

A G E N D A
RIO DELL CITY COUNCIL
REGULAR MEETING - 6:30 P.M.
TUESDAY, MARCH 2, 2010
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

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

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

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

- A. CALL TO ORDER
- B. ROLL CALL
- C. PLEDGE OF ALLEGIANCE
- D. ORAL ANNOUNCEMENTS
- E. CEREMONIAL
- F. CONSENT CALENDAR

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

- 1) 2010/0302.01 - Approve Minutes of the February 16, 2010 Regular Meeting (**Action**) 1
- 2) 2010/0302.02 - Approve Pay Request No. 3 to K.G. Walters, Co. in the amount of \$107,955.00 for work related to the Solids and Disinfection Management Project (**Action**) 12
- 3) 2010/0302.03 - Approve Resolution No. 1070-2010 In Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 (**Action**) 20

- 4) 2010/0302.04 - Approve Appointment of Andrew Gonzales to the Rio Dell Planning For the remainder of the term ending December 31, 2010; and Richard "Bud" Leonard for the three year term Ending December 31, 2012 **(Action)** 25
- 5) 2010/0302.05 - Direct the City Manager to File an Application with Humboldt LAFCo For the Annexation of the Town of Scotia **(Action)** 33

G. SPECIAL PRESENTATIONS

H. ORDINANCES/SPECIAL RESOLUTIONS

I. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2010/0302.06 - Approve Agreement with Winzler & Kelly for Preparation of Addendum No. 2 to the EIR for the Rio Dell Wastewater Reuse Project **(Action)** 43
- 3) 2010/0302.07 - Approve Scope of Work from Planwest Partners, Inc. to Prepare an Update For the Circulation Element of the Rio Dell General Plan; authorize the City Manager to Execute the Agreement; Direct Funds Transfer from General Fund Reserves to Planning Budget; and Direct City Manager to Include the Update of Safety Element in the Proposed 2010-2011 Budget For Council Consideration **(Action)** 49
- 4) 2010/0302.08 - Receive and Consider Appeal of Business License Denial for Eel River Motocross Park at the Former Eel River Saw Mill Site **(Action)**

J. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, 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.

K. REPORTS/STAFF COMMUNICATIONS

- 1) Interim City Manager
- 2) Acting Public Works Director
- 3) Chief of Police
- 4) Finance Director

L. COUNCIL REPORTS/COMMUNICATIONS

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

N. PUBLIC COMMENT REGARDING CLOSED SESSION

O. RECESS INTO CLOSED SESSION

P. RECONVENE INTO OPEN SESSION

Q. ORAL ANNOUNCEMENTS

R. ADJOURNMENT

*The next Regular meeting will be on March 16, 2010
at 6:30 PM in the City Council Chambers*

**RIO DELL CITY COUNCIL
REGULAR MEETING
FEBRUARY 16, 2010
MINUTES**

The Regular Meeting of the Rio Dell City Council was called to order at 6:30 P.M. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Dunker, Marks and Thompson

Absent: Councilmember Barsanti (excused)

Others Present: Interim City Manager Stretch, Acting Public Works Director Jensen, George Williamson, Contract Planner, Neal Carnam, Winzler & Kelly and City Clerk Dunham

Absent: Finance Director Beauchaine, and Chief of Police Hill

CEREMONIAL

Proclamation in Recognition of Engineer's Week February 14-20th, 2010

Mayor Woodall read the proclamation in recognition of Engineer's Week declaring the week of February 14th, 2010 as Engineer's Week in the City of Rio Dell.

CONSENT CALENDAR

Councilmember Marks requested two items be removed from the Consent Calendar for separate discussion under Special Call Items: agreement with Winzler & Kelly for services related to Scotia CSD/Annexation; and approval of the Final Pay Request to Wendt Construction Co. for work related to the Safe Routes to School Improvement Project.

Motion was made by Dunker/Thompson to approve the consent calendar including the approval of minutes of the February 2, 2010 Regular Meeting; approval of minutes of the February 9, 2010 Special Meeting; approval of the appointment of Stephanie Beauchaine as Brownfield's Trainer/Coordinator; and approval of the re-appointment of Dave Gonzales and Denise Sweaney to the Rio Dell Planning Commission for three year terms ending December 31, 2012. Motion carried 4-0.

ORDINANCES/SPECIAL RESOLUTIONS

Approve Resolution No. 1070-2010 authorizing the County of Humboldt to apply on behalf of the City for North Coast Integrated Regional Management Plan (NCIWMP) Energy Efficiency and Conservation Block Grant (EECBG) Funding

Interim City Manager Stretch explained this resolution would replace Resolution 1063-2009 previously approved by the Council authorizing the County of Humboldt to apply for EECBG funding on behalf of the City as it was determined that there were some minor technicalities in that resolution that needed to be corrected before the application could proceed. He noted the application is for up to \$25,000 and would be used to replace the antiquated heating/cooling systems in City Hall.

Motion was made by Thompson/Marks to approve Resolution No. 1070-2010 *Authorizing the County of Humboldt to Apply on Behalf of the City of Rio Dell for North Coast Integrated Regional Water Management Plan (NCIRWMP) Energy Efficiency and Conservation Block Grant (EECBG) Funding*. Motion carried 4-0.

SPECIAL CALL ITEMS

Approve Agreement with Winzler & Kelly for Services Related to Scotia CSD/Annexation

Councilmember Dunker suggested this action be postponed until representatives of The Town of Scotia are present and said he also thought it would be best to have discussions with them during a pre-meeting before any action is taken.

Councilmember Marks stated she understood the reason we were doing this is because the CSD application was going before LAFCo and by the City taking some movement, we would be able to participate in discussions with LAFCo regarding the formation of a Community Services District in Scotia; City Manager Stretch explained the City did not take an active role in the County Planning Commission and Board of Supervisors hearings on the general plan and zoning amendments, or the tentative map approval because the service delivery issue was not within their purview.

He said the City can take the initiative when it is believed that the integration of the communities would be more cost effective. The proposed agreement with Winzler & Kelly in the amount of \$5,000 (or less) is for services for the City, related to the proposed formation of a CSD for the Town of Scotia, and/or for services for the annexation of the Town of Scotia to the City of Rio Dell.

Motion was made by Thompson/Marks to approve the agreement with Winzler & Kelly for services related to Scotia CSD/Annexation. Motion carried 4-0.

Approve Final Progress Payment Request to Wendt Construction Co. in the amount of \$38,270.45 for work related to the Safe Routes to School Improvement Project

Councilmember Marks said her only question was whether the project stayed within Budget; Acting Public Works Director Jensen stated that it did.

Motion was made by Thompson/Marks to approve the Final Progress Payment Request to Wendt Construction Co, in the amount of \$38,270.45 for work related to the Safe Routes to School Improvement Project. Motion carried 4-0.

Receive Presentation from Planwest Partners and Winzler & Kelly and Direct City staff to initiate the annexation process and return to Council with a schedule and costs for the annexation effort

City Manager Stretch stated at the request of Councilmember Thompson, this item was placed on the agenda. He further stated that a letter dated February 9, 2010 was sent to Frank Bacik with the Town of Scotia to express the City's interest in annexing Scotia to the City of Rio Dell and inviting him to attend the Council meeting. He said that although the letter was delivered on February 11th, Mr. Bacik indicated in his response letter received today that he did not receive the letter until today and because of the short notice, was not able to attend.

City Manager Stretch commented that he felt it would be more expeditious for the Town of Scotia to go through annexation rather than a CSD.

The City Clerk was asked to accept the response letter from the Town of Scotia into public record.

George Williamson, Contract Planner made a couple of observations: 1) in 2006, the City made a considerable effort to study this proposed annexation, conducting engineering studies, considering the necessary general plan and zoning amendments, initiating the Municipal Services Review and Sphere of Influence Update necessary for LAFCo review, and having an independent Fiscal Study prepared and at the last minute, the former owners (Palco) withdrew the annexation application due to infrastructure cost issues; and 2) for the past three years, the County has been working through the proposed Tentative Map for subdivision of the parcels in Scotia as well as working on General Plan amendments and appropriate Zoning designations. He said the County conditioned the map to say that they must have a service provider and either way the land is going to be subdivided, with new land use and zoning designations.

He further stated that the City is on record at the appropriate time in regard to commenting on the EIR.

Councilmember Dunker commented that the community of Scotia has not had the opportunity to support either the formation of a CSD or annexation and in talking to community members, it seems that a lot of residents are in favor of annexation; Neal Carnam, Winzler & Kelly explained the property owner has to either accept or not accept the CSD and basically there are only two property owner in Scotia, that being the Town of Scotia, LLC and Humboldt Redwood.

Neal Carnam stated that both Winzler & Kelly and City staff did a lot of work analyzing infrastructure improvements and in the end the total costs were broken down to around \$30 million and Palco at that time was only willing to put approximately \$10 million on the table which he said probably would not change. Another aspect is that CSD's struggle to make it financially in today's world with the extensive cost of providing services and while a new CSD could be formed, it would probably not be in the best interest of the County or the residents of Scotia economically speaking. He said there would be significant financial impacts to proceed with annexation after the CSD is formed.

Mr. Carnam said the intent of the City's response now is to stand up and say that the City of Rio Dell thinks it would be in the best interest of the City and the residents of Scotia to proceed with annexation of the two communities.

Councilmember Dunker stated he agreed completely and reflected back to 2006 when Palco was going through bankruptcy proceedings stating that impacted the decisions made at that time. He said another point is that forming a CSD is a new experience for the Town of Scotia and they may not know all the challenges that face them.

Neal Carnam commented that he thought the issue is to convince LAFCo that annexation is the best solution; not to convince the Town of Scotia.

Councilmember Dunker pointed out that we need to consider the other relationships the City has with Scotia such as the Chamber of Commerce and come together and communicate in a positive manner to ensure those relationships are not jeopardized.

George Williamson stated that the letter sent to the Town of Scotia was very positive and what the Council needs to determine now is whether or not they want to provide direction to staff to initiate the annexation process and make a presentation to LAFCo.

Sharon Wolfe, 3 Painter St., stated when the annexation was being considered previously, infrastructure costs were a big issue and asked what has changed from then to now: Neal Carnam stated that Scotia's opinion about that annexation had not changed and that the City would be making its case to LAFCo. Sharon also asked where the \$30 million in infrastructure improvements would come from; Neal Carnam stated the City would be in the seat to develop a plan on how to accomplish that and with a larger rate base it would be easier to spread the costs and essentially subdivision fees would help to pay those costs.

Sharon Wolfe said she was exceedingly nervous about those cost being placed as a burden on the rate payers and said for the most part, there would only be one rate payer in Scotia since there were no homeowners yet; it was noted that the rate formula would be based on the number of connections rather than the number of property owners.

Councilmember Dunker stated that Mr. Bacik made some good points in his response letter to the City but made it sound like the Water Quality Control Board was going to give them their blessing on their current wastewater treatment facility which he said is probably not the case.

Neal Carnam pointed out that Scotia's treatment facility is located within the flood plain and would more than likely need to be relocated.

City Manager Stretch commented that the City's Infiltration Gallery is down stream from Scotia's wastewater treatment facility which is a concern. He noted that the City has made great advances with the entire wastewater system since annexation discussions first began and have been awarded a \$2.4 million grant for infrastructure improvements at the wastewater treatment facility including upgrade of the headworks. He said the City is ready, willing and able to provide the necessary municipal services to Scotia and feels that annexation is the most practical, efficient, and effective way of providing those services.

George Williamson further pointed out that the City updated it's Zoning Ordinance and General Plan to include industrial/commercial land use designations and in a land use way, Scotia would complete Rio Dell as far as potential employment areas.

Councilmember Thompson said in 2006 he took the time and walked Scotia with the proposed subdivision map and identified numerous problems and asked if the same tentative map was being proposed; Neal said he believed it was changed slightly to be in compliance with the Subdivision Map Act.

Thompson commented that water, sewer and power lines would need to be relocated to the public right-of-way as the parcels are sold. Neal explained those type of issues are addressed with the final subdivision map.

Al Petrovich, 1231 Eeloa Ave. said he was not up to speed with the annexation process but had heard that if annexed, we would be gaining the industrial mill site; Neal said the annexation would include the area from the bridge to the Tree Farm and involved two property owners; the Town of Scotia and Humboldt Redwood.

Neal Carnam then reviewed the history of annexation proceedings and the LAFCo application process.

Motion was made by Dunker/Marks to direct staff to initiate the annexation process and return to Council with a schedule and costs for the annexation effort. Motion carried 4-0.

Approve Scope of Work from Planwest Partners, Inc. for Public Safety Element Update

City Manager Stretch stated that upon review of the May 19, 2009 minutes of the City Council, he learned that the subject of General Plan Element updates was discussed with the focus of the

discussion being the Circulation and Public Safety Elements. At that time, Council determined that the Public Safety Element was the priority and directed that it be updated upon appropriation of funds. During the 2009-2010 budget discussions, the funding was not allocated for this purpose. His recommendation was that funds be transferred from the General Fund Reserves to cover the cost, followed by update of the Circulation Element during the next budget year. He noted that Planwest Partners, the City's contract planner had prepared a Scope of Work to update the Public Safety Element in the amount of \$12,680 and estimated it would take 18 weeks to complete the update.

Mayor Woodall pointed out that two of the City's top priorities are redevelopment and economic development and in talking with the City Manager he indicated that the Circulation Element is more important in that respect.

Councilmember Marks stated that the Planning budget was overspent by \$42,000 last year and asked what the return or benefit would be for updating those elements; George Williamson explained the advantage of updating the Safety Element is that the City would be more informed of potential public safety hazards, including known faults, steep slopes, areas subject to erosion, flood zones, high fire hazard areas, locations of known hazardous materials, and use of hazardous substances. It would also include the update of the Hazards Map prepared for the 2009 Annexations and General Plan Amendments, from the City GIS database. He said with the current Safety Element we would be hard pressed to stop development of certain potentially hazardous areas. When development occurs, we would be able to do a much better job in protection against erosion. Also, in regard to emergency services, we could be in a much better position with the Office of Emergency Services (OES).

Councilmember Dunker stated that he had extensive training in safety and risk management and with the number one priority being health and safety; the Public Safety Element should be top priority due to potential liability.

Dunker asked if there were laws pertaining to timely update of elements of the General Plan; George said there are State Standards but the State cannot mandate the update with the exception of the Housing Element.

City Manager Stretch said in the May 19th minutes, the Planner indicated that in his opinion, it would be more efficient to do the Circulation Element first, followed by the Public Safety Element however, a majority of council members thought the Public Safety Element should be done first. At that meeting the Council merely established a priority list and did not authorize the work to proceed.

City Manager Stretch explained the Circulation Element would define a circulation system including pedestrian roadways, bike lanes and transit plans and put the City in a better position to

secure transportation grants. He said in his opinion the City would get the most benefit with update of the Circulation Element.

Councilmember Marks asked if the *Standard Improvements and Specifications* would part of the Circulation Element; George Williamson said that is a separate document and explained during the update of the Circulation Element we would look at how our current circulation system is working, point out deficiencies and add new streets into the system such as the annexed areas of Blue Slide Road and Northwestern Ave. He said it also would help with advance planning.

Councilmember Thompson pointed out that there was a Public Safety Element Update prepared by the City in 2001 including rather extensive research but because no CEQA document was prepared, the update was not valid. George Williamson said this update will not minimize the work that was done prior and stated that relevant items will be folded in to the update as well as information obtained in 2006. He noted the cost estimate was based on those factors.

Councilmember Marks stated that after hearing again the key points of each element, it seem to be to the City's advantage to proceed with update of the Circulation Element first.

City Manager Stretch said he had also received a Scope for update of the Circulation Element and offered to provide Council with a copy at this time or at the next meeting.

The consensus of the Council was that the Circulation Element be updated first, using General Fund Reserves; followed by the Public Safety Element with the next budget year. City Manager Stretch was directed to bring the Scope of Services for update of the Circulation Element back at the next meeting for approval.

Approve comments on the Notice of Preparation on the Bear River Ridge Wind Power Project and authorize the City Manager to send a letter to the County of Humboldt, Community Development Services Department

City Manager Stretch stated the Humboldt County Community Development Services Department is soliciting comments as to the scope and content of the environmental information to be included in the Environmental Impact Report (EIR) and Environmental Impact Statement (EIS) for the proposed Bear River Ridge Wind Power Project. He noted the item was placed on the January 27, 2010 Planning Commission agenda for discussion and comment and those comments were incorporated into the response letter.

Discussion continued regarding the scope of the project and the environmental effects it may have on the City of constructing and operating the proposed transmission line from the wind turbines to the PG&E substation and of any new or improved power transmission lines from the substation. City Manager Stretch advised the Council to focus on the EIR and to consider potential effects such as traffic, construction and operational noise, visual impacts, and potential electromagnetic-related adverse effects.

Councilmember Thompson stated he would like to see an alternate route considered due to the size and weight of the trucks transporting the wind turbine components and suggested the logging road above Webster St. as a possible alternate route. He said it would provide better flow of traffic and at the same time provide an alternate access to the Dinsmore Plateau. He said we also may be able to negotiate some infrastructure improvements to Belleview Ave. such as drainage.

Councilmember Dunker stated he preferred Monument Road as the designated route and said improvements to Monument Road would be a great benefit to the residents and the City. It could potentially become a "scenic route" for the City which could generate revenue and allow for various activities such as car and bike rallies.

Councilmember Marks asked if there is the possibility for the transmission lines to be placed underground; City Manager Stretch stated he wasn't sure if that large of lines (34.5 kilovolt) could be placed underground.

Al Petrovich, 1231 Eeloa Ave. said he was wondering where the funding was coming from, referring to a similar wind project that created an increase in PG&E rates. He asked if the Council was supporting removal of revenue from residents.

Discussion continued regarding the controversy over global warming and greenhouse gas emissions under AB-32.

Al Petrovich commented that enforcement of AB-32 would put him out of business due to the cost of retro-fitting his equipment to comply with new emissions requirements.

Motion was made by Marks/Thompson to approve the letter, to include comments from the City Council, on the scope and content of the Environmental Impact Report and Statement for the Bear River Ridge Wind Power Project, to be sent to the County of Humboldt, Community Development Services Department as lead agency. Motion carried 4-0.

Consider Endorsement of State Parks and Wildlife Conservation Initiative for November 2010 Statewide Ballot

City Manager Stretch stated information was received from the "Yes for State Parks Initiative" committee to promote a park funding initiative measure for the November 2010 ballot. He noted that nearly 150 state parks have been either closed entirely, or shut down part-time as a result of state budget cuts. The proposed initiative would generate a new revenue source dedicated primarily to fund the State Parks system and proposes an \$18 increase in vehicle license fees for all non-commercial vehicles. He said the Council is requested to determine whether to endorse and support this initiative in ways other than financial. He said one thing the City could do is send a letter stating that with the decline in the timber industry and fishing industry, tourism is the one thing that our community has left and our parks play an important role in promoting tourism.

Councilmember Dunker stated he was somewhat undecided about this issue because in order to balance the State Budget, drastic changes are necessary and we do depend on tourism as a main revenue source for our community. On the other hand, we will be voting for a new Governor in November and he or she may have other ideas about balancing the budget.

City Manager Stretch said he could get more information and bring the matter back to the Council for further discussion.

Al Petrovich, 1231 Eeloa Ave. stated he was in favor of keeping parks open however not by increasing fees or taxes and said the State is asking to free up dedicated revenue and down the line something else will come up and DMV fees will be increased again. He said the State is in peril due to chronic overspending; not under funding. He encouraged the City Council to quit accepting grants because ultimately the taxpayers are the ones paying for them.

City Manager Stretch stated he had personally drafted numerous pieces of initiatives over the years and there are ways to draft the language so that the funds go into a trust fund and cannot be used for other purposes down the road. The only way it can change is through the voters with another initiative.

Motion was made by Councilmember Thompson to direct staff to format a letter to endorse and support the statewide November 2010 ballot initiative entitled "State Parks and Wildlife Conservation Trust Fund Act of 2010", in ways other than financial, and direct staff to communicate that endorsement to the community, appropriate legislative representatives and the initiative campaign committee.

Councilmember Marks suggested the matter be researched further and brought back for further discussion; Council concurred and Councilmember Thompson withdrew his motion.

Authorize the City Manager to proceed with purchase of Meter Reading Equipment from National Meter & Automation, Inc. in the amount of \$13,580.00

Acting Public Works Director Jensen stated the City installed a new radio meter reading system in 2004 and at that time, it was the state of the art system. Since then, there have been many upgrades to the system including newly designed ERT's (electronic radio transmitters) because of battery failures with the original equipment. With the new equipment, comes an improved technology that requires improvements on the programming and reading devices as well. In addition, a meter programmer that was on loan to the City from National Meter and Automation was stolen from the City Corporation yard and never recovered.

His recommendation was that the City Manager be authorized to execute the purchase of the new system along with replacement of the meter programmer. He further recommended that the Council authorize a Capital Budget amendment in the amount of \$13,580 to appropriate Water Fund Reserves for the purchase since the item was not budgeted.

Councilmember Thompson questioned insurance reimbursement; City Clerk Dunham noted that the loss was reimbursable through insurance less a \$2,500 deductible.

Motion was made by Thompson/Marks to authorize the City Manager to proceed with the purchase of the new Meter Reading Equipment from National Meter & Automation, Inc. for the amount of \$13,580.00 to replace the original failed system. In addition authorize a Capital Budget amendment in the amount of \$13,580.00 to appropriate Water Fund Reserves for the purchase of the equipment. Motion carried 4-0.

PUBLIC PRESENTATIONS

John Lane, 1249 Riverside Dr. said he wanted to congratulate the person who came up with the idea of changing the layout of the Council Chambers; City Manager Stretch said we were also getting quotes on new carpeting and microphones to improve the public address system.

REPORTS/STAFF COMMUNICATIONS

Interim City Manager Stretch reported on recent meeting and activities and announced he would be preparing a letter of intent for the 24 acre Mozzetti parcel needed for our wastewater irrigation site. He said it would basically lay out the principles and be non-binding but would lead to a formal agreement. He also announced the Budget document would be on the City website the following day.

Acting Public Works Director Jensen reported on recent activities in the public works department and said in addition to general maintenance they were in the process of replacing 12 street signs that had been pushed over; was getting caught up on year-end reports; said the gate on Edwards would be installed in approximately 2 weeks; and had installed a fire hydrant on Center and Rigby.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Thompson reported on the Redwood Coast Energy Authority (RCEA) meeting and announced that the State granted an extension to all of the cities and other agencies who had submitted grant applications under the Stimulus Program. He said the application for funding under the Energy Efficiency and Conservation Block Grant in which the City was requesting up to \$25,000 for a new heating/cooling system in City Hall. Was submitted and we were awaiting the State's response. He also reported RCEA's audit was coming along well.

Mayor Woodall commented that she visited the Wastewater Treatment Plant today and looked at the work done on the headworks and was very impressed.

Interim city Manager Stretch reported on the completion of the CDBG portfolio review by RCAA stating that there are now only two applicants that are out of compliance with the terms of the program.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 9:05 P.M. to the February 23, 2010 Special Meeting.


Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk

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



To: Honorable Rio Dell City Council
Through:  Jim Stretch, Interim City Manager
From: Randy Jensen, Acting P.W. Director and Carla Ralston, Public Works Admin.
Date: March 2, 2010
Subject: **Solids & Disinfection Management Progress Payment Request No.3 from KG Walters Co., Inc.**

Recommendation

It is recommended that Council Authorize Payment of Progress Pay request No.3 to KG Walters Co., Inc. in the amount of \$107,955.00 that also takes into account a 10% retention for work performed on the Solids and Disinfection Management Project as recommended by the City Engineer and approved by the Public Works Director.

Budgetary Impact

Progress Payment Request No.3 in the amount of \$107,955.00 is fully funded by the City's State Water Resources Control Board Grant for the Solids and Disinfection Management Project.

Discussion

Three out of an anticipated eight concrete pours have been completed, including form work and rebar. Pressure testing on the new manholes has been completed, and the pump controllers for the head works pumps have also been installed. One change order was processed for \$1,000 to address a change in the fiberglass reinforced grating covering the head works. This change was reviewed and approved by City staff.

Attachments:

- (1) Memorandum from Winzler & Kelley Consulting Engineers
- (2) Progress Pay Request No.3 from KG Walters Co., Inc. and supporting documents

MEMORANDUM

TO: Rio Dell City Council
Jim Stretch, Interim City Manager
Stephanie Beauchaine, Finance Director
Randy Jensen, Interim Public Works Director

FROM: Rebecca Crow, Project Manager *RC*

DATE: February 24, 2010

RE: **Solids and Disinfection Management Project Status Update and Progress Payment Request No. 3 from KG Walters Co., Inc.**

JOB #: 01061-09-018-11212

The Solids and Disinfection Management Project is well underway. Over the last month, the contractor has begun installing the new headworks structure. The three out of an anticipated eight concrete pours were completed, including form work and rebar. Pressure testing on the new manholes was completed. The pump controllers for the headworks pumps were also installed. One change order was processed for \$1,000 to address a change in the fiberglass reinforced grating covering the headworks. This change was reviewed and approved by City staff. The next piece of work anticipated is continued concrete and rebar work to form the new headworks. A second change order for 438.88 is in process to address the need for additional rebar around the grit removal chamber. This change was reviewed and approved by City staff.

Progress Payment Request No. 3 for KG Walters Construction Co., Inc is attached to this memo. The pay request is based on the bid schedule lump sum breakdown provided by the Contractor and the actual quantities of work completed. A summary table is attached that includes my calculation for the payment due to the contractor as well as the contractor's original invoices and detailed cost breakdown. The accuracy of the percent complete on each item was reviewed by the construction management field staff.

We recommend payment to KG Walters Construction Co., Inc. for Progress Pay Request No. 3 in the amount of \$107,955.00 that also takes into account a 10% retention. Payment to the contractors is due within 30 days of the completed progress pay request. This progress pay request was submitted on February 24, 2010.

cc:
Walt Johnson, KG Walters Construction Co., Inc.
Ben Dalton, KG Walters Construction Co., Inc.
Carlos Diaz, Winzler & Kelly
Merritt Perry, Winzler & Kelly

City of Rio Dell Solids and Disinfection Management Project
Engineers Calculation for Progress Pay Request #3 for KG Walters Construction Co., Inc.
Pay Period: January 19, 2010 to February 18, 2010
Contractor Invoice Received: 02/19/2010 (via email)

Bid Schedule I - Base Bid Items

Item Name		Contract Amount (Lump Sum)	Quantity Complete to Date	Value Complete to Date	Less 10% Retention	Amount Previously Certified for Payment	Amount Currently Due
1	General Construction of Wastewater Treatment Plant Upgrades	\$ 1,556,000.00	17.2%	\$ 268,300.00	\$ 26,830.00	\$ 135,315.00	\$106,155.00
2	General Construction of City Financed Project Components	\$ 39,000.00	0%	\$ -	\$ -	\$ -	\$0.00
3	Furnish and Install Required Sheeting, Shoring, and Bracing and Trench Safety	\$ 1,000.00	100%	\$ 1,000.00	\$ 100.00	\$ -	\$ 900.00
Alt	Dechlorination Metering Pump Skid	\$ 46,000.00	0%	\$ -	\$ -	\$ -	\$ -
CONTRACT TOTALS		\$ 1,642,000.00	-----	\$ 269,300.00	\$ 26,930.00	\$ 135,315.00	\$ 107,055.00
Contract Change Orders							
Item Name		Contract Amount	Quantity Complete to Date	Value Complete to Date		Amount Previously Certified for Payment	Amount Currently Due
	CO-001	\$ 1,000.00	100.0%	\$ 1,000.00	\$ 100.00	\$ -	\$900.00
CONTRACT CHANGE ORDER TOTALS		\$1,000.00	-----	\$1,000.00	\$100.00	\$0.00	\$900.00
TOTALS		\$ 1,643,000.00		\$ 270,300.00	\$ 27,030.00	\$ 135,315.00	\$ 107,955.00



World Headquarters: P.O. Box 4359, Santa Rosa, CA 95402
(707) 527-9968 Fax (707) 527-0244 www.kgwalters.com

February 19, 2010

Rebecca Crow
Winzler and Kelly
633 Third Street
Eureka, CA 95501


Re: Rio Dell Solids and Disinfection Mgmt Project

Dear Rebecca:

Attached please find our Pay Request #3 for the above referenced project.
Please call me at the number above if you have any questions.

Thank you,

K.G. WALTERS CONSTRUCTION CO., INC.


Walt Johnson
President

WJ:vc
c: file

K.G. WALTERS CONSTRUCTION CO.	Pay Request #	3
Rio Dell Solids & Disinfection Mgmt Project	Date:	February 18, 2010
KGW Job #0908		
PAY REQUEST SUMMARY SHEET		
Original Contract:		\$1,642,000.00
Approved Change Orders:		\$1,000.00
Current Contract Amount:		\$1,643,000.00
Total Contract Work Complete to Date:		\$269,300.00
Total Change Order Work:		\$1,000.00
	Sub Total:	\$270,300.00
Less 10% Retention:		\$27,030.00
Less Previous Billing:		\$135,315.00
	Total Due this Period:	\$107,955.00
Total Billed to Date:	\$243,270.00	

K.G. WALTERS CONST. CO.			Pay Request # 3		
Rio Dell Solids & Disinfection Mgmt Project			2/18/2010		
KGW Job #0908					
<u>CHANGE ORDERS</u>					
CO'S	PCO#	TOTAL	PREVIOUS	THIS MONTH	TO DATE
CO 001	101	\$ 1,000.00	\$0.00	\$ 1,000.00	\$ 1,000.00
			\$0.00		\$ -
			\$0.00		\$ -
			\$0.00		\$ -
			\$0.00		\$ -
			\$0.00		\$ -
			\$0.00		\$ -
			\$0.00		\$ -
			\$0.00		\$ -
TOTAL		\$ 1,000.00	\$0.00	\$1,000.00	\$1,000.00

2/19/2010 11:25 AM 1Change Orders\

REPORT DATE 19FEB10 RUN NO. 72

START DATE 09NOV09 FIN DATE 22OCT10

11:17

Pay Estimate For Rio Dell

DATA DATE 18FEB10 PAGE NO. 1

ACTIVITY ID	DESCRIPTION	BUDGET COST	PREVIOUS PERCENT COMPLETE	PERCENT THIS PERIOD	PERCENT TO DATE	PREVIOUS AMOUNT	COST THIS PERIOD	AMOUNT TO DATE
BI#1 GENERAL CONSTR. WTP UPGRADE								
000010	Mobilization	80000	0.95	0.00	0.95	76000.00	0.00	76000.00
900000	Start-Up Plant	2000	0.00	0.00	0.00	0.00	0.00	0.00
900020	Punchlist / Clean-up	5500	0.00	0.00	0.00	0.00	0.00	0.00
900030	Demobilization	7000	0.00	0.00	0.00	0.00	0.00	0.00
PR0070	Deliver Rebar	5000	0.95	0.00	0.95	4750.00	0.00	4750.00
PR0110	Deliver Misc. Metals	28000	0.00	0.30	0.30	0.00	8400.00	8400.00
PR0150	Deliver Channell Gates	20000	0.00	0.00	0.00	0.00	0.00	0.00
PR0230	Deliver Dewatering Equip	203000	0.00	0.00	0.00	0.00	0.00	0.00
PR0270	Deliver Grit Removal Equip	138000	0.00	0.00	0.00	0.00	0.00	0.00
PR0310	Deliver Air Gap Equip	37000	0.00	0.00	0.00	0.00	0.00	0.00
PR0350	Deliver Wash Press	75000	0.00	0.00	0.00	0.00	0.00	0.00
PR0390	Deliver Bar Screen	75000	0.00	0.00	0.00	0.00	0.00	0.00
PR0430	Deliver Pre Eng. Building	52000	0.00	0.00	0.00	0.00	0.00	0.00
PR0470	Deliver Piping	23000	0.90	0.00	0.90	20700.00	0.00	20700.00
PR0600	Deliver Electrical	0	0.00	0.00	0.00	0.00	0.00	0.00
PR0630	Complete Instrumentation	33000	0.00	0.50	0.50	0.00	16500.00	16500.00
PR0670	Deliver Disinfection Equip	85000	0.00	0.00	0.00	0.00	0.00	0.00
SW0020	Demo AC Around Site	4500	0.00	0.00	0.00	0.00	0.00	0.00
SW0040	Relocate Light Base	3000	0.00	0.00	0.00	0.00	0.00	0.00
SW0050	Install S.S. Manholes	20000	0.95	0.05	1.00	19000.00	1000.00	20000.00
SW0060	Exc. & Place 12" SS	14000	1.00	0.00	1.00	14000.00	0.00	14000.00
SW0070	Sawcut Exist. Headworks for New 12"	4500	1.00	0.00	1.00	4500.00	0.00	4500.00
SW0080	Bypass Old/Activate New 12" Line	7000	0.95	0.00	0.95	6650.00	0.00	6650.00
SW0090	Install BW Line	5000	0.95	0.00	0.95	4750.00	0.00	4750.00
SW0100	Install 8" SD Lines	4000	0.00	0.00	0.00	0.00	0.00	0.00
SW0110	Install 3" PW Lines	5000	0.00	0.00	0.00	0.00	0.00	0.00
SW0125	Install Conduit Ductbank	11900	0.00	0.00	0.00	0.00	0.00	0.00
SW0140	Cut & Grade Vegetation Swale	5000	0.00	0.00	0.00	0.00	0.00	0.00
SW0150	Rough Grade Site	6000	0.00	0.00	0.00	0.00	0.00	0.00
SW0160	Fine Grade Site	6000	0.00	0.00	0.00	0.00	0.00	0.00
SW0170	Place/Compact Agg. Base	9000	0.00	0.00	0.00	0.00	0.00	0.00
SW0180	Place/Compact Agg. Concrete	15750	0.00	0.00	0.00	0.00	7.00	0.00
SW0230	Start Up Electrical	4500	0.00	0.00	0.00	0.00	0.00	0.00
HW0010	Excavate Hole For Headworks	31000	0.00	1.00	1.00	0.00	31000.00	31000.00
HW0020	FRP West Slab of HW Pour #1	9550	0.00	1.00	1.00	0.00	9550.00	9550.00
HW0030	FRP Walls @ West End of HW Pour #2	38000	0.00	1.00	1.00	0.00	38000.00	38000.00
HW0040	FRP Sloped Floor of HW	9000	0.00	0.00	0.00	0.00	0.00	0.00
HW0050	Backfill Bottom Level of HW	7000	0.00	0.00	0.00	0.00	0.00	0.00
HW0060	FRP Slab (Gritt Level) Pour #3	13500	0.00	1.00	1.00	0.00	13500.00	13500.00
HW0070	FRP Channels Up to Deck Level Pour	24000	0.00	0.00	0.00	0.00	0.00	0.00
HW0080	Backfill 2nd Level of HW	9000	0.00	0.00	0.00	0.00	0.00	0.00
HW0090	FRP Walls to Finish Grade Pour #5	69000	0.00	0.00	0.00	0.00	0.00	0.00
HW0100	Cut Manway in Existing HW Wall	5000	0.00	0.00	0.00	0.00	0.00	0.00
HW0110	Plug and Patch HW Walls	8000	0.00	0.00	0.00	0.00	0.00	0.00
HW0120	Backfill HW to Finish Grade	20000	0.00	0.00	0.00	0.00	0.00	0.00
HW0130	Install Manual Bar Screens	7000	0.00	0.00	0.00	0.00	0.00	0.00
HW0140	Install Misc Metals / FRP Grating	9000	0.00	0.00	0.00	0.00	0.00	0.00
HW0150	Install Mechanical Bar Screen	14000	0.00	0.00	0.00	0.00	0.00	0.00
HW0160	Install Turbo Grit Pump	18000	0.00	0.00	0.00	0.00	0.00	0.00
HW0170	Install Channell Gates	5500	0.00	0.00	0.00	0.00	0.00	0.00
HW0180	Underslab Piping @ HW	6000	0.00	0.00	0.00	0.00	0.00	0.00
HW0190	FRP Discharge Slab	11000	0.00	0.00	0.00	0.00	0.00	0.00
HW0200	Install Wahspress & Grit Removal Eq	35000	0.00	0.00	0.00	0.00	0.00	0.00
HW0210	Construct Above Grade Piping	10000	0.00	0.00	0.00	0.00	0.00	0.00
HW0220	Run Conduits Throughout HW	7000	0.00	0.00	0.00	0.00	0.00	0.00
HW0230	Pull Wire To HW Equipment	3000	0.00	0.00	0.00	0.00	0.00	0.00
HW0240	Terminate Wire to HW Equipment	2000	0.00	0.00	0.00	0.00	0.00	0.00
HW0250	Construct Canopy over Discharge Equ	9000	0.00	0.00	0.00	0.00	0.00	0.00
HW0260	Install Handrailings around HW	5800	0.00	0.00	0.00	0.00	0.00	0.00
HW0270	Cut Exist HW Wall for Eff. Flows ou	3500	0.00	0.00	0.00	0.00	0.00	0.00
HW0280	Start-Up Headworks	1500	0.00	0.00	0.00	0.00	0.00	0.00
AG0020	FRP Air Gap Slab	9500	0.00	0.00	0.00	0.00	0.00	0.00
AG0030	Set Air Gap Skid	6500	0.00	0.00	0.00	0.00	0.00	0.00
AG0040	Connect Above Grade Pipe	5500	0.00	0.00	0.00	0.00	0.00	0.00
AG0060	Construct Canopy	11000	0.00	0.00	0.00	0.00	0.00	0.00
AG0070	Run Conduits AG	1500	0.00	0.00	0.00	0.00	0.00	0.00
AG0080	Pull Wires AG	500	0.00	0.00	0.00	0.00	0.00	0.00
AG0090	Terminate Wires AG	500	0.00	0.00	0.00	0.00	0.00	0.00
CH0010	Set Hypochlorite Generator	3500	0.00	0.00	0.00	0.00	0.00	0.00
CH0020	Set Brine Tank	1800	0.00	0.00	0.00	0.00	0.00	0.00

REPORT DATE 19FEB10 RUN NO. 72

START DATE 09NOV09 FIN DATE 22OCT10

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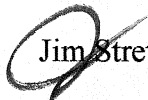
Pay Estimate For Rio Dell

DATA DATE 18FEB10 PAGE NO. 2

ACTIVITY ID	DESCRIPTION	BUDGET COST	PREVIOUS PERCENT COMPLETE	PERCENT THIS PERIOD	PERCENT TO DATE	PREVIOUS AMOUNT	COST THIS PERIOD	AMOUNT TO DATE
BI#1 GENERAL CONSTR. WTP UPGRADE								
CH0030	Set Hypochlorite Tanks	4500	0.00	0.00	0.00	0.00	0.00	0.00
CH0040	Run Below Grade Piping Hychl	3400	0.00	0.00	0.00	0.00	0.00	0.00
CH0050	Install Above Grade Piping Hychl	12000	0.00	0.00	0.00	0.00	0.00	0.00
CH0060	Set Chl Metering Skid	2500	0.00	0.00	0.00	0.00	0.00	0.00
CH0070	Install Above Grade Piping Chl Skid	11000	0.00	0.00	0.00	0.00	0.00	0.00
CH0080	Run Electrical Conduits	1000	0.00	0.00	0.00	0.00	0.00	0.00
CH0090	Pull Wires to Hypochlorite Equip	0	0.00	0.00	0.00	0.00	0.00	0.00
CH0100	Terminate Wire Hychl Equip	0	0.00	0.00	0.00	0.00	0.00	0.00
CH0180	Start-Up Chlorination Process Equip	1500	0.00	0.00	0.00	0.00	0.00	0.00
SD0010	Rough Grade Site @ Dewatering Press	4000	0.00	0.00	0.00	0.00	0.00	0.00
SD0040	Set Belt Press	8000	0.00	0.00	0.00	0.00	0.00	0.00
SD0050	Sget Cake Pump Equip.	3000	0.00	0.00	0.00	0.00	0.00	0.00
SD0060	Set Feed Pump Equip.	3000	0.00	0.00	0.00	0.00	0.00	0.00
SD0070	Set Polymer Equipment	6000	0.00	0.00	0.00	0.00	0.00	0.00
SD0080	Set Air Compressor	2000	0.00	0.00	0.00	0.00	0.00	0.00
SD0100	Connect to Existing Buried Pipe	2000	0.00	0.00	0.00	0.00	0.00	0.00
SD0110	FRP Pre-Eng Building Footings	37000	0.00	0.00	0.00	0.00	0.00	0.00
SD0120	Erect Pre-Eng. Building	18200	0.00	0.00	0.00	0.00	0.00	0.00
SD0130	Install HVAC in Pre-Eng. Building	3000	0.00	0.00	0.00	0.00	0.00	0.00
SD0140	Run Conduits to Dewatering Equip	3000	0.00	0.00	0.00	0.00	0.00	0.00
SD0150	Pull Wires to Dewatering Equip	3000	0.00	0.00	0.00	0.00	0.00	0.00
SD0160	Terminate Electrical @ Dewatering E	2100	0.00	0.00	0.00	0.00	0.00	0.00
SD0170	Start-Up Dewatering Equipment	1500	0.00	0.00	0.00	0.00	0.00	0.00
		1556000				150350.00	117950.00	268300.00
BI#2 GENERAL CONSTR. OWNER FINANCED COMP.								
SW0120	Install Building Drains	2000	0.00	0.00	0.00	0.00	0.00	0.00
SW0130	Install 1 1/2" PW Lines	5000	0.00	0.00	0.00	0.00	0.00	0.00
SW0190	Install 2" SD	1000	0.00	0.00	0.00	0.00	0.00	0.00
SW0200	Clear Concrete Structure	1500	0.00	0.00	0.00	0.00	0.00	0.00
SW0210	Place/Comp AB @ Dewatering Press	1500	0.00	0.00	0.00	0.00	0.00	0.00
SW0220	Place/Comp AC @ Dewatering Press	4000	0.00	0.00	0.00	0.00	0.00	0.00
SD0030	FRP Slab for Dewatering Press	12000	0.00	0.00	0.00	0.00	0.00	0.00
SD0090	Connect Above Grade Piping	12000	0.00	0.00	0.00	0.00	0.00	0.00
		39000				0.00	0.00	0.00
BI#3 SHEETING, SHORING, & BRACING								
000030	Sheeting, Shoring, and Bracing	1000	0.00	1.00	1.00	0.00	1000.00	1000.00
		1000				0.00	1000.00	1000.00
ALT#1 DECHLORINATION SKID								
PR0190	Deliver Dechlorination Equip	30000	0.00	0.00	0.00	0.00	0.00	0.00
CH0110	Set Dechlorination Metering Skid	4500	0.00	0.00	0.00	0.00	0.00	0.00
CH0120	Demo & Patch Sidewalk	1500	0.00	0.00	0.00	0.00	0.00	0.00
CH0140	Install Above Grade Piping For Dechl	5000	0.00	0.00	0.00	0.00	0.00	0.00
CH0150	Run Conduits for Dechlorination	1600	0.00	0.00	0.00	0.00	0.00	0.00
CH0160	Pull Wires to Dechlorination Equip	2000	0.00	0.00	0.00	0.00	0.00	0.00
CH0170	Terminate Wires @ Dechlorination Eg	1400	0.00	0.00	0.00	0.00	0.00	0.00
		46000				0.00	0.00	0.00
		1642000				150350.00	118950.00	269300.00

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



TO: Honorable Rio Dell City Council
FROM:  Jim Stretch, Interim City Manager
DATE: March 2, 2010
SUBJECT: Support of ballot measure "Local Taxpayer, Public Safety, and Transportation Protection Act of 2010"

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Adopt the enclosed resolution supporting the League of California Cities initiative *Local Taxpayer, Public Safety, and Transportation Protection Act of 2010*, and
2. Direct staff to forward the resolution to Rio Dell legislative delegation in Sacramento, the Governor and the League of California Cities.

BACKGROUND AND DISCUSSION

This item is placed on the agenda at the request of Council Member Dunker

The State of California is currently facing one of the most significant fiscal shortfalls ever and will most likely continue to rely on borrowing, diverting and claiming of local agency monies until an action is taken that forbids it. It is claimed by the State that Cities are political subdivisions of the State; therefore the State can determine how local revenues will be used. We have seen how the State takes advantage of the situation and balances their budget on the backs of cities and counties, who historically do not have strong constituencies.

A coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General, called the *Local Taxpayer, Public Safety, and Transportation Protection Act of 2010*, for potential placement on California's November 2010 statewide ballot. The approval of this ballot initiative will further prevent the State of California from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to the funding local government services, including redevelopment, transportation improvement projects and mass transit.

The *Local Taxpayer, Public Safety and Transportation Act of 2010* covers the following provisions:

- Protects Locally Imposed Taxes such as Utility User Tax, Transient Occupancy, and Sales Taxes: The measure prevents the legislature from taking or directing how these local taxes may be spent.
- Property Tax Borrowing: The measure repeals the State's authority to borrow local property taxes.
- Reallocation of Property Tax or Vehicle License Fees: The measure prohibits the State's ability to reallocate these revenues to pay off state mandates.
- Borrowing or Stealing Local Highway User Tax Act (HUTA): The measure provides protection to local highway user taxes and requires hearings and study before state and local shares are changed.
- Borrowing or Stealing or Proposition 42 Gas Tax: The measure also provides the same protection as HUTA taxes.
- Borrowing or Stealing Public Transit Account (PTA) funds: The measure restricts the use of PTA funds only for transportation planning and mass transportation purposes and requires "Spillover" sales tax to be deposited in transit accounts.
- Redevelopment Agency (RDA) Funds: The measure prohibits taking, borrowing or directing spending of RDA funds.
- Enforcement: The measure provides a remedy requiring the state to re-pay funds taken illegally if a court so finds.

During the League of California Cities General Assembly at the League's Annual Conference in September 2009, city officials from throughout California unanimously voted in support of this measure. At this time, League staff, in conjunction with their coalition partners, is working to lay the groundwork for a successful signature gathering and fundraising effort for this measure to be placed on the November 2010 ballot.

It is recommended that the Council adopt the Resolution and forward it to our legislative representatives, the Governor and the League of California Cities

Attachments: Ballot Initiative
Resolution in support of Initiative

Initiatives

Attorney Gen. File #: 2009-063

**Local Taxpayer, Public Safety, and
Transportation Protection Act of 2010
(Amendment #1-NS) Revised**

December 4, 2009

Initiative HTML PDF

This measure amends the Constitution to constrain the state's authority to redirect or make changes to state and local resources and their allocation after October 21, 2009. Under the measure, the State Controller would reimburse affected local governments or accounts within 30 days if the state were found to have violated any of its provisions. Funds for these reimbursements, including interest, would be continuously appropriated from the state General Fund and do not require legislative approval. Any statute enacted between October 21, 2009 and the effective date of this measure that would have been prohibited under this measure would be repealed.

RESOLUTION NO. 1070-2010

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL
IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY
AND TRANSPORTATION PROTECTION ACT OF 2010**

WHEREAS, California voters have repeatedly and overwhelmingly passed separate ballot measures to stop State raids of local government funds, and to dedicate the taxes on gasoline to fund local and state transportation improvement projects; and

WHEREAS, these local government funds are critical to provide the police and fire, emergency response, parks, libraries, and other vital local services that residents rely upon every day, and gas tax funds are vital to maintain and improve local streets and roads, to make road safety improvements, relieve traffic congestion, and provide mass transit; and

WHEREAS, despite the fact that voters have repeatedly passed measures to prevent the State from taking these revenues dedicated to funding local government services and transportation improvement projects, the State Legislature has seized and borrowed billions of dollars in local government and transportation funds in the past few years; and

WHEREAS, this year's borrowing and raids of local government, redevelopment and transit funds, as well as previous, ongoing raids of local government and transportation funds have lead to severe consequences, such as layoffs of police, fire and paramedic first responders, fire station closures, stalled economic development, healthcare cutbacks, delays in road safety improvements, public transit fare increases and cutbacks in public transit services; and

WHEREAS, State politicians in Sacramento have continued to ignore the will of the voters, and current law provides no penalties when state politicians take or borrow these locally-dedicated funds; and

WHEREAS, a coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General, called the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010, for potential placement on California's November 2010 statewide ballot; and

WHEREAS, approval of this ballot initiative would close loopholes and change the constitution to further prevent State politicians in Sacramento from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services, including redevelopment, or dedicated to transportation improvement projects and mass transit.

THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell formally endorses the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, a proposed constitutional amendment.

BE IT FURTHER RESOLVED that we hereby authorize the listing of the City Council of the City of Rio Dell in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 and instruct staff to fax a copy of this resolution to campaign offices at 916.442.3510.

PASSED AND ADOPTED this 2nd day of March, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk

675 Wildwood Avenue
Rio Dell, CA 95562



TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, Interim City Manager

FROM: Karen Dunham, City Clerk

DATE: March 2, 2010

SUBJECT: Appointment for Vacancies on the Rio Dell Planning Commission

RECOMMENDATION

Approve appointment of Andrew Gonzales to the Rio Dell Planning Commission for the remainder of the term ending December 31, 2010; and approve appointment of Richard "Bud" Leonard for the three year term ending December 31, 2012.

BUDGETARY IMPACT

None

BACKGROUND AND DISCUSSION

There are currently two (2) vacancies on the Rio Dell Planning Commission as the result of two recent resignations.

As you are aware, the procedures for appointments by the City Council for vacant positions on Boards or Commission as set forth in Resolution No. 822.1-2002, allows applicants the opportunity to make a short presentation to the Council at a public meeting.

Provided there are no objections or questions from the Council, we are asking that the Council simply forego balloting and approve the appointment of the two applicants; one for the remainder of the term ending December 31, 2010 and the other for the three year term ending December 31, 2012. There have been no other applicants wishing to be considered for appointment at this time. This will provide the Planning Commission with a full five member commission with the two re-appointments approved at the February 16, 2010 council meeting.

**PUBLIC NOTICE
PLANNING COMMISSION
NOTICE OF COMMISSION VACANCY**



Notice is hereby given that (2) vacancies exist on the Rio Dell Planning Commission.

The City of Rio Dell is seeking applications from those who wish to be considered to fill (1) vacancy for the remainder of a three year term ending December 31, 2010, and (1) vacancy for terms ending December 31, 2012.

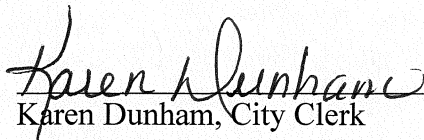
Applications may be obtained at and returned to:

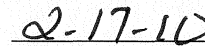
City of Rio Dell
675 Wildwood Ave.
Rio Dell, CA 95562

Applications must be received by **5:00 P.M. Wednesday, February 24, 2010**

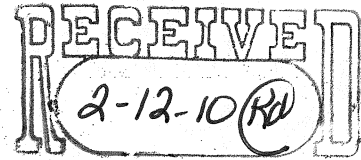
The new Commission appointments will be made at the **March 2, 2010**

Regular City Council meeting. Further information may be obtained at by contacting the City Clerk's Office at 764-3532.


Karen Dunham, City Clerk


Date

CITY OF RIO DELL
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



APPLICATION FOR COMMISSION/BOARD

NAME John "Andrew" Gonzales DATE 2/8/10
ADDRESS 153 Eiko street HOME PHONE 707/764-3894
Rio Dell CA 95562 BUSINESS PHONE _____

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARD/COMMISSION:

Planning

OCCUPATION Firefighter / cal. Fire

HOW LONG HAVE YOU LIVED IN RIO DELL? Since May 2007

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES Volunteer Firefighter
for RDVFD, instructor for HROP Academy

ADDITIONAL PERTINENT INFORMATION/REFERENCES _____

Dave Gonzales

EDUCATION High School GED, Some college

Please answer the following two questions:

1) Why are you interested in serving on this board/commission?

As A person Living in Rio Dell raising
two small children I have A vested
intrest in the growth and development of our
community.

2) What special talents/experience/education do you possess that will be useful in
this position?

As A firefighter I have A unique view
of the city, my training has helped me learn
many zoning, fire, and Building codes.

Note: A Resume may be attached

Return form to the City of Rio Dell at 675 Wildwood Ave., Rio Dell, CA 95562

JOHN ANDREW GONZALES

153 Elko Street, Rio Dell, CA 95562
(H) 707/764-3894 (C) 707/599-4611
gonzo_fireman@yahoo.com

EMPLOYMENT

Cal Fire – Kneeland 05/2009 – 11/2009
Helitack Firefighter

General station maintenance, cleaning and repair.
Responded to emergency calls, performed short haul rescues, medivacs and aggressive initial attacks on vegetation fires.
Performed programs for the public to raise awareness of the Cal Fire air program.

Cal Fire – Weott 05/2008 – 11/2008
Firefighter 05/2007 – 11/2007

General station maintenance, cleaning and repair.
Responded to emergency calls, acting as senior firefighter to new firefighters.
Lead training of six volunteer companies and organized all Smokey programs.

Cal Fire – Mattole 05/2006 – 11/2006
Firefighter 06/2005 – 11/2005

General station maintenance, cleaning and repair.
Responded to emergency calls.
Acted as senior firefighter to new firefighters in 2006.

VOLUNTEER

Rio Dell Volunteer Fire Department – Rio Dell, CA 02/2009 - Present
Volunteer Firefighter

General station maintenance, cleaning and repair.
Assist in coordinating various community events and training.
Respond to structure fires, traffic collisions, medical aids and various other emergencies.
Personally responded to 178 calls in 2009.

HROP – Humboldt County, CA 01/2010 - Present
Vocational Technician

Assistant instructor for Cal Fire 69-hour academy.

Cal Fire VIP – Weott, CA 11/2007 – 05/2009
Volunteer in Prevention

Over 250 VIP hours training six local volunteer fire departments and promoting prevention awareness throughout southern Humboldt County.

REFERENCES

M. Isaac Lake – Captain, Cal Fire
2420 Airport Road, Fortuna, CA 95540
707/725-4572

Doug Mooney – Captain, Cal Fire
2420 Airport Road, Fortuna, CA 95540
707/725-4572

Shane Wilson – Chief, Rio Dell Volunteer Fire Department
50 West Center Street, Rio Dell, CA 95562
707/764-3329

Jeff Lewis – Personal Reference
460 Old Ranch Road, Rio Dell, CA 95562
707/764-3362

EDUCATION AND TRAINING

2010

- Commercial Class B Driver's License Permit
Air Breaks, Tank and Hazardous Materials Endorsements
- State Fire Marshall Firefighter 1
- State Fire Marshall Volunteer Firefighter

2009

- Cal Fire/CDF Helicopter Short Haul Rescue [40 hours]
- Cal Fire/CDF Basic Helitack Operations and Safety (BHOS) [46 hours]
- Cal Fire Advanced Firefighter 1 [146 hours]
- Incident Management 1 [24 hours]
- Standards for Survival [8 hours]
- Look Up, Look Down, Look Around [8 hours]
- S-131 Firefighter Type 1 [8 hours]
- S-211 Portable Pumps and Water Use [24 hours]
- S-212 Basic Sawyer [8 hours]
- S-215 Fire Operations in the Urban Interface [32 hours]
- S-230 Crew Boss (Single Resource) [24 hours]

2008

- HROP Certificate of Qualification – Firefighter 1 Skills (2nd Semester Class Leader)
- FEMA IS-00200
- D110 Dispatch Recorder
- S-270 Basic Air Operations [16 hours]
- S-290 Intermediate Wildland Fire Behavior

2007

- Firefighter Safety and Survival [8 hours]
- FEMA IS-00700
- S-212 Cal Fire Chainsaws

2006

- Rapid Intervention Crew Tactics [16 hours]
- EMT Basic
- FI-110 [6 hours]

2005

- CDF Wildland Firefighter 1 Course [67 hours]
- HROP Certificate of Qualification – Wildland Fire
- HROP Certificate of Qualification – Structure Fire
- Hazardous Materials First Responder – Operations
- I-100 Introduction to ICS
- S-130 Firefighter Training
- S-190 Introduction to Wildland Fire Behavior

2002

- High School GED

PREVIOUS WORK HISTORY

Delivery Driver

- Main Street Feed 2003-2005
Fortuna, CA

Sales Clerk

- Main Street Feed 2003-2005
Fortuna, CA
- Beverage Plus Foods 1999-2001
Fortuna, CA
- Ray's Food Place 1998-1999
Fortuna, CA
- Safeway 1997-1998
Fortuna, CA

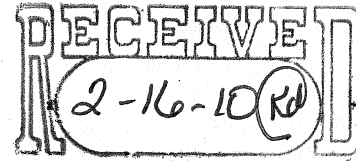
Youth Director

- Foursquare Church 2002-2003
Crescent City, CA
- Truth & Grace Church 2001-2002
Kerman, CA

Funeral Attendant

- Kerman Funeral Services 2001-2002
Kerman, CA

CITY OF RIO DELL
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



APPLICATION FOR COMMISSION/BOARD

NAME RICHARD L. "BUD" LEONARD DATE 2/15/2010
ADDRESS 300 WOODLAND DR HOME PHONE (707) 764-1947
RIO DELL, CA. 95562 BUSINESS PHONE _____

I AM INTERESTED IN SERVING ON THE FOLLOWING BOARD/COMMISSION:

PLANNING COMMISSIONER

OCCUPATION RETIRED

HOW LONG HAVE YOU LIVED IN RIO DELL? 19 YEARS

PROFESSIONAL AND/OR COMMUNITY ACTIVITIES _____

COUNTY REPRESENTATIVE ON HUMBOLDT ACCESS.
HCAOG CITIZENS ADVISORY COMMITTEE.

ADDITIONAL PERTINENT INFORMATION/REFERENCES _____

PLANNING COMMISSION 1995 - 1996.
CITY COUNCIL 1996 - 2008

EDUCATION 3 YEARS COLLEGE EQUIVALENT

Please answer the following two questions:

1) Why are you interested in serving on this board/commission?

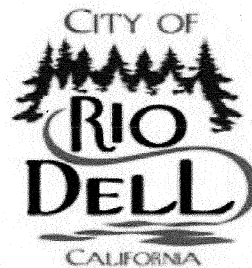
TO BE PART OF THE FUTURE OF RIO DELL.


2) What special talents/experience/education do you possess that will be useful in this position?

PREVIOUS EXPERIENCE ON THE RIO DELL
PLANNING COMMISSION.
TWELVE YEARS ON THE RIO DELL CITY COUNCIL.
I HAVE OWNED NINE HOUSING IN MY LIFETIME
OF WHICH WE BUILT TWO.

Note: A Resume may be attached

Return form to the City of Rio Dell at 675 Wildwood Ave., Rio Dell, CA 95562



TO: Honorable Rio Dell City Council
FROM: George Williamson, Contract City Planner
THROUGH:  Jim Stretch, Interim City Manager
DATE: March 2, 2010
SUBJECT: Filing Humboldt LAFCo application annexing Scotia to City of Rio Dell.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Direct the City Manager to file an application with Humboldt LAFCo for the annexation of the Town of Scotia and adjacent area.

BACKGROUND AND DISCUSSION

At the February 16th meeting the Council authorized staff to prepare an application with Humboldt LAFCo for the annexation of the Town of Scotia. In that regard, the materials that must be prepared are as follows:

A. Humboldt LAFCo Application Form

The application form identifies the propose annexation action and provides information the Commission would consider during their review. A partial draft application is attached.

B. General Plan and Zoning Ordinance Amendments

The General Plan and Zoning Amendment would apply City General Plan and Zoning designations to the portion of the Town of Scotia proposed for annexation. The proposed plan and zoning designations map was distributed to the Council at the February 16th meeting.

C. Plan for Services

The Plan for services includes the following information:

- The statutory section under which the formation would occur;
- An enumeration description and justification of services to be extended;
- The level and range of those services;
- Phasing of services;
- Structure and facility improvements, upgrades and required operating conditions;
- Improvement financing, with operating budget/ revenues and expenditures; and
- City limits/ Sphere of Influence (SOI) and related services strategy.

D. Municipal Services Review Update

Annexing the Town of Scotia requires the City's updating of its 2009 Municipal Services Review (MSR) and Sphere of Influence (SOI) Update. As part of LAFCo review, the Commission shall then prepare a written statement of determinations on the following six subject areas:

1. Growth and population projections for the affected area;
2. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies;
3. Financing ability of agencies to provide services;
4. Status of, and opportunities for, shared facilities;
5. Accountability for community service needs, including governmental structure and operational efficiencies; and
6. Any other matter related to effective or efficient service delivery, as required by Commission policy.

E. Fiscal Impact Study

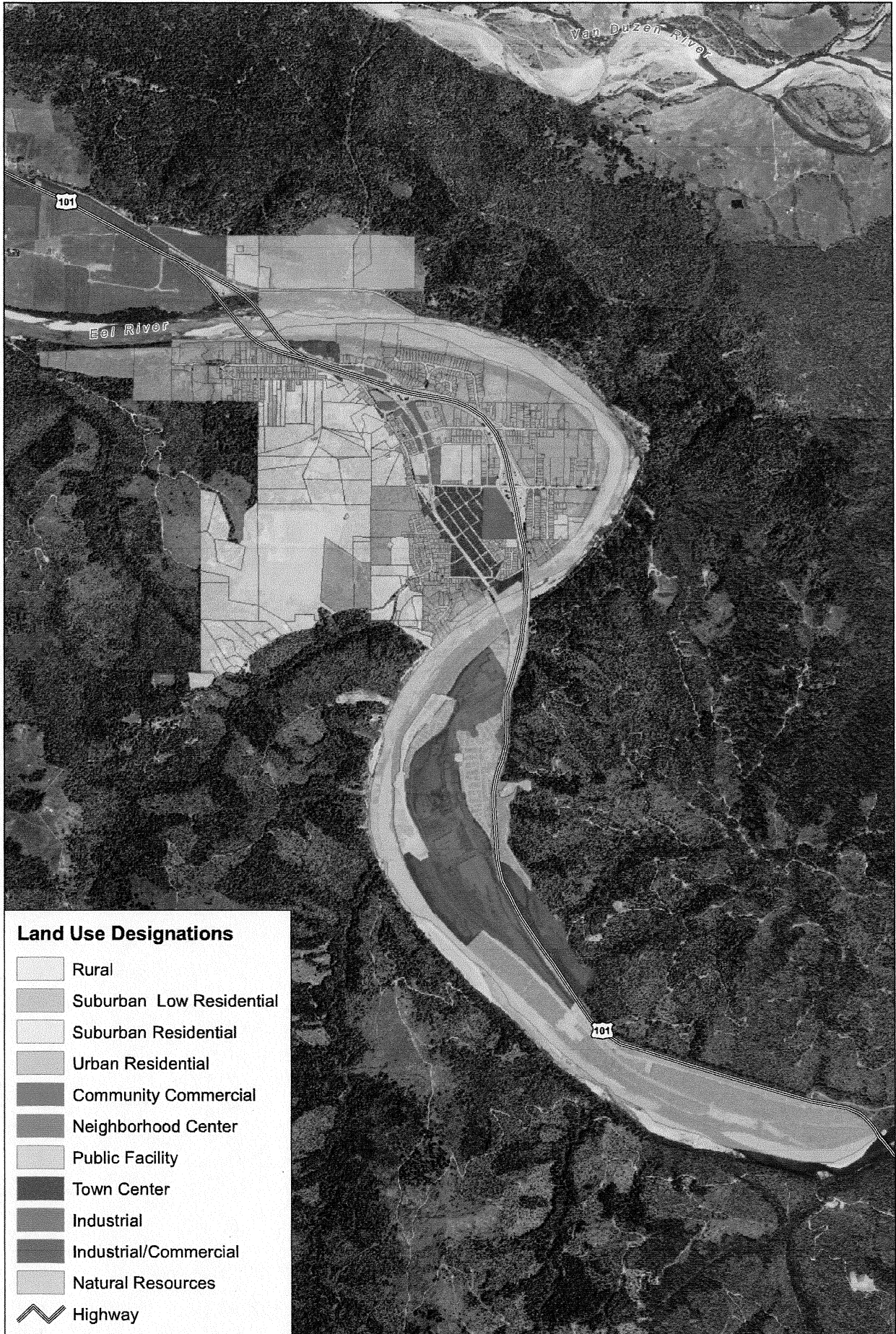
In 2007 a Fiscal Impact Study was prepared by MuniFinancial Consultants to provide an assessment of the fiscal impact of the annexation of the Town of Scotia to the City of Rio Dell and the Rio Dell Fire Protection District. The annexation would result in the transfer of the municipal services currently provided by the Town of Scotia Company, LLC, (then identified as PALCO) to its employees and other residents to the City of Rio Dell and the Rio Dell Fire Protection District. The 2007 Study examines the fiscal impact to the Rio Dell general fund and road fund, and the general fund of the Fire Protection District, of the proposed annexation under various economic scenarios. This study will be submitted in its current form.

F. CEQA Compliance













The County of Humboldt prepared a Program Environmental Impact Report (PEIR) for the Town of Scotia General Plan Amendment, Zone Reclassification, and Tentative Map (SCH #2007052042). Because of Rio Dell's proximity to Scotia, the City took a strong interest in the proposed actions by the County. The City commented on the adequacy of the PEIR, including both the PEIR Summary and the analysis. In its comments, the City took the position that Alternative A, annexation to Rio Dell, is the environmentally superior alternative. The PEIR would be used, with adaptations as necessary, in the annexation application

Cc: LAFCo Annexation Proposal Justification

Existing Rio Dell and Proposed Scotia General Plan Land Use



Land Use Designations

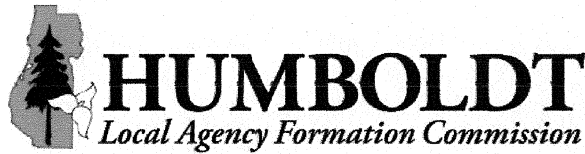
-  Rural
-  Suburban Low Residential
-  Suburban Residential
-  Urban Residential
-  Community Commercial
-  Neighborhood Center
-  Public Facility
-  Town Center
-  Industrial
-  Industrial/Commercial
-  Natural Resources
-  Highway

Map compiled by
Planwest Partners Inc.
16 February 2010

0 0.5 1 Miles



PLANWEST
PARTNERS, INC. 



Annexation Proposal Justification

INSTRUCTIONS: Please complete the following information as fully and completely as possible. Use additional pages as necessary. The Executive Officer will review the application for completeness and will request missing and/or additional information necessary to complete annexation review and schedule the application for Commission action. This form is available in electronic format on the Humboldt LAFCo website. Please submit an electronic copy and four print copies of all information requested.

1. General Information

A. Name of proposal: City of Rio Dell Scotia Annexation

B. The proposal is filed for the following purpose(s):

1. Annex to an existing City Rio Dell.
2. Detach from an existing City N/A / District N/A.
3. Other The City of Rio Dell has requested that the Rio Dell Fire Protection District add the Scotia annexations to their district as well.

C. How was this proposal initiated ? (petition or resolution must be attached):

1. All _____ / some _____ property owners petitioned.
2. A resolution of application was adopted by the public agency.

D. Copies of the Executive Officer's report, mailed notice of any hearing and other communications or reports should be sent to (provide label file for noticing):

1. Name: Jim Stretch, Interim City Manager
 Address: 675 Wildwood Avenue, Rio Dell CA 95562
 Phone: 707-764-3532
2. Name: Name: Karen Dunham, City Clerk
 Address: 675 Wildwood Avenue, Rio Dell CA 95562
 Phone: 707-764-3532

E. Please describe in detail the reasons(s) why this application was filed. Please be specific regarding the need for services, development plans, etc..

To promote proper functioning water, wastewater, drainage, police, and fire services to this area to allow for more efficient service delivery.

2. Property Description

- A. Number of acres To be added
- B. Number of parcels To be added
- C. Population within proposal To be added
- E. Registered voters within proposal To be added
- F. Please provide the following information relative to your application (you are encouraged to provide this information along with any existing assessments in a spreadsheet).

Parcel #s (APNS)	Full Values		Owners & Adresses
	Land	Improvements	
<u>See Table 1 (attached)</u>			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

3. Present and Proposed Services

- | | |
|--|---|
| <p>A. <u>Present Services Performed by:</u></p> <p>Police <u>Humboldt County Sheriff</u></p> <p>Fire <u>Scotia Fire Dept/</u></p> <p>Water <u>Private</u></p> <p>Sewer <u>Private</u></p> <p>Recreation <u>Private</u></p> <p>Other <u>Private</u></p> | <p><u>Proposed Services Performed by:</u></p> <p><u>City of Rio Dell</u></p> <p><u>Rio Dell FPD</u></p> <p><u>City of Rio Dell</u></p> <p><u>City of Rio Dell</u></p> <p><u>City of Rio Dell</u></p> <p><u>City of Rio Dell</u></p> |
|--|---|

- B. Will the future delivery of services by any other public agency be affected by this proposal? If yes, list the agencies and indicate any comments received from these agencies. (Note: Applicants must contact affected agencies prior to filing Proposal Justification with LAFCo).
No.

C. Explain fully when your agency will be able to provide the proposed service(s).

Services will be provided at annexation, subject to Town of Scotia infrastructure improvements approved and funded.

D. How will the service(s) be financed?

To be added

4. Property Development

A. Briefly describe the existing development. (use additional pages if necessary).

To be added.

B. Describe fully any plans for future development.

To be added

5. General and Community Plans

A. What are the applicable County General Plan & Community Plan land use designations?

1) Within the proposed boundaries ?
(To be added)

2) Adjacent to the proposal ?

To be added

B. Do other public agencies have general plans for this or adjacent property which differ from the County General Plan ? If yes, please explain.

No.

C. Please explain any proposed change in land use for the subject property that is not described by the General Plan.

To be added

6. Zoning

A. What is the existing zoning within the proposal ?

To be added

B. What is the existing zoning of properties immediately adjacent to the proposal ?

To be added

C. Are there any plans to request a zone reclassification by any or all property owners within the boundaries of the proposal ? If yes, please specify.

Yes, property owners have an approved General Plan Amendment and zoning amendment to reclassify the current zoning from the County of Humboldt

D. Has any affected City rezoned the area ? If yes, what is the rezoning designation ? (please attach ordinance)

To be added

7. Financial Summary

A. Total value of properties (land and improvements) within the proposed boundaries.

To be added

B. Does any affected agency have any existing bonded indebtedness for which this area will become/remains liable ? Please be specific.

There is no known existing bonded indebtedness in this area.

8. Relationship of the Proposal to Humboldt LAFCo Policies

After reviewing LAFCo's adopted "Proposal Evaluation Policies", please discuss the proposals relationships to those policies. Indicate areas of conformance and/or non-conformance.

To be added .

9. Final Comments

- A. Has an environmental assessment pursuant to CEQA (California Environmental Quality Act) been prepared for the proposal ? If so please attach a copy of the environmental document(s). If not, please complete the environmental checklist attached to this application.

Yes, an EIR has been prepared and adopted by the County pursuant to CEQA requirements (to be attached).

- B. List and describe any terms and conditions that should apply to the proposal.

The City will apply General Plan and zoning designations to the annexation areas that will serve as terms and conditions for development. In addition, the EIR prepared for the annexation identified mitigation measures for environmental effects..

Please attach any other additional information or material which may be useful in reviewing the proposed annexation. A legal description and map of the proposed area for annexation must be provided at the time of application.

See Legal Description - To be added.

The above information has been reviewed by all principals involved. I understand that LAFCo may require additional information.

Signature

Date

City Manager

Table 1 Assessed Valuation of Annexation areas by APN

APN	ADDRESS	Acreage	Land	Improvements	Total L&I	Exemption	Net Value of property
Scotia Annexation Area							


* Land and Improvements

TABLE 2 - Development Potential Under the Proposed Annexations

Annexation/	Acres	Existing Land Uses	Proposed General Plan L.U. Designations/Zoning	Du/ac or FAR	Development Potential^{1,2}



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

TO: Honorable Rio Dell City Council
FROM:  Jim Stretch, Interim City Manager
DATE: March 2, 2010
SUBJECT: Approval of agreement with Winzler & Kelly for preparation of addendum #2 to EIR for wastewater reuse project.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve the attached scope of services with Winzler & Kelly (\$33,082) to complete addendum #2 to the EIR for the Rio Dell Wastewater Reuse Project.
2. Direct the transfer of \$33,082 from the wastewater reserve fund to the wastewater budget to fund the scope of work, said fund to be reimbursed by the planning loan

BACKGROUND AND DISCUSSION

Rio Dell has a completed Environmental Impact Report (EIR) for the City's wastewater project, certified in May 2008 and amended with a certified addendum in June 2009. The existing EIR assumed that the wastewater treatment plant would be relocated to a parcel in the Eel River Industrial Park north of town, and that the treated wastewater would be reused by a Type I irrigation system on approximately 150 acreages near the new facility.

On January 12, 2010 the City Council amended that plan in order to expedite the project and save several millions of dollars. Those changes, including the construction of the new treatment facility on the existing site and the reuse of the treated wastewater north of the City by way of a Type II irrigation method, require another addendum to the EIR. The addendum would also include information collected as part of the subsurface investigation report and anti-degradation analysis now being completed.

The good news is that it is not anticipated that the addendum will require any further evaluations since the changes in the plan actually reduce the environmental impacts identified in the original EIR.

Winzler & Kelly have prepared a scope of work addendum #2 (attached) to the EIR as follows:

- Task 1: Update project description
- Task 2: Prepare administrative draft EIR addendum

- Task 3: Prepare EIR addendum
- Task 4: Prepare revised mitigation monitoring and reporting plan

The estimated cost to prepare the addendum is \$ 33, 082, to be completed by the end of April 2010. The wastewater operating budget will need to be augmented in the above noted amount by the wastewater reserve account, which will be reimbursed by the planning loan.

The timely preparation of the addendum to the EIR will keep the project plan moving forward on the accelerated timetable that the Council desires.

Cc: Randy Jensen, Interim PW Director
Merritt Perry, Winzler & Kelly Engineers

Attachment: Scope of work and budget for #2 addendum to EIR

**The City of Rio Dell
And
Winzler & Kelly For
Addendum 2 to the Environmental Impact Report for
Rio Dell Wastewater Reuse Project**

This scope relates to a prime agreement dated 10-10-03 between the City of Rio Dell and Winzler & Kelly. All provisions of the prime agreement apply to this scope of services unless noted otherwise herein.

INTRODUCTION

This scope of services is to complete an addendum to the City of Rio Dell's certified Environmental Impact Report (EIR) for the City's Wastewater Improvement Project. The addendum is needed to address changes in City's preferred project adopted in the EIR certified May 2008 and modified by the addendum certified in June 2009. Table 1 attached to this scope reviews the proposed changes to the preferred project. The most extensive proposed change is the reuse system method of irrigation, which may be changed from Type I to Type II as indicated by the City in March 2009. Revision of the project description for the preferred project and evaluation of potential environmental impacts in the EIR Addendum is required to finalize project funding with either the State Water Resources Control Board (SWRCB) or USDA Rural Utilities Service (RUS) and for the City's permit with the North Coast Regional Water Quality Control Board (RWQCB).

The SWRCB and USDA RUS will be reviewing the EIR Addendum as a part of the funding process for this project. The subtasks necessary to complete the preparation of the EIR Addendum in a logical fashion, with appropriate review and coordination included are laid out below. Per CEQA, no public review period is required.

Under this scope of services, Winzler & Kelly will complete the EIR addendum, update the mitigation monitoring and reporting program, prepare the Notice of Determination (NOD) for county clerk approval, submit the NOD and Notice of completion to the State Clearinghouse, and submit final documents to the SWRCB for review. The effort to complete the addendum has been included in the City's environmental planning loan with Rural Community Assistance Corporation.

SCOPE OF SERVICES

Task 1: Update Project Description

In collaboration with City of Rio Dell staff, Winzler & Kelly will prepare a revised project description and figure(s) of the City's preferred improvement project as indicated at the January 12, 2010 wastewater special meeting for use in the EIR Addendum.

Task 2: Prepare Administrative Draft EIR Addendum

Winzler & Kelly will prepare the Administrative Draft EIR Addendum which includes information collected as part of the subsurface investigation report and anti-degradation analysis. The addendum will address changes primarily in the following impact areas:

- Cultural Resources: Cultural survey of Proposed Irrigation site will be conducted, as permission was not previously given to conduct the survey on the Mozzetti site.
- Hydrology and Water Quality: Results of Anti-Degradation Analysis will be presented here in support of the evaluation. The 100-year flood plain potential impacts will also be re-evaluated.

It is anticipated that there will be no additional evaluation needed for the following sections, because the proposed changes to the project description are expected to result in reduced impacts or no change to impacts: Aesthetics, Agricultural Resources, Air Quality, Biological Resources, Cultural and Historic Resources, Geology and Soils, Hazards and Hazardous Materials, Land Use and Planning, Mineral and Energy Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and cumulative impacts. If during the preparation of the EIR Addendum, additional evaluations for the above impact categories are found to be necessary, the effort to conduct evaluations would be presented as a separate scope.

Deliverables: One electronic copy and eight Administrative Draft Addendum copies will be provided to the City for review, and one hard copy each will be provided to the RWQCB, SWRCB and USDA/ RUS.

Task 3: Prepare EIR Addendum

Winzler & Kelly will update the Draft EIR Addendum based on comments received by the City of Rio Dell, RWQCB, SWRCB, and USDA RUS. The Addendum will be presented to City Council at a regular meeting. Winzler & Kelly will prepare the resolution approving the EIR Addendum and prepare and file the Notice of Determination with the Humboldt County Clerk and forward to the State Clearinghouse

Deliverable: One electronic copy and eight Addendum copies will be provided to the City, and one hard copy each will be provided to the RWQCB, SWRCB and USDA/ RUS.

Task 4: Prepare Revised Mitigation Monitoring and Reporting Plan

The Mitigation Monitoring and Reporting Plan (MMRP) details all the mitigation measures for the proposed project and will be prepared under this task. This plan also includes reporting forms for use during the project. This document is required as part of CEQA.

Deliverable: One electronic copy and eight MMRP copies will be provided to the City, and one hard copy each will be provided to the RWQCB, SWRCB and USDA/RUS.

ITEMS NOT INCLUDED IN THIS SCOPE OF SERVICES

This Scope of Services is limited to the items outlined above. The following are not included in this Scope of Services:

- Water quality analysis beyond that already included in the scope of work for the Anti-degradation Analysis.
- Recordation or further investigation of sites identified in the cultural resources site survey.

SCHEDULE AND BUDGET

It is anticipated that this Scope of Services can be completed according to the following schedule.

March 2010	Prepare Project Description
March 2010	Administrative Draft EIR Addendum (and receive comments)
April 2010	Prepare EIR
April 2010	Certify Final EIR Addendum

The actual effort that will be required to complete the tasks and schedule presented in this Scope of Services are contingent upon the actions of others or what is determined during the analysis process. The initial budget allowances presented are initial allocations and the actual cost may be more or less depending on many factors over which neither Winzler & Kelly nor the City has control. Therefore, the tasks in this Scope of Services shall be completed on a time and materials as required basis. The initial total allowance for this scope of services is \$33,082.

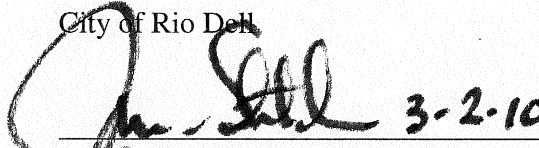
The appropriate level of effort will be expended to accomplish the tasks necessary to move the City's wastewater compliance project forward. We will keep the City informed on the progress of the work and any changes in scope, status of the budget, and schedule.

Invoices shall be prepared each month for services provided and shall be due and payable within 30 days of the date of the invoice. Interest at the rate of 1-1/2% per month shall be charged on all outstanding balances.

It is estimated that the cost for the above scope of work will be as follows:

Task 1	Project Description	\$ 3,943
Task 2	Administrative Draft EIR Addendum	\$15,865
Task 3	EIR Addendum	\$10,023
Task 4	Mitigation Monitoring and Reporting Plan	\$3,253
	Total	<u>\$33,082</u>

AGREED

City of Rio Dell

 Jim Stretch, City Manager, Date 3-2-10

Winzler & Kelly

 Steve Allen, Managing Principal, Date


6500-14-052-1026-0131
 Rio Dell Accounting Tracking Number

TABLE 1
Proposed Revisions to Rio Dell Adopted Preferred Improvement Project

Alternative 5 as Adopted in May 2008 (WWTF2B/REUSE 1B) with June 2009 Addendum revisions noted in italics	Proposed Revisions to the Adopted Project (WWTF1/REUSE 1B)
New Wastewater Treatment Facility in Metropolitan (WWTF)	Switch from Option WWTF2B to WWTF1 – Build new WWTP at existing Corp Yard Site (includes Aero-mod, Pump Station) (no need for re-treatment)
Headworks and Solids Removal (WWTF)	No revisions
Biosolids Handling at the New Wastewater Treatment Facility (WWTF) <i>Temporarily moves biosolids handling equipment to the existing WWTP. Would install a new skid-mounted mechanical dewatering device and covered storage building</i>	Consistent with Option WWTF1 which includes a drying system (such as the one currently installed per Addendum No. 1) that results in similar quality of biosolids.
Biosolids Disposal (REUSE)	Land Application Methods unchanged, not to be incorporated at irrigation site ** City currently disposing of biosolids at a landfill
Disinfection System, including chlorine dioxide generator with sodium hypochlorite storage (WWTF) <i>Temporarily moved new chlorine dioxide generator to the existing WWTP. Would replace existing gaseous chlorine system with a skid-mounted chlorine dioxide generator for disinfection, with a 500-gallon brine tank and 2,500-gallon sodium hypochlorite storage tank.</i>	Makes Addendum No. 1 improvements permanent at the existing WWTF site.
Reuse System: Transmission Pipeline, Storage Pond, Pumps, Irrigation System, Land Requirements, Operations (REUSE)	Modify Option REUSE 1B Transmission Pipeline: Unchanged, carries treated effluent Storage Pond: Removed from the project Pumps: Unchanged Irrigation System: Change from sprinkler irrigation at agronomic rates to flood irrigation with some discharge to groundwater. Impacts evaluated as part of anti degradation analysis Land Requirements: Less land needed. Updated groundwater study used to size system Operations: Update to reflect Type II operation
Effluent Outfall (WWTF)	Switch from Option WWTF2B to WWTF1, which does not require a new outfall

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



TO: Honorable Rio Dell City Council
FROM:  Jim Stretch, Interim City Manager
DATE: March 2, 2010
SUBJECT: Update of General Plan Circulation Element

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve the attached scope of work from PLANWEST PARTNERS, INC. to prepare an update for the Circulation Element of the Rio Dell General Plan.
2. Authorize the City Manager to execute an agreement with the above noted planning firm in the amount of \$26,142.
3. Direct that funds for the update be transferred from the General Fund Reserve to the Planning budget unit in the amount of \$26,142.
4. Direct the City Manager to include the update of the Public Safety Element of the General Plan (\$12,680) in the Proposed 2010-11 City Budget for Council's consideration.

BACKGROUND AND DISCUSSION

On the Council's February 16, 2010 agenda was an agenda item concerning the update of the Public Safety Element of the General Plan. The recommendation was that the scope of work prepared by PLANWEST PARTNERS, INC. be approved and funded. During that discussion the Council revisited the discussion that occurred on May 19, 2009 when the priority for updating various elements was made.

Reflecting on its recent goal setting session where redevelopment and economic development was given top priority, the Council deferred on the Safety Element update and requested that scope of work for updating the Circulation Element be brought back for reconsideration at the next meeting. The Circulation Element was last updated in 1977 and Planner George Williamson advised the Council that the completion of this element ties in more closely with the goals of the City than the Public Safety Element, though also important.

PLANWEST PARTNER, INC. has prepared the attached scope of work for your consideration at a cost of \$26,142. George Williamson will be available for questions.

Cc: George Williamson, PLANWEST PARTNERS, INC.

City of Rio Dell General Plan - Circulation Element Update 2010

The Circulation Element of the Rio Dell General Plan was last updated in October 1977. The Circulation Element is one of seven required General Plan elements. Circulation Elements are required to contain "the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the Land Use Element of the Plan." Planwest Partners proposes the following Circulation Element update scope.

Task 1 Assess Existing Circulation System and Needs

Budget: \$ 3,078.00

Revise existing circulation system mapping and review data with City staff to ensure accuracy. Prepare circulation base maps for use by traffic engineering and transportation planning subconsultant. Evaluate roadway traffic volumes and capacity, research accident data, compile additional intersection traffic data as necessary based on initial evaluation of circulation system, evaluate system condition, and prepare overall needs assessment.

Task 2 Prepare Draft Circulation Goals and Objectives

Budget: \$ 3,196.00

Facilitate circulation element study sessions with the City of Rio Dell Planning Commission and City Council. The first study session will include a presentation regarding the completed Task 1 assessment of the existing circulation system, discussion of circulation element requirements, and a discussion of needs. The second and third study sessions are intended to identify system needs and circulation element goals and objectives.

Task 3 Update Street, Roadway, and Pathway Classification System and Prepare Draft Circulation Diagram

Budget: \$ 3,062.00

Evaluate the existing road and street classification system contained in the Rio Dell Circulation Element. Based on this evaluation and other small city street classification systems, W-Trans and Planwest Partners will revise the classification system and incorporate pedestrian and bicycle facility classifications that better reflect the City's circulation objectives. Prepare a draft Circulation Diagram that attributes the proposed street, road, and pathway classifications to each street in Rio Dell using the City's parcel level and street GIS database.

Task 4 Prepare Draft Plan with Policies, Programs and Recommended Roadway Improvements

Budget: \$ 5,716.00

The proposed Circulation Element contents are:

- A. Introduction and Circulation Characteristics
- B. Circulation Goals and Objectives
- C. Roads and Streets
- D. Non- Motorized - Bicycle and Pedestrian - Facilities
- E. Transit Facilities
- F. Implementation Measures

The relevant sections of the City's Scenic Highway Element, last updated in July 1975, are proposed to be incorporated into the updated Circulation Element

Task 5 Prepare Environmental Document for CEQA Compliance Budget: \$ 6,126.00

Evaluate the potential impacts of the draft Circulation Element with respect to the Rio Dell General Plan 2015 Program Environmental Impact Report. To the extent that the policies of the Circulation Element or portions of the Circulation Diagram are beyond the scope of the General Plan Program EIR, additional environmental review will be required. Additional environmental review would include the preparation of an initial study and could range from a negative declaration to some form of supplement to the existing environmental impact report.

Task 6 Planning Commission and City Council Hearings Budget: \$ 1,256.00

Attend two Planning Commission and two City Council Hearings regarding the draft Circulation Element.

Task 7 Prepare Circulation Development Standards Budget: \$ 3,708.00

It is recommended that the detailed street cross-sections and subdivision street standards be removed from the Circulation Element in the proposed update. The existing street cross-sections and development standards will be evaluated as part of the update, and revised diagrams and standards that conform to the circulation element will be proposed for adoption separately in ordinance form.

Proposed Circulation Element & CEQA Document Budget: \$ 26,142.00



TO: Honorable Rio Dell City Council
FROM: Jim Stretch, Interim City Manager
DATE: February 16, 2010
SUBJECT: Appeal of Business License Denial for Eel River Motocross Park at Former Eel River Saw Mill site

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Uphold the denial of the Business License application for Eel River Motocross Park for the operation of a dirt bike race course at the former Eel River Saw Mill site.

BACKGROUND AND DISCUSSION

The applicants, Josh Cathy and Bryan Hall applied for a Business License to establish a dirt bike race course on a parcel of land at the former Eel River Saw Mill. The specific parcel there for which the Business license was sought is Assessor's Parcel Number 205-181-001, 1 of the 2 parcels that the City had identified as a potential site for the placement of its new wastewater treatment plant. As such, the site has Public Facility (PF) General Plan and zoning designations.

The proposed business is a private for profit business where a member of the public would pay a fee to use the course for dirt bikes and/or quads. A number of different courses would be created with jumps and moguls ranging from ¼ mile to 1 mile in length. Organized events are envisioned to draw riders from across the north state, perhaps several hundred for a weekend.

The business is represented as being able to draw significant crowds of riders and spectators to the area, benefitting the City through the generation of increased sales tax and transient occupancy tax revenues.

The business license was denied by the Interim City Manager because it is not a use that is permitted in the PF zone, not even with a use permit. Furthermore, the proposed use is not permitted on any parcel at the mill site because if the land is not zoned PF, it is zoned Industrial/Commercial (IC) and the use as described is not permitted in that zone either. There is no zone in the City of Rio Dell that allows for a motocross race course/track use.

Enclosed for the Council's information is the relevant PF Zone Section 4.16 from the City of Rio Dell Zoning Ordinance 252-2004, as amended through January 6, 2009. You will note that the PF zone is intended to be used by public agencies for the operation of public facilities, like a wastewater plant. Neither the Permitted Uses in 4.16 (A) or the Uses Permitted with a Use Permit in 4.16 (B) are available to the proposed use since they are not operated by a public agency. The applicants contend that these sections are applicable to their proposal because the public could use the site, which they term a facility.

In addition, the Rio Dell General Plan Land Use Element defines the following uses for lands designated PF in the Land Use Diagram:

- Residential uses restricted to a caretaker apartment.
- Commercial uses including gift shops and restaurants that are part of the civic or cultural use.
- Office uses including civic and cultural uses.
- Lodging uses including lodging as part of the civic or cultural use.
- Civic and cultural uses including governmental services, city parking facilities, conference centers, museums, libraries, day care centers and parks.
- Water and wastewater systems.
- Parks, ball fields and recreational facilities; and
- Recreational uses.

These uses are for civic purposes which are public.

The Business License Ordinance does not provide for an appeal from the City Manager's decision. Notwithstanding, they have been allowed to appeal the decision so that they may be heard by the City Council, the legislative body that adopted the Zoning Ordinance and has the authority to amend it. The appeal of this matter is not been noticed as a public hearing. But that administrative process before the Council would provide a good framework for the applicants to make their case, sans the opening and closing of the public hearing.

Cc: Josh Cathey & Bryan Hall.
George Williamson, Contract City Planner.


Attachments: --Zoning Ordinance Section 4.16, "Public Facility or PF Zone".
--Letter of Appeal w/ Zoning Ordinance Definitions related to "recreational uses".
--Business License Application w/motocross course layouts.



205-181-02	Mozetti
205-111-26	City of Rio Dell

Project: Former Eel River Sawmills 1053 Northwestern Ave, Rio Dell, CA.		
Cartographer GLD	Date 11/25/09	Project # 01061090020

Figure 1
Overview Map


WINZLER & KELLY

633 3RD ST
 EUREKA, CA 95521
 P: 707-443-8326 F: 707-444-8330

54

CITY OF RIO DELL
675 Wildwood Avenue
Rio Dell, CA 95562
Phone: (707) 764-3532
Fax: (707) 764-5480

State Board of Equalization
No. _____

APPLICATION FOR BUSINESS LICENSE

259-2009

Please complete this form using the following criteria based on Ordinance No. 164 pertaining to businesses. The complete Ordinance may be reviewed at City Hall. Every person who engages in business at a fixed place of business in the City, should pay a license tax based upon the immediately preceding calendar year's gross receipts or estimated gross receipts at the following rates/classification:

CLASSIFICATION	YEARLY GROSS RECEIPTS	ANNUAL LICENSE FEE
A	\$500.00 - \$30,000.00	\$30.00
B	In excess of \$30,000.00	\$60.00

RESIDENTIAL RENTALS – License Tax Rate: Every person or corporation carrying on the business of renting two (2) or more residences and/or apartments must obtain a license at the rate of \$4.00 per unit annually or \$2.00 per mobile home parking space.

Payment must be made before July 31st of each year or a penalty will be assessed.

I, Josh Cathey do hereby apply for a business license from the City of Rio Dell for the purpose of operating/conducting the business or profession of:

Eel River Moto & Cross Park ATV Park
(Name of Business) (Type of Business)

453 Northwestern Ave.
(Street Address, City, Zip Code)

313 Douglas St Rio Dell 1 496-324
(Mailing Address if Different from Street Address) B

Home Phone No.: 707 267 4442 Business Phone No.: _____ Fax No.: _____

SS#: 559-95-4642 Driver's License No.: A5800498 Ex: Date: 5-10-14

Date Business was started: Nov 17 09

Describe the main activities of this business:

Dirt bikes or quads riding on a an uneven course taking laps. 1/4m to 1m in length

I do hereby swear, affirm/or estimate that the average annual gross receipts of the above business or profession to be licensed are in CLASS A (A or B)

OR

I am hereby reporting that I receive rental income from N/A units of apartments or residences and am remitting a \$4.00 annual fee for each residence and/or \$2.00 for each mobile home parking space.

I UNDERSTAND THAT THIS IS ONLY AN APPLICATION FOR A BUSINESS LICENSE, AND THAT THE FILLING OUT OF THE APPLICATION DOES NOT CONSTITUTE ISSUANCE OF A LICENSE TO OPERATE A BUSINESS.

I declare, under penalty of perjury, that the foregoing is true and correct and that this document was executed on Nov 17, 2009, at Rio Dell, CA.
(Month, Day) (Year) (City)

[Signature] Title: _____
(Applicant's Signature) (Title)

Witnessed the 17th day of November, 2009.
(Day) (Month)

[Signature]
(City Clerk Signature)

THIS SECTION TO BE COMPLETED BY CITY STAFF ONLY

Business License Staff Review:

City Clerk's Office	Planning Dept.	Public Works Dept.	Police Dept.
Ordinance Sec. <u>31</u>	Zone <u>IC PF</u>	Bldg. Inspection _____	Same as _____
Annual Tax <u>\$3000</u>	Use Permit _____	Water Service _____	D.D.L. _____
Pro-rated Tax _____	Parking _____	Sewer Service _____	Criminal _____
Health Dept. _____	Other _____		

Gross Receipts:

\$500 - \$30,000.00

1 year	\$30.00
11 mo.	27.50
10 mo.	25.00
9 mo.	22.50
8 mo.	20.00
7 mo.	17.50
6 mo.	15.00
5 mo.	12.50
4 mo.	10.00
3 mo.	7.50
2 mo.	5.00
1 mo.	2.50

Over \$30,000.00

1 year	\$60.00
11 mo.	55.00
10 mo.	50.00
9 mo.	45.00
8 mo.	40.00
7 mo.	35.00
6 mo.	30.00
5 mo.	25.00
4 mo.	20.00
3 mo.	15.00
2 mo.	10.00
1 mo.	5.00

Special Conditions or Comments:

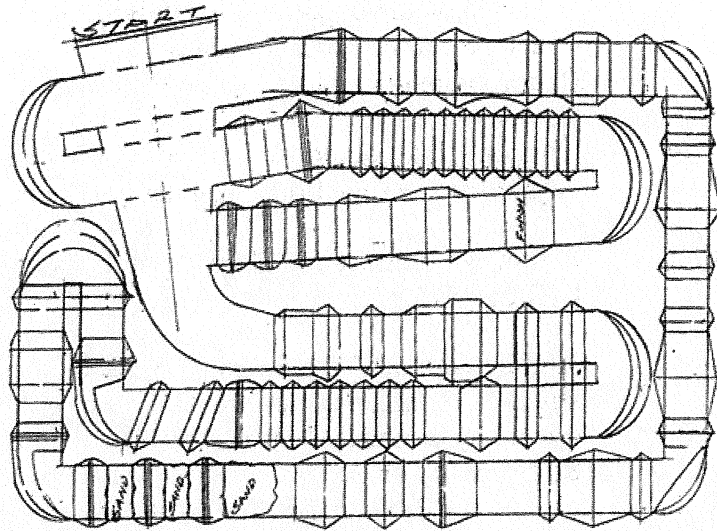
Denial - sorry, neither the Public Facility or the Industrial Commercial Zone allow the proposed use.

City Manager/City Clerk Approval: [Signature]

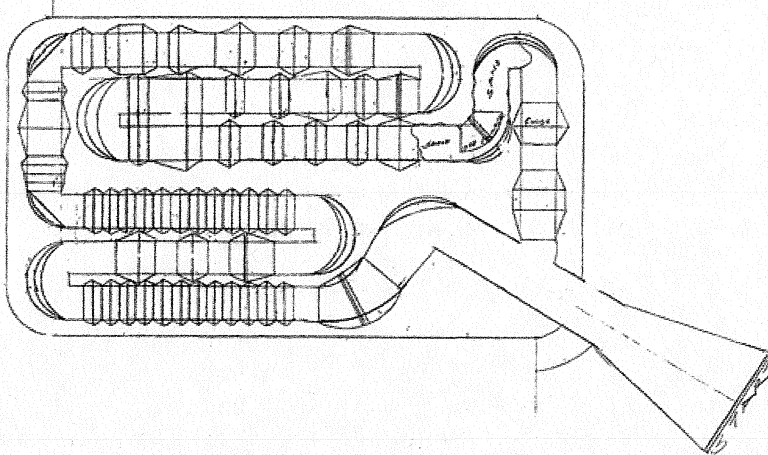
Date: 1-26-10
11/03/09

Business License denied due to inconsistency with Zoning Regulations - Industrial Commercial Zone does not provide for this type of use.

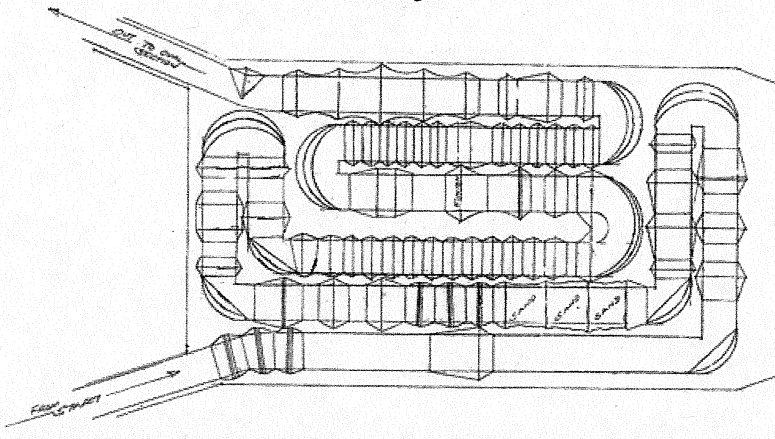
Seattle



Salt Lake City



Las Vegas



Article 2. Definitions

collected on the outside of the building and transferred inside the structure through ducts or pipes using a fan or pump.
(Incorporated from Resolution 381)

Person "Person" shall include any person, firm, company, corporation, partnership, association, organization or entity.

Planning Commission "Planning Commission" shall mean the Planning Commission of the City of Rio Dell.

Public Grounds "Public Grounds" shall mean any public place, public area, public street, sidewalk, park, public facility or public area or any proper owned by or under control of any local public agency, County, State agency or Federal agency located in the corporate limits of the City of Rio Dell, including but not limited to the river bank at river bar, adjacent to and under the Eel River owned or under the control of the City or Rio Dell

Recreational, Commercial Recreation facilities open to the general public for a fee or restricted to members when operated for profit as a business.

Recreation, Private, Non-Commercial Clubs or recreation facilities, operated by a non-profit organization and open only to bona fide members of such non-profit organization and their guests.

Recreational Vehicle "Recreational vehicle" means both of the following:
(a) A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy, that meets all of the following criteria: (1) It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms. (2) It contains 400 square feet or less of gross area measured at maximum horizontal projections. (3) It is built on a single chassis. (4) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.
(b) A park trailer, as defined in California Health and Safety Code Section 18009.3, as amended. (California Health and Safety Code Section 180010, as amended)

Residential Density, Net The average number of dwelling units per one acre of land.

Second Dwelling Unit The term "second dwelling unit", as used in Section 6.17.5 of the Rio Dell Zoning Ordinance, shall mean an additional living unit on any one lot or parcel within a single-family residential district which is clearly ancillary and subordinate to a principal dwelling unit on the same lot or parcel. (Incorporated from Resolution 38

Public Facility - Zone

Article 4. Regulations for the Principal Zones

7. Civic and cultural uses including parks.

C. Other Regulations.

See Table 4.15-1 for development standards in the Rural (R) Zone.

Table 4.15-1 Development Standards in the Rural (R) Zone

Site Development Standard	Zone Requirement	Measurement
Minimum Lot Area:	5	acres
Maximum Ground Coverage:	10%	
Minimum Lot Width:	100	Feet
Minimum Yard		
Front:	20	Feet
Rear:	20	Feet
Side:	20	Feet
Maximum Building Height:	Three (3) Stories or 45 feet	Feet

Sec. 4 .16 Public Facility or PF Zone.

The Public Facility or PF Zone is intended to be applied to lands owned by public agencies or to lands upon which such agencies operate public facilities.

A. Principal Permitted Uses.

1. Public schools, parks, ball fields, playgrounds and recreational facilities.
2. Public fairgrounds and related uses.
3. Public buildings, including City Hall, fire stations, libraries, courts, museums, auditoriums, hospitals and similar uses ;
4. Lodging uses including lodging provided as part of the civic or cultural use.

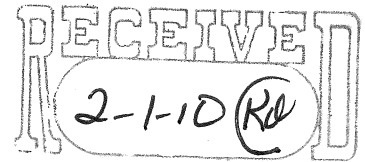
B. Uses permitted with a Use Permit.

1. Residential uses limited to caretaker apartment;
2. Penal, correctional or detention institutions, and facilities for the care of mental patients.
3. Public corporation yards, shops, repair and storage yards and buildings;
4. Water and wastewater systems;
5. Recreational uses.

C. Other Regulations.

1. None, except as provided in use permit conditions.

FINISH LINE MOTOCROSS



To whom it may concern, mr. city manager. I Josh Cathey, and Brian Hall would like to appeal our denial for a liscense to do buisness as a motocross riding facility. We feel it meets all requirements needed by the zoning regulations of the ~~Industrial Commercial Zone.~~

Public
Facility.
Zone

Thank you, FINISH LINE MOTOCROSS
2/1/2010

Article 2. Definitions

collected on the outside of the building and transferred inside the structure through ducts or pipes using a fan or pump.
(Incorporated from Resolution 381)

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- Recreational, Commercial** Recreation facilities open to the general public for a fee or restricted to members when operated for profit as a business.
- Recreation, Private, Non-Commercial** Clubs or recreation facilities, operated by a non-profit organization and open only to bona fide members of such non-profit organization and their guests.
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