



RIO DELL CITY COUNCIL AGENDA
CLOSED SESSION- 5:30 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, APRIL 17, 2018
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

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



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

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
 - 1) 2018/0417.01 – **Employee Negotiations** (Pursuant to §54957.6)
Conference with Labor Negotiator: City Manager
Employee Organizations: Rio Dell Police Officers Association,
Rio Dell Employees Association, Contract Employees
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION – 5:30 P.M.
- F. RECONVENE INTO OPEN SESSION – 6:30 P.M.
- G. ORAL ANNOUNCEMENTS

H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

J. PUBLIC PRESENTATIONS

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

K. CONSENT CALENDAR

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

- 1) 2018/0417.02 - Approve Minutes of the April 3, 2017 Regular Meeting
(ACTION) 1
- 2) 2018/0417.03 - Approve Resolution No. 1382-2018 Designating Projects
To be Funded by Senate Bill (SB 1) Road Maintenance and
Rehabilitation Account (RMRA) During FY 2018/19
(ACTION) 17
- 3) 2018/0417.04 - Approve Resolution No. 1383-2018 Opposing the Tax
Fairness, Transparency and Accountability Act of 2018
(ACTION) 22
- 4) 2018/0417.05 - Approve Letter Opposing AB 1912 Joint Powers Authority
Pension Liability and Authorize Mayor to Sign **(ACTION)**
30
- 5) 2018/0417.06 - Approve Cancellation of Bid for 2018 City Hall
Improvements and Reschedule for Fall of 2018 Pending
Budget Approval for FY 2018/19 **(ACTION)** 37
- 6) 2018/0417.07 - Receive and File Check Register for March 2018
(ACTION) 40

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

M. REPORTS/STAFF COMMUNICATIONS

- 1) 2018/0417.08 - City Manager/Staff Update **(RECEIVE & FILE)** 46

N. SPECIAL PRESENTATIONS/STUDY SESSIONS

- 1) 2018/0417.09 - Presentation from State Regulators on Drinking Water and Wastewater - Ronnean Lund, State Water Resources Control Board and Cathleen Goodwin, North Coast Regional Water Quality Control Board 51

O. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) 2018/0417.10 - Consider Sculpture Committee's Recommended Location of the Wendt Eagle Sculpture on City Hall Grounds **(DISCUSSION/POSSIBLE ACTION)** 65

P. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2018/0417.11 - Approve Resolution No. 1384-2018 Awarding Bid for the 2018 Culvert Installation and Repair Project **(DISCUSSION/POSSIBLE ACTION)** 66
- 2) 2018/0417.12 - Approve Resolution No. 1385-2018 Awarding Bid for the 2018 Drainage Ditch Repair Project **(DISCUSSION/POSSIBLE ACTION)** 73
- 3) 2018/0417.13 - Approve Resolution No. 1386-2018 Awarding Bid for the 2018 Water Treatment Plant Backwash Line Realignment Project **(DISCUSSION/POSSIBLE ACTION)** 77
- 4) 2018/0417.14 - Approve Resolution No. 1387-2018 Awarding Bid for the 2018 Street Striping Project **(DISCUSSION/POSSIBLE ACTION)** 81

- 5) 2018/0417.15 - Second Reading (by title only) and Adoption of Ordinance No. 365-2018 Amending the City's Commercial Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code to Eliminate the City's Requirement for Background Checks **(DISCUSSION/POSSIBLE ACTION)** 86
- 3) 2018/0417.16 - Second Reading (by title only) and Adoption of Ordinance No. 366-2018 Amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code to Reflect the Update of the Flood Insurance Study and Associated Flood Insurance Rate Maps (FIRM) **(DISCUSSION/POSSIBLE ACTION)** 92

Q. COUNCIL REPORTS/COMMUNICATIONS

R. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, May 1, 2018 at 6:30 p.m.*

**RIO DELL CITY COUNCIL
REGULAR MEETING
APRIL 3, 2018
MINUTES**

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

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

Others Present: City Manager Knopp, Finance Director Woodcox, Community
Development Director Caldwell, Chief of Police Conner,
Water/Roadways Superintendent Jensen, Wastewater
Superintendent Trainee Purvis and City Clerk Dunham

PUBLIC PRESENTATIONS

Sharon Wolfe addressed the Council regarding the April 2, 2018 Humboldt County Sheriff's call log related to recent burglaries and thefts. She said that she heard that some thefts also occurred in Rio Dell and was hoping the Chief of Police could address the situation in open session and that the City puts out press releases to alert citizens on anything going on community wide.

Mayor Wilson indicated that the Chief of Police would have an opportunity to address the situation under city staff reports.

Nick Angeloff addressed the Council regarding a call he received from Carl Turbin and Chaka Khan and said that they currently have a list of 600 medical marijuana patients that are no longer able to utilize John Hopkins University for research and have become very interested in coming to the Humboldt Rio Dell Business Park to have access to medicine and research and eventually establishing a treatment facility. He said it looks more real than anything else does at this point and said they want to come back and make a presentation to the City Council. He indicated that he would be working on coordinating it over the next couple of months.

He also announced that Netflix is working on a documentary in Rio Dell and interviewed him as the local historian for the City. He noted that they are also interested in the nexus between Rio Dell, cannabis medical research, and these folks in Washington, D.C. He said if councilmembers could get interested in the documentary, he could see this opportunity moving forward.

Mayor Wilson commented that as a Council they would be pleased to hear the presentation.

Councilmember Garnes asked for an update on the Little League Schedule.

Nick Angeloff responded that the season typically starts in early April and noted that he is no longer on the Little League Board, but he would get the information and report back at the next meeting.

Mayor Wilson announced a change in the agenda order for this meeting and said discussion on the temporary bridge closure would come before the Council after approval of the consent calendar items.

CONSENT CALENDAR

Councilmember Strahan removed Item 2 from the consent calendar for separate discussion. Mayor Wilson also removed Items 3 and 5.

Motion was made by Johnson/Garnes to approve the remaining consent calendar items including approval of the minutes of the March 20, 2018 regular meeting; and authorization for the mayor to sign a Letter of Support for AB 2598 for enforcement of local ordinances and building codes related to administrative fines and penalties. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Approve Resolution No. 1380-2018 Amending the Operating and Capital Budget for FY 2017-18 Transferring \$20,298.44 from the Water Operations Fund to the Metropolitan Wells Operations Fund

Councilmember Strahan asked staff to provide a brief summary of the budget transfer.

Water/Roadways Superintendent Jensen explained that the costs were not related to construction of the wells project but to the operations of the wells and as such, were not part of the project. He said the \$20,298.44 was already in the Water Operations budget; this simply moves the allocation over to the Metropolitan Wells Operations Fund to track those costs.

Motion was made by Strahan/Garnes to approve Resolution No. 1380-2018 amending the Operating and Capital Budget for FY 2017-18 transferring \$20,298.44 from the Water Operations Fund to the Metropolitan Wells Operations Fund. Motion carried 5-0.

Approve Pay Requests 11, 12 and 13 to Wahlund Construction in the Amount of \$75,605.09 for Work Related to the Metropolitan Wells Project

Mayor Wilson commented that this item would also be addressed under the engineer's presentation so withdrew his questions at this time.

Motion was made by Wilson/Johnson to approve pay requests 11, 12 and 13 to Wahlund Construction in the amount of \$75,605.09 for work related to the Metropolitan Wells Project. Motion carried 5-0.

Authorize Staff to Submit Program Applications for Redwood Coast Energy Authority (RCEA) Public Agency Pilot Solar Program

Mayor Wilson commented on what RCEA is hoping to achieve with the proposed pilot program. He explained that approximately 2 months ago, the RCEA Board chose to opt out of PG&E for electricity and join the Community Choice Energy (CCE) Program so all Rio Dell customers are part of that program unless they chose to opt out of the program. He said what the CCE program does is takes the generation element of customer's electricity bills and replaces it with cleaner, cheaper energy (estimated savings of \$2.00/month on an average bill). He said RCEA is taking that savings and investing it into the local community such as assisting the airport with solar power. One of the other goals is to help municipalities and community services districts with solar programs. He said that the City previously approached RCEA about the possibility of a solar grid at the water/wastewater treatment plant and at the time, neither RCEA nor the City had the staff to go after the grants. What they are doing now is authorizing \$170,000 on an annual basis to pay for some of the wages and benefits for staff to help six or so jurisdictions pursue solar grants. He noted that passage of this resolution would allow the City the ability to seek assistance from RCEA to pursue the possibility of a solar grid at the City's public works facility, which would result in substantial savings in electricity costs.

Motion was made by Wilson/Johnson to authorize staff to submit program applications for Redwood Coast Energy Authority (RCEA) Public Agency Solar Pilot Program. Motion carried 5-0.

Discussion on Eagle Prairie Bridge Temporary Closure

City Manager Knopp explained the general format of this item would be to open the item up to public comment and allow representatives from Caltrans to provide an update on the temporary bridge closure and respond to public comments.

He explained that the Eagle Prairie Bridge is owned and operated by the State of California, not the City and is actually one of the shortest known highways in the State of California. He said the idea is for the City Council to facilitate dialog between the community and Caltrans representatives on the issue.

Mayor Wilson stated that he has strong opinions about the bridge issue but there are things that he doesn't fully understand. He added that this is an emotionally charged issue and asked that the conversations remain civil. He said the City Council wants to hear honest opinions from the community and talk with Caltrans representatives and in the end, hopefully come up with the best solutions for a tough situation.

Mayor Wilson opened the public hearing to receive public comment on the temporary bridge closure.

Nick Angeloff addressed the issue and said the bridge closure was announced at the Chamber of Commerce meeting which took everyone by surprise. He commented that the

businesses closest to the bridge are being impacted the most and expressed the need to support the local businesses in every way possible.

Kim Floyd, Project Manager with Caltrans provided background on why the decisions were made to do what they did regarding the temporary bridge closure and apologized for not notifying the City sooner. She explained that the bridge requires maintenance including painting which will involve closure of the bridge through the summer. She noted that they are actively working with the contractor to try to speed up the project.

She went on to explain that the bridge was painted about 15 years ago and at that time the bridge was left open to one-lane traffic with a traffic control signal. There were however; some quality control issues and as a result of that, a poor quality end product. She indicated that there were also some safety issues with people routinely running the light and they actually had two workers struck and injured. Another thing is that they have to consider a bicycle as a vehicle and accommodate them moving across the bridge, which affects the timing of the signal. She pointed out that there is a detour less than 2 miles (3 minutes) away which was another factor in the decision making process. The other problem is the duration of the project and overall costs. She said the ultimate goal is to get in and get the project done timely, and get a better product than the last time it was painted. She indicated that she spoke with the City Manager and provided her direct line should any businesses want to contact her regarding the project. She added that the resident engineer changed some signage and that they are willing to hear any feedback and do what they can within their means to try to ease the situation.

Mayor Pro Tem Johnson said he spent 30 years working for Caltrans and was a resident engineer on major construction projects for 25 years. As a resident engineer, one of the first forms he filled out once he knew who the contractor was on a project, was a "Resident Engineer Report of Assignment."

Dan Bornman, resident engineer at Caltrans confirmed that the form was sent out around November 2017, after award of the contract.

Councilmember Strahan commented that contractors are required to put a notice in the newspaper regarding any scheduled road closures and noticed that they did have a sign board up a few days prior to the begin of construction and asked if Caltrans is held to those same standards.

Kim Floyd responded that normally they do a press release but in talking to the public relations officer, there was an oversight and apparently, that did not happen.

Mayor Wilson invited the public to ask questions of Caltrans representatives.

Harry Smith, Root 101 asked what other options were discussed such as perhaps opening the bridge during non-working hours. He pointed out that the 2-mile detour is for 300 feet of bridge and that there are seven restaurants and cafes in town affected by the closure in addition to the many other businesses. He noted that he alone has 16 employees; 10 of which live in the local area and this closure creates problems for everyone. He commented on the new businesses that opened up over the last three months and said had they known about the bridge closure, they probably would have delayed their openings or not opened at all.

Kim Floyd reviewed the factors considered when making the decision on full closure of the bridge and commented that there is no easy way to open and close the bridge between working and non-working hours.

Dan Bornman reiterated that it is not an easy process to open the containment system. In terms of savings, both in cost and time, the original engineer's estimate for the project with a signal light system was \$4.4 million. The contractor's bid as it is, was \$2.4 million. They also changed the contract to a "cost plus time" bid where the contractor bids on the cost of the job in addition to the number of days to complete the job. The original engineer's estimate was 245 working days as opposed to the contractor's estimate of 135 working days. He said essentially what they did is shave off \$2 million as well as a complete season (110 working days or approximately 6 months) of construction depending on weather conditions. He noted that structural painting jobs are very dependent on environmental conditions so as it gets into better weather, they are assuming the contractor will work Saturdays to meet their contractual requirements.

Harry Smith commented that he was in contact with Assembly Member Jim Woods about this project and he mentioned that the project was coming out of the Sacramento Caltrans office.

Kim Floyd explained that the contract is out of the local District 1 office but District 4 did the advertising for the project, which may have led to some of the miscommunication.

Julie Woodall questioned the possibility of using Caltrans electronic signs to say something such as "Businesses Open in Rio Dell...Coffee Shops, Stores and Restaurants."

Kim Floyd indicated that she had discussed this option with staff and that she is certainly willing to explore the possibility further.

Dan Bornman explained that they are limited to what they can and can't do as far as signage due to potential misuse of public funds. Advertising for private businesses isn't something they can do but they may be able to look at putting up some sort of generalized message that denotes that the downtown is open. He said one of the suggestions was to place "Gas, Food, Lodging" service signs at exits but pointed out that those signs have fees associated with them and specific rules that have to be followed. He said another suggestion was to put them up for the duration of the contract and once the contract was over, the various businesses would then pick up the reoccurring fees.

Nick Angeloff commented that the detour sign was basically hidden behind the Davis St. exit sign.

Dan Bornman said the problem with putting up too much signage is that they tend to be too close together and it becomes difficult to read everything.

Harry Smith asked if the plan is to have the bridge wrapped during the duration of the job.

Dan Bornman said his understanding is that the contractor is attempting to paint one-half of the bridge then remove the containment system and do the other half.

Harry Smith then asked about the possibility of opening the bridge up to one-lane traffic once the first half of the painting is done and said he would rather have one lane open for the duration of the project even though it would extend the project by 6 months.

Discussion continued regarding accommodations for bicycles, timing of the project, community outreach, signage, and claims for loss of business.

Next, business owners from various businesses including Emerald Boutique, Marlene's Laundromat, Dias Artistries, The Green Bean, and The Automotive Workshop addressed the impacts to their business as a result of the bridge closure.

Dan Bornman reported on recent vandalism that occurred at the job site and said a worker was sitting in his truck eating lunch and someone shot out a window. Later that night a person came to Humboldt Gables Motel where the contractors were staying and said for \$100 he would make sure there would be no more broken windows. He said they might need to have a California Highway Patrol (CHP) car on site if that type of activity continues.

He further explained that as part of this project, they are looking at doing some ADA improvements to the sidewalk approaches, which would occur at the end of the project.

Adam Dias said that it seems that there is not much that can be done to alleviate the impacts to the businesses and if this project were done two years ago, probably no one would care. He said the fact is that there are new businesses that are significantly being impacted and everyone needs to understand how important the bridge is to the economy of the city. He said related to tourism, hundreds of thousands of dollars will be lost with the Shell station alone. He added that thousands of tourists drive through Rio Dell each year and this closure could shut down some of these businesses indefinitely. He said there may actually be a way make things better in the end by coming up with creative signage and perhaps finding ways to promote the bridge as the shortest section of highway in the State.

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Brad Mettam from Caltrans noted that this project is not the last project they will be doing in Rio Dell, referring to the future bridge seismic retrofit project. He commented that discussions on that project would need to occur between all parties involved.

Mayor Pro Tem Johnson stated that the City and the businesses could not afford to have the bridge closed for another year.

Bryan Richter stated that what's going to happen is that the City will have a beautiful bridge coming in and out of town with no business to support it.

Tawny Morse, owner of The Green Bean expressed her disappointment in Caltrans not notifying local businesses prior to making the decision to close the bridge. She said there is nothing any of the business owners can say that is going to change the outcome but that it is incredibly depressing and sad. In lieu of reality, a poor decision was made based on no research about what that decision was going to do to Rio Dell and everyone in town is now going to pay the price. She said she doesn't feel signage is really going to help and that all of the downtown businesses have noticed the same decline in business. She asked the Caltrans representatives how much their jobs mean to them, assuming it's because of bills, families and obligations which is the same for the business owners downtown. She added that she put every penny into her new business and it's disheartening to hear that signage will make everything okay when she knows it won't really help. She said the only answer is to open the bridge back up and that she personally will be looking into circulating a petition to appeal the decision or to at least make sure that those whose livelihoods depends on it will have the opportunity to voice their opinions.

Mike Ward, owner of the Automotive Workshop, 23 Center St. stated that his business is on the "good end of town" and his business has still dropped by 50% and is considering possible layoffs.

There being no further public comment, the public comment period was closed.

Councilmember Strahan said that she hopes that Caltrans will assist the contractor with working weekends and nights to shorten the length of the job. She said with the extra savings realized by not leaving the bridge open to one-lane controlled traffic that should not be a problem.

Mayor Pro Tem Johnson commented that he would hope that the ADA work at the end of the project would enable the bridge to be open to one-lane traffic.

Councilmember Garnes suggested the City switch the order of the message on the electronic sign to say, "businesses open" first instead of "bridge closed".

Mayor Wilson directed his comments to Kim Floyd and said he hoped her stomach hurt and that she felt bad because she should. He pointed out that the State is a very big entity and has

the ability to do a lot of things. He said that it seems that District 4 made the decision for full closure of the bridge and there's nothing that can be done about that now but there is something called "resolve" and they need to do what they can to resolve this situation as best they can. He suggested they go back to the office and talk about what they have done to the City and to think about the people here that have put their lives and souls into new businesses in an already economically depressed city. He said he believes there is something within their power to help whether it is with signage or something else and said they can get signage fees waived if they really want to. He encourage them to do as much as they can so they can look at themselves in the mirror and know they made an honest effort to make a difference for Rio Dell. He reminded them that the city is hurting because of what Caltrans failed to do and said he was politely asking them to do something to make things better.

City Manager Knopp said staff would be continuing to work with Caltrans on signage and any other way to coordinate cooperatively with the agency as well as switching the City's message around to reflect that the businesses are open downtown. He encouraged the public to feel free to contact the city with any other suggestions.

Mayor Wilson suggested inviting Senator McGuire to come and visit the businesses to hear their concerns.

Harry Smith indicated that he did invite Assembly member Woods to attend the meeting this evening but he was in Sacramento and unavailable.

Mayor Wilson called for a 5-minute recess at this time, 7:35 p.m.

The meeting reconvened at 7:45 p.m.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp referred to the staff update provided in the Council packet and reported on a correction under **Human Resources, Risk & Training** noting that Officer Brady's last day was pushed out from April 6, 2018 to an undetermined date at this time. In addition, the Public Works Leadman submitted his 2-week notice on April 2, 2018 so the recruitment for that position was underway. With that, he said that staff was available at this time to answer any questions from the Council.

Councilmember Strahan questioned the two (2) building permits issued to Glenn White/PMD, Inc. for temporary units at 300 Northwestern Ave. and said she wasn't aware the City was going to issue any temporary permits. She asked staff to provide an overview of what is going on related to the temporary units currently at the site.

Community Development Director Caldwell reviewed the action of the Planning Commission at their meeting of March 27, 2018 approving the temporary uses and provided an overview of the three (3) temporary facilities. He said they would be setting up temporary units for manufacturing, the DigiPath Lab testing facility and an office, which also serves as a construction office for building three (3). He noted that construction on building three (3) is expected to begin by the end of the month.

Councilmember Strahan asked about the time frame for temporary permits and stressed the importance of making sure the applicants are held to whatever that timeframe is.

Community Development Director Caldwell explained that the time frame for temporary permits is the same as a normal building permit which is 180 days or 6 months with the provision to allow a 180 day extension for a total of one-year. He noted that the applicant anticipates all use of the temporary facilities to cease by November.

Councilmember Strahan also had questions about the Track and Trace Program related to the Humboldt Brand, QR Code and related identifiers and said she would like to see representatives from SICPA make a presentation to the Council at an upcoming meeting to clear up any misunderstandings.

Mayor Wilson said he was initially concerned about possible abuse of the temporary permits but after attending the Planning Commission meeting, he has no concerns. He encouraged Councilmembers to attend future Planning Commission meetings and listen to the developers. He noted that the Commission voted unanimously to approve the temporary permit for Glenn White and felt they did a good job in asking questions of the applicant. He said that hopefully other developers would be as forthcoming as Mr. White was.

Councilmember Strahan commented that it is the first of probably many more to follow requesting the operation of temporary facilities and to put a designated time frame on the activities is not unreasonable.

Chief of Police Conner reported that between the hours of 1:00-2:00 a.m. on April 2, 2018, six (6) or seven (7) vehicles were rifled through on Hilda Ct. and items were stolen. He explained that the incidents were not considered burglaries but rather petty theft cases since the vehicles were all unlocked. He said there was another report that occurred on Ash St. and several in Scotia.

He also reported that he attended the Citizen Advisory meeting on Measure Z funding and said the City submitted an application for continued funding of the part-time office position in the police department and in addition, funding for case management software. He said the committee will be recommending approval of the part-time position to the Board of Supervisors but was not in support of recommending approval for the software.

Sharon Wolfe suggested a press release go out to warn citizens to lock their vehicles.

Chief Conner said he would work on getting notification out to the community.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Presentation by City Engineer – Metropolitan Wells – Project Closeout/Acceptance of Work and Related Authorization to File Notice of Completion and Release of Retention

City Manager Knopp provided a staff report and said the contract work for the Metropolitan Wells Project has been completed and the system has passed the required performance testing by the State Division of Drinking Water. He said staff is in the process of putting together the final paperwork to be submitted to USDA for acceptance of the project. Following this will be the filing of the Notice of Completion and 35 days later, the release of the final retention to the contractor.

Rebecca Crow, GHD Engineering continued with a presentation on the Metropolitan Wells Project including the following topics:

- Purpose & Benefits
- Major Elements
- Construction Timeline
- Construction Costs
- Funding Summary
- Funding Status
- Generator
- Next Steps

She provided hi-lights of the project and noted that the initial purpose of the project was to provide an emergency drought backup water supply however; it would be also be used during storm events when the water from the Eel River is difficult to treat and as a supplemental water source for other conditions. She also pointed out that only 2.4% of the project costs were related to change orders, which is remarkable. She said even with the City's additional contribution for the generator the City's total contribution is only around 5.8% of total projects costs, which is also remarkable.

The Council commended GHD for the success of the project and their \$4,135 contribution.

Rebecca Crow gave credit to City staff for much of the success of the project noting that both Randy Jensen and the City Manager played a big part in helping to come up with a more robust project and enhanced operation.

Motion was made by Strahan/Johnson to accept the completed work for the Metropolitan Wells Project, authorize the filing of a Notice of Completion and Release of Retention. Motion carried 5-0.

Presentation by Recology Eel River/Annual Report Pursuant to Solid Waste, Organic Materials and Recycling Franchise Agreement

City Manager Knopp provided a staff report and explained that the City's Solid Waste, Organic Materials and Recycling Franchise Agreement with Recology Eel River (RER) have an annual reporting requirement. He then introduced Linda Wise, General Manager of Recology Eel River (RER), who was present to provide the report and answer any questions.

Linda Wise began by providing brief background on the company. She said they purchased Eel River Disposal in September 2017 and the City of Rio Dell officially transferred the contract for solid waste and curbside collection services to them at that time.

She explained that annual rate increases are based on the CPI outlined in the current franchise agreement and they will have the annual submission ready for the City's review after the Humboldt Waste Management Authority (HWMA) finalizes their 2018/2019 budget, possibly by the end of April.

Council had questions related to the number of white trash bags sold each month, the percentage of non-recyclable materials put into the recycling bins at City Hall, changes in the recycling market, scheduled events (Annual Spring Clean-Up Day), the breakdown of rates, and community outreach and education efforts related to recycling.

Linda Wise noted that she would work with the City on scheduling the Annual Spring Clean-Up Event and work out a day to come down and do some street sweeping for the City. She also invited the Council to visit their Samoa facility stating that it is considered a destination location.

City Manager Knopp noted that the City would be utilizing Recology Eel River to do a sample sweeping of the City's streets once the crews have the opportunity to get out the "No Parking" notices.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Discussion and Possible Action Regarding Agenda Publication Deadline

City Manager Knopp provided a staff report and explained that State law requires agendas for regularly scheduled meetings to be published no more than 72 hours prior to the meeting. He said this would typically be between 5:00 p.m. and 6:30 p.m. on a Saturday. Typically, full Council agenda packets are available by 4:00 on Fridays. He noted that the Council has the ability to require earlier publication of the agenda packet but there are potential problems associated with changing the schedule. He identified potential problems such as limited staff, potential for additional addendums, and the disruption of scheduled meetings and activities normally planned for Thursdays. He also noted that Fridays tend to be somewhat quieter making it easier to troubleshoot any mechanical problems with the copier or to add last minute agenda items.

Mayor Wilson commented that the idea of getting the packets out earlier was to allow more time for Councilmembers to review the material.

Mayor Pro Tem Johnson commented that State law defines the 72 hour posting requirement and pointed out that the Council typically has 98 hours or so to review the agenda materials. As such, staff is already going over and beyond what they are legally required to do. He said he picked his packet up Friday evening, spent from 8 p.m. to 10 p.m. reading it and finished reading it by 10:30 Saturday morning. On Monday morning he stopped by City Hall, talked to the City Manager about a couple of items, put his binder on the Council dais and was prepared for the Tuesday night meeting. He expressed support for the current schedule and said staff puts together a great packet and doesn't see any reason to inconvenience them with an earlier deadline.

Councilmember Strahan said it was inconvenient for her to pick up her agenda packet on Friday as she works full-time and has family commitments. She said Thursday evening would work much better for her.

Councilmembers Garnes and Marks had no problem with the current Friday schedule.

Mayor Wilson agreed that staff does produce an excellent packet with the current schedule.

The consensus of the Council was to leave the agenda publication deadline consistent with the 72-hour State law requirement.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Approve Resolution No. 1381-2018 Approving an Inter-Fund Transfer for the Purchase of a Generator under the Metropolitan Wells Project

City Manager Knopp provided a staff report and said as City Engineer Crow explained, there is approximately \$38,347 in remaining project funds dedicated to the Metropolitan Wells Project. Staff has petitioned the State Department of Water Resources to approve amendment of the scope of the project to include the purchase of a generator. He noted that the approval is still pending and no purchase will occur until that approval is secured. He said staff obtained a quote for a 100kw CAT XQ125 portable generator at \$80,271 so the additional \$41,924 would come out of the Water Capital Fund.

Councilmember Marks asked how portable the generator is.

Water/Roadways Superintendent Jensen indicated the proposed generator has four wheels and can be towed with any of the public works vehicles.

Motion was made by Johnson/Garnes to approve Resolution No. 1381-2018 Authorizing an Interfund Transfer and Purchase of a Generator under the Metropolitan Wells Project. Motion carried 5-0.

Second Reading (by title only) and Adoption of Ordinance No. 365-2018 Amending the City's Commercial Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code to Eliminate the City's Requirement for Background Checks

Community Development Director Caldwell provided a brief staff report and said the ordinance was introduced to the Council at their March 20, 2018 regular meeting. After discussion, the Council voted 4-1 with Mayor Wilson dissenting to approve the first reading of the proposed amendments. He said the ordinance is back before the Council for its second reading and recommended adoption.

Mayor Wilson stated that since the last meeting, he had the opportunity to talk to the City Attorney and that he provided an explanation of the law related to the proposed amendments. He proceeded by reading for the record, a written statement regarding his personal opinion on the proposed ordinance amendments. (Attachment 1 to these minutes). He clarified that he believes the City should rely on the State as the primary source to perform background checks in making determinations on disqualifying offenses but that the City retain the right to have the ultimate jurisdiction over disqualifications.

He added that the State is operating under temporary rules, at least until July 1, 2018 and the City would be remiss in giving up control prior to knowing what the final regulations for the State will be. He also stated that he doesn't truly trust the State of California, especially where it involves the cannabis industry. He pointed out that under state law, marijuana convictions cannot be used as a disqualifying offense and the language states that they "may" consider certain offenses as disqualifying offenses rather than "shall" which means that they don't have to exclude any offense if they don't want to. He said things could change at the State level in July and he wants to ensure that the City maintains ultimate jurisdiction for determining disqualifying offenses and control over who can operate in the City.

Councilmember Strahan agreed and said that the licensees operating in the City should be well vetted.

A public hearing was opened to receive public comment on the proposed ordinance. There being no public comment, the public hearing closed.

Motion was made by Johnson/Garnes to table adoption of the ordinance pending a legal opinion from the City Attorney. Motion carried 5-0.

Introduction/First Reading (by title only) of Ordinance No. 366-2018 Amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code to Reflect the Update of the Flood Insurance Study and Associated Flood Insurance Rate Maps (FIRM)

Community Development Director Caldwell provided a staff report and said staff recently discovered that the City's Flood Regulations still refer to the Federal Emergency Management Agency (FEMA) 1982 Flood Insurance Study and Rate Map (FIRM). The map was updated in 2016 so the City needs to amend its Flood Damage Prevention Regulations to reflect the updated information.

He reviewed the recommended revisions to the ordinance and said in addition to reflecting the current updates to the study and rate map, staff is also recommending changes to the regulations regarding the required elevations for structures located within a flood zone. He said the current regulations require that the lowest floor of a structure be at or above the base flood elevation. He said this regulation is consistent with FEMA's regulations however; the California Building Code (CBC) refers to the American Society of Civil Engineers (ASCE) regulations, which requires that the lowest floor be one (1) foot above the base flood elevation. As such, staff is recommending the City's Flood Damage Prevention Regulations is amended to be consistent with the California Building Code.

Mayor Pro Tem Johnson said he understands the regulation only applies to habitable structures and not agricultural structures.

Community Development Director Caldwell said that he was correct and clarified that the structures located within the Humboldt Rio Dell Business Park are considered habitable so are subject to the one (1) foot above the base flood elevation rule.

Councilmember Strahan asked if any flood zones changes with the 2016 update.

Community Development Director Caldwell said that the flood zones did not change and pointed out that that during the 1955 and 1964 floods, the log decks created check dams and with closure of the sawmills he doesn't believe there will be floods to that degree.

A public hearing was opened to receive public comment on the proposed ordinance. There being no public comment, the public hearing closed.

Motion was made by Johnson/Garnes to approve first reading (by title only) of Ordinance No. 366-2018 amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code (RDMC) and to continue consideration and adoption of the ordinance to the April 17, 2018 regular meeting. Motion carried 5-0.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Johnson asked when the next City Newsletter was scheduled to go out.

City Manager Knopp commented that a City Newsletter was definitely due to go out and that staff would attempt to get one out over the next week or so.

Mayor Wilson reported on his attendance at the March 28, 2018 Redwood Coast Energy Authority (RCEA) special meeting and said the purpose of the meeting was to approve an agreement with the group *Principal Power, Inc.* to do environmental studies for the Offshore

Wind Energy Project. He said the project involves building wind turbines 20 miles offshore and there are some studies suggesting putting in the railroad to bring in these turbines. He said there is a lot of conversation and interest going on with regard to offshore wind power and the reality is that the power coming into Humboldt County comes in by way of Highway 36 or is generated in house. This project would provide another alternative for bringing power into the County.

ADJOURNMENT

Motion was made by Johnson/Garnes to adjourn the meeting at 9:03 p.m. to the April 17, 2018 regular meeting. Motion carried 5-0.

Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk

**Opinion regarding
Ordinance No. 365-2018, Section 17.30.195(9) (j)
Of
Rio Dell City Council Member / Mayor Frank Wilson
April 3, 2018**

The following statements are strictly personal opinions regarding modifications to the above listed Rio Dell City Ordinance.

1. I believe the City should rely on the State of California's resources as the primary source to perform background checks in making disqualifying determinations regarding substantially related offenses pursuant to Section 26057 of the Business and Professional Code.
2. I also believe that the City should retain the right to have the ultimate jurisdiction over disqualifications as currently stated in the existing ordinance.
3. Any decision that differs with the State should be completely vetted by the City Attorney to insure that the City is in compliance with State law.
4. The reasons to retain the ultimate jurisdiction are as follows:
 - a. At the time of the Second reading and adoption of this ordinance the state is operating under temporary rules that will not be made officially effective until July 1, 2018 at the earliest.
 - b. The City would in my opinion be remiss in giving up City's control to authorize who can operate in the City under their jurisdiction prior to knowing what the actual State regulations will be.
 - c. By reviewing Licensee background checks and accepting or rejecting the State's decision on the status of qualified licensed individuals and companies within the City, the City will demonstrate to the citizens that they are aware of the activities taking place in the City of Rio Dell.

Respectfully submitted,

Frank Wilson

City Council Member / Mayor
City of Rio Dell

4/3/2018

Ordinance 365-2018_F_Wilson opinioun.doc

ATTACHMENT 1

-16-

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



**City of Rio Dell
Staff Report
City Council Agenda
April 17, 2018**

To: Members of the City Council
From: Brooke Woodcox, Finance Director *BW*
Through: Kyle Knopp, City Manager *z*
Date: April 17, 2018
Subject: Approval of Resolution No. 1382-2018 Designating Projects to be Funded by Senate Bill 1 (SB1) Road Maintenance and Rehabilitation Account (RMRA) During Fiscal Year 2018/19

RECOMMENDATION

Approve Resolution 1382-2018.

BACKGROUND AND DISCUSSION

On April 28, 2017, Governor Brown signed into law SB1 which created a new funding source for local street and road maintenance known as the Road Maintenance and Rehabilitation Account (RMRA). The funds are collected through new registration fees and fuel taxes. The Department of Finance estimates for the first ten years the City of Rio Dell will receive \$780,000. The amount estimated for fiscal year 2018/19 for the City of Rio Dell is \$57,241. This is the second year and revenues are expected to increase after FY 2018/19 when legislation will be enacted increasing registration fees by an *average of \$48* per vehicle to provide additional RMRA funding.

The streets funds reserves have been declining for a number of years. Funding scarcity is furthered by the fact that State sources of funds for asphalt rehabilitation have been diminishing and becoming more competitive. New RMRA funds return the streets department to pre-2013/14 revenue levels.

Historically, major road rehabilitation projects have been accomplished via grants for Wildwood Avenue, or statewide funding allocations from various propositions or acts of the Legislature for “recent” pavement jobs such as Chase Avenue (TCRF). The City submitted a

road tax and bond proposal in June and November of 2012: Measure X (55.61% Yes); Measure (62.7% Yes). These efforts failed to garner the necessary two-thirds super majority and failed. The only recent pavement rehabilitation work done that did not utilize state sources of funding was work on Davis Street, Belleview Avenue, and Monument Road completed in FY 2016/17. The project utilized general fund dollars made possible by the Measure U Sales Tax. The City continues to draw down grant dollars today in order to accomplish major improvements such as the Active Transportation Program (ATP) project set to be completed in 2020/21.

The City must annually adopt a project list by Resolution in order to remain eligible for funding. This step is also meant to allow for full transparency and accountability to ensure the public has full access to information on how their tax dollars are being invested. The new guidelines require the list be submitted to the California Transportation Commission (CTC) by May 1 of each year.

BUDGETARY IMPACT

Fiscal year 2018/19 SB1 increases streets revenues by \$57,241.

ATTACHMENTS

- Resolution 1382-2018
- CTC formatted project list



**RESOLUTION NO. 1382-2018 ADOPTING A LIST OF PROJECTS
FOR FISCAL YEAR 2018-19 FUNDED BY
SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of Rio Dell are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, Rio Dell must adopt a list of all projects proposed, including general repairs and maintenance, to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1 by resolution, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, Rio Dell will receive and estimated \$57,241 in RMRA funding in Fiscal Year 2018-19 from SB 1; and

WHEREAS, this is the second year in which Rio Dell is receiving SB 1 funding and will enable Rio Dell to continue essential road maintenance and rehabilitation projects that would not have otherwise been possible without SB 1 ; and

WHEREAS, Rio Dell has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, Rio Dell's development of the SB 1 project list was undertaken to ensure revenues are being used on the most high-priority and cost-effective maintenance needs that also meet the communities priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help Rio Dell maintain and rehabilitate City streets and roads throughout Rio Dell this year and similar activities into the future; and

WHEREAS, the 2016 California Statewide Local Streets and Roads Needs Assessment found that Humboldt County's streets and roads are in "at-risk" condition and this revenue will help the City of Rio Dell increase the overall quality of our road system and over the next decade assist our streets and roads with additional maintenance and repairs; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of Rio Dell, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The fiscal year 2018-19 list of projects planned to be funded with Road Maintenance and Rehabilitation Account revenues include:

General Streets Maintenance and repairs including but not limited to potholes, sweeping, storm drain, maintenance, etc.

PASSED AND ADOPTED by the City Council of the Rio Dell on this April 17, 2018 by the following vote:

Ayes:
Noes:
Abstain:
Absent:

Frank Wilson, Mayor

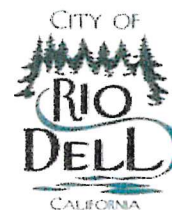
ATTEST:

Karen Dunham, City Clerk

Part 2: Project Information
Local Streets and Roads Program

* Required


Proposed Project (PP#)	LoCode	Project Title	Project ID (if any)	Project Type		Project Description	Project Location	Estimated Completion Date		Estimated Useful Life (e/yr)		Legislative District(s)		Additional Project Elements				
				Type (Select from dropdown list)	Explanation (If "Other" is selected, please explain)			Pre-Construction (mm/yyyy)	Construction (mm/yyyy)	Min.	Max.	State Senate	State Assembly	Sustainability	Technologies	Climate Change	Complete Street Elements	Description of Elements
PP01	5396	General Maintenance and Repairs		Road Maintenance & Rehabilitation		General Street Maintenance and Repairs including but not limited to potholes, sweeping, storm drain maintenance, etc.	City-Wide Maintenance needs are to be determined by future road conditions.			1	5			Yes	No	No		
PP02	5396																	
PP03	5396																	
PP04	5396																	
PP05	5396																	
PP06	5396																	
PP07	5396																	
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PP49	5396																	
PP50	5396																	



675 Wildwood Avenue
Rio Dell, CA 95562

TO: Rio Dell City Council

FROM: Karen Dunham, City Clerk

THROUGH: Kyle Knopp, City Manager 

DATE: April 17, 2018

SUBJECT: Resolution No. 1383-2018 – State Ballot Measure Restricting Local Taxing Authority

RECOMMENDATION

Approve Resolution No. 1383-2018 Opposing the Tax Fairness, Transparency and Accountability Act of 2018 and direct staff to send letters to California Business Roundtable members expressing the City’s concern over the proposed ballot measure.

BACKGROUND AND DISCUSSION

The “Tax Fairness, Transparency and Accountability Act of 2018” is currently under circulation for signatures and has surpassed 25% of the required signatures to qualify for the November ballot. The initiative would drastically limit local revenue authority, while making comparatively minor modifications to state authority. For cities and other local agencies, it applies retroactively and may void any local measure approved by local voters on or after January 1, 2018, but prior to the effective date of this act, that does not comply with the provisions of the act.

The initiative is sponsored by the California Business Roundtable, an organization that claims membership from some of the state’s largest companies including Wells Fargo, Albertsons, KB Home, Comcast, Blackstone Group, Chevron, Farmers Insurance, State Farm Insurance, Union Pacific Railroad, Granite Construction and others. One of the purposes of the measure is to overturn “loopholes” created by *Cannabis Coalition v. City of Upland* and other cases related to taxes and fees however; the measure has much broader impacts as outlined in the summary from the League of California Cities. (Included as Attachment A to this staff report).

ATTACHMENTS:

Resolution No. 1383-2018

Draft Letter to California Business Roundtable Members

Initiative Summary from League of California Cities

List of Financial Contributors

Summary:

This initiative would drastically limit local revenue authority and for cities and other local agencies, it applies retroactively and may void any local measure approved by local voters on or after January 1, 2018, but prior to the effective date of this act, that does not comply with the provisions of the act, and:

Restricting Local Tax Authority:

- a) Eliminates local authority to impose a tax for general purposes by majority vote and instead requires all local proposed tax increases subject to a two-thirds vote. This proposal also requires two-thirds approval of all members of the local legislative body before a tax can be placed on the ballot.
- b) Requires a two-thirds vote to “extend” a tax to new territory, a new class of payor, or expanded base. For cities, this would limit all future annexations by requiring a separate two-thirds vote of the affected residents prior to applying any existing city tax. Other limitations may apply to a local interpretation that an existing local tax applies to a business or product.
- c) Expands the definition of a tax to include payments voluntarily made in exchange for a benefit received, which may cover local franchise fees.
- d) Prohibits any tax to be placed on the ballot unless it either specifically identifies by binding and enforceable limitation how it can be spent, with any change requiring reapproval by the electorate, or states in a separate stand-alone segment of the ballot that the tax revenue is intended for “unrestricted revenue purposes.”
- e) Requires tax measures to be consolidated with the regularly scheduled general election for members of the governing body, unless an emergency is declared by a unanimous vote of the governing body.
- f) Expands the application of this act to include actions and “legal authority” that may be “enforced” or “implemented” by a local government.
- g) Requires a tax imposed by initiative to also be subject to a two-thirds vote, to address concerns over the *Upland* decision.
- h) Clarifies a levy, charge, or exaction retained by and payable to a non-governmental entity is a tax, if the local agency limits in any way the use of the proceeds, to address concerns over the *Schmeer* decision.
- i) Exempts existing school bond (55% vote) construction authority from the application of the bill.

Restricting Local Fee Authority:

Restricts the ability of a local government to impose fees or charges, other than those subject to Prop. 218, by:

- a) Prohibiting a fee or charge from being imposed, increased or extended unless approved by two-thirds vote of the legislative body.
- b) Authorizing a referendum on decisions of a legislative body to impose, increase or extend a fee or charge triggered by petitions signed by 5% of affected voters.
- c) Requiring a fee or charge proposed by initiative to be subject to a two-thirds vote of the electorate.
- d) Narrows the legal threshold from “reasonable” to “actual” costs for fees applied to local services, permits, licenses, etc. Further, the measure authorizes new avenues to challenge “actual” costs by enabling a payor to also second-guess in court whether they are “reasonable.” Opens up further litigation and debate by replacing the existing standard that fees and charges bear a “fair and reasonable relationship to the payors burdens and benefits” with a more rigorous “proportional to the costs created by the payor” standard.
- e) Increases the legal burden of proof for local agencies from “preponderance of evidence” (more likely than not) to “clear and convincing evidence” (high probability) to establish that a levy, charge or other

enabling a payor to also second-guess in court whether they are “reasonable.” Opens up further litigation and debate by replacing the existing standard that fees and charges bear a “fair and reasonable relationship to the payors burdens and benefits” with a more rigorous “proportional to the costs created by the payor” standard.

- e) Increases the legal burden of proof for local agencies from “preponderance of evidence” (more likely than not) to “clear and convincing evidence” (high probability) to establish that a levy, charge or other exaction is: (1) not a tax, (2) the amount is no more than necessary to cover the actual costs, and (3) the revenue is not being used for other than its stated purpose.

Provisions Applicable to State Actions:

- a) Requires a tax contained in a regulation adopted by a state agency must be approved by two-third vote of the Legislature (unless the Legislature adopted a state tax that authorized the action of the state agency). This change is responsive to the recent *Chamber of Commerce* decision on cap and trade revenues.
- b) Unlike the retroactive provisions that apply to local government, the application of this Act to the state is only prospective.
- c) Requires a fee contained in a regulation adopted by a state agency to be approved by majority vote of the Legislature.
- d) Imposes the same burden of proof changes applied to local governments.



RESOLUTION NO. 1383-2018

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIO DELL OPPOSING
THE TAX FAIRNESS, TRANSPARENCY
AND ACCOUNTABILITY ACT OF 2018**

WHEREAS, California's cities, counties and special districts follow strict guidelines and existing state law regarding the establishment of reasonable fees and the required voter approval of all local taxes; and

WHEREAS, there is a signature-gathering campaign for a state ballot measure currently sponsored by the California Business Roundtable that would severely harm the ability of local governments to continue to provide quality services by imposing onerous roadblocks to raising local revenue to address community needs, services and infrastructure improvements; and

WHEREAS, it is important for local community members, in concert with their duly-elected officials—rather than a special interest group in Sacramento—to determine the services and funding levels appropriate for their own cities; and

WHEREAS, the proposed ballot measure would allow businesses to escape from their existing obligations to pay the full cost of services that they request and receive from local agencies and benefit from; and

WHEREAS, the proposed ballot measure would then shift the burden of these uncovered costs from business interests to local general funds supported by taxpayers, and thereby reduce general funds available to support police, fire, park, planning, and other community services.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIO DELL DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City of Rio Dell hereby opposes the Tax Fairness, Transparency and Accountability Act of 2018 sponsored by the California Business Roundtable on the grounds that this measure would harm the ability of local communities to adequately fund services; and

SECTION 2. The City Manager is hereby directed to email a copy of this adopted resolution to the League of California Cities at cityletters@cacities.org

APPROVED AND ADOPTED by the City Council of the City of Rio Dell on April 17, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above to be a full, true and correct copy of Resolution No. 1383-2018 adopted by the City Council of the City of Rio Dell on April 17, 2018.

Karen Dunham, City Clerk



*675 Wildwood Avenue
Rio Dell, CA 95562-1597
(707) 764-3532 - City Hall*

April 17, 2018

Albertsons
Rachel Zenner, Director State & Local Government Affairs
11555 Dublin Canyon Road
Pleasanton, CA 94588

RE: Proposed Ballot Measure: Tax Fairness, Transparency and Accountability Act of 2018

Dear Ms. Zenner:

There is a state ballot measure out on the streets for signature gathering sponsored by the California Business Roundtable, which would amend the State Constitution to change the rules for how the state and local governments can impose taxes, fees, and other charges. The ability for a city to raise any new revenues is a local control issue and not a decision that should be made by a special interest group in Sacramento.

The proposed state ballot measure would severely hurt the ability for the City of Rio Dell to continue to provide quality services by making it virtually impossible to raise revenue to address community needs, services and much needed infrastructure improvements. It will also have a dramatic impact on the business climate in our community as well as the quality of life of your employees.

As a business leader in our city, I was very surprised to see your company as being listed as a member of the California Business Roundtable. Maybe you are not fully aware, but what is being proposed will actually hurt the business environment and the communities where they are located at the local level.

The City of Rio Dell has always tried to be helpful to the business community and provide excellent services that improve the quality of life and foster a good climate for business. As a business leader in our community and a member of the California Business Roundtable, I would respectfully request that you place a phone call and ask the California Business Roundtable to stop circulating this measure and eliminate the provisions that are harmful to local government.

Sincerely,

Frank Wilson, Mayor

Contributions to Californians for Accountability and Transparency in Gov't Spending since 1/1/18

NAME OF CONTRIBUTOR	AMOUNT	TRANS. DATE
CALIFORNIA BUSINESS ROUNDTABLE ISSUES PAC	\$50,000.00	1/24/2018
WINE INSTITUTE	\$150,000.00	2/2/2018
CALIFORNIA BUSINESS ROUNDTABLE ISSUES PAC	\$50,000.00	2/6/2018
AMERICAN BEVERAGE ASSOCIATION CALIFORNIA PAC (NON-PROFIT 501 (C)(6))	\$200,000.00	2/12/2018
AMERICAN BEVERAGE ASSOCIATION CALIFORNIA PAC (NON-PROFIT 501 (C)(6))	\$200,000.00	2/20/2018
AMERICAN BEVERAGE ASSOCIATION CALIFORNIA PAC (NON-PROFIT 501 (C)(6))	\$500,000.00	2/26/2018
CALIFORNIA BUSINESS ROUNDTABLE ISSUES PAC	\$200,000.00	3/1/2018
ANHEUSER-BUSCH COMPANIES, LLC	\$40,000.00	3/6/2018
CALIFORNIA BUSINESS ROUNDTABLE ISSUES PAC	\$50,000.00	3/7/2018
AMERICAN BEVERAGE ASSOCIATION CALIFORNIA PAC (NON-PROFIT 501 (C)(6))	\$300,000.00	3/12/2018
AMERICAN BEVERAGE ASSOCIATION CALIFORNIA PAC (NON-PROFIT 501 (C)(6))	\$900,000.00	3/16/2018
CALIFORNIA BUSINESS ROUNDTABLE ISSUES PAC	\$100,000.00	3/21/2018

Total Contributions: \$2,740,000.00



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

April 17, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Approve Letter Opposing AB 1912 Joint Powers Authority Pension Liability and Authorize the Mayor to Sign

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve of the letter of opposition and authorize the Mayor to sign.

BACKGROUND AND DISCUSSION

The League of California Cities is recommending the City Council opposed AB 1912. Please see the attached material from the League.

///



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

April 17, 2017

The Honorable Freddie Rodriguez
Chair, Assembly Public Employees, Retirement & Social Security
State Capitol Building, Room 2188
Sacramento, CA 95814
Via Fax: 916-319-2152

**RE: AB 1912 (Rodriguez). Public Employees' Retirement: Joint Powers
Agreements: Liability.
Notice of Opposition (as amended 03/19/2018)**

Dear Assembly Member Rodriguez:

The City of Rio Dell must respectfully oppose your Assembly Bill (AB) 1912 relating to retirement liabilities of Joint Powers Authorities (JPA).

JPA's play a vital role in addressing public needs that cannot be effectively achieved by a local agency acting on its own. Our city faces unique local challenges and a limited budget, but we continue to innovate in order to obtain expertise and provide high quality services through the use of JPAs.

Furthermore our city does not provide a defined benefit retirement to our own past or present employees. Our unfunded pension liability is \$0.00. Our OPEB liability is \$0.00. Your bill could change that and add millions of dollars of liabilities onto our books. We are a small jurisdiction of 3,400 residents in a county of over 138,000 people and our meaningful control over our existing JPA's is limited due to this reality. Yet, our dependence upon services that JPA's provide grows each and every year due to the latest complex regulatory schemes generated in Sacramento that seem tone deaf to the financial realities and needs of small rural cities like Rio Dell.

The City of Rio Dell is also deeply concerned that JPAs will no longer be a viable tool should AB 1912 become law.

As amended, AB 1912 places substantial burdens and new unworkable requirements on cities by applying retroactive as well as prospective joint and several liability for all retirement related obligations to any current or former member of a JPA throughout its existence. Such obligations include active employee normal pension costs, retiree unfunded accrued liabilities (UAL) as well as both active and retiree healthcare and other post-employment retirement benefits (OPEB). According to the State Controller's Office most recently available data, the unfunded liability of California's 130 state and local government pension plans stand at \$241.3 billion and 125 billion for retiree healthcare costs. These costs and their impact on local governments cannot be overstated.

Additionally, the measure would mandate that a public retirement agency file suit against all agencies that have ever been a member of a terminated JPA for all retirement related obligations and prohibits any retirement system from approving a new JPA without express joint and several liability provisions. The provisions in AB 1912 create constitutional, fiscal and operational challenges, which would effectively eliminate the ability for us to create or maintain the use of most JPA's.

Specifically AB 1912:

Conflicts with Provisions of the California State Constitution:

The California constitutional debt limit prohibits an agency from incurring indebtedness beyond the agency's ability to pay the debt back from revenues received in the same fiscal year without the approval of two-thirds of its voters (*Cal Const. art XVI, §18*). These safeguards were placed in the State's constitution to avoid a situation in which bond issuers might compel an increase in taxes or foreclose on local government assets (*City of Redondo Beach v Taxpayers, Property Owners, Citizens & Electors (1960) 54 C2d 126, 131; County of Shasta v County of Trinity (1980) 106 CA3d 30, 35*).

By applying retroactive joint and several liability to existing contracts, we have strong concerns that City of Rio Dell will incur significant debts that may exceed our annual revenue without receiving voter approval—thus violating the sighted provision.

Further, it can be argued that retroactively incurring debts of another agency violates article XVI, §6 of the California Constitution which prohibits an agency from giving or

lending public funds to any person, public or private entity. A JPA is an independent governmental body whereby the City of Rio Dell has no legal, statutory oversight or managing authority. Liabilities from such entities retroactively applied to each member agency would constitute a gift of public funds to an individual(s) and/or public entity.

Gives Retirement Agency Authority to Increase the Amount Owed Through Assumption Changes and/or Investment Losses:

Retirement obligations are unlike other forms of traditional debts and liabilities. Unfunded retirement liabilities are particularly volatile and can grow to insurmountable costs based on no fault of the agencies who contract with a retirement system for health and pension benefits. It is estimated that in fiscal year 2008-2009 the California Public Employee Retirement System (CalPERS) lost approximately \$100 billion dollars in assets resulting in a gross loss of 34.75 percent of the fund's total value. According to CalPERS (CL#200-004-17) employer contributions are projected to double by fiscal year 24-25. Additionally, those numbers are poised to grow even more in the short term when factoring CalPERS recent decision to modify its amortization schedule from 30 years to 20.

The measure would hold all agencies of a JPA accountable for the investment shortfalls, future discount rate reductions, and other assumptions changes made by the retirement agencies even if the agencies are able to pay the lump sum amount of the current unfunded liability from the JPA.

Gives Exclusive Authority to the Retirement Agency to Assign Liability:

As stated in SEC 6 subsection (d), AB 1912 would grant exclusive authority to the public retirement agency to unilaterally assign liabilities to all current and former agencies of a JPA "*in an equitable manner*". JPA's have been in existence in California for nearly 100 years with state and local agencies—some as many as 500 entering and exiting these governmental bodies as service demands shift and evolve. It would be virtually impossible for the JPA's governmental body, let alone a retirement agency, to retroactively assign "equitable" retirement specific liabilities to potentially hundreds of agencies. This is especially concerning when you factor in the various assumptions changes outlined in the section above.

This vague and ambiguous direction demonstrates a fundamental misunderstanding of the formation, management and purpose of a JPA which will inevitably lead to a perpetual

cycle of protracted and costly litigation contesting the retirement agency's discretion of proportional liability.

Creates Funding and Operational Impairments:

The Governmental Accounting Standards Board (GASB) issued regulations (GASB 68, 2012 and 76, 2015) that require each state and local agency to report all financial liabilities associated with public pension and OPEB liabilities. These reporting standards play a vital role in assessing the fiscal health and viability of an agency. Incurring retroactive debt would require each originating agency of a JPA to report these liabilities as debts impacting an agency's net financial position. A drastic spike in liability could contribute to the downgrading of an agency's credit rating, which in turn would make issuing and servicing future bonds more costly through higher interest costs and additional required insurance.

JPAs are tools state and local government agencies use to address service demands and infrastructure needs in a cost effective manner. Removing this tool makes it that much more problematic to address statewide critical issues such as housing, transportation, water, air quality, workforce development, public safety, and much more. While the intended goals of your measure are laudable, for the reasons stated above the City of Rio Dell must **strongly Oppose** Assembly Bill 1912.

Sincerely,

Frank Wilson
Mayor
City of Rio Dell

cc: Senator McGuire & Assembly Member Woods
Sara Rounds, LOCC
Michael Bolden, Chief Consultant, Assembly Committee Public Employees, Retirement, and Social Security; michael.bolden@asm.ca.gov
Joshua White, Consultant, Assembly Republican Caucus; joshua.white@asm.ca.gov
Meg Desmond, League of California Cities, CityLetters@cacities.org

ACTION ALERT!!

AB 1912 (Rodriguez)

Public Employees' Retirement: JPA: Liability

OPPOSE

BACKGROUND:

Local governments have a long history of addressing service delivery challenges with creativity, self-reliance and innovation. Unique local challenges and limited resources continue to fuel innovative efforts to obtain expertise and provide high quality services. Joint Powers Authorities (JPAs) play a vital role in promoting regional and, in some cases, statewide collaboration in addressing public needs that cannot be effectively achieved by each local government agency acting on its own. These activities include regional public improvements, local and statewide infrastructure for water and roadways, emergency communications systems, law enforcement, fire protection, emergency medical services, and public financing, among others.

We are deeply concerned that JPAs will no longer be a viable tool should AB 1912 become law.

WHAT DOES AB 1912 DO?

As amended, AB 1912 places substantial burdens and new unworkable requirements on local and state agencies. It applies retroactive as well as prospective joint and several liability for all retirement related obligations to any current or former member of a JPA since inception. Such obligations include active employee normal pension costs, retiree unfunded accrued liabilities (UAL), as well as both active and retiree healthcare and other post-employment retirement benefits (OPEBs). These costs cannot be overstated.

Additionally, AB 1912 would mandate that a public retirement systems, like California Public Retirement System (CalPERS), 37 Act System, or a city-based retirement systems file suit against all local or state agencies that have ever been a member of a terminated JPA for all retirement related obligations. It also prohibits any retirement system from approving a new JPA without a contract containing express joint and several liability provisions.

The provisions set forth in AB 1912 create constitutional, fiscal, and operational challenges, which would effectively eliminate the ability for local and state agencies to create or maintain the use of most JPA's.

- **AB 1912 conflicts with the California Constitution:**
 - **Debt Issuance without voter approval:** The California constitutional debt limit prohibits an agency from incurring indebtedness beyond the agency's ability to pay the debt back from revenues received in the same fiscal year without the approval of two-thirds of its voters (*Cal Const. art XVI, §18*).
 - **Gift of Public Funds:** Retroactively incurring debts of another agency violates article XVI, §6 of the California Constitution which prohibits an agency from giving or lending public funds to any person, public or private entity
- The measure would hold all agencies of a JPA accountable for the **investment shortfalls, future discount rate reductions, and other assumptions changes made by the retirement agencies** even if the agencies are able to pay the lump sum amount of the current unfunded liability from the JPA
- AB 1912 gives exclusive authority to a retirement agency to unilaterally assign liabilities to all current and former agencies of a JPA. This vague and ambiguous direction demonstrates a fundamental misunderstanding of the formation, management and purpose of a JPA **which will**

inevitability lead to a perpetual cycle of protracted and costly litigation contesting the retirement agency's discretion of proportional liability

ACTION:

AB 1912 (Rodriguez) has not been officially set but will likely be heard on April 18 in the Assembly Public Employees, Retirement & Social Security Committee. **Please send your CITY LETTERS of OPPOSITION to AB 1912 as soon as possible.** Although it would be helpful for all Assembly Members to hear from their cities, it is critical for Assembly Members on the committee (roster below) to receive letters from their cities. Sample opposition letter is attached and online through the League's [Action Center](#).

ASSEMBLY PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY					
Member	District	Party	Room	Phone	Fax
Allen, Travis (Vice-Chair)	72	R	4208	916 319 2072	916 319 2172
Brough, William	73	R	3141	916 319 2073	916 319 2173
Cervantes, Sabrina	60	D	5164	916 319 2060	916 319 2160
Cooley, Ken	8	D	3013	916 319 2008	916 319 2108
Cooper, Jim	9	D	6025	916 319 2009	916 319 2109
O'Donnell, Patrick	70	D	2196	916 319 2070	916 319 2170
Rodriguez, Freddie (Chair)	52	D	2188	916 319 2052	916 319 2152

You can also find your Legislator's contact information here: <http://findyourrep.legislature.ca.gov/>.

Talking Points:

- JPA's play a vital role in addressing public needs that cannot be effectively achieved by a local agency acting on its own
- City/Town of _____ are deeply concerned that JPAs will no longer be a viable tool should AB 1912 become law.
- AB 1912 places substantial burdens and new unworkable requirements on cities by **applying retroactive as well as prospective joint and several liability** for all retirement related obligations to any current or former member of a JPA throughout its existence.
- Liabilities include **all retirement and healthcare costs** associated with all current and former JPA employees
- The measure would mandate that a public retirement agency file suit against all agencies that have ever been a member of a terminated JPA **for all retirement related obligations including attorney's fees**



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

April 17, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Discussion and Possible Action Related to Bid for 2018 City Hall Lobby Improvements

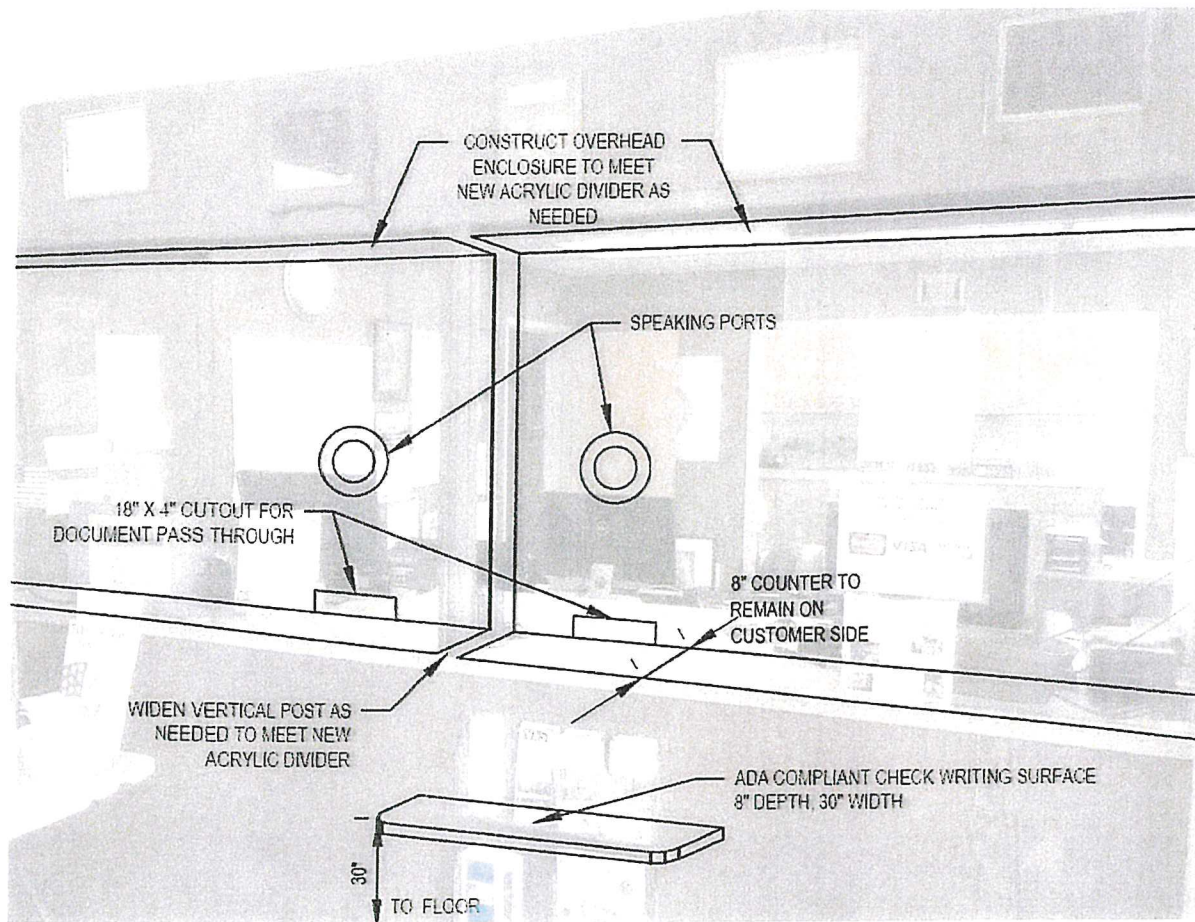
IT IS RECOMMENDED THAT THE CITY COUNCIL:

Cancel this bid and reschedule for a fall of 2018 reissue pending budget approval for FY 2018-2019.

BACKGROUND AND DISCUSSION

The City received one bid for the 2018 City Hall Lobby Improvements in the amount of \$18,785 from RH Construction. The project was advertised beginning on March 14th of this year. Staff recommends rebidding this project in the fall of 2018, pending approval of a continuation of this item to the 2018-2019 budget. Additionally, staff has discussed other needs similar to this project elsewhere in City Hall and also the Corporation Yard and it was decided the best recommendation would be to also review the project and potentially make changes to its scope.

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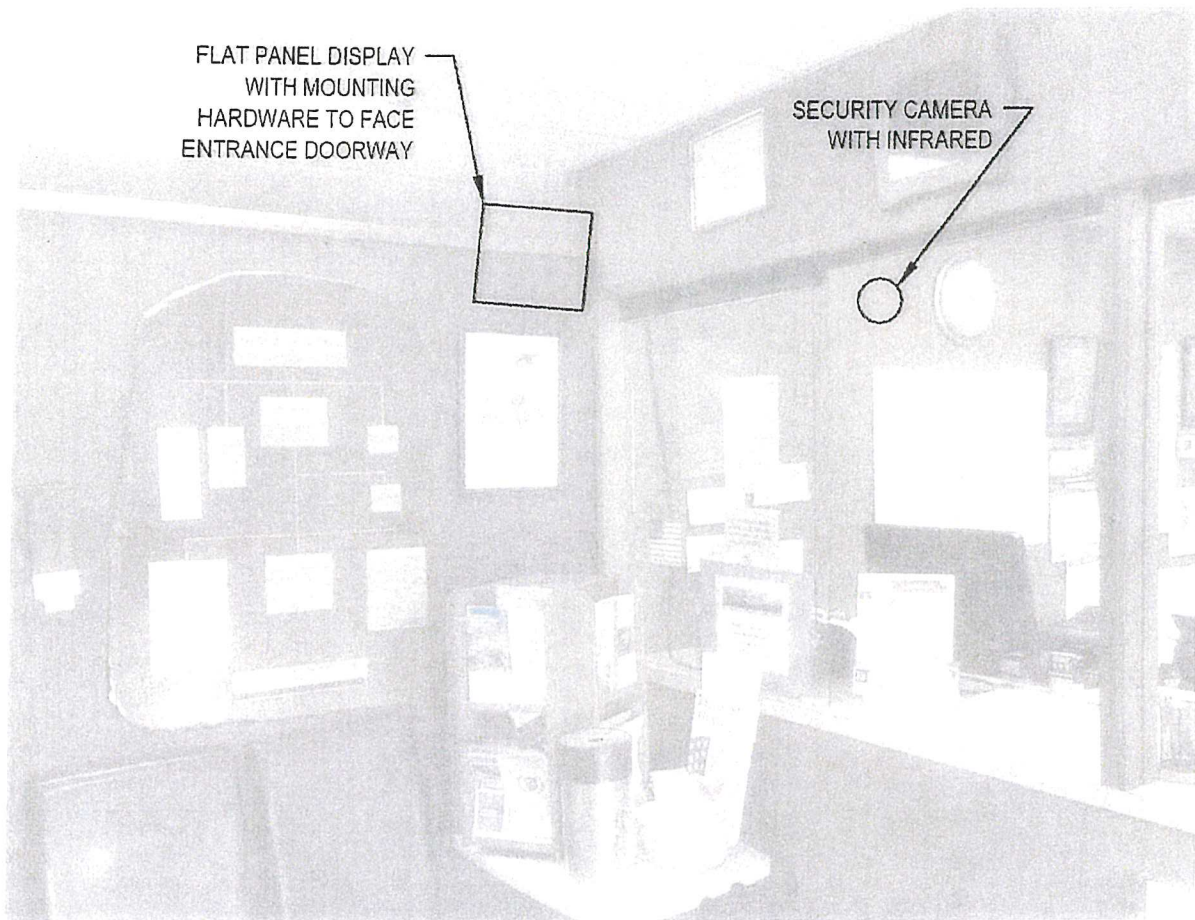


Task 1:

The intent of Task 1 is to modify the existing counter space at Rio Dell City Hall, to provide two (2) new security teller windows and a lower, ADA compliant check writing surface. The Lump Sum contract price for completing this task includes, but is not limited to, providing and installing all new materials incorporated into the work, as well as demolishing and modifying the existing facilities. The work will need to occur during normal business hours and shall not impact the normal, daily operations (within reason). The contractor is responsible for visiting the site and becoming familiar with the work necessary prior to performing the work. No additional compensation will be made for these items unless the city or their staff changes elements of this work.

The specific elements of this project include two (2) 3' x 4" security teller windows made from 1/2" thick clear acrylic. Each station shall include a 4" x 18" document pass through opening and circular speaking ports (similar to CRL's, CAD 101 model). Speaking ports shall be made from 1/2" thick clear acrylic. The exact position of the pass thru opening and speaking port will be determined at a later date by the city. The new teller windows will need to be set back enough to provide 8" of writing surface on the existing countertop. This will require that the entire opening be re-framed to accommodate the modifications. The two existing windows have a width of approximately 5'-1" and a height of approximately 3'-4" each. The framework for the security teller station shall be made of wood and the finish appearance (on both the public and teller side) shall match the existing to the extent possible. In addition to the teller stations, a lower check writing surface will be installed. The check writing surface shall be a minimum of 8" x 30".

The writing surface shall be at least 1" thick and made from a material similar to the existing Formica laminated countertop surface and shall be mounted approximately 30" above the floor.



Task 2:

The intent of task 2 is to provide and install a new security camera (compatible with the city's existing security system) and monitor. The Lump Sum contract price for completing this task includes, but is not limited to, providing and installing all new materials incorporated into the work and modifying the existing facilities. The work will need to occur during normal business hours and shall not impact the normal, daily operations (within reason). The contractor is responsible for visiting the site and becoming familiar with the work necessary prior to performing the work. No additional compensation will be made for these items unless the city or their staff changes elements of this work.

The specific elements of this project include one (1) high definition (1080p) infrared, color security camera. The camera will need to be the same type and model that is used by the police department's security system. The exact position of the camera will be determined after Task 1 has been completed however, for the purposes of the bid, it will be located inside the teller's area approximately 40' away from the Police Department's Security room. In addition to the camera, a 12 inch, flat panel LCD monitor, with remote control will need to be installed on a swivel wall mount within the public area of the room. The monitor will receive a direct feed from the camera. There are currently no electrical outlets within the vicinity, therefore the installation of an additional outlet will be necessary.

City of Rio Dell

Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
6680	3/01/2018	[2757] US POSTMASTER	POSTAGE FOR UTILITY BILLING FOR THE MONTH OF FEBRUARY 2018	355.46
6681	3/08/2018	[0576] 101 AUTO PARTS	THREE SPARK PLUGS	13.02
6682	3/08/2018	[6117] A-1 CLEANING SERVICE, LLC	MONTHLY CLEANING SERVICE FOR FEBRUARY 2018	450.32
6683	3/08/2018	[3108] ACCUFUND, INC.	ANNUAL SOFTWARE SUPPORT 4/1/2018 - 3/31/2019	6,327.50
6684	3/08/2018	[5235] ADVANTAGE FINANCIAL SERVICES	DOCSTAR USER LICENSES & SYSTEM SOFTWARE	193.00
6685	3/08/2018	[3975] AT&T - 5709	FAX LINE EXPENSES FOR FEBRUARY 2018	109.38
6686	3/08/2018	[4892] KEVIN T CALDWELL	REIMBURSEMENT FOR LODGING & MILEAGE TO ATTEND CAL CANNABIS & MCGUIRE-WOOD SENATE HEARING WORKSHOP	212.17
6687	3/08/2018	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR MARCH 2018	2,075.00
6688	3/08/2018	[5127] DELTA DENTAL	DENTAL INSURANCE FOR APRIL 2018	1,814.80
6689	3/08/2018	[2340] DEPARTMENT OF JUSTICE ACCOUNTING OFFICE	BLOOD ALCOHOL ANALYSIS FOR JANUARY 2018	70.00
6690	3/08/2018	[5766] PATRICIA DRESEN	CUSTOMER DEPOSIT REFUND	186.46
6691	3/08/2018	[5687] ENGINEERED FIRE SYSTEMS, INC.	PLAN REVIEW FOR 901 HILDA COURT	150.00
6692	3/08/2018	[6300] MATTHEW M ENGLEMAN	CLOTHING ALLOWANCE REIMBURSEMENT	70.51
6693	3/08/2018	[6165] JOSEPH R ENGLISH	CLOTHING ALLOWANCE REIMBURSEMENT	203.39
6694	3/08/2018	[2385] EUREKA READYMIX	12.93 TONS 3/4 BASE ROCK	135.84
6695	3/08/2018	[5177] AUSTIN H EVANS	FUEL REIMBURSEMENT FOR EQUIPMENT PICKUP IN FAIRFIELD	90.00
6696	3/08/2018	[2405] FORTUNA ACE HARDWARE	DISTILLED WATER; CONDUIT FLX NM 1/2" X 25" AUTOMOTIVE 10" SQUEEGEE; PLUMBERS PUTTY EPOXY; LIQITTE FIT STR 1/2" PL DRILL BIT	86.38
6697	3/08/2018	[5052] GHD, INC	ENGINEERING SERVICES FOR WATER TREATMENT PLANT BACKWASH DRAIN REALIGNMENT PROJECT ENGINEERING SERVICES FOR METROPOLITAN WELLS REDEVELOPMENT- CONSTRUCTION PHASE	5,752.25
6698	3/08/2018	[2437] HACH	pH GEL PROBE, STD, w/1m CABLE	637.53
6699	3/08/2018	[5932] HIGH ROCK CONSERVATION CAMP	BRUSH REMOVAL NORTHWESTERN AVE	200.00
6700	3/08/2018	[2458] HUMBOLDT COUNTY DIVISION OF ENVIRONMENTAL HEALTH	HAZARDOUS MATERIALS FACILITY FEE	747.76
6701	3/08/2018	[2474] HUMMEL TIRE & WHEEL, INC	FOUR TIRES FOR 2003 FORD F-350 FOUR TIRES FOR 2008 FORD F-250 FOUR TIRES FOR 2013 FORD INTERCEPTOR	2,494.38
6702	3/08/2018	[3478] MATTHEWS PAINTS	POWER WASHER REPAIRS	210.67
6703	3/08/2018	[2551] MIRANDA'S ANIMAL RESCUE	ANIMAL CONTROL FOR FEBRUARY 2018	1,000.00
6704	3/08/2018	[4908] MITCHELL BRISSO DELANEY & VRIEZE	LEGAL SERVICES FOR FEBRUARY 2018 LEGAL SERVICES FOR FEBRUARY 2018 LEGAL SERVICES FOR FEBRUARY 2018	2,946.18
6705	3/08/2018	[4360] MODERN MARKETING, INC	LEGAL SERVICES FOR FEBRUARY 2018 LEGAL SERVICES FOR FEBRUARY 2018 LEGAL SERVICES FOR FEBRUARY 2018	172.11

City of Rio Dell

Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
6706	3/08/2018	[3484] NATIONAL METER & AUTOMATION, INC	24 WATER METERS WITH CONNECTORS & ANTENNA PORTS	10,604.79
6707	3/08/2018	[2570] NILSEN COMPANY	189 40# BAGS SOLAR SALT	997.87
6708	3/08/2018	[2569] NORTH COAST LABORATORIES, INC.	COLIFORM QUANTI-TRAY THM BY EPA 624	145.00
6709	3/08/2018	[6100] NORTHERN CALIFORNIA GLOVE	16 PAIRS GLOVES	181.83
6710	3/08/2018	[4393] NYLEX.net. Inc.	MONTHLY MAINTENANCE FOR MARCH 15 THROUGH APRIL 15, 2018	1,140.00
6711	3/08/2018	[2601] PETERSON	REPAIRS TO CAT GENERATOR	1,427.55
6712	3/08/2018	[5973] PRECISION INTERMEDIA	MONTHLY WEB HOSTING FEE FOR MARCH	30.00
6713	3/08/2018	[4338] QUILL CORPORATION	THREE POSTED STAMPS; TWO PACKS POST-IT FLAGS; INK PEN REFILLS; ONE PACK PENS; ONE PACK POST-IT PAGE MARKERS; ONE BOX LEGAL FASTENERS FOLDERS; TWO DOZEN STICKY NOTES	147.04
6714	3/08/2018	[6349] RECOLOGY EEL RIVER	GARBAGE BAGS FOR FEBRUARY 2018	289.25
6715	3/08/2018	[4493] REDWOOD GLASS & WINDOWS	REPLACE PLATE GLASS TO WINDOW AT 313 PACIFIC AVE	1,139.63
6716	3/08/2018	[5931] ROBERT COLBURN ELECTRIC, INC.	REPAIRS TO BREAKERS & GFI OUTFLOW CONTROL PANEL AT WASTEWATER TREATMENT PLANT	150.00
6717	3/08/2018	[2664] ROGERS MACHINERY INC	TUBING, AIR POLYAMIDE 100' ROLL FREIGHT ON TUBING, AIR POLYAMIDE 100' ROLL AIR COMPRESSOR REPAIR IN BLOWER ROOM	533.44
6718	3/08/2018	[3755] SEQUOIA PERSONNEL SERVICE	PUBLIC WORKS TEMPORARY HIRE PUBLIC WORKS TEMPORARY HIRE	1,685.60
6719	3/08/2018	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE & BOX RETRIEVAL FOR FEBRUARY 2018	104.60
6720	3/08/2018	[2709] STAPLES DEPT. 00-04079109	TWO 3-TIER DESK SHELVES; TWO 4'X3' DRY-ERASE BOARD; FOUR VIEW BINDERS; PENS; EXPO DRY-ERASE STARTER SET SONY DIGITAL VOICE RECORDER	263.07
6721	3/08/2018	[2710] STARPAGE	PAGING SERVICE 3/1/18 - 3/31/18	12.95
6722	3/08/2018	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR MARCH 2018	534.58
6723	3/08/2018	[2787] WYCKOFF'S	PVC BALL VALVES; SCH 80 TEES, COUPLINGS, UNIONS & ADAPTERS; PURPLE PRIMER; RED HOT GLUE; WIRE STRIPPER; LIGHT DUTY CRIMPER; PIPE CUTTER	177.69
6724	3/08/2018	[5360] XYLEM WATER SOLUTIONS USA, INC.	PARTS TO REPAIR WASTEWATER PUMP	4,426.47
6725	3/14/2018	[6038] ACCURATE TERMINITE & PEST SOLUTIONS	MONTHLY RODENT CONTROL AT 475 HILLTOP DR	170.00
6726	3/14/2018	[5750] AERO-MOD	EL-O-MATIC REPAIR KIT; 11 SOLENOID VALVES; AUTOMATIC DRAIN VALVE KIT; 2 EL-O-MATIC ACTUATOR	1,793.55
6727	3/14/2018	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PPE 3/2/18	90.00
6728	3/14/2018	[6300] MATTHEW M ENGLEMAN	REIMBURSEMENT FOR BATTERIES FOR WELDING MASK	14.73
6729	3/14/2018	[2386] EUREKA RUBBER STAMP CO.	THREE NAME PLATES W/DESK HOLDERS	79.97

City of Rio Dell

Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
6730	3/14/2018	[2405] FORTUNA ACE HARDWARE	TWO PRO EXTENSION POLES; 10" BRUSH DECK; 24" PUSH BROOM; 12" HACKSAW; MISC CONDUIT, NIPPLES, UNIONS, ADAPTERS, COUPLERS & BOX JUNCTIONS 3-1/4" HOLE SAW ELEVEN 2X8X16 DOUG FIR TWO GALLONS DISTILLED WATER TWO SDS PH FH W/W12-24X2; FIFTY BOLTS	629.96
6731	3/14/2018	[5052] GHD, INC	ENGINEERING SERVICES FOR STREET STRIPING ENGINEERING SERVICES FOR DRAINAGE REPLACEMENTS ENGINEERING SERVICES FOR CITY HALL IMPROVEMENTS ENGINEERING SERVICES FOR ATP ROAD MAPPING FOR SIDEWALKS ENGINEERING SERVICES FOR BELLEVUE/SPRING DRAINAGE PLANS ENGINEERING SERVICES FOR COUNCIL & STAFF MEETINGS ENGINEERING SERVICES FOR TAC MEETINGS & TRANS PLANNING	4,956.75
6732	3/14/2018	[5771] HELENE HOLM	CUSTOMER DEPOSIT REFUND	155.58
6733	3/14/2018	[3943] HUMBOLDT COUNTY DEPARTMENT OF PUBLIC WORKS	CITY WIDE STREET SWEEPING	1,718.63
6734	3/14/2018	[6314] KENDALL, DAVNA	CUSTOMER DEPOSIT REFUND	177.94
6735	3/14/2018	[2988] LEGACY ELECTRIC	TROUBLESHOOT REAR PARKING LOT LIGHTS; REMOVE FRONT LOT LIGHT; REPLACE PD LIGHT	180.00
6736	3/14/2018	[5934] NORTH COAST JOURNAL	EMPLOYMENT ADVERTISEMENT FOR FA I/II THROUGH ONLINE PORTAL SITE EMPLOYMENT ADVERTISEMENT FOR FA I/II	130.00
6737	3/14/2018	[2569] NORTH COAST LABORATORIES, INC.	ACID DIGESTION; AMMONIA NITROGEN-UN-IONIZED; AMMONIA NITROGEN W/O DISTILLATION; ICAP METALS; NITRATE/NITRITE; TOTAL NITROGEN; TOTAL PHOSPHATE PHOSPHORUS	257.00
6738	3/14/2018	[2603] PG&E	UTILITY EXPENSES FOR FEBRUARY 2018	14,803.81
6739	3/14/2018	[6190] R.F. MACDONALD CO	PART FOR SLUDGE DRYER-SIEMENS AIR SERVO MOTOR	2,345.14
6740	3/14/2018	[6349] RECOLOGY EEL RIVER	.10 TONS GENERAL DEBRIS	18.00
6741	3/14/2018	[2664] ROGERS MACHINERY INC	HANKISON MODEL HIT20 AIR DRYER FACTORY FREIGHT FOR RECLAIMED PUMP/MOTOR SERVICE GOULDS 275H15 PUMP RETURN HANKISON MODEL HIT20 AIR DRYER INSTALLATION OF CONTROL PANEL AQUA BAR; PROGRAMMING ISSUE WITH DRIVE	749.90
6742	3/14/2018	[3755] SEQUOIA PERSONNEL SERVICE	PUBLIC WORKS TEMPORARY HIRE	842.80

City of Rio Dell

Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
6743	3/14/2018	[2694] SHELL OIL CO.	PD FUEL EXPENSES FOR FEBRUARY 2018 PW FUEL EXPENSES FOR FEBRUARY 2018 PD FUEL EXPENSES FOR MARCH 2018 PW FUEL EXPENSES FOR MARCH 2018	2,279.15
6744	3/14/2018	[2319] SUDDENLINK	MONTHLY BROADBAND, INTERNET & PHONE SERVICE 3/10/18 - 4/9/18	835.04
6745	3/14/2018	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 3/2/18	5,233.06
6746	3/14/2018	[2772] WENDT CONSTRUCTION, INC	EDWARDS STREET STORM DAMAGE REPAIRS	4,995.00
6747	3/14/2018	[2779] WILDWOOD SAW	REPAIRS TO STIHL TS760	50.65
6748	3/14/2018	[2787] WYCKOFF'S	VALVES; OIL FILTER/PVC PLIERS; NIPPLES; PIPE JOINT PASTE; UNIONS; COUPLINGS; ADAPTERS	227.82
6749	3/20/2018	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR FEBRUARY	331.55
6750	3/20/2018	[2237] BANK OF AMERICA BUSINESS CARD	COSTCO - TWO 12X18 PRINTS ADOBE PRO DC MONTHLY SUBSCRIPTION COSTCO - BATTERIES STAPLES - POST-IT FLIP CHART LEAF DETECTIVE - LABORATORY TESTING AMAZON - REPLACEMENT IMAGING DRUM FOR DELL PRINTER LODGING FOR TRAINING/CONFERENCE PRODUCTS FOR TESTING PUREGAS, LLC - TWO FILTER KITS, 3-12 SCFM, 3/8" LODGING TO ATTEND CSMFO CONFERENCE COSTCO - COPY PAPER; LARGE BINDER CLIPS; POST-IT STICKY NOTES; SMEAD FILE JACKETS, 2" EXPANSION; LEGAL PADS AIR FARE TO ATTEND LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE	2,904.27
6751	3/20/2018	[5781] CALIFORNIA BUILDING OFFICIALS	ANNUAL MEMBERSHIP DUES	215.00
6752	3/20/2018	[2411] DEARBORN NATIONAL LIFE INSURANCE CO	LIFE INSURANCE FOR APRIL 2018	285.00
6753	3/20/2018	[2405] FORTUNA ACE HARDWARE	BOLTS 4 QTS VARNISH; SILICONE CAULKING; 5 SATIN BLACK SPRAY PAINT; RSTP VOCOLENMI GL; 3 ROLLER COVERS; PAINT BRUSH; 20'X20' TARP; 1/4 X100' POLY BRAID ROPE EIGHT BAGS POTTING SOIL	379.77
6754	3/20/2018	[6410] HUMBOLDT LODGING ALLIANCE	HCTBID TOT ASSESSMENT FEE FOR JULY THROUGH SEPTEMBER 2017 HCTBID TOT ASSESSMENT FEE FOR OCTOBER THROUGH DECEMBER 2017	1,063.80
6755	3/20/2018	[6004] INTERNATIONAL CODE COUNCIL, INC.	G1 2 YEAR MEMBERSHIP	230.00
6756	3/20/2018	[5942] KEENAN & ASSOCIATES	HEALTH INSURANCE FOR APRIL 2018	14,656.80
6757	3/20/2018	[2521] LEAGUE OF CALIF. CITIES	DIVISION MEETING 3/9/18	40.00
6758	3/20/2018	[4229] MUNNELL & SHERRILL, INC.	MTO SCREW SLUDGE CONVEYOR	6,335.55

City of Rio Dell

Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
6759	3/20/2018	[2570] NILSEN COMPANY	ONE BAG PIGMY GOAT W/RUMENSIN; MEADOW GRASS HAY; WHEAT STRAW	43.81
6760	3/20/2018	[5934] NORTH COAST JOURNAL	EMPLOYMENT ADVERTISEMENT FOR FA I/II THROUGH ONLINE PORTAL SITE	130.00
6761	3/20/2018	[2569] NORTH COAST LABORATORIES, INC.	ACID DIGESTION; AMMONIA NITROGEN - UN-IONIZED; AMMONIA NITROGEN W/O DISTILLATION; ICAP METALS; NITRATE/NITRITE; TOTAL NITROGEN; TOTAL PHOSPHATE PHOSPHORUS	257.00
6762	3/20/2018	[2601] PETERSON	REPAIRS TO CAT GENERATOR	1,027.25
6763	3/20/2018	[6359] SYAR INDUSTRIES, INC.	FOUR EZ STREET-PALLET	1,770.45
6764	3/20/2018	[6373] THATCHER COMPANY, INC.	THREE 2970 # TOTE SODIUM BISULFITE 25%	2,485.60
6765	3/20/2018	[5918] EVIE L VALK	MILEAGE & MEALS PER DIEM TO ATTEND 11550 DRUG RECOGNITION TRAINING	290.38
6766	3/28/2018	[2225] AQUA SIERRA CONTROLS, INC	FINISH PUNCH LIST ITEMS FOR WELLS-INCLUDING FIXING ALL PRE-EXISTING PROGRAM PROBLEMS	4,545.50
6767	3/28/2018	[2303] COAST CENTRAL CREDIT UNION	WIRE & TEST NEW CL2 DOSING PUMPS & MODIFIED BROKEN PROGRAM TO WORK. REPLACE 2 LEVEL TRANSMITTERS(CUSTOMER SUPPLIED).	
6768	3/28/2018	[6064] KYLE R COX	POA DUES FOR PPE 3/16/18	90.00
6769	3/28/2018	[2396] FERNBRIDGE TRACTOR & EQUIPMENT CO. INC.	CLOTHING ALLOWANCE REIMBURSEMENT	314.51
6770	3/28/2018	[2405] FORTUNA ACE HARDWARE	FILTERS; SPARK PLUGS; TURF-GARD OIL	65.62
6771	3/28/2018	[4099] HARPER MOTORS	SIX STORAGE TOTES & STACKING BINS; ADAPTER FIVE 12 OZ SPRAY PAINT	113.26
6772	3/28/2018	[2452] HORIZON BUSINESS PRODUCTS	THREE ROLLS MASKING TAPE	
6773	3/28/2018	[3180] JENSEN, RANDY	2003 F-350 FORD TRUCK REPAIRS	434.79
6774	3/28/2018	[5689] MENDES SUPPLY COMPANY	COMPLETE LUBE, OIL & FILTER CHANGE & MULTI POINT INSPECTION FOR 2017 FORD INTERCEPTOR	
6775	3/28/2018	[5934] NORTH COAST JOURNAL	PACKING TAPE	66.87
6776	3/28/2018	[2569] NORTH COAST LABORATORIES, INC.	FOUR VIEW BINDERS	
6777	3/28/2018	[6292] ETHAN S PURVIS	SIX WIRE-BOUND NOTEBOOKS	
6778	3/28/2018	[6349] RECOLOGY EEL RIVER	CLOTHING ALLOWANCE REIMBURSEMENT	141.36
6779	3/28/2018	[2709] STAPLES DEPT. 00-04079109	TWO CASES PAPER TOWELS; ONE CASE TOILET TISSUE	193.90
			EMPLOYMENT ADVERTISEMENT FOR FA I/II THROUGH ONLINE PORTAL SITE	130.00
			EMPLOYMENT ADVERTISEMENT FOR FA I/II	
			COLIFORM QUANTI-TRAY	294.00
			HARDNESS; THIM by EPA 624; TOTAL DISSOLVED SOLIDS; TURBIDITY	
			LODGING & MEALS PER DIEM TO ATTEND WASTEWATER TRAINING	601.35
			.15 TONS GENERAL DEBRIS	27.00
			THREE COLORED LASERJET TONER CARTRIDGES; TWO PACKS MEDIUM BINDER CLIPS	316.61
			ONE BOX LEGAL SIZE MANILA FILE JACKETS W/REINFORCED TAB	

City of Rio Dell

Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
6780	3/28/2018	[6454] US DEPARTMENT OF EDUCATION	WAGE GARNISHMENT	208.93
6781	3/28/2018	[2481] VANTAGEPOINT TRANSFER AGENTS-304361	RETIREMENT FOR PPE 3/16/18	5,090.02
6782	3/28/2018	[5166] VSP-VISION SERVICE PLAN	VISION INSURANCE FOR APRIL 2018	284.21
6783	3/28/2018	[5569] BROOKE D E WOODCOX	MILEAGE & MEALS PER DIEM TO ATTEND SCORE MEETING	228.74
6784	3/30/2018	[2757] US POSTMASTER	POSTAGE FOR UTILITY BILLING FOR THE MONTH OF MARCH	356.86
Total Checks				139,379.71

102172	3/02/2018	WITHDRAWALS	DEPOSIT SLIPS FROM DELUXE ORDERPRO	(98.98)
315072	3/05/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR FINAL PAYCHECK DATED 03/02/2018.	(904.36)
369-792	3/05/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR FINAL PAYCHECK DATED 03/02/2018.	(367.60)
99564	3/12/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 03/02/2018	(10,136.84)
680-576	3/12/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 03/02/2018	(1,982.01)
9424167	3/15/2018	WITHDRAWALS	BANK ANALYSIS FEE FOR MARCH 2018	(127.45)
659965	3/20/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE FOR MARCH 2018.	(138.66)
394-624	3/26/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 03/16/2018	(1,795.86)
717900	3/26/2018	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 03/16/2018	(9,935.10)
Total EFT's/Bank Withdrawals				(25,486.86)

TRX TO PR	3/2/2018	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR FINAL PAY CHECK DATED 03/02/2018	(3,049.52)
TRX TO PR	3/6/2018	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 03/02/2018	(28,285.76)
TRX TO PR	3/20/2018	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 03/16/2018	(27,523.92)
Total Transfer Between Accounts				(58,859.20)



Staff Update – 2018-04-17

City Council

AB1234 Local Ethics “*Each local agency official shall receive at least two hours of training in general ethics principles and ethics laws relevant to his or her public service every two years.*”

<http://localethics.fppc.ca.gov/login.aspx>

City Manager

Safety review and coordinate placement of sculpture pedestals.

Additional PRA responses from attorney

Ongoing discussions with CalTrans over Eagle Prairie Bridge

Sent amendment to allow for the purchase of a generator to be signed by representatives of Department of Water Resources.

Began rotating meeting schedules with all Councilmembers.

Conducted walk-throughs of various City projects and responses to numerous requests for information.

Conducted first labor meetings for the year.

Continued budget review

Submitted application for Pilot Public Agency Solar Program with RCEA.

City Clerk

Processed four (4) Building Permits:

1. 1016 Riverside Dr. - Sewer Cleanout
2. 355 Orchard Lane - Water Heater
3. 75 Redwood Ave. – Re-Roof
4. 367 Berkeley St. – Electrical Service Upgrade



Received a call from a representative of T-Mobile regarding some proposed upgrades to their tower including new wiring and antenna. Provided a quote for the Building Permit and expect to receive the application over the next couple of days.

Processed two (2) Business Licenses:

1. Coastal Mountain Electric – Non-Resident Contractor
2. RH Construction – Local Contractor
3. Humboldt Live Resin – (Humboldt Rio Dell Business Park)

Staff was in contact with the vendor of the ElectroVote Voting System and will be moving forward with the purchase of the equipment as allocated in the 2017/18 budget. The Council authorized the purchased back in October 2017 but because the vendor is a small company that builds customizes systems it takes a little time to put the units together. Hopefully, the Council will see the new system in place over the next couple of months.

City Attorney

Human Resources, Risk & Training

Kasia Hoffman was hired as the Fiscal Assistant I; she started April 11 (Wednesday). On-going training. Kasia is a great addition to the Finance Department. We're glad to have her.

The Utility Lead submitted a resignation which was effective April 13th.

The City will be conducting interviews over the coming weeks for Utility Workers.

The Police Department continues to progress in the hiring of a new officer who has advanced to a conditional hiring letter pending the results of a physical and psychological examination.

Finance Department

Department Head's met for a budget review session with the City Manager

Updated budget documents to reflect discussions

Staff has been assigned on-line AB 1825 mandatory sexual harassment training; deadline to complete is April 30.

Compiling close-out documents and invoices for well project

The month of March GL is being closed out



The Senior Fiscal Assistant participated in a meter reading drive-through. This was meant to familiarize finance staff with the process and improve billing procedures

On-going tasks of A/P, A/R, P/R and GL

Public Works Water

1. Water Operations and Sampling– Infiltration Gallery and Metro Wells
2. Work on Rio Dell System # 1210012 Annual Water Report.
3. Meetings and Phone conferences with Division of Drinking Water over well site and surrounding areas. (ongoing)
4. Work on Monthly Water report
5. Grounds Maintenance at all Water Facilities.
6. Walk thru with contractors on Capital Projects that are currently out to bid.
7. Consult with Freshwater Environmental for assistance on WWTP CIWQS reports and SSO reports and training.
- 8.

Public Works Wastewater

- Chronic and Acute water toxicity testing started early on April 1st and will be completed on April 13th. Results should be in within fourteen days of completion.
- Kathleen Goodwin, NCRWQCB Regulator for the wastewater treatment plant, will be doing an inspection of the Wastewater facilities on April 17th.
- SSO at 780 Rigby was withdrawn for review before re submission to better analyze actual flow. Freshwater environmental will be giving SSO debriefing and training to operators and available maintenance staff. Freshwater will also be assisting Wastewater staff with the following: NPDES permit reporting, Time schedule development of sampling requirements, and a cost benefit analysis of current disinfection system.
- Wastewater Superintendent in training, Ethan Purvis, will be attending a Grade 3 Wastewater exam on the 14th of April.
- Chlorine Generator cell replacement was purchased. Telstar will be scheduled for final repairs after the start of the new fiscal year.
- Manhole repairs have started for the Pacific Ave area.
- SSO prevention/reporting notices will be sent out to residents this month in an effort to better educate the public and improve reporting of blockages in lines by the public.

Public Works Streets, Buildings and Grounds

Public Works City Engineer

The City Manager will meet with GHD and CalTrans to go over the ATP project to discuss preliminary design and potential design exceptions on April 23rd



Public Works Capital Projects

Bid results have been gathered and presented to the Council for 5 projects.

Police Department

Community Development Department

Underground plumbing and foundation inspection 901 Hilda Court.

Modify Plan Check Agreement with Intewest Consulting Group for Plan Check services for A.F. Builders proposed fourplex at the corner of Berkeley and First Avenue. Send to Interwest for review and approval. Execute Agreement, send off package for Plan Check.

Email to Sculpture Committee regarding location of Wendt Eagle Sculpture. Susan Pryor, Jim Brickley and Robert Agnew all recommend location "C". Staff did not hear back from Mayor Wilson.

Attended State Cannabis Licensing Workshop at the Riverlodge in Fortuna.

Prepare Staff Report for second reading, approval and adoption of Ordinance 366-2018 amending the City Floodplain Regulations.

Review City Attorney opinion regarding defer background checks to the State. Prepare Staff Report for second reading, approval and adoption of Ordinance 365-2018 amending the City's Cannabis regulations deferring background checks to the State.

Follow-up to Whitchurch Engineering regarding Title Reports associated with the Drainage Study.

Inspect temporary electrical service for 901 Hilda Court.

Review Chapter 11B of the CBC regarding ADA improvements and thresholds.

Intergovernmental

Humboldt-Rio Dell Business Park

CDD and CM with the City Manager and Hardcar cannabis transport, distribution and cannabis financial services about locating their business at the Humboldt Rio Dell Business Park.

Confirmation on Track and Trace training.

Review Glenn White's plumbing and Mechanical plans as they relate to the foundation permit.

Respond to State regarding Glenn White's group (Live Resin) pending State permit.

Review and forward Steve McHaney's (GHD) comments/questions regarding Mountain Investments proposal and associated drainage plan to Whitchurch Engineering.



Work with Glenn White's group and CalOrgan regarding Track and Trace Training. Tentatively scheduled for April 25th, from 9:00 to 12:00.

Respond to State regarding Glen White's group (Lucenatech's and Emerald Counties Statewide) pending temporary State Permits.

Council Priority Areas

Street Work

Striping work pending Council authorization.

River Access

Habitat Parcel

Code Enforcement

The Chief of Police served an inspection warrant on a property in the Humboldt Rio Dell Business Park.

Access Humboldt

Staff gathered historical information on the subject and have been in communication with neighboring agencies to identify their practices.



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

April 17, 2018

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager *zk*
SUBJECT: Presentation from Drinking Water and Wastewater Regulatory Staff from the State Government

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentations and ask questions.

BACKGROUND AND DISCUSSION

Staff has requested that the State's regulators on drinking water and wastewater talk to the Council about our collective responsibilities in these areas under state and federal law. The city's staffing needs, water & sewer rates, existing debt and many of the capital projects of the city revolve around compliance with State regulations. Staff has invited the regulators who work most closely with the City to give short talks and be available for questions from the Council and members of the public.

- Ronnean Lund, Sanitary Engineer with the State Water Resources Control Board, Division of Drinking Water
- Cathleen Goodwin, Water Resources Control Engineer with the North Coast Regional Water Quality Control Board

Attachments:

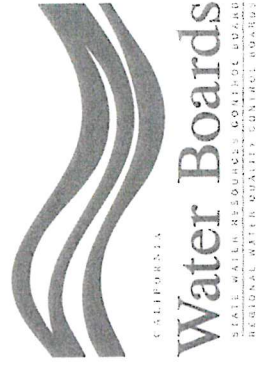
PowerPoint from Cathleen Goodwin

///

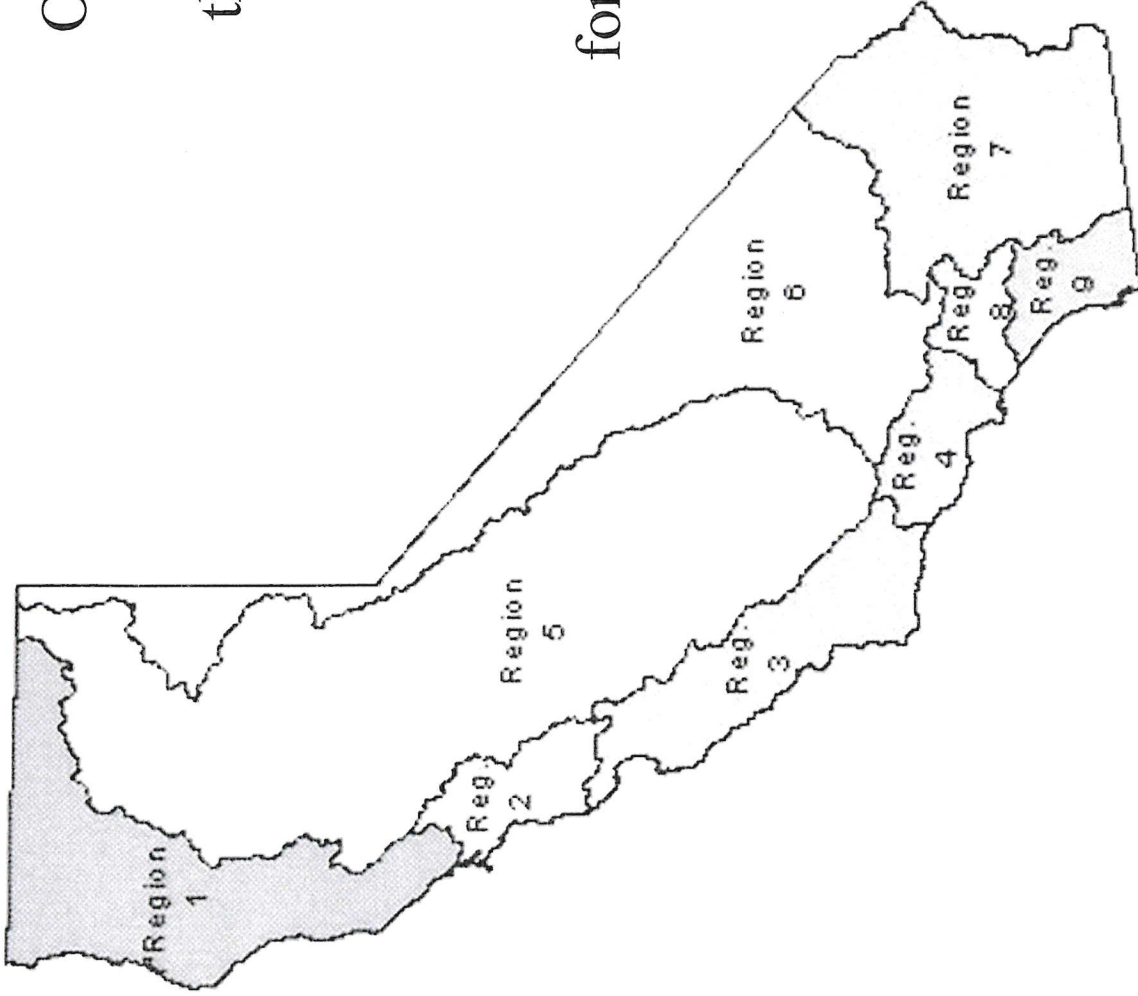
Overview of the North Coast Regional Water Quality Control Board

Cathleen Goodwin
Water Resource Control Engineer
Wastewater Programs

April 17, 2018



North Coast Regional Water Quality Control Board



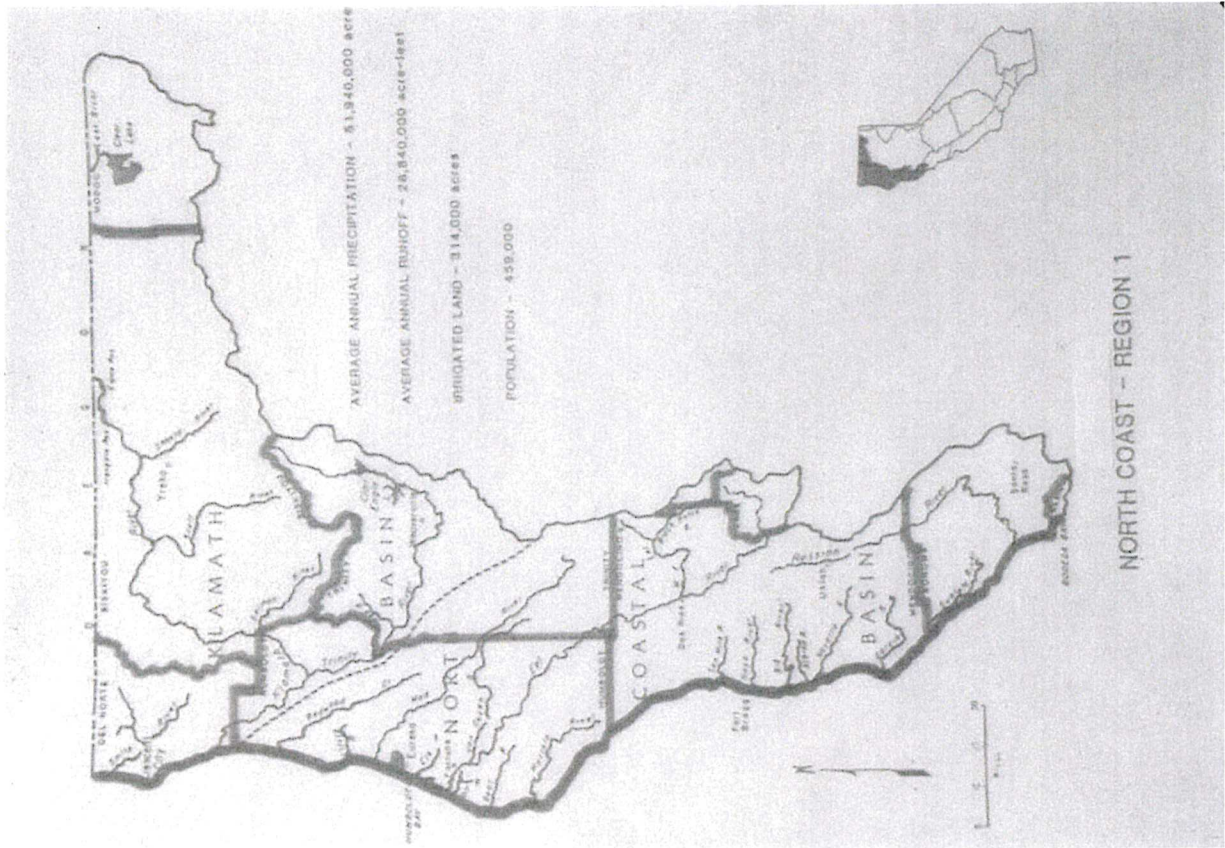
Our Mission is to preserve and enhance the quality of California's water resources and ensure their proper allocation and efficient use for the benefit of present and future generations.

Water Quality
Water Rights
Financial Assistance
Drinking Water

North Coast Regional Water Quality Control Board



- All waters that drain to the Pacific from the Oregon border to (and including) Estero de San Antonio/Stemple Creek
- 19,445 sq. mi.
- 12,446,000 acres
- 12% of the State's area
- 40% of the State's runoff



North Coast Regional Water Quality Control Board



- Board of up to 7 members. Currently: David Noren, Valerie Minton, John Corbett, Greg Giusti, Kelli Gant, and Hector Bedolla
- Executive Officer: Matt St. John
- Assistant Executive Officer: Josh Curtis
- 4 divisions, 11 units, 90 staff
- Core regulatory unit with wastewater and storm water staff



Regulations

◆ Porter-Cologne Water Quality Control Act

- State Law – first enacted in 1969
- California Water Code, Division 7
- Applies to surface water and groundwater
- Gives State broad duties and powers to preserve and enhance State waters

◆ Clean Water Act

- Federal Law – enacted in 1972
- 33 USC §1313 et seq.
- Applies to waters of the United States
- State has responsibility for enforcing the CWA



Basin Plans

Contain:

- Beneficial Uses of Water
- Water Quality Objectives
- Implementation Plans
- Monitoring Plans

Available online at:

www.waterboards.ca.gov/northcoast/programs/basinplan/bpdocs.html



Beneficial Uses

- Municipal/Domestic Water Supply
- Agricultural and Industrial Supply
- Groundwater Recharge
- Recreation
- Commercial and Sport Fishing
- Freshwater Habitat – warm and cold
- Wildlife Habitat
- Migration of Aquatic Organisms
- Spawning, Reproduction, and Development
- Rare, Threatened, and Endangered Species



Programs

- Wastewater
- Storm Water (Industrial, Construction, Municipal, and Caltrans)
- Landfills
- In-stream and wetland Dredge or Fill
- Vineyards
- Dairies
- Cannabis Waste Discharges
- Contaminated Groundwater Cleanup
- Timber Harvesting
- Grants for Restoration Work
- Total Maximum Daily Load Development and Implementation
- Planning
- Monitoring
- Enforcement



Wastewater Treatment Facilities

- ◆ Discharges to Surface Waters
 - Ocean
 - Inland surface waters (rivers and creeks)
- ◆ Discharges to Land
 - Percolation ponds
 - Land application
 - On-site Systems
- ◆ Recycled Water
 - Urban
 - Agricultural
 - Industrial



NPDES Permit

- ◆ Proper design, operation and maintenance of
 - Wastewater treatment plant
 - Collection system
 - Storage and disposal facilities
- ◆ Effluent and Receiving Water Limitations
- ◆ Discharge Prohibitions
- ◆ Source Control Provisions
- ◆ Sludge Handling and Disposal
- ◆ Operator Certification
- ◆ Monitoring and Reporting Requirements



Roles and Responsibilities

- ◆ **Regulatory Agency**
 - Permit development and issuance
 - Compliance Assistance
 - Inspections
 - Report review
 - Enforcement
- ◆ **Permittee**
 - Operate facility in compliance with permit
 - Retain properly trained and certified staff
 - Address non-compliance issues in timely manner
- ◆ **Public**
 - Review and comment on permits and enforcement



Rio Dell

- ◆ **Accomplishments**
 - Upgraded wastewater treatment facility – 2013
 - Improved land disposal - 2013
- ◆ **Challenges**
 - Improving disinfection facility to meet requirements
 - Reducing infiltration/inflow into collection system
 - Retaining trained, qualified operators
- ◆ **Regulatory Compliance**
 - Overall, good compliance
 - Time Schedule Order requires improvements in chlorination system and collection system





Questions?

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



For Meeting of: April 17, 2018
 Consent Item; Public Hearing Item

To: City Council
From: Kevin Caldwell, Community Development Director 
Through: Kyle Knopp, City Manager 
Date: April 13, 2018
Subject: Wendt Eagle Sculpture Location

Recommendation:

That the City Council:

1. Consider the Sculpture Committee's recommended location of the Wendt Eagle Sculpture to be placed on the City Hall grounds.

Background and Discussion

At your March 20, 2018 meeting, the Council requested that the Sculpture Committee recommend a location for the proposed Wendt Eagle Sculpture to be located on the City Hall grounds. Staff reached out to the members via email. Members Susan Pryor, Jim Brickley and Robert Agnew all recommend location "C". Staff did not hear back from Mayor Wilson.



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

April 17, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Discussion and Possible Action to Approve Resolution No. 1384-2018 Awarding the Bid for the 2018 Culvert Installation and Repair Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve of Resolution 1384-2018 Awarding the Bid for the 2018 Culvert Installation and Repair Project the amount of \$82,000.
2. Authorize the City Manager to sign the Notice of Award and Contract Agreement for up to \$82,000.00 and further authorize the City Manager to authorize any change orders during the project within the approved budget amount.
3. Authorize a budget adjustment of \$23,400.00 from the General Fund Reserves and approve a budgeted amount not to exceed \$98,400.00

Alternatives:

Direct staff to reject all bids and reissue the bid, or cancel the project.

Eliminate the additive culvert replacement on Pacific and Bellevue and reduce the award amount by \$18,000.00

BACKGROUND AND DISCUSSION

In adopting the FY 2017-2018 budget, the City Council appropriated \$45,000 towards drainage solutions for the Bellevue-Ogle area from the General Fund, and \$30,000 from the Streets fund for various drainage repairs for a total of \$75,000 available. The City received four bids on April 11, 2018 for a project entitled 2018 Culvert Installation and Repair. The bids included \$82,000 from Wahlund, \$111,500 from Mobley Construction, 128,650 from DCI Builders, \$143,485 from Morgan Creek Construction.

Staff has reviewed the qualifications of the bidder, Wahlund Construction Inc., and determined them to be the lowest responsible and responsive bidder.

Staff is recommending a 20% contingency for a total project amount of \$98,400. Therefore, with only \$75,000 available, staff is recommending a budget adjustment of \$23,400 to complete the project.

The project will construct a new drainage facility along a portion of Spring Street, exiting at the existing drainage swale north of Belleview. The project will provide relief to the existing drainage as well as construct a new drainage inlet. The City's engineer recommended the creation of this new facility due to the exorbitant cost of replacing the existing facilities which were never designed or built to service the Belleview/Ogle neighborhood as it exists today.

///



RESOLUTION NO. 1384-2018
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL, CALIFORNIA
AWARDING THE 2018 CULVERT INSTALLATION AND REPAIR PROJECT TO
WAHLUND CONSTRUCTION Inc.

WHEREAS, the City of Rio Dell requires drainage improvements and engaged engineers at GHD, Inc. to prepare plans, specifications and contract documents for the work;

WHEREAS, the City Council authorized the City Manager to initiate a competitive bid process for construction services;

WHEREAS, on March 14, 2018, the City of Rio Dell issued and publicized a notice inviting bids ("Notice") for the Public Works Project, entitled 2018 Culvert Installation and Repair ("Project"), pursuant to Section 20160 *et seq.* of the California Public Contracts Code and the Rio Dell Municipal Code;

WHEREAS, the Notice required all bids for the Project be sealed and delivered to the City Manager on or before April 11, 2018, at 4:30 PM, at which time the submitted bids would be opened and read in an open forum;

WHEREAS, on April 11, 2018, at 4:30 PM, the City Manager received bid proposals from two contractors with the following results:

Wahlund Construction, Inc.	\$82,000.00
Mobley Construction	\$111,500.00
DCI Builders	\$128,650.00
Morgan Creek	\$143,485.00

WHEREAS, a review of Wahlund Construction Inc., bid and its qualifications indicates that they possesses the required license and qualifications to perform the scope of services for the Project;

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

1. That the contract for construction services for the 2018 Culvert Installation and Repair be awarded to the lowest responsible bidder, Wahlund Construction Inc. in the amount of \$82,000;
2. That the City Manager is authorized to execute a contract with Wahlund Construction Inc. for construction services and, if necessary, to negotiate change orders within

the overall project budget in substantial conformance with the plans and specifications issued as part of the Bid;

3. That the City Manager is hereby authorized and directed to take such actions as he may deem necessary and proper to effectuate and consummate the contract, subject to final review and approval by the City Attorney.

4. That the project budget is adjusted to approve General Fund additional appropriations of \$23,400

PASSED, APPROVED AND ADOPTED by the City Council of the City of Rio Dell on this 17th day of April, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. 1384-2018 adopted by the City Council of the City of Rio Dell on April 17, 2018.

Karen Dunham, City Clerk

City of Rio Dell

2018 Culvert Installation and Repair

Legend

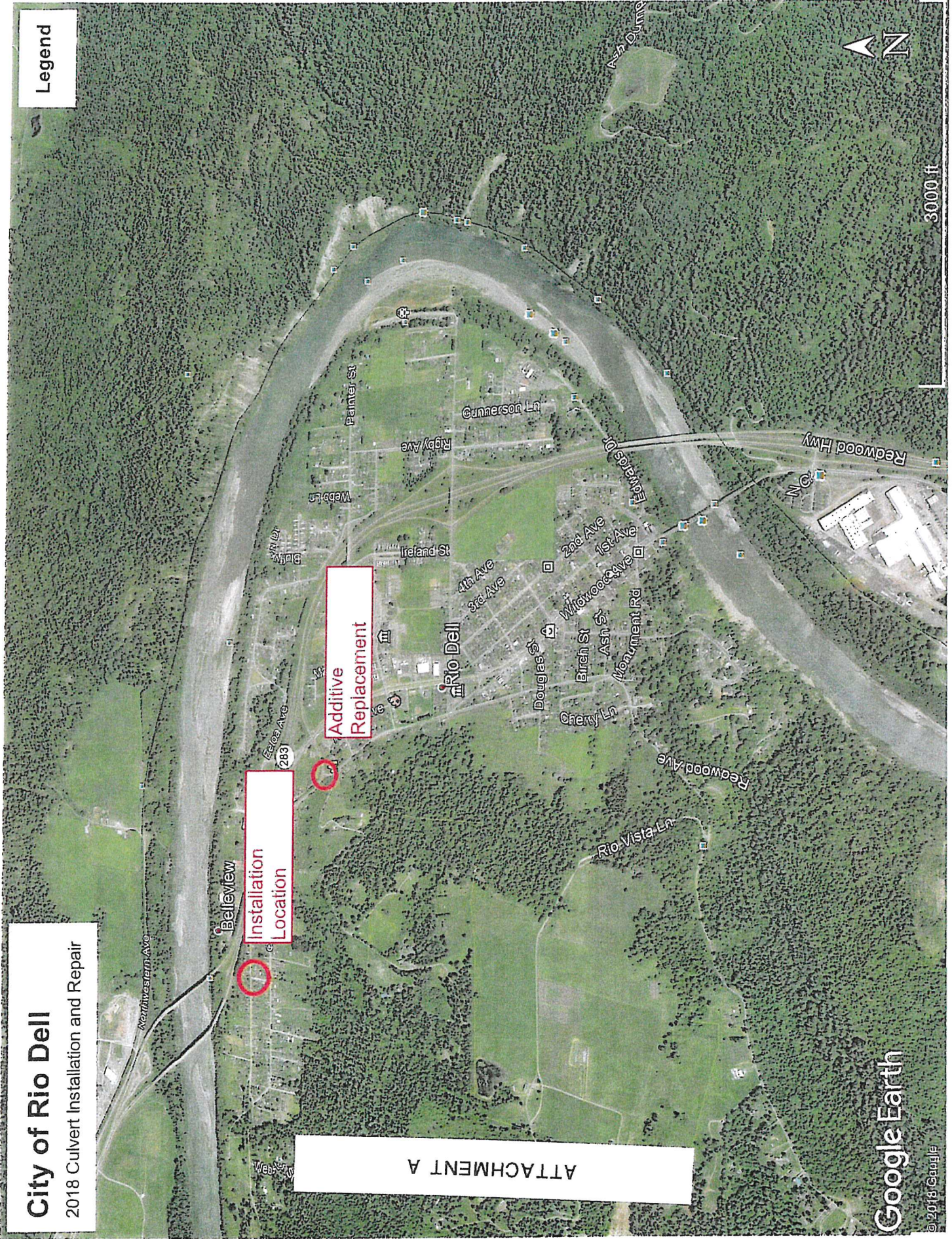
Installation Location

Additive Replacement

ATTACHMENT A

Google Earth

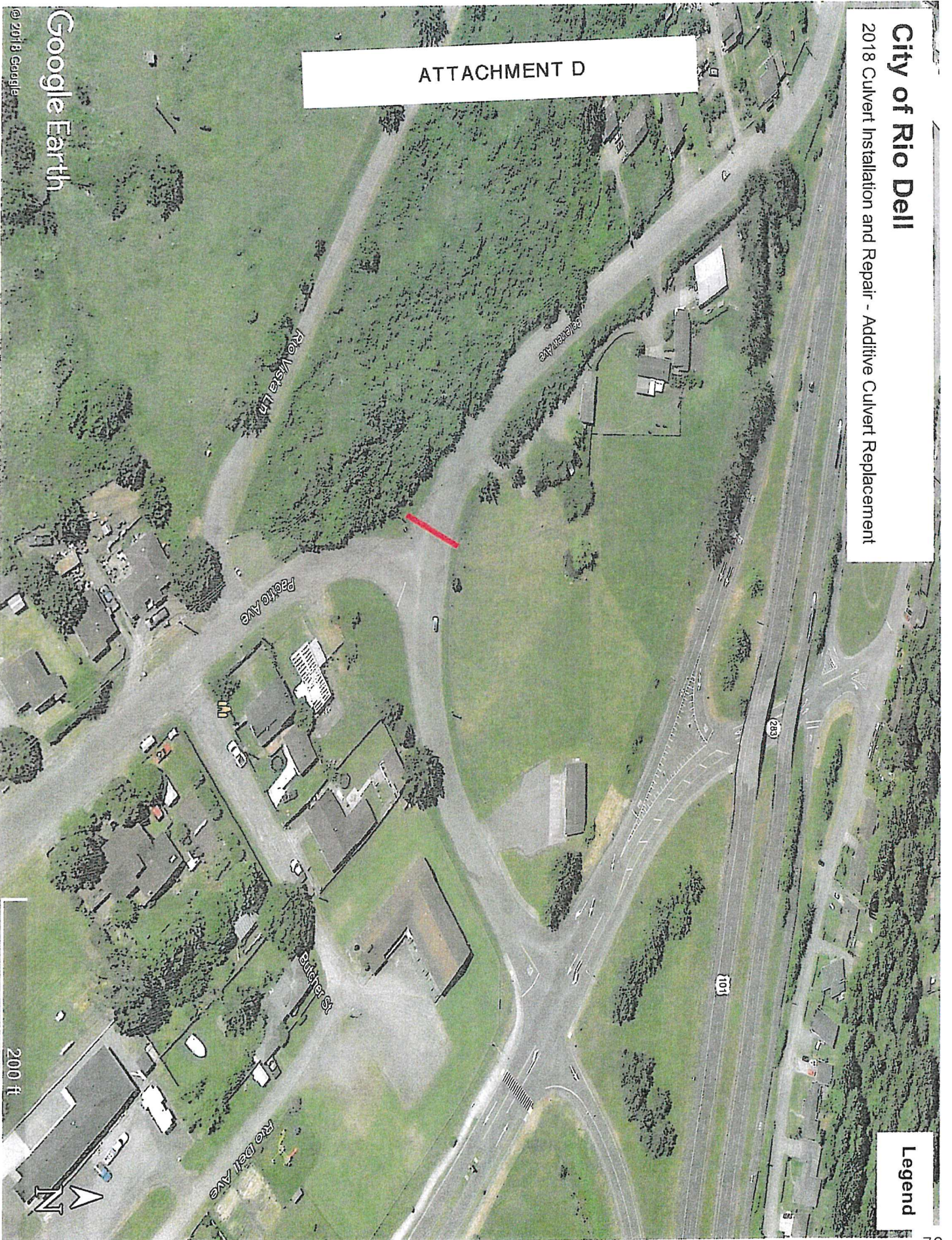
© 2018 Google



City of Rio Dell

2018 Culvert Installation and Repair - Additive Culvert Replacement

ATTACHMENT D



Legend

Google Earth

@ 2018 Google



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

April 17, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager *3*

SUBJECT: Discussion and Possible Action to Approve Resolution No. 1385-2018 Awarding the Bid for the 2018 Drainage Ditch Repair Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve of Resolution 1385-2017 Awarding the Bid for the 2018 Drainage Ditch Repair Project the amount of \$2,370.00.
2. Authorize the City Manager to sign the Notice of Award and Contract Agreement for up to \$2,370.00 and further authorize the City Manager to authorize any change orders during the project within the approved budget amount which shall not exceed \$5,000.00 from the City Manager's budget. There are sufficient funds to cover the cost of the project.

Alternatives:

Direct staff to reject all bids and reissue the bid, or cancel the project.

BACKGROUND AND DISCUSSION

There are currently no funds budgeted for this project. The City received two bids on April 11, 2018 for a project entitled 2018 Drainage Ditch Repair. The Bids included \$14,750.00 from Wahlund Construction, \$2,370.00 from Wendt Construction, \$4,000.00 from Mobley Construction, \$4,500.00 from DCI Builders and \$18,840.00 from Morgan Creek Construction.

Staff has reviewed the qualifications of the bidder, Wendt Construction Company Inc., and determined them to be the lowest responsible and responsive bidder.

The project will remove deposited soils and debris from the side of the road along Northwestern Avenue.

///



RESOLUTION NO. 1385-2018
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL, CALIFORNIA
AWARDING THE 2018 DRAINAGE DITCH REPAIR PROJECT TO WENDT CONSTRUCTION INC.

WHEREAS, the City Council authorized the City Manager to initiate a competitive bid process for construction services;

WHEREAS, on March 14, 2018, the City of Rio Dell issued and publicized a notice inviting bids ("Notice") for the Public Works Project, entitled 2018 Drainage Ditch Repair ("Project"), pursuant to Section 20160 *et seq.* of the California Public Contracts Code and the Rio Dell Municipal Code;

WHEREAS, the Notice required all bids for the Project be sealed and delivered to the City Manager on or before April 11, 2018, at 4:30 PM, at which time the submitted bids would be opened and read in an open forum;

WHEREAS, on April 11, 2018, at 4:30 PM, the City Manager received bid proposals from five contractors with the following results:

Wahlund Construction, Inc.	\$14,750.00
Wendt Construction, Inc.	\$2,370.00
Mobley Construction	\$4,000.00
DCI Builders	\$4,500.00
Morgan Creek	\$18,840.00

WHEREAS, a review of Wendt Construction Inc. bid and its qualifications indicates that they possesses the required license and qualifications to perform the scope of services for the Project;

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

1. That the contract for construction services for the 2018 Drainage Ditch Repair Project be awarded to the lowest responsible bidder, Wendt Construction Company Inc. in the amount of \$2,370.00;
2. That the City Manager is authorized to execute a contract with Wendt Construction Company Inc. for construction services and, if necessary, to negotiate change orders within the overall project budget in substantial conformance with the plans and specifications issued as part of the Bid in an amount not to exceed \$5,000.00;

3. That the City Manager is hereby authorized and directed to take such actions as he may deem necessary and proper to effectuate and consummate the contract, subject to final review and approval by the City Attorney.

4. Funds for the project shall be made available from the City Manager's budget.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Rio Dell on this 17th day of April, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

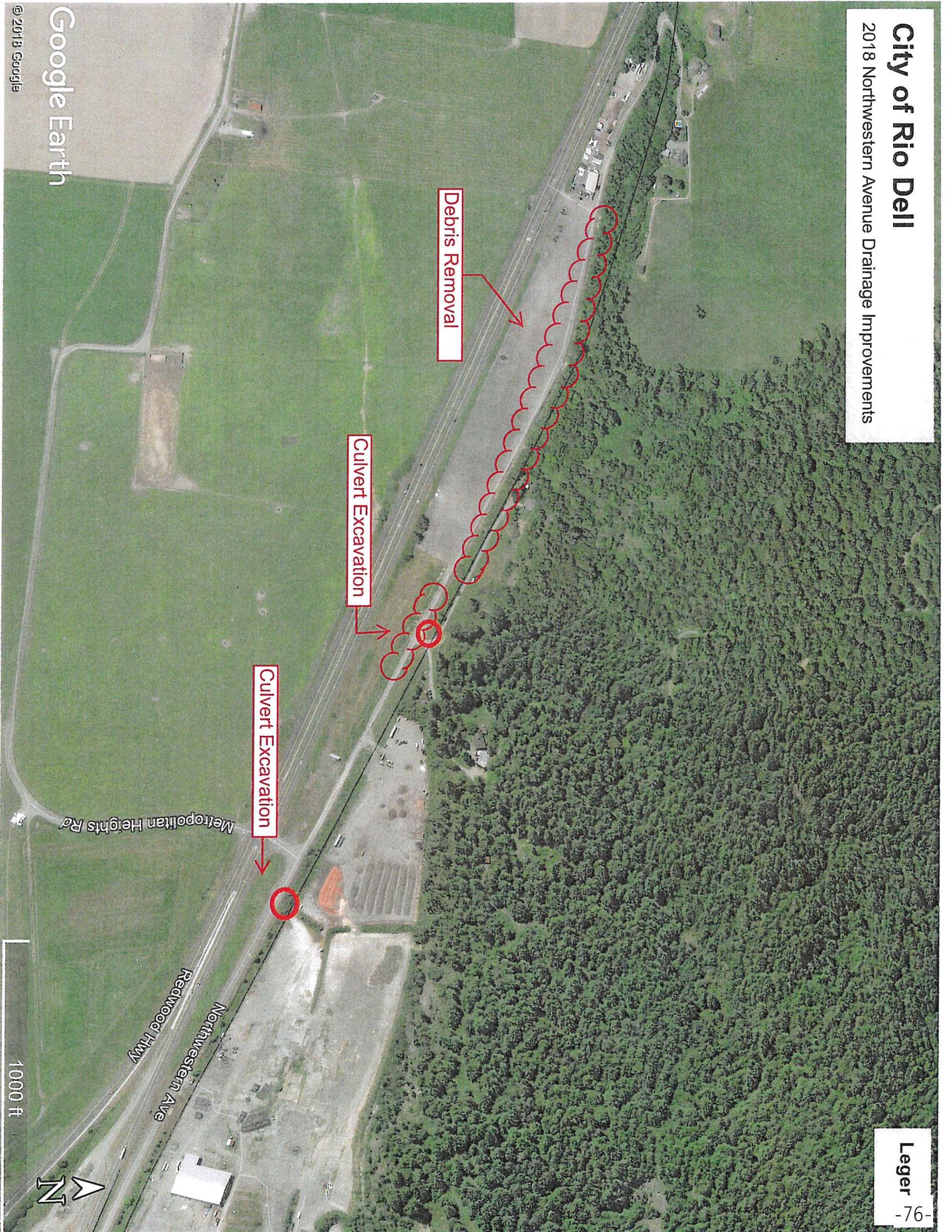
Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. 1385-2017 adopted by the City Council of the City of Rio Dell on April 17, 2018.

Karen Dunham, City Clerk

City of Rio Dell
2018 Northwestern Avenue Drainage Improvements



Google Earth
@ 2013 Google

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(707) 764-3532
riodellcity.com*



April 17, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager *3*

SUBJECT: Discussion and Possible Action to Approve Resolution No. 1386-2018 Awarding the Bid for the 2018 Water Treatment Plant Backwash Line Realignment Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve of Resolution 1386-2017 Awarding the Bid for the 2018 Water Treatment Plant Backwash Line Realignment Project the amount of \$37,475.00.
2. Authorize the City Manager to sign the Notice of Award and Contract Agreement for up to \$37,475.00 and further authorize the City Manager to authorize any change orders during the project within the approved budget amount.

Alternatives:

Direct staff to reject all bids and reissue the bid, or cancel the project.

BACKGROUND AND DISCUSSION

In adopting the FY 2017-2018 budget, the City Council appropriated \$150,000 towards modifications to the handling of water plant effluent. The City received two bids on April 11, 2018 for a project entitled 2018 Water Treatment Plant Backwash Line Realignment. The Bids included \$44,800.00 from Wahlund Construction and \$37,475.00 from Wendt Construction.

Staff has reviewed the qualifications of the bidder, Wendt Construction Company Inc., and determined them to be the lowest responsible and responsive bidder.

The project will redirect water plant effluent away from directly entering the Wastewater Treatment Plant(WWTP). Instead, this effluent will be directed to several preexisting holding basins where fine materials in the effluent will be allowed to settle before the effluent enters the WWTP. This project will help the WWTP comply with state regulations and create a more efficient way to process the effluent created in the water treatment process.

///



RESOLUTION NO. 1386-2018
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL, CALIFORNIA
AWARDING THE 2018 WATER TREATMENT PLANT BACKWASH LINE REALIGNMENT PROJECT TO
WENDT CONSTRUCTION INC.

WHEREAS, the City of Rio Dell a new water treatment effluent process and engaged engineers at GHD, Inc. to prepare plans, specifications and contract documents for the work;

WHEREAS, the City Council authorized the City Manager to initiate a competitive bid process for construction services;

WHEREAS, on March 14, 2018, the City of Rio Dell issued and publicized a notice inviting bids ("Notice") for the Public Works Project, entitled 2018 Water Treatment Plant Backwash Line Realignment ("Project"), pursuant to Section 20160 *et seq.* of the California Public Contracts Code and the Rio Dell Municipal Code;

WHEREAS, the Notice required all bids for the Project be sealed and delivered to the City Manager on or before April 11, 2018, at 4:30 PM, at which time the submitted bids would be opened and read in an open forum;

WHEREAS, on April 11, 2018, at 4:30 PM, the City Manager received bid proposals from two contractors with the following results:

Wahlund Construction, Inc.	\$44,800.0
Wendt Construction, Inc.	\$37,475.00

WHEREAS, a review of Wendt Construction Inc., bid and its qualifications indicates that they possesses the required license and qualifications to perform the scope of services for the Project;

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

1. That the contract for construction services for the 2018 Water Treatment Plant Backwash Line Realignment be awarded to the lowest responsible bidder, Wendt Construction Company Inc. in the amount of \$37,475.00;
2. That the City Manager is authorized to execute a contract with Wendt Construction Inc. for construction services and, if necessary, to negotiate change orders within the overall project budget in substantial conformance with the plans and specifications issued as part of the Notice;

3. That the City Manager is hereby authorized and directed to take such actions as he may deem necessary and proper to effectuate and consummate the contract, subject to final review and approval by the City Attorney.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Rio Dell on this 17th day of April, 2018 by the following vote:

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

Frank Wilson, Mayor

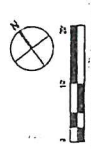
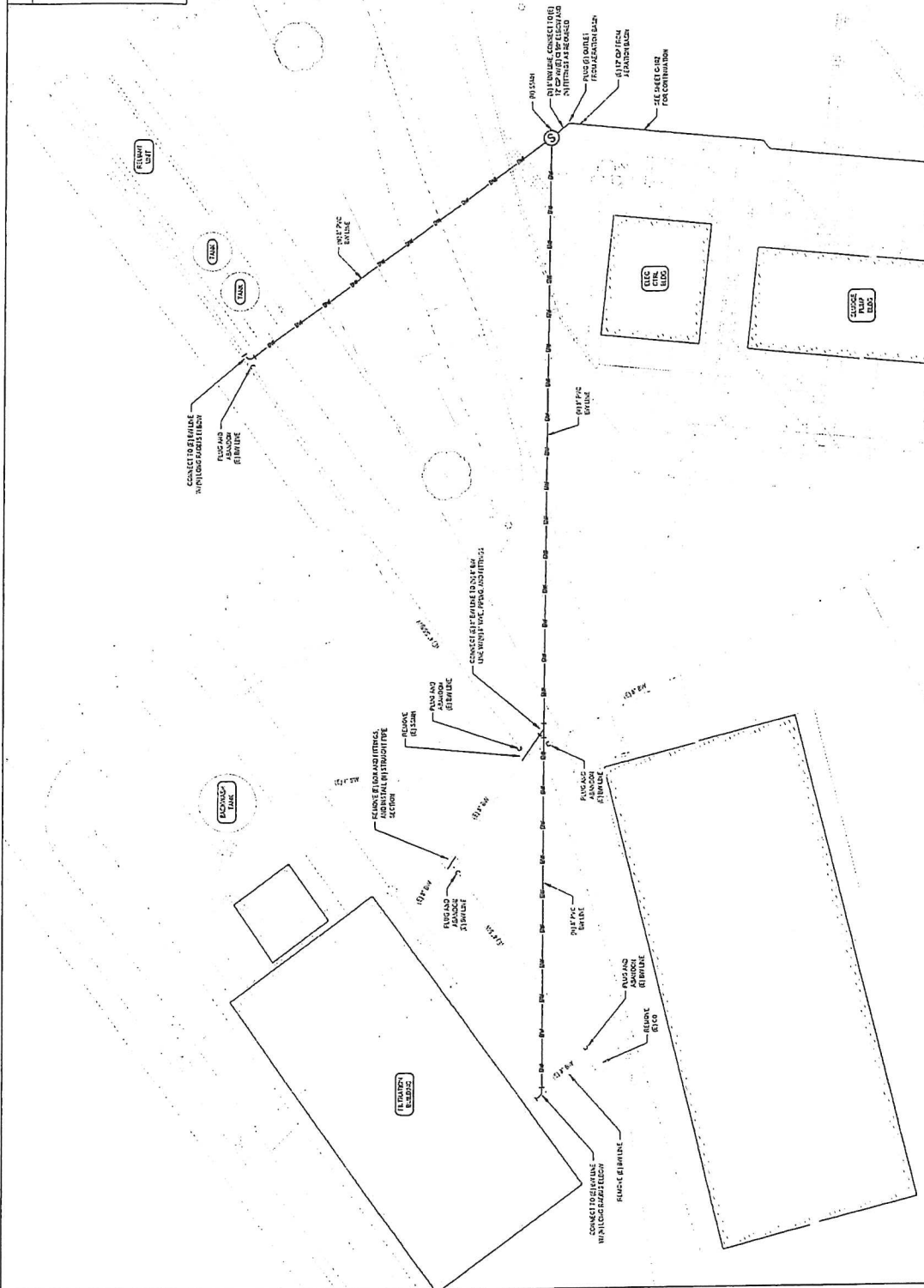
ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. 1386-2017 adopted by the City Council of the City of Rio Dell on April 17, 2018.

Karen Dunham, City Clerk

SHEET GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF RIO DELLLA SPECIFICATIONS FOR WASTEWATER COLLECTION SYSTEMS. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF RIO DELLLA SPECIFICATIONS FOR WASTEWATER COLLECTION SYSTEMS. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF RIO DELLLA SPECIFICATIONS FOR WASTEWATER COLLECTION SYSTEMS.



CONCEPTUAL DESIGN

<p>CITY OF RIO DELLLA WTP BACKWASH DRAIN REALIGNMENT SITE PLAN NEW BACKWASH DRAIN</p>	
<p>Drawn: L. HILGREN Checked: S. HILGREN Date: 01/14/2014</p>	<p>Project: 10079346 Date: 01/14/2014 Scale: AS SHOWN</p>
<p>Drawn: L. HILGREN Checked: S. HILGREN Date: 01/14/2014</p>	
<p>Project: 10079346 Date: 01/14/2014 Scale: AS SHOWN</p>	
<p>Drawn: L. HILGREN Checked: S. HILGREN Date: 01/14/2014</p>	
<p>Project: 10079346 Date: 01/14/2014 Scale: AS SHOWN</p>	
<p>Drawn: L. HILGREN Checked: S. HILGREN Date: 01/14/2014</p>	
<p>Project: 10079346 Date: 01/14/2014 Scale: AS SHOWN</p>	



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

April 17, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Discussion and Possible Action to Approve Resolution No. 1387-2018 Awarding the Bid for the 2018 Street Striping Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve of Resolution 1387-2017 Awarding the Bid for the 2018 Street Striping Project the amount of \$15,795.00.
2. Authorize the City Manager to sign the Notice of Award and Contract Agreement for up to \$15,795.00 and further authorize the City Manager to authorize any change orders during the project within the approved budget amount.

Alternatives:

Direct staff to reject all bids and reissue the bid, or cancel the project.

Eliminate the bike lane restriping and reduce the amount by \$5,405.

BACKGROUND AND DISCUSSION

In adopting the FY 2017-2018 budget, the City Council appropriated \$20,000 towards street striping. The City received one bid on April 11, 2018 for a project entitled 2018 Street Striping. The Bids included \$10,390.00 for Center Street striping between Wildwood Avenue and Ireland Street. The bid also included an additive item for bike lane striping along Wildwood Avenue from Columbus Street to Monument Street for \$5,405.

Staff has reviewed the qualifications of the bidder, Apply-A-Line, LLC and determined them to be the lowest responsible and responsive bidder.

The project will improve safety in front of Monument Middle School and Eagle Prairie Elementary as well as safety in the downtown portion of Wildwood Avenue.

///



RESOLUTION NO. 1387-2018
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL, CALIFORNIA
AWARDING THE 2018 STREET STRIPIING PROJECT TO APPLY-A-LINE LLC.

WHEREAS, the City Council authorized the City Manager to initiate a competitive bid process for street striping services;

WHEREAS, on March 14, 2018, the City of Rio Dell issued and publicized a notice inviting bids ("Notice") for the Public Works Project, entitled 2018 street striping ("Project"), pursuant to Section 20160 *et seq.* of the California Public Contracts Code and the Rio Dell Municipal Code;

WHEREAS, the Notice required all bids for the Project be sealed and delivered to the City Manager on or before April 11, 2018, at 4:30 PM, at which time the submitted bids would be opened and read in an open forum;

WHEREAS, on April 11, 2018, at 4:30 PM, the City Manager received bid proposals from two contractors with the following results:

Apply-A-Line LLC	\$15,795.00
------------------	-------------

WHEREAS, a review of Apply-A-Line., bid and its qualifications indicates that they possesses the required license and qualifications to perform the scope of services for the Project;

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

1. That the contract for street striping services awarded to the lowest responsible bidder, Apply-A-Line LLC. in the amount of \$15,795.00;
2. That the City Manager is authorized to execute a contract with Apply-A-Line LLC for construction services and, if necessary, to negotiate change orders within the overall project budget in substantial conformance with the plans and specifications issued as part of the Notice;
3. That the City Manager is hereby authorized and directed to take such actions as he may deem necessary and proper to effectuate and consummate the contract, subject to final review and approval by the City Attorney.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Rio Dell on this 17th day of April, 2018 by the following vote:

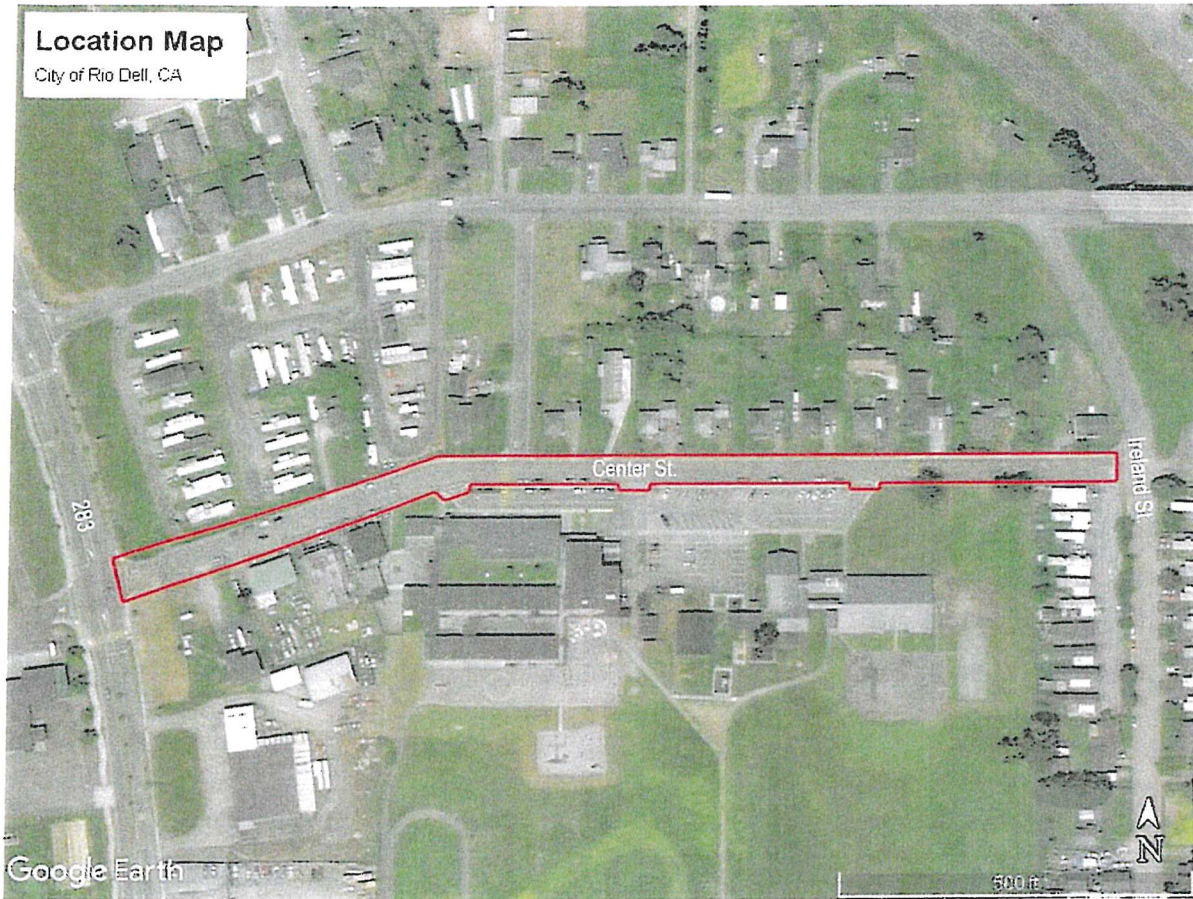
AYES:
NOES:
ABSTAIN:
ABSENT:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Resolution No. 1387-2018 adopted by the City Council of the City of Rio Dell on April 17, 2018.

Karen Dunham, City Clerk



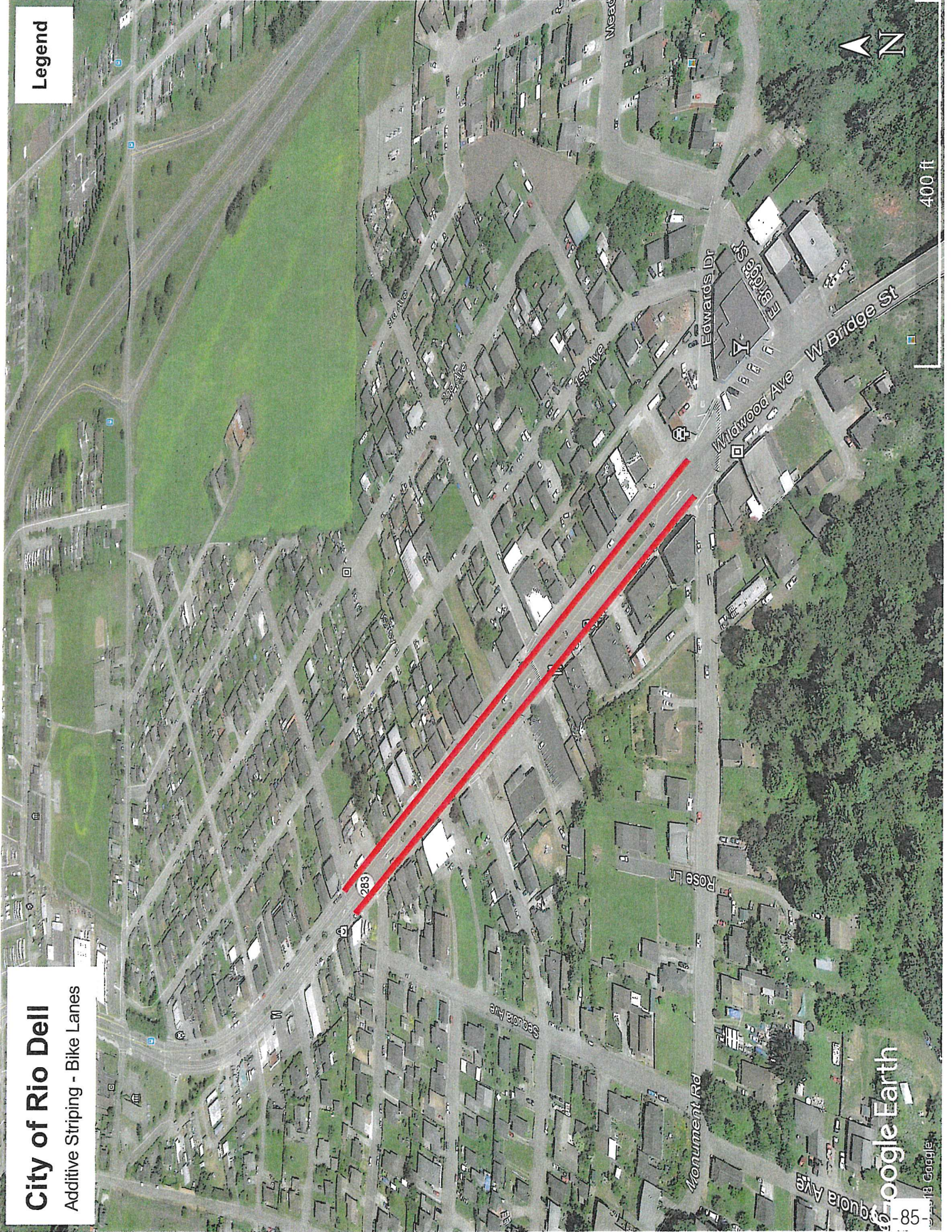
Description	Units
Thermoplastic traffic stripe, 12", yellow	330 LF
Thermoplastic traffic stripe, 4", yellow	470 LF
Thermoplastic traffic stripe, 4", double line, yellow	70 LF
Thermoplastic traffic stripe, 12", white	210 LF
Thermoplastic traffic stripe, 4", white	60 LF
Item	Quantity
Thermoplastic pavement markings, "SLOW", yellow	2
Thermoplastic pavement markings, "SCHOOL", yellow	2
Thermoplastic pavement markings, "XING", yellow	2
Thermoplastic pavement markings, "STOP", white	2

Note: The crosswalk at the intersection of Center St. and Ireland St. has recently been re-striped and is not included in this project.

City of Rio Dell

Additive Striping - Bike Lanes

Legend




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




For Meeting of: April 17, 2018

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: April 9, 2018

Subject: Amendment to the Commercial Cannabis Land Use Regulations, Section 17.30.195(9)(j) of the Rio Dell Municipal Code.

Recommendation:

That the City Council:

1. Receive staff's report regarding the approval and adoption of Ordinance No. 365-2018 amending the City's Commercial Cannabis Regulations to eliminate the City's requirement for background checks subsequent determinations of disqualifying offenses and rely on the State to make such determinations; and
2. Open the public hearing, receive public input and deliberate; and
3. Adopt Ordinance No. 365-2018 amending the City's Commercial Cannabis Regulations to eliminate the City's requirement for background checks subsequent determinations of disqualifying offenses and rely on the State to make such determinations.

Background and Discussion

As was as reported at your meeting of March 20, 2018, the City was recently contacted by Attorney Paul Gallegos regarding the City's and the State's regulations related to disqualifying offenses for owners, operators, officers or directors. Mr. Gallegos pointed out that there are a number of differences between the City's regulations and the State's regulations. Again, as the Council is aware the City's regulations predated the State MAUCRSA regulations.

Mayor Wilson presented his opinion on why the City should retain ultimate jurisdiction over determining disqualifying offenses. After a brief discussion, the Council voted to continue the item and refer the issue to the City Attorney for his opinion.

On April 6th the City Attorney opined on the issue directly to the Council under “*Attorney-Client Privileged Communication*”. The City Attorney basically restated what he had told staff regarding his opinion that the City **should rely** on the State for determining disqualifying offenses for a number of reasons. Staff, including the Police Chief continues to recommend that the City defer to the State for such determination. As such, staff recommends the Council adopt Ordinance No. 365-2018 amending the City’s Commercial Cannabis Regulations to eliminate the City’s requirement for background checks subsequent determinations of disqualifying offenses and rely on the State to make such determinations.

Text Amendment Required Findings:

1. The proposed amendment is in the public interest.

The proposed amended regulations are in the public interest in that they are consistent with the new State regulations.

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

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

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

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

Based on the minor nature of the proposed amendment, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a **significant** effect on the environment. Based on the nature of the proposed amendment, staff believes there is no evidence to suggest that the amendment will have a significant effect on the environment. In fact the amendment will not have **any** effect on the environment.

Attachments:

Attachment 1: Ordinance No. 365-2018 amending the City’s Commercial Cannabis Regulations to eliminate the City’s requirement for background checks.

ORDINANCE NO. 365-2018



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE COMMERCIAL CANNABIS REGULATIONS, SECTION 17.30.195 RIO DELL MUNICIPAL CODE TO ELIMINATE THE CITY'S REQUIREMENT FOR BACKGROUND CHECKS SUBSEQUENT DETERMINATIONS OF DISQUALIFYING OFFENSES AND RELY ON THE STATE TO MAKE SUCH DETERMINATIONS.

WHEREAS the City was recently contacted by a local Attorney regarding the City's and the State's regulations related to disqualifying offenses for owners, operators, officers or directors; and

WHEREAS it was brought to the City's attention that there are a number of differences between the City's regulations and the State's regulations; and

WHEREAS the City's regulations predated the State MAUCRSA regulations; and

WHEREAS staff consulted with the City Attorney and the Police Chief and we believe it would be in the City's best interest to defer the determination of disqualifying offenses to the State; and

WHEREAS It could be problematic and potentially litigious if the City made a disqualification determination and the State did not; and

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

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

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

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

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

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

1. Finds that the proposed amendments are in the public interest and consistent with an overall comprehensive view of the General Plan; and
2. Finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and
3. Finds that based on the nature of the proposed amendments, the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment; and
4. Approves and adopt Ordinance No. 365-2018 amending the City's Commercial Cannabis Regulations to eliminate the City's requirement for background checks subsequent determinations of disqualifying offenses and rely on the State to make such determinations

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

Section 1

Section 17.30.195(9)(j) of the Rio Dell Municipal Code is hereby amended as follows:

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

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

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

~~(A) A felony conviction for the illegal possession for sale, manufacture, transportation, or cultivation of a controlled substance;~~

~~(B) A violent felony conviction, as specified in subdivision (c) of Section 667.5 of the Penal Code.~~

~~(C) A serious felony conviction, as specified in subdivision (c) of Section 1192.7 of the Penal Code.~~

~~(D) A felony conviction involving fraud, deceit, or embezzlement.~~

The applicant or any of its officers, directors, owners or licensee shall be subject to the background checks related to the qualifications, functions or duties of the business required by the Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA). The City shall rely on the State in making disqualifying determinations regarding substantially related offenses pursuant to Section 26057 of the Business and Professions Code.

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. CEQA Compliance

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

Section 5. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on March 20, 2018 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 17, 2018 by the following vote:

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

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 365-2018 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on April 17, 2018.


Karen Dunham, City Clerk, City of Rio Dell


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



For Meeting of: April 17, 2018
 Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: April 9, 2018

Subject: Second reading and adoption of Ordinance No. 366-2018 amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code.

Recommendation:

That the City Council:

1. Receive staff's report regarding the approval and adoption of Ordinance No. 366-2018 amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code; and
2. Open the public hearing, receive public input and deliberate; and
3. Approve and adopt Ordinance No. 366-2018 amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code to reflect the current Flood Insurance Study and associated Flood Insurance Rate Maps and to be consistent with the California Building Code.

Background and Discussion

At your April 3, 2018 meeting, staff informed the Council that the City's Flood Regulations still refer to the Federal Emergency Management Agency (FEMA) 1982 Flood Insurance Study and the associated Flood Insurance Rate Maps (FIRM). FEMA updated the 1982 Study and Maps in 2016. As such, we need to amend the City's Flood Damage Prevent Regulations to reflect the updated information. Below are the recommended changes.

15.15.070 Basis for establishing areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency of the Federal Insurance Administration in a scientific and engineering report entitled "Flood Insurance Study for the City of Rio Dell dated November ~~3 4, 1981,~~ 2016 with an accompanying Flood Insurance Rate Map dated ~~May 3, 1982~~ November 4, 2016," and all subsequent amendments and/or revisions are hereby adopted by reference and declared to be a part of this chapter. This flood insurance study is on file at the Rio Dell City Hall. This flood insurance study and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the City Council by the Floodplain Administrator. [Ord. 235 § 3.2, 1999.]

In addition, staff is recommending changes to the regulations regarding the required elevations for structures located within a flood zone. The City's current regulations require that the lowest floor of a structure to or above the base flood elevation. Although this is consistent with FEMA's regulations, the California Building Code (CBC) refers to the American Society of Civil Engineers (ASCE) regulation 24-14, Table 2-1 which requires that the lowest floor be one (1) foot above the base flood elevation. As such, staff is recommending that the City's Flood Damage Prevent Regulations be amended to be consistent with the CBC. Below are the recommend changes.

15.15.150 Standards for construction.

In all areas of special flood hazard, the following standards are required:

(3) Elevation and Floodproofing.

(a) New construction and substantial improvements of any structure shall have the lowest floor, including basement, elevated to ~~or~~ one (1) foot above the base flood elevation. Nonresidential structures may meet the standards in subsection (3)(b) of this section upon the completion of the structure. The elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

15.15.180 Standards for manufactured homes.

All new and replacement manufactured homes and additions to manufactured homes shall:

(1) Be elevated so that the lowest floor is ~~at or~~ one (1) foot above the base flood elevation; and

(2) Be securely anchored to a permanent foundation system to resist flotation, collapse or lateral movement. [Ord. 235 § 5.4, 1999.]

Attachment 1 is Ordinance No. 366-2018 formally incorporating the changes.

Text Amendment Required Findings:

1. The proposed amendment is in the public interest.

The proposed amended regulations are in the public interest in that they correctly reflect FEMA's current study and maps and are consistent with the California Building Code (CBC).

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

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

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

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

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

Attachments:

Attachment 1: Ordinance No. 366-2018 amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code.

ORDINANCE NO. 366-2018



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING
THE CITY'S FLOOD DAMAGE PREVENTION REGULATIONS, SECTION 15.15 OF THE
RIO DELL MUNICIPAL CODE**

WHEREAS staff recently discovered that the City's Flood Regulations still refer to the Federal Emergency Management Agency (FEMA) 1982 Flood Insurance Study and the associated Flood Insurance Rate Maps (FIRM); and

WHEREAS FEMA updated the 1982 Study and Maps in 2016; and

WHEREAS staff recommends to amend the City's Flood Damage Prevent Regulations to reflect the updated information; and

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

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

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

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

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

1. Finds that the proposed amendments are in the public interest and consistent with an overall comprehensive view of the General Plan; and
2. Finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and
3. Finds that based on the nature of the proposed amendments, the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment; and
4. Approves and adopt Ordinance No. 366-2018 amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code.

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

Section 1

Sections 15.50.070, 15.15.150 and 15.15.180 of the Rio Dell Municipal Code is hereby amended as follows:

15.15.070 Basis for establishing areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency of the Federal Insurance Administration in a scientific and engineering report entitled "Flood Insurance Study for the City of Rio Dell dated November 3 4, 1981, 2016 with an accompanying Flood Insurance Rate Map dated May 3, 1982 November 4, 2016," and all subsequent amendments and/or revisions are hereby adopted by reference and declared to be a part of this chapter. This flood insurance study is on file at the Rio Dell City Hall. This flood insurance study and attendant mapping is the minimum area of applicability of this chapter and may be supplemented by studies for other areas which allow implementation of this chapter and which are recommended to the City Council by the Floodplain Administrator. [Ord. 235 § 3.2, 1999.]

15.15.150 Standards for construction.

In all areas of special flood hazard, the following standards are required:

- (3) Elevation and Floodproofing.

(a) New construction and substantial improvements of any structure shall have the lowest floor, including basement, elevated to ~~at~~ one (1) foot above the base flood elevation. Nonresidential structures may meet the standards in subsection (3)(b) of this section upon the completion of the structure. The elevation of the lowest floor including basement shall be certified by a registered professional engineer or surveyor and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

15.15.180 Standards for manufactured homes.

All new and replacement manufactured homes and additions to manufactured homes shall:

- (1) Be elevated so that the lowest floor is ~~at~~ one (1) foot above the base flood elevation; and
- (2) Be securely anchored to a permanent foundation system to resist flotation, collapse or lateral movement. [Ord. 235 § 5.4, 1999.]

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. CEQA Compliance

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

Section 5. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on April 3, 2018 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 17, 2018 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 366-2018 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on April 17, 2018.

Karen Dunham, City Clerk, City of Rio Dell