813	-	26,300	21,813	83
5112 Legal	1,886	10,000	8,115	-	10,000	8,115	81
5115 Contract/Professional Services	2,824	15,000	12,176	-	15,000	12,176	81
5119 Safety Supplies & Equipment	102	1,350	1,248	-	1,350	1,248	92
5120 Cell Phones	420	1,650	1,230	-	1,650	1,230	75
5121 Telephone - Pager	1,037	2,000	963	-	2,000	963	48
5122 Training - Conference	149	2,000	1,851	-	2,000	1,851	93
5123 Automobile - Transportation	231	450	219	-	450	219	49
5125 Publications - Books	75	100	25	-	100	25	25
5126 Dues & Memberships	68	900	832	-	900	832	92
5127 License	136	350	214	-	350	214	61
5128 Employee Relations	-	60	60	-	60	60	100
5130 Rents - Leases	1,380	1,700	320	-	1,700	320	19
5131 Records Maintenance	43	200	157	-	200	157	79
5135 Maintenance - Repair	7,314	69,920	62,606	-	69,920	62,606	90
5138 Office Equipment - P.W.	362	1,020	658	-	1,020	658	64
5139 Equipment	3,135	4,000	865	-	4,000	865	22
5141 General Liability Insurance	7,996	10,584	2,588	-	10,584	2,588	24
5143 Property Insurance	1,500	1,731	231	-	1,731	231	13
5144 Employee Practice Liability Insur	653	678	25	-	678	25	4
5150 Electricity	12,153	25,551	13,398	-	25,551	13,398	52
5151 Natural Gas	60	265	205	-	265	205	77
5153 Sewer	19,299	43,700	24,401	-	43,700	24,401	56
5154 Garbage	184	100	(84)	-	100	(84)	(84)
5162 Medical	59	300	241	-	300	241	80
5164 Regulatory Fees	8,451	8,000	(451)	-	8,000	(451)	(6)
5171 Computer Software	-	450	450	-	450	450	100
5173 Computer Maintenance - Supp	1,580	1,923	343	-	1,923	343	18
5174 Web Design Services	419	460	41	-	460	41	9
5212 Gas & Oil	2,388	6,000	3,612	-	6,000	3,612	60
5213 Vehicle Repair	948	2,200	1,252	-	2,200	1,252	57
5215 Public Works - Small Tools	244	875	631	-	875	631	72
5217 License	-	30	30	-	30	30	100
5225 Public Works - Lab Testing	1,635	5,500	3,865	-	5,500	3,865	70
5227 Public Works - Equip. Repair	1,591	2,800	1,209	-	2,800	1,209	43
5229 Public Works - Equip. Rental	-	250	250	-	250	250	100
5514 Engineering	11,861	1,500	(10,361)	14,000	15,500	3,639	23
TOTAL EXPENDITURES	164,082	430,365	266,284	15,588	445,953	280,284	63

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

10 10 PLANNING	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	20,412	43,840	23,428	-	43,840	23,428	53
5035 Benefit - ICMA City 457	2,436	5,868	3,432	-	5,868	3,432	58
5040 Benefit - Health Insurance	2,424	4,483	2,059	-	4,483	2,059	46
5042 Benefit - Life Insurance	104	82	(23)	-	82	(23)	(28)
5044 Benefit - Dental/Vision Insur	234	400	167	-	400	167	42
5045 Worker Compensation Insuranc	632	658	25	-	658	25	4
5050 FICA	1,786	3,354	1,568	-	3,354	1,568	47
5055 Unemployment Insurance	-	309	309	-	309	309	100
5101 Office Supplies	117	485	368	-	485	368	76
5102 Operating Supplies	7	150	143	-	150	143	96
5103 Postage	276	395	119	-	395	119	30
5104 Printing - Forms	68	2,200	2,132	-	2,200	2,132	97
5106 Promotional	-	50	50	-	50	50	100
5112 Legal	828	1,200	372	-	1,200	372	31
5115 Contract/Professional Services	3	300	297	-	300	297	99
5120 Cell Phones	231	875	644	-	875	644	74
5121 Telephone - Pager	19	120	101	-	120	101	84
5122 Training - Conference	-	750	750	-	750	750	100
5123 Automobile - Transportation	-	1,250	1,250	-	1,250	1,250	100
5125 Publications - Books	3	100	97	-	100	97	97
5126 Dues & Memberships	-	350	350	-	350	350	100
5128 Employee Relations	-	25	25	-	25	25	100
5130 Rents - Leases	227	595	368	-	595	368	62
5131 Records Maintenance	39	105	66	-	105	66	63
5135 Maintenance - Repair	128	300	172	-	300	172	57
5138 Office Equipment	-	500	500	-	500	500	100
5141 General Liability Insurance	424	1,454	1,030	-	1,454	1,030	71
5143 Property Insurance	80	238	158	-	238	158	67
5144 Employee Practice Liab Insuran	35	93	59	-	93	59	63
5150 Electricity	57	300	243	-	300	243	81
5151 Natural Gas	3	34	31	-	34	31	90
5152 Water	59	97	38	-	97	38	39
5153 Sewer	32	87	55	-	87	55	63
5164 Regulatory Fees	-	2,000	2,000	-	2,000	2,000	100
5171 Computer Software	-	200	200	-	200	200	100
5173 Computer Maintenance - Suppt	536	1,193	657	-	1,193	657	55
5174 Web Design Services	18	350	332	-	350	332	95
TOTAL EXPENDITURES	31,218	74,790	43,572	-	74,790	43,572	

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

11 11 BUILDING	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	17,269	36,825	19,556	-	36,825	19,556	53
5035 Benefit - ICMA City 457	2,043	4,841	2,798	-	4,841	2,798	58
5040 Benefit - Health Insurance	2,268	4,158	1,890	-	4,158	1,890	45
5042 Benefit - Life Insurance	88	79	(9)	-	79	(9)	(11)
5044 Benefit - Dental/Vision Insur	234	400	167	-	400	167	42
5045 Worker Compensation Insuranc	495	552	57	-	552	57	10
5050 FICA	1,499	2,817	1,318	-	2,817	1,318	47
5055 Unemployment Insurance	-	262	262	-	262	262	100
5101 Office Supplies	139	347	208	-	347	208	60
5102 Operating Supplies	6	95	89	-	95	89	93
5103 Postage	11	75	64	-	75	64	85
5104 Printing - Forms	587	136	(451)	-	136	(451)	(332)
5106 Promotional	-	30	30	-	30	30	100
5112 Legal	-	500	500	-	500	500	100
5115 Contract/Professional Services	3	2,000	1,997	-	2,000	1,997	100
5120 Cell Phones	173	475	302	-	475	302	64
5121 Telephone - Pager	18	55	37	-	55	37	67
5122 Training - Conference	323	3,000	2,677	-	3,000	2,677	89
5123 Automobile - Transportation	531	1,000	469	-	1,000	469	47
5125 Publications - Books	3	500	497	-	500	497	99
5126 Dues & Memberships	-	295	295	-	295	295	100
5128 Employee Relations	-	25	25	-	25	25	100
5130 Rents - Leases	224	585	361	-	585	361	62
5131 Records Maintenance	78	187	109	-	187	109	58
5135 Maintenance - Repair	125	400	275	-	400	275	69
5138 Office Equipment	-	500	500	-	500	500	100
5141 General Liability Insurance	394	1,454	1,060	-	1,454	1,060	73
5143 Property Insurance	74	238	164	-	238	164	69
5144 Employee Practice Liab Insuran	32	93	61	-	93	61	65
5150 Electricity	53	185	132	-	185	132	71
5151 Natural Gas	3	25	22	-	25	22	88
5152 Water	61	205	144	-	205	144	70
5153 Sewer	33	105	72	-	105	72	68
5164 Regulatory Fees	226	220	(6)	-	220	(6)	(3)
5167 Seismic Fees	-	165	165	-	165	165	100
5171 Computer Software	-	100	100	-	100	100	100
5173 Computer Maintenance - Suppr	48	84	37	-	84	37	43
5174 Web Design Services	17	200	183	-	200	183	92
TOTAL EXPENDITURES	27,058	63,213	36,157	-	63,213	36,157	57

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

12 12 CITY COUNCIL	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5101 Office Supplies	-	95	95	-	95	95	100
5102 Operating Supplies	10	20	10	-	20	10	50
5103 Postage	-	45	45	-	45	45	100
5104 Printing - Forms	188	27	(161)	-	27	(161)	(597)
5106 Promotional	1,550	200	(1,350)	1,500	1,700	150	9
5112 Legal	2,444	4,000	1,556	-	4,000	1,556	39
5115 Contract/Professional Services	-	750	750	-	750	750	100
5122 Training - Conference	2,619	1,750	(869)	-	1,750	(869)	(50)
5123 Automobile - Transportation	311	1,100	789	-	1,100	789	72
5126 Dues & Memberships	-	2,752	2,752	-	2,752	2,752	100
5141 General Liability Insurance	-	642	642	-	642	642	100
5143 Property Insurance	-	99	99	-	99	99	100
5173 Computer Maintenance - Support	-	200	200	-	200	200	100
5174 Web Design Services	-	250	250	-	250	250	100
5900 RFD and Library Water/Sewer	2,622	5,900	3,278	-	5,900	3,278	56
TOTAL EXPENDITURES	9,744	17,830	8,086	1,500	19,330	9,586	50

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

18 18 STREETS - PUBLIC WORKS	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	17,590	62,398	44,808	1,995	64,393	46,803	73
5030 Overtime Salaries	187	-	(187)	-	-	(187)	-
5035 Benefit - ICMA City 457	1,606	5,661	4,055	126	5,787	4,181	72
5040 Benefit - Health Insurance	4,277	15,422	11,146	-	15,422	11,145	72
5042 Benefit - Life Insurance	88	278	190	-	278	190	68
5044 Benefit - Dental/Vision Insur	495	2,158	1,663	-	2,158	1,663	77
5045 Worker Compensation Insuranc	3,223	9,359	6,136	204	9,563	6,340	66
5050 FICA	1,487	4,774	3,287	105	4,879	3,392	70
5055 Unemployment Insurance	233	689	456	-	689	456	66
5060 Clothing Allowance	32	724	692	-	724	692	96
5101 Office Supplies	22	300	278	-	300	278	93
5102 Operating Supplies	380	1,200	820	-	1,200	820	68
5103 Postage	43	20	(23)	-	20	(23)	(115)
5104 Printing - Forms	11	160	149	-	160	149	93
5105 Advertising	23	188	165	-	188	165	88
5108 Streets	6,650	18,000	11,350	-	18,000	11,350	63
5112 Legal	-	850	850	-	850	850	100
5115 Contract/Professional Services	24,913	48,365	23,452	-	48,365	23,452	48
5119 Safety Supplies & Equipment	78	805	727	-	805	727	90
5120 Cell Phones	472	-	(472)	-	-	(472)	-
5121 Telephone - Pager	197	1,700	1,503	-	1,700	1,503	88
5122 Training - Conference	14	250	236	-	250	236	94
5123 Automobile - Transportation	20	150	130	-	150	130	87
5125 Publications - Books	-	10	10	-	10	10	100
5126 Dues & Memberships	19	100	81	-	100	81	81
5127 License	-	10	10	-	10	10	100
5130 Rents - Leases	11	780	769	-	780	769	99
5131 Records Maintenance	5	80	75	-	80	75	94
5135 Maintenance - Repair	801	6,300	5,499	-	6,300	5,499	87
5138 Office Equipment - P.W.	25	130	105	-	130	105	81
5139 Equipment	47	1,200	1,153	-	1,200	1,153	96
5141 General Liability Insurance	1,969	6,241	4,272	-	6,241	4,272	68
5143 Property Insurance	369	1,021	651	-	1,021	652	64
5144 Emp Practice Liab Insurance	161	400	239	-	400	239	60
5150 Electricity	11,115	24,500	13,385	-	24,500	13,385	55
5151 Natural Gas	17	126	109	-	126	109	87
5152 Water	6,725	7,200	475	-	7,200	475	7
5162 Medical	16	60	44	-	60	44	73
5164 Regulatory Fees	159	90	(69)	-	90	(69)	(77)
5171 Property Insurance	-	75	75	-	75	75	100
5173 Computer Maintenance - Suppr	-	415	415	-	415	415	100
5174 Web Design Services	-	125	125	-	125	125	100
5212 Gas & Oil	703	4,350	3,647	-	4,350	3,647	84
5213 Vehicle Repair	258	1,800	1,542	-	1,800	1,542	86
5215 Public Works - Small Tools	73	780	707	-	780	707	91
5217 License	-	10	10	-	10	10	100
5227 Public Works - Equip. Repair	611	1,755	1,144	-	1,755	1,144	65
5229 Public Works - Equip. Rental	43	-	(43)	-	-	(43)	-
5514 Engineering	1,048	5,704	4,656	-	5,704	4,656	82
TOTAL EXPENDITURES	86,216	236,713	150,497	2,430	239,143	152,927	64

YTD Budget Variance by Dept with Revised Budget December 31, 2017

Amounts highlighted under AMENDMENT column are presented as part of the midyear report as budget amendments for Council's approval

19 19 BUILDINGS AND GROUNDS	Y-T-D Actual	Adopted Budget	Adopted Variance	AMENDMENT	AMENDED Budget	AMENDED Variance	% Unspent
TOTAL REVENUE	-	-	-	-	-	-	-
5000 Full Time Salaries	16,247	14,214	(2,034)	354	14,568	(1,679)	(12)
5035 Benefit - ICMA City 457	1,338	1,210	(128)	33	1,243	(95)	(8)
5040 Benefit - Health Insurance	1,731	3,820	2,090	-	3,820	2,089	55
5042 Benefit - Life Insurance	43	71	28	-	71	28	39
5044 Benefit - Dental/Vision Insur	227	541	314	-	541	314	58
5045 Worker Compensation Insuranc	2,952	2,132	(819)	54	2,186	(766)	(35)
5050 FICA	1,355	1,087	(268)	27	1,114	(241)	(22)
5055 Unemployment Insurance	149	177	28	-	177	28	16
5060 Clothing Allowance	-	185	185	-	185	185	100
5080 Hiring Costs	56	-	(56)	-	-	(56)	-
5101 Office Supplies	22	-	(22)	-	-	(22)	-
5102 Operating Supplies	7	-	(7)	-	-	(7)	-
5103 Postage	-	17	17	-	17	17	100
5104 Printing - Forms	12	40	28	-	40	28	70
5106 Promotional	-	32	32	-	32	32	100
5107 Memorial Park Expense	92	1,100	1,008	-	1,100	1,008	92
5109 Chemicals	-	80	80	-	80	80	100
5112 Legal	-	100	100	-	100	100	100
5115 Contract/Professional Services	3	-	(3)	-	-	(3)	-
5119 Safety Supplies & Equipment	-	155	155	-	155	155	100
5120 Cell Phones	302	197	(105)	-	197	(105)	(53)
5121 Telephone - Pager	21	47	26	-	47	26	55
5122 Training - Conference	-	10	10	-	10	10	100
5123 Automobile - Transportation	-	15	15	-	15	15	100
5125 Publications - Books	3	12	9	-	12	9	75
5130 Rents - Leases	140	157	17	-	157	17	11
5131 Records Maintenance	1	18	17	-	18	17	94
5135 Maintenance - Repair	1,320	1,557	237	-	1,557	237	15
5136 Parks Maintenance - Repair	-	2,023	2,023	-	2,023	2,023	100
5139 Equipment	-	800	800	-	800	800	100
5141 General Liability Insurance	454	1,450	996	-	1,450	996	69
5143 Property Insurance	85	586	501	-	586	501	85
5144 Emp Practice Liab Insurance	37	229	192	-	229	192	84
5150 Electricity	163	1,110	947	-	1,110	947	85
5151 Natural Gas	3	40	37	-	40	37	93
5152 Water	5,478	1,072	(4,406)	-	1,072	(4,406)	(411)
5173 Computer Maintenance - Supp	55	69	14	-	69	14	20
5174 Web Design Services	19	295	276	-	295	276	94
5212 Gas & Oil	-	500	500	-	500	500	100
5215 Public Works - Small Tools	24	150	126	-	150	126	84
5227 Public Works - Equip. Repair	32	800	768	-	800	768	96
5229 Public Works - Equip. Rental	-	500	500	-	500	500	100
TOTAL EXPENDITURES	32,371	36,598	4,228	468	37,066	4,695	13

ANNUAL BUILDING PERMIT ACTIVITY REPORT - 2017

BUILDING PERMIT FEES

MONTH	PERMITS	4410 - BUILDING	4440 - PLAN CHECK	4445 - ADMIN.	4463 - ED FEE	4464 - TECH FEE
JANUARY	9	943.73	256.5	872.73	7.11	15.96
FEBRUARY	6	330.39	62.07	521.7	3.66	8.23
MARCH	8	4397.76	362.07	530.08	4.12	9.28
APRIL	9	2847.37	-237.93	2300.47	21.83	48.43
MAY	13	1233.82	1144.55	1550.15	13.89	30.35
JUNE	7	4675.36	1214.04	4775.91	45.8	102.8
JULY	11	1517.53	138.74	1133.02	14.12	24.11
AUGUST	8	830.42	222.27	774.48	5.16	16.45
SEPTEMBER	7	1078.24	0	695.88	6.08	16.0
OCTOBER	7	739.04	1155.13	437.29	6.16	15.52
NOVEMBER	4	1010.84	0	667.17	4.74	10.65
DECEMBER	4	760.45	0	501.92	5.06	11.38
TOTAL	84	16406.95	4317.44	14760.8	130.62	293.20
					\$	35,622.92

BUILDING PERMIT LOG CITY OF RIO DELL

DATE	PERMIT NO.	APPLICANT/OWNER	CONTRACTOR	APN/ADDRESS	DESCRIPTION OF WORK	VALUATION
1/9/2017	11704	KERRY PERKETT	SOUTH BAY ELECTRIC	1421 D. EEOA AVE.	REPAIR ELECTRICAL	
1/12/2017	11705	SUSAN PRYOR	RCAA	355 DOUGLAS ST.	REPLACE 8 WINDOWS	1,278
1/20/2017	11706	MARIA COSTA	REDWOOD EMPIRE ROOF	110 KELLY ST.	RE-ROOF RESIDENCE	15,480
1/20/2017	11707	VIEGAS PROPERTIES	REDWOOD EMPIRE ROOF	278 WILDWOOD AVE.	RE-ROOF RESIDENCE	8,160
1/27/2017	11708	JAMES GRAHAM	RON HOFFMAN	420 FIRST AVE.	100 ELECTRICAL UPGRADE	
1/30/2017	11709	DAN COLLINGS	COLBURN ELECTRIC	104 DOUGLAS ST.	ELECTRICAL FOR HOT TUB	
2/6/2017	21701	DONNA McCALL	AN ELECTRICIAN	450 EDWARDS DR.	100 ELECTRICAL UPGRADE	
2/7/2017	21702	CORY LEACH	CORY LEACH CONST.	183 THIRD AVE.	FIRE DAMAGE REPAIR	30,000
2/7/2017	21703	FRANK WILSON	SIX RIVERS SOLAR	56 N. PACIFIC AVE.	PV SOLAR SYSTEM	26,000
2/12/2017	21704	ELIZABETH KLOPPER	BARRER CONSTRUCTION	410 PAINTER ST.	ELEC/PLUMBING	8,000
2/27/2017	21705	D. BIANCHI	MAPLES PLUMBING	195 WILDWOOD AVE.	SEWER LINE & CLEANOUT	
2/28/2017	21706	HARRY SMITH	AMBROSINI ELECTRIC	770 WILDWOOD AVE.	200 AMP ELEC. & SUBPANEL	
3/3/2017	31701	SHIRLEY DOWD	DIAMOND PLUMBING	895 RIVERSIDE DR.	SEWER CLEANOUT	
3/3/2017	31702	SHIRLEY DOWD	DIAMOND PLUMBING	988 PACIFIC AVE.	SEWER CLEANOUT	
3/3/2017	31703	SHIRLEY DOWD	DIAMOND PLUMBING	167 W. TOWNSEND	SEWER CLEANOUT	
3/6/2017	31704	M. GIACOMINI	CONCEPTUAL ELECTRIC	780 WILDWOOD AVE.	100 AMP ELECTRICAL UPGRADE	VOID
3/10/2017	31705	JAMES HOLLAND	TOM COOPER	955-985 BLUFF PLACE	REPAIRS	7,500
3/16/2017	31707	ROOT 101	JAY CHAMBERLAIN CONST.	770 WILDWOOD AVE.	COMMERCIAL REMODEL	85,000

BUILDING PERMIT LOG CITY OF RIO DELL

DATE	PERMIT NO.	APPLICANT/OWNER	CONTRACTOR	APN/ADDRESS	DESCRIPTION OF WORK	VALUATION
3/20/2017	31708	LAWRENCE DEKAT	LEGACY ELECTRIC	471 SECOND AVE.	100 AMP ELECTRICAL UPGRADE	
4/4/2017	41701	JARED WILSON	VENTURE SOLAR	1108 TYME CT.	PV SOLAR SYSTEM	19,400
4/4/2017	41702	MERILYN ROSS	MIKE BROWN	1110 RIO VISTA LANE	PV SOLAR SYSTEM	
4/11/2017	41703	SCOTT WHEELER	JEDD AMBROSINI	950 DISNMORE RANCH	REINSTATE ELECTRICAL	
4/18/2017	41704	TAMARA PAUL	AMERICAN SOLAR MGMT	110 FIRST AVE.	PV SOLAR SYSTEM	18,900
4/19/2017	41705	MICHELLE BUSHNELL	EVANS MECHANICAL	680 GUNNERSON LANE	60K BTU FURNACE	3,500
4/25/2017	41706	TIM MARKS	McMURRAY & SONS ROOF	560 VIEW AVE.	RE-ROOF RESIDENCE	14,390
4/25/2017	41707	TIM MARKS	McMURRAY & SONS ROOF	80 MONUMENT ROAD	RE-ROOF RESIDENCE	11,160
4/27/2017	41708	MATT GIACOMINI	CONCEPTUAL ELECTRIC	780 WILDWOOD AVE.	100 AMP ELECTRICAL UPGRADE	
4/28/2017	41709	PATRICK KNIGHT	N/A	590 PACIFIC AVE.	PLUMBING	
5/3/2017	51701	A&M NORTHWESTERN	A.F. BUILDERS	913 HILDA CT.	NEW. S.F.R.	156,804
5/3/2017	51702	A&M NORTHWESTERN	A.F. BUILDERS	917 HILDA CT.	NEW. S.F.R.	159,840
5/11/2017	51703	FANNY MAE	LORNE JULIEN CONST.	470 SECOND AVE.	SEWER LATERAL/CLEANOUT	
5/16/2017	51704	RIO DELL APTS.	TROY SKIPPER CONST.	753 RIGBY AVE.	ROOF TRUSS REPAIR	7,841
5/16/2017	51705	WALTER GIACIOMINI	DeBIAGGIO CONSTRUCTION	2370 RIO VISTA LANE	BEDRM/BATHRM ADDITION	70,000
5/18/2017	51706	WAYNE DUNHAM	N/A	108 OGLE AVE.	RE-ROOF RESIDENCE/SIDING	5,790
5/16/2017	51707	SHIRLEY DOWD	EEL VALLEY PLUMBING	111 MONUMENT ROAD	SEWER LATERAL/CLEANOUT	
5/16/2017	51708	SHOTZ COFFEE	WYCKOFF'S PLUMBING	541 WILDWOOD AVE.	GAS WATER HEATER	

BUILDING PERMIT LOG - CITY OF RIO DELL

DATE	PERMIT NO.	APPLICANT/OWNER	CONTRACTOR	APN/ADDRESS	DESCRIPTION OF WORK	VALUATION
5/17/2017	51709	SHIRLEY DOWD	EEL VALLEY PLUMBING	895 RIVERSIDE DR.	SEWER LATERAL	
5/22/2017	51710	JAMES HOLLAND	KEITH MANN CONST.	955-985 BLUFF PLACE	REPAIRS	3,300
5/25/2017	51711	GEORGE PATMORE	TOM COOPER	510 PAINTER ST.	RELOCATE POLE/200 AMP ELEC.	
5/31/2017	51712	KREATIONS AUTO	UNITED CARPORTS	750 WILDWOOD AVE.	CARPORT	49,000
6/1/2017	61701	ANDREW BOWLES	REDWOOD EMPIRE ROOF	494 WALKER LANE	ROOF/ELEC. PANEL/WTR. HEATER	8,700
6/6/2017	61702	ALBERT HOUGHTON	T & T ROOFING	940 CURTIS LANE	RE-ROOF RESIDENCE	8,000
6/8/2017	61703	PAUL HUTCHERSON	N/A	1185 EELOA AVE.	RE-ROOF DECK COVER	
6/14/2017	61704	JACKIE WILSON	W & W MOBILE HOMES	133 SECOND AVE.	14 X 52 MOBILE HOME INSTALL	11,828
6/19/2017	61705	GERALD SOHO	ALVES, INC.	693 SIDE ST.	RE-ROOF RESIDENCE	7,725
6/21/2017	61706	ROOT 101	N/A	770 WILDWOOD AVE.	PROPANE TANK	
6/21/2017	61707	CAL FISHER	HUMBOLDT SOLAR	210 BELLEVIEW AVE.	PV SOLAR EXTENSION	15,000
7/6/2017	71701	DENNIS CACREN	N/A	609 RIGBY AVE.	SIDING/FASCIA/GUTTERS	3,000
7/10/2017	71702	RANDY MAYNARD	N/A	648 RIGBY AVE.	GARAGE/SIDING/ROOF	12,150
7/12/2017	71703	WALTER GIACOMINI	DCI BUILDERS	2370 RIO VISTA DR.	RE-ROOF RESIDENCE	12,150
7/17/2017	71704	ADAM DIAS	N/A	383 WILDWOOD AVE.	RE-ROOF RESIDENCE	
7/17/2017	71705	GARY GALLION	REDWOOD EMPIRE ROOF	144 SPRING ST.	RE-ROOF RESIDENCE	4,780
7/17/2017	71706	BRAD HARRINGTON	REDWOOD EMPIRE ROOF	271 CHERRY LANE	RE-ROOF CARPORT	1,750
7/17/2017	71707	RACHEL SOVEREIGN	REDWOOD EMPIRE ROOF	1078 RIVERSIDE DR.	RE-ROOF RESIDENCE	9,360

BUILDING PERMIT LOG CITY OF RIO DELL						
DATE	PERMIT NO.	APPLICANT/OWNER	CONTRACTOR	APN/ADDRESS	DESCRIPTION OF WORK	VALUATION
42936	71708	TIM MARKS	McMURRAY & SONS	109 FIRST AVE.	RE-ROOF RESIDENCE	6300
42936	71709	DAN LOMIGILO	McMURRAY & SONS	306 CHERRY LANE	RE-ROOF RESIDENCE	5100
42936	71710	JAMIE COHOON	McMURRAY & SONS	212 BELLEVIEW AVE.	RE-ROOF RESIDENCE	12960
42944	71711	TIM ROSCOE	N/A	98 PAINTER ST.	(2) SHIPPING CONTAINERS	1500
42956	81701	CHARLES SHEID	ROTO-ROOTER	120 FIRST AVE.	SEWER LATERAL & CLEANOUT	2289
42956	81702	TAMARA PAUL	JENKINS CONSTRUCTION	110 FIRST AVE.	200 AMP ELECTRICAL UPGRADE	
42957	81703	CITY OF RIO DELL	WAHLUND CONST.	1042 NORTHWESTERN	METRO WELLS PROJECT	1879076
42964	81704	IRENE BOLEN	RANDOLF ARMSTRONG	1080 MAY AVE.	RE-ROOF RESIDENCE	5488
PENDING	81705	JIM GLEATON	N/A	188 CENTER ST.	DETACHED GARAGE	
42969	81706	FATIMA GRIFFITH	REDWOOD EMPIRE	545 GUNNERSON LANE	RE-ROOF RESIDENCE	11840
42969	81707	A. BEIDLEMAN	REDWOOD EMPIRE	161 BIRCH ST.	RE-ROOF RESIDENCE	6910
42977	81708	JIM BARSANTI	McMURRAY & SONS	190 S. CHERRY LANE	RE-ROOF RESIDENCE	15540
42979	91701	HUMBOLDT PETROLEUM	BEACOM CONSTRUCTION	582 WILDWOOD AVE.	REPIPE 3 SUMPS	15000
42983	91702	HELEN BROVELI	BARRY SMITH CONST.	790 IRELAND AVE.	GAS WALL HEATER	5700
42984	91703	HELEN BROVELI	BARRY SMITH CONST.	790 IRELAND AVE.	FLOOR REPAIR FOR HEATER	2000
42984	91704	BARBARA PEAVEY	BARRY SMITH CONST.	375 WILDWOOD AVE.	COMMERCIAL REPAIRS	2445
42992	91705	WILLIAM KIDD	ALVES, INC.	494 DAVIS ST.	RE-ROOF RESIDENCE	15800
42999	91706	CITY OF RIO DELL	DCI BUILDERS	675 WILDWOOD AVE.	ADA PORCH & WINDOWS	296000
43004	91707	ELIZABETH LAYTON	K-DESIGNERS	160 COLUMBUS ST.	REPLACE (8) WINDOWS	15050

BUILDING PERMIT LOG - CITY OF RIO DELL

DATE	PERMIT NO.	APPLICANT/OWNER	CONTRACTOR	APN/ADDRESS	DESCRIPTION OF WORK	VALUATION
10/3/2017	101701	GRAHAM HILL	N/A	275 OGLE AVE.	RE-ROOF RESIDENCE	5,000
10/10/2017	101702	STEVE PICKER	EEL RIVER PLUMBING	110 DAVIS ST.	SEWER LATERAL/CLEANOUT	
10/11/2017	101703	RIO DELL BAPTIST	PLUMB CONSTRUCTION	110 BUTCHER ST.	SIDING & WINDOWS	14,200
10/12/2017	101704	JAMES OBERG	McKEEVER ENERGY	174 GRAYLAND HGTS.	200 ELECTRICAL/HOT TUB	
10/17/2017	101705	JOE ROCHA	BARRY SMITH CONST.	88 DIXIE ST.	REMODEL/REPAIRS	19,100
PENDING	101706	ABE FOCKAERT	A.F. BUILDERS	115-145 BERKELEY ST.	4-PLEX	440,424
10/26/2017	101707	NATHAN DOWNEY	N/A	530 THIRD AVE.	RE-ROOF RESIDENCE	
11/6/2017	111701	DENNIS MARKS	McMURRAY & SONS	1264 RIVERSIDE DR.	RE-ROOF RESIDENCE	17,820
11/6/2017	111702	MICHAEL COOP	McMURRAY & SONS	561 FOURTH AVE.	RE-ROOF RESIDENCE	12,810
11/8/2017	111703	CHURCH OF CHRIST	RICHTER CONSTRUCTION	375 MONUMENT RD	GAS WATER HEATER	
11/16/2017	111704	EVERETT PRITCHETT	SAFE-STEP WALK-IN TUBS	355 PACIFIC AVE.	WALK-IN TUB	7,500
12/6/2017	121701	WILL DeGRANDE	N/A	267 BELLEVIEW AVE.	SIDING/SINDOWS	4,000
12/14/2017	121702	KELLY O'DONALD	McMURRAY & SONS	610 GUNNERSON LN.	RE-ROOF RESIDENCE	10,260
12/14/2017	121703	101 AUTO PARTS	McMURRAY & SONS	33 CENTER ST.	RE-ROOF BUSINESS	22,980
12/18/2017	121704	DAVID ELWAY	WYCKOFF'S	725 WALNUT DR.	SEWER LATERAL/CLEANOUT	
12/29/2017	121705	KATHY WILDGRUBE	N/A	6 PAINTER ST.	CARGO/SHIPPING CONTAINERS	1,500
12/29/2017	121706	TRAVIS WILDGRUBE	N/A	296 CENTER ST.	CARGO/SHIPPING CONTAINERS	1,500



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**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
February 6, 2017**

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Brooke Woodcox, Finance Director *BW*

DATE: February 6, 2017

SUBJECT: Measure Z Funding 2nd Quarter Report – FY 2017/18

RECOMMENDATION

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

BACKGROUND AND DISCUSSION

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

Measure Z funded administrative assistance allows the RDPD doors to reliably be open four days per week and gives officers more time to focus on law enforcement duties. In addition, code enforcement which is an integral part of the position, show a total of 194 complaints received with 170 cases closed since July 2015.

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

ATTACHMENT S

Measure Z Quarterly Narrative Report Form – Q2 2017/18

COUNTY OF HUMBOLDT – MEASURE Z

Quarterly Narrative Report Form

Organization Name: CITY OF RIO DELL Report Date: December 31, 2017

Contact Name: Brooke Woodcox Phone: 707.764.3532

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

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

Measure Z funding is strikingly important for the City of Rio Dell. By having the Records Technician in the Police Department law enforcement response times are shortened and the doors are open more often. Overall, the community is better served by having support available in the Police Department to immediately assist the public. Without Measure Z open doors would be sporadic and unreliable and response times lengthened.

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

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

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

	1ST QTR	2ND QTR	3RD QTR	4TH QTR	CURRENT YEAR	PRIOR YEARS	PROGRAM TOTAL
OPENED CASES (New)	40	7			47	147	194
CLOSED CASES (All)	42	24			66	104	170
CASES OPEN AT December 31, 2017							24

During the 2nd quarter for FY 2017/18 seven (7) new code enforcement cases were received. The majority were for vehicle nuisances (6) while one (1) complaint was for animal nuisance. For the period of the 2nd quarter a total of twenty-four (24) cases had been closed. This fiscal year total shows an additional forty (40) reported complaints: Garbage (1), visual blight (6), trailer camping (1), building/land use (4) vehicles (7), and marijuana (21).

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

The four day a week clerical position adds safety to the community by designating more time that an officer can spend in the field, instead of simultaneously having to be available for active patrol and customer assistance at the Police Department. Without Measure Z funding administrative support in the Police Department would be lost potentially allowing victims of crime undue harm due to prolonged wait times.


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



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February 06, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Presentation and Discussion on City Engineering Projects

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentation.

BACKGROUND AND DISCUSSION

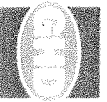
The City's engineering firm, GHD, will provide an update on projects for the City.

Attached is the draft Powerpoint for the presentation.

///

City Engineer Update

- **Transportation**
 - Rio Dell Safety Improvement and Community Outreach Project
 - Next Round ATP funding
- **Minor Drainage Improvement Projects**
- **Wastewater System**
 - Backwash Line rerouting
 - Sewer Line Upsizing Evaluation
 - SSES
- **Water System**
 - Metropolitan Wells Project
 - Drinking Water SRF Planning Project



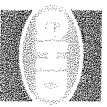
Safety and Community Outreach Project

Overview of Proposed Improvements Background

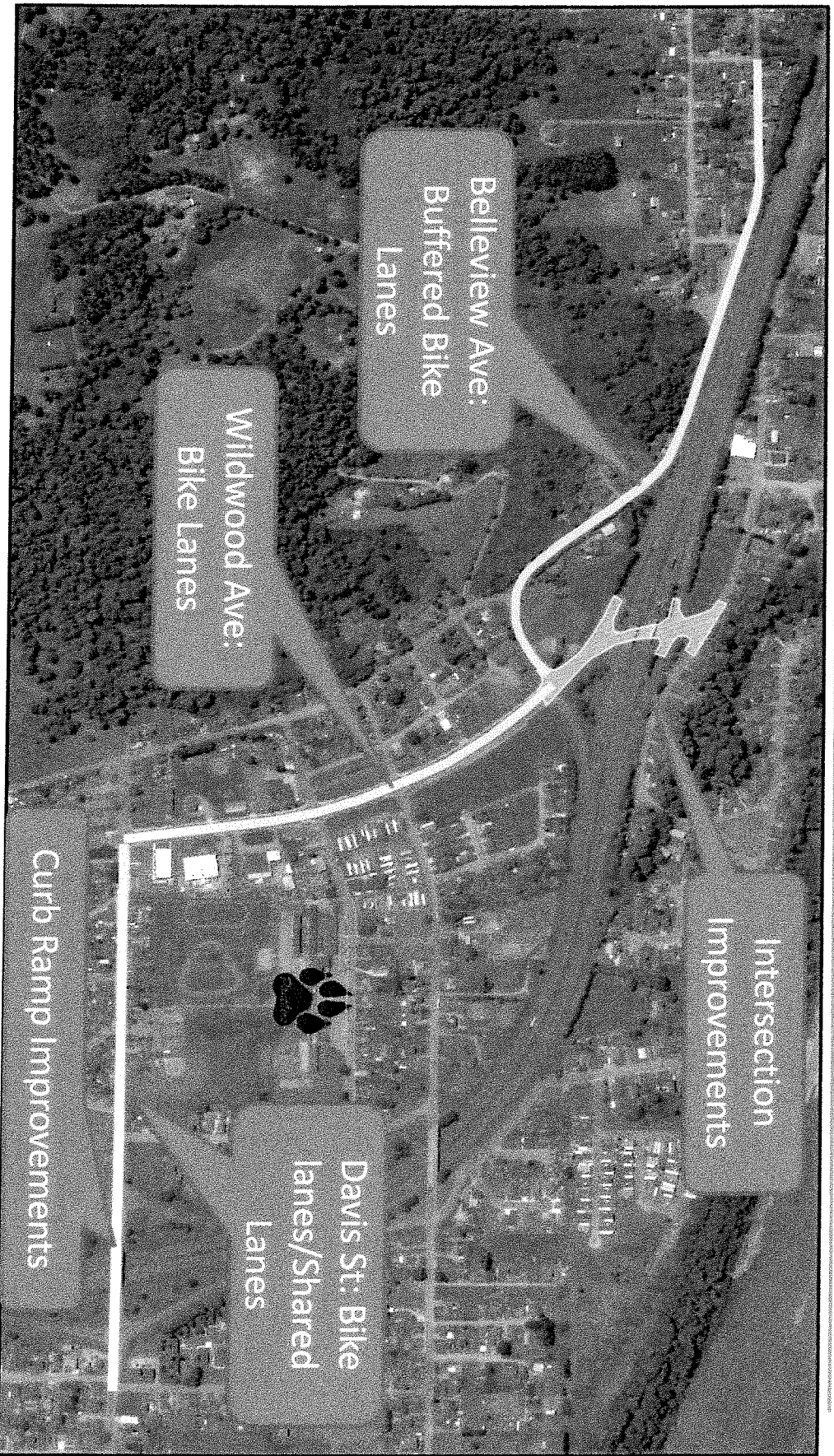
In October 2015, the **City was awarded *\$1.533 M** of ATP Cycle 2 funds for the project (1 of 6 Humboldt County projects totaling \$6.7 M)

P&ED (Project Approval & Environmental Document)	• \$80,000
PS&E (Plans, Specifications & Estimates)	• \$140,000
Right-of-Way	• \$100,000
Construction	• \$1,177,000
Non-Infrastructure	• \$36,000

* No city match funds



Safety and Community Outreach Project Overview of Proposed Improvements



City of Rio Dell SRTS Safety and Community Outreach Project

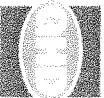
Recent Activity/ Next Steps

- **Finalized PA&ED Phase**
 - School Board/ Public Meeting held September 13 to review the preliminary design
- **PS&E Phase**
 - Funding Allocated at the January 2018 CTC Meeting
 - As project progresses, if cost efficiencies identified, additive items within the project approved scope could be added.
- **Non-Infrastructure Phase**
 - Can be initiated anytime between now and construction
- **Begin Construction**
 - April 2019 Funding Allocation Deadline



Active Transportation Project Cycle 4

- **March 2018 Draft ATP Guidelines Due Out**
- **April 2018 – Recommended Community Workshop to Review Potential Improvements**
- **May 2018 Call for Projects**
- **July 2018 Applications due to Caltrans**



City of Rio Dell SRTS Safety and Community Outreach Project

Minor Drainage Improvement Projects

- Spring Street & Belleview
- Miscellaneous Drainage Repairs Along Northwestern Avenue
- Culvert Repair on Pacific and Belleview
- Monument Road Sidewalk Issue
- Develop bid package to get projects to bid quickly to be completed this summer



Wastewater System Projects

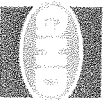
- **Water Plant Filter Backwash Drain Realignment**
 - Allows solids to settle out before water is sent to the wastewater plant
 - Allows the City to control back flows to the plant and reduce peak flows.
 - Ready for bid package development
- **Sewer Line Upsizing**
 - Increases the size/capacity of the sewer line from Davis St. manhole to the Wastewater Plant to reduce sewer overflows
 - Draft concept alignment under review
- **Sanitary Sewer Evaluation Study Grant Application**
 - Application submitted



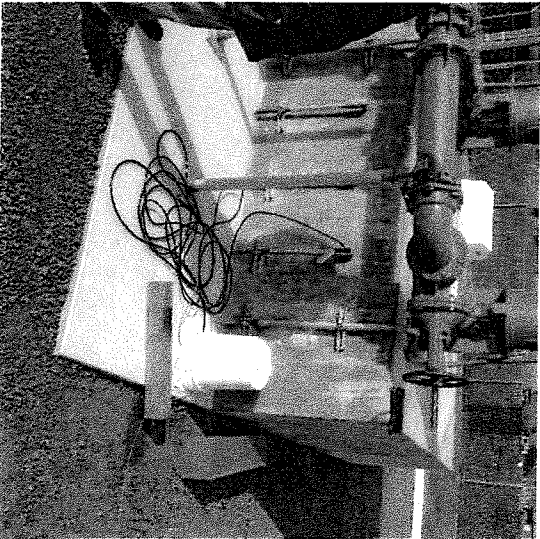
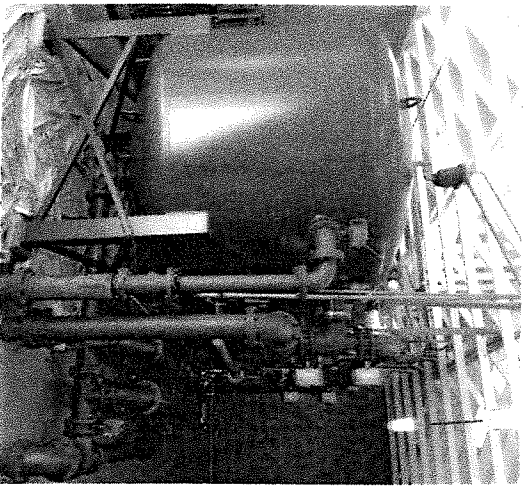
Metropolitan Wells Project

Construction – Status

- All Major Construction Complete
- Final Acceptance Testing Complete
- Final Controls Testing Underway

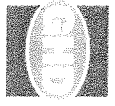


Metropolitan Wells Project



Metropolitan Wells Project Funding Summary

Funding Source	Budget
DWR Prop 84 Grant	\$ 783,000
ECWAG	\$ 373,200
DWSRF	\$ 665,876
City Contribution	\$ 57,000
Total	\$1,879,076



Metropolitan Wells Project Funding Status

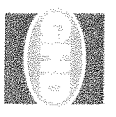
Funding Source	Budget
Total Costs Spent to Date	\$ 1,749,360
Estimated Remaining Costs	\$ 85,972
Estimated Remaining Budget	\$ 43,744
Total Project Budget	\$1,879,076



Metropolitan Wells Project Generator

Funding Source	Budget
Estimated Maximum Generator Cost	\$ 90,000
Estimated Grant Funds Remaining	\$ 43,744
Additional Estimated City Contribution for Generator Purchase*	\$ 46,256

With additional City contribution for Generator Funds – City’s total contribution is \$103,256 or ~5.4% of the total project costs.



Drinking Water SRF Planning Project



- **City received final SWRCB Grant Agreement!**
- Scope of Work Includes:
 - Evaluation of the Painter Street Tank, Redwood Douglas Tank No. 2, distribution system piping and SCADA improvements
 - CEQA and Permitting
 - Design
- Planning Grant Budget: \$433,300



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



For Meeting of: February 6, 2018
 Consent Item; Public Hearing Item

To: City Council
From: Kevin Caldwell, Community Development Director 
Through: Kyle Knopp, City Manager 
Date: January 29, 2018
Subject: Amendment of the Medical Cannabis Regulations, Section 17.30.195 Rio Dell Municipal Code.

Recommendation:

That the City Council:

1. Introduce (first reading) Ordinance No. 364-2018 amending the City's Commercial Cannabis Regulations to (1) allow Adult "A" cannabis activities; (2) include a preamble regarding the City's desire to foster medicinal cannabis research and development; (3) incorporate definitions of State licensing types; and (4) to require all cannabis operators/licensees to hold a Medical or "M" type State license Receive staff's report regarding amending Section 17.30.195 of Rio Dell Municipal Code, the City's Medical Cannabis Regulations; and
2. Open the public hearing, receive public input and deliberate; and
3. Continue consideration, approval and adoption of the proposed Ordinance to your meeting of February 20, 2018.

Background and Discussion

As the Council is aware the City adopted the Medical Cannabis Land Use Ordinance (MCLUO) prior to the approval of Proposition 64, the Adult Use of Marijuana Act (AUMA). As a result of the passage of Proposition 64, the State has eliminated the Medical Cannabis Regulation and Safety Act (MCRSA) and created the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

Throughout the State municipalities and counties are or have amended their medical cannabis land use regulations to allow for Adult "A" cannabis activities consistent MAUCRSA. Locally, Humboldt County, Eureka and Arcata are in the process of eliminating references to medical commercial cannabis so as to allow both recreational and medical cannabis activities.

Your Council discussed the possibility of eliminating references to medical commercial cannabis so as to allow both recreational and medical cannabis activities at their meeting on January 16, 2018. The meeting was well attended by the stakeholders who basically stated that they needed access to the adult market in order to be competitive and successful in this new legal market.

Staff prepared a handout for the January 16th Council meeting that includes among other things the advantages of expanding our regulations to allow both Medical "M" and Adult "A" activities over at the Humboldt Rio Dell Business Park. The City's current regulations limit opportunities for our local developers as identified below:

- Manufactures are restricted to purchase only Medicinal (M) raw materials. Most local farmers are focusing on the larger Adult (A) market.
- The approved testing lab (DigiPath) would be limited to testing only Medicinal (M) products. This only allows access to about 25% of the potential market.
- Processers and distributors would also be limited to processing and distributing Medicinal (M) products. Again that's only about 25% of the expected market.
- Nurseries, including tissue culture propagation would be limited to Medicinal (M) plants. The proposed nurseries would not be able to provide nursery stock to the regional farmers and to our local citizens who cultivate for their personal recreation use.
- Rio Dell is at a competitive disadvantage to not only other local jurisdictions, but jurisdictions and businesses up and down the State.

At your meeting on January 16, 2018 the Council requested a Study Session with the Planning Commission to discuss the possible changes to the City's commercial cannabis regulations. Your Council and the Planning Commission met on January 23rd to discuss the possible changes and to hear from some of the stakeholders.

After a lengthy discussion, the Council and Commission made some suggestions, including requiring that all operators/licensees hold a Medical "M" State license, incorporating a preamble in the Ordinance regarding the City's desire to foster medicinal cannabis research and development and to incorporate definitions of the various State licensing types.

The Planning Commission convened immediately following the Study Session to consider the recommended amendments, including those referenced above. The Planning Commission unanimously approved the proposed amendments to the City's commercial cannabis regulations.

Procedures for Zoning Ordinance Amendments

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

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.35.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.
- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.
- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.
- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

The proposed amended regulations are in the public interest in that (1) they are consistent with the new State regulations; (2) will allow for or facilitate additional jobs; and (3) will generate additional revenue through the voter approved cannabis excise taxes applied to the cannabis businesses at the Humboldt Rio Dell Business Park. Should the amendments not be approved, it was clear that some, possibly most of the developers would not be investing millions of dollars in the Community.

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

One of the primary purposes of the General Plan is to facilitate planned, orderly development and to promote economic development, and protect the public health, safety and welfare of the community. There are a number of policies which encourage a vibrant commercial community. The proposed minor amendments certainly increase the opportunity for economic development within the City. There are no specific General Plan goals, policies or discussions that are contrary to the recommended amendments. Therefore, staff believes the proposed regulations are consistent with the General Plan.

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

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

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

Attachments:

Attachment 1: Draft Ordinance No. 364-2018 amending the City's Commercial Cannabis Regulations to (1) allow Adult "A" cannabis activities; (2) include a preamble regarding the City's desire to foster medicinal cannabis research and development; (3) incorporate definitions of State licensing types; and (4) to require all cannabis operators/licensees to hold a Medical or "M" type State license

ORDINANCE NO. 364-2018



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE MEDICAL CANNABIS REGULATIONS, SECTION 17.30.195 RIO DELL MUNICIPAL CODE TO ELIMINATE THE REFERENCE TO MEDICAL OR MEDICINAL CANNABIS AND TO INCLUDE SOME NEW DEFINITIONS AND OTHER MINOR CHANGES CONSISTENT WITH THE NEW STATE REGULATIONS.

WHEREAS the City adopted the Medical Cannabis Land Use Ordinance (MCLUO) prior to the approval of Proposition 64, the Adult Use of Marijuana Act (AUMA); and

WHEREAS as a result of the passage of Proposition 64, the State eliminated the Medical Cannabis Regulation and Safety Act (MCRSA) and created the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA); and

WHEREAS throughout the State municipalities and counties are or have amended their medical cannabis land use regulations to allow for Adult "A" cannabis activities consistent MAUCRSA; and

WHEREAS locally, Humboldt County, Eureka and Arcata are in the process of eliminating references to medical commercial cannabis so as to allow both recreational and medical cannabis activities; and

WHEREAS the City Council discussed the possibility of eliminating references to medical commercial cannabis so as to allow both recreational and medical cannabis activities at their meeting on January 16, 2018; and

WHEREAS the meeting was well attended by the stakeholders who basically stated that they needed access to the adult market in order to be competitive and successful in this new legal market; and

WHEREAS the City's current regulations limit opportunities for our local developers as identified below:

- Manufactures are restricted to purchase only Medicinal (M) raw materials. Most local farmers are focusing on the larger Adult (A) market.
- The approved testing lab (DigiPath) would be limited to testing only Medicinal (M) products. This only allows access to about 25% of the potential market.
- Processers and distributors would also be limited to processing and distributing Medicinal (M) products. Again that's only about 25% of the expected market.
- Nurseries, including tissue culture propagation would be limited to Medicinal (M) plants. The proposed nurseries would not be able to provide nursery stock to the regional farmers and to our local citizens who cultivate for their personal recreation use.
- Rio Dell is at a competitive disadvantage to not only other local jurisdictions, but jurisdictions and businesses up and down the State; and

WHEREAS the proposed changes are really minor in nature. Basically for the most part, staff is recommending that the reference to medical or medicinal cannabis be eliminated; and

WHEREAS there are also some new definitions and other minor changes consistent with the new State regulations; 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 staff presented the Planning Commission with the proposed changes at their meeting of January 23, 2018; and

WHEREAS the Planning Commission recommended some minor changes to (1) include a preamble regarding the City's desire to foster medicinal cannabis research and development; (2) incorporate definitions of State licensing types; and (3) to require all cannabis operators/licensees to hold a Medical or "M" type State license; and

WHEREAS cannabis operators/licenseses may hold an Adult or “A” type State license as well; and

WHEREAS the City Council finds that based on evidence on file and presented in the staff report that the proposed amendments are consistent and compatible with a comprehensive view of the General Plan and any implementation programs that may be affected; and

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

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

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

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

1. Finds that the proposed amendments are in the public interest and consistent with an overall comprehensive view of the General Plan; and
2. Finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and
3. Finds that based on the nature of the proposed amendments, 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; and
4. Approves and adopt Ordinance No. 364-2018 amending the Medical Cannabis Regulations, Section 17.30.195 Rio Dell Municipal Code to eliminate the reference to medical or medicinal cannabis and to include some new definitions and other minor changes consistent with the new State regulations.

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

Section 1

Section 17.30.195 ~~Medical Cannabis Commercial Cannabis~~ Land Use Regulations

(1) Authority and Title

This Section shall be known as the ~~Medical Cannabis Commercial Cannabis~~ Land Use Ordinance (“~~MCCLUO~~”) (CCLUO), which provides for the regulation of Commercial Cultivation, Processing, Manufacturing ~~and distribution~~ and testing of cannabis for medical use, as defined in this Code, located within the City of Rio Dell.

(2) Purpose and Intent

~~The purpose of this Section is to establish land use regulations concerning the commercial cultivation, processing, manufacturing and distribution of cannabis for medical use within the City of Rio Dell in order to limit and control such cultivation in coordination with the State of California in the implementation of the Medical Cannabis Regulation and Safety Act (MCRSA)(SB 643, AB 266, and AB 243 as adopted September 11, 2015, and approved by the Governor on October 9, 2015), so as to ensure the health and safety of employees, independent contractors, visitors to the area, neighboring property owners, and end users of medical cannabis; to protect the environment from harm to streams, fish, and wildlife; to ensure the security of the medical cannabis; and to safeguard against the diversion of medical cannabis for non-medical purposes. It is intended to address the City of Rio Dell’s prerogative to permit, and control commercial cultivation, processing, manufacturing and distribution of cannabis for medical cannabis as set forth in the MCRSA, including, but not limited to the provisions of Business and Professions Code Sections 19315, 19316, 19320, 19322, 19332, and 19360 and Health and Safety Code Section 11362.777, in conjunction with state licensing requirements, in order to protect the public health, safety, and welfare of the residents of the City of Rio Dell, and to reduce or eliminate any adverse environmental effects of existing commercial cannabis cultivation operations in the City of Rio Dell, and to prevent adverse environmental effects of any new commercial cannabis activities which may be permitted in the future in accordance with this Section and state law. This Section is not intended to supersede the provisions of Section 17.30.190 of the Rio Dell Municipal Code concerning cultivation of medical cannabis for personal use.~~

The City of Rio Dell is focused on the development of the medical cannabis industry in an effort to better understand the effects of the plant and its constituent elements on various diseases. We encourage the businesses within the industry to focus their efforts towards the medical market and actively seek businesses that conduct medical research as associated

with the cannabis industry. The efforts of the City to better understand the medical benefits of this plant will provide an environment in which research oriented businesses will thrive and encourage new and innovative researchers to locate in Rio Dell. In this light, the City of Rio dell envisions a future for the Humboldt Rio Dell Business Park as a research center for the cannabis industry.

The purpose of this Section is to establish land use regulations concerning the commercial cultivation, processing, manufacturing, distribution and testing of cannabis for medicinal or adult use in order to limit and control such activity.

These regulations are intended to ensure the public health, safety and welfare of residents of the City of Rio Dell, visitors to the City, persons engaged in regulated commercial cannabis activities including their employees, neighboring property owners, and end users of medicinal or adult use cannabis; to protect the environment from harm resulting from cannabis activities, including but not limited to residential neighborhoods, schools, commercial areas; to ensure the security of state-regulated medicinal or adult use cannabis; and to safeguard against the diversion of state-regulated medicinal or adult use cannabis for purposes not authorized by law. To this end, these regulations identify where in the City the various types of commercial cannabis activities can occur, and specify what type of permit is required, the application process and the approval criteria that will apply.

This Section is not intended to supersede the provisions of Section 17.30.190 of this Code concerning cultivation of medical marijuana for personal use by patients or caregivers, or contravene Section 17.30.235 of this code or the provisions of Health and Safety Code section 11357, 11358, 11362.1, 11362.2, or 11362.5 with respect to the possession or cultivation of limited amounts of cannabis for personal use by qualified patients or persons 21 years of age or older.

(3) Applicability and Interpretation

- (a) These regulations shall apply to the location and permitting of commercial cultivation, processing, manufacturing, ~~and distribution~~ and testing of cannabis ~~for medical use~~ in zoning districts within which such use is authorized, as specified in this Section.
- (b) The commercial cultivation, processing, manufacturing, ~~and distribution~~ and testing of cannabis ~~for medical use~~ within the jurisdiction of the City of Rio Dell shall be controlled by the provisions of this Section, regardless of whether those activities existed or occurred prior to the adoption of this Section.
- (c) Nothing in this Section is intended, nor shall it be construed, to exempt the commercial cultivation, processing, manufacturing, ~~and distribution~~ and testing of cannabis ~~for medical use,~~ from compliance with all other applicable zoning, and land use regulations, as well as compliance with any applicable state laws.

- (d) Nothing in this Section is intended, nor shall it be construed, to exempt the commercial cultivation, processing, manufacturing, ~~and distribution~~ and testing of cannabis ~~for medical use~~, as defined herein, from any and all applicable local and state construction, electrical, plumbing, land use, water rights, waste water discharge, streambed alteration, or any other environmental, building or land use standards or permitting requirements.
- (e) Nothing in this Section is intended, nor shall it be construed, to preclude a landlord or property owner from limiting or prohibiting commercial cultivation, processing, manufacturing, ~~and distribution~~ and testing of cannabis ~~for medical use~~ on private property.
- (f) The definitions in this Section are intended to apply solely to the regulations in this section.
- (g) Notwithstanding the fact that Health and Safety Code Section 11362.777 declares that ~~medical~~ cannabis is an agricultural product for purposes of that Section and the ~~MCRSA~~ Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), Business and Professions Code Section 19300, et. seq., the commercial cultivation of cannabis ~~for medical use~~ is a highly regulated specialty crop and cultivation and processing of that specialty crop shall not be allowed as a principal permitted use unless a Conditional Use Permit is first obtained from the City of Rio Dell, and the person engaged in such activity has obtained all state licenses and permits which may be required by the applicable state licensing authorities whenever such licenses become available.
- (h) With the exception of testing laboratories, all cannabis operators/licensees are required to hold a Medical or "M" type State license. Cannabis operators/licensees may hold an Adult or "A" type State license as well.

(4) Release of Liability and Hold Harmless

As a condition of approval for any Conditional Use Permit approved for the commercial cultivation, processing, manufacturing, testing, or distribution of cannabis ~~for medical use~~, as defined herein, the owner or permittee shall indemnify and hold harmless the City of Rio Dell and its agents, officers, elected officials, and employees for any claims, damages, or injuries brought by affected property owners or other third parties due to the commercial cultivation, processing, manufacturing, testing or distribution of cannabis ~~for medical use~~ and for any claims brought by any person for problems, injuries, damages, or liabilities of any kind that may arise out of the commercial cultivation, processing, manufacturing, testing or distribution of cannabis ~~for medical use~~.

(5) Violations, Penalties and Enforcement

All of the remedies provided for in this Section shall be cumulative and not exclusive of remedies available for violations under any other Section of the Rio Dell Municipal Code, State law, including without limitation the MCRSA-Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), and applicable federal law.

Any violation of this Section, including, but not limited to failure to obtain and maintain in good standing the required Conditional Use Permit specified in this Section, shall be, and the same hereby is declared to be, a public nuisance and unlawful and shall be subject to injunction, abatement or any other administrative, civil, or criminal remedy available to the City under the applicable state and City laws, including those set forth in Section 17.40.020 of the Rio Dell Municipal Code- and any or all of the following:

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

(6) Definitions

“Area of Traditional Tribal Cultural Affiliation” means geographic areas of historic occupancy and traditional cultural use by local indigenous peoples (California Native American Tribes), as shown on the latest mapping prepared by the County of Humboldt Planning & Building Department, created from geographic information supplied by the Tribes of Humboldt County.

“Cannabis” means all parts of the plant *Cannabis sativa* Linnaeus, *Cannabis indica*, or *Cannabis ruderalis*, or any other strain or varietal of the genus *Cannabis* that may exist or hereafter be

discovered or developed that has psychoactive or medicinal properties, whether growing or not, including the seeds thereof. "Cannabis" also means cannabis as defined by Section 11018 of the Health and Safety Code as enacted by Chapter 1407 of the Statutes of 1972. For the purpose of this section, "cannabis" does not mean "industrial hemp" as defined by Section 81000 of the Food and Agriculture Code or Section 11018.5 of the Health and Safety Code.

"Cannabis Testing and Research Laboratories" means a facility, entity, or site that offers or performs tests of cannabis or cannabis products licensed by the State of California pursuant to Business and Professions Code section 26000, et. seq., and businesses and research institutions engaged in the research of cannabis, cannabis products, or devices used for the medicinal or adult use of cannabis products at which no commercial cannabis cultivation or distribution, manufacture, dispensing, or sale of medical cannabis occurs.

"Commercial Cannabis Activity" means any activity involving the cultivation, processing, distribution, manufacturing, testing, sale, or related activities, of cannabis for commercial purposes.

"Commercial Cannabis Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis for medical use, including nurseries, that is intended to be transported, processed, manufactured, distributed, dispensed, delivered, or sold in accordance with the Medical Cannabis Regulation and Safety Act (MCRSA) for use by medical cannabis patients in California pursuant to the Compassionate Use Act of 1996 (Proposition 215), found at Section 11362.5 of the Health and Safety Code Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

"Cultivation Area" the area encompassed by the perimeter surrounding the area within which cannabis plants are cultivated. Where plants are cultivated in separated pots, beds or plots, the cumulative total surface area of all such pots, beds or plots, and the surface area underneath the maximum anticipated extent of vegetative growth of cannabis plants to be grown in separate pots, beds or plots, used in combination for a single permitted cultivation operation.

"Cultivation License Types" means the following types of State cultivation licenses:

(a) Specialty Cottage:

- (1) "Specialty Cottage Outdoor" is an outdoor cultivation site with up to 25 mature plants.
- (2) "Specialty Cottage Indoor" is an indoor cultivation site with 500 square feet or less of total canopy.
- (3) "Specialty Cottage Mixed-Light Tier 1 and 2" is a mixed-light cultivation site with 2,500 square feet or less of total canopy.

(b) Specialty:

- (1) "Specialty Outdoor" is an outdoor cultivation site with less than or equal to 5,000 square feet of total canopy, or up to 50 mature plants on noncontiguous plots.
- (2) "Specialty Indoor" is an indoor cultivation site between 501 and 5,000 square feet of total canopy.
- (3) "Specialty Mixed-Light Tier 1 and 2" is a mixed-light cultivation site between 2,501 and 5,000 square feet of total canopy.

(c) Small:

- (1) "Small Outdoor" is an outdoor cultivation site between 5,001 and 10,000 square feet of total canopy.
- (2) "Small Indoor" is an indoor cultivation site between 5,001 and 10,000 square feet of total canopy.
- (3) "Small Mixed-Light Tier 1 and 2" is a mixed-light cultivation site between 5,001 and 10,000 square feet of total canopy.

(d) Medium:

- (1) "Medium Outdoor" is an outdoor cultivation site between 10,001 square feet and one acre of total canopy.
- (2) "Medium Indoor" is an indoor cultivation site between 10,001 and 22,000 square feet of total canopy.
- (3) "Medium Mixed-Light Tier 1 and 2" is a mixed-light cultivation site between 10,001 and 22,000 square feet of total canopy.
- (e) "Nursery" is a cultivation site that conducts the cultivation of cannabis solely as a nursery.
- (f) "Processor" is a site that conducts only trimming, drying, curing, grading, packaging or labeling of cannabis and nonmanufactured cannabis products.

"Cultivation site" means the location or a facility where ~~medical~~ cannabis is planted, grown, harvested, dried, cured, graded, or trimmed, or that does all or any combination of those activities, except where drying, curing, grading or trimming is otherwise prohibited.

“Dispensary” means a facility where medical cannabis, medical cannabis products, or devices (excluding pipes and water pipes) for the use of medical cannabis products are offered, either individually or in any combination, for retail sale.

“Distribution Facility” means the location or a facility where a person licensed with a Type 11 license pursuant to the MCRSA conducts the business of procuring medical cannabis from licensed cultivators or manufacturers for sale to licensed dispensaries retailers, and performs and coordinates the inspection, quality assurance, batch testing by a Type 8 licensee, storage, labeling, packaging and other related processes, prior to transport to licensed dispensaries as well as transportation to or from other licensees.

“Distributor” means a State recognized Type 11 licensed person or entity that conducts the business of procuring cannabis from licensed cultivators and/or manufacturers for sale to licensed retailers, and performs and coordinates the inspection, quality assurance, batch testing and other related processes as well as transportation to and from other licensees.

“Distributor Transport Only” means a State recognized Type 13 licensed person or entity that conducts the business transportation of cannabis products between licensed cultivators, manufacturers and distributors. Does not transport cannabis goods to a retailer except for immature live plants and seeds being transported from a licensed nursery.

“Extraction” means a process by which cannabinoids are separated from cannabis plant material through chemical or physical means.

“Flowering” means that a cannabis plant has formed a mass of pistils measuring greater than one half inch wide at its widest point.

“Greenhouse” means a structure, primarily of glass or clear poly-film or polycarbonate plastic, in which temperature and humidity can be controlled for the cultivation or protection of plants.

“Health and Wellness Center” means an establishment that offers health services for the body and mind, including but not limited to fitness, personal training, nutrition consulting, skin care services, massage, holistic and herbal therapies, therapeutic application and retail sales of medical cannabis products including oils, tinctures, sublingual’s, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sales of flowers, trim, leaf or cannabis infused edibles.

“Indoor” means indoor cultivation using exclusively artificial lighting or a combination of artificial lighting and natural sunlight in a building with a glass, polycarbonate plastic or similar roof.

“Kief” means means the resinous trichomes of cannabis that may accumulate in containers or be sifted from loose, dry cannabis flower with a mesh screen or sieve.

“Licensee” means a person issued a state license under the MCRSA Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA) to engage in commercial cannabis activity.

“Manufacturing Facility” means a process whereby the raw agricultural product is transformed into a concentrate, an edible product, or a topical product, and the production, preparation, propagation, or compounding of medical cannabis or medical cannabis products, directly or indirectly, by extraction methods, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis.

“Manufacturing License Types” means the following license types available from the California Department of Public Health (CDPH):

- (a) “Type P,” for entities that only package or repackage medical cannabis products or label or relabel the cannabis product container. Entities that engage in packaging or labeling of their own product as part of the manufacturing process do not need to hold a separate Type P license. For purposes of section 19328 of the Business and Professions Code, a Type P license shall be subject to the same restrictions as a Type 6 license.
- (b) “Type N,” for manufacturers that produce edible products or topical products using infusion processes, or other types of medical cannabis products other than extracts or concentrates, and that do not conduct extractions. For purposes of section 19328 of the Business and Professions Code, a Type N license shall be subject to the same restrictions as a Type 6 license.
- (c) “Type 6,” for extractions using mechanical methods or nonvolatile solvents as defined by Section 40100 of the California Code of Regulations. A Type 6 licensee may also conduct infusion operations, or packaging and labeling of its own cannabis products on the licensed premises, provided that the infusion method is noted on the application form and that the relevant information pursuant to subsection (b) of Section 40128 of the California Code of Regulations is provided to the Department.
- (d) “Type 7,” for extractions using volatile solvents as defined by Section 40100 of the California Code of Regulations. A Type 7 licensee may also:
 - (1) Conduct extractions using nonvolatile solvents or mechanical methods on the licensed premises provided that the extraction process is noted on the application

form and the relevant information is provided to the Department pursuant to subsection (b) of Section 40128 of the California Code of Regulations.

(2) Conduct infusion operations on the licensed premises, provided that the infusion method is noted on the application form and that the relevant information is provided to the Department pursuant to subsection (b) of Section 40128 of the California Code of Regulations.

(3) Conduct packaging and labeling of its own cannabis products.

“Microbusiness” means a State recognized Type 12 licensed facility host to several Commercial Cannabis Activities under a single license including cultivation on an area less than 10,000 square feet, distribution, manufacturing without use of volatile solvents, and retail sales.

“Mixed-Light” means cultivation of mature cannabis occurring in a greenhouse, hoop-house, glasshouse, conservatory, hothouse or other similar structure using a combination of natural and supplemental artificial lighting at a maximum threshold as set forth in performance standards in Section 17.30.190(8) of this ordinance, or as to be determined by the Department of Food and Agriculture, whichever is less. light deprivation and/or one of the artificial lighting models described below:

(1) “Mixed-light Tier 1” the use of artificial light at a rate of six watts per square foot or less;

(2) “Mixed-light Tier 2” the use of artificial light at a rate above six and below of equal to twenty-five watts per square foot.

“Nonmanufactured cannabis product” means flower, shake, kief, leaf and pre-rolls.

“Nursery” means a licensee that produces only clones, immature plants, seeds, and other agricultural products for retail or wholesale sale, used specifically for the planting, propagation, and cultivation of ~~medical~~ cannabis.

“Off-site Processing Facility” means the location or facility where cannabis is dried, cured, graded, trimmed, and/or packaged when conducted at premises separate from the cultivation site where the processed cannabis is grown and harvested.

“On-site Processing Facility” means the location or facility where cannabis is dried, cured, graded, trimmed, and/or packaged by or under the control of one or more licensed cultivators, when conducted at the same premises or Parcel which is host to the cultivation site(s) where the cannabis is grown and harvested.

“Outdoor” means outdoor open-field (not in a greenhouse) cultivation using no artificial lighting. Outdoor cultivation as defined herein is not allowed in the City of Rio Dell.

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

“Premises” means a legal parcel compliant with the Subdivision Map Act, or a leasehold interest in agricultural land for agricultural purposes of outdoor or mixed-light cultivation or processing of ~~medical~~ cannabis, or space in an industrial or commercial building for purposes of indoor cultivation, processing, manufacture, or distribution of ~~medical~~ cannabis.

“Pre-roll” means nonmanufactured cannabis products(s) rolled in paper.

“Process”, “Processing”, and “Processes” means all activities associated with drying, curing, grading, trimming, storing, packaging and labeling of cannabis products.

“Processing Facility” means the location or facility where ~~medical~~ cannabis is dried, cured, graded, trimmed, and/or packaged, ~~by or under the control of one or more licensed cultivators, at a location separate from the cultivation site where the medical cannabis is grown and harvested.~~

“Propagation” means cultivation of immature, non-flowering cannabis plants.

“Sawmill Annexation Area” means the area north of the Eel River annexed into the City in 2008/2009, which area is shown on Figure 6-1, below.

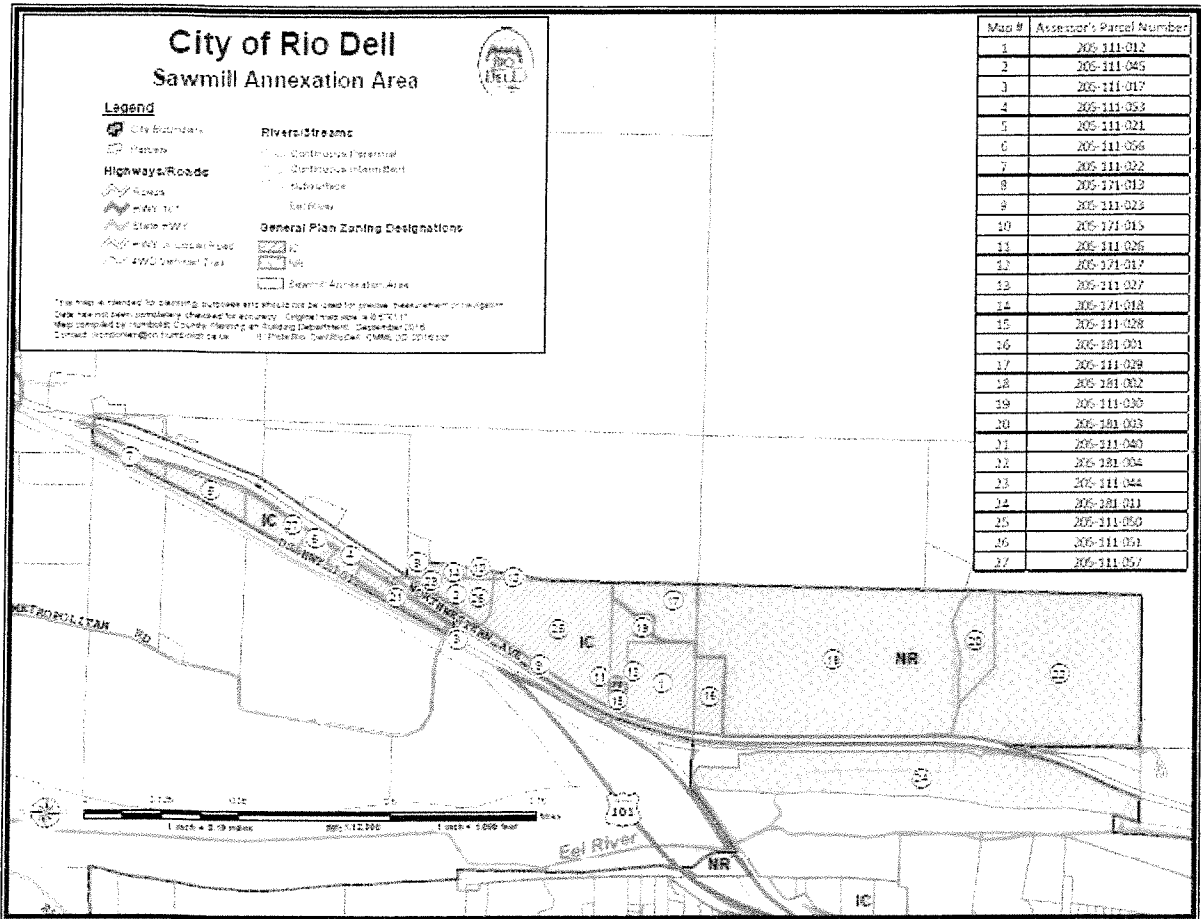


Figure 6.1
Sawmill Annexation Area

“Renewable Energy Source” means electrical power provided by a renewable energy system and/or Grid Power, supplied from 100% renewable source.

“Renewable Energy System” means equipment for generating and supplying power without use of petroleum or other fossil fuels, and instead using appropriate technology including but not limited to: wind turbines, photovoltaic panels, and hydroelectric systems, in concert with private devices and systems for energy storage and distribution including batteries, grid intertie, or other means.

“Retailer” means a State recognized Type 10 licensed facility for the retail sale and delivery of cannabis to the public, whether for medicinal or adult use.

“Retailer Non-Storefront” means a State recognized Type 9 license for the retail sale and delivery of cannabis from a licensed premises that is not open to the public, whether for medicinal or adult use.

“State license” means a state license issued pursuant to the MCRSA Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA).

“Testing Laboratory” means a State recognized Type 8 licensed facility, entity, or site in the state that offers or performs tests of medical cannabis or medical cannabis products ~~and that is both of the following:~~ with an ISO/IEC 17025 accreditation or equivalent recognized by the state.

~~(1) Accredited by an accrediting body that is independent from all other persons involved in the medical cannabis industry on the state; and~~

~~(2) Registered with the Department of Public Health.~~

“Tribal Cultural Resources” means sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe, including unique archaeological resources and historical resources as described under sections 21074, 21083.2(g), and 21084.1 of the Public Resources Code, respectively. Tribal Cultural Resource shall also include sites or resources identified by the tribe through an action of the Tribal Council or equivalent body.

(7) General Provisions

This section applies to all cannabis related facilities and activities involved in the Commercial Cultivation, Processing, Manufacturing, Health and Wellness Centers, Testing or Distribution of cannabis ~~for medical use~~, as defined in this Section.

- (a) All cannabis related facilities and activities, including commercial cultivation, processing, manufacturing, Health and Wellness Centers, testing, or distribution of cannabis ~~for medical use~~ shall operate in compliance with this Section, as well as all applicable state and local laws and conditions as deemed appropriate by the Planning Commission and/or the City Council.
- (b) Greenhouse and Mixed-Light commercial cultivation of cannabis ~~for medical use~~ shall be conducted entirely within a fully enclosed, secure and lockable greenhouse and shall be conditionally permitted in the Industrial Commercial (IC) and Natural Resources (NR) designations located in the Sawmill Annexation area, pursuant to the “Greenhouse” and “Mixed-Light” parcel size and cultivation area provisions described in Table 8.1 and subject to the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.

- (c) Indoor commercial cultivation of cannabis ~~for medical use~~ shall be conditionally permitted in the Industrial Commercial (IC) and Natural Resources (NR) designations located in the Sawmill Annexation area pursuant to the "Indoor" parcel size and cultivation area provisions described in Table 8.1 and subject to the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (d) Processing Facilities accessory and appurtenant to on site cultivation for commercial cannabis ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC) and Natural Resources (NR) designations located in the Sawmill Annexation area, subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (e) Stand alone, independent Processing Facilities for commercial cannabis ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC) designation zoning district located in the Sawmill Annexation area, subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (f) Extraction manufacturing of commercial cannabis concentrates ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC) designation located in the Sawmill Annexation area, subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (g) Manufacturing of edibles (commercial kitchens) ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC), designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (h) Wholesale Distribution Facilities for commercial cannabis ~~for medical use~~ shall be a conditionally permitted use in the Industrial Commercial (IC) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (i) Nurseries, as defined herein, producing commercial cannabis nursery products for retail sale, bulk wholesale sale or to supply retail nursery outlets shall be a conditionally permitted use in the Industrial Commercial (IC) and Natural Resources (NR) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the

conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.

- (i) Testing laboratories as herein defined shall be conditionally permitted in the Industrial Commercial (IC) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council.
- (j) Other than as enumerated in this Section, the commercial cultivation, processing, manufacturing, testing or distribution of cannabis for medical use in any other zoning district in the City of Rio Dell is prohibited.
- (k) Health and Wellness Centers as herein defined are allowed in the Industrial Commercial (IC) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council. No more than one (1) Health and Wellness Center administering therapeutic application and retail sales of medical cannabis products, including oils, tinctures, sublingual's, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sales of flowers, trim, leaf or cannabis infused edibles shall be allowed.
- (l) The fact that an applicant possesses other types of state or county or city permits, licenses or other entitlements does not exempt the applicant from the requirement of obtaining a Conditional Use Permit from the City of Rio Dell to engage in the commercial cultivation, processing, manufacturing, testing or distribution of cannabis for medical use within the jurisdiction of the City.
- ~~(l) No more than four commercial cannabis activity permits of any type enumerated in Sections 17.30.195(8)(b) through 17.30.195(8)(g) of this ordinance may be issued to a single person, as defined herein. For purposes of this limitation, any natural person who owns or controls any interest, directly or indirectly, in a firm, partnership, joint venture, association, cooperative, collective, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit, shall be collectively considered a single person with those entities.~~

(8) Cultivation, Locations, Parcel Sizes and Allowable Canopies

The commercial cultivation of cannabis for medical use within the City shall be located in the Sawmill Annexation area in accordance with the following table:

Table 8.1
Cultivation Locations, Parcel Sizes and Allowable Canopies

Greenhouse & Mixed-Light Cultivation
 Industrial Commercial (IC) and Natural Resources (NR) Designations

State License Type	Cultivation Type	Parcel Size	Allowable Canopy
Type 1 & 1B, <u>Specialty</u>	Greenhouse & Mixed Light	< 1 acre	1,000 sq. ft.
		1-2.49 acres	2,000 sq. ft.
		2.5-4.99 acres	5,000 sq. ft.
Type 2 & 2B, <u>Small</u>	Greenhouse & Mixed Light	5.0- 19.99 acres	10,000 sq. ft.
Type 3 & 3B, <u>Medium</u>	Greenhouse & Mixed Light	≥ 20 acres	22,000 sq. ft.

Indoor Cultivation
 Industrial Commercial (IC) Designations

State License Type	Allowable Canopy
Type 1A, "Specialty Indoor"	5,000 sq. ft.
Type 2A, "Small Indoor"	10,000 sq. ft.
Type 3A, "Indoor"	22,000 sq. ft.

Indoor Cultivation
 Natural Resources (NR) Designations

State License Type	Parcel Size	Allowable Canopy
Type 1A, "Specialty Indoor"	< 1 acre	1,000 sq. ft.
	1-1.99 acres	2,000 sq. ft.
	2.0-4.99 acres	5,000 sq. ft.
Type 2A, "Small Indoor"	5.0- 9.99 acres	10,000 sq. ft.
Type 3A, " <u>Medium</u> Indoor"	≥ 10 acres	22,000 sq. ft.

Nurseries

Industrial Commercial (IC) and Natural Resources (NR) designations

State License Type	Parcel Size	Allowable Canopy
Type 4, "Nursery"	N/A	<u>N/A</u> 43,560 sq. ft. State Limit

- (a) Processing of cannabis that is cultivated pursuant to these regulations may occur at the cultivation site subject to the Processing Performance Standards and Employee Safety Practices enumerated in Section 17.30.195(10) thru 17.30.195(13) are met.
- (b) Multiple applicants may obtain a Conditional Use Permit for greenhouse cultivation, mixed-light cultivation, or both, on one legal parcel so long as the cumulative cultivation area is within one contiguous cultivation footprint that does not exceed the total cultivation area size limits set forth in Table 8.1, Cultivation Locations, Parcel Sizes and Allowable Canopies.
- (c) A combination of cultivation types may be allowed in the same zone (e.g. greenhouse and, mixed light cultivation, or indoor cultivation and processing) that are for a total area equal to or less than the cultivated area size limit for the size of the underlying parcel.

(9) Application Requirements for All MCCLUO Conditional Use Permits:

- (a) A completed standard application form for a Conditional Use Permit with the required deposit fee.
- (b) If the applicant is not the record title owner of parcel, written consent of the owner for the application with original signature and notary acknowledgement.
- (c) A **Site Plan** shall be submitted showing the entire parcel with dimensions, including easements, existing and proposed buildings, parking and loading facilities, landscaping, trash and recycling facilities, stormwater facilities, including retention/detention facilities streams and other surface water features, and the location and area for cultivation on the parcel with dimensions of the area for cultivation and setbacks from property lines. The site plan shall also include all areas of ground disturbance or surface water disturbance associated with cultivation activities, including: access roads, water diversions, culverts, ponds, dams, graded flats, and other related features. If the area for cultivation is within ¼ mile (1,320 ft.) of a school, the site plan shall include dimensions showing that the distance

~~from the location of such features to the nearest point of the cultivation area is at least 1000 feet. The plan shall be drawn to scale.~~

(d) Floor Plans shall be submitted for existing and proposed buildings with dimensions and labeling identifying uses within the building(s). The plans shall be drawn to scale.

(e) A **Plan of Operations** shall be submitted that includes, describes and addresses the following:

(i) A complete project description including the proposed use(s), hours and days of operation, number of employees, and the duration (temporary, seasonal or permanent) of the operation.

(ii) The number of daily and/or weekly incoming and outgoing deliveries

(iii) A Security Plan that addresses the cultivation, storage, processing, manufacturing and testing of any ~~medical~~ cannabis, including but not limited to video monitoring and commercial alarm systems.

(iv) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.

(v) A description of the storage or use of any solvents, fertilizers, pesticides, fungicides, rodenticide, or herbicides.

(vi) A description of any discharge or emissions the operation will generate.

(vii) A description of any noise level increase as a result of the operation.

(viii) A description of the operation's use of public facilities such as roads, water or sewer systems.

(ix) A description of any proposed water source, storage, conservation and use; drainage, runoff and erosion control; watershed and habitat protection.

(e) ~~(f)~~ A **Security Plan** shall be submitted that includes, describes and addresses the following:

(i) Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 240 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage

areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.

(ii) The facility shall be alarmed with an audible interior and/or exterior silent alarm system that is operated and monitored by a recognized security company, deemed acceptable by the Planning Commission. Any change in the security company shall be subject to the approval of the City Manager or his designee. All current contact information regarding the ~~medical~~ cannabis facility's security company shall be provided to the City Manager or designee.

~~(f)~~ (g) **Tribal Consultation:** For any ground disturbing activities, acknowledge that the City will consult with the local Wiyot Tribe, including their Tribal Historic Preservation Officer (THPO) or other tribal representatives, before the approval of any Conditional Use Permit. During this process, the tribe may request that operations associated with the Conditional Use Permit be designed to avoid, minimize or mitigate impacts to Tribal Cultural Resources, as defined herein. Examples include, but are not limited to: conducting a site visit with the THPO or their designee to the existing or proposed cultivation site, requiring that a professional cultural resources survey be performed, or requiring that a tribal cultural monitor be retained during project-related ground disturbance within areas of sensitivity or concern.

~~(g)~~ (h) **Community Relations:** Each ~~medical~~ cannabis facility shall provide the City Manager or designee with the name, phone number, facsimile number, and email address of an on-site community relations or staff person or other representative to whom the City can provide notice if there are operating problems associated with the ~~medical~~ cannabis facility or refer members of the public who may have any concerns or complaints regarding the operation of the ~~medical~~ cannabis facility. Each ~~medical~~ cannabis facility shall also provide the above information to its business neighbors located within 300 feet of the ~~medical~~ cannabis facility.

~~(h)~~ (i) Consent to a minimum of at least one quarterly on-site compliance inspection, to be conducted by appropriate City officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays). The applicant shall be required to pay the Inspection Fee in effect at that time.

~~(i)~~ (j) Owner(s) or employee(s) who makes or will make operational or management decisions that directly impact the business shall consent to a background check pursuant to Section 19322(a)(1)(A) of the Business and Professions Code, including submitting to the Department of Justice fingerprint images and related information required by the Department of Justice for the purpose of obtaining information as to the existence and content of a record of State or Federal convictions and arrests, and information as to the existence and content of a record of State and Federal convictions and arrests for which the Department of Justice establishes that the person is free on bail or on his or her own

recognizance, pending trial or appeal. The applicant shall be responsible for the costs associated with the required background check.

(i) No Owner or employee who makes or will make operational or management decisions that directly impact the business shall have been convicted of an offense, or is currently free on bail or on his or her own recognizance pending trial or appeal for an offense, that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, including but not be limited to, the following:

- (A) A felony conviction for the illegal possession for sale, manufacture, transportation, or cultivation of a controlled substance;
- (B) A violent felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code.
- (C) A serious felony conviction, as specified in subdivision (c) of Section 1192.7 of the Penal Code.
- (D) A felony conviction involving fraud, deceit, or embezzlement.

~~(j)~~ (k) Compliance with the provisions of the Medical Cannabis Regulation and Safety Act Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), all applicable state laws and City ordinances.

~~(k) (l) Inventory Tracking System. All permittees shall purchase, implement and maintain updates to the inventory tracking software from the City's inventory tracking software system (ITSS) provider. A permittee must have at least one individual Owner or contractor who successfully completes all training necessary to properly use the ITSS as a System Administrator. The System Administrator may also designate specific inventory tracking system user(s) that have successfully completed all ITSS training required to access the system under the direct control of the System Administrator. The System Administrator and any designated users shall participate in all ongoing and continuing training as required to stay current with the software.~~

~~(i) Inventory Tracking. Permittees shall, at all times, maintain current inventory information on the City's ITSS.~~

All permittees subject to state licensure shall participate in local and state programs for "Track and Trace", once available.

(m) Notification to State Licensing Authorities: The City shall notify the appropriate state licensing authority whenever a Conditional Use Permit has been revoked or terminated

following the expiration of any appeal period, or if an appeal has been filed, following the final determination of the appeal.

(n) The operator of the permitted facility shall maintain valid license(s) issued by the appropriate state licensing authority or authorities as provided in MAUCRSA for the type of activity being conducted, as soon as such licenses become available.

(o) All operators shall maintain a current, valid business license at all times.

(10) Performance Standards for all MCCLUO Cultivation Operations:

- (a) No surface water withdrawals shall be allowed as part of any cultivation operations.
- (b) No Timberland Conversion Permits or Exemptions as approved by the California Department of Forestry and Fire Protection (CAL-FIRE) shall be used to facilitate the cultivation of ~~medical~~ cannabis.
- (c) The area of cannabis cultivation shall be located as shown on the application site plan, set back at least 50 feet from any property line in the Natural resource (NR) zone and 1000 feet from any School. Cannabis cultivation is declared to be development, subject to compliance with Section 17.30.110, Environmentally Sensitive Habitat Area's (ESHA's). For purposes of this section, where enhanced, reduced, or modified watercourse or wetland setbacks have been agreed to by the operator and the RWQCB under enrollment pursuant to NCRWQB Order No. 2015-0023 and/or preparation of a Water Resources Protection Plan, these may control and supersede any setback applied pursuant to Section 17.30.110.
- (d) Maintain enrollment in Tier 1, 2 or 3, certification with the North Coast Regional Water Quality Control Board Order No. 2015-0023, if applicable, or any substantially equivalent rule that may be subsequently adopted by the City of Rio Dell or other responsible agency.
- (e) For cultivation areas for which no enrollment pursuant to NCRWQB Order No. 2015-0023, is required by that Order, compliance with the standard conditions applicable to all Tier 1 dischargers.
- (f) The storage or use of any fertilizer, pesticide, fungicide, rodenticide, or herbicide shall be in compliance with the manufacture's recommendations and regulations administered by the State Department of Pesticide Regulation. Hazardous materials and wastes from agricultural businesses are regulated by the Humboldt County Environmental Health Division, which administers the Hazardous Materials program as one of the Certified Unified Program Agencies (CUPA). This includes the application, inspection, enforcement, and

reporting under the program requirements and standards set by the California Environmental Protection Agency (CalEPA).

- (g) Trucked water shall not be allowed as the primary water source. Water is to be sourced locally (on-site), except for emergencies. For purposes of this provision, "emergency" is defined as: "a sudden, unexpected occurrence demanding immediate action."
- (h) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties from cultivation and processing facilities.
- (i) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.
- (j) Those cultivators using artificial lighting for mixed-light cultivation shall shield greenhouses so that little to no light escapes. Light shall not escape at a level that is visible from neighboring properties between sunset and sunrise. Should the City receive complaints that the lighting is out of alignment or not complying with these standards, within ten (10) working days of receiving written notification that a complaint has been filed, the applicant shall submit written verification that the lights' shielding and alignment has been repaired, inspected and corrected as necessary.
- (k) Generators are only allowed as an emergency back-up power source. The noise produced by a generator used for cannabis cultivation shall not be audible from neighboring residences. The decibel level for generators at the property line shall be no more than 60 decibels.
- (l) Fuel shall be stored and handled in compliance with applicable state and local laws and regulations, and in such a way that no spillage occurs.
- (m) Electricity for Indoor and Mixed Light cultivation activities shall be provided by any combination of the following:
 - (i) On-grid power with 42 percent renewable source.
 - (ii) Onsite zero net energy renewable source providing 42 percent of power.
 - (iii) Purchase of carbon offsets for any portion of power above 58 percent not from renewable sources.

(iv) Demonstration that the equipment to be used would be 42 percent more energy efficient than standard equipment, using 2014 as the baseline year for such standard equipment.

Purchase of carbon offset credits (for grid power procured from non-renewable producers) may only be made from reputable sources, including those found on Offset Project Registries managed the California Air Resources Board, or similar sources and programs determined to provide bona fide offsets recognized by relevant state regulatory agencies.

(n) Comply with all federal, state, and local laws and regulations applicable to California Agricultural Employers, including those governing cultivation and processing activities.

~~(m)~~ (o) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

~~(11) Employee Performance Standards for Cultivation and Processing Activities:~~

~~(a) Pursuant to the MMRSA, Health and Safety Code section 19322(a)(9), an applicant seeking a cultivation license shall "provide a statement declaring the applicant is an 'agricultural employer,' as defined in the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 commencing with Section 1140) of Division 2 of the Labor Code), to the extent not prohibited by law."~~

~~(b) Cultivators shall comply with all applicable federal, state, and local laws and regulations governing California Agricultural Employers, which may include: federal and state wage and hour laws, CAL/OSHA, OSHA and the California Agricultural Labor Relations Act.~~

~~(c) Cultivators engaged in processing shall comply with the following Processing Practices:~~

~~i. Processing operations must be maintained in a clean and sanitary condition including all work surfaces and equipment; and~~

~~ii. Processing operations must implement protocols which prevent processing contamination and mold and mildew growth on cannabis; and~~

~~iii. Employees handling cannabis in processing operations must have access to facemasks, coveralls and gloves in good operable condition as applicable to their job function; and~~

~~iv. Employees must wash hands sufficiently when handling cannabis or use gloves.~~

~~(d) All persons hiring employees to engage in commercial cannabis cultivation and processing shall comply with the following Employee Safety Practices:~~

~~i. Cultivation operations and processing operations must implement safety protocols and provide all employees with adequate safety training relevant to their specific job functions, which may include:~~

- ~~• Emergency action response planning as necessary; and~~
- ~~• Employee accident reporting and investigation policies; and~~
- ~~• Fire prevention;~~
- ~~• Hazard communication policies, including maintenance of material safety data sheets (MSDS); and~~
- ~~• Materials handling policies; and~~
- ~~• Job hazard analyses; and~~
- ~~• Personal protective equipment policies, including respiratory protection.~~

~~ii. Cultivation operations and processing operations must visibly post and maintain an emergency contact list which includes at a minimum:~~

- ~~• Operation manager contacts; and~~
- ~~• Emergency responder contacts; and~~
- ~~• Poison control contacts.~~

~~iii. At all times, employees shall have access to safe drinking water and toilets and handwashing facilities that comply with applicable federal, state, and local laws and regulations. Plumbing facilities and water source must be capable of handling increased usage without adverse consequences to neighboring properties or the environment.~~

~~iv. On-site housing provided to employees shall comply with all applicable federal, state, and local laws and regulations.~~

~~(e) All cultivators shall, at the time of the application for a cultivation permit, include a Processing Plan with all of the following:~~

~~i. Summary of Processing Practices.~~

~~ii. Description of location where processing will occur.~~

~~iii. Estimated number of employees, if any.~~

~~iv. Summary of Employee Safety Practices.~~

~~v. Description of toilet and handwashing facilities.~~

~~vi. Description of plumbing and/or septic system and whether or not the system is capable of handling increased usage.~~

~~vii. Description of source of drinking water for employees.~~

~~viii. Description of increased road use resulting from processing and a plan to minimize that impact.~~

~~ix. Description of on-site housing, if any.~~

~~(12)~~ (11) Performance Standards for Manufacturing Activities:

(a) Compliance with CAL/OSHA, OSHA regulations.

(b) Compliance with State and local building regulations, including the California Building Code (CBC) and the California Fire Code (CFC).

(c) A Security Plan that addresses how the following measures shall be implemented or complied with:

(i) Entrance to the extraction areas and any cannabis storage areas shall be locked at all times, and under the control of facility staff.

(ii) ~~Medical c~~Cannabis shall be stored in buildings that are completely enclosed, and in a locked vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.

(iii) Windows and roof hatches of the premises shall be secured from the inside with effective means so as to prevent unauthorized entry, and shall be equipped with latches or a similar mechanism that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable building provisions in the Code.

- (d) If using CO₂ in processing, a professional grade closed-loop CO₂ gas extraction system rated to a minimum of fifteen thousand (15,000) pounds per square inch (PSI) is required for every vessel in the system.
- (e) Extraction processes shall use a commercially manufactured professional grade closed-loop extraction system designed to recover the solvents and built to codes of recognized and generally accepted sound engineering practices, such as (i) The American Society of Mechanical Engineers (ASME); (ii) American National Standards Institute (ANSI); (iii) Underwriters Laboratories (UL); or (iv) The American Society for Testing and Materials (ASTM).
- (f) Volatile extraction operations shall occur in a spark-proof, explosion-proof room equipped with evacuation fans and lower explosive limit (LEL) detectors.
- (g) Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties.
- (h) A Waste Management/Disposal Plan shall be submitted describing any produced wastes, including by-products, recycling, reusing, recovery, storage, diversion and handling and disposal.
- (i) Manufacturers of edibles shall comply with the regulations in the California Health and Safety Code, which includes the California Retail Food Code administered by the California Department of Health Services - Food and Drug Branch, California Department of Food and Agriculture and the County Department of Environmental Health.
- (j) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

~~(13)~~ (12) Performance Standards for Testing Laboratories

- (a) Entrance to the lab area and any cannabis storage areas shall be locked at all times, and under the control of facility staff.

- (b) ~~Medical c~~annabis shall be stored in a secured and locked room, vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.
- (c) Windows and roof hatches of the premises shall be secured from the inside with effective means so as to prevent unauthorized entry, and shall be equipped with latches or a similar mechanism that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable building provisions in the California Building Code.
- (d) All laboratory testing facilities shall comply with Sections 19341 through 19345 of the California Business and Professions Code.
- (e) Comply with any special conditions applicable to that permit or parcel which may be imposed as a condition of the required Conditional Use Permit.

(13) Performance Standards for Health and Wellness Centers

- (a) Health and Wellness Centers shall not sell or distribute cannabis flowers, trim, leaf or cannabis infused edibles.
- (b) The facility shall be alarmed with an audible interior and exterior alarm system, unless waived for extenuating circumstances by the Planning Commission that is operated and monitored by a recognized security company, deemed acceptable by the Planning Commission. Any change in the security company shall be subject to the approval of the City Manager or his designee. All current contact information regarding the medical marijuana facility's security company shall be provided to the City.
- (c) Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 720 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.
- (d) Entrance to the any medical cannabis products storage areas shall be locked at all times, and under the control of facility staff.
- (e) Medical cannabis products shall be stored in a secured and locked room, vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.
- (f) The sale of any medical cannabis products shall be limited to qualified patients, as defined in Section 11362.7 of the Health and Safety Code.

- (g) Medical cannabis may not be inhaled, smoked, eaten, ingested, vaped, or consumed at the premises and/or location.
- (h) The sales of pipes, including water pipes and other paraphernalia are prohibited.

(14) Term of Conditional Use Permit.

Any Conditional Use Permit issued pursuant to this section shall expire after one (1) year after date of issuance, and on the anniversary date of such issuance each year thereafter, unless the required compliance inspections have been conducted and the permitted site has been found to comply with all conditions of approval and the renewal fee and operation fee submitted.

- (a) Permit Renewal. A Permit renewal application, renewal fee and operating fee must be submitted at least forty-five (45) days before the expiration of the Permit. Failure to submit a renewal application prior to the expiration date of the license will result in the automatic expiration of the Permit on the expiration date. A Permit may not be renewed if any violations of or non-compliance with the Permit or these regulations exists. Permit renewal is subject to the laws and regulations effective at the time of renewal, which may be substantially different than the regulations currently in place and may require the submittal of additional information to ensure the new standards are met.

(15) Changes to Ownership or Modification to Premises.

A Conditional Use Permit is non-transferable to another location and no transfer to another Owner or modifications to a permitted facility may be made except in accordance with these regulations.

- (a) Transfer of Ownership. A request for change in Permit ownership shall be submitted to the City at least sixty (60) days prior to the anticipated transfer, together with the required fee. Requests submitted less than sixty (60) days before the transfer will be processed only in the City's discretion and may be subject to an expedited processing fee. A new Owner(s) shall meet all requirements for applicants of an initial permit. The request shall include the following information:
 - i. Identify information for the new Owner(s) and management as required by the initial permit application, including names and contact information and Section 17.30.195(i) of the Rio Dell Municipal Code; and
 - ii. The specific date on which the transfer is to occur; and

iii. Acknowledgement of full responsibility for complying with the existing permit and any conditions attached thereto.

(b) Modifications to the Facility. Prior to making any modifications to a permitted facility, the permittee shall submit to the City, at least thirty (30) days in advance of initiating the modifications, a request for determination of City approvals, together with the appropriate fee. The request shall contain a detailed description to allow the City to determine what, if any permits and/or other approvals are needed.

(16) Inspections

Each permitted activity is subject to a minimum of at least one quarterly on-site compliance inspection, to be conducted by appropriate City officials during regular business hours (Monday – Friday, 9:00 am – 5:00 pm, excluding holidays). The applicant shall be required to pay the Inspection Fee in effect at that time.

If the inspector or other City official determines that the site does not comply with the conditions of approval, the inspector shall serve the permit holder with a written statement identifying the items not in compliance, and the action that the permit holder may take to cure the non-compliance, or file an appeal within ten (10) days of the date that the written statement is delivered to the permit holder. Personal delivery or mailing the written statement to the mailing address listed on the application by regular mail, plus three (3) days after date of mailing, shall constitute delivery. The permit holder may request a reinspection to determine whether or not the permit holder has cured all issues of non-compliance. Failure to request reinspection or to cure any items of noncompliance shall terminate the Conditional Use Permit and License, immediately upon the expiration of any appeal period, or final determination of the appeal if an appeal has been timely filed.

(17) Appeal of Inspection Determination

Within ten (10) business days after delivery of the statement of non-compliance, the determination by the inspector that the site is or is not in compliance may be appealed by any interested party to the Planning Commission. The appeal shall be made, in writing, on a form provided by the City. The fee for filing the appeal is based on the adopted fee schedule in effect at the time of the appeal.

- (a) The appeal shall be heard by the Planning Commission within thirty (30) days following the filing of the appeal. The Planning Commission shall render a written ruling on the appeal within three (3) business days following the hearing.
- (b) The decision of the Planning Commission may be appealed to the City Council in accordance with Section 17.35.050 of the Rio Dell Municipal Code. If a timely appeal to the City Council is not filed, the ruling by the Planning Commission shall be final.

(18) Revocation by Operation of Law

Any Conditional Use Permit issued under this Section shall be revoked by operation of law, and without prior notice to the permit holder, in the event the permitted activity is made illegal under the laws of the State of California.

The City shall notify any state license authority, as defined by the MCRSA Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA), whenever the Conditional Use Permit and License has been revoked or terminated.

(19) Fees, Taxes and Other Charges

The Council may establish fees, taxes or other charges for a commercial cannabis activity permit by resolution or ordinance. The failure to pay all applicable fees, taxes and other charges when due shall be a violation of the Section as contemplated by subsection 17.30.195(5), above.

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. CEQA Compliance

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

Section 5. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on February 6, 2018 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 20, 2018 by the following vote:

AYES:

NOES:

ABSENT:

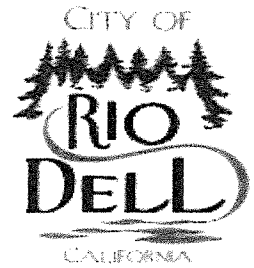
ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 364-2018 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on February 20, 2018.

Karen Dunham, City Clerk, City of Rio Dell



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

February 6, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager *3*

SUBJECT: Introduction of Ordinance No. 365-2018 Amending Chapter 5.40 of Title 5 of the Rio Dell Municipal Code Pertaining to Cannabis Taxation

IT IS RECOMMENDED THAT THE CITY COUNCIL:

- 1.) Have staff introduce the proposed Ordinance.
- 2.) Discuss an adjusted tax rate.
- 3.) Open for public comment.
- 4.) Make a motion, that includes a reduced percentage for (M) medical activities and continue the consideration, approval and adoption of Ordinance 365-2018 to the City Council meeting of February 20, 2018 for the second reading and adoption.

BACKGROUND AND DISCUSSION

On November 8, 2017 the voters of the City of Rio Dell Approved Measure X, a commercial cannabis taxation measure, with 80.96% of the vote. Measure X created Ordinance No. 354-2017 which creates a range of tax rates the City Council may impose from time to time. For persons authorized by permit to engage in commercial cannabis cultivation, the tax rate is either: (a) \$0.00 to \$5.00 for each square foot of cultivation space allowed by the permit or (b) 0% to 10% of the business' gross receipts. As part of the ordinance, the City Council elected to set the initial tax rate at \$2.00 per square foot for all commercial cultivation activity, except for persons authorized by permit to operate a nursery, who will be taxed at the rate of 2% of gross receipts. For all other authorized commercial cannabis activity within the City, the tax rate range is 0% to 10% of the business' gross receipts. As part of the ordinance, the City Council elected to set the initial tax rate at 2% of gross receipts. The City Council retains the discretion to adjust the applicable tax rate within the range of rates in the future without seeking voter approval. The City Council may not, however, increase the tax rate more than once per calendar year and may not increase the currently imposed rate by more than \$1.00 per square foot or 2% of gross receipts at a time.

On January 23, 2018 the City Council and Planning Commission held a study session to discuss amending the Commercial Medical Marijuana Land Use Ordinance to allow (A) adult use licensed activities. During that discussion members of the Council indicated interest in lowering the tax rate for (M) medical use licensed activities in order to prioritize medical activities at the

Humboldt-Rio Dell Business Park. Staff has worked with the City Attorney to develop an ordinance proposal that would allow for a reduced tax rate for (M) medical activities.

Tax rate options:

The Council will need to identify a percentage to be reduced for (M) medical activities, from 0% to 100%.

Current Medical Cannabis Tax Rates vs. Rates with 10% Reduction for Medical Activities (Example Only)		
	Medical Cultivation (minus nurseries)	All Other Medical Activities (including nurseries)
Current Medical Rate	\$2.00 / Sq. Ft.	2% Gross Receipts
Rate with 10% Reduction for Medical	\$1.8 / Sq. Ft.	1.8% Gross Receipts

///

Ordinance No. 365-2018

ORDINANCE AMENDING CHAPTER 5.40 OF TITLE 5 OF THE RIO DELL MUNICIPAL CODE

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

Whereas, the qualified voters of the City of Rio Dell approved and adopted an ordinance creating a business tax for persons engaged in commercial cannabis activity within the City of Rio Dell;

Whereas, pursuant to the ordinance, the City Council retained discretion to amend the tax rate within the range of tax rates approved by the voters to impose differing tax rates for certain categories of license types; and

Whereas, the City Council desires to amend the commercial cannabis business tax ordinance by reducing the applicable business tax rate by ___% for those persons engaged in commercial medicinal cannabis activity to account for additional regulatory burdens placed upon persons engaged in commercial medicinal cannabis activity and the derivative public good and potential benefits to health, welfare and safety associated with medicinal use.

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

SECTION 1. Section 5.40.250 is hereby amended by adding the following as Section 5.40.250, subsection C of the Rio Dell Municipal Code:

5.40.250 – Amount of business tax owed.

C. Any person engaged in Commercial Cannabis Activity in the City of Rio Dell pursuant to a license type marked “M” for medicinal under Section 26050(b) of the California Business and Professions Code shall pay a business tax equal to _____ percent (____%) of the business tax the person would otherwise pay pursuant subsection A and B, above. Any person holding a license type marked “M” under Section 26050(b) of the California Business and Professions Code who also holds a license type marked “A” for adult-use shall pay the reduced tax under this subsection C only for that activity directly related to medicinal cannabis under the “M” license. A person holding dual license types (both “A” and “M”) shall bear the burden of demonstrating to the satisfaction of the City the amount of any reduced tax under this section C, including, but not limited to, information supplied by a qualified and approved track-and-trace program demonstrating that any reduced tax is solely related to commercial cannabis activities conducted under the “M” license.

SECTION 3. Severability

If any provision of this 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. Effective Date

This Ordinance shall be effective thirty (30) days after the date of its approval and adoption by the Rio dell City Council.

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



For Meeting of: January 23, 2018
 Consent Item; Public Hearing Item

To: City Council
From: Kevin Caldwell, Community Development Director 
Through: Kyle Knopp, City Manager 
Date: January 30, 2018
Subject: Sign Regulations

Recommendation:

That the City Council:

1. Introduce (first reading) Ordinance No. 362-2018 repealing the existing Sign and Nameplate regulations, Section 17.30.300 and the Outdoor Advertising regulations, Section 17.30.210 of the Rio Dell Municipal Code and establish new Sign and Nameplate regulations, Section 17.30.300; and
2. Open the public hearing, receive public input and deliberate; and
3. Continue consideration, approval and adoption of the proposed Ordinance to your meeting of February 20, 2018.

Background and Discussion

Staff presented the draft Sign Regulations to the Planning Commission at their meeting of October 24, 2017. The proposed sign regulations were briefly discussed and continued to our next regularly scheduled meeting. The Commission did not meet in November and December due to the holidays.

Staff presented to the Planning Commission what was believed to be an error in the existing sign regulations, Section 17.30.300 of the Rio Dell Municipal Code (RDMC). The City adopted

the current zoning regulations in 2004. The vast majority, including the sign regulations, of the adopted regulations were carried over from the original zoning regulations, Ordinance 59.

Upon a review of the sign regulations, staff discovered that appurtenant signs are restricted to the Community Commercial (CC) zone. The current sign regulations are included as Attachment 1. The applicable provision is identified below: **17.30.260 Signs and nameplates.**

*(e) Signs, appurtenant to any permitted use and not to exceed three square feet per front foot of the site on which it is displayed; provided, that any site shall be permitted at least 50 square feet, but in no case more than 300 square feet, and divided into not more than six single- or double-faced signs, shall be permitted in any **CC zone (emphasis added).***

Staff reviewed the original sign regulations, Section 6.18, Ordinance 59 included as Attachment 2, and determined what we believed was an error in carrying over the previous regulations into the current regulations. Section 6.18(e) of the original sign regulations are provided below:

6.18 Signs and nameplates.

*(e) Signs, appurtenant to any permitted use and not to exceed three square feet per front foot of the site on which it is displayed; provided, that any site shall be permitted at least 50 square feet, but in no case more than 300 square feet, and divided into not more than six single- or double-faced signs, shall be permitted in any **C or M-L zone (emphasis added).***

Staff presented this information to the Planning Commission at their meeting of August 22, 2017. At that time Commissioner Marks informed staff and the rest of the Commission, that there was not in fact an error or oversight in carrying over the sign regulations to the Town Center and Neighborhood Center zones. Apparently, these two zones were intentionally omitted due to concerns that the allowed size (up to 300 square feet) may be inappropriate in the Town Center and Neighborhood Center zones.

Staff has completely revised the existing Signs and Nameplate regulations, Section 17.30.300 of the Rio Dell Municipal Code. Please see Attachment 2. In addition, staff is recommending that Section 17.30.210, Outdoor Advertising (billboards), be eliminated because the proposed Sign and Nameplate regulations have been expanded to include billboards (Freeway Oriented Signs).

The purpose of the new sign regulations is to

- Encourage creative and innovative approaches to signage within the community that are of high quality design and character and contribute to the overall appearance of the community; and
- Encourage signage that is architecturally and cosmetically compatible with the surrounding area; and

- Enhance the overall property values in the city by discouraging signage that contributes to the visual clutter of the streetscape, such as oversized signs and excessive temporary signs; and
- Enhance aesthetic and traffic safety in the community by minimizing signage information to ensure that signage does not distract motorists, obstruct, or otherwise impede traffic circulation; and
- Safeguard and protect the public health, safety, and welfare through appropriate prohibitions, regulations, and controls on the design, location, and maintenance of signage. The standards of this chapter apply to signs in all zoning districts. Only signage specifically authorized by this chapter shall be allowed.

As part of the proposed sign regulations, staff is recommending that a Uniformed Sign Program be established for certain developments. The purpose of the uniform sign program is to integrate design of signs with the design of the structures to achieve a unified architectural theme. The following situations would require the developers to establish uniform design standards for signs:

- New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities; or
- Whenever three (3) or more signs are requested by a single tenant in an existing multi-tenant project that is currently not covered by a uniform sign program; or
- Whenever the City determines that a uniform sign program is appropriate in order to achieve the objectives of the sign regulations.

The current regulations limit signs in the Town Center and Neighborhood Center zones to **non-illuminated signs** of not more than 75 square feet. Obviously, the inability to illuminate a sign after sunset cannot be advantageous to a local business. Staff is recommending the following standards for parcels located in the Town Center and Neighborhood Center zones:

Sign Type	Maximum No. Permitted	Maximum Area ⁴ (Sq. Ft.)	Maximum Height ⁴ (Ft.)	Minimum Setback	Illumination Standards
Town Center and Neighborhood Center Zones:					
Building signs ¹ :	4 <u>2</u> per business	100	Roofline	-	No glare onto residential property
Freestanding signs: Individual businesses	1	50	10'	10'	Indirect or background
Freestanding signs: Integrated development	1	150	15'	10'	Indirect or background

The current regulations allow signs up to 300 square feet in the Community Commercial zone. Although it is not explicitly identified, it has been the practice of the City to allow the signs to be illuminated. The purpose of the Community Commercial zone is to provide for large-scale commercial uses, including shopping centers, large scale retail stores, supermarkets and automobile sales.

Currently there are no regulations regarding signs in the Industrial Commercial zone. However, prior to the 2004 changes, signs in industrial zones were also allowed up to 300 square feet. Staff is recommending the following standards for parcels located in the Community Commercial and Industrial Commercial zones:

Sign Type	Maximum No. Permitted	Maximum Area ⁴ (Sq. Ft.)	Maximum Height ⁴ (Ft.)	Minimum Setback	Illumination Standards
Community Commercial and Industrial Commercial Zones:					
Building signs	4 <u>2</u> per business	125	Roofline	-	No glare onto residential property
Freestanding signs	1 per business	150	35	10'	No glare onto residential property
Freestanding signs, integrated development ⁴	1 per project entrance	300 ³	35	10'	No glare onto residential property

Staff believes the primary talking points regarding signs in the various commercial zones will be the recommended size limits.

Staff is also recommending regulations for menu/order board signs, election/ballot measure signs, (page 4 of the Draft Ordinance), awning signs, blade/bracket signs (page 6 of the Draft Ordinance), monument and reader board signs (page 7 of the Draft Ordinance), time and temperature signs, banner/feather signs and freeway oriented (billboard) signs (page 8 of the Draft Ordinance). Because the proposed sign regulations include freeway oriented (billboard) sign regulations, staff is recommending that Section 17.30.210, Outdoor Advertising be repealed.

Staff mailed the proposed regulations to all the businesses and property owners of commercial property in the City requesting that they review and provide comments and suggestions. Only Adam Dias contacted staff with a couple questions, but felt that the draft regulations were an improvement.

The Planning Commission considered the proposed amendments at their meeting of January 23, 2018. Based on comments from the owner of the Gables Motel (David Thompson), the Commission is recommending that properties in the City's commercial zones be allowed two building signs.

Procedures for Zoning Ordinance Amendments

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

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.35.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.
- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.
- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.
- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.
- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

The proposed sign regulations are in the public interest in that they would allow signage in Town Center, Neighborhood Center and Industrial Commercial zones. In addition, the success of a business depends in part on the location and visibility, including signage. A vibrant commercial district is in the public's interest.

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

One of the primary purposes of the General Plan is to facilitate planned, orderly development and to promote economic development, and protect the public health, safety and welfare of the community. There are a number of policies which encourage a vibrant commercial community.

Appropriate and visible signage is an important factor in the success of any business. There are no specific General Plan goals, policies or discussions that are contrary to the recommended amendments. Therefore, staff believes the proposed regulations are consistent with the General Plan.

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

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

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

Attachments:

Attachment 1: Existing Sign Regulations, Section 17.30.300 Rio Dell Municipal Code.

Attachment 2: Draft Ordinance No. 362-2018 New Sign and Nameplate regulations, Section 17.30.300 the Rio Dell Municipal Code.



17.30.300 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.

(b) One sign, not illuminated, to advertise the sale of property on which it is displayed and not exceeding six square feet shall be permitted in any zone; not exceeding 15 square feet shall be permitted in any CC, NC, or TC zone.

(c) Signs, not illuminated and not exceeding 100 square feet in aggregate, to advertise the sale of lots in the subdivision in which they are displayed shall be permitted with a use permit in any zone.

(d) Signs, not illuminated, appurtenant to any permitted use, not over 75 square feet in the aggregate and divided into not more than three single or double signs shall be permitted with a use permit in any zone except urban residential, suburban residential, or suburban zones.

(e) Signs, appurtenant to any permitted use and not to exceed three square feet per front foot of the site on which it is displayed; provided, that any site shall be permitted at least 50 square feet, but in no case more than 300 square feet, and divided into not more than six single- or double-faced signs, shall be permitted in any CC zone.

(f) Traffic or other municipal signs, legal notices, railroad crossing signs, public telephone signs, signs placed by a public utility showing the location of underground facilities, danger and such temporary, emergency or non-advertising signs as may be approved by the City Council shall be permitted in all districts without the necessity of obtaining a use permit.

(g) No permit for any sign shall be issued and no sign shall be constructed or maintained which does not comply with all provisions of this title or which has less horizontal or vertical clearance from communications lines and energized electrical power lines than that prescribed by the laws of the State of California or rules and regulations duly promulgated by agencies thereof.

(2) Off-Site Signs. No sign advertising a commercial good, product or service which is located on a different lot or parcel of land from which the commercial advertiser's place of business is located shall be permitted, except with a use permit. Limited temporary off-site signs providing location and other information relating to local events and activities shall be permitted if installed with the permission of the property owner. [Ord. 252 § 6.18, 2004.]

(3) Election Campaign Signs. Temporary campaign signs relating to federal, state, county, city, school district, special district, or other governmental agency elections are permitted in all zones subject to the following regulations:

(a) Signs may be displayed up to 60 days before a scheduled election and must be removed within 10 days after the election;

(b) Signs shall be limited to 4 square feet and 48 inches in height. No more than 4 signs shall be allowed on any one parcel;

(c) No sign may be placed on private property without the consent of the property owner.

(d) Signs may be freestanding or attached to existing buildings or fences. However they are not permitted on street signs, trees, shrubs, bus stops, power poles, utility cabinets or other public appurtenances;

(e) Signs may not be placed within 15 feet of any fire hydrant, street sign or traffic signal, or interfere with, confuse, obstruct or mislead traffic;

(f) Signs may not be placed within a public right of way, nor within 30 feet of an intersection and no closer than 3 feet from the curb. Where no curb exists, signs shall be at least 5 feet from the edge of the pavement;

(g) Homeowners are allowed to place political signs in the windows of their property;

(h) Signs may not be illuminated, including motion and/or flashing lights, but may be placed where existing lighting may permit them to be seen at night. [Ord. 289 17.30.260, 2012.]

ORDINANCE NO. 362-2018



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE SIGN REGULATIONS, SECTION 17.30.300 AND REPEALING THE OUTDOOR ADVERTISING REGULATIONS, Section 17.30.210 OF THE RIO DELL MUNICIPAL CODE:

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

WHEREAS staff recently discovered what was believed to be an error in the existing sign regulations, Section 17.30.300 of the Rio Dell Municipal Code (RDMC); and

WHEREAS the City adopted the current zoning regulations in 2004 and the vast majority, including the sign regulations, of the adopted regulations were carried over from the original zoning regulations, Ordinance 59; and

WHEREAS staff discovered that appurtenant signs are restricted to the Community Commercial (CC) zone; and

WHEREAS the original sign provisions, Section 6.18 of the Rio Dell Municipal Code (RDMC) applied to all commercial zones and the Limited Industrial (M-L) zone; and

WHEREAS the 2004 amendments established the Town Center (TC) designation and replaced the Limited Industrial (M-L) zone with the Industrial Commercial (IC) zone; and

WHEREAS staff presented this information to the Planning Commission at the meeting of August 22, 2017. At that time Commissioner Marks informed staff and the rest of the Commission, that there was not in fact an error or oversight in carrying over the sign regulations to the Town Center and Neighborhood Center zones; and

WHEREAS the Town Center and Neighborhood Center zones were intentionally omitted due to concerns that the allowed size (up to 300 square feet) may be inappropriate in the Town Center and Neighborhood Center zones; and

WHEREAS staff has completely revised the existing Signs and Nameplate regulations, Section 17.30.300 of the Rio Dell Municipal Code; and

WHEREAS staff is recommending that Section 17.30.210, Outdoor Advertising (billboards), be eliminated because the proposed Sign and Nameplate regulations have been expanded to include billboards (Freeway Oriented Signs); 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

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

1. Finds that the proposed sign regulations amendments are in the public interest and consistent with an overall comprehensive view of the General Plan; and
2. Finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and
3. Finds that based on the nature of the project, the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment.
4. Approves and adopts Ordinance No. 362-2018 amending the sign regulations, Section 17.30.300 and repealing the Outdoor Advertising regulations, Section 17.30.210 of the Rio Dell Municipal Code.

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

Section 1

Section 17.30.210 of the Rio Dell Municipal Code is hereby repealed.

Section 2

Section 17.30.300 is hereby amended as follow.

17.30.300 Signs and Nameplates

Sections:

- 17.30.300(1) Purpose and Applicability
- 17.30.300(2) Review of Signs
- 17.30.300(3) Exempt Signs
- 17.30.300(4) Prohibited Signs
- 17.30.300(5) Standards for Special Category Signs
- 17.30.300(6) General Development, Maintenance and Removal
- 17.30.300(7) Permitted Signs by Zoning Districts
- 17.30.300(8) Temporary and Special Event Signs
- 17.30.300(9) Nonconforming Signs

17.30.300(1) Purpose and Applicability:

This chapter establishes the regulation of signs as a way to:

- (a) Encourage creative and innovative approaches to signage within the community that are of high quality design and character and contribute to the overall appearance of the community; and
- (b) Encourage signage that is architecturally and cosmetically compatible with the surrounding area; and
- (c) Enhance the overall property values in the city by discouraging signage that contributes to the visual clutter of the streetscape, such as oversized signs and excessive temporary signs; and

(d) Enhance aesthetic and traffic safety in the community by minimizing signage information to ensure that signage does not distract motorists, obstruct, or otherwise impede traffic circulation; and

(e) Safeguard and protect the public health, safety, and welfare through appropriate prohibitions, regulations, and controls on the design, location, and maintenance of signage. The standards of this chapter apply to signs in all zoning districts. Only signage specifically authorized by this chapter shall be allowed.

17.30.300(2) Review of Signs:

(a) Permit Required: Except as otherwise provided in this chapter, no person shall erect, move, alter, replace, or maintain any sign without first obtaining zoning clearance (administrative plan check) to ensure compliance with applicable provisions of this chapter. (See Section 17.30.300(3) of this chapter for exemptions.)

(b) Uniform Sign Program: A uniform sign program is intended to integrate design of signs with the design of the structures to achieve a unified architectural statement. Its purpose is ensuring design compatibility, not providing exemptions from the provisions of this chapter.

(c) Applicability: A uniform sign program shall be required whenever any of the following circumstances exists:

(i) New multi-tenant developments of three (3) or more separate tenants that share either the same parcel or structure and use common access and parking facilities;

(ii) Whenever three (3) or more signs are requested by a single tenant in an existing multi-tenant project that is currently not covered by a uniform sign program; or

(iii) Whenever the City determines that a uniform sign program is appropriate in order to achieve the objectives of this title.

(d) Approval of A Uniform Signage Program: The hearing and approving body for all Uniform Signage Programs (USP) shall be the Planning Commission. The process for appealing the decision shall be consistent with Section 17.35.050.

(e) Standards: The uniform sign program shall include criteria for building attached signs for tenants, anchors, freestanding building signs and the integrated development itself to establish consistency of sign type, location, logo and/or letter height, lines of copy, illumination, construction details, and color and materials of signs for the project. All signs within the development shall be consistent with the USP.

(f) Revisions to a Uniform Signage Program: The Planning Director may approve revisions to a uniform signage program if the Director determines that the modifications are minor in nature

and do not change or modify the intent or conditions of the original approval. Revisions that would substantially deviate from the original approval (as determined by the Planning Director) shall require Planning Commission approval.

17.30.300(3) Exempt Signs:

Zoning clearance shall not be required for the signage listed in this section. Any exception to the limitations for exempt signage listed herein shall require a Variance pursuant to Section 17.35.020.

(a) Exempt Signage Without Limitations: The following signs are exempt from a sign permit and city review:

(i) Signs Within Buildings: Signs that are within buildings and are not visible from any point on the boundary of the property;

(ii) Official or Legal Notice: Official or legal notice required by a court or government agency (government/civic signs);

(iii) Signs Serving A Government Function: Signs erected and maintained in compliance with a government function or required by a law, ordinance, or government regulation, including signs erected by a public utility (government/civic signs);

(iv) Signs On Licensed Commercial Vehicles Prohibiting Outdoor Display Signs: Signs on licensed commercial vehicles, including trailers, that the vehicles/trailers shall not be used as parked/stationary outdoor display signs;

(v) Change of Copy: Change of copy that does not alter the size, location, or illumination of a sign;

(vi) Holiday Decorations: Holiday decorations that do not contain any commercial message shall be permitted. Such noncommercial signs shall be removed within seven (7) days following the holiday or event;

(vii) Signs Erected By Historical Agencies: Signs erected by recognized historical agencies that show names of buildings, dates of construction provided the sign is less than two (2) square feet in area.

(b) Exempt Signage with Limitations: The following signs are exempt from requirement for a sign permit and city review provided that they meet the size, height, duration, and/or maximum number limitations listed:

(i) Construction Signs: Construction signs not to exceed one sign per street frontage and a maximum of twenty (20) square feet in area or a maximum of thirty two (32) square feet if

combined with a future tenant sign. Construction signs may not be illuminated. Such signs shall be removed upon completion of the city's final building inspection. (See Section 17.30.300(8), "Temporary And Special Event Signs", of this chapter.);

(ii) Directional Signs: Directional signs, on site, solely for guiding traffic, parking, and loading on private property, with no advertising. Copy shall be limited to the facility name and address, instructions, and directional arrows. Sign area shall not exceed twenty four (24) square feet in residential districts and thirty six (36) square feet in nonresidential districts. The maximum height for freestanding signs shall be six feet (6') unless the director allows additional height after determining that the visibility of a lower sign would be impaired. The area and number of directional signs do not count towards the total allowed as described in Section 17.30.300(7), Table 17.30.300-7-1 of this chapter;

(iii) Flags: Flags of a nation, the state of California, other states of the nation, and municipalities;

(iv) Future Tenant Signs: Future tenant signs identifying or announcing the future use of a project while under construction. One sign shall be allowed per street frontage and the sign shall be removed upon occupancy of the site. In an integrated development, one sign per business is allowed. The maximum size of the sign shall be thirty two (32) square feet and the maximum height shall be six feet (6'). Future tenant signs may not be illuminated;

(v) Gas Pricing Signs: Gas pricing signs, as required by state law, which identify the brand, types, octane rating, etc., provided the signs do not exceed three (3) square feet;

(vi) Garage, Yard, Estate, and Other Home Based Sales Signs: Sign advertising the one day sale of items from a garage, yard, estate, or other home based sale;

(vii) Incidental Signs: Incidental signs, with a maximum area of two (2) square feet per sign. The area and number do not count towards the total allowed as described in Section 17.30.300(7), Table 17.30.300-7-1 of this chapter;

(viii) Menu/Order Board Signs: Menu/order board signs, as described herein and in subsection 17.30.300(5)(d) of this chapter. A maximum of two (2) menu/order board signs shall be permitted for each drive-in or drive-through business, provided that each sign not exceed a maximum of forty (40) square feet in sign area and that each sign be limited in height to eight feet (8'). The area and number of menu/order board signs do not count towards the total allowed sign area;

(ix) Nameplates: Nameplates, as described below. Nameplates may only be lit by either an indirect light (i.e., porch light) source, low wattage spotlight without glare to the adjoining property, or internal light source with opaque (nontransparent) background.

(A) Residential, individual unit: Occupant name, street number, and street name signs not exceeding two (2) square feet in area per single-family or multi-family unit;

(B) Residential, multi-family site: Building number, building name, units located in the building, and other directional signs not exceeding fifteen (15) square feet in area;

(C) Nonresidential: Signs for commercial, office, and industrial uses not exceeding two (2) square feet, with copy limited to business identification, hours of operation, address, and emergency information;

(x) Noncommercial Signs: Noncommercial signs that are not located within or over a public right of way unless authorized pursuant to Section 17.30.300(6) of this chapter, or over the roofline of any building and outside of any visibility triangle as follows:

(A) Non-illuminated Campaign Signs: Non-illuminated campaign signs are limited to the following:

- No more than four (4) square feet and 48 inches in height; and
- Signs may be erected not earlier than sixty (60) days prior to the election and shall be removed within ten (10) days following said election; and
- No more than 4 signs shall be allowed on any one parcel; and
- No sign may be placed on private property without the consent of the property owner; and
- Signs may be freestanding or attached to existing buildings or fences. However they are not permitted on street signs, trees, shrubs, bus stops, power poles, utility cabinets or other public appurtenances; and
- Signs may not be placed within 15 feet of any fire hydrant, street sign or traffic signal, or interfere with, confuse, obstruct or mislead traffic; and
- Signs may not be placed within a public right of way, nor within 30 feet of an intersection and no closer than 3 feet from the curb. Where no curb exists, signs shall be at least 5 feet from the edge of the pavement; and
- Homeowners are allowed to place political signs in the windows of their property; and

- Signs may not be illuminated, including motion and/or flashing lights, but may be placed where existing lighting may permit them to be seen at night.
- (B) Political Event/Demonstration Signs: Political event and/or demonstrations signs shall be permitted during the course of and at the site of a political event or demonstration.
- (C) Prohibiting Signs: Signs prohibiting trespassing and advertising, as well as neighborhood watch and alarm signs, shall be permitted on private property.
- (xi) Public Notice: Any public notice or warning required by a federal, state, or local law or regulation shall be permitted.
- (xii) Window Signs: Window signs with a maximum per window coverage of sixty percent (60%).
- (xiii) Real Estate Signage: Real estate signs for sale or lease of property shall be permitted on private property and out of any required visibility triangle, with the following limitations:
- (A) For residential property, one on site sign with a maximum sign area of six (6) square feet. Additionally, a maximum of three (3) attached rider signs are permitted on each real estate sign identifying the agent, special feature and/or sales status. On weekends and holidays, open house signs as needed to direct traffic from major collector and arterial streets to the subject property. One sign may be placed for each change in direction to a maximum of five (5) signs with a maximum sign area of six (6) square feet.
- (B) For commercial property, one on site sign per street frontage with a maximum sign area of thirty two (32) square feet for parcels with less than one acre and forty eight (48) square feet for parcels larger than one acre with an eight foot (8') height limit.

17.30.300(4) Prohibited Signs:

The signage listed in this section are inconsistent with the purposes and standards of these regulations as described below and as such are prohibited in all zoning districts.

- (a) Abandoned signs;
- (b) Roof signs erected and constructed on and/or over the roofline of a building and supported by the roof structure;
- (c) Signs that are unauthorized, temporary or permanent, and are affixed to trees and utility poles;
- (d) Signs emitting audible sounds, odors, or visible matter. Only menu/order board signs may emit sounds, but only as part of their primary function;

(e) Signs erected in such a manner that a portion of its surface or supports will interfere with the use of fire escapes, standpipes, or emergency exits from a structure or site;

(f) Signs erected without the consent/permission of the owner (or his/her agent) of the property on which the sign is located;

(g) Signs on public property or within the public right of way, except government/civic signs erected by a governmental agency or a public utility or signs granted an encroachment permit by the public works department;

(h) Signs which imitate or resemble official traffic warning devices or signs, that by color, location, content, or lighting may confuse or disorient vehicular or pedestrian traffic;

17.30.300(5) Standards for Special Category Signs:

This section describes the standards applied to certain types of signage as defined in Section 17.30.300(3) and are consistent with the standards established for signage as listed in Section 17.30.300(7) and Table 17.30.300-7-1.

(a) Awning and Canopy Signs: Awning and canopy signs may be permitted only as an integral part of the awning or canopy to which they are attached or applied, as follows:

(i) Location: Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian-way.

(ii) Maximum Area and Height: Sign area shall comply with the requirements established by Section 17.30.300(7) and Table 17.30.300-7-1 and Section 17.30.300(6) of this chapter. No structural elements of an awning or canopy shall be located less than eight feet (8') above the finished grade.

(iii) Lighting: Awnings shall not be internally illuminated. Lighting directed downwards that does not illuminate the entire awning is allowed.

(iv) Required Maintenance: Awning and canopy signs shall be regularly cleaned and kept free of dust and visible defects.

(b) Blade/Bracket Signs:

(i) Location: Blade or bracket signs shall be placed only on ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.

(ii) Maximum Area, Height, and Projection: The maximum sign area shall be ten (10) square feet. The lowest point of a blade or bracket sign shall be a minimum eight feet (8') above grade. The sign may project a maximum of five feet (5') from the building.

(iii) Sign Structure: Sign supports and brackets shall be compatible with the design and scale of the sign.

(c) Governmental/Civic Sign As A Gateway Sign: A governmental/civic sign as a gateway sign(s) other than those described in section 17.30.300(7) and Table 17.30.300-7-2 of this chapter for subdivisions and those exempt as in section 17.30.300 of this chapter may be established subject to the following standards:

(i) Location: The sign may be located along or within a public right of way at a minimum distance from the public right of way so as to not interfere with the movement of traffic.

(ii) Maximum Area and Height: The maximum sign area shall be thirty two (32) square feet. The maximum height shall be fifteen feet (15').

(iii) Design: The sign should be designed as a monument sign, consistent with the standards for monument signs described in subsection (e) of this section.

(d) Menu/Order Board Sign:

(i) Location: Menu/order board signs shall not face onto the public right of way.

(ii) Illumination: Menu/order board signs shall only be illuminated by internal light source with opaque (nontransparent) background.

(iii) Maximum Size, Height, And Number: The size, height, and number of menu/order board signs shall be limited as described Section 17.30.300(3)(b)(viii) of this chapter.

(e) Monument Signs:

(i) Location: The sign may be located only along a site frontage adjoining a public street and not within the visibility triangle. It shall be set back a minimum of ten feet (10') from the right of way. See also Section 17.30.300(6) of this chapter.

(ii) Maximum Area and Height: The sign shall comply with the height and area requirements established in Section 17.30.300(7) and Table 17.0.300-7-3 of this chapter.

(iii) Design: The mass/scale of a monument sign shall be consistent with the overall design of the building. The design and placement of the sign shall not interfere with the visibility triangle.

(iv) Landscape Requirements: Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, twenty (20) square feet of sign area requires forty (40) square feet of landscaped area. The City may reduce or waive this requirement if the sign is placed within an existing landscape corridor or median.

(f) Reader Board Signs: Reader board signs may only be allowed:

(i) In the Community Commercial (CC) zone upon approval of zoning clearance. Reader board signs may be allowed in the Town Center (TC) and Neighborhood Center (NC) zones with a Conditional Use Permit. The total area for these signs shall be included in maximum allowed sign area as listed in Section 17.30.300(7) and Table 17.30.300-7-1 of this chapter.

(ii) To advertise products, services, and prices in conjunction with an on-site retail business and limited to a maximum of forty (40) square feet.

(g) Time and/or Temperature Signs: A time and/or temperature sign may be permitted on a site in addition to the other signs allowed by this section provided it meets the following standards:

(i) Maximum Area and Height: The sign shall have a maximum area of ten (10) square feet and shall comply with the height requirements established by Section 17.30.300(7) and Table 17.30.300-7-2 of this chapter.

(ii) Design: The sign shall be designed in a manner that is compatible with other signs and with the structure on which it is placed.

(h) Building Signs: Where allowed in Section 17.30.300(7) and Table 17.30.300-7-1 of this chapter, a building sign shall comply with the following additional requirements:

(i) Location: The sign shall not be placed to obstruct any portion of a window, doorway, transom, or other architectural detail.

(ii) Maximum Area and Height: The sign shall not project above the edge of a structure and shall comply with the height requirements established by section 17.30.300(7), Table 17.30.300-7-1 of this chapter. It shall not take up more than seventy five percent (75%) of the building frontage on which it is placed.

(iii) Projection From Wall: The sign shall not project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve inches (12"). See also section 17.30.300(6) of this chapter for three dimensional elements on all signs.

(i) Banner or Feather Signs: Banner and/or feather signs may be allowed in the Town Center, Neighborhood Center, Community Commercial and Industrial Commercial zones upon approval of zoning clearance, provided it meets the following standards:

(i) Location: The banner and/or feather sign shall not be placed to obstruct pedestrian traffic or doorways.

(ii) Maximum Area and Height: The banner and/or feather sign shall not exceed sixteen (16) square feet in area and fifteen (15) feet in height. The total area for these signs shall be included in maximum allowed sign area as listed in Section 17.30.300(7) and Table 17.30.300-7-2 of this chapter

(iii) Number: No more than two (2) banner and/or feather signs shall be allowed per business.

(j) Freeway Oriented Billboards: Notwithstanding the prohibition against off site commercial signs, freeway oriented billboards may be permitted subject to first obtaining a Conditional Use Permit from the Planning Commission. For the purposes of this section, a "freeway oriented billboard" is hereby defined as an outdoor freestanding sign board which is located within one hundred feet (100') of State Highway 101 and which advertises a business, service or product which is not produced or sold at the site of the sign. A Conditional Use Permit for a freeway oriented billboard may be issued only if the proposed billboard complies with all of the following conditions:

(i) Location: A freeway oriented billboard shall be located only on property zoned Industrial Commercial and located at the Humboldt Rio Dell Business Park. No freeway oriented billboard shall be located closer than one-half (1/2) mile to another freeway oriented billboard. No freeway oriented billboard shall be located on or within any public right of way.

(ii) Maximum Number of Freeway Oriented Billboards: No more than a total of three (3) freeway oriented billboards may be constructed or approved by the city at any time, provided that each sign must meet all the conditions of this section. Once there are three (3) freeway oriented billboard use permits issued in the City, no other use permit application for a freeway oriented billboard can be processed by the City.

(iii) Height: No freeway oriented billboard shall exceed a height of thirty-five feet (35') as measured from the existing grade of the property on which the freeway oriented billboard will be located.

(iv) Size Of Signage: No freeway oriented billboard shall exceed four hundred eighty (480) square feet of advertising surface area. No freeway oriented billboard may contain more than two (2) advertising surface areas. No advertising surface area may contain more than two (2) advertisements.

(v) Lighting: A freeway oriented billboard may be illuminated in accordance with this title; however, no blinking, flashing, rotating, animated lighting or movement of any kind shall be permitted.

(vi) Approval By State Of California: Freeway oriented billboards receiving a Conditional Use Permit from the City shall not be constructed without proof of a permit issued by the state of California department of transportation, pursuant to the California outdoor advertising act. The City's restrictions regarding freeway oriented billboards shall apply if the City's limitations are more restrictive than the state requirements.

(vii) Structural Design: No freeway oriented billboard shall be approved without Planning Commission review and approval of the structural design. In particular, the Planning Commission shall ensure that the location, color, materials and details of the structural design of the freeway oriented billboard are attractive and compatible with surrounding land uses and the City's rural, hometown image.

(viii) Maintenance: Freeway oriented billboards and their supporting members must be maintained in good condition at all times. Upon order by the City, dilapidated freeway oriented billboards must be repaired or removed within thirty (30) days.

17.30.300(6) General Development, Maintenance, And Removal:

This section describes the standards applied to the development, maintenance, and removal of signs within the city.

(a) Measurement of Sign Area:

(i) Computation: Sign area shall be computed by means of a single continuous perimeter composed of any rectilinear geometric figure that encloses the extreme limits of writing, representation, emblem, or any fixture of similar character, together with any frame or material or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed; however, if the sign is composed of individual letters or symbols using the wall as the background with no added decoration, the total sign area shall be calculated as seventy five percent (75%) of the area of any rectilinear geometric figure that encloses the extreme limits of the characters or symbols.

(ii) Supporting Framework: Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

(iii) More Than One Sign Face: Signs composed of more than one sign face shall be computed as including only the maximum single display surface that is visible from any ground position at one time.

(iv) Three-Dimensional Objects: Where a sign consists of one or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture, or statue like trademarks), the sign area shall be measured as their maximum projection upon a vertical plane.

(v) Time and Temperature Devices: For signs that incorporate time and temperature devices, the area of these devices shall not be included in the total area of the sign.

(b) Measurement Of Sign Height: Sign height shall be measured from the uppermost part of the sign used in determining the area of the sign to the lowest elevation at the base of the sign.

(c) Maintenance Of Signs: All signs shall comply with the following criteria:

(i) All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the building or shall be concealed within the sign;

(ii) All permanent signs shall be constructed of quality, low maintenance materials such as metal, concrete, natural stone, glass, and acrylics. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements;

(iii) All signs shall be constructed in compliance with any applicable building, electrical, or other code in effect at the time of construction or maintenance, with particular respect to wind and seismic loads and overturning moment;

(iv) All freestanding signs that incorporate lighting shall have underground utility service;

(v) Signs shall be cleaned, updated, and/or repaired as necessary to maintain an attractive appearance and to ensure safe operation of the sign. Unacceptable sign conditions include broken or missing sign faces, broken or missing letters, chipped or peeling paint, water damage, missing or inoperative lights, exposed mechanical or electrical components, and missing or broken fasteners. Failure to respond to a written request from the city to perform maintenance work shall result in revocation of the sign's zoning clearance;

(vi) All temporary signs and banners shall be made of a material designed to maintain an attractive appearance for as long as the sign is displayed;

(vii) All illuminated signs shall be of such intensity or arranged in such a manner so as not to create glare for abutting properties or vehicular traffic.

(d) Illumination Standards: The artificial illumination of signs, either from an internal or external source, shall be designed to eliminate negative impacts on surrounding rights of way and properties. The following standards shall apply to all illuminated signs:

(i) External light sources shall be directed and shielded to limit direct illumination of an object other than the sign;

(ii) The light from an illuminated sign shall not be of an intensity or brightness that will create a negative impact on residential properties in direct line of sight to the sign;

(iii) Signs shall not have blinking, flashing, or fluttering lights, or other illumination devices that have a changing light intensity, brightness, or color;

(iv) Colored lights shall not be used at a location or in a manner so as to be confused or construed as traffic control devices;

(v) Reflective type bulbs and incandescent lamps that exceed fifteen (15) watts shall not be used on the exterior surface of signs so that the face of the bulb or lamp is exposed to a public right of way or adjacent property; and

(vi) Light sources shall utilize energy efficient fixtures to the greatest extent possible.

(e) Sign Removal or Replacement: When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected building surfaces shall be restored to match the adjacent portion of the structure.

(f) Setback of Freestanding Signs (Permanent and Temporary): The minimum setback distance for signs shall be measured from back of the public right of way. No sign shall encroach into a public right of way. All freestanding signs shall be set back a minimum of ten feet (10') from the public right of way with the following exception:

(i) Where the public right of way has not been improved to its ultimate width, signs shall be set back from the ultimate right of way as defined by the public works department. Until such time as the right of way is improved to its ultimate width, the applicant may be granted an encroachment permit to allow the sign to be placed within the ultimate right of way, provided that when the right of way is improved the owner of the sign shall be required to remove or otherwise relocate the sign (at their own cost) and shall be subject to the current standards as provided in this title.

(g) Location Of Building Signs: Building signs may be located along any frontage of a building that faces directly onto a public right of way or an internal circulation path of the site. In no instance shall signs face directly onto residential property.

17.30.300(7) Permitted Signs By Zoning Districts:

Signs permitted within the City are regulated by the zoning district, and the standards for their development are described in Table 17.30.300-7-1 of this section. Zoning clearance (administrative plan check) is required to determine compliance with applicable provisions of this section. Only those signs that may be permitted are listed. The goal of these standards is to regulate permanent signs that have a commercial message so that they comply with the purpose of this chapter, as established in section [17.30.300\(1\)](#) of this chapter. Noncommercial signs and signs that are exempt from these standards are described in section [17.30.300\(3\)](#) of this chapter. Temporary signs are listed in section [17.30.300\(8\)](#) of this chapter. The following general rules/standards apply to permanent signs regulated in this section:

(a) Building signs are those signs that are permanently attached to a building (i.e., wall signs, blade/bracket signs, etc.).

(b) Freestanding signs are those that have their own unique foundation or are otherwise not attached to a building (i.e., monument sign).

(c) The total allowed sign area may be distributed among the maximum number of signs permitted for each sign type.

(d) Illumination standards refer to whether or not the sign may be illuminated and how. Signs that may be illuminated may be done so by "indirect or background" (indirect light source, low wattage spotlight without glare to the adjoining property, or internal light source with opaque, nontransparent background) or by any method that produces "no glare onto (neighboring) residential property".

(e) Allowable sign area is either a set square footage per business or is based on a ratio of sign area to primary building frontage. It is calculated as described in section 17.30.300(6) of this chapter. Where a ratio is described, it applies up to the listed maximum sign area.

(f) Public frontage is that area of the building that faces onto a public right of way, an internal circulation aisle, or a parking lot. In no case shall signs face directly onto residential property. (See section 17.30.300(6) of this chapter.)

TABLE 17.30.300-7-1					
SIGNS PERMITTED BY ZONING DISTRICTS					
Sign Type	Maximum No. Permitted	Maximum Area ⁴ (Sq. Ft.)	Maximum Height ⁴ (Ft.)	Minimum Setback From ROW (Ft.)	Illumination Standards
Residential Zones:					
Building signs ¹	1 per Home Occupation or Address of Convenience	2	4	-	No illumination
Single-family subdivisions:					
Freestanding signs: entry monument	1 per project entrance	24 each	6	10	Indirect or background
Multi-family dwellings and complexes:					
Building signs ³	1 per complex	6	6	-	No illumination
Freestanding signs ³	1 per vehicle entrance	16 each	6	10	Indirect or background

TABLE 17.30.300-7-1

SIGNS PERMITTED BY ZONING DISTRICTS

Sign Type	Maximum No. Permitted	Maximum Area ⁴ (Sq. Ft.)	Maximum Height ⁴ (Ft.)	Minimum Setback From ROW (Ft.)	Illumination Standards
Permitted nonresidential uses in a residential zoning category:					
Building signs ³	1 per business	50	Roofline	-	No glare onto residential property
Freestanding signs	1 per business	100	10	10	No glare onto residential property
Town Center and Neighborhood Center Zones:					
Building signs ¹ :	2 per business	100	Roofline	-	No glare onto residential property
Freestanding signs: Individual businesses	1	50	10	10	Indirect or background
Freestanding signs: Integrated development	1	150	15	10	Indirect or background
Community Commercial and Industrial Commercial Zones:					
Building signs	2 per business	125	Roofline	-	No glare onto residential property
Freestanding signs	1 per business	150	35	10	No glare onto residential property
Freestanding signs, integrated development ⁴	1 per project entrance	300 ³	35	10	No glare onto residential property
Public/quasi-public uses:					
Building signs	1 per use	12	Roofline	-	Indirect or background
Freestanding signs	1 per use	32	8	10	Indirect or background

Notes:

1. Excludes nameplates as described in section 17.30.300(3) of this chapter.
2. Refer to Design Review Guidelines.
3. Square feet by side.
4. On site signs for commercial and industrial zones may exceed the height and size limits after showing that the operation on site requires the added visibility and that site topography or other constraints would preclude adequate visibility of the sign and upon issuance of a Conditional Use Permit.

17.30.300(8) Temporary And Special Event Signs:

This section describes standards for temporary signs, special event signs, and signs for subdivisions.

(a) Temporary Signs: Temporary commercial signs such as banner signs and portable signs for grand openings, special product, sale, or event advertising are permitted within the City with the development standards described below. While the City does not issue temporary sign permits, provisions herein will be enforced pursuant to chapter 17.40 of this title.

(i) Time Duration: Each business shall be allowed a maximum of two (2) weeks' temporary promotional signs a quarter/season (4 times a calendar year), not to exceed a total of eight (8) weeks per calendar year. Temporary advertising periods may be combined, but may never be longer than four (4) consecutive weeks (30 consecutive days) at any one time.

(ii) Illumination: No temporary signs may be illuminated.

(iii) Development Standards: Table 17.30.300-7-2 of this section describes the development standards with regards to maximum number, area, height, and setback from the public right of way. In no case may a temporary sign be placed within a required visibility triangle.

TABLE 17.30.300-7-2

TEMPORARY SIGN STANDARDS

Use Type	Maximum Temporary Number Permitted	Maximum Area (Square Feet)	Maximum Height (Feet)	Minimum Setback From ROW (Feet)
Auto dealerships	3 per business	10 each	10	10
Commercial uses, building signs	1 per business	10 each	Roofline	-
Commercial uses, freestanding signs (i.e. sandwich board signs)	1 per business	6	4	10
Multi-family dwellings and complexes	3 per complex	Less than 10 units: 10; more than 10 units: 30	Roofline if on building; otherwise 10	5
Office and industrial uses	3 per business	6 each	10	10
Permitted nonresidential uses in a residential zoning category	3 per business	6 each	10	10
Public/quasi-public uses	2 per use	5 total	5	10
Residential dwellings/uses, building sign	2 per home occupation or Address of Convenience	10 total	8	5

(b) Special Event Signs: Signs not otherwise permitted in this chapter (e.g., beacons, pennants, freestanding banners, inflatable signs), may be permitted for communitywide events or other similar events on a temporary basis with the approval of a zoning clearance.

(i) Location: Special event sign(s) shall be located on the site of the event and shall not be located above the roofline of any structure. All signs shall be located so as not to obstruct required parking, driveways, or pedestrian walkways, and shall not be located within any visibility triangle.

(ii) Time: No entity or integrated development may be issued more than two (2) special event sign permits per calendar year for a maximum of fourteen (14) consecutive calendar days each.

(c) Subdivision Signs: Temporary and limited term subdivision signs for both on site identification and off site directional signs shall be permitted in accordance with the following

standards. Single-family subdivision sign provisions shall apply to integrated developments only and not to any single residential lot.

(i) On Site Signs: On site directional signs shall be permitted in accordance with the provisions listed in Table 17.30.300-7-3 of this section.

(ii) Off Site Signs: Offsite directional signs shall be collocated together with other similar subdivision signs on offsite kiosks. Such signs shall be subject to the development standards as described in Table 17.30.300-7-3 of this section and as follows:

A. No off site sign shall have any additions, tag signs, streamers, devices, display boards, or appurtenances added to the sign as originally approved.

B. Copy for individual projects listed on the kiosks is limited to the project name and a directional arrow.

(iii) Standards Applicable To All Subdivision Signs:

A. Sign Removal: Signs are to be permanently removed when the last home in the subdivision is sold or the sign permit expires, whichever occurs first.

TABLE 17.30.300-7-3						
SINGLE-FAMILY SUBDIVISION SIGNS						
Sign Type	Maximum Temporary Number Permitted	Maximum Area	Maximum Height	Minimum Setback From ROW	Illumination Standards	Other Standards
Freestanding signs: on site	1 per project entrance, max. 6	32 sq. ft. each	10 ft.	10 ft.	No illumination	

17.30.300(9) Nonconforming Signs:

Signs that were established prior to the adoption, or subsequent amendments, of this chapter, but are inconsistent with the adopted content are considered legal nonconforming uses. As such, they may continue to exist provided that they are not altered, modified, or changed in any way that would require, under this code, zoning clearance by the City or would constitute an otherwise prohibited sign as identified under section 17.30.300(4) of this chapter, outside of their being legal nonconforming uses (see Section 17.30.200 of this title). When such modification alteration-change occurs (as defined in chapter 17.30.200 of this title), the sign shall be brought into compliance with this chapter, requiring zoning clearance, and the clearance shall be reviewed under the specifications of section 17.30.300(2) of this chapter.

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), subject to Section 15061 of the CEQA Guidelines. Due to the nature of the proposed code revisions, there is no evidence that any significant impact to the environment would occur as a result of adoption of the Ordinance.

Section 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 6, 2018 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 20, 2018 by the following vote:

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

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 362-2018 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on February 20, 2018.

Karen Dunham, City Clerk, City of Rio Dell