

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

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

In compliance with the American with Disabilities Act, 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.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

1) 2017/0207.01 - Proclamation in Recognition of Engineer's Week
February 19th-25th, 2017

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E. PUBLIC PRESENTATIONS

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

F. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council embers if there is anyone who wishes to

address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS".

- 1) 2017/0207.02 - Approve Minutes of the January 10, 201 Study Session
(ACTION) **3**
 - 2) 2017/0207.03 – Approve Minutes of the January 17, 2017 Regular Meeting
(ACTION) **10**
 - 3) 2017/0217.04 - Approve Resolution No. 1321-2017 Approving Program Supplemental Agreement for Active Transportation Program Grant Authorizing the City Manager to Execute
(ACTION) **22**
 - 4) 2017/0217.05- Review and Approval of 2017 Dues for the League of California Cities
(ACTION) **29**
- G. ITEMS REMOVED FROM THE CONSENT CALENDAR
- H. SPECIAL PRESENTATIONS/STUDY SESSIONS
- I. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS
- 1) 2017/0207.06 - Discussion and Possible Action Related to Drainage on and Around May Avenue **(DISCUSSION/POSSIBLE ACTION)** **36**
 - 2) 2017/0207.07 - Discussion on Stakeholders Meeting for Eel River Sawmills Site **(RECEIVE & FILE)** **37**
 - 3) 2017/0207.08- Annual Police Report for 2016 **(RECEIVE & FILE)** **38**
- J. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS
- 1) 2017/0207.10 - Second reading (by title only) and adoption of Ordinance No. 353-2017 “Commercial Medical Cannabis Land Use Regulation” Section 17.30.195 of the Rio Dell Municipal Code **(DISCUSSION/POSSIBLE ACTION)** **57**

K. REPORTS/STAFF COMMUNICATIONS

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, February 21 , 2017 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 7, 2017
SUBJECT: Proclamation in Recognition of Engineer's Week

RECOMMENDATION

Read and present the Proclamation in recognition of Engineer's Week February 19th to 25th.

BACKGROUND AND DISCUSSION

Nicholas Cordtz, Treasurer of the North Coast Branch ASCE will be present at the meeting to accept the Proclamation.

ATTACHMENTS: Proclamation



PROCLAMATION OF ENGINEER'S WEEK
FEBRUARY 19th through 25th, 2017

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 19th through the 25th 2017 is being recognized as National Engineer's 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 19th, 2017 as Engineer's 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
RIO DELL PLANNING COMMISSION
JOINT STUDY SESSION
JANUARY 10, 2017
MINUTES**

A Joint Study Session of the Rio Dell City Council and Rio Dell Planning Commission was called to order at 5:00 p.m. Mayor Wilson.

ROLL CALL: Present: Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes, Marks and Strahan, Planning Commissioners Kemp, Marks, Strahan and Woodall

Absent: Commissioner Angeloff

Others Present: City Manager Knopp, Community Development Director Caldwell, Finance Director Woodcox and City Clerk Dunham

PUBLIC PRESENTATIONS

City Manager Knopp took this opportunity to provide an update on the current storm event and said the Eel River is expected to crest at 2:00 a.m. which is a level that will impact the River's Edge RV Park. As such, the City has been working to make sure the facility is secure and residents are relocated with one remaining trailer to move out. He said since then the forecast has been upgraded with the river to reach 53 feet as opposed to the 49 foot level projected earlier. He reported that the County's EOC (Emergency Operations Center) has also been activated and will be monitoring the storm situation throughout the night.

STUDY SESSION MATTERS

Discussion on Economic Development in and around Rio Dell

City Manager Knopp stated the purpose of the Joint Study Session is to provide a broad overview of Economic Development opportunities in Rio Dell including past, current and future efforts. He said staff put together a packet of information to review and said staff will provide a presentation of the contents then turn it over to the Council and Commission to ask questions and have a dialog back and forth to get a good idea of what everyone's vision is in terms of Economic Development and also so everyone understands the opportunities present today.

City Manager Knopp began the review and said the Council held an Economic Development Workshop on February 24, 2015 and began brainstorming and from that discussion came up with a catalog of 38 potential economic development opportunities including a list of business types seen in other cities of similar size that would be useful businesses in Rio Dell.

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- Business Recruitment
- Cannabis Policy
- CDBG Grants – Economic Development
- CDBG Grants – Public Facilities
- Branding Effort
- Attractive Community Through Code Enforcement
- Community Building & Events
- Existing City Services - Public Safety, Public Works, Planning/Building & Permits

City Manager Knopp pointed out that people are more likely to invest in an attractive community and having local law enforcement is also a tremendous asset in terms of economic development.

Discussion continued regarding past efforts, current efforts and future efforts.

Past efforts for economic development included:

- Dinsmore Plateau
- 2008 Economic Development Strategic Plan
- 2010 Food Collaborative
- Dollar General
- Various Grants (Gateway, Water Distribution, Wastewater Treatment Plant, Wildwood Avenue Medians)

Current efforts included:

- Grants: Water System, CDBG, Active Transportation Plan (ATP)
- Attractive Community through Code Enforcement (Measure Z)
- Eel River Sawmills Developments
- Preservation of existing public services (Police, Streets, etc.)

City Manager Knopp noted that the most surprising development is the number of people interested in developments at the former Eel River Sawmill site.

Future efforts included:

- Eel River Sawmill Site implementation (Traffic Study, Utilities, etc.)
- Grants: Water System, Downtown Revitalization, Brownfield Cleanup, CDBG
- Active Business Recruitment (diversification of economic base)
- Community Building Events and Facilities

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Next was review of a per capita comparison in tax revenue between Eureka and Rio Dell which revealed that of the \$1.7 million collected in secured property taxes in Rio Dell, the City only receives \$104,569.

Community Development Director Caldwell provided a handout on the financial advantages of residential developments versus commercial developments and pointed out that residential developments actually cost cities money rather than generate revenue because of the services a city provides.

City Manager Knopp then reviewed the list of current Rio Dell businesses (with storefronts) and said the last several pages of the packet includes pictures and descriptions of commercially zoned, vacant, under-utilized and non-conforming use properties in the City which is something staff has been working on as an Economic Development Opportunity Roadmap to hand out to potential developers.

Community Development Director Caldwell noted that staff and the Planning Commission also created a Land Use Matrix which is another important tool in promoting economic development in the City.

Community Development Director Caldwell continued the presentation and provided a brief overview of each of the commercially zoned properties (1-67) identified in the packet.

He noted that the property at 770 Wildwood Ave. (formerly Wildwood Feed and Humboldt Hydroponics) was recently sold and the owner is proposing to open a new business at that location with 8,000 sq. ft. of retail space under the business name of "Roots 101 Garden Supply."

The last few pages of the packet identified the City's most desirable properties for commercial development. The first and most desirable property was the 18 acre commercial parcel owned by Linda Todd with direct highway frontage and outstanding access. Other properties included the 2.56 acre "Albin" parcel; the 1.6 acre "Dazzi" parcel; the .68 acre "Moschetti" parcel as well as a dozen more commercial and industrial commercial zoned properties in the Belleview and Eeloa neighborhood.

Discussion continued regarding the reasons for the Todd property not being developed and possible things the City could do to promote development of that particular property.

Community Development Director Caldwell pointed out that one recent development that makes this property more attractive to commercial developers is the Willits by-pass.

Next was discussion of the Eel River Sawmill Site and proposed developments.

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Community Development Director Caldwell handed out a map of the area including a list of owners, and existing and potential uses for 16 identified parcels.

He said Glen White, co-owner of the 3.73 acre parcel identified as Parcel B is proposing the development of a facility including a cannabis testing laboratory, manufacturing of oils, salves, tinctures, lotions, sublinguals, etc. and a spa/wellness center. He provided pictures of the proposed facility estimated at \$6 million which he noted was probably a conservative estimate.

Parcels D and E, owned by Alex Moore (Honeydew Farms) is proposing 10,000 sq. ft. of indoor cultivation, processing and distribution facility at each of the two sites.

Community Development Director Caldwell said Michael Martino, the owner of parcel J (the largest parcel at 15.04 acres) is proposing to construct two 32,000 sq. ft. structures with four Type 3 (22,000 sq. ft.) Indoor Cultivation Permits including processing, distribution and a commercial kitchen as well as an employee cafeteria. He noted that his project is estimated at over \$20 million. He pointed out that Mr. Martino will also be completing the Brownfield cleanup of this parcel.

He commented that the indication he got from the various developers is that they want to create a first class business park and said the overall proposed developments are estimated to be close to \$40 million.

City Manager Knopp then provided some preliminary rough numbers for potential Building Permit revenue for the proposed construction with a 10,000 sq. ft. structure estimated at around \$14,000 and a 32,000 sq. ft. structure at \$44,000.

He noted that with this amount of revenue coming back into the Building Fund, the General Fund could easily be paid back for the estimated \$50,000 that has come from General fund subsidies to fund the Building department the past few years.

Councilmember Strahan asked if the permit fees would come directly to the City; staff responded that they would.

Commissioner Woodall asked for an estimate on the number of people expected to be employed.

Community Development Director Caldwell noted that Michael Martino estimated having 150 employees alone.

Commissioner Marks asked about the status of the traffic study.

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Community Development Director Caldwell said he received an email from W-Trans today and they hope to have the study done in 4-5 weeks.

Councilmember Garnes asked what the timeframe is to begin construction once the traffic study is complete.

Community Development Director Caldwell stated that construction could begin as early as June or July of this year.

Mayor Pro Tem Johnson noted that time is of the essence when it comes to commercial development and referred to West Sacramento's redevelopment of their old industrial area and how they persuaded a distribution center to come in by promising to get their plans approved faster than Sacramento which worked because time is money.

Commissioner Woodall commented that it is her understanding that all building permit revenue that is generated must stay in the building department.

Community Development Director Caldwell clarified that once the General fund is reimbursed for any subsidies, the City Council can designate a portion of those funds to the General fund.

Commissioner Strahan asked if Caltrans requires improvements as a result of the Traffic Study, how they will be funded.

Community Development Director Caldwell said he would assume the project would be broken up in phases and if the City can't afford to fund the improvements they would have to work with the developers and come up with a shared cost based on the traffic generation numbers for each business.

Commissioner Kemp said in these instances there is usually a cost sharing agreement written based on square footage of the business and noted that Dennis Wendt has had to foot the bill for infrastructure improvements on projects and is paid back by future development.

Mayor Wilson questioned whether water will be locally sourced or come from wells.

Community Development Director Caldwell said staff is still looking into that and pointed out that the water revenue that would be generated from those businesses would be very minimal estimated at \$4,000 annually.

Mayor Wilson suggested staff look into the matter further and get it worked out. He said obviously increasing commercial water users reduces rates for residential customers.

Discussion continued regarding the feasibility of septic systems versus City sewer, fire suppression, sprinkler systems, and drainage.

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Sean Studdebaker expressed concern that leach fields take away usable land and said the water running off of the hillside keeps the culverts silted in and asked who is responsible for cleaning the culverts.

Community Development Director Caldwell said cleaning the ditches is a collaborated effort and that Michael Martino is responsible for his area and when it gets down toward the railroad right of way, the City is responsible.

He commented that he would like to have a stakeholders meeting and discuss these kinds of issues so everyone has a clear understanding of responsibility.

Community Development Director Caldwell said with regard to drainage, a number of the developers will be developing detention/retention basins to help with the runoff.

Mayor Pro Tem Johnson said the real revenue for the City is through the tax measure which needs to be discussed at some point and suggested the Council not kick the can down the road any further.

Staff reported the next possible election date as June, 2017 and the next General election date as November, 2017.

City Manager Knopp explained the difference between a Special Tax and a General Tax and said there are no limitations on the use of revenue from a General Tax and the money could be used to perhaps reduce water rates or fix streets.

Finance Director Woodcox mentioned that the City of Fortuna established an Advisory Committee regarding administration of Measure E, the Local Sales Tax Measure that passed in November.

Councilmember Strahan asked if all of the improvement costs will be absorbed by the City.

Community Development Director Caldwell explained they are unless a tax measure is established. He also mentioned the idea of creating a Traffic Impact Fee.

An unidentified member of the public stated that the City recently assessed the water and Sewer and is now talking about infrastructure improvements on the other side of the river and said he would hope the citizens of Rio Dell will not be subsidizing those improvements.

ADJOURNMENT

Motion was made by Wilson/Garnes to adjourn the meeting at 6:26 p.m. Motion carried 5-0.

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Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk

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

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

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

Others Present: City Manager Knopp, Finance Director Woodcox,
Community Development Director Caldwell, and City Clerk
Dunham

Absent: Chief of Police Hill, Water/Roadways Superintendent Jensen
and Wastewater Superintendent Trainee Yaple (excused)

PUBLIC PRESENTATIONS

Nick Angeloff reported on recent activities in the Chamber of Commerce and said they got the Christmas tree in the median down and have already started planning for next year's festivities. He commented that he just returned from a trip to Europe and got some good ideas for lighting.

Councilmember Garnes noted that almost immediately after the new signs went up directing people to the Chamber, the office started closing more often and asked if there are any plans to have expanded hours.

Nick explained that full-time staffing of the Chamber office is a budget issue and that the Eagle Prairie Arts District is basically keeping the office open on a part-time basis through volunteers.

Wallace Niebel addressed the Council and said he has a hard time hearing the Council and offered to work on the sound system free of charge if the City is willing to purchase the parts. He also stated that with regard to the money the City is expected to garner from the businesses at the Eel River Industrial Park, there has been no mention of repairing the City's streets.

Councilmember Strahan inquired on the status of the Pine St. drainage complaint and noted that the item is not on the agenda.

City Manager Knopp explained that the matter is being handled as a public records request at this point and as far as placing the item on the agenda it is a question for the City Attorney; if it involves potential litigation it will need to be discussed in closed session.

CONSENT CALENDAR

Councilmember Strahan asked that item numbers 5 and 8 be removed from the consent calendar for separate discussion.

Motion was made by Johnson/Garnes to approve the consent calendar including approval of minutes of the December 14, 2016 special meeting; approval of minutes of the January 3, 2017 regular meeting; approval of the appointment of Bryan Richter as Alternate on the Rio Dell Planning Commission; approval of the appointment of Kim Reid to the Wildwood Avenue Sculpture Committee; adoption of Resolution No. 1320-2017 designating the membership structure of the Humboldt County Solid Waste Local Task Force; and approval of letters of support for Assembly Bill 1 and Senate Bill 1 authorizing the Mayor to sign. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Adopt Resolution No. 1319-2017 Approving Authorized Signers on all City US Bank Accounts
Councilmember Strahan asked if any two of the authorized signers can sign checks or if it has to be one councilperson and one staff person. She also asked if she as a non-signer can still ask staff questions regarding checks.

Finance Director Woodcox explained that any two of the authorized signers can sign checks and that any questions to staff typically go through the City Manager first but staff is happy to answer any questions councilmembers may have.

Receive and File Check Register for December 2016

Councilmember Strahan asked if the check register represents all checks for the month of December and if Payroll is outsourced or done in house.

Finance Director Woodcox reviewed the procedures for processing checks and noted that payroll is done in house.

Councilmember Strahan then asked if the hours an employee works are broken out on time cards by a particular activity or project.

Finance Director Woodcox explained that public works employees break out their time between the various departments however; other departments are paid according to the budgeted allocations.

Motion was made by Strahan/Johnson to approve consent calendar items 5 and 8 as presented. Motion carried 5-0.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Mayor Wilson announced a change in the order of the agenda and said item 2017/0117.10 will be heard at this time.

Approve Supplemental Scope of Services with GHD, Inc. Related to Project Approval and Environmental Documentation for the Active Transportation Program's Safe Route's to School Grant and authorize the City Manager to Sign the Agreement

City Manager Knopp provided a brief staff report and said this project has been before the Council before and that the City and GHD have been in pursuit of grant funding for this project for quite some time. He noted that Rebecca Crow and David Case from GHD were present to provide the Council with an update on the ATP project and request Council authorization to proceed to the next phase of the project for project approval and environmental documentation.

David Case gave a presentation on the project and provided an overview of the background, project goals, proposed improvements, project schedule, and next steps.

He noted that the Active Transportation Program (ATP) was implemented in 2013 and in March 2014 the City submitted an application for Cycle 1 funding but the project was not awarded. In March 2015 the application was revised and resubmitted for funding under Cycle 2 and was awarded \$1,533,000 for the project with no City matching funds.

He explained the goal of the project is to create safer, more pedestrian and bicycle friendly routes, and to encourage students to safely use active modes of transportation to and from school including both infrastructure and non-infrastructure components such as education and community outreach.

He further explained that components of the project include reconfiguration of the intersections at Scenic Way and Eeloa Ave. and at Wildwood Ave. and Belleview Ave. including bike lanes, sidewalks, curb ramps, crosswalks and other bicycle and pedestrian safety improvements; on Belleview Ave. from Spring Street to Wildwood Avenue, 12 foot travel lanes with a 3 foot striped buffer and a 5 foot minimum bike lane; on Wildwood Avenue from Belleview Avenue to Davis Street, 12 foot travel lanes with a 5 foot minimum bike lane; on Davis Street from Wildwood to Ireland Avenue, 20 foot shared travel lanes with 8 foot parallel parking; and on Davis Street from Ireland Avenue to Rigby Avenue, 12 foot travel lanes with a 5 foot minimum bike lane. It was noted that additional safety improvements include curb ramps and crosswalks at Ireland Avenue, the off-ramp from Southbound 101 and the on-ramp to northbound Highway 101.

Mayor Pro Tem Johnson asked if the City could add items to the scope of work and provide matching funds if they wanted to.

David Case noted that additional items could possibly be added if it fell within the goals of the grant; if not it may be possible to do those items under a separate project.

Mayor Wilson asked if any easements would need to be acquired.

David noted that there are funds available in the event easements are necessary however; they aren't normally required and they wouldn't know for sure until the surveys are completed.

Councilmember Strahan asked if curb, gutter and sidewalks are going to be installed and noted that there has never been sidewalks along Belleview Avenue and felt sidewalks would be much safer than bike lanes. She also noted that there are a lot of kids that walk on Eeloa Ave. by CC Market and it is also very important to have sidewalks there.

David explained that part of the project is to add sidewalks in areas where sidewalks already exist and that much of this project was put together with past planning and looking at the region as a whole but there is some flexibility.

Rebecca Crow interjected that those things can actually be considered during the next phase of the project.

Mayor Pro Tem Johnson referred to the area where Pacific Avenue intersects with Belleview Avenue. and said when that area was constructed there was no high side super ditch put in so the water goes all the way across the roadway which isn't the best thing for the road or for pedestrians or bicyclists especially in cold weather. He said he would like with Council concurrence to at least explore the cost of putting in a high side super ditch from the Pacific/Belleview Avenue T-intersection down to Wildwood Avenue.

David noted that there is some drainage improvements planned for that particular area.

Mayor Pro Tem Johnson acknowledged there is but said they don't appear to go the entire length of that area.

Councilmember Strahan asked if the grant is limited to the streets as identified.

David explained that the scope could perhaps be revised however; he wouldn't advise it as there is a risk in doing so. He said another component of the project is community outreach including talking to the school and although the City is tied to the scope to a certain extent, they would like to hear from the community to see if there are some areas of concern that can be addressed.

Mayor Pro Tem Johnson asked when the community outreach would begin.

David commented that it could potentially happen during the next couple of months.

He continued with review of the schedule for this phase of the project and said GHD will begin the survey work in February 2017 followed by the start of the preliminary design and environmental documents in March, public and stakeholder meetings in April and completion of the preliminary design in September 2017. He noted that the funding allocation deadline to begin the Plans, Specifications and Estimate (PS&E) phase is October 2017 with construction anticipated to begin in April 2019.

Motion was made by Johnson/Garnes to authorize the City Manager to sign the agreement between the City of Rio Dell and GHD, Inc. for Project Approval & Environmental Documentation for the Active Transportation Program Safe Routes to School Grant. Motion carried 5-0.

Approve Appointments to the Various Boards, Committees and Commissions

City Manager Knopp provided a brief staff report and said the Rio Dell Municipal Code provides authority for the City Council by majority vote for the appointment of Councilmembers as representatives of the City to serve on various boards, commissions, committees and task forces. He referred to the current list of the agencies and their respective meeting days and times and said a Labor Adhoc Committee for employee contract negotiations has also been added to the list.

After a brief discussion, the following appointments were ratified:

EXTERNAL COMMITTEES

- | | |
|---|-----------------|
| • Humboldt County Association of Governments (HCAOG) | Johnson/Strahan |
| • Humboldt County Convention & Visitors Bureau | Garnes/Marks |
| • Humboldt Waste Management Authority (HWMA) | Wilson/Johnson |
| • Humboldt Transit Authority (HTA) | Marks/Strahan |
| • League of California Cities Redwood Empire Division | Johnson/Garnes |
| • Redwood Region Economic Development Commission | Wilson/Johnson |
| • Local Agency Formation Commission (LAFCo) | Johnson/None |
| • Redwood Coast Energy Authority (RCEA) | Marks/Wilson |
| • Humboldt-DelNorte Hazardous Response Authority | Strahan/Garnes |

INTERNAL COMMITTEES

- Traffic Committee: Chief of Police Hill, Community Development Director Caldwell, City Manager Knopp, RD Fire Chief Wilson, Water/Roadways Superintendent Jensen, Mayor Wilson and Councilmember Marks
- Nuisance Hearing Committee: City Manager Knopp, Community Development Director Caldwell, Chief of Police Hill, Councilmembers Johnson and Marks, and 2 public members, Julie Woodall and Joseph Frye

- Sculpture Committee: Community Development Director Caldwell, Mayor Wilson, Susan Pryor, Robert (Robey) Agnew and Kim Reid
- Liaison to RD Fire District: Councilmember Garnes and Councilmember Strahan
- Liaison to RD/Scotia Chamber of Commerce: Councilmember Marks and Councilmember Garnes
- Labor Adhoc Committee: Councilmembers Marks and Garnes
Mayor Pro Tem Johnson as Alternate

Advise Mayor Related to Appointments made by the Mayor Selection Committee

Mayor Wilson stated that the Mayors City Selection Committee will be meeting on January 19th and the purpose of the meeting is to make an appointment to the North Coast Unified Air Quality Management District Governing Board and to nominate a council member from one of the cities for appointment to the California Coastal Commission. He noted that although Rio Dell is not in the Coastal zone and not under the jurisdiction of the Coastal Commission, as Mayor he still casts a vote for the cities nomination. He then entertained comments from the Council regarding the appointments.

Mayor Pro Tem Johnson referred to the letter from Sue Long, Mayor of Fortuna expressing interest in being appointed to the North Coast Unified Air Quality Management District Board and said that he was appointed to LAFCo the same time she was and that he found her to be a strong commissioner. He said she would be a good person to support for appointment.

He also noted that at the last League of California Cities meeting, he attended a seminar that dealt with coastal cities and Mark Wheatley of Arcata was the lead spokesperson. He said that he is not sure if it would be a conflict of interest because he works for California Department of Fish & Game as a Biologist Specialist but if it's not; he would be a good choice for the appointment to the California Coastal Commission.

Council consensus was to support the appointment of Sue Long to the North Coast Unified Air Quality Management District Board and Mark Wheatley's nomination to the California Coastal Commission.

ORDINANCES/SPECIAL RESOLUTIONS

Introduction and first reading (by title only) of Ordinance No.353-2017 "Commercial Medical Cannabis Land Use Regulations"2-2016 amending Chapter 15.05 "Construction Codes" Section 17.30.195 of the Rio Dell Municipal Code (RDMC)

Community Development Director Caldwell provided a staff report and said this ordinance amendment is in response to the recently adopted fee resolution establishing Cannabis Activity Permit fees. He said based on the fee structure, minor amendments are needed related to Permit Renewals, Changes in Ownership or Modifications to Premises and Inspections.

He noted that staff is also recommending amending the current cultivation setback requirement from fifty (50) feet in the Industrial Commercial (IC) zone to zero (0) feet. He stated that the fifty (50) foot setback was originally recommended when there was the possibility of cultivation activities being allowed in the Rural (R) zone. He said staff is recommending the fifty (50) foot setback in the Natural Resources (NR) zone be retained.

Community Development Director Caldwell noted that the Planning Commission at their last meeting also discussed the definition of "indoor" cultivation after staff was approached by a potential developer regarding indoor cultivation in a building with a clear roof. He said the idea of these types of structures is to reduce energy consumption by supplementing the indoor grow with sunlight. He said staff and the Planning Commission is recommending that the definition of "indoor" be amended to read: "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.***

Discussion continued regarding potential odor with an open roof structure.

Community Development Director Caldwell noted that there is no odor unless plants are flowering but language could be included to say that the roofs cannot be operable. He agreed to expand the definition and include the language in the performance standards.

Councilmember Strahan asked if there will be a master plan for the Eel River Industrial Park and what the name of the park will be.

Community Development Director Caldwell commented that all development within the Industrial Commercial (IC) zoning designation is subject to design review so the Planning Commission can dictate the design of the structures.

Mayor Wilson stated that the item will be agenized at the appropriate time so the Council can address the various concerns.

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

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

Motion was made by Johnson/Garnes to approve the first reading (by title only) of *Ordinance No. 353-2017 Commercial Medical Cannabis Land Use Regulations Section 17.30.195 of the Rio Dell Municipal Code (RDMC)* regarding Permit Renewals, Changes in Ownership or Modifications to Premises, Inspections, Cultivation setbacks in the Industrial Commercial Zone and the definition of "Indoor" cultivation, and to continue consideration, approval and adoption of the proposed Ordinance to the meeting of February 7, 2017. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager Knopp distributed a written City Manager update of recent activities and events (Attachment 1 to these minutes), and said staff is working with the County on a Track and Trace Program; reported the City is currently recruiting for a Utility Worker and Wastewater Superintendent and Treatment Plant Operator in the Public Works department; said film crews have been scouting for a filming location in Rio Dell over the past couple of weeks but it is unknown if any actual filming will occur at this time; said other ongoing projects include the NPDES Permit, paving projects and the Old Ranch Road Waterline Project.

He also reported on the passage of the Adult Use of Marijuana Act (AUMA) and said the League of California Cities will be holding a workshop on February 1, 2017 in Ukiah related to the new law and asked if any Councilmembers would like to attend along with staff.

Councilmember Strahan questioned the County's involvement in the Track and Trace Program and said she thought it was implemented at the State or Federal level.

City Manager Knopp explained the County has started a pilot program and the State is actually looking to Humboldt County to be the lead in terms of compliance.

Councilmember Strahan asked if Colorado has something in place or does the City basically have to recreate the wheel.

City Manager Knopp said what the City is trying to do is integrate with the County's program so it will be a seamless process.

Councilmember Strahan asked what the schedule is for placing the Cannabis Tax Measure on the ballot and what the anticipated date is for the first business to be up and running.

City Manager Knopp said the next opportunity to put the measure on the ballot as a General Tax is November 2017 but staff will be bringing an agenda item back to Council with options for consideration.

Community Development Director Caldwell noted that construction could begin as early as July but it will take at least three (3) months to complete construction so the activity should be fairly close to implementation of the tax.

Mayor Wilson questioned the review process for plans.

Community Development Director Caldwell said the Planning Commission will review the design but the City Council will have the opportunity to provide input as well. He noted that staff will be getting together with the investors and stakeholders to discuss various issues including infrastructure improvements.

Mayor Wilson said he was interested in attending the stakeholders meeting and asked if Council could attend.

Staff said provided no more than two (2) Councilmembers are in attendance there would be no violation of the Brown Act.

Councilmember Strahan expressed concern regarding such things as streets, sidewalks, drainage, water, and sewer based on the discussion at the Joint Meeting with the Planning Commission the prior week.

She asked if the City is incurring any costs for improvements in which Community Development Director Caldwell said that the City is not.

Mayor Wilson commented on the citizen complaint related to the Pine Street drainage and asked if it is a legal issue.

City Manager Knopp stated the matter is under review by the City Attorney and the City's risk managers. He commented that staff will defer to the Attorney regarding whether the matter can be discussed in a public forum or in closed session.

Mayor Wilson commented that he wants to assure Mr. Molyneaux that the City is not ignoring the situation.

Mayor Wilson also mentioned the comment made about the sound system in the Council Chambers and said the issue was addressed during budget discussions and staff is open to making investment so if the council is in agreement, the item could be agenized for further consideration. He also asked if there is any merit in utilizing Mr. Niebel to work on the system as a volunteer as he proposed.

Councilmember Strahan questioned why the Chief of Police is not in attendance at Council meetings.

City Manager Knopp said generally staff attends when there is an item on the agenda that pertains to their respective department. He noted that Chief Hill will however, be in attendance at the next meeting to present the Annual Police Report.

Councilmember Strahan asked if there is a monthly police report given so the Council knows what's going on in the City as far as crime.

City Manager Knopp stated that there is typically no monthly report provided but increasing the frequency of reports can be discussed.

Councilmember Garnes pointed out to Councilmember Strahan that she can discuss any concerns with staff anytime by directing her questions through the City Manager.

Community Development Director Caldwell commented that staff prefers to have questions presented to them before Council meetings in the event they need to research information in order to provide an accurate response.

Finance Director Woodcox reported on recent activities and events in the finance department and said the date for the auditor to come was pushed back to February 2nd and 3rd; said she will be attending a SCORE meeting in Redding on January 27th; said she would not be in attendance at the February 7th Council meeting as she will be attending the Annual CSFMO Conference in Sacramento which is a fantastic training; reported that staff is keeping track of tasks through a time study; and said the trial 4-10 work schedule for specific personnel will begin the week of February 6th.

Councilmember Strahan asked if staff has set up a budget line item for activity at the Eel River Industrial Park.

Finance Director Woodcox indicated that there have been no expenses incurred yet except for the Traffic Study which was paid for by the developers. She explained how payroll allocations are done as far as staff time.

City Manager Knopp stated that staff can add a specific account number for those activities for transparency if the Council desires.

Councilmember Strahan stated that she wants a detail of all expenditures and revenues related to cannabis related development.

Community Development Director Caldwell pointed out that once application is made; all of his time is then tracked for each project and charged to the applicant. He noted that building permits will generate close to a million dollars the first year in addition to annual operating fees of \$4,000.

Councilmember Strahan commented that \$4,000 is nothing in the whole scheme of things which is why she wants to see all expenditures and revenues in black and white.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Johnson reported on his attendance at the Humboldt Waste Management Authority (HWMA) meeting and said he started a binder with the agenda plus a one-time update of where HWMA is now and where they are going down the road for the City's new representative on the board. He also announced that he will be gone for two (2) weeks

vacationing in Hawaii and that he would like to schedule a Sculpture Committee meeting to report on what's going on with regard to sculptures.

Community Development Director Caldwell commented that Dennis Wendt who expressed interest in donating a sculpture talked to Justin Barrington at JB Fabrication and he is supposed to be presenting a proposal with his idea for a sculpture.

Councilmember Marks reported on his attendance at the Chamber of Commerce meeting and said there was discussion about sculptures and a question was posed regarding whether artists will be paid a stipend to display their art and what happens if someone wants to buy a sculpture on display.

Community Development Director Caldwell explained the Sculpture Committee Guidelines spell out those issues and said he would provide the Chamber with a copy.

Councilmember Marks also noted that the Chamber is starting a membership drive and is looking for sponsorship. He also reported that the Scotia Band is now renting space from the Chamber to store their file cabinets. He said the other item discussed was the Memorial Park signs and ideas for getting them refinished.

ADJOURNMENT

Motion was made by Johnson/Garnes to adjourn the meeting at 8:10 p.m. to the February 7, 2017 regular meeting. Motion carried 5-0.

Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk

City working with County on Track and Trace. The City Manager met with County officials and representatives from Eureka and Arcata to discuss the County's efforts to issue an RFP for Track and Trace services. The County alone is currently processing 2,300 permits and will likely be the lead agency for track and trace purposes.

City is job advertising in Public Works.

Film crews have been location scouting in Rio Dell over the past two weeks. It is not known if any actual filming will occur in town at this time.

Other projects in progress: NPDES Permit, both close out and new permit. Public Works projects including paving and Old Ranch Road.

On November 8, 2016, the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA" or "Act") passed, legalizing nonmedical use of marijuana by persons 21 years of age and over, and the personal cultivation of up to six marijuana plants. In addition, the AUMA will create a state regulatory and licensing system governing the commercial cultivation, testing, and distribution of nonmedical marijuana, and the manufacturing of nonmedical marijuana products. On Wednesday February 1, 2017 the League of California Cities will hold a workshop on this change in the law. The workshop will be held in Ukiah. Please let the City Manager know if you would like to attend. The City will be limited to a maximum of two councilmembers attending. (See reverse side for more)

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



February 7, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager *3*

SUBJECT: Approval of Resolution No. 1321-2017 Approving Program Supplemental Agreement with the State of California Department of Transportation Active Transportation Program Grant and Related Authorization for the City Manager to Execute this Agreement.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve Resolution 1321- 2017

BACKGROUND AND DISCUSSION

The City Council was provided an update on the Active Transportation Program (ATP) project for northern Wildwood Avenue and nearby streets and off ramps on January 17, 2017. The Council is being asked to authorize the City Manager to proceed with the Program Supplement P12 which will allow the City to be reimbursed by the grant for the first phases of the project. The grant is funded by the California Department of Transportation. This item is a formality and there is no cost associated with its authorization.

The ATP grant is from the City and GHD's successful application for Cycle 2 funding. The grant is in the amount of \$1,533,000.00 and requires no city match.

///

RESOLUTION NO. 1321-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL APPROVING PROGRAM SUPPLEMENT AGREEMENT NO. 0P12 REV. 000 TO ADMINISTERING AGENCY-STATE MASTER AGREEMENT NO. 00161S FOR PROJECT NUMBER ATPL-5396(009) BETWEEN THE STATE OF CALIFORNIA TRANSPORTATION DEPARTMENT AND THE CITY OF RIO DELL AND AUTHORIZING THE CITY MANAGER TO EXECUTE THIS AGREEMENT

WHEREAS, the City of Rio Dell is eligible to receive funding for the ATP transportation project, through the California Department of Transportation; and

WHEREAS, the Program Supplemental Agreement needs to be executed with the California Department of Transportation before such funds could be claimed; and

WHEREAS, the City wishes to authorize the City Manager to execute the agreement, Program Supplemental Agreements No. 0P12 REV. 000 to Administering Agency-State Master Agreement No. 00161S.

NOW, THEREFORE, BE IT RESOLVED that said Program Supplemental Agreement No. 0P12 REV. 000 to Administering Agency-State Master Agreement No. 00161S is now approved.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign Program Supplemental Agreement No. 0P12 REV. 000 on behalf of the City.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute all Program Supplemental Agreements under Administering Agency-State Master Agreement No. 00161S with California Department of Transportation, and any amendments thereto.

PASSED AND ADOPTED by the City Council of the Rio Dell on this 7th day of February 2017, by the following vote:

Ayes:
Noes:
Abstain:
Absent:

Frank Wilson, Mayor

ATTEST:

Karen Dunham, City Clerk

PROGRAM SUPPLEMENT NO. P12
 to
 ADMINISTERING AGENCY-STATE AGREEMENT
 FOR STATE FUNDED PROJECTS NO 00161S

Adv Project ID Date: November 2, 2016
 0116000084 Location: 01-HUM-0-RDEL
 Project Number: ATPL-5396(009)
 E.A. Number:
 Locode: 5396

This Program Supplement, effective 10/19/2016, hereby adopts and incorporates into the Administering Agency-State Agreement No. 00161S for State Funded Projects which was entered into between the ADMINISTERING AGENCY and the STATE with an effective date of _____ and is subject to all the terms and conditions thereof. This PROGRAM SUPPLEMENT is executed in accordance with Article I of the aforementioned Master Agreement under authority of Resolution No. _____ approved by the ADMINISTERING AGENCY on _____ (See copy attached).

The ADMINISTERING AGENCY further stipulates that as a condition to the payment by the State of any funds derived from sources noted below encumbered to this project, Administering Agency accepts and will comply with the Special Covenants and remarks set forth on the following pages.

PROJECT LOCATION:

Along Belleview Ave. between Spring St. and Wildwood Ave., on Wildwood Ave. between Eeloa Ave. and Davis St., on Davis Street

TYPE OF WORK: K-8 Schools SRTS Safety Improvement and Community Outreach Project

Estimated Cost	State Funds		Matching Funds	
	STATE		LOCAL	OTHER
\$80,000.00	\$80,000.00		\$0.00	\$0.00

CITY OF RIO DELL

By _____
 Title _____
 Date _____
 Attest _____

STATE OF CALIFORNIA
 Department of Transportation

By _____
 Chief, Office of Project Implementation
 Division of Local Assistance
 Date _____

I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance:

Accounting Officer Alex Stone

Date 11/3/16 \$80,000.00

SPECIAL COVENANTS OR REMARKS

Chapter	Statutes	Item	Year	Program	BC	Category	Fund Source	AMOUNT

SPECIAL COVENANTS OR REMARKS

1. A. This PROJECT will be administered in accordance with the applicable CTC STIP guidelines and the Active Transportation Program guidelines as adopted or amended, the Local Assistance Procedures Manual (LAPM), the Local Assistance Program Guidelines (LAPG), and this PROGRAM SUPPLEMENT.

B. This PROJECT is programmed to receive State funds from the Active Transportation Program (ATP). Funding may be provided under one or more components. A component(s) specific fund allocation is required, in addition to other requirements, before reimbursable work can occur for the component(s) identified. Each allocation will be assigned an effective date and identify the amount of funds allocated per component(s).

This PROGRAM SUPPLEMENT has been prepared to allow reimbursement of eligible PROJECT expenditures for the component(s) allocated. Unless otherwise determined, the effective date of the component specific allocation will constitute the start of reimbursable expenditures.

C. STATE and ADMINISTERING AGENCY agree that any additional funds made available by future allocations will be encumbered on this PROJECT by use of a STATE-approved Allocation Letter and STATE Finance Letter. ADMINISTERING AGENCY agrees that STATE funds available for reimbursement will be limited to the amount allocated by the California Transportation Commission (CTC) and/or the STATE.

D. Upon ADMINISTERING AGENCY request, the CTC and/or STATE may approve supplementary allocations, time extensions, and fund transfers between components. Funds transferred between allocated project components retain their original timely use of funds deadlines, but an approved time extension will revise the timely use of funds criteria for the component(s) and allocation(s) requested. Approved supplementary allocations, time extensions, and fund transfers between components made after the execution of this PROGRAM SUPPLEMENT will be documented and considered subject to the terms and conditions thereof. Documentation will consist of a STATE approved Allocation Letter, Fund Transfer Letter, Time Extension Letter, and Finance Letter, as appropriate.

E. This PROJECT is subject to the timely use of funds provisions enacted by the Active Transportation Program guidelines, as adopted or amended, and by approved CTC and State procedures as outlined below.

Funds allocated for the environmental & permits (E&P), plan specifications & estimate (PS&E), and right-of-way components are available for expenditure until the end of the second fiscal year following the year in which the funds were allocated.

Funds allocated for the construction component are subject to an award deadline and contract completion deadline. ADMINISTERING AGENCY agrees to award the contract within 6 months of the construction fund allocation and to complete and accept the construction within 36 months of award.

F. Award information shall be submitted by the ADMINISTERING AGENCY to the District

SPECIAL COVENANTS OR REMARKS

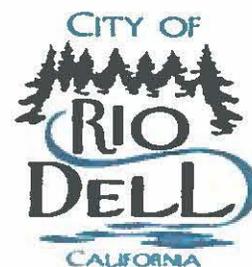
Local Assistance Engineer immediately after project contract award and prior to the submittal of the ADMINISTERING AGENCY'S first invoice for the construction contract. Failure to do so will cause a delay in the State processing of invoices for the construction phase.

G. The ADMINISTERING AGENCY shall invoice STATE for environmental & permits (E&P), plans specifications & estimate (PS&E), and right-of-way costs no later than 180 days after the end of last eligible fiscal year of expenditure. For construction costs, the ADMINISTERING AGENCY has 180 days after project completion or contract acceptance to make the final payment to the contractor prepare the final Report of Expenditures and final invoice, and submit to STATE for verification and payment.

H. ADMINISTERING AGENCY agrees to submit the final report documents that collectively constitute a "Report of Expenditures" within one hundred eighty (180) days of PROJECT completion. Failure of ADMINISTERING AGENCY to submit a "Final Report of Expenditures" within 180 days of PROJECT completion will result in STATE imposing sanctions upon ADMINISTERING AGENCY in accordance with the current LAPM and the Active Transportation Program (ATP) Guidelines.

I. ADMINISTERING AGENCY agrees to comply with Office of Management and Budget (OMB) Circular A-87, Cost Principles for State and Local Governments, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Notwithstanding the foregoing, ADMINISTERING AGENCY will not be required to comply with 49 CFR, Part 18.36 (i), subsections (3), (4), (5), (6), (8), (9), (12), and (13).

J. By executing this PROGRAM SUPPLEMENT, ADMINISTERING AGENCY agrees to comply with all reporting requirements in accordance with the Active Transportation Program guidelines, as adopted or amended.



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

February 7, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Review and Approval of 2017 Dues for the League of California Cities

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve payment of the 2017 League membership dues.

BACKGROUND AND DISCUSSION

It is recommended that the City continue its membership as it has done in the past. Total cost for 2017 is \$2,439.00. This amount is in line with prior membership dues.

Additional information is attached for the Council's review.

January 5, 2017

WWW.CACITIES.ORG

TO: City Managers and City Clerks in non-manager cities

FROM: Officers of the League of California Cities
JoAnne Mounce, President; Council Member, Lodi
James Goodhart, First Vice-President; Council Member, Palos Verdes Estates
Richard Garbarino, Second Vice-President, Council Member, South San Francisco
Dennis Michael, Immediate Past President; Mayor, Rancho Cucamonga
Carolyn Coleman, Executive Director

SUBJECT: League Dues for 2017
Voluntary Surcharge to Support Vital Litigation

Thank you for your city's membership in the League of California Cities. We understand the city's financial resources are precious and value your commitment to keep the League strong now and into the future.

League Membership — A Great Investment

Enclosed is your city's 2017 dues statement and related supporting documentation. The value your city derives from membership in the League of California Cities makes the payment of League dues a wise investment. Please review the enclosed customized "Return on Investment" report for your city. It reflects financial benefits your city enjoys as a direct result of the League's legislative and ballot measure advocacy. A strong and effective League is central to your city's strength and vitality.

For 2017, the board of directors authorized a 2 percent dues increase. This modest adjustment reflects the board's responsibility to make sure dues keep pace with inflation, ensure there is adequate funding to maintain the League's work program, and provide members with stable and predictable adjustments that minimize the potential for significantly larger increases in the future. Following the unprecedented eight year period triggered by the great recession during which there were no adjustments, 2017 represents only the second increase in 10 years.

Annual Report — Advancing the Mission

The League is the leading voice for California cities. Working in concert with cities, partners, and coalition members, protecting local control through advocacy and education remains the cornerstone of League activities. Through numbers, the enclosed 2016 Annual Report provides an informative glimpse of the organization and the activities undertaken to advance the League's mission. The strategies, activities and advocacy behind these numbers are made possible because of continuing commitments from cities like yours.

*Our mission is to expand and protect local control for cities
through education and advocacy to enhance the quality of life for all Californians.*

Voluntary Litigation Surcharge — Defending Local Control

The League and city officials have invested tremendous human and financial resources over the past fifteen years to secure meaningful constitutional protection of city revenue sources. Proposition 1A (2004) and Proposition 22 (2010) were passed with strong leadership from the League and cities to protect city revenues, however, the League and city officials must remain forever vigilant. When legislation is enacted that will erode these revenue protections and other constitutional authority of cities, defending and enforcing these protections can require litigation as a last resort.

This vital defensive strategy requires additional resources but is essential. The cost and effort to implement a litigation strategy can be contained when the League coordinates efforts or serves as the lead plaintiff on behalf of member cities. The alternative would be for each city or *ad hoc* groupings of cities to initiate separate lawsuits. Through the League, cities can leverage their membership and resources to challenge the state whenever it attempts to weaken the important local revenue protections and authority California cities have worked so hard to achieve and maintain.

As part of the 2015 budget the board of directors adopted a policy to maintain a Litigation Contingency Reserve Account (LCRA) funded through an optional voluntary surcharge set as a percentage of dues. Reviewed annually by the League's finance committee and board of directors, the LCRA is set at \$275,000 and is reserved to 1) cover expenses incurred from board approved litigation within a single budget year; and 2) maintain sufficient set-asides to cover expenses the League would incur if the League becomes or remains involved in board approved litigation during the following year.

Support for the LCRA is strong. Since 2013, to defray litigation expenses, an average of 61 percent of member cities voluntarily paid into the LCRA annually. With final decisions reached in *League of California Cities v. Cohen* (AB 1484) and *City of El Centro, et al. v. David Lanier, et al* (SB 7), the League enters 2017 with no litigation expenses on the horizon. For that reason, and with the LCRA balance exceeding \$275,000, the optional voluntary litigation surcharge is not required for 2017 and is shown as a zero on the enclosed invoice.

Conclusion — California Cities Work Together

Through the League, all cities and all city officials have the opportunity to help shape solutions to the issues of greatest importance to our cities and the state of California. Working together, we pursue those solutions most effectively. It is important for cities to act energetically, in unison, and with renewed focus to amplify our voice in key statewide policy matters.

The board of directors encourages your enthusiastic support of and participation in the League of California Cities in 2017. We look forward to continuing our fight together to protect local control and help you provide outstanding service to the residents of your great city.

If you have any questions about this matter, please contact Norman Coppinger, director of administrative services, at ncoppinger@cacities.org or (916)658-8277.

Enclosures: Dues invoice
Dues schedule
Return on Investment Report
2016 Annual Report

INVOICE



1400 K Street, 4th Floor
Sacramento, California 95814
Phone: 916.658.8200; Fax: 916.658.8240
www.cacities.org

To: City Manager
City of Rio Dell
675 Wildwood Avenue
Rio Dell, CA 95562

Invoice: 169066

Terms: Jan. 31, 2017

<u>Date</u>	<u>Description</u>	<u>Amount</u>
January, 3 2017	Membership dues for calendar year 2017	\$2,439.00
	Optional litigation surcharge	\$0.00
	Total Amount	\$2,439.00
	City of Rio Dell	
	Official Population 3,416	

2017 Strategic Priorities

- Increase Funding for Critical Transportation and Water Infrastructure;
- Develop Realistic Responses to the Homeless Crisis;
- Improve the Affordability of Workforce Housing and Secure Additional Funds for Affordable Housing; and
- Address Public Safety Impacts of Reduced Sentencing Laws, Protect Local Priorities in the Implementation of AUMA, and Preserve City Rights to Deliver Emergency Medical Services.

Our mission is to expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

League Membership - Your Best Investment

www.cacities.org

**Please make checks payable to
LEAGUE OF CALIFORNIA CITIES
and mail to the Sacramento address above.**

**League of California Cities
2017 Dues Schedule**

For cities having a population of:				2016 Dues	2017 Increase	2017 Dues
1	to	500	...	\$73	\$2	\$75
501	to	600	...	195	4	199
601	to	700	...	389	7	396
701	to	800	...	425	9	434
801	to	900	...	510	10	520
901	to	1,000	...	598	12	610
1,001	to	1,250	...	747	15	762
1,251	to	1,500	...	897	18	915
1,501	to	1,750	...	1,046	20	1,066
1,751	to	2,000	...	1,195	24	1,219
2,001	to	2,250	...	1,344	27	1,371
2,251	to	2,500	...	1,494	30	1,524
2,501	to	2,750	...	1,643	33	1,676
2,751	to	3,000	...	1,793	36	1,829
3,001	to	4,000	...	2,391	48	2,439
4,001	to	5,000	...	2,988	59	3,047
5,001	to	7,500	...	4,032	81	4,113
7,501	to	10,000	...	4,653	93	4,746
10,001	to	15,000	...	5,617	112	5,729
15,001	to	20,000	...	6,469	129	6,598
20,001	to	25,000	...	8,099	162	8,261
25,001	to	30,000	...	9,725	194	9,919
30,001	to	40,000	...	11,971	239	12,210
40,001	to	50,000	...	14,564	291	14,855
50,001	to	60,000	...	16,776	335	17,111
60,001	to	70,000	...	18,438	368	18,806
70,001	to	80,000	...	19,368	387	19,755
80,001	to	90,000	...	20,645	413	21,058
90,001	to	100,000	...	22,615	453	23,068
100,001	to	125,000	...	25,794	516	26,310
125,001	to	150,000	...	28,393	568	28,961
150,001	to	200,000	...	32,269	645	32,914
200,001	to	500,000	...	33,884	678	34,562
				<i>Plus</i> 1,617	32	1,649
				<i>per each full 10,000 of population over 200,001</i>		
500,001	to	640,000		82,250	1,645	83,895
				<i>Plus</i> 1,494	30	1,524
				<i>per each full 10,000 of population over 500,001</i>		
	Over	640,000		102,486	2,049	104,535

A bylaws provision states that no city's dues may increase by more than \$5,000.

LEAGUE OF CALIFORNIA CITIES

LEAGUE MEMBERSHIP -- A GREAT INVESTMENT

Customized Return on Investment Report
December 2016

RIO DELL	FY2009-10	FY2010-11	FY2011-12	FY2012-13	FY2013-14	FY2014-15	FY2015-16	FY2016-17	Total
RIO DELL's Dues	2,344	2,344	2,344	2,344	2,344	2,344	2,391	2,439	18,894
VLF/PropertyTax Swap ⁽¹⁾	158,479	166,109	151,275	156,567	163,700	148,516	146,880	158,718	1,250,245
Prop. 42 (local streets)	31,063	0	0	0	0	0	0	0	31,063
HUTA state taking blocked	61,383	0	0	0	0	0	0	0	61,383
HUTA and Prop. 42 protected by Prop. 22 ⁽²⁾		81,908	102,470	86,955	101,662	99,620	80,449	74,564	627,627
Property Tax loan securitized / prohibited by Prop. 22 ⁽³⁾	35,497								35,497
VLF shift prohibited by Prop. 22 ⁽⁴⁾		13,399							13,399
SB89 VLF Shift			-11,759	-11,508	-11,728	-12,930	-14,071	-14,713	-76,709
Redevelopment TI protected by Prop. 22		0							0
Redevelopment Disolution (net of ROPS) ⁽⁵⁾			>>>	0	<<<	<<<	<<<	<<<	0
Police Grants - Supplemental Budget									0
Pre-2004 Mandate Claims payment									0
Total Return	286,422	261,416	241,986	232,014	253,634	235,206	213,258	218,568	1,942,504
Rate of Return	122:1	112:1	103:1	99:1	108:1	100:1	89:1	90:1	103:1

1. Net gain in revenues by virtue of the VLF/Property Tax Swap. Growth in PropTax in Lieu of VLF versus estimated growth in VLF had it remained.
2. Prop. 22 ended the Legislature's ability to borrow or delay HUTA and Prop. 42 gas tax funds.
3. Prop. 22 ended the Legislature's ability to borrow local property taxes. The FY09-10 loan was securitized. Under Prop1A('04) another borrowing could have occurred in 3 years.
4. Prop. 22 ended the Legislature's ability to shift revenue allocations from the 0.65% state Vehicle License Fee.
5. Actual redevelopment TI from RPTTF returned to affected taxing agencies other than the city through Sept 2013.

~ ~ ~ ~ ~

*Our mission is to expand and protect local control for cities through education and advocacy
to enhance the quality of life for all Californians.*

League of California Cities®

2016 ANNUAL REPORT



The League of California Cities® began in 1898 as a grassroots effort of a few city officials who instinctively understood that their cities would be stronger by joining forces and exchanging information. Looking back at the League's efforts during 2016 it is clear that today's city officials and League staff continue to embody the commitment to California city residents that brought those first California city officials together. Measuring the accomplishments of an organization as large and dynamic as the League can be challenging. With more than 98 percent of all California cities as members, the League carries out the priorities established by its officers, board of directors and leaders through state and federal legislative and legal advocacy, education and training. The numbers presented in the 2016 Annual Report showcase the remarkable breadth of work carried out by the League this year on behalf of its 475 member cities.

› LEGISLATIVE ADVOCACY

2,331 of which, the League monitored, tracked and engaged on **1,349**.
BILLS INTRODUCED

37 League action alerts sent on high priority legislation.

235 Advocacy App users.

40 League-supported bills signed by Governor Jerry Brown.

10 League-opposed bills vetoed by Governor Jerry Brown.

5 Diversity Caucuses.

50+ League Board Members.

174 CITY MEETINGS with legislators and legislative staff arranged by Regional Public Affairs Managers.

473 members serving on one of the League's policy committees.

148 Alumni of the League's California Civic Leadership Institute® including **27** who will serve in the 2017-18 Legislature.

› LEGAL ADVOCACY

46 friend-of-the-court briefs/letters approved for filing in California or federal appellate courts or with the Attorney General; and League was petitioner on behalf of cities or provided financial support in **3** additional cases.



› INFORMATION

100 of CA Cities Advocate e-newsletter with **8,500** subscribers and an average of **35** stories per month.
ISSUES

131,000 visitors to www.cacities.org.

58,000 unique visitors to news article pages on www.cacities.org.

160 issues of Local News RoundUp, the League's clipping service of California city-focused articles.

12 issues of Western City magazine published, with a total of **412** pages of content along with **31** Western City articles reprinted nationally and statewide.
107,000 visitors to www.westerncity.com.

3,000 FACEBOOK LIKES

150 REPORTER INQUIRIES

7,600 Twitter followers with an average of **65** tweets and an average of **22,000** monthly impressions.

31 new Institute for Local Government (ILG) resources on a range of California local government topics.

95,000 visitors annually to www.ca-ilg.org with **2,250** ILG resources downloaded monthly.

19 active League Listservs with **10,518** subscribers who use these city-focused forums to discuss priority issues.

› RECOGNITIONS GIVEN



1 LEGISLATOR OF THE YEAR

13 Helen Putnam award-winning cities recognized for their best practices and leadership.



42 cities awarded the Institute for Local Government Beacon Spotlight recognition and full Beacon Award for their sustainability efforts.

› EDUCATION

1,780 Annual Conference attendees and **251** exhibitors, including **55** first-time exhibitors.



9 municipal department meetings with a combined total of **2,340** attendees.

38 webinars with **4,066** individual registrations, many with **10+** participants per registration.



› League Created Financial Programs for Cities

League Health Benefits Marketplace > **Over 400** city officials contacted the League to explore OPEB reduction and health care cost savings — www.cacities.org/HBM.

U.S. Communities > **337 cities** saved **\$4.8 million** using cooperative purchasing program with discounts on goods and services — www.uscommunities.org/lcc.

CSCDA > **\$2 billion** issuance of tax-exempt bonds and tax credits for cities/community nonprofits — www.cscda.org.

CalTRUST > **\$2.5 billion** in pooled investment of public funds at attractive rates — www.caltrust.org.

League of California Cities®

1400 K Street, Suite 400, Sacramento, CA 95814
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*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
riodellcity.com*

February 7, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Discussion and Possible Action Related to Drainage on and Around May Avenue

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff, or;

Take no action.

BACKGROUND AND DISCUSSION

Mr. Sean Molyneaux, a resident of 1013 Pine Street, has expressed concern regarding drainage at the rear of his property and his neighbor's property where water accumulates near May Street during wet weather. At the request of Mr. Molyneaux and the Council, staff has agendized an item to discuss this matter. Mr. Molyneaux will be given an opportunity to address the Council. The City Attorney will be present to help answer any questions.

///



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

February 7, 2017

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager *z*
SUBJECT: Discussion on Stakeholders Meeting for the Eel River Sawmills Site

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentation and discuss.

BACKGROUND AND DISCUSSION

Staff will provide an update to the Council on the stakeholder meetings related to development proposed at the old Eel River Sawmills Site.

///

675 Wildwood Avenue
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**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
AUGUST 16, 2016**

TO: Mayor and Members of the City Council
THROUGH: Kyle Knopp, City Manager 
FROM: Graham Hill, Chief of Police 
DATE: February 7, 2017
SUBJECT: Police Department Annual Report 2016

RECOMMENDED CITY COUNCIL ACTIONS

Receive and File

During 2016 we took a total of 1834 calls for service which is relatively consistent with 1800 calls for service in 2015. We took 691 Incident Reports in 2016 of which 544 were crime reports. In 2015 we took 531 Incident Reports and of those 386 were crime reports. While this is a significant increase it also represents additional officers in 2016. For the majority of 2015 we were short staffed working with four, and even three officers (including the Chief) for a significant period. Officer's Valk and Walstrom completed their training in early 2016 providing us with a full staff.

This report included is a three year comparison of the same sample of incident types as was included in the 2015 Annual report. Some interesting things stand out in this report:

- There are more than twice the number of drivers cited/arrested for driving with a suspended license. This is a direct result of having more officers on the road for longer periods of time throughout the work week.
- Additionally, you will note a decrease in burglaries, possession of stolen property, and stolen vehicles. This can be attributed in large part due to law enforcement intervention regarding a small group of known individuals.

- You will also note an increase in the number of cites/arrests for possession of drug paraphernalia. Again, this is a direct result of having more officers on the road making contacts with people.

We maintained our Measure Z funding throughout the second half of the 2015-2016 fiscal year, and were able to retain that funding for the 2016-2017 fiscal year. This provides for assistance at our front counter during business hours as well as for code enforcement efforts. Having a clerical assistance has been an invaluable asset and allows us to provide assistance to the public more efficiently. We did approximately 67 Code Enforcement Cases in 2016 (including abandon vehicle tows).

Since starting our contract with Miranda's Animal Rescue in March of 2016 we transported 46 dogs and 5 cats to their facility (as of December, 31 2016). In total we handled 106 Calls For Service for animal related incidents.

ATTACHMENTS:

- 1. Calls for Service Totals by Beat (3)**
- 2. Calls for Service Totals for Day of Week (2)**
- 3. Incident Offenses Three Year Comparison (1)**
- 4. Incident Offense Totals Month to Month Comparison (6)**
- 5. Incidents by Time of Day/Day of Week (3)**
- 6. Arrest Totals by Violation (2)**

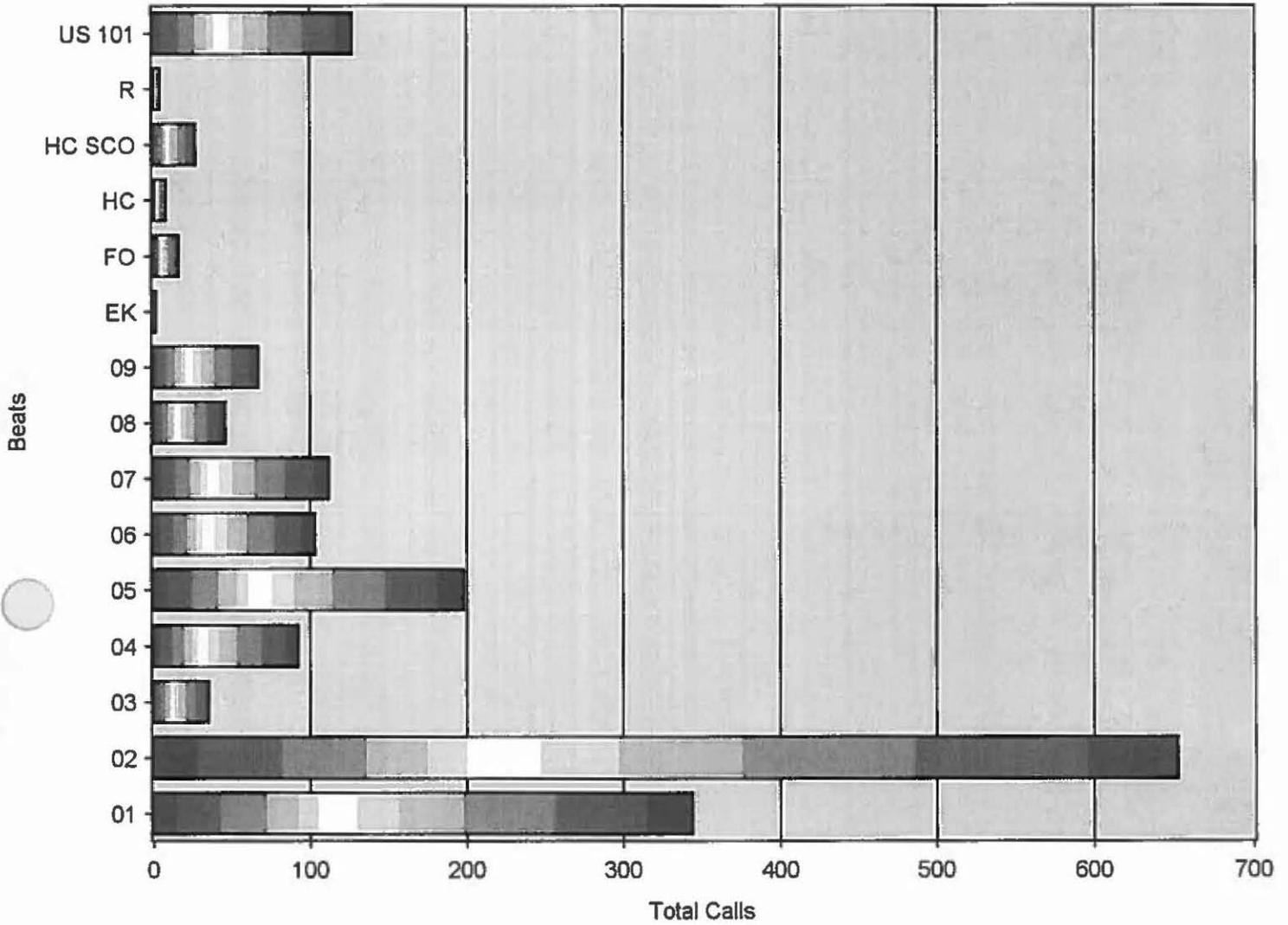
Calls For Service Totals By Beat

01/01/2016 to 12/31/2016

Beat	Description	# Calls For Service	% Calls
01	Beat #1	344	18.76 %
02	Beat #2	653	35.61 %
03	Beat #3	35	1.91 %
04	Central-West Rio Dell (see beat map)	92	5.02 %
05	Central-Center Rio Dell (see beat map)	198	10.80 %
06	Central-West Rio Dell (see beat map)	103	5.62 %
07	North-West Rio Dell (see beat map)	112	6.11 %
08	North-Central Rio Dell (see beat map)	46	2.51 %
09	North-East Ri Dell (see beat map)	67	3.65 %
EK	Eureka City Limits	2	0.11 %
FO	Fortuna City Limits	16	0.87 %
HC	Humboldt County	8	0.44 %
HC SCO	Humboldt County - Scotia Town Limits	27	1.47 %
R	Eel River in Rio Dell City Limits	4	0.22 %
US 101	US 101	127	6.92 %
Total Calls For Service		1834	

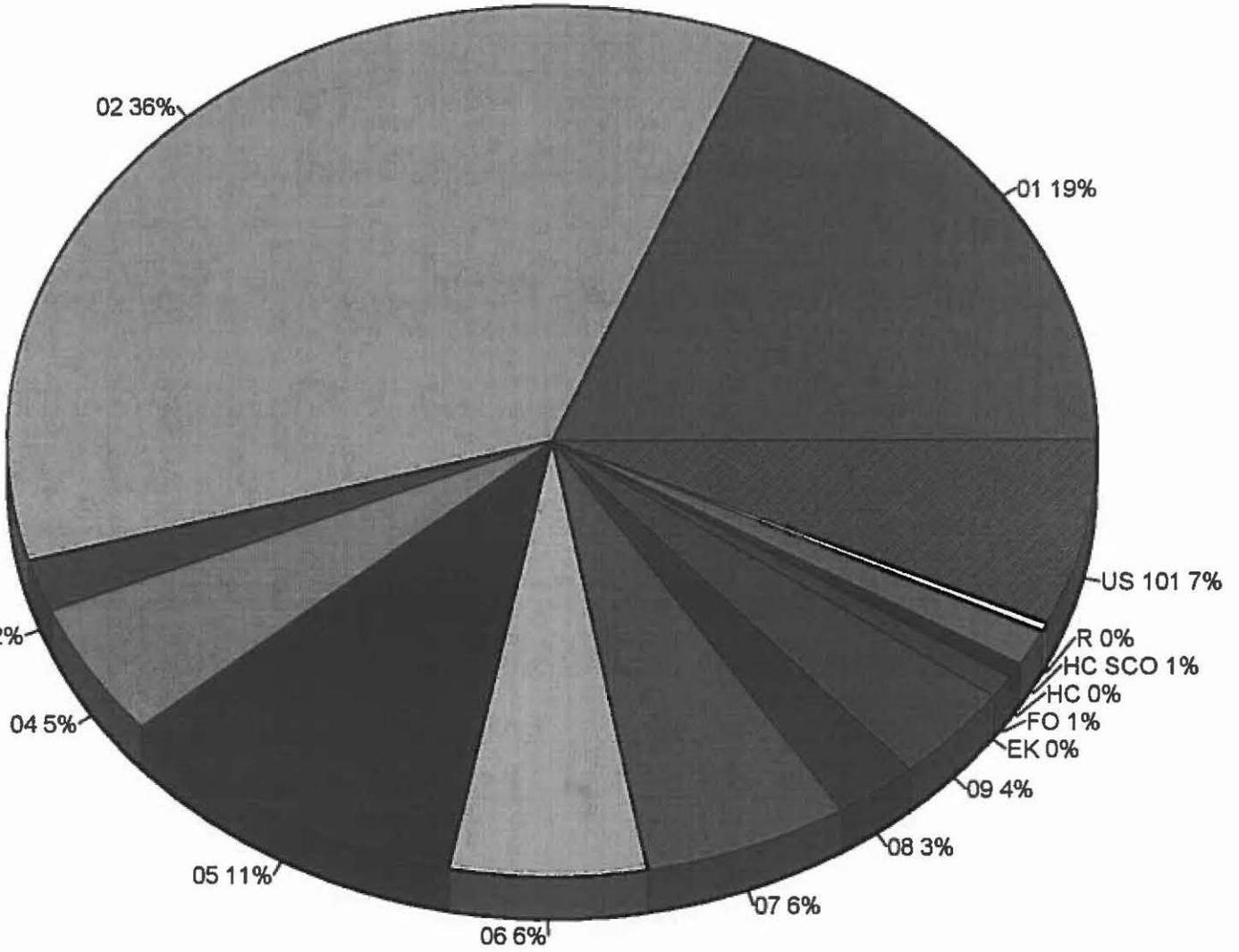
CITY OF RIO DELL POLICE DEPARTMENT

Calls For Service By Beat
From: 01/01/2016 To: 12/31/2016 For Agency:RDPD



CITY OF RIO DELL POLICE DEPARTMENT

Calls For Service By Beat
From: 01/01/2016 To: 12/31/2016 For Agency:RDPD



**CITY OF RIO DELL
POLICE DEPARTMENT**

675 WILDWOOD AVENUE
RIO DELL, CA. 95562

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Calls For Service Totals For Day of Week

01/01/2016 to 12/31/2016

Call Type / Description	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
1033 Alarm	2	0	3	3	2	0	3	13
415 Disturbance	34	13	18	35	26	35	24	185
459 Burglary	4	1	1	1	6	1	4	18
5150 Mental Illness Incident	1	1	1	5	2	2	3	15
594 Vandalism	5	14	6	4	5	4	3	41
653 Annoying phone calls	1	1	1	3	3	2	0	11
911 911 Hang-up, Disconnect, Etc.	0	1	0	0	0	0	0	1
A/C Animal Control	11	11	7	24	15	20	18	106
AA CHP Agency Assist CHP	3	2	3	2	2	4	7	23
AA EPD Agency Assist Eureka PD	1	1	1	0	0	1	2	6
AA... Agency Assist Fortuna PD	2	5	1	1	3	0	0	12
AA... Agency Assist HCSO	1	2	2	1	0	2	0	8
Agency Assist All Other	0	1	1	1	1	1	0	5
AA PW Assist Public Works - Call...	5	0	0	0	0	1	0	6
ASC Assault Call	5	3	2	0	7	3	2	22
AVA Abandoned Vehicle	1	1	1	2	1	0	2	8
BD Barking Dog	0	0	0	0	1	0	1	2
CM Civil Matter	0	0	0	0	1	1	0	2
COP2 POP Problem	0	0	0	1	0	0	0	1
COV City Ordinance Violation	0	1	1	0	0	2	0	4
CS Citizen Service	2	1	1	2	2	4	2	14
CSB Civil Stand-by	1	0	0	0	0	2	0	3
CT... Disobey Court Order	0	0	1	0	0	0	0	1
CUST Custody Dispute	1	0	0	0	0	2	1	4
CWS... CWS Documentation Only	0	0	1	1	1	0	1	4
DIS Disorderly Conduct	6	1	2	3	2	4	5	23
DOC... Documentation Only	3	17	16	17	28	16	16	113
DVC Domestic Violence Call	2	2	5	3	3	4	2	21
F/I Field Interview	22	18	7	17	15	11	12	102
F/U Follow-up Investigation	4	0	2	6	5	4	3	24
FIRE Fire Call	3	2	2	1	1	1	0	10
Found Property	1	1	2	5	9	0	5	23
INVEST Investigation	6	3	5	9	8	9	6	46
MEDI... Medical Aid	3	5	4	4	13	8	6	43

**CITY OF RIO DELL
POLICE DEPARTMENT**

677 WILDWOOD AVENUE
RIO DELL, CA. 95562

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Calls For Service Totals For Day of Week

01/01/2016 to 12/31/2016

Call Type / Description	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
MPA Missing Person - Adult	1	0	0	2	0	2	0	5
MPJ Missing Person - Juvenile	1	1	0	1	1	1	0	5
ND Neighbor Dispute	0	1	0	1	3	1	0	6
O/I Officer Initiated	2	3	0	4	2	1	3	15
PCK Patrol Check	3	2	3	5	2	3	6	24
PS Reported Gun Shots Heard,...	1	1	0	0	0	0	0	2
REG Registrant -...	0	3	2	3	2	5	1	16
SEC Security Check -...	0	0	0	0	0	0	1	1
SS Subpoena Service	0	0	0	0	0	0	2	2
SUS... Suspicious Circumstances	17	7	8	23	22	36	23	136
SW Search Warrant	1	0	2	0	2	0	0	5
T/C Traffic Collision	4	1	5	1	2	1	4	18
... Theft Report	6	9	10	12	12	13	7	69
TRAF... Traffic Stop	134	69	70	62	37	44	92	508
TRES... Trespassing	0	0	0	1	0	0	0	1
UNSUB Unwanted Subject	2	2	5	2	2	5	2	20
V... Vehicle Investigation	6	9	8	8	4	6	11	52
WC Welfare Check	2	5	0	4	6	9	6	32
Total	310	221	210	280	259	271	286	1837

**CITY OF RIO DELL
POLICE DEPARTMENT**

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Incident Offense Three Year Comparison

Offense	Description	Period: January 1 to December 31				
		Year: 2014		2015		2016
		# ofs.	# ofs.	% +/- 2014	# ofs.	% +/- 2015
CVC 10851	Stolen Vehicle	7	20	185.71 %	11	-45.00 %
CVC 14601	Driving w/ Suspended or Revoked	36	31	-13.89 %	66	112.90 %
H&S 11350	Possession of Cocaine/Heroin	6	17	183.33 %	11	-35.29 %
H&S	Possess concentrated cannabis	3	4	33.33 %	5	25.00 %
H&S	Possession of Drug Paraphernalia	19	19	0.00 %	34	78.95 %
H&S 11377	Possession of Controlled Substance	16	26	62.50 %	31	19.23 %
PC	Resist , delay, obstruct officer	7	7	0.00 %	4	-42.86 %
PC	Battery on a Cohabitant	16	5	-68.75 %	11	120.00 %
PC 273.5	Domestic Violence	8	12	50.00 %	24	100.00 %
PC 422	Criminal Threats	12	11	-8.33 %	13	18.18 %
PC 459	Burglary	21	25	19.05 %	16	-36.00 %
PC 487	Grand Theft	1	4	300.00 %	5	25.00 %
	Theft of Firearm	1	0	-100.00 %	1	100.00 %
PC 488	Petty Theft	25	24	-4.00 %	22	-8.33 %
PC 496	Possession of Stolen Property	1	15	1400.00 %	7	-53.33 %
PC 594	Vandalism	39	11	-71.79 %	32	190.91 %
PC 647(f)	Public Intoxication	30	24	-20.00 %	28	16.67 %
Total all Offenses		248	255	2.82 %	321	25.88 %

Incident Offense Totals Month to Month Comparison

01/01/2016 to 12/31/2016

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
AW - F - RDPD Arrest Warrant - Felony		1	3		4	1			1				10
AW - I - RDPD Arrest Warrant - Infraction		1											1
AW - M - RDPD Arrest Warrant - Misdemeanor		2	1	6	1	1							11
B&P 4060 - Possess Controlled Drug w/out...		3			1				1				5
CVC 10851 - Stolen Vehicle	1			4			1		1		1	3	11
CVC 12500 - No Drivers License	2		1	1	2	2	3	4	4	2	3	5	29
CVC 14601 - Driving w/ Suspended or...		2	2	10	7	5	5	10	2	9	9	5	66
CVC 16028(a) - No Vehicle Insurance							1	1			1	2	5
CVC 20002 - Hit and Run, Property			1			1							2
CVC 21201(d)(2) - Reflector on bicycle							1						1
CVC 21657 - Driving wrong way on a one way										1			1
CVC 22349(a) - Maximum Speed Limit												1	1
CVC 22450 - Stop Sign Violation							1			1			2
CVC 22523(a) - Adandoned Vehicle			3			2			1				6
CVC 22651(c) - Stolen Vehicle Recovery						1							1
CVC 22651(k) - Removal of vehicle after 72...			1			1				1		2	5
CVC 22651(o) - Vehicle Storage Authority -...	1		1	1		3		1	1	1	3	3	15
CVC 23140(a) - DUI - Under 21 .05-.07 BAC								1					1
CVC 23152(a) - DUI - Impaired Alcohol or...						1		2	1	3	2		9
CVC 23152(b) - DUI - .08 BAC	1	1			1		1	3	2	3	2		14
CVC 23152(e) - DUI drugs	1											2	3

**CITY OF RIO DELL
POLICE DEPARTMENT**

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RIO DELL, CA. 95562

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Incident Offense Totals Month to Month Comparison

01/01/2016 to 12/31/2016

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
CVC 23222(a) - Open Container While Driving										1			1
CVC 23223 - Possession of open container...										1			1
CVC 24252(a) - Must Maintain Required...										1			1
CVC 24400 - Head light out			1										1
CVC 27315(d) - Safety Belt Required								1					1
CVC 2800.1 - Evading A Police Officer							1			1		1	3
CVC 2800.2 - Evading Police Officer/...		2					1	3	1				7
CVC 31 - False Information Given To Peace...				1									1
CVC 4000(a) - Vehicle on Highway,...											1		1
CVC 4462.5 - Display False Reg. Tabs			1					1			1	3	6
Death Investigation - - Coroner's Case/Non-...				1		1		1					3
Dog Bite - - Animal vs. human/Animal vs....						1	1				1		3
Fire Code: 1102.3.3 - Illegal Fire					1								1
Found Property - - SafeKeeping/Lost/Found...									1				1
H&S 11350 - Possession of Cocaine/Heroin			1	2	2			1	1	1	1	2	11
H&S 11351 - Possession for Sale						1							1
H&S 11352 - Transportation, Sale or to Give...								1	1				2
H&S 11357(a) - Possess concentrated...	2	1		1							1		5
H&S 11357(c) - Marijuana; possession over...	2	1				1				1			5
H&S 11358 - Cultivation of Marijuana						1							1
H&S 11359 - Marijuana; possess or purch....		1			2								3

Incident Offense Totals Month to Month Comparison

01/01/2016 to 12/31/2016

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
H&S 11360 - Transportation of Marijuana	2							1					3
H&S 11364(a) - Possession of Drug...	1	2	1	3	4	4	2	1	4	9	3		34
H&S 11366.5(a) - Operating a drug house	1					1					1		3
H&S 11377 - Possession of Controlled...	2	2		1	4	4	4	3	4	5		2	31
H&S 11378 - Possession for Sale					1					1			2
H&S 11379 - Transportation of a Controlled...					1					1			2
H&S 11379.6 - BHO lab											1		1
Incident Report - Documentation of Non-...			1					1					2
Investigation - Criminal/Non-Criminal/Civil...			1					1		1	1		4
Medical Aid - - Assist EMS					1								1
Missing Person - - Adult or Juvenile	1		1			1		1	1		1	1	7
O/W - F - Outside Agency Arrest/Bench...					1		1	3		1	1	2	9
O/W - I - Outside Agency Arrest/Bench...			1						1		1		3
O/W - M - Outside Agency Arrest/Bench...	6	1	4	1		2	6	7	4	5	5	6	47
PC 1203.2 - Misdemeanor Violation of...	1			2	4	1	2	4	4	3	5	2	28
PC 1203.3 - Felony Violation of Probation				1	1		1	1					4
PC 13700 - Domestic Violence Incident				1	1						1		3
PC 148(a)(1) - Resist , delay, obstruct officer		1			1	1		1					4
PC 148.9(a) - False ID to Police Officer									1				1
PC 166(a) - Contempt of Court						1							1
PC 166(a)(4) - Disobey Court Order					1		1		1	2	3	2	10

Incident Offense Totals Month to Month Comparison
 01/01/2016 to 12/31/2016

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
PC 207 - Kidnapping							1						1
PC 211 - Robbery								1		1			2
PC 21310 - Concealed dirk or dagger						1		1					2
PC 21810 - Metal Knuckles		1				1							2
PC 236 - False Imprisonment			1		1					1			3
PC 240 - Assault				1	1	1	1		1				5
PC 242 - Battery	1		1	1		3	1	1	4			3	15
PC 243(b) - Battery; Police Officer								1					1
PC 243(d) - Battery; Serious Bodily Injurt									1				1
PC 243(e)(1) - Battery on a Cohabitant	1	2				1			3	2	1	1	11
PC 245(a)(1) - Assault with Deadly Weapon...		1	1			2							4
PC 247 - Discharge of Firearm so as to...											1		1
PC 272 - Contribute to the Delinquency of...											1		1
PC 273.5 - Domestic Violence	1	3	1	2	3	1	1	2	1	2	5	2	24
PC 273.6 - Violation of Domestic Violence...			1								3	2	6
PC 273a(a) - Cruelty to Child - Felony	1										1	1	3
PC 273a(b) - Cruelty to Child; other than...		1			2			1			1		5
PC 278.5 - Parental Abduction of a Child			1										1
PC 288 - Sex Offense or Lewd Act Against a...	1			1								1	3
PC 29800(a)(1) - Possession of firearm by...					1								1
PC 30305 (a) - Possession of Ammo by a felon					1								1

**CITY OF RIO DELL
POLICE DEPARTMENT**

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Incident Offense Totals Month to Month Comparison

01/01/2016 to 12/31/2016

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
PC 30305(a) - Felon Possess Ammunition		1											1
PC 368 - Abuse of Elder or Dependent Adult	2	1		1		2		1					7
PC 381 - Possession of Toluene					1				1				2
PC 415(2) - Unreasonable/Loud Noise							1						1
PC 417 - Brandishing Deadly Weapon		1	1	2	1	1	1				1		8
PC 422 - Criminal Threats	3	2		1	1	2	1			1	2		13
PC 451(b) - Arson - Inhabited Structure or...										1			1
PC 459 - Burglary	4	1	1		4	1	2		1	1	1		16
PC 484 - Theft				1					1		1		3
PC 484e - Unauthorized Access Cards	1	1				1							3
PC 484g - Fraudulent Use of Access Card				1					1			1	3
PC 487 - Grand Theft	1			1			1	1	1				5
PC 487(d)(2) - Theft of Firearm				1									1
PC 488 - Petty Theft	4	3	1	2	3	2		1	2	1	2	1	22
PC 496 - Possession of Stolen Property	1	1		1	2			1				1	7
PC 591 - Tampering with Telecommunications						1		1		1			3
PC 594 - Vandalism	3	2	2	1	9	6	2	1	1	5			32
PC 602 - Trespass Circumstances	1							2				1	4
PC 646.9(a) - Stalking					1								1
PC 647(f) - Public Intoxication	2	3	5	2		2	1	4	4	2		3	28
PC 653m - Unlawful use of Telephone										1			1

**CITY OF RIO DELL
POLICE DEPARTMENT**

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Incident Offense Totals Month to Month Comparison

01/01/2016 to 12/31/2016

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
PC 69 - Resisting Executive Officer	1							1			1		3
PC 836.6 - Escape from police							1						1
RDCO 244 Sec 40 - Biting Dog Authority to...		1											1
UFC 1102.3.4 - Open Burn			1										1
Vehicle Invest. - Investigation			1								2		3
W&I 5150 - Mental Disorder	3				2	2			1	1	1	1	11
W&I 601(a) - Uncontrolable Juvenile					1			1				1	3
WCK - Welfare Check				2									2
Total	55	46	43	57	75	68	47	75	61	75	73	63	738
Percentage	7.45	6.23	5.82	7.72	10.16	9.21	6.36	10.16	8.26	10.16	9.89	8.53	

**CITY OF RIO DELL
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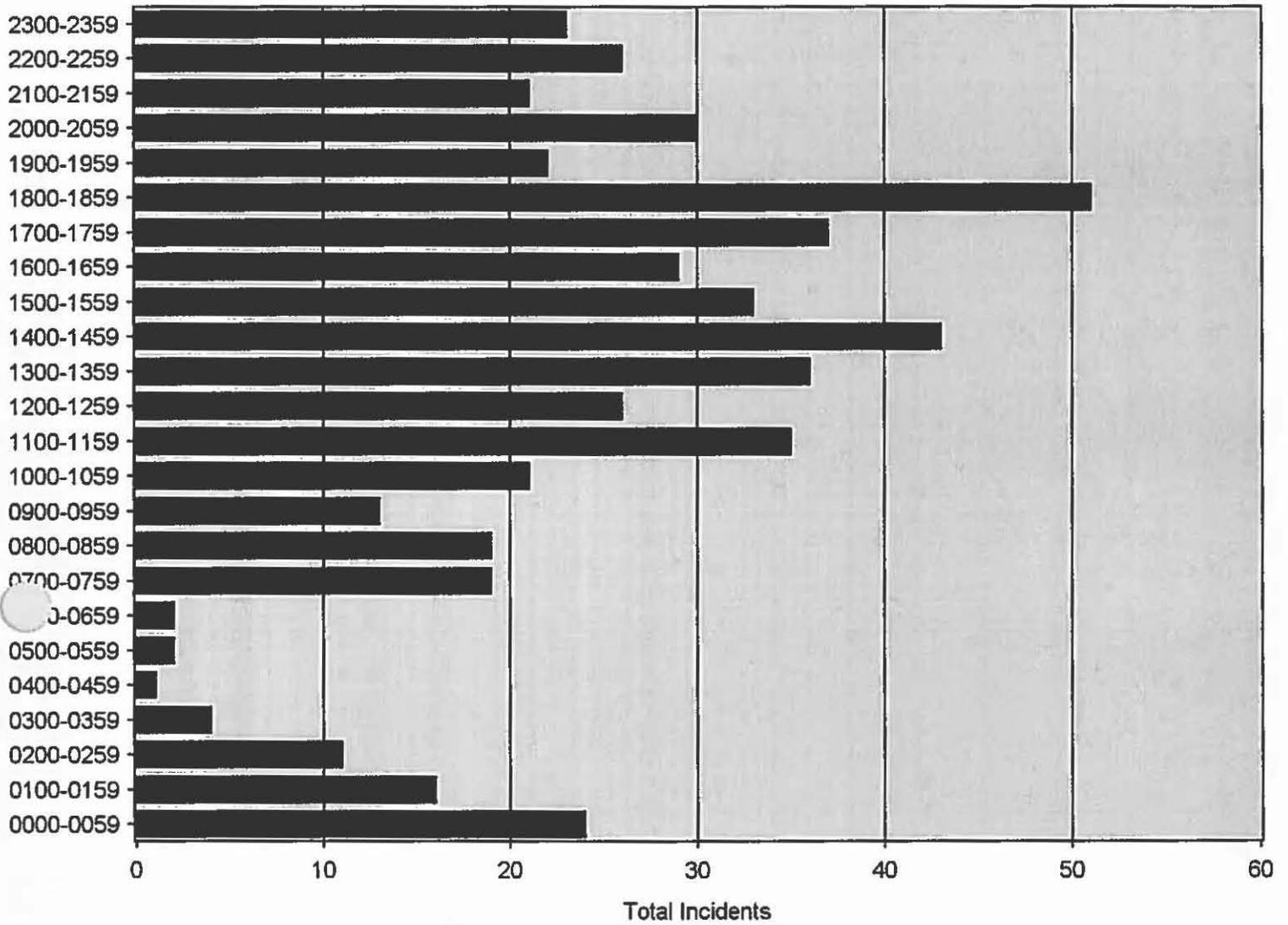
Incidents By Time of Day / Day of Week

01/01/2016 to 12/31/2016

Time of Day / Day of Week	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
2400 - 0059 Hrs	6	4	6	2	2	1	3	24
0100 - 0159 Hrs	7	4	1	2	1	0	1	16
0200 - 0259 Hrs	0	2	3	2	0	2	2	11
0300 - 0359 Hrs	0	1	0	0	0	3	0	4
0400 - 0459 Hrs	1	0	0	0	0	0	0	1
0500 - 0559 Hrs	0	0	0	0	0	1	1	2
0600 - 0659 Hrs	0	1	0	0	0	0	1	2
0700 - 0759 Hrs	2	5	7	1	1	2	1	19
0800 - 0859 Hrs	1	3	4	5	1	2	3	19
0900 - 0959 Hrs	2	3	1	3	2	2	0	13
1000 - 1059 Hrs	1	4	5	5	5	1	0	21
1100 - 1159 Hrs	6	10	6	7	2	2	2	35
1200 - 1259 Hrs	7	3	5	4	5	0	2	26
1300 - 1359 Hrs	10	8	5	6	1	3	3	36
1400 - 1459 Hrs	10	4	7	6	9	4	3	43
1500 - 1559 Hrs	1	1	7	12	5	6	1	33
1600 - 1659 Hrs	5	4	4	3	6	4	3	29
1700 - 1759 Hrs	6	9	4	7	2	5	4	37
1800 - 1859 Hrs	5	11	5	5	3	7	15	51
1900 - 1959 Hrs	2	2	4	6	0	3	5	22
2000 - 2059 Hrs	3	2	2	2	3	7	11	30
2100 - 2159 Hrs	3	2	3	4	1	3	5	21
2200 - 2259 Hrs	5	1	4	2	2	8	4	26
2300 - 2359 Hrs	5	4	2	2	4	1	5	23
Total	88	88	85	86	55	67	75	544

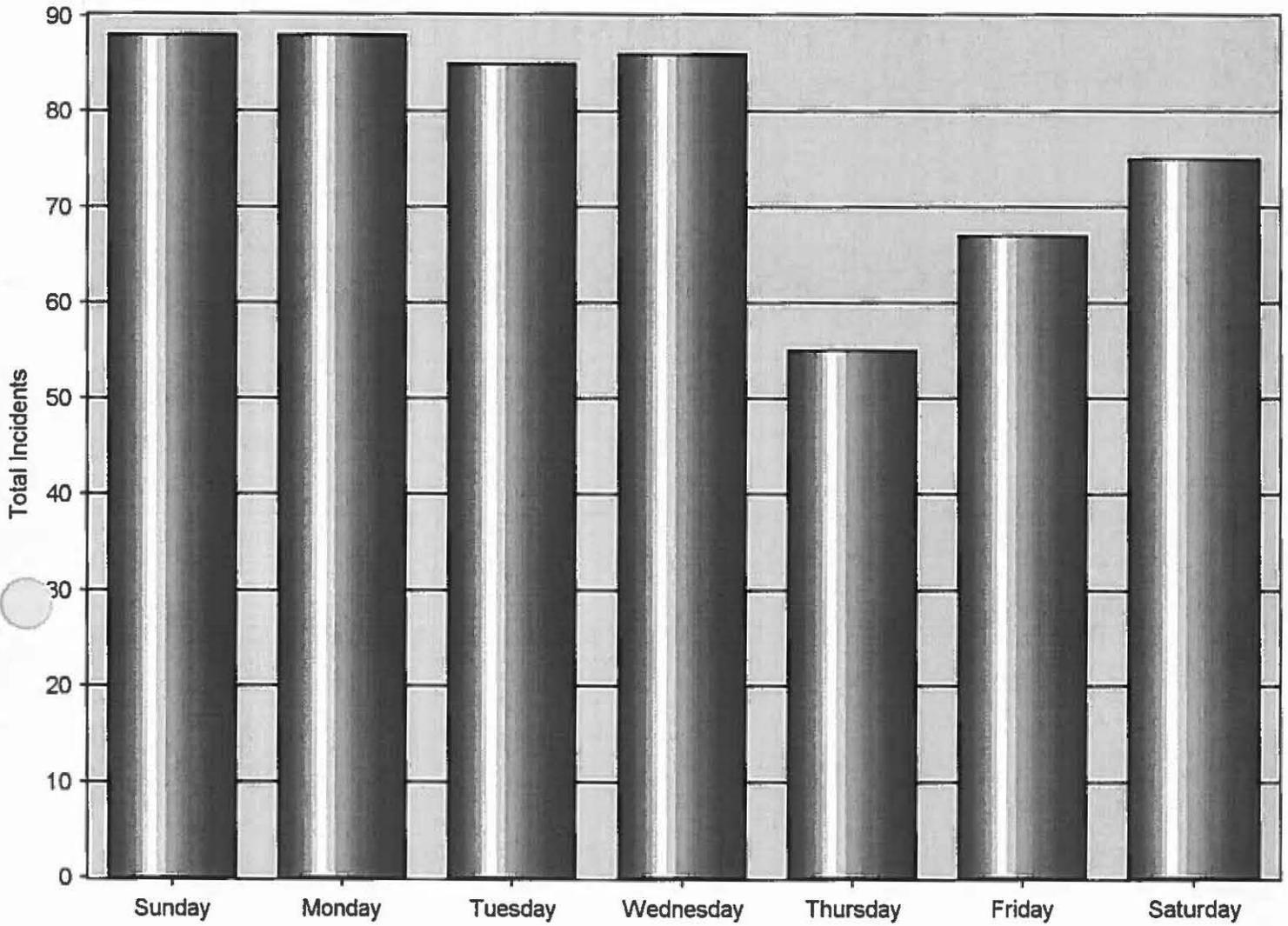
CITY OF RIO DELL POLICE DEPARTMENT

Incident Reports By Time of Day
From: 01/01/2016 To: 12/31/2016



CITY OF RIO DELL POLICE DEPARTMENT

Incident Reports By Day of Week
From: 01/01/2016 To: 12/31/2016



**CITY OF RIO DELL
POLICE DEPARTMENT**

675 WILDWOOD AVENUE
RIO DELL, CA. 95562

Date : 02/02/2017
Page : 1
Agency : RDPD

Arrest Totals By Violation

01/01/2016 TO 12/31/2016

Violation	Total
A/W - F RDPD Arrest Warrant - Felony	8
A/W - M RDPD Arrest Warrant - Misdemeanor	5
B/W - M RDPD Bench Warrant - Misdemeanor	1
CVC 12500 No Drivers License	24
CVC 14601 Driving w/ Suspended or Revoked	51
CVC 23140(a) DUI - Under 21 .05-.07 BAC	1
CVC 23152(a) DUI - Impaired Alcohol or Drugs	7
CVC 23152(b) DUI - .08 BAC	8
CVC 23152(e) DUI drugs	3
CVC 23223 Possession of open container in motor...	1
CVC 2800.2 Evading Police Officer/ Reckless...	5
CVC 4462.5 Display False Reg. Tabs	3
H&S 11350 Possession of Cocaine/Heroin	8
H&S 11352 Transportation, Sale or to Give away	2
H&S 11357(a) Possess concentrated cannabis	2
H&S 11357(c) Marijuana; possession over 28.5 grams	5
H&S 11359 Marijuana; possess or purch. for sales	1
H&S 11360 Transportation of Marijuana	3
H&S 11364(a) Possession of Drug Paraphernalia	16
H&S 11366.5(a) Operating a drug house	4
H&S 11377 Possession of Controlled Substance	26
H&S 11378 Possession for Sale	2
H&S 11379 Transportation of a Controlled...	2
O/W - F Outside Agency Arrest/Bench Warrant -...	9
O/W - I Outside Agency Arrest/Bench Warrant -...	2
O/W - M Outside Agency Arrest/Bench Bench...	50
PC 1203.2 Misdemeanor Violation of Probation	7
PC 1203.3 Felony Violation of Probation	2
PC 136.1 Dissuading or Preventing Witness or...	1
PC 148(a)(1) Resist , delay, obstruct officer	4
PC 148.9(a) False ID to Police Officer	1
PC 166(a)(4) Disobey Court Order	3
PC 21310 Concealed dirk or dagger	1
PC 21810 Metal Knuckles	1
PC 22810(a) Unlawful Tear Gas Possession	1
PC 242 Battery	6
PC 243(e)(1) Battery on a Cohabitant	9

**CITY OF RIO DELL
POLICE DEPARTMENT**

677 WILDWOOD AVENUE
RIO DELL, CA. 95562

Date : 02/02/2017
Page : 2
Agency : RDPD

Arrest Totals By Violation

01/01/2016 TO 12/31/2016

Violation		Total
PC 25850 (C)...	Possessionof firearm with pior felony...	1
PC 273.5	Domestic Violence	16
PC 273.6	Violation of Domestic Violence...	4
PC 273a(a)	Cruelty to Child - Felony	1
PC 273a(b)	Cruelty to Child; other than great...	2
PC 30305(a)	Felon Possess Ammunition	2
PC 368	Abuse of Elder or Dependent Adult	4
PC 381	Possession of Toluene	2
PC 415(2)	Unreasonable/Loud Noise	1
PC 417	Brandishing Deadly Weapon	4
PC 422	Criminal Threats	3
PC 451(b)	Arson - Inhabited Structure or...	1
PC 459	Burglary	2
PC 484	Theft	1
PC 484e	Unauthorized Access Cards	1
PC 488	Petty Theft	2
PC 496	Possession of Stolen Property	1
PC 594	Vandalism	2
PC 602	Trespass Circumstances	4
PC 636.5	Interception of Public Safety Radio	1
PC 647(f)	Public Intoxication	24
PC 69	Resisting Executive Officer	3
PC 836.6	Escape from police	1
UFC 1102.3.4	Open Burn	1
W&I 601(a)	Uncontrolable Juvenile	1
W&I 777	Probation Violation	1
Grand Total		371

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



For Meeting of: February 7, 2017

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: January 31, 2017

Subject: Adoption of Ordinance No. 353-2017 amending the Commercial Medical Cannabis Land Use Regulations Section 17.30.195 Rio Dell Municipal Code (RDMC).

Recommendation:

That the City Council:

1. Receive staff's report regarding amending Ordinance No. 348-2017 Commercial Medical Cannabis Land Use Regulations Section 17.30.195 Rio Dell Municipal Code regarding Permit Renewals, Changes to Ownership or Modifications to Premises, Inspections, Cultivation setbacks in the Industrial Commercial Zone and the definition of "Indoor" cultivation; and
2. Open the public hearing, receive public input and deliberate; and
3. Find that the proposed text amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and
4. Find that the proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA); and
5. Adopt Ordinance No. 353-2017 amending the Commercial Medical Cannabis Land Use Regulations Section 17.30.195 Rio Dell Municipal Code regarding Permit Renewals.

Background

At your meeting of January 17th, staff presented some minor text amendments to the Commercial Medical Cannabis Land Use Regulations Section 17.30.195 Rio Dell Municipal Code regarding Permit Renewals, Changes to Ownership or Modifications to Premises, Inspections, Cultivation setbacks in the Industrial Commercial Zone and the definition of “Indoor” cultivation.

There was very little discussion regarding any of the recommended amendments other than the definition of “Indoor”. Mayor Wilson suggested that the definition include language which would prohibit operable vents in the roof due to the concern of cannabis odor emitting through the roof. Staff does not believe this is necessary. As the Council is aware, the Ordinance already contains the following language in two separate sections:

Carbon filter fans or equivalent superior filters/scrubbers shall be required to eliminate odor discharges to neighboring properties from cultivation and processing facilities.

In addition as staff reported at the meeting of January 17th, cannabis only emits odors during the final few weeks of flowering growth. The ability to naturally ventilate the facility during non-odor emitting growth cycles is consistent with the California Green Code and the Governor's 2030 Energy Goals. Furthermore, there is no reason why vents should not be allowed in the roof provided that they are equipped with carbon filter fans or equivalent superior filters/scrubbers. It should be noted that the filter systems in the facility we toured in Arcata were located in the roof/ceiling. Staff sees no reason why vents would be allowed in the walls, but prohibited in the roof/ceiling of the structure.

Staff is presenting two options for the definition of “indoor”. Option 1 is staff's and the Planning Commission's original recommendation and Option 2 includes language suggested by Mayor Wilson.

Option 1:

“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.

Option 2:

“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 without operable vents in the roof.

Zone Reclassification Required Findings

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

There are a no polices in the General Plan which preclude or discourage the recommended minor text amendments. As such, the proposed amendments are consistent and compatible with the General Plan.

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

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

Attachments

Attachment 1: Ordinance No. 353-2017 amending Ordinance No. 348-2016 Commercial Medical Cannabis Land Use Regulations Section 17.30.195 Rio Dell Municipal Code regarding Permit Renewals, Changes to Ownership or Modifications to Premises, Inspections, Cultivation setbacks in the Industrial Commercial Zone and the definition of "Indoor" cultivation.

ORDINANCE NO. 353-2017



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING ORDINANCE NO. 348-2016, COMMERCIAL MEDICAL CANNABIS
LAND USE REGULATIONS SECTION 17.30.195 RIO DELL MUNICIPAL CODE
REGARDING PERMIT RENEWALS, CHANGES TO OWNERSHIP OR MODIFICATIONS
TO PREMISES, INSPECTIONS, CULTIVATION SETBACKS IN THE INDUSTRIAL
COMMERCIAL ZONE AND THE DEFINITION OF "INDOOR" CULTIVATION.**

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

WHEREAS the City recently adopted Cannabis Activity Permit fees; and

WHEREAS based on the fee structure minor amendments are needed regarding Permit Renewals, Changes to Ownership or Modifications to Premises and Inspections; and

WHEREAS the City was recently approached by a potential permittee regarding indoor cultivation in a building (not a greenhouse by definition) with a clear roof; and

WHEREAS the idea is to reduce energy consumption by supplementing indoor cultivation with sunlight; and

WHEREAS this type of cultivation is gaining popularity due to its ability to reduce energy consumption associated with indoor cultivation; and

WHEREAS this building type is a hybrid between the "indoor" and mixed light definition; and

WHEREAS the Planning Commission recommending the definition of "Indoor" to include this type of building; and

WHEREAS the Planning Commission is also recommending amending the current cultivation setback requirement of fifty (50) feet in the Industrial Commercial zone to zero (0) feet; and

WHEREAS cultivation activities are allowed in the Industrial Commercial and Natural Resources zones; and

WHEREAS the originally recommended setback of fifty feet was based on possible cultivation activities in the Rural (R) zoning designation; and

WHEREAS the Industrial Commercial zone allows a zero (0) foot setback for all other uses; and

WHEREAS the Planning Commission held a Public Hearing on January 10, 2017 to consider and discuss the proposed amendments; and

WHEREAS the Planning Commission recommends the City Council approves the proposed amendments; and

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

WHEREAS the City has reviewed and processed the proposed amendment in conformance with Section 17.35.010 of the City of Rio Dell Municipal Code; and

WHEREAS the City finds that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and

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

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

Section 1. Section 17.30.195 of the Rio Dell Municipal Code is amended to read in as follows:

(6) Definitions

“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 without operable vents in the roof.

(10) Performance Standards for all MCCLUO Cultivation Operations:

- (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.

(14) Term of Conditional Use Permit; ~~Inspections.~~

(a) 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.

~~(15)~~ (17) Appeal of ~~Annual~~ 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, whenever the Conditional Use Permit and License has been revoked or terminated.

~~(16)~~ (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. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on January 17, 2017 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 7, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 353-2017 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the February 7, 2017.

Karen Dunham, City Clerk, City of Rio Dell