



RIO DELL CITY COUNCIL
VIRTUAL MEETING AGENDA
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, APRIL 20, 2021
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

***WELCOME** - 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 and available on the City's website at cityofriodell.ca.gov. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.*

**SPECIAL PUBLIC HEALTH EMERGENCY ALTERATIONS TO MEETING FORMAT
CORONAVIRUS (COVID-19)**

Due to the unprecedented public health threats posed by COVID-19 and the resultant need for social distancing, changes to the City Council meeting format are required. Executive Order N-25-20 and N-29-20 from Governor Gavin Newsom allow for telephonic Council meetings of the City Council and waives in-person accessibility for Council meetings, provided that there are other means for the public to participate. Therefore, and effective immediately, and continuing only during the period in which state or local public health officials have imposed or recommended social distancing measures, the Rio Dell City Council will only be viewable via livestreaming through our partners at Access Humboldt via their YouTube channel or Suddenlink channels on Cable TV.

Public Comment by Email:

In balancing the health risks associated with COVID-19 and need to conduct government in an open and transparent manner, public comment on agenda items can be submitted via email at publiccomment@cityofriodell.ca.gov. Please note the agenda item the comment is directed to (example: Public Comments for items not on the agenda) and email no later than one hour prior to the start of the Council meeting. Your comments will be read out loud, for up to three minutes.

Meeting can be viewed on Access Humboldt's website at <https://www.accesshumboldt.net/>. Suddenlink Channels 10, 11 & 12 or Access Humboldt's YouTube Channel at <https://www.youtube.com/user/accesshumboldt>.

Zoom Public Comment:

When the Mayor announces the agenda item that you wish to comment on, call the conference line and turn off your TV or live stream. Please call the toll-free number **1-888-475-4499**, enter meeting **ID 987 154 0944** and press star (*) 9 on your phone – this will raise your hand. You will continue to hear the meeting on the call. When it is time for public comment on the item you wish to speak on, the Clerk will unmute your phone. You will hear a prompt that will indicate your phone is unmuted. Please state your name and begin your comment. You will have 3 minutes to comment.

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
 - 1) 2021/0420.01 - **Public Employee Performance Evaluation – City Manager**
Pursuant to Government Code Section 54957
 - 2) 2021/0420.02 - **Contract Agent Performance Evaluation – City Attorney**
Pursuant to Government Code Section 54957
- D. PLEDGE OF ALLEGIANCE
- E. CEREMONIAL MATTERS
- F. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. As such, a dialogue with the Council or staff is not allowed under the Ralph M. Brown Act. 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 2/3 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.

G. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Councilmembers 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 following action on the remaining consent calendar items.

- 1) 2021/0420.03 - Approve Minutes of the April 6, 2021 Regular Meeting
(ACTION) 1
- 2) 2021/0420.04 - Authorize the City Manager to Execute an Amendment to
T-Mobile Lease Agreement **(ACTION)** 11
- 3) 2021/0420.05 - Authorize Mayor to Sign Letter of Opposition to SB-210
(ACTION) 15

- 4) 2021/0420.06 - Authorize the City Manager to Sign the Customer Participation Agreement with Redwood Coast Energy Authority (RCEA) **(ACTION)** 18
- 5) 2021/0420.07 - Approve Employment Agreement for Finance Director **(ACTION)** 24
- 6) 2021/0420.08 - Approve the Request for Proposal (RFP) for a Water and Wastewater Rate Study **(ACTION)** 33
- 7) 2021/0420.09 – Approve Cost Recovery for Abatement of 483 Fourth Ave. **(ACTION)** 43
- 8) 2021/0420.10 - Receive and File Check Register for March 2021 **(ACTION)** 46
- 9) 2021/0420.11 - Approve Resolution No. 1487-2021 Awarding the Bid for the 2021 Rio Dell Street Improvement Project to S.T. Rhoades Construction **(ACTION)** 51

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

I. REPORTS/STAFF COMMUNICATIONS

- 1) 2021/0420.11 - City Manager/Staff Update **(RECEIVE & FILE)** 56

J. SPECIAL PRESENTATIONS/STUDY SESSIONS

- 1) 2021/0420.12 - Presentation – Climate Action Plan **(RECEIVE & FILE)**
- 2) 2021/0420.13 - Presentation/Workshop Discussion on Solid Waste Agreement and Opportunity for Universal Collection **(RECEIVE AND FILE)** 64
- 3) 2021/0420.14 - Presentation and Discussion on Draft Economic Development Goals and Actions to Achieve Economic **(RECEIVE AND FILE)** 83

K. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

L. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2021/0420.14 - Second Reading (by title only) and approval of Ordinance No. 384-2021 Amending the Existing Street Dedication and Improvement Regulations, Section 17.30.310(2) and (6) of the Rio Dell Municipal Code (RDMC) **(DISCUSSION/POSSIBLE ACTION)** 91
- 2) 2021/0420.15 - Second Reading (by title only) and approval of Ordinance No. 385-2021 Amending Section/Table 17.20.070 of the Rio Dell Municipal Code and Resolution No. 1484-2021 Amending Table 1-2 of the Land Use Plan to exclude agricultural structures in the Lot Coverage Calculation provided the applicant executes a Surety Bond to ensure the removal of all abandoned greenhouses on concrete slabs so as not to exceed the 10% Lot Coverage within two years of the cessation of Commercial use of the structures **(DISCUSSION/POSSIBLE ACTION)** 97
- 3) 2021/0420.16 - Second Reading (by title only) and approval of Ordinance No. 386-2021 Establishing Industrial Hemp Regulations Banning the Cultivation of Industrial Hemp in the City, Section 17.30.180 of the Rio Dell Municipal Code and Renumbering General Provisions and Exceptions, Sections 17.30.010-17.30.370 to Accommodate the Proposed Industrial Hemp Regulations **(DISCUSSION/POSSIBLE ACTION)** 107

M. COUNCIL REPORTS/COMMUNICATIONS

N. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, May 4, 2021 at 6:30 p.m.*

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
APRIL 6, 2021**

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

ROLL CALL: Present: Mayor Garnes, Mayor Pro Tem Johnson, Councilmembers Carter, Wilson and Woodall

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

PUBLIC PRESENTATIONS

Mayor Garnes asked if there were any public comments received.

City Clerk Dunham said that there was one public comment received which she then read. The comment was from Jim Brickley, Rio Dell-Scotia Chamber of Commerce and read as follows:

This Memorial Day, the Chamber of Commerce would like to honor our local Veterans, past and present, by displaying their photos along with a short bio, on the front lawn of City Hall. As time is short, the Chamber would appreciate it if the Council would consider our request to move ahead with this project. (Please see attachments). Thank you for your consideration.

CONSENT CALENDAR

Mayor Garnes asked if any councilmember, staff or member of the public, would like to remove any item from the consent calendar for separate discussion.

Mayor Pro Tem Johnson and Councilmember Wilson stated that they would be abstaining from vote on the Minutes of the March 25, 2021 Special meeting since they were not present at that meeting. As such, Item 2 was removed from the Consent Calendar for separate action.

Motion was made by Woodall/Carter to approve the Consent Calendar including approval of Minutes of the March 16, 2021 Regular meeting, authorizing the City Manager to sign letter of opposition to SB 556 related to wireless broadband, approving Resolution No. 1485-2021 designating the City Manager as the authorized representative to file for financial assistance with the State Water Resources Control Board for water distribution system upgrades, and approval of Resolution No. 1486-2021 authorizing the purchase of new public refuse and recycling cans and adjusting budget accordingly. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Approve Minutes of the March 25, 2021 Special Meeting

Motion was made by Woodall/Carter to approve the Minutes of the March 25, 2021 Special meeting as presented. Motion carried 3-0 with two abstentions (Mayor Pro Tem Johnson and Councilmember Wilson).

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp began by thanking Mayor Garnes for presentation of a Proclamation at the March 16, 2021 regular meeting, expressing the City Council's thanks and gratitude to City staff for their service and dedication to the citizens of Rio Dell throughout the COVID-19 pandemic. He said that in talking with staff, they were very appreciative of the Proclamation and commented that all of the staff has gone over and beyond to keep operations moving smoothly over the past year. He added that hopefully, the pandemic will be coming to an end soon.

He provided highlights of the staff update and said that he attended a solid waste meeting and noted that there is a continuing problem with regard to contaminated waste being mixed with recyclables. Staff is working with other cities and the County counterparts to push public education on a regional basis.

Related to Gateway signage, staff hopes to get a proposal soon for the work on the Gateway sign and for some touch-up on the City Hall sign as part of the efforts to spruce up the Gateway.

He also reported that staff conferred with other municipal and county staff regarding another regional slurry seal program with a target date set for the summer of 2022 for the next regional project.

Councilmember Woodall asked about the status of the security cameras for City Hall.

City Manager Knopp noted that staff just received the contract back from the City Attorney and that purchase and installation of the cameras was expected to be completed by the end of June.

Councilmember Woodall referred to the cell tower lease amendment to expand the area by 63 sq. ft. and asked if amendment of the lease agreement would allow the city to renegotiate other terms of the agreement.

Community Development Director Caldwell indicated that there were other terms of the agreement that could not be amended.

Councilmember Wilson thanked City Manager Knopp for participating in the interview process for the Humboldt Waste Management Authority (HWMA) Executive Director position and noted that they had selected one of the candidates for the position. He said that with regard to recycling and efforts to move forward with compliance with AB 1383 and food waste, it is a big area of contention.

He then asked if the City was successful in hiring someone for the Wastewater OIT position.

City Manager Knopp reported that an offer was extended to one of the candidates and the background process was underway.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Presentation by JJA, Inc. on the City's Audited Financial Statements and Accompanying Information for Fiscal Year 2019-2020

Brett Jones from JJA, Inc. began by reviewing the format of the audited financial report for FY 2019-20 and explained that upon completion of the audit, the City received an unqualified opinion, identifying no material weaknesses which is the highest opinion they can give.

He said that in addition to providing an Independent Auditors' Report, Management's Discussion and Analysis, and Basic Financial Statements, they issued a communication letter to the City Council related to internal control over financial reporting. He said that if they had any concerns to address, they would be included in that letter, noting that they had no findings, significant deficiencies or material weaknesses in internal controls.

He thanked Finance Director and staff for being very accommodating in providing them the documents enabling them to work remotely on the audit.

The Council expressed thanks to the auditors and finance staff for their efforts in completing the audit.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Provide Staff Direction Related to 2020 CalOES PSPS Resiliency Allocation

City Manager Knopp provided a staff report and provided a preliminary update on the 2020 CalOES PSPS Resiliency Allocation Grant. He explained that although there are some constraints including a relatively tight timeline, there are very few restrictions with regard to the scope of work other than professional services and staff time which is not covered under the program guidelines. He noted that in conversations with GHD, the plan is to send out a Request for Proposal (RFP) to an energy firm for the design and installation of the equipment. Because the grant is for energy resiliency, the grant focus is on City Hall and the Police Department as essential facilities which do not currently have emergency power backup systems.

He continued with review of a preliminary draft scope of work and cost scenario. The proposed base bid included a 22.5 KW solar array, battery energy storage system, a natural gas generator, electrical upgrade, a public charging station and three power walls at City Hall. He noted that the infrastructure into City Hall needs a significant upgrade and the base bid would not exceed the \$295,000 allocation.

Potential additives included a 24 KW solar array and wiring at the Public Works Corporation Yard as Alternative A and two power walls and two generators at the sewer lift stations as Alternative B. The sub-total for the base bid and both alternatives was estimated at \$354,150 resulting in a City match of \$59,150.

City Manager Knopp asked the Council if this is the basic path they want to go toward with regard to the scope of work.

Councilmember Carter asked if it was the State or the City that identified City Hall and the Police Department as the essential facilities to focus the grant on.

City Manager Knopp explained that the purpose of the grant is for power resiliency and to stay in line with the grant application, recommended the focus remain on City Hall and the Police Department. However, the program allows for flexibility so in theory, it could be applied to other essential facilities.

Councilmember Carter thanked staff for providing a quick turnaround on providing the Council information on the grant. She said instead of advocating for items on the preliminary list she would like to advocate for over-arching questions to guide them on how the money is spent. She said that she would ask what kind of hands-on tangible services would be provided to the community and then what are the most critical parts of the City's infrastructure that need help.

Mayor Pro Tem Johnson questioned potential sources of funding in lieu of a City match and the possibility of securing an energy grant through Redwood Coast Energy Authority (RCEA).

City Manager Knopp commented that he had not inquired into the availability of grant funding through RCEA but agreed to look into it.

Councilmember Wilson questioned the scope of work under the Tesla Battery Storage project at the treatment plant and asked how the batteries are going to be charged.

City Manager Knopp explained that outside of this funding there is no other funding to do a solar project at the treatment plant. He said that the batteries would be charged during off-peak hours and used during peak pricing to even out the cost of operating the system. With solar there would essential be a free energy subsidy to reduce energy costs.

He also pointed out that staff was already looking into purchasing new generators for the lift stations which needs to be included in the upcoming budget if not funded through this grant.

Councilmember Wilson agreed to prioritize City Hall and the Police Department first to coordinate services. With regard to RCEA, he commented that he was not aware of any PSPS grants being available; at least it was not the topic of discussion at any of the meetings he attended.

Councilmember Woodall asked for clarification on the costs between Additive Alternative B and C.

City Manager Knopp explained that in theory, Additive Alternative B would be more expensive than C and noted that in learning more about generators, the information provided is already outdated. Rather than 13 KW gas generators for the lift stations, staff is now looking at 40 KW generators. He noted that a cost benefit analysis would be needed.

Mayor Garnes thought it would be good to include the entire scope with a City match which would allow for charging stations for citizens during a PSPS event. In addition, it would allow Public Works staff to continue working rather than chasing after fuel. She said that she was looking forward to receiving the final proposal.

Discussion of Cost Recovery for the Abatement of 483 Fourth Avenue

Chief Conner provided a staff report and said that on September 2, 2020 the City conducted an abatement at 483 Fourth Ave., with the Public Works Department removing solid waste and trash from the front yard of the residence. The City's cost for the abatement totaled \$2,727.06 with a statement of the costs sent to the property owner via certified mail on December 15, 2020. To date, the property owner has not made any attempt to pay or arrange for a payment plan.

He explained the cost recovery process outlined in the Rio Dell Municipal Code and references in the California Government Code that spells out the process for establishing taxes and assessments. The process requires two meetings; a public meeting followed by a public hearing. A notice of the public hearing must be sent to the property 45 days prior to the public hearing. The public hearing was tentatively scheduled for June 1, 2021.

The consensus of the Council was to move forward with the cost recovery process for the abatement.

ORDINANCES/SPECIAL RESOLUTIONS

Introduction/First Reading (by title only) of Ordinance No. 384-2021 Amending the Existing Street Dedication and Improvement Regulations, Section 17.30.310(2) and (6) of the Rio Dell Municipal Code (RDMC)

APRIL 6, 2021 MINUTES
Page 6

Community Development Director Caldwell provided a staff report and explained that the City's Street Dedication and Improvement Regulations apply to private streets as well as public streets and require the irrevocable dedication of land and construction of street, curb, gutter and sidewalk improvements. Under the current regulations, the Planning Commission or City Council may waive the dedication and required improvements.

He explained that the intent of the ordinance amendment is to streamline the process for the property owner in terms of time and cost by allowing the Public Works Director to approve such waivers. It was noted that should the property owner not be satisfied with the decision, they would be able to appeal the decision to the City Council.

Mayor Garnes opened the public hearing to receive public comment on the proposed ordinance amendment. No public comment was received and the public hearing was closed.

Motion was made by Johnson/Carter to approve the introduction and first reading (by title only) of Ordinance No. 384-2021 Amending the Existing Street Dedication and Improvement Regulations, Section 17.30.310(2) and (6) of the Rio Dell Municipal Code (RDMC), and to continue the item to the April 20, 2021 regular meeting for its second reading and adoption. Motion carried 5-0.

Introduction/First Reading (by title only) of Ordinance No. 385-2021 Amending Section/Table 17.20.070 of the Rio Dell Municipal Code and Resolution No. 1484-2021 Amending Table 1-2 of the Land Use Plan to Exclude Agricultural Structures in the Lot Coverage Calculation Provided the Applicant Executes a Surety Bond to Ensure the Removal of all Abandoned Greenhouses on Concrete Slabs so as not to Exceed the 10% Lot Coverage Within Two Years of the Cessation of Commercial Use of the Structures

Community Development Director Caldwell provided a staff report and said that staff recently discovered that the City's Rural (R) zoning and land use designation limits lot coverage to 10% whereby the Natural Resources (NR) allows maximum lot coverage of 90%. He noted that the City Clerk researched documents to see what the intent of the 10% lot coverage was but could not find any relevant information. It was staff's opinion that the intent of the 10% maximum lot coverage was likely intended for residential buildings and not intended to apply to agricultural structures however, because it is not clear, staff is recommending that the language be amended.

He further explained that commercial cannabis activities are allowed on the Dinsmore Plateau with a Conditional Use Permit (CUP) with the vast majority of the area designated as Rural (R). He noted that there are a number of commercial cannabis farmers interested in permitting mixed-light greenhouse cultivation on the Dinsmore Plateau and limiting the lot coverage to 10% limits the amount of commercial cannabis cultivation and potential tax revenue to the City.

The Planning Commission deliberated on the issue and recommended that the City Council approve modifying the allowable lot coverage to exclude agricultural structures in the lot coverage calculation. In addition, to require that the owners/operators of commercial greenhouses with concrete slab floors to execute a Surety Performance Bond for the removal of all but one of the approved greenhouses after two years of cessation of the commercial use of the structures.

Councilmember Woodall asked how a Surety Bond works.

Community Development Director Caldwell explained that a surety bond is similar to a performance bond and is obtained through an insurance company at 3-5% of the estimated demolition cost to remove the structures. In the event the owner/operator fails to remove the structures, the City steps in and facilitates the removal through the bond proceeds.

Councilmember Wilson asked for clarification that a maximum 10% lot coverage means that no more than 10% of the lot can be covered with structures.

Community Development Director Caldwell provided an example of a 5-acre parcel in the Rural designation and said the 10% maximum lot coverage would limit the maximum lot coverage to 21,780 square feet. The required 20-foot setbacks on all sides would further reduce the lot coverage or buildable area by about 18%.

Councilmember Wilson commented that it sounds like it may have just been a clerical error in the language of the ordinance.

Mayor Pro Tem Johnson pointed out that it is a good idea to periodically review the language in ordinances and resolutions and said that he had no problem with the proposed ordinance amendment or resolution as presented.

Mayor Garnes disclosed that she had conversations with two businesses related to this item; one phone call and one email and said that she listened to their concerns which was the extent of the conversation.

Mayor Garnes opened the public hearing to receive public comment on the proposed text amendment. There were no public comments received and the public hearing was closed.

Motion was made by Johnson/Wilson to approve the introduction and first reading of Ordinance No. 385-2021 (by title only) amending Section/Table 17.20.070 of the Rio Dell Municipal Code and Resolution No. 1484-2021 amending Table 1-2 of the Land Use Plan to exclude agricultural structures in the lot coverage calculation provided the applicant executes a Surety Bond to ensure the removal of all abandoned greenhouses on concrete slabs so as not to exceed the 10% lot coverage within two years of the cessation of commercial use of

the structures, and to continue the item to the April 20, 2021 regular meeting for its second reading and adoption. Motion carried 5-0.

Introduction/First Reading (by title only) of Ordinance No. 386-2021 Establishing Industrial Hemp Regulations Banning the Cultivation of Industrial Hemp in the City, Section 17.30.180 of the Rio Dell Municipal Code and Renumbering General Provisions and Exceptions, Sections 17.30.010-17.30.370 to Accommodate the Proposed Industrial Hemp Regulations
Community Development Director Caldwell provided a staff report and said that new Federal law allows cultivation of Industrial Hemp and basically allows cannabis farmers who opted out of the commercial cannabis industry to avoid regulatory fees and taxes with cultivation of hemp.

He said that commercial cannabis cultivation is having a very positive impact on the City's financial resources and cross-pollination is a major concern among commercial cannabis farmers and staff shares that same concern.

He noted that James Cortazar has been apparently utilizing a loophole in the Federal hemp regulations regarding Delta 8 and THC which is a psychoactive cannabinoid found in the cannabis plant, and processing and selling Delta 8 hemp products grown on the Dinsmore Plateau.

Since cross-pollination or the introduction of new pests and pathogens could have a tremendous negative impact on the local farmers as well as the potential negative impact to the City's cannabis tax revenue, staff is recommending the Council support staff's recommendation banning the cultivation of industrial hemp in the City.

Mayor Pro Tem Johnson asked staff to follow up on whether there was hemp harvested on the Dinsmore Plateau recently and what the potential plans are for the 20 acres as approved.

Community Development Director Caldwell said that it was staff's understanding from the Humboldt County Ag Department that Mr. Cortazar was approved for 20 acres of hemp cultivation but was uncertain of the amount harvested. He agreed to contact the Ag Department and try to obtain that information.

Councilmember Woodall said that it would be to the City's benefit to ban cultivation of hemp in the City and thanked Community Development Director Caldwell for providing the information.

City Manager Knopp then reviewed the process for providing public comment via Zoom.

Yama Schafer addressed the Council and said that he is one of the people interested in purchasing property on the Dinsmore Plateau and that there is some conflict regarding the

cultivation of hemp and cannabis and said the two are difficult to grow together and wanted to point that out.

No further public comments were received and the public hearing was closed.

Motion was made by Johnson/Carter for the Introduction/First Reading (by title only) of Ordinance No. 386-2021 Establishing Industrial Hemp Regulations Banning the Cultivation of Industrial Hemp in the City, Section 17.30.180 of the Rio Dell Municipal Code and Renumbering General Provisions and Exceptions, Sections 17.30.010-17.30.370 to Accommodate the Proposed Industrial Hemp Regulations and to continue the item to the next regular on April 20, 2021 for its second reading and adoption. Motion carried 5-0.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Pro Tem Johnson reported on the Governor's announcement to relax the rules with regard to meetings and group gatherings as of April 15, 2021 with things expected to be somewhat back to normal by mid-June. He expressed the desire to resume with in-person public City Council meetings.

He reported that the next Last Chance Grade Stakeholders meeting with all four groups would be held on April 22, 2021 at such time he expected the group to make a recommendation on one of the two options related to the Last Chance Grade project.

Councilmember Carter commented that she was also looking forward to having in-person Council meetings and said that there is a chair in the Chambers for her that she has not had the privilege to sit in.

She also reported on her attendance at the Redwood Region Economic Development Commission (RREDC) meeting and said that they received a presentation from the Nordic Aqua Farm that is the proposed fish farm that may be built on the Samoa Peninsula.

She commented that she also participated in the tour of the City's water/wastewater treatment plant which was very informative. She thanked public works staff and encouraged anyone who had not toured the plant to do so.

Councilmember Wilson reported on the last Humboldt Waste Management Authority (HWMA) meeting and said that he was looking forward to the selection of the new Executive Director.

Councilmember Woodall agreed with Mayor Pro Tem Johnson and Councilmember Carter on the desire to resume with in-person Council meetings and said that it is sometimes difficult to hear people speak during Zoom meetings.

She noted that she had not attended any recent board meetings but that she also participated

in the tour of the treatment plant with Councilmember Carter and thanked public works staff for taking the time to conduct the tour.

Mayor Garnes reported on a meeting with the Eureka Traffic Committee and said that they are trying to sort out a way to do an educational campaign on public safety to provide people with information and to do surveys with people between 18-34 to see what their issues are. The idea of the committee is to try and make Eureka a safer space for traffic which is important for all of the cities within the County.

She also reported that she received communication from a person from Augusta, Georgia who actually watched Rio Dell's City Council meetings and said that she feels that more people are reached though Zoom meetings and hoped to continue to reach people once the Council resumes with in-person meetings.

ADJOURNMENT

Motion was made by Johnson/Wilson to adjourn the meeting at 7:52 p.m. to the April 20, 2021 Regular meeting. Motion carried 5-0.

Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk

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



For Meeting of: April 20, 2021

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director



Through: Kyle Knopp, City Manager

Date: April 6, 2021

Subject: T-Mobile Lease Amendment

Recommendation:

That the City Council:

1. Authorize the City Manager to execute an amendment to the T-Mobile lease agreement.

Discussion

T-Mobile has requested to lease an additional 63 square feet to facilitate the placement of a back-up generator. The City would receive an additional \$450 a month for the additional area. The additional costs are based on the current lease cost per square foot. The City Attorney has reviewed the amendment and recommends your Council authorize the City Manager to execute the amendment.

Attachment 1: T-Mobile Lease Amendment

FIRST AMENDMENT TO GROUND LEASE

THIS FIRST AMENDMENT TO GROUND LEASE ("First Amendment") is made and entered into on _____, 2021 ("Effective Date"), by and between the City of Rio Dell, County of Humboldt, State of California ("Landlord"), and T-Mobile West LLC, a Delaware limited liability company ("Tenant") (Collectively the "Parties").

Recitals

The Parties hereto recite, declare and agree as follows:

A. Landlord and Tenant entered into a GROUND LEASE, dated June 30, 2009 ("Lease") for leased premises (the "Premises") located at 600 Dinsmore Ranch Rd, Garberville, California (the "Property").

B. Landlord and Tenant desire to enter into this First Amendment in order to modify and amend certain provisions of the Lease.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Landlord and Tenant covenant and agree as follows:

1. Landlord Consent. Landlord hereby grants Tenant the right and consents to Tenant's expansion of the Premises and the installation of a diesel generator as described and depicted in Exhibit "B-1", which is attached hereto and by this reference incorporated herein, which equipment shall be considered part of the "Antenna Facilities" under the Lease.

2. Rent and Costs. The Rent that Tenant pays Landlord will be increased by Four Hundred and Fifty Dollars (\$450) per month as of thirty (30) days from the date of commencement of construction for the modification of the additional equipment. Thereafter, Rent shall be payable in accordance with the terms of the Lease. The parties hereby agree that, as of the date of this First Amendment, there are no payment obligations of Tenant under the Lease, including but not limited to the payment of Rent, or other costs or fees, that are overdue; and that any future charges payable under the Lease by Tenant shall be billed by Landlord to Tenant within twelve (12) months from the date the charges were incurred or due; otherwise the charges shall be deemed time-barred, waived and released by Landlord.

3. Legal Description Clarification. Exhibit A of the Lease sets forth the legal description of Landlord's parcel of real property. The Premises, which is the Tenant's leased area shown in Exhibit B-1, comprises only a portion of Landlord's parcel of real property.

4. Tenant's Notice Address. Tenant's notice addresses in the Lease are deleted in their entirety and replaced with the following:

If to Tenant:

T-Mobile USA, Inc.
12920 S.E. 38th Street
Bellevue, WA 98006
Attn.: Lease Compliance
Site No. SF40969

5. Landlord Obligations. Notwithstanding anything to the contrary contained in the Lease, Landlord shall be responsible, at its sole cost and expense, for maintaining all portions of the Property in good order and condition and in compliance with all applicable laws, including without limitation, the roof, any support structure owned by Landlord, HVAC, plumbing, elevators, landscaping and common areas.

6. Terms; Conflicts. The terms and conditions of the Lease are incorporated herein by this reference, and capitalized terms used in this First Amendment shall have the same meanings such terms are given in the Lease. Except as specifically set forth herein, this First Amendment shall in no way modify, alter or amend the remaining terms of the Lease, all of which are ratified by the parties and shall remain in full force and effect. To the extent there is any conflict between the terms and conditions of the Lease and this First Amendment, the terms and conditions of this First Amendment will govern and control.

7. Approvals. Landlord represents and warrants to Tenant that the consent or approval of no third party, including, without limitation, a lender, is required with respect to the execution of this First Amendment, or if any such third party consent or approval is required, Landlord has obtained any and all such consents or approvals.

8. Authorization. The persons who have executed this First Amendment represent and warrant that they are duly authorized to execute this First Amendment in their individual or representative capacity as indicated.

IN WITNESS WHEREOF, the Parties have executed this First Amendment on the day and year first written above.

Landlord:
**the City of Rio Dell, County of Humboldt, State
of California**

Tenant:
**T-Mobile West LLC, a Delaware limited
liability company**

By: _____

By: _____

Name: _____

Name: _____

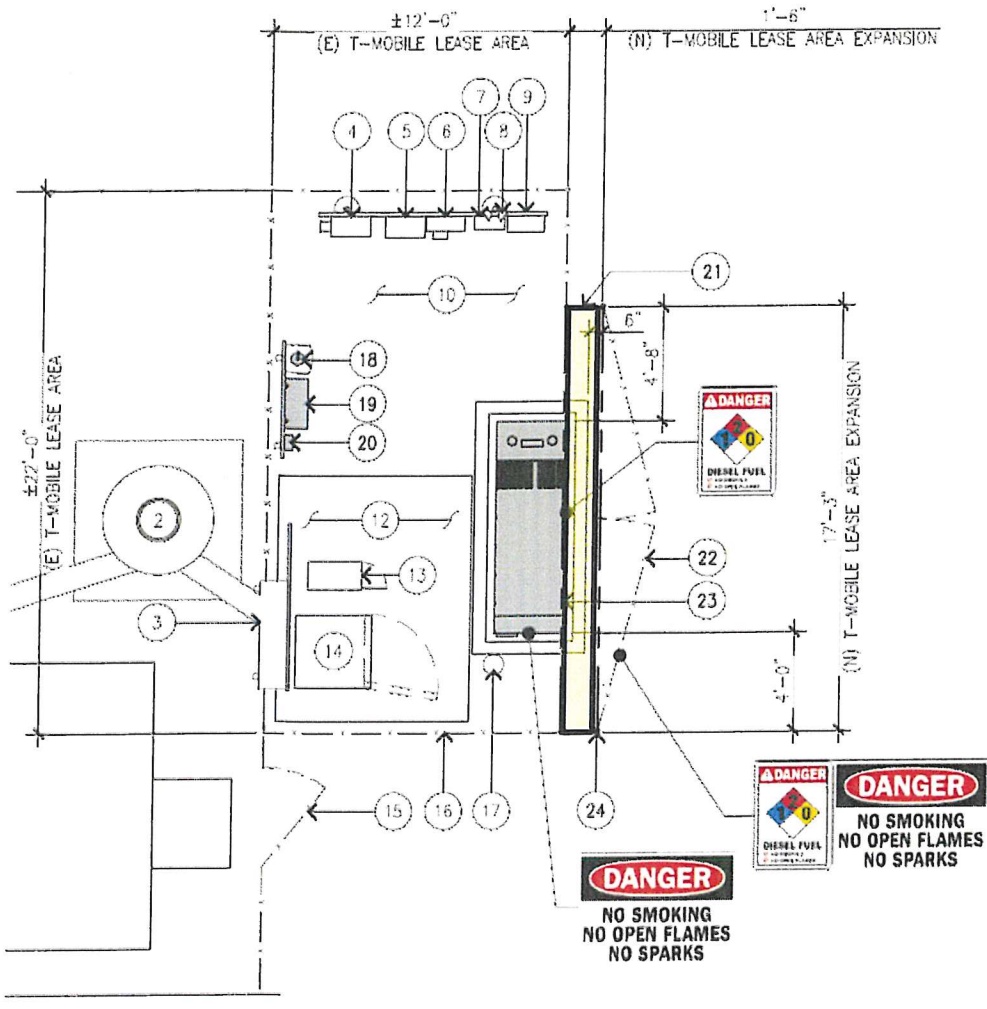
Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT B-1





*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

April 20, 2021

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the Mayor to Sign Letter in Opposition to SB 210

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the report, provide feedback if any.

BACKGROUND AND DISCUSSION

SB 210 (Wiener) seeks to strictly limit local agencies access to license plate recognition data and threatens public safety by destroying valuable evidence that has historically helped to find abducted children and apprehend murder suspects, kidnappers, and sex criminals. Existing law already outlines parameters for use, retention, and auditing functions for agencies who utilize Automated License Plate Reader (ALPR) technologies.

Cal Cities and the City of Rio Dell support accountability on the part of law enforcement agencies concerning police technology and policies, as well as related oversight by local governing bodies. However, CalCities is recommending we do not support policies that restrict law enforcement agencies from utilizing technologies that would otherwise enhance their ability to protect the communities they serve.

The Rio Dell Police Department does not currently use automated license plate scanners.

///

Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov



April 20, 2021

The Honorable Anthony Portantino
Chair, Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, CA 95814

**RE: SB 210 (Wiener) Automated License Plate Recognition Systems:
Use of Data.**
Notice of OPPOSITION *(As Amended 03/15/21)*

Dear Senator Portantino,

The City/Town of Rio Dell must respectfully oppose Senate Bill 210. This measure would hinder law enforcement access to valuable crime fighting data captured by Automated License Plate Reader (ALPR) cameras.

Existing law outlines parameters for use, retention, and auditing functions for agencies who utilize ALPR technologies. Many communities have held public meetings to approve this technology in their jurisdictions and, as required, post their use policies prominently on their agency websites. The same governing bodies should retain authority to direct local retention regulations where necessary.

Ultimately, SB 210 would remove local control over systems that community funds have been invested into. If approved, law enforcement agencies would lose many valuable pieces of information that have historically helped find abducted children, murder suspects, kidnappers, and sex criminals.

The misconception that this technology only matches to existing "hot list" data is a harmful fallacy. There is significant administrative work that goes into reviewing license plate data manually as law enforcement agencies work around the clock to solve crimes happening within our communities.

There also appears to be a misconception that the only way to utilize the data is to enter in specific license plate numbers to find matches; that is not at all accurate. Law enforcement personnel are oftentimes tasked with reviewing data and images from nearby incidents to attempt to match suspect vehicle descriptions or partial plate information relating to criminal activity.

The City of Rio Dell supports accountability on the part of law enforcement agencies concerning police technology and policies, as well as related oversight by local governing bodies. However,

we do not support policies that restrict law enforcement agencies from utilizing technologies that would otherwise enhance their ability to prevent criminal activity in the communities they serve.

For these reasons, the City of Rio Dell opposes SB 210.

Sincerely,

Debra Garnes
Mayor
City of Rio Dell

cc: The Honorable Scott Wiener
Senator McGuire & Assembly Member Wood
Sara Sanders, CalCities
League of California Cities, cityletters@cacities.org



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

April 20, 2021

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the City Manager to Sign the Customer Participation Agreement with Redwood Coast Energy Authority

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to Sign the attached Participation Agreement.

BACKGROUND AND DISCUSSION

The City has recently been awarded \$295,000 in energy resiliency (PSPS) funding through CalOES. In order to appropriately spend and administer the CalOES PSPS allocation the City will need assistance from energy experts. City staff have been working with the Public Agency Solar Program at RCEA.

RCEA is officially launching their Local Government Partnership (LGP) Program with PG&E that funds RCEA to provide support to local public agencies with energy related activities.

RCEA has requested the city to enlist in the program in order for the Agency to receive reimbursement for their work and for RCEA's LGP program to make the work they're doing for the City of Rio Dell officially part of this new program.

///



Redwood Coast Energy Watch Program
Customer Participation Agreement (Revision 2021.02.05)
Non-Residential & Public Customers

CUSTOMER INFORMATION

Table with customer information: Account Name (as listed on electric bill): City of Rio Dell, Contact Name: Kyle Knopp, Site Address: 675 Wildwood Avenue, Phone: (707) 764-3532, City: Rio Dell, Email: knoppk@cityofriodell.ca.gov, State: CA, Zip: 95562. Includes a checkbox for authorization to cover additional sites in Attachment A.

REDWOOD COAST ENERGY WATCH PROGRAM OVERVIEW

The Redwood Coast Energy Authority (RCEA) implements the Redwood Coast Energy Watch Program ("RCEW Program") through a Local Government Partnership contract ("LGP Contract") with Pacific Gas and Electric Company (PG&E) for eligible Customers in Humboldt County, CA. The RCEW Program provides the services listed below at no-cost to the Customer.

Non-Residential Customers

- Energy Assessments including energy data analysis and delivery of Customer reports with Customer-specific recommendations to save energy, costs, and emissions
Long-term energy plans outlined in Customer-specific roadmap reports
Referrals to energy programs that align with Customer interests

Public Agency Customers

In addition to the services listed under Non-Residential Customers, public agencies are also eligible for the following services related to their energy projects.

- Project management support
Procurement support
Assistance with obtaining financing
Benchmarking and ENERGY STAR® certification support

RCEW PROGRAM CUSTOMER PARTICIPATION TERMS AND CONDITIONS

I, the undersigned, on behalf of the Customer identified below, acknowledge, and agree to the following:

- ELIGIBILITY REQUIREMENTS. Customer's eligibility to participate in the RCEW Program is conditioned upon the following criteria: a) Customer's meter is charged the public purpose program ("PPP") fund surcharge, b) the project site is located in Humboldt County, California, and 3) the project site has an active non-residential electric and/or natural gas account with PG&E. RCEA may request verification of eligibility requirements before and during delivery of RCEW Program services. The Customer's eligibility will be determined by RCEA in its sole discretion.

2. **SITE ACCESS, ASSESSMENTS, AND REPORTS.** Customer warrants that they have site control and permission from the site control owner to enter this agreement. Customer authorizes RCEA representatives to identify opportunities for energy savings and/or energy-related emission reductions at the site(s) identified above and in Attachment A by conducting a no-cost energy assessment ("Assessment"). Assessments will include collecting information, pictures, and typical operational characteristics of energy-related equipment. Customer agrees to provide access to all rooms and mechanical spaces containing energy consuming equipment. Customer will notify RCEA before Assessment of the existence of: a) known hazards on site, b) personal protective equipment needed to enter any spaces on site, and c) spaces to which Customer denies access and therefore excludes from the Assessment. Customer authorizes RCEA to perform a virtual Assessment in place of an in-person Assessment if RCEA determines a virtual Assessment is warranted. Additionally, Customer may request a virtual Assessment. Virtual Assessments will be performed using RCEA approved teleconference software and may result in providing abbreviated Assessment services. Customer understands that the Assessment and reports ("Assessment Reports") will be provided with no obligation to pay for goods or services. Assessment Reports will be provided with every Assessment and will identify relevant existing technologies with energy savings and emission reducing recommendations. Long-term energy saving recommendations ("Roadmap Reports") for long-term energy planning will be provided if agreed to by RCEA and the Customer. Feasibility, design, and cost estimates of recommendations must be verified by Customer or Customer's installing contractor. Customer agrees to allow RCEA staff and/or external PG&E/California Public Utilities Commission (CPUC)-approved verifiers access to the site should inspection be required for verification, monitoring, and program evaluation.
3. **REFERRALS AND CUSTOMER INFORMATION.** Customer authorizes RCEA to use information provided by Customer for referral to other RCEA Programs that may provide Customer with additional energy and cost savings. Customer further authorizes RCEA to provide third-party program implementers with the following Customer information for referral to additional energy-related services ("Program Referrals"): a) Customer account information and history, b) Customer contact information, and c) information collected during the Assessment about existing energy-related technologies at the Customer's site. Customer acknowledges that sharing such Customer information as described above is a requirement of RCEW Program Referral services. Program Referrals are offered solely for Customer's convenience. Customer acknowledges that external program eligibility and opportunities will be determined by the third-party program implementer. Neither RCEA, nor PG&E, shall be liable for a third-party program implementer's determination of Customer eligibility; or for any losses, damages, or costs associated with services provided by third-party program implementers. Except as authorized herein, RCEA shall keep Customer RCEW Program information confidential. Notwithstanding the foregoing, PG&E and the CPUC shall be granted access to Customer information only as required and permitted by law or regulation. RCEA will not use the name or identifying characteristics of Customer in advertising, sales, promotion, or other outreach materials without Customer's advance written approval.
4. **PUBLIC AGENCY SERVICES:** For public agency Customers, RCEA will provide the Assessment, Reports, and Referral services described above as well as the following energy project support services as agreed to by RCEA and the public agency: a) project management support, b) procurement support; c) assistance in obtaining financing, and d) energy benchmarking and ENERGY STAR® certification of select sites. Customer authorizes RCEA to collect all data and information needed to complete benchmarking and ENERGY STAR® certification services and to enter this information into the ENERGY STAR Portfolio Manager® tool on behalf of the Customer.
5. **LIMITATIONS:** RCEW Program services are subject to funding availability. Services will be provided on a first-come, first-served basis until funding is depleted or until the RCEW Program end date on 6/30/2023. Submittal of a signed Customer Participation Agreement does not guarantee receipt of services. RCEA reserves the right to determine which RCEW Program services to offer and to establish timelines for providing services. RCEA further reserves the right to change, modify, or terminate RCEW Program services at any time without liability; provided however, RCEA will provide as much notice to Customer as reasonably possible before terminating services and will reasonably assist Customer in accessing services from other program implementers. RCEA will discontinue or deny services to a participating Customer determined by RCEA in its sole discretion to be in violation of any requirement, condition or regulation of the RCEW Program, any term under the PG&E LGP Contract, CPUC directive or to have intentionally misrepresented information provided to RCEA. Savings and cost estimates provided by the RCEW Program are based on statewide averages and are not intended to be accurate for a Customer's specific site. RCEA does not guarantee that any specific level of energy, cost, or emission savings will result from the implementation of RCEW Program recommendations. Neither RCEA, nor PG&E, shall be liable for errors or inaccuracies related to the feasibility, design, or estimated costs associated with RCEW Program recommendations.
6. **COVID-19 POLICY:** Customer and RCEA agree to follow the COVID-19 protocols listed in Attachment B. These protocols are subject to change. The latest RCEA COVID-19 protocols may be viewed on the RCEA website at www.redwoodenergy.org.

7. INDEMNIFICATION: CUSTOMER AGREES TO INDEMNIFY RCEA AGAINST ALL LOSS, DAMAGES, COSTS AND LIABILITY ARISING FROM ANY CLAIMS RELATED TO ANY SERVICES PERFORMED DURING THE IMPLEMENTATION OF RCEW PROGRAM SERVICES. NEITHER RCEA NOR CUSTOMER SHALL BE LIABLE TO EACH OTHER FOR ANY INCIDENTAL, SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES RELATED TO THIS AGREEMENT. PROVIDED THAT THE RCEA COVID-19 PROTOCOL IS FOLLOWED, NEITHER RCEA NOR CUSTOMER SHALL BE LIABLE TO THE OTHER FOR PROVEN OR UNPROVEN COVID-19 DISEASE TRANSMISSION OCCURING DURING DELIVERY OF RCEW PROGRAM SERVICES WHICH MAY RESULT IN LOSSES, DAMAGES, COSTS, BODILY INJURY, OR DEATH.
8. NO OBLIGATION. California consumers are not obligated to purchase any full-fee service or other service not funded by this Program. This Program is funded by California utility ratepayers under the auspices of the CPUC. Los consumidores en California no están obligados a comprar servicios completos o adicionales que no estén cubiertos bajo este programa. Este programa a está financiado por los usuarios de servicios públicos en California bajo la jurisdicción de la Comisión de Servicios Públicos de California.

Customer or Authorized Customer Representative

Signature: _____ Date: _____

Name (printed): _____ Title: _____

Attachment A: Additional Sites

Additional sites authorized by this Customer Participation Agreement are listed below.

Site 2 Address: 475 Hilltop Drive	City: Rio Dell	Zip: 95562
Site 3 Address: Painter and Riverside Drive Lift Station	City: Rio Dell	Zip: 95562
Site 4 Address: Fern and Eeloa Street Lift Station	City: Rio Dell	Zip: 95562
Site 5 Address:	City:	Zip:
Site 6 Address:	City:	Zip:
Site 7 Address:	City:	Zip:
Site 8 Address:	City:	Zip:
Site 9 Address:	City:	Zip:

Site 10 Address:	City:	Zip:
Site 11 Address:	City:	Zip:
Site 12 Address:	City:	Zip:
Site 13 Address:	City:	Zip:
Site 14 Address:	City:	Zip:
Site 15 Address:	City:	Zip:
Site 16 Address:	City:	Zip:
Site 17 Address:	City:	Zip:
Site 18 Address:	City:	Zip:
Site 19 Address:	City:	Zip:
Site 20 Address:	City:	Zip:

Attachment B: COVID-19 PROTOCOLS

RCEA Customers & Contractors COVID-19 Policy, Rev. 12.15.2020

Dear valued RCEA Customer or Contractor,

Per the Humboldt County Health Officer’s orders and RCEA guidelines:

- RCEA may refuse admission or service to any customer, contractor or visitor who fails to wear facial coverings during face-to-face interactions because of COVID-19
- Facial coverings protect the public from the user in case the user is infected and not yet displaying symptoms. Facial coverings are not a substitute for physical distancing
- Facial coverings are not needed when working alone
- Maintain minimum physical distance of 6 feet, or maximum distance possible if 6 foot distance cannot be achieved.
- Work remotely when the work can be done effectively in that manner.

Prior to each Customer site visit, RCEA and Customer agree to notify each other if any employee that will be onsite during the Customer site visit has tested positive for COVID-19, has been exposed to someone who has tested positive for COVID-19 within the last 14 days, or is experiencing symptoms related to COVID-19.

RCEA looks forward to working with you safely.

Link to Humboldt County orders: <https://humboldt.gov/2725/Local-Orders>

INTERNAL USE ONLY

Authorized RCEA Representative

Signature: _____ Date: _____

Name (printed): _____ Title: _____

Date Received:

Site	Elec SAID	Gas SAID	Audit #
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
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*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

April 20, 2021

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager
SUBJECT: Approval of Employment Agreement for Finance Director Services

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to sign the agreement.

BACKGROUND AND DISCUSSION

Cheryl Dillingham has been serving as the City's Interim Finance Director since June 5, 2019. This agreement will formalize the current arrangement and make her the permanent Finance Director for the City of Rio Dell. The attached agreement was drafted by the City Attorney.

Dillingham comes with over 20 years' experience in government finance and administration having most recently served as the Interim Auditor-Controller for the County of Humboldt. Additionally she has served as the County's Assistant Chief Administrative Officer (CAAO), Deputy CAO, Deputy Auditor Controller and several other noteworthy positions. She also has a Master's of Business Administration and was recently appointed to the County of Humboldt's newly formed Audit Committee.

The position will remain 24 hours per week with prorated benefits reflecting that part-time status. This unique setup is only made possible by the highly capable skill set in the possession of the incumbent and the good fiscal position of the City that has resulted from Council leadership.

///

**CITY OF RIO DELL
FINANCE DIRECTOR
EMPLOYMENT AGREEMENT**

This Employment Agreement (this "Agreement") is made and entered by and between the **CITY OF RIO DELL**, a municipal corporation of the State of California, hereinafter referred as the "Employer" or "City" and **CHERYL DILLINGHAM**, hereinafter referred to as "Employee" or "Finance Director", both of whom understand as follows:

RECTIALS

A. WHEREAS, Employer desires to employ the services of Cheryl Dillingham as Finance Director of the City of Rio Dell; and

B. WHEREAS, it is the desire of the Employer, to provide certain benefits, establish certain conditions of employment, and set working conditions of said Employee; and

C. WHEREAS, Employee desires to accept employment as the Finance Director of the said City.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

SECTION 1. DUTIES. Employer hereby agrees to employ Cheryl Dillingham as Finance Director of said Employer to perform the functions and duties specified in the Ordinances of said City, pursuant to California Government Code section 36506, and to perform other legally permissible and proper duties and functions as the Finance Director shall from time to time be assigned.

SECTION 2. TERM. This Agreement shall remain in effect through June 30, 2023, unless Employee's term of employment is terminated earlier as provided in this Section 2 or Section 3 of this Agreement, or by the voluntary resignation of Employee. Should Employee elect to resign, Employee shall provide Employer with at least six (6) weeks written notice prior to resignation.

- a. **Termination from Employment; 90 Day Limitation on Termination and Severance Pay.** Except in the event of immediate termination for cause as a result of a conviction or a plea of no contest to a felony as stated in Section 2.b. of this Agreement, below, the Finance Director shall not be terminated from employment within the ninety (90) day period following the appointment of a new City Manager. The purpose of this provision is to allow any newly appointed City Manager to directly observe the actions and ability of the Finance Director in the performance of the powers and duties of her office. In all other circumstances, the Finance Director can be terminated from employment **with or without cause and for any reason (or**

no reason at all) following two (2) weeks written notice from the City Manager, and without notice under Section 2.b. of this Agreement. In the case of employment termination prior to expiration of this Agreement (i.e., prior to June 30, 2023) the Finance Director shall be entitled to receive severance in a lump sum and all unused vacation, and executive leave time, as Employee’s sole and exclusive remedy and right(s) to payment at employment termination. “Severance” shall be paid according to the following schedule:

<u>Years of Continuous Service</u>	<u>Severance Pay</u>
0-1 year	2 months’ salary
1-2 years	3 months’ salary
2-3 years	4 months’ salary
3-4 years	5 months’ salary

b. **Severance Payment Exception.** Should the Finance Director be terminated for cause or as a result of a conviction or plea of no contest to a felony no severance pay will be provided upon employment termination. If the Finance Director voluntarily leaves employment with the City of Rio Dell or resigns, no severance pay will be provided upon separation.

SECTION 3. SUSPENSION OR REMOVAL. The Employee may be suspended, removed, or dismissed from the service of the City of Rio Dell at any time during the term of this Agreement pursuant to Section 2 above or to the provisions of any applicable City of Rio Dell Ordinances.

SECTION 4. DISABILITY. Employer may terminate Employee’s employment if Employee suffers a disability that renders Employee unable, as determined in good faith by the City Manager, to perform the essential functions of the position, even with reasonable accommodation, for four months (twelve weeks) in any 12-month period. If Employee’s employment is terminated under this Section 4, Employee shall be compensated for all accrued obligations through the termination date, which for purposes of this section shall be a date specified by the City Manager. Employer shall also pay to Employee a severance pay as set forth in Section 2 above. After the termination date, Employer shall not pay to Employee any other compensation or payment of any kind, or severance, or payment in lieu of notice. All benefits provided by Employer to Employee under this Agreement or otherwise shall cease on the Termination Date.

SECTION 5. SALARY. The salary for the Finance Director shall be as follows: **Effective July 1, 2021 through June 30, 2023, the salary schedule for the Finance Director shall be set in accord with “Step E” of the longevity based salary steps set forth in the salary pay scale adopted by the Rio Dell City Council on September 28, 2020, as Resolution No. 2020-1464, a copy of which is attached hereto as Exhibit “A” and incorporated by reference (the “Salary Schedule”). Since the Finance Director will only work twenty-four (24) hours per week rather than a forty (40) hour week (full-time), her salary shall be prorated. Specifically, the Finance Director shall receive sixty percent (60.00%) of the rate set by the**

Salary Schedule so long as the Finance Director works at that proportional equivalent of full-time employment.

Employee shall receive a five percent (5%) increase upon completion of ten (10) years of continuous, uninterrupted employment with the City, and another five percent (5%) increase upon completion of twenty (20) years of continuous, uninterrupted employment.

SECTION 6. PERFORMANCE EVALUATION. The City Manager shall review and evaluate the performance of the Employee not later than twelve (12) and twenty four (24) months from the effective date of this Agreement. From time to time as may mutually be deemed appropriate, the City Manager and Employee shall define such goals and performance objectives in writing which are determined necessary for the proper operation of the Department and City. Such goals and performance objectives shall be considered as part of the annual performance review of Employee.

SECTION 7. HOURS OF WORK. The Finance Director is limited to 24 hours per week of work pursuant to this Agreement. This arrangement can be altered by mutual agreement of the City and the Employee. It is recognized that Employee may be expected to work in excess of forty-eight (48) hours per pay period at the direction of the City Manager where necessary. Employee shall receive no overtime pay or compensatory time off. Employee acknowledges that the position of Finance Director is an administrative level, supervisorial position exempt from rights to overtime pay under California Wage and Hour law and regulations.

SECTION 8. OTHER EMPLOYERS OR OUTSIDE ACTIVITIES. Employee agrees to remain in the exclusive employ of Employer and not to become employed by any other employer in other employment until termination of the employment relationship without prior approval of the City Manager. The term "other employment" shall not be construed to include occasional teaching, writing, consulting, or military reserve service performed on Employee's time off. Employee shall not spend more than four (4) hours per week in teaching, counseling, or other non-employer connected business without the prior written approval of the City Manager.

SECTION 9. AUTOMOBILE. Employee's duties require that he shall have the use at all times during his employment with Employer an automobile to perform Employer's business. Employee's use of his private vehicle for City business shall be reimbursed to Employee at the current standard mileage rate as published by the United States Internal Revenue Service. Subject to the provisions of the City's separate Travel and Reimbursement Resolution, Employee shall be responsible for paying for all gas, maintenance, and repair of said automobile. Employee shall be responsible for paying for all liability, property damage, and comprehensive insurance on said automobile. Employee shall maintain a valid driver's license and maintain insurable driving status as defined by City's insurance coverage. Employee shall provide employer with a Department of Motor Vehicle H-6 report annually to verify minimum driving standards.

SECTION 10. VACATION, SICK LEAVE, HOLIDAYS, AND EXECUTIVE TIME. For the health and welfare of its employees, it is the policy of the City of Rio Dell that employees be encouraged to use the vacation benefits granted by the City and shall take an annual vacation of at least 40 hours.

Employee will receive forty-eight (48) hours of executive leave each fiscal year in (2) installments; 24 hours on July 1 and 24 hours on January 1. The taking of vacation and executive leave time shall be coordinated with and approved by the City Manager, who shall not unreasonably withhold their approval.

Employee may cash out or utilize the Executive Time installment beginning July 1. Employee shall be paid on the first pay period of June for each calendar year during the term of this agreement for accrued Executive Leave that remains unused or unpaid during the previous (12) months on a prorated basis.

Employee accrues a sick leave benefit of five (5) hours each calendar month actually worked by Employee, Rules pertaining to the use of sick leave are detailed in the Rio Dell Personnel Rules.

Upon the employee's separation from City service, he or she shall be paid for any accrued sick leave beginning after five years of full time employment based upon the following schedule:

5 – 7 years	-	10%
8 – 12 years	-	15%
13 – 20 years	-	20%
21 + years	-	25%

The amount paid out under this Article shall not exceed 240 hours.

Vacation time shall accrue in accord with the following schedule based on years of continuous employment service to the City (all of said rates are set at a sixty percent (60%) accrual rate compared to similarly situated full-time City employees):

<u>Years of Continuous Service</u>	<u>Hours per Year</u>	<u>Accrual Max.</u>
One to three (1-3)	48 hours	120 hours
Four to ten (4-10)	72 hours	180 hours
Eleven to fifteen (11-15)	96 hours	240 hours
Sixteen to twenty (16-20)	120 hours	300 hours

Employee shall also be entitled to the same paid holidays as the Rio Dell Employees' Association.

SECTION 11. ACCRUED VACATION LEAVE. The amount of vacation time allowed to be accrued at the end of any pay period shall not exceed 1.5 times the annual amount of vacation time for the Employee's year of service stated in the schedule recited in Section 10 (not to exceed a maximum of 300 hours). Upon reaching the applicable vacation accrual maximum in accord with the schedule recited in Section 10, Employee will not earn or accumulate additional vacation time and shall be automatically cashed out of 40 hours of accrued vacation, to be paid in the next pay period.

Employee may elect to buy down his vacation accrual at any time, provided that he has scheduled a vacation leave with the City Manager as appropriate or has taken his annual vacation and the balance in his vacation account will be at least 40 hours after the buy down.

SECTION 12. WORK RELATED EXPENSES AND REIMBURSEMENT. Employer agrees to reimburse the Employee such verifiable work related out-of-pocket expenses incurred by the Employee as approved by the City Manager. Employee shall submit an itemization schedule of his out-of-pocket expenses to the City Manager in writing in the form of a purchase order for payment. Employer also agrees to pay Employee a monthly cell phone allowance to ensure Employee can be contacted at all times. Employee must maintain cell phone service. The City's cell phone policy established by separate Resolution of the City Council is applicable in all regards for Employee.

SECTION 13. MEDICAL, DENTAL AND VISION INSURANCE REIMBURSEMENT. Medical, Dental and Vision Insurance shall be provided for the Community Development Director as the City provides for other management positions, but prorated for the Finance Director consistent with a work schedule set at sixty percent of full-time employment. The contribution amount by the City shall be sixty percent (60%) of the premium costs for these benefits for Employee and forty-two percent (42%) of the total premium costs for Employee's dependents, depending on their age and status as a student as provided in the plan document. The City reserves the right to choose, in the City's unilateral discretion, alternative medical coverage during the term of this Agreement. If the City elects to procure alternative medical coverage during the term of this Agreement, the City will seek to procure insurance of approximate comprehensive equivalency, but Employee acknowledges that Employee has no expectation that comparable coverage will continue since the City, like all insurance coverage procurers, is subject to significant fluctuations in the scope, availability and cost of insurance. Employee may elect to substitute compensation for health, dental, and vision insurance coverage. The level of compensation shall be \$75 per pay period for all health, vision and dental coverage, collectively. Proof of alternative health insurance must be provided to Employer before the requesting Employee may substitute compensation for insurance. Although the City is not obligated to pay a higher amount, Employee may request to re-negotiate the \$75 figure during the Term of this Agreement.

If elected by Employee and if the Employee has a spouse/qualified dependent who has reached the age of 65 and is eligible for Medicare coverage, Employee shall be entitled to a stipend of One Hundred and Fifty (\$150.00) dollars (less applicable payroll taxes) per pay period in lieu of City provided health insurance coverage through the City's current medical plan for the spouse/qualified dependent and effective upon the spouse/qualified dependent's removal from the City's plan. The amount of the stipend is in addition to the Employee's regular salary and is subject to all payroll taxes as required by law, with Employee bearing and paying the regular portion of payroll tax allocated to Employee.

SECTION 14. DEFERRED COMPENSATION. The Employer does not yet participate in and is not a party to the Public Employees Retirement System of the State of California. The Employer participates in a deferred Compensation Plan (i.e., an IRC 457(b) Plan). The Employer shall contribute and pay an amount equal to twelve percent (12%) of the Employee's salary to

the Deferred Compensation Plan to the extent accrued proportional to the amount of time worked during any given year.

SECTION 15. LIFE INSURANCE. A term life insurance policy in the amount of Seventy-Five Thousand Dollars (\$75,000.00) shall be provided by the Employer for the Employee, with the Employee entitled to designate Employee's beneficiary.

SECTION 16. AGREEMENT EFFECTIVE. This Employment Agreement shall become effective July 1, 2021 and shall remain in effect through June 30, 2023, subject to potential early termination under Sections 2, 3 and 4 of this Agreement and changes pursuant to amendments or adjustments made at mutually agreed upon times throughout Employee's term of employment with Employer.

SECTION 17. INDEMNIFICATION. Employer shall defend, hold harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action arising out of an alleged act or omission occurring in the performance of Employee's duties as Finance Director. Employer's indemnity obligation shall not apply to any claims or liabilities, of any type or nature, arising out of any intentional acts, criminal acts or willful misconduct of Employee.

SECTION 18. BONDING. Employer shall bear the full cost of any fidelity or other bonds required of the Employee under any law or ordinance.

SECTION 19. DUES AND SUBSCRIPTIONS. Employer agrees to budget and to pay for the professional dues and subscriptions of Employee necessary to support growth, advancement and active communication for the good of the City. Employee shall distribute to and share with the City Manger written material and information distributed by the said associations.

SECTION 20. LICENSING AND TRAINING. Employer agrees to budget and pay for the professional licensing and continued education of Employee for training as necessary and approved by the City Manager.

SECTION 21. TRAVEL EXPENSES. Employer hereby agrees to budget for and to pay the travel and subsistence expenses of Employee for official and professional travel of Employee while on City business, provided that the City Manager has first approved and authorized said travel and training expenses.

SECTION 22. ATTORNEY'S FEES. Should any litigation be commenced between the parties to this Agreement or the rights and duties of either relationship thereto, the prevailing party in such litigation shall be entitled in addition to such other relief as may be granted, to reasonable sum as and for attorney's fees which shall be determined by the court.

SECTION 23. OTHER TERMS AND CONDITIONS OF EMPLOYMENT. The City Manager may fix any such other terms and conditions of employment, not in conflict with City Ordinances, Rules or Policies, as he/she may determine from time to time, relating to the performance of Employee.

SECTION 24. NOTICES. Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

EMPLOYER
City of Rio Dell
Rio Dell City Hall
675 Wildwood Ave
Rio Dell, California 95562

EMPLOYEE
Cheryl Dillingham

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written in the course of transmission in the United States Postal Service.

SECTION 25. GENERAL PROVISIONS.

- A. The text herein shall constitute the Agreement between parties.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.
- C. This Agreement shall become effective commencing immediately, subject to Section 16 above.
- D. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.
- E. This Agreement (including all Exhibits attached hereto) contains the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior understandings with respect thereto. This Agreement may not be modified, changed, supplemented or amended except by written instrument signed by the party to be charged or by its agent duly authorized in writing or as otherwise expressly permitted herein.

IN WITNESS WHEREOF, the City of Rio Dell has caused this Agreement to be signed and executed in its behalf by its City Manager, and the Employee has signed and executed this Agreement, both in duplicate.

EMPLOYEE

Cheryl Dillingham
Community Development Director

Date

EMPLOYER

Kyle Knopp
City Manager

Date

Approved as to form:

Russell Gans, City Attorney

Date



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

DATE: April 20, 2021
TO: Mayor and Members of the City Council
FROM: Kyle Knopp, City Manager
SUBJECT: Approve the Request for Proposal for a Water and Wastewater Rate Study

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the Request for Proposal (RFP) for a Water and Wastewater Rate Study.

BACKGROUND AND DISCUSSION

The City's Utility Rate RFP Ad Hoc Committee (members Johnson and Wilson) have met over the past year to discuss water and wastewater rate studies to ensure the rate currently charged reflects the cost to operate the system both currently and into the future. Rate studies are advised to be conducted every five years. The attached RFP was recommended by the Ad Hoc to be forwarded on to the Council for approval.

The City's current water and wastewater fee structure was last updated in 2015 and 2014 respectively. Government Code provides that water and wastewater rate adjustments for inflation cannot exceed five years. Additionally, there have been changes in operations and regulatory requirements since the last rate update. A rate study will help determine if any changes need to be made in order to efficiently operate the City's Water and Wastewater Systems.

The primary objective of the RFP is to develop a five-year rate schedule for water and wastewater services that equitably distributes costs to customers and adequately funds operations, debt service, reserves and capital projects.

ATTACHMENTS

Request for Proposals Water and Wastewater Rate Study



REQUEST FOR PROPOSALS
WATER AND WASTEWATER RATE STUDY

RETURN TO:

City of Rio Dell
675 Wildwood Avenue
Rio Dell, California 95562
Attention: Kyle Knopp, City Manager

The request for proposal (RFP) process allows the City to select the vendor that best meets the needs of the City, taking into consideration qualifications, price, and service capabilities.

RFP Release Date: May XX, 2021

RFP Submittal Deadline: June XX, 2021 at 3:00 PM

Table of Contents

I.	Introduction.....	2
II.	Description of the City.....	2
III.	Objective.....	2
IV.	Scope of Services.....	3
V.	City’s Responsibilities.....	4
VI.	Proposal Requirements.....	4
VII.	Evaluation Process.....	5
VIII.	Schedule of Work.....	5
IX.	Terms of Engagement.....	6
X.	Submission Instructions.....	6

I. INTRODUCTION

The City of Rio Dell is requesting proposals from qualified firms to complete a water and wastewater rate study and review. This project is a comprehensive study of current rates and expenses with recommendations for a five-year rate schedule for water and wastewater services that adequately funds operations, debt service, and allows for the accumulation of reserves for future capital projects.

Questions about this Request for Proposal should be directed to Kyle Knopp, knoppk@cityofriodell.ca.gov.

The City will select one firm, based on demonstrated competence and cost-effective approach to design and conduct a water and wastewater rate study and assist in implementation of any new rate schedules. It is anticipated the selection of a firm will be completed by XXXX, 2021 and the completion of the written work product is desired by XXXXX, 2021.

II. GENERAL INFORMATION

The City of Rio dell is located approximately 245 miles north of San Francisco and 28 miles south of the City of Eureka in Humboldt County. The City is approximately 2 square miles with a population of 3,363. The City has around 1,300 water and wastewater customers.

The City's current water and wastewater fee structure was last updated in 2015 and 2014 respectively. Customer fees are charged using two different methodologies for water and wastewater. All water customers are charged a base fee and usage charge per dwelling unit. The methodology is standard across all customer types with the exception of trailer/RV parks, who receive a 50% reduction in the base fee. The Dinsmore pressure zone also serves a small subset of customers who are charged a separate and additional fee to the standard rates. For wastewater, there is a base fee and usage charge calculated annually upon the use of water during low use winter months. A wastewater strength factor is included for various businesses based upon BOD load.

Ongoing concerns related to wastewater capital include the collection system which is currently undergoing a Sanitary Sewer Evaluation Study (SSES) in order to best identify the most economical manner to reduce I&I and eliminate regular sanitary sewer overflows that occur during significant rain events. Additionally, the plant is under scrutiny for disinfection byproduct where potential solutions to this issue involve significant increases in energy costs to move to a UV disinfection system. However, City staff is exploring other economic measures to mitigate this issue without using more energy. The plant came online in 2013 and the 2014 rate adjustments were not well

informed by the real cost of operating the new system. Staffing levels were insufficient for appropriate operation and have had to increase as a result.

For the water system, the City is making application for Drinking Water State Revolving Fund grants and or loans to finance the replacement of much of the older and failing small diameter distribution system. Additionally, the City is pursuing Disaster Mitigation funds for replacement of storage and a new underground water line to the city's secondary source of water.

There is widespread concern about the collective utility rates in the community being too high. While not the highest rates in the immediate area, the current rates are in the upper tier of cost for the region. Rio Dell is an economically disadvantaged community and an increase in rates will require significant evaluation and be avoided if at all possible. A potential solution could be a redistribution of rates between water and wastewater fees.

Unknown factors that could impact rates include:

- The outcome of a Drinking Water State Revolving Fund (DWSRF) grant or loan application for the water system – currently being submitted.
- Drought
- Wastewater NPDES permit renewal in 2022
- Outcome of the SSES and subsequent grant and/or loan applications – currently anticipated to be completed in 2023
- New commercial agricultural water users in the “Dinsmore Zone” (a separate water distribution pressure zone assessed a special add-on water rate.)
- Lack of cooperation with neighboring Community Service District on efficiency measures.
- Outcome of efforts to economically reduce disinfection byproduct.

III. OBJECTIVE

The City of Rio Dell is looking to meet the following objective through this study:

- a. Create a financial plan model for the water and wastewater services that projects each service's revenues, operations and maintenance costs, capital improvement costs, reserve funding and debt service costs.
- b. Perform a cost of service analysis for each service that fairly and equitably distributes costs across customer classes in compliance with Proposition 218, Proposition 26 and other state and federal regulations.

- c. Develop a five-year rate schedule for water and wastewater services that adequately funds operations, debt service, and allows for the accumulation of reserves for future capital projects.

IV. SCOPE OF SERVICES

The below scope of services includes the major tasks required to complete the study. Proposers should include any recommended additional tasks they believe are required to meet the objective defined above and reasoning behind such an approach.

- a. Conduct a kick off meeting with City staff to discuss project priorities, data needs and project schedule. Consultant will also be required to prepare a list of data needed for the study that will be discussed during the meeting.
- b. Develop a financial plan model for the water and wastewater services that determines the revenue requirements based on projected revenues, operating and maintenance expenditures including capital improvements, debt service coverage and reserve funding policies as well as any other policy consideration that the City determines are priorities.
- c. Prepare a cost of service analysis that fairly and equitably allocates costs to customer classes while adequately funding revenue requirements including operations and maintenance, capital improvements, and debt service. The analysis must ensure that rates and charges are defensible and comply with the requirements of Proposition 218, Proposition 26 and other regulations.
- d. Recommend rate and fee structures for water and sewer utilities that will fairly recover allocated costs and adequately fund reserves. Rate structure recommendations should consider current and future operations and maintenance costs, projected demands, water supply and capital improvement requirements.
- e. Assess the equity of recommended water and sewer rates for all types of property ownership. Justifications for any special classes of customers under the recommended rate structure shall be demonstrated.
- f. The benefits of any proposed rate modifications shall be weighed against the financial impacts on ratepayers. Consultant shall explain the advantages and disadvantages during the cost of service analysis. The analysis shall include the preparation of typical bill comparisons for each proposed rate structure for representative customer classes using the current rate schedules as a baseline.

- g. Coordinate with the City's Utility Billing Software tech support to ensure that any rate structure proposed is supported and billable with the current accounting software.
- h. Review and make recommendations on City code, policies, practices and fees related to sewer lateral maintenance and connections.
- i. Review and make recommendations on City Code, Policy, Practices and fees related to Accessory Dwelling Units (ADU), Trailer/RV Parks, commercial properties and agricultural irrigation.
- j. Prepare draft and final reports that summarize the results and recommendations of the study and serve as a document of record in compliance with Proposition 218. Draft and final deliverables shall be made available in Word, Excel, and PDF file formats. Word and Excel formats shall be editable by City staff.
- k. Conduct rate workshops with staff and City Council.
- l. Develop the Proposition 218 notice of public hearing and present the study to the City Council and the public at the Proposition 218 hearing. Conduct a minimum of two (2) community meetings to inform the public of any rate changes prior to the Proposition 218 hearing.
- m. The scope should include any additional meetings or webinars that the proposer believes necessary to ensure that the City is well informed as to the status of the project and to discuss major milestones of the project.
- n. Provide an easy-to-use electronic rate model for City staff to use for calculating future rate changes.

V. CITY'S RESPONSIBILITIES

City staff will provide the consultant with all relevant information it has pertaining to the City and its water and wastewater operations, capital improvements, debt and revenues.

VI. PROPOSAL REQUIREMENTS

- a. Cover letter summarizing the proposal.
- b. Scope of work (a description of the work program including a description of deliverables and activities).

- c. Description of the Project Team including the names, title and qualifications of the proposed manager and support staff.
- d. Outline of the proposed work plan and timeline.
- e. Project budget containing a schedule of billing rates and a specific “not to exceed” capped fee including associated fees (i.e. printing costs, attendance at meetings, travel). A requested payment schedule should accompany the work schedule.
- f. A list of public entities the consultant has performed similar work for. When possible, include references from other cities of a similar size and characteristics as the City of Rio Dell.

VII. EVALUATION PROCESS

During the evaluation process, the City of Rio Dell reserves the right, where it may serve the City’s best interest, to request additional information or clarifications from proposers, or to allow corrections of errors or omissions. The City of Rio Dell reserves the right to reject any or all provisions submitted.

Proposals will be evaluated based on the following criteria (not in ranked order):

- Experience and qualification of staff assigned to the project
- Background and experience in organizational analysis and evaluation
- Thoroughness and understanding of the tasks to be completed
- Time required to accomplish the requested service
- Responsiveness to the requirements of the project
- References (particularly local government references) and recent relevant work performed conducting similar studies
- Cost

VIII. SCHEDULE OF WORK

The following is an outline of the project tentative time schedule:

Release RFP	May ____, 2021
Deadline for submission of proposals	June 11, 2021

City review of proposals	June 14 – 25, 2021
City Manager recommendation goes to the City Council	July 6, 2021
Contract award and negotiation	July 12, 2021
Work Begins	July 19, 2021
Draft report submitted to City Manager for review	September 6, 2021
Completion of final report	October
Presentation to City Council, public hearing	October

IX. TERMS OF ENGAGEMENT

- a. The City of Rio Dell wishes to negotiate a contract with a “not to exceed” dollar total based on a clearly defined scope of work. The selected consultant will be required to enter into a professional services contract with the City.
- b. Insurance Requirements: The Contractor shall provide proof of insurance as specified:
 - i. Commercial General Liability (CGL) with limits no less than \$1,000,000 per occurrence
 - ii. Workers Compensation with limits no less than \$1,000,000 per occurrence
 - iii. Professional Liability with limits no less than \$1,000,000 per occurrence
- c. Business License: The Contractor must have a valid City of Rio Dell business license prior to the execution of the contract. Additional information regarding the City’s Business License Program can be obtained from Karen Dunham, City Clerk dunhamk@cityofriodellcity.ca.gov, or (707) 764-3532.

X. SUBMISSION INSTRUCTIONS

- a. There is no expressed or implied obligation of the City of Rio Dell to reimburse responding firms for any expenses incurred in preparing proposals in response to this request.
- b. The submittal shall not exceed twenty (20) pages, 8 ½ x 11 inches, with a 12-point font minimum. All pages count towards the page total except the cover, introductory letter, and organizational chart (if included).

- c. To be considered, five (5) copies of a proposal and one copy of the project budget must be received by 5:00 PM, XXXX, 2021. Please send proposals to:

**Kyle Knopp, City Manager
City of Rio Dell
675 Wildwood Avenue
Rio Dell, California 95562**

(707) 764-3532

knoppk@cityofriodell.ca.gov

- a. The City of Rio Dell reserves the right to reject any or all provisions submitted and/or waive any irregularity.
- b. The City of Rio Dell reserves the right to retain all proposals submitted and to use any ideas in a proposal regardless of whether that proposal is selected. Submission of a proposal indicates acceptance by the firm of the conditions contained in this request for proposals, unless clearly and specifically noted in the proposal submitted.

675 Wildwood Avenue
Rio Dell, CA 95562-1597
(707) 764-5642 Hall



For Meeting of: April 20, 2021

■ Consent Item; □ Public Hearing Item

To: City Council
From: Jeff Conner, Chief of Police
Through: Kyle Knopp, City Manager
Date: March 31, 2021
Subject: Discussion of Cost Recovery for the Abatement of 483 Fourth Avenue

Recommendation:

That the City Council discuss the cost recovery for the abatement that took place on September 2, 2020, including any public comment. The cost of the abatement was \$2,727.06.

Background and Discussion

Due to an error in noticing the previous meeting, this item needs to be placed on your Council's agenda again. There are no other changes.

On February 13, 2019, a Notice of Violation was served on Jeanie Spier, the owner of 483 4th Avenue. There was some initial progress in removing the trash and garbage stored in the front yard of that property. However, the situation soon reverted and Administrative Citations were issued to the property owner on November 24, 2019 and on June 1, 2020. There was minimal response to these citations and they have not been paid. On July 7, 2020, Jeanie Spier was served with a Notice of Nuisance and Order to Abate. When there was no action in response to this document, an abatement warrant was sought from the court. On September 2, 2020, the Public Works Department conducted the abatement, removing the solid waste and trash from the front yard. The City's costs for the abatements were determined to be \$2,727.06. This cost assessment was sent via certified mail to the property owner on December 15, 2020. She has not made any attempt to pay or make a plan with the City for this debt.

Rio Dell Municipal Code (RDMC) Sections 8.10.310 through 8.10.330 cover the cost recovery process. RDMC Section 8.10.330 references the California Government Code Section 38773.5 which spells out the process for establishing taxes and assessments. This process requires two meetings, a public meeting followed by a public hearing. The public hearing is anticipated to be held on June 1, 2021.

Attachment(s): Cost recovery assessment

Rio Dell Police Department
 675 Wildwood Avenue, Rio Dell, California 95562
 [707] 764-5642

COST RECOVERY ASSESSMENT

Name: Jeanie Spier
Address: 483 4th Avenue
 Rio Dell, California 95562
A.P.# 053-075-007
File # CE18-15
Location: 483 4th Avenue
 Rio Dell, California

<i>Date</i>	<i>Staff/ Vendor</i>	<i>Staff Time Description</i>	<i>Hours/10ths</i>	<i>Cost</i>
2/15/2019	JC	Draft Notice of Violation	1.00	\$78.03
2/19/2019	SL	Mail Notice of Violation	0.25	\$6.77
7/6/2020	JC	Draft Notice of Nuisance and Order to Abate	1.00	\$78.03
7/6/2020	SL	Mail Notice of Nuisance	0.25	\$6.77
8/26/2020	JC	Obtain Abatement Warrant	1.50	\$117.05
SUB-TOTAL - Staff Time				\$286.64

Contractors and Other Agencies/Departments

CONTRACTORS:

9/2/2020 Recology - 30 yard dumpster \$1,755.18

OTHER AGENCIES/DEPARTMENTS

9/2/2020 Public Works Cleanup Crew \$671.80

SUB-TOTAL - Contractors and Other Agencies \$2,426.98

<i>Date</i>	<i>Office Costs Description</i>	<i>Amount</i>
2/19/2020	Certified Mail for Notice of Violation	\$6.72
7/6/2020	Certified Mail for Notice of Nuisance and Order to Abate	\$6.72
SUB-TOTAL - Office Cost		\$13.44
TOTAL		\$2,727.06

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
9848	3/04/2021	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR FEBRUARY 2021	430.77
9849	3/04/2021	[3975] AT&T - 5709	FAX LINE EXPENSES FOR FEB. 2021 - PD, FAX LINE EXPENSES FOR FEB. 2021-CITY HALL	58.00
9850	3/04/2021	[7121] BIO-ACOUSTICAL CORPORATION	ON-SITE EMPLOYEE HEARING TEST	545.00
9851	3/04/2021	[5352] JOANNE E FARLEY	MILEAGE DEC2020 TO FEB2021	31.63
9852	3/04/2021	[2394] FEDEX	SAMPLE SHIPPING FOR TESTING	228.55
9853	3/04/2021	[2405] FORTUNA ACE HARDWARE	TWO GAL OF DISTILLED WATER, TWO GAL DISTILLED VINEGAR, 7 GAL PAINT, 7 GAL OF ECO FEES	258.67
9854	3/04/2021	[6486] GREEN TO GOLD ENTERPRISES LLC	RUST-OLEUM MARKING PAINT 20 OZ, HYDRO FLOW TUBING; STEEL MPT ADAPTER, SQUARE HEAD PIPE PLUG, ACTIVE AQUA 1/2" BLUE TUBING, PVC 3/4" THREADED COUPLER; PVC 3/4"x1/2" MXF THREAD BUSHING, HEX CAP SCREW, 3/4x20 SCH 40 PVC PIPE; PVC PRIMER 1/2PT, RECTORSEAL #5 1/4 PT, WALL PLATES, RETURNS FROM INVOICE 69322	115.65
9855	3/04/2021	[2458] H.C. DIVISION OF ENVIRONMENTAL HEALTH	HAZARDOUS MATERIALS FACILITY FEE; CUPA STATE SURCHARGE; HAZMAT EMERGENCY RESPONSE TEAM SUPPORT	770.28
9856	3/04/2021	[6998] MAD RIVER COMMUNITY HOSPITAL	PRE-EMPLOYMENT DRUG SCREENING;	105.00
9857	3/04/2021	[2551] MIRANDA'S ANIMAL RESCUE	ANIMAL CONTROL SERVICES	1,900.00
9858	3/04/2021	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS; PAPER TOWELS; CLEAN MOP HEAD	130.52
9859	3/04/2021	[6100] NORTHERN CALIFORNIA GLOVE	NITRILE EXAM GLOVES; ASTROGRIP NITRIL GLOVES; TOOL HANDZ PLUS; ATLAS FIT BLUE GLOVES; MULTIBAND CHILL-ITS;	310.92
9860	3/04/2021	[4393] NYLEX.net, Inc.	MONTHLY MAINT. FOR MARCH 15 - APRIL 15, 2021; AND SECURITY GATEWAY FOR PD	1,320.00
9861	3/04/2021	[7120] ONTIVEROS & ASSOCIATES, INC.	PROFESSIONAL SERVICES - CC MARKET ROW	709.40
9862	3/04/2021	[6806] PINTERMEDIA LLC	MONTHLY WEB HOSTING FEE FOR MARCH, COUNCILWOMEN CARTER ADDED; FORM WORK; WEATHER WIDGET	267.50
9863	3/04/2021	[2619] PITNEY BOWES, INC.	QUARTERLY LEASING PAVMENT 12/30/20 - 3/29/20	98.11
9864	3/04/2021	[4338] QUILL CORPORATION	POST-ITS	21.18
9865	3/04/2021	[6349] RECOCLOGY EEL RIVER	GARBAGE BAGS FOR FEBRUARY 2021	150.63
9866	3/04/2021	[2750] USA BLUEBOOK	PH BUFFER PK; WEATHERLINK PC SOFTWARE; (OR) HACH NITRATE TNT	403.29
9867	3/10/2021	[0576] 101 AUTO PARTS	BACKHOE PARTS, SUPER HC IND V-BELT (PART# 3YX670); SPECIALIST PENETRANT (PART# 300004); 16 PB DS PENETRANT (PART# 16-PB-DS); SHOP TOWELS IN A BOX (PART# 75190), WD40 8OZ SPRAY AEROSL (PN 49002); WET WIPE (PN 91371); 16 PB DS PENETRANT (PN 16-PB-DS), GLOSS DARK GREY (PN 80-890)	328.88
9868	3/10/2021	[7127] BUDDY'S AUTO CENTER, Inc.	VEHICLE ABATEMENT	700.00
9869	3/10/2021	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR MARCH 2021	4,030.33
9870	3/10/2021	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 02/26/2021	150.00
9871	3/10/2021	[2928] DAN COLLINGS TREE SERVICE	PRUNE ONE PINE TREE, REMOVE ANOTHER TWO AND CLEAN UP OF DEBRIS AT THE CORNER OF BELLEVUE & PACIFIC AVE	1,000.00
9872	3/10/2021	[2340] DEPT OF JUSTICE ACCOUNTING OFFICE	FINGERPRINT APPS; FINGERPRINT - FBI	98.00
9873	3/10/2021	[2407] FORBUSCO LUMBER	4-SAND BLOCK 45395; 5-120 GRIT SANDPAPER; 5-80 GRIT SANDPAPER, 4-90LBS CON MIN U/H	78.48
9874	3/10/2021	[2405] FORTUNA ACE HARDWARE	SPRINKLERS AND ACCESSORIES, FLY PAPER 8PK	187.16
9875	3/10/2021	[5052] GHD, INC	STREETS SAFETY IMPROVEMENT & COMMUNITY OUTREACH PROJECT, ENGINEERING SERVICES FOR DEVELOPMENT OF SANITARY SEWER EVALUATION STUDY, ENGINEERING SERVICES FOR FEB. 2021	12,696.00

City of Rio Dell
Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
9876	3/10/2021	[2457] HUMBOLDT COUNTY CLERK-RECORDER	COPIES	10.00
9877	3/10/2021	[2521] LEAGUE OF CALIF. CITIES	MEMBERSHIP DUES FOR REDWOOD EMPIRE DIVISION-2021	50.00
9878	3/10/2021	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDRY UTILITY WORKERS SHIRTS; CLEAN MOP HEAD, MAINTENANCE & LAUNDRY UTILITY CAMERON	51.45
9879	3/10/2021	[4393] NYLEX.net, Inc.	SATURDAY PRINTER SERVER RECONNECT	187.50
9880	3/10/2021	[2659] RIO DELL PETTY CASH	PETTY CASH FOR FEB 2021	33.82
9881	3/10/2021	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR MARCH 2021	115.20
9882	3/10/2021	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR FEBRUARY 2021, LEGAL SERVICES FOR FEBRUARY 2021	1,551.50
9883	3/10/2021	[2750] USA BLUEBOOK	WATER ELECTRONICS	201.49
9884	3/10/2021	[2772] WENDT CONSTRUCTION, INC	REMOVE & REPLACE SECTION OF SIDEWALK TO INSTALL 15 FT OF 4" PVC SEWER LATERAL W/ CLEANOUT	5,467.00
9885	3/17/2021	[4892] KEVIN T CALDWELL	REIMBURSEMENT FOR HORIZON BUSINESS PRODUCTS; BUILDING PLANS	12.24
9886	3/17/2021	[2340] DEPT OF JUSTICE ACCOUNTING OFFICE	BLOOD ALCOHOL ANALYSIS FOR FEBRUARY 2021	105.00
9887	3/17/2021	[2386] EUREKA RUBBER STAMP CO.	2 2X10 NAME PLATES; 2 0.25X3 NAME PLATES; 2 NAME TAGS; 1 WPPD BASE	96.71
9888	3/17/2021	[5052] GHD, INC	DRINKING WATER INFRASTRUCTURE IMPROVEMENT FUNDING, PLANNING & DESIGN PROJECT, DRINKING WATER INFRASTRUCTURE IMPROVEMENT FUNDING, PLANNING & DESIGN PROJECT, DRINKING WATER INFRASTRUCTURE IMPROVEMENT FUNDING, PLANNING & DESIGN PROJECT, DRINKING WATER INFRASTRUCTURE IMPROVEMENT FUNDING, PLANNING & DESIGN PROJECT, DRINKING WATER INFRASTRUCTURE IMPROVEMENT FUNDING, PLANNING & DESIGN PROJECT, DRINKING WATER INFRASTRUCTURE IMPROVEMENT FUNDING, PLANNING & DESIGN PROJECT	136,032.86
9889	3/17/2021	[4451] HARBOR FREIGHT TOOLS	TOOLS	164.53
9890	3/17/2021	[4099] HARPER MOTORS	2021 FORD POLICE INTERCEPTER; CAR#1, VIN.10578, 2021 FORD POLICE INTERCEPTER; CAR#2, VIN.10579, FIXED POWER STEERING ON 2014 FORD EXPLORER VIN#60098	101,735.54
9891	3/17/2021	[2474] HUMMEL TIRE & WHEEL, INC	TIRES FOR YR 2013 FORD INTERCEPTER LIC#1435260	710.90
9892	3/17/2021	[2485] INDUSTRIAL ELECTRIC ARCATA, INC	FAN MOTOR, BIOSOLIDS BUILDING	288.16
9893	3/17/2021	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDRY UTILITY WORKERS SHIRTS; CLEAN MOP HEAD	41.45
9894	3/17/2021	[5053] PACIFIC ECORISK	TESTING FOR SAMPLES COLLECTED FEB 1,3&5, TESTING OF SAMPLES COLLECTED JAN 18,20&22, TESTING OF SAMPLES COLLECTED FEB 15,17&19	3,916.16
9895	3/17/2021	[3343] PITNEY BOWES RESERVE ACCOUNT	POSTAGE PURCHASE FOR RESERVE	400.00
9896	3/17/2021	[6349] RECOLOGY EEL RIVER	.51 TONS OF GENERAL DEBRIS	142.80
9897	3/17/2021	[2664] ROGERS MACHINERY INC	PARTS AND SHIPPING FOR MAINTENANCE	1,616.76
9898	3/17/2021	[2709] STAPLES DEPT. 11-04079109	PRINTER INK, WATER COMPUTER COMPONENTS	102.15
9899	3/17/2021	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR APRIL 2021	534.58
9900	3/17/2021	[2787] WYCKOFF'S	FILTER REPAIRS	108.17
9901	3/24/2021	[6038] ACCURATE TERMITE & PEST SOLUTIONS	BI-MONTHLY PEST CONTROL @ 675 WILDWOOD AVE., RODENT & INSECT CONTROL @ 475 HILLTOP DR	275.00
9902	3/24/2021	[5986] ANDERSON, MITCHELL	CUSTOMER DEPOSIT REFUND	176.19
9903	3/24/2021	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 03/19/2021	150.00

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
9904	3/24/2021	[4451] HARBOR FREIGHT TOOLS	SMALL TOOLS	189.63
9905	3/24/2021	[6299] JIACPA, INC.	FINANCIAL STATEMENT AUDIT FYE 6/30/20	1,165.00
9906	3/24/2021	[2501] KEENAN SUPPLY	PVC ELBOW; PVC VANSTONE; QT BLUE OVC; MED BODY CEMENT LOW-VAC; QT PURPLE PVC	382.71
9907	3/24/2021	[2519] LC ACTION POLICE SUPPLY	COLT AR15 SEMI AUTO .223 RIFLE AND SHIPPING	2,545.08
9908	3/24/2021	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS; CLEAN MOP HEAD	41.45
9909	3/24/2021	[5934] NORTH COAST JOURNAL	EMPLOYMENT ADVERTISEMENT - HELP WANTED,EMPLOYMENT ADVERTISEMENT	156.00
9910	3/24/2021	[6943] PACE SUPPLY CORP	10-ADPT METER; 6-BALL VLV CURB STOP; 6-90 ELL BRASS; 6-45 ELL BRAS; 200-RUBBER METER GASKET; 100-RUBBER NEO MIDWEST METER GASKET; 6-REDUCER BRASS; 6-NIPPLE BRASS; 25-RUBBER METER GASKET	312.27
9911	3/24/2021	[5545] RIVERWALK VETERINARY HOSPITAL	DOG EXAM; 100MG DOXYCYCLINE; 250MG CEPHALEXIN;	51.96
9912	3/24/2021	[4570] SHRED AWARE	SHREDDING	70.00
9913	3/24/2021	[2709] STAPLES DEPT. 11-04079109	POST-ITS; DOCSTAR STAMPS; HANING FOLDERS	180.68
9914	3/24/2021	[2719] STATE WATER RESOURCES CONTROL BD	DRINKING WATER OPERATOR GRADE D2 CERTIFICATION	65.00
9915	3/24/2021	[2319] SUDDENLINK COMMUNICATIONS	PUBLIC WORKS INTERNET & CITY HALL/PD/ PW PHONE SERVICES 3/10/21 - 4/9/21	546.52
9916	3/24/2021	[4818] THREE G's HAY & GRAIN	FOUR 55GAL DRUM VINEGAR	2,489.03
9917	3/24/2021	[2754] US CELLULAR	MONTHLY SERVICE FOR SAFETY PHONE 2/8/21 - 3/7/21, MONTHLY SERVICE FOR SAFETY PHONE 3/8/21 - 4/7/21	61.25
9918	3/24/2021	[2750] USA BLUEBOOK	2 FLAG 21' WIRE STAFF BLUE; 2 FLAG 21' WIRE STAFF GREEN; 1 RUST-OLEUM INVERTED PAINT CAUTION BLUE; 1 RUST-OLEUM INVERTED PAINT SAFETY GREEN; 2 RUST-OLEUM INVERTED PAINT WHITE; 1 RUST-OLEUM INVERTED PAINT ALERT ORANGE ,FLAG 21' WIRE STAFF BLUE; RUST-OLEUM INVERTED PAINT ALERT ORANGE, PARTIAL CREDIT FOR FREIGHT ON INVOICE #535177, CREDIT FOR INCORRECT TAX CHARGED ON INV#497287, CREDIT FOR INCORRECT TAX CHARGED ON INV#489984, CREDIT FOR INCORRECT TAX CHARGED ON INV#482533, CREDIT FOR INCORRECT TAX CHARGED ON INV#487251, CREDIT FOR INCORRECT TAX CHARGED ON INV#461983, CREDIT FOR INCORRECT TAX CHARGED ON INV#476628	396.55
9919	3/24/2021	[2772] WENDT CONSTRUCTION, INC	TRUCK #12 DELIVER LIFT; TRUCK #24 PICK UP LIFT; 1 DAY RENTAL; GENIE AERIAL LIFT	560.00
9920	3/31/2021	[3114] 3T EQUIPMENT CO., INC.	SW/VEL 1" 90 DEGREE TM STYLE; FREIGHT CHARGES	300.06
9921	3/31/2021	[3975] AT&T - 5709	FAX LINE EXPENSES FOR MARCH 2021- PD,FAX LINE EXPENSES FOR MARCH 2021-CITY HALL	57.85
9922	3/31/2021	[2386] EUREKA RUBBER STAMP CO.	2 .25X3 NAME PLATES; 3 NAME TAGS	57.05
9923	3/31/2021	[5052] GHD, INC	RIO DELL CITY ENGINEER SERVICES, ENGINEERING SERVICES FOR DEVELOPMENT OFSAFETY IMPROVEMENT & COMMUNITY OUTREACH PROJECT	5,981.88
9924	3/31/2021	[2474] HUMMEL TIRE & WHEEL, INC	TIRES FOR YR 2013 FORD INTERCEPTER LIC#1435261	710.90
9925	3/31/2021	[2484] INDEPENDENT BUSINESS FORMS	LASER PAPER FOR UTILITY BILLS,LASER PAPER FOR SHUT OFF NOTICES	1,265.90
9926	3/31/2021	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS (New Employee start costs included); CLEAN MOP HEAD	149.53
9927	3/31/2021	[5934] NORTH COAST JOURNAL	EMPLOYMENT ADVERTISEMENT - HELP WANTED,EMPLOYMENT ADVERTISEMENT	156.00
9928	3/31/2021	[2569] NORTH COAST LABORATORIES, INC.	ACID DIGESTION; AMMONIA NITROGEN UN-IONIZED; AMMONIA NITROGEN W/O DISTILLATION; CONDUCTIVITY; HARDNESS; ICAP METALS; NITRATE/NITRITE; THM BY EPA 624; TOTAL DISSOLVED SOLIDS; TOTAL NITROGEN; TOTAL PHOSPHATE PHOSPHORUS; TURBIDITY	665.00
9929	3/31/2021	[7120] ONTIVEROS & ASSOCIATES, INC.	PROFESSIONAL SERVICES - CC MARKET ROW	1,421.20

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
9930	3/31/2021	[6806] PINTERMEDIA LLC	MONTHLY WEB HOSTING FEE FOR APRIL	30.00
9931	3/31/2021	[4215] ROCHA'S AUTOMOTIVE, INC.	FLUID LEAK AND BRAKE SYSTEM FIX FOR 1995 FORD F-350 LX PLATE 1225234	223.58
9932	3/31/2021	[3115] SECRETARY OF STATE	CALIFORNIA NOTARY PUBLIC	40.00
9933	3/31/2021	[2682] SMALL CITIES ORGANIZED RISK EFFORT	QUARTERLY PREMIUM FOR WORKER'S COMPENSATION INSURANCE 7/1/20 - 6/30/21	23,427.02
9934	3/31/2021	[6373] THATCHER COMPANY, INC.	SIERRA SANI-CHLOR (8300409); SODIUM BISULFITE 25% (1900313); CREDIT FOR CONTAINER DEPOSIT	4,885.69
9935	3/31/2021	[2750] USA BLUEBOOK	BLUE-WHITE TUBE ASSEMBLY; CELL CLEANING KIT; INTELLECAL pH ELECTRODE	395.40
Total Checks/Deposits				330,381.30

Ref#	Date	Vendor	Description	Amount
1000101022	3/1/2021	WITHDRAWAL	DEPOSITED ITEM RETURNED	-240.00
037-408	3/3/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 02/26/2021	-2,662.38
1000100507	3/4/2021	WITHDRAWAL	DEPOSITED ITEM RETURNED	-144.54
304361	3/01/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ICMA-RC/MISSION SQUARE RETIREMENT ONLINE PAYMENT FOR PPE 02/26/2021	-7,057.96
7125872	3/01/2021	DEBIT CARD WITHDRAWAL	EFT FOR POSTAGE TO MAIL U/B BILLS FOR FEBRUARY 2021.	-381.04
6024052	3/05/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ALLIED ADMINISTRATORS-DELTA DENTAL ONLINE PAYMENT FOR APRIL 2021	-1,812.34
1083	3/08/2021	WITHDRAWAL	Return Check#1083, Dated 02/03/2021 for \$62.40.	-62.40
4690556	3/08/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ETIPS PAYROLL TAXES FOR PPE 02/26/2021	-13,110.20
744974	3/05/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE FOR FEBRUARY 2021	-425.08
599928	3/09/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ONLINE WEXBANK/SHELL FUEL CO PAYMENT FOR FEB-MARCH 2021	-1,995.03
9510662	3/15/2021	WITHDRAWAL	BANK ANALYSIS FEE FOR MARCH 2021	-348.40
9510664	3/16/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR PG&E ONLINE PAYMENT FOR MARCH 2021	-16,980.25
2035	3/18/2021	WITHDRAWAL	DEPOSITED ITEM RETURNED	-290.92
285-536	3/22/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 03/12/2021	-2,768.24
503805	3/15/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ICMA-RC/MISSION SQUARE RETIREMENT ONLINE PAYMENT FOR PPE 03/12/2021.	-7,560.43
9510663	3/16/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR BENEFIT BRIDGE/PUBLIC AGENCY COALITION ONLINE PAYMENT FOR APRIL 2021	-21,701.03
APRIL-2021	3/22/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ONLINE DEARBORN LIFE INSURANCE PAYMENT FOR APRIL 2021.	-345.00
384837	3/22/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ETIPS PAYROLL TAXES FOR PPE 03/12/2021	-13,997.64
8269400	3/22/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ONLINE VSP INSURANCE FOR APRIL 2021	-365.12
210167	3/25/2021	DEBIT CARD WITHDRAWAL	EFT FOR ONLINE ANNUAL PAYMENT OF ACCUFUND MAINTENANCE & SUPPORT. 4/01/2021 - 03/31/2022. PARTIAL PAYMENT	-4,651.86
9510666	3/25/2021	ELECTRONIC FUNDS TRANSFER	EFT FOR ONLINE PAYMENT FOR BANK OF AMERICA CREDIT CARDS FOR THE MONTH OF MARCH 2021.	-5,066.18
210167	3/29/2021	DEBIT CARD WITHDRAWAL	EFT FOR ONLINE ANNUAL PAYMENT OF ACCUFUND MAINT. & SUPPORT. 4/01/2021 - 03/31/2022. PARTIAL PAYMENT	-1,550.64
739300	3/31/2021	DEBIT CARD WITHDRAWAL	EFT FOR POSTAGE TO MAIL U/B BILLS FOR MARCH 2021.	-381.63
Total EFT's/Bank Withdrawals				-103,898.31

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
TRX TO PR	3/3/2021	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 02/26/2021	-35,382.36
TRX TO PR	3/17/2021	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 03/12/2021	-36,817.46
TRX TO PR	3/30/2021	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PPE 03/26/2021	-38,224.88
TRX TO PR	3/31/2021	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCOUNT FOR PW FINAL PAYCHECK 03/31/2021	-1,831.26
Total Transfer Between Accounts				-112,255.96



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

April 20, 2021

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approval of Resolution No. 1487-2021 Awarding the Bid for the 2021 Rio Dell Street Improvements Project to S.T. Rhoades Construction.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve Resolution No. 1487-2021

BACKGROUND AND DISCUSSION

As part of the City Council's 5-year streets plan, the City released a bid for work to provide maintenance overlays on Dixie, Eeloa, Rio Dell, Painter, Butcher, River, Spring and Ogle streets.

The City received six bids on the project with an average bid of \$575,525. S.T. Rhoades out of Redding issued the low bid at \$448,415. Because S.T. Rhoades has been responsive and responsible with its bid being in substantial conformance with the city issued proposal, staff is recommending that the Council award the bid to S.T. Rhoades.

Staff will begin negotiating an agreement and return to the Council with an appropriate budget adjustment upon approval of Resolution No. 1487-2021.

///



RESOLUTION NO. 1487-2021
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIO DELL
AWARDING THE 2021 RIO DELL STREET IMPROVEMENTS PROJECT
TO S.T. RHOADES CONSTRUCTION INC.

WHEREAS, the City of Rio Dell desires to conduct asphalt pavement repair and maintenance on various streets and prepared plans, specifications and contract documents for the work; and

WHEREAS, on March 10, 2021, the City of Rio Dell issued and publicized a notice inviting bids ("Notice") entitled 2021 Rio Dell Street Improvements Project ("Project"), pursuant to Section 20160 et seq. of the California Public Contract Code and the Rio Dell Municipal Code; and

WHEREAS, the Notice required all bids for the Project to be sealed and delivered to Rio Dell City Hall on or before April 9, 2021. At 9:00 AM, the submitted bids were opened and read in an open forum; and

WHEREAS, six bid proposals were received as follows:

2021 Rio Dell Street Improvements Project	
Bidder	Bid
Darren Taylor Construction	\$519,944
GR Sundberg	\$566,276
Granite Construction	\$722,598
Hooven & Co.	\$515,847
Mercer Fraser Company	\$680,072
ST Rhoades Construction Inc.	\$448,415
Average Bid	\$575,525

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

1. That the award for construction services for the Project be awarded to the lowest responsible bidder, S.T. Rhoades Construction Inc. for the bid of \$448,415.
2. That the City Manager is authorized to negotiate and execute a contract with S.T. Rhoades Construction Inc. for construction services in conjunction with the City Attorney up to \$448,415.

3. That the City Manager is directed to return to the Council with a budget adjustment for the project including no less \$448,515 plus an appropriate contingency.

PASSED AND ADOPTED by the City Council of the Rio Dell on this 20th day of April, 2021 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Debra Garnes, Mayor

ATTEST:

Karen Dunham, City Clerk

Bidder	Bid
Darren Taylor Construction	\$ 519,943. ⁵⁰ No Sign-In for Walk Through
GR Sundberg Inc	\$ 566,276. ⁰⁰
Granite Construction Inc	\$ 722,598. ⁰⁰
Hooven & Co., Inc	\$ 515,847. ⁴⁰
Mercer Faser Company	\$ 680,072. ⁰⁰
ST Rhodes Construction Inc	\$ 448,415. ⁰⁰

*B/T
4/9/21*

*Jeanne
Farley
49-55-1*



Staff Highlights – 2021-04-20

City Council

City Manager

Bid results for the 2021 Street Improvements Project.

Spring 2021 Newsletter with a lot of help from all staff.

Ad Hoc Meetings for Utility Rate Studies and Economic Development.

Received briefing on drought, conferred with staff on preparations.

Discussed reopening protocols with the Public Health Officer.

Various meetings on CalOES PSPS Allocation.

Briefing on American Rescue Plan, potential funds related to infrastructure.

City Clerk

Processed twelve (12) Building Permits:

182 Third Ave. – PV Solar
377 Douglas St. – PV Solar
539 First Ave. – PV Solar
180 Ogle Ave. – Re-Roof Residence
350 Northwestern Ave. – Temporary Power
267 Belleview Ave. – Sewer Lateral and Cleanout
55 Belleview Ave. – Re-Roof Residence
233 Ogle Ave. – Sewer Lateral
995 Webb Lane – Bathroom Floor Repair
460 Second Ave. – Re-Roof Residence
625 Monument Road – 30' x 50' Metal Building
180 Third Ave. – PV Solar

Issued One (1) Business License:

Barry Smith Construction – Non-Resident Contractor

Issued One (1) Encroachment Permit:

Wendt Construction – Water Service/Sewer Lateral/Fire Hydrant–Webb & Painter



Misc:

Submitted Monthly Unemployment Report for April
Submitted CIRB Building Permit Report for March
Provided Building Permit fee data to Fortuna Building Department for fee study

City Attorney

Human Resources, Risk & Training

Finance Department

Public Works Water

Monthly meter reading, re-reads, check for leaks and zero consumptions.

Currently 2 water leaks in need of repairs. 1. Monument Road after Fire Hydrant 2. Birch St leak.

Work on Water Treatment Plant Turbidity meters

Water testing on Wells 1, Well 3 and Eel River Source waters.

Public Works Wastewater

Prepping Irrigation fields for dry weather Discharge.

Meeting with GHD about system modifications for Chloramines field test to Irrigation fields.

Meeting GHD about easements on the North Main Trunk line from E. Painter st.

Working with Tesla and City Hall Team For battery location and install. Planning

Spring Cleaning around plant and lift stations.

Repair to Painter St lift station: Change out belts, Derag and prime pumps.

RFP from Larry Walker and Associates about upcoming Permit Renewal.

Working on Quarterly Report for Resource Control Board.

Working with City Manager Knopp on Lift station Generator/ Transfer switch Replacements

Repair to Sewer Jetter, Leaky pipe fittings.



Repairing Chlorine tanks at the plant and Belt press VFD.

Cleaned Clarifiers with Utilities Crew.

Public Works Streets, Buildings and Grounds

Monday safety meeting.

Called out to 55 Belleview for drainage issues on the property.

Mowed and weeded north and south gateway. Mowed City Hall, Blue Star, Memorial and Riverside parks.

Mowed Cal-trans on and off ramps, Painter and Davis St overpass, Eeloa Ave and Belleview and Wildwood intersection. Field off of Center St.

Working on South Gateway Islands, Remove bark, repair irrigation, and shrub management.

Working on Gateway Sprinklers System, Replacing Zone Controllers and broken Sprinkler Heads.

Public Works City Engineer

Public Works Capital Projects

Police Department

The Department had the following statistics for the period of March 31, 2021 to April 13, 2021. This period of time saw an above average number of calls for service across all of the metrics. One reason for this is Officer Johnson has completed his field training and is operating on his own, giving us additional police presence. The addition of the Community Services Officer also generates more calls for service. The summation of Calls for Service may be greater than the total as multiple officers can now be assigned to the same call for service. There may also be administrative calls for service that are not documented below.

Officer	Calls for Service	Reports	Arrests
Conner	23	2	0
Beauchaine	20	2	1
Landry	45	6	2
Mitchell	52	7	3
Burns	71	6	3
Johnson	73	7	3
Fielder	7	1	0
Matthews	17	1	N/A
Totals	254	32	12
Averages	18.1 per day	16 per week	6.0 per week



2020 Yearly Average	14.2 per day	12.2 per week	5.3 per week
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Calls for Service at 355 Center Street

Type	Date	Time	Location	Primary Unit	Case #
WELFARE	04/02/2021	13:07:54	355 CENTER ST	R615	
CIVIL	04/04/2021	18:26:55	355 CENTER ST	R615	
SUSC	04/06/2021	12:00:37	355 CENTER ST	6A1	
FU	04/06/2021	13:47:39	355 CENTER ST	R618	

WELFARE – Check on the welfare of an occupant

CIVIL – Civil standby or mediation of a civil issue

SUSC – Suspicious circumstances

FU – Follow up or generic contact

R615 – Officer Liam Burns

R618 – Officer Russell Johnson

6A1 – Chief Jeff Conner

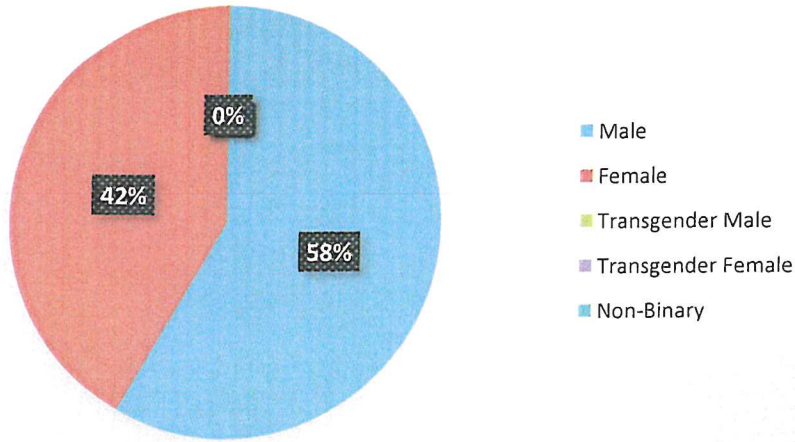
During the period March 31, 2021, to April 13, 2021, there were sixteen calls for service related to animal control issues. Two dogs were transported to Mirandas. CSO Matthews and Officer Johnson dealt with a loose cow that was looking for better forage on Ogle Avenue. The bovine had come to the conclusion that the grass on the other side of the broken fence was not greener and had returned to her pasture. The officers were able to locate the cow’s owner and advise him that his fence needed some repair work.

Chief Conner was asked to testify a second time in the trial of Michael Flowers. After both parties rested their case, the jury deliberated for three days. They found Mr. Flowers guilty of rape, forceable penetration with a foreign object, and soliciting a prostitute. As he already has two strikes, he is likely to spend the rest of his life in prison.

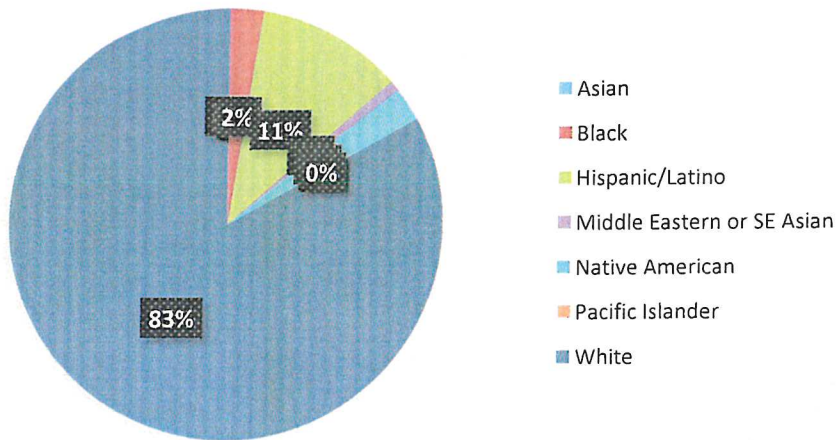
The Department has started to collect stop data as required by the Race and Identity Profiling Act of 2015. The following pie charts show the data for perceived gender, perceived race, and arrests (custodial and cite/release) by perceived race in the month of March. There were 118 detentions/searches in that time period. We are required to supply this data to DOJ beginning next year, but have started early hoping to get any issues worked out before we need to start transmitting data.



RDPD Stop Data - Gender

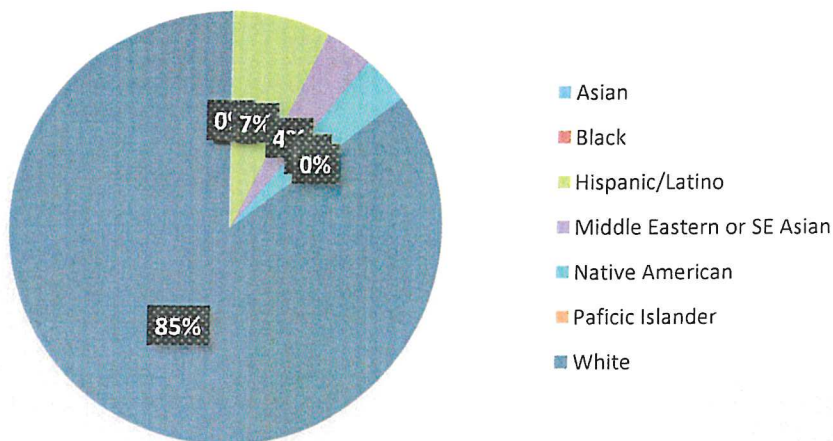


RDPD Stop Data - Race





RDPD Stop Data - Arrested by Race



On March 31, 2021 the runaway thirteen-year-old girl from the last reporting period elected to come home after being on the lam for six days. Juvenile Probation had issued a warrant for her arrest, so she was promptly taken into custody and transported to Juvenile Hall.

On April 2, 2021, Officer Landry responded to a house on Monument where two homeless persons were establishing a camp in the creek bottom. Officer Landry explained that they were on private property and needed to move. She requested a warrant check on the persons and learned that the man had a warrant for his arrest. She was aware that this man had resisted arrest before, so she called for a backing unit before trying to take him into custody. Officer Fielder from the Ferndale Police Department arrived to assist. When they told the man he was under arrest, he tried to flee. Officer Landry, with Officer Fielder's assistance, was able to take the man to the ground. While she was on top of the man trying to gain control, he claimed that he could not breathe. Officer Landry handcuffed the man and then moved him to a sitting position. He was transported to the hospital as he complained of pain and then on to the jail where he was booked without further incident.

On April 10, 2021, Officers Landry, Johnson, and Burns responded to a house on Rigby where it was reported that two roommates were in a physical altercation. The two men were separated when the officers arrived. Both had been drinking. The fight had started over a perceived slight from the day before. It began with shoving and escalated to one of the men throwing a brick at the other and then hitting him with a pipe. The primary aggressor was arrested for assault with a dangerous weapon and transported to jail.

Code Enforcement

During the period March 31, 2021 to April 13, 2021, the Department opened three new cases dealing with junk vehicles and closed five. Four of the vehicles were towed by the City. The remaining vehicle was moved by the owner. There were eight open cases at the end of this reporting period.



During the period of March 31, 2021 to April 13, 2021, the Department opened two new cases and did not close any. The new cases deal with a fence that is over the allowed height and a vehicle parked on the lawn. There were forty-nine open cases as of April 13, 2021.

Community Development Department

Prepare Industrial Hemp Ordinance second reading approval and adoption staff report.

Prepare Street Dedication Amendments Ordinance second reading approval and adoption staff report.

Attend virtual Climate Action Plan Meeting.

Prepare Rural designation amendments for second reading approval and adoption staff report.

Prepare T-Mobile staff report authorizing the City Manager to execute the lease amendment.

Plan Check Solar 182 Third Avenue

Assemble opinion request to City Attorney regarding potential variance from flood regulations for agricultural buildings.

Plan check for porch addition 440 Second Avenue, send correction notice.

Final inspection for attached garage 250 Stream Street.

Review file for Todd property, phone call with Jeremy Stanfield.

Review Electrical Code for AFCI requirements for panel upgrade.

Electrical, gas line inspection 280 Belleview Avenue.

Complete Annual Progress Report for the Housing Element

Complete ISO Survey

Roof Inspections 180 Ogle Avenue

Electrical, gas and foundation inspection 960 Bluff Place.

Begin Dinsmore Plateau Farms environmental document.

Attend REAP virtual meeting.



Attend Economic Development Ad Hoc virtual meeting.

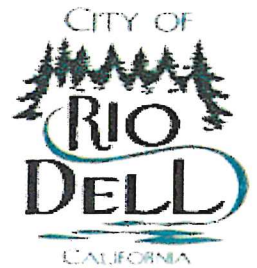
Plan Check porch addition 440 Second Avenue. Send Correction Letter. Review and approve corrections.

Review plans for Sweet Grass processing/drying building. Request additional information, clarification.

Follow-up to Mike O'Hern regarding annexation legal description and Exhibit.

Intergovernmental

Humboldt-Rio Dell Business Park



*Rio Dell City Hall
675 Wildwood Avenue
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April 20, 2021

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Workshop Discussion on Solid Waste Franchise Agreement and Opportunity for Universal Collection

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the report, provide input if any.

BACKGROUND AND DISCUSSION

Attached is a copy of the “Question and Answer” session from the Council’s March 16, 2021 Workshop on Universal Collection. The QnA contains questions asked by the public, and the responses to those questions. Additionally, a shorter version of the March 16th Powerpoint is attached for additional review.

Linda Wise, General Manager of Recology Eel River will provide a powerpoint presentation discussing Universal Collection. This is an important opportunity for Councilmembers and members of the public to provide input on the formation of a draft ordinance for future council consideration.

Potential points of discussion raised to help foster a discussion:

- Amendments to the Franchise Agreement: Are there services that the Council or members of the public would like to see added, or deleted, from the current franchise agreement?
 - Meeting attendees could consider adding services: Street sweeping, annual river bar cleanup, organic waste, illegal dump cleanup funds, senior or low income discounts or other additional services as proposed by members of the public or Council.
 - Meeting attendees could consider deleting services: Annual cleanup (after Mother’s Day), public recycling drop off, removal of public trash receptacles, bulky item pickup or other services proposed by members of the public or Council.

- **Regulatory Considerations:** Concerning AB 1383 Mandatory Organics Recycling, the City could apply for a waiver from the state every two years and avoid this mandate. However, eventually waivers from this mandate may not be renewed, as the state continues to ratchet up compliance standards. Should the City meet AB 1383 mandates proactively, or wait for the mandate to strictly apply to the City?
- **Nuisance Considerations:** The Council has prioritized and provided financial resources towards nuisance abatement, with one of the number one complaints being related to garbage. Would Universal collection help provide a cleaner environment in Rio Dell that helps spur community pride and attractiveness for investors?
- **Cost Considerations:** Universal Collection would cause rates to increase from \$22.83 per month for 20 gallon residential service to an estimated \$24.89 for the service. This is an average rate increase of 9 percent. Adding more services would increase this level, while reducing special services could lower this figure. Is this increase adequately explained and who is ultimately responsible for paying the bill?
- **Public Health and Safety Considerations:** Piles of trash also create conditions for rats, mice and other vectors to threaten the community. Do the benefits of Universal Collection outweigh the costs when it comes to public health and safety in Rio Dell?

Further background discussion:

On December 3, 2019 the City Council received correspondence from the City of Rio Dell's Nuisance Advisory Committee (NAC) endorsing the concept of Universal Garbage and Recycling Services. On November 18, 2020 the Nuisance Advisory Committee issued correspondence to the City of Fortuna endorsing the adoption of Universal Garbage and Recycling Collection. Both letters are attached.

Over the years the concept of introducing Universal Garbage and Recycling Services (Universal Collection) has come up in discussions related to solid waste and recycling services. Universal Collection would create a mandatory requirement for residential properties and commercial properties to have garbage and recycling services. Universal collection would aid the community in meeting and exceeding State recycling/waste diversion mandates in addition to reducing illegal disposal, nuisance conditions and public health concerns in Rio Dell. Current voluntary subscription levels are at approximately 50 percent of residences and commercial properties. If adopted, Universal Collection would extend garbage and recycling services to approximately 100 percent of residences and commercial properties under a mandatory program.

During its September 18, 2019 meeting, the NAC was briefed by Recology Eel River on the adoption of Universal Collection. The major hurdle posed by Universal Collection is related to cost. Significant investment must be made by Recology in order to execute the program, including new trucks and new bins. Rio Dell's relatively small subscriber base makes this uneconomical for the community to adopt on its own. Since September 18, 2019 staff has engaged in several informal discussions about Universal Collection with the neighboring cities of Fortuna and Ferndale, as their participation would dramatically increase the subscriber base thereby spreading out fixed costs and creating a potentially viable option for the City of Rio Dell to consider a move towards Universal Collection.

On November 18, 2020 the NAC issued correspondence to the City of Fortuna, encouraging the adoption of Universal Collection. Fortuna's adoption of Universal Collection is a necessary prerequisite for Universal Collection in Rio Dell. The City of Fortuna is currently looking at their Solid Waste Franchise Agreement which expires soon. Rio Dell's Solid Waste Franchise Agreement does not expire until the end of 2026.

On March 2, 2021 the City Council approved a calendar of meeting dates to move forward in the consideration of Universal Collection. Upcoming dates include:

- April 20, 2021 – Public Workshop on Universal Collection
- June 1, 2021 – First Public Hearing on Draft Ordinance
- June 15, 2021 – Second Public Hearing on Draft Ordinance and Ordinance Adoption.

At the time of agenda publication, we do not have updated information on the status of Universal Collection discussions at the cities for Fortuna and Ferndale.

///

Q & A from the March 16, 2021 Universal Collection Public Workshop

Q: How much will it cost for Mandatory Universal Collection?

A: Estimated 9% increase from the current rates of \$28.59 for a 32 Gallon can to \$30.48/mo.

Q: Would there be a participation exclusion process for properties that are hard to access by Recology vehicles? (i.e. remote areas of the City or at the end of a narrow private road)

A: Yes

Q: Will there be discounts provided for seniors and/or low-income households?

A: Possible discount of 20% for qualified low-income households.

Q: Would the discount automatically apply to all seniors?

A: No. Low income is not necessarily related to age.

Q: Are there any provisions for customers that generate a very small amount of trash?

A: Subscribers will have the option of moving from a 32 gallon can to a 20 gallon can at a reduced rate. Recycling service is also provided to make transition to a smaller can easier.

Q: What about cases where households would have to cart trash receptacles long distances to pickup points?

A: There may be cases for qualifying exclusions.

Q: Would there be exemptions for customers who go on extended vacations or spend a portion of the year at a vacation home?

A: Yes. Subscribers can call Recology and place a hold on service if gone for 2 months or more.

Q: Why is there a proposed increase in rates when the subscriber base for Rio Dell will double?

A: Economy of scale is factored into the rates but there is large capital outlay associated with start-up costs of the program (i.e. truck with articulated arm and standardized garbage and recycling receptacles). Further economies were found by starting the program at the same time as Fortuna and Ferndale. To have adopted Universal Collection earlier, or later than Fortuna would result in higher costs to the subscribers.

Q: Who is responsible for paying for the service if a tenant fails to pay?

A: The property owner is responsible. It is recommended that garbage service is added to the rent so that the landlord is ensured the bills are paid.

Q: If I take my garbage to the transfer station once a month and it is cheaper for me to do it that way, why should I have to participate in the program?

A: It may actually be more expensive to self-haul. In addition, State law requires garbage to be Removed/disposed of every seven (7) days.

Q: If I recycle and/or compost everything and do not produce garbage, do I have to

participate in the program?

A: There may be options for opting out of the program if the subscriber can demonstrate that they truly do not generate garbage.

Q: I currently share garbage/recycling services with my rental property located next to my residence. Will I be able to continue combining those services?

A: This is not uncommon. Typically, they look at whether the residence is on the same parcel or a separate parcel and bill by parcel.

Q: Will all receptacles be the same size?

A: No. Subscribers will have the option of a 20 gallon or 32- gallon garbage receptacle. All recycling receptacles will be 96-gallon, increased from the current 64- gallon receptacles.

Q: Can you subscribe to garbage service and opt out of recycling?

A: No. Garbage collection and recycling is a bundled service with green waste optional.

Q: What is the timeline for full implementation of the program?

A: January 1, 2023.

City of Rio Dell CA Solid Waste Regulations & Universal Collection Service Discussion



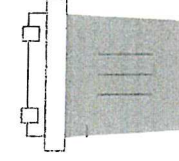
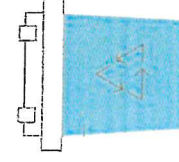
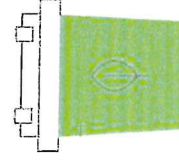
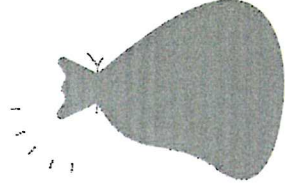
Universal Collection Overview

What is universal collection?

- Universal collection requires that all households and businesses have garbage service

Why now?

- Franchise agreement ends 12/21
- Regulatory drivers
- Franchise amendments needed
- Regional efficiencies



Overview of Service Changes

Current

- Optional MSW Collection
- EOW recycling & optional organics
- Charge for bulky-item pickups
- Customer-provided MSW container
- Senior prepaid bags
- City Can Services
- Mother's Day Clean-up
- Public Recycling Bins (City Hall)

Proposed

- MSW collection required
- EOW recycling/optional organics
- 2 free (included) bulky-item pickups
- Recology provided 96-gallon MSW and recycling containers
- Discount of 20% (Senior or Low Income)
- City Can Services
- Clean-Up Bins

Franchise Agreement Overview

- A Solid Waste Franchise Agreement is a negotiated contract between a municipality and a solid waste collection provider that grants the provider the exclusive right to serve customers within the municipality's jurisdiction.
- Typically Includes a period of service and a fee remitted back to the municipality
- Authorized under California Government Code Section 66755 that declares it is within the public interest to authorize and require local agencies to make adequate provisions for solid waste handling

Regulatory Drivers

Commercial-specific

- **AB 341:** Requires businesses that generate 4 cubic yards or more of garbage per week and MFD to arrange for recycling services
- **AB 1826:** Requires business to arrange for organics collection services based on amount of waste generated per week

General public

- **AB 939:** Required each city or county to achieve 50% diversion by 2000
- **SB 1383:** Establishes targets to achieve a 75% reduction in landfilled organic waste by 2025

SB 1383 Overview



SB 1383 IN ACTION

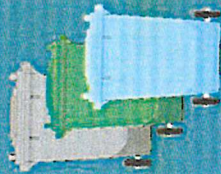
JURISDICTION REQUIREMENTS



Provide organics collection service to all residents and businesses

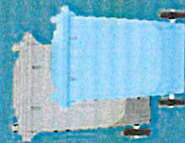
Organic Waste Collection Services

Three-Container "Source Separated" Collection Service



- Organics prohibited from black container
- All organic waste segregated for collection and recycling

Two-Container Collection Service



- One container for collection of segregated organic waste
- One container for collection of mixed waste (subject to 75% organic content recovery standard)



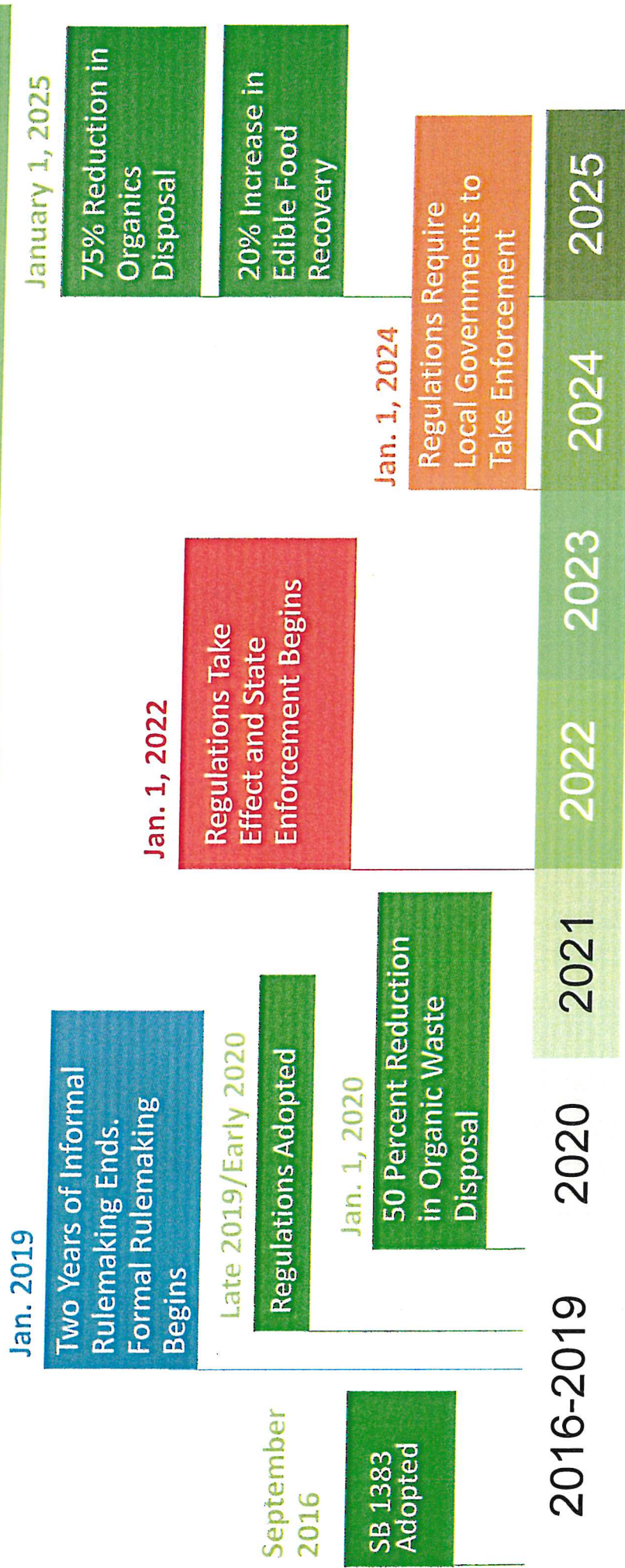
One-Container Collection Service



- One container for collection of mixed waste (subject to 75% organic content recovery standard)

- Minimum contamination monitoring and reduction requirements
- Collection waivers authorized for certain documented circumstances

SB 1383 Key Implementation Dates



Jurisdiction Responsibilities

Provide Organics Collection Services to All Residents and Businesses



Secure Access to Recycling and Edible Food Recovery Capacity



Conduct Education and Outreach to Community



Establish Edible Food Recovery Program



Procure Recyclable and Recovered Organic Products



Monitor Compliance and Conduct Enforcement

SB 1383 IN ACTION

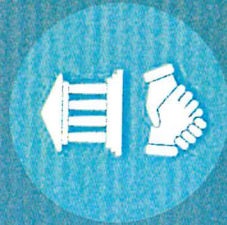
INSPECTION AND ENFORCEMENT REQUIREMENTS



Monitor Compliance and Conduct Enforcement

JURISDICTION REQUIREMENTS

Ordinance
2022



Adopt an Ordinance
(Enforceable
Mechanism)
Including
Enforcement

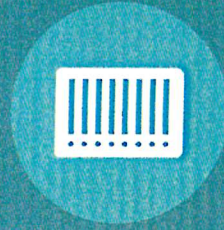
**Compliance
Monitoring &
Education**
2022-2024



Annual Compliance
Reviews, Route
Reviews,
Inspections

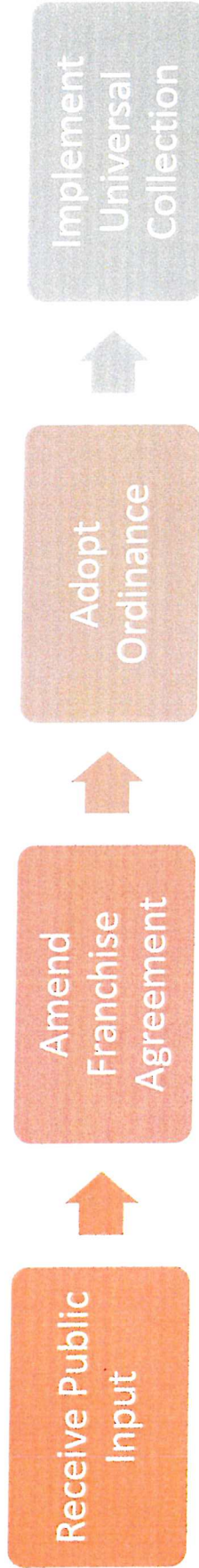
Educate Violators

**Compliance
Monitoring &
Enforcement**
2024

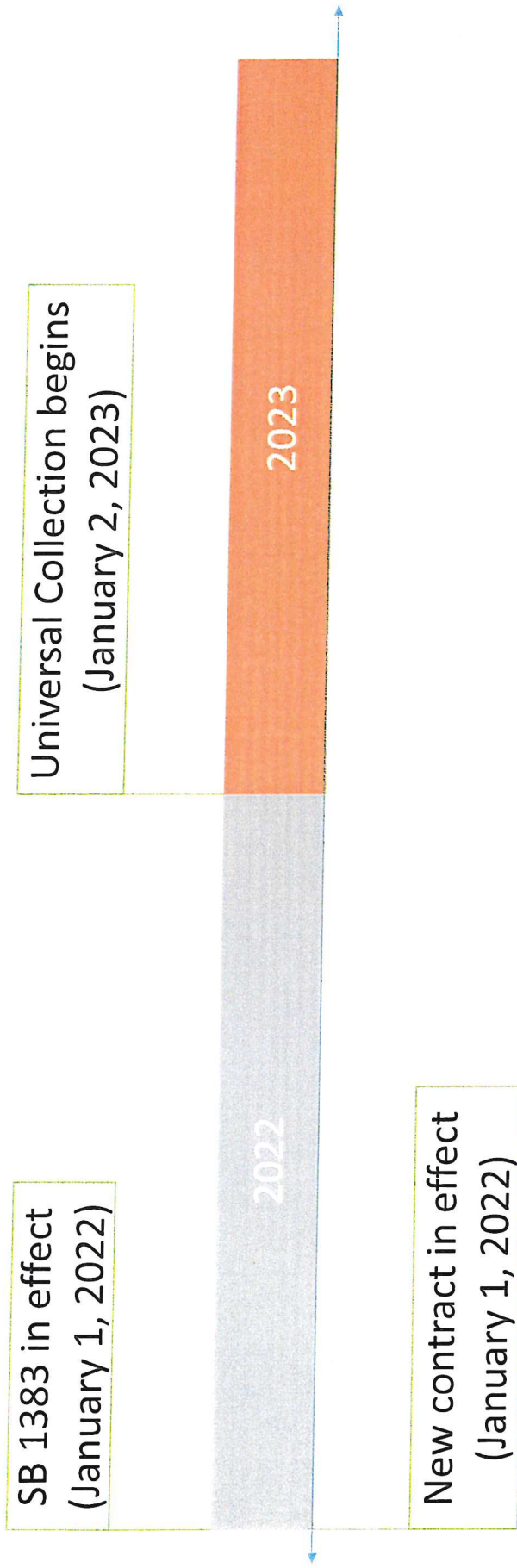


Annual Compliance
Reviews
Route Reviews,
Inspections,
Notice of Violations,
Penalties for Violators

Next Steps Towards Collection Compliance

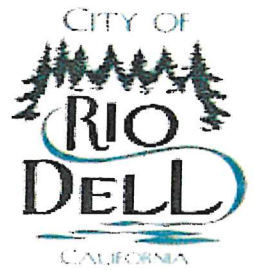


Timeline cont.



Q & A from March 16, 2021 Meeting

Public Comment



*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
cityofriodell.ca.gov*

April 20, 2021

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Presentation and discussion on Draft Economic Development Goals and Actions to Achieve Economic Development in Rio Dell

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentation and provide input.

BACKGROUND AND DISCUSSION

Staff will update the Council on the draft report out of the Economic Development Ad Hoc Committee. This is an initial briefing and no action is required.

///

Economic Development Ad Hoc

Draft Goals and Actions to Achieve Economic Development

Goals

- Maximize the economic potential of this bedroom community.
- Create a more visually attractive community.
- Increase City revenues to maintain and enhance public services.
- Create a reason for outsiders to visit.
- Create a team with resources, empowered to accomplish goals.

Mission Statement:

“We will be successful when business space vacancy rates decline, more outsiders visit and city revenues increase. We will become the town that businesses and individuals want to invest in.”

Goal Directives

1.) Reduce Downtown Vacancy Rates

- A.) Action:** Implement city funded Façade Improvement Program with grants/loans for façade renovation.

The downtown would benefit from visual enhancements only possible through physical improvement to facilities. The City could match up to 50 percent of the cost of construction work and designs reviewed through the City’s Design Review process.

- B.) Action:** Develop “Phantom Gallery” concept for artists to rent unused available commercial space.

Currently, there is a high vacancy rate in the downtown. The City could offer to pay a reduced rent and electrical utilities and the storefront could be utilized to display the work of artists during the time the facility is looking for a permanent occupant.

- C.) Action:** Evaluate downtown walkability and beautification options and create specific Downtown Walkability Enhancement & Beautification Plan.

A specific plan could be developed by interested persons to make physical improvements to the publicly owned downtown core, including sidewalk improvements, tree planting, lighting or other improvements.

- D.) Action:** Evaluate off-street parking and develop a plan to create more parking for employees and visitors in anticipation of long-term growth.

Off-Street parking is an important component of a thriving downtown. Visitors need access to safe and nearby parking. Businesses wishing to hold larger events need visitors who can easily access the downtown.

- E.) Action:** Consider the purchase of 255 Wildwood Avenue for pollution remediation and redevelopment as available commercial space or Community Center.

255 Wildwood is currently an eyesore but the space is full of potential. The City could purchase the property and use grants funds to remediate pollution and put the property back into use. A plaza with community center, space for the Community Resource Center and rentable commercial kitchen is one example of a higher and better use of the property. The site could easily become the focal point of the downtown, whether in private or public use.

- F.) Action:** Research the future of Eagle Prairie Bridge – develop advocacy plan for its longevity.

In 2018 CalTrans, without notice, closed the Eagle Prairie Bridge for a 6-month repainting job. The closure exposed the importance of the bridge to the downtown core and its economic health. However, CalTrans' long-term commitment to the bridge is in doubt, as the agency has approached both the County and the City to transfer the structure.

- G.) Action:** Develop and implement mural program to enhance visitor's experience.

Examples abound locally of successful mural programs that help to provide visual enhancements to otherwise bland or deteriorating building surfaces. This program would present an opportunity to better represent the downtown, both to locals and visitors with a proven concept.

2.) Increase Number of Out-of-Town Visitors

- A.) Action:** Develop event space that allows for celebrations or festivals that can attract regional patronage.

The City currently lacks the infrastructure to assist interested groups and individuals from holding significant large-scale events. Examples of events include a farmers market,

beer festival or similar event. Concepts include a plaza and community center and creating an easy setup for volunteers to obtain permits for and set up events in a safe dedicated space.

- B.) Action:** Invest in additional highway billboard signage (1) Wastewater property on Metropolitan (2) look to the south for northbound traffic signage spaces.

Highway signage for the City is minimal and depends on standard CalTrans signage that offers no identity or encouragement for someone to decide to pull off the freeway.

- C.) Action:** Consider partnership to generally advertise and raise local awareness of services available in Rio Dell (gas, lunch, nursery, dispensaries etc.)

The City could help finance advertisements in local publications informing the public of general services in Rio Dell. The effort would help build local awareness of existing services and result in higher utilization.

- D.) Action:** Focus on the cleanliness of the main Wildwood and Davis view sheds.

The City continues to invest in code enforcement and prioritization of the Wildwood Davis viewshed. Continuing and expanding this effort is important. Potential improvements could be regularized street sweeping and other efforts to enhance the visual experience and post-visit review of visitors.

- E.) Action:** Establish a Rio Dell Farmer's Market.

Rio Dell lacks a Farmers Market, or other regular venue for community members to sell agricultural products or other homemade goods. Such programs are common in other communities and this idea could translate well.

- F.) Action:** Create a draw. "World's largest frying pan" or similar.

Outsiders and other US101 travelers lack a compelling reason to simply visit the community. Services include gas, food, dispensaries and the Dollar General. However, aside from these specific services, there is no other draw to the community. It is common for freeway adjacent communities to have draws, whether that be Bigfoot, Burls or other similar type ideas.

3.) Increase the Quality of Life

- A.) Action:** Continue to invest in quality municipal services, including infrastructure.

The City itself is a tool that can be used to enhance quality of life. The City was incorporated in 1965 in order to provide a higher level of law enforcement than was provided by the County. Many unincorporated areas of Humboldt County would like to be incorporated in order to exercise greater local control, but new State law makes incorporation very difficult and cost prohibitive.

- B.) **Action:** Survey new residents and homeowners along with the younger demographic residents about what would enhance the quality of life and livability in the community.

What defines Quality of Life should be informed by residents, especially those who have recently chosen to call this community home and also younger residents. The City should specifically reach out to these populations to identify what they believe would make the community a better place to live.

- C.) **Action:** Develop a plan for the City to have expanded service roles involving parks, recreation and other quality enhancements.

Quality of Life is often linked to public space amenities in a community. Parks, Libraries, basketball courts and walking trails are all examples of public amenities that create an interest in living within a community, and continuing to do so.

- D.) **Action:** Consider working with the School District to develop a plan for the District's schools to achieve and retain distinguished school recognition, identifying the needed improvements, a plan to achieve and resources to help implement a strategic plan.

The quality of educational opportunities for children is an often overlooked ingredient in a community's viability for new residents and ultimately new businesses. Schools that receive special recognitions are often the pride of a community and reflect well on the community as a whole. Even undertaking the effort reflects well on the community.

4.) **Provide Quality Data to Decision Makers, Staff, Investors and the Community**

- A.) **Action:** Implement Economic Development Metrics.

The long-term success of an economic development plan hinges on measurable metrics that can help provide transparency as to the results of the overall program. Successes should be recognized and new efforts should be made to correct areas where the program falls short. One of the best ways to provide this information is through measurable metrics that help inform policymakers about the outcome of plans and the implementation process.

- B.) **Action:** Conduct economic leakage study. Consider consultants who could assist developing data specific to lodging investors such as Hotel Occupancy and Capacity Analyses.

An economic leakage study would help provide valuable third party data to stakeholders, policymakers and residents about potential economic opportunities within the community. Such a study would also help illuminate weaknesses where action plans can then be developed and implemented to mitigate those weaknesses. The overall goal should be to use the information from professional studies to help lower risk to those choosing to make investments in the community.

- C.) **Action:** Conduct SWOT Analysis and develop strategies to address threats.

SWOT stands for Strengths, Weaknesses, Opportunities and Threats. This type of analysis is done not only by the public sector, but also by businesses and individuals looking to invest

in a community. These analyses can be broad or specific but their purpose is to inform stakeholders and decision makers about the environment they wish to enter or stay in.

5.) Capitalize on Strengths and Opportunities

- A.) Action:** Explore partnering with the Cannabis Industry for continued cooperation and/or opportunities to leverage Project Trellis grant dollars for Rio Dell.

Over the past several years the Cannabis Industry has made some of the largest private business investments in the community. Recent successes in economic development are tied to the legal cannabis industry, and Rio Dell is not alone in these developments. Over the next couple years, the County of Humboldt will be investing over \$5,000,000 in the cannabis industry through Project Trellis grants. This is a potential opportunity to pull down additional investment funds into the community.

- B.) Action:** Invest in HRDBP infrastructure, including streets and highway interface.

The Humboldt Rio Dell Business Park (HRDBP) presents unique challenges and also immense opportunity for the community to create industry wage level jobs and revenue in the city. When annexed into the city, HRDBP's public infrastructure became the responsibility of the city and future development and growth of the site will require investment by the city to keep the area a target for growth and investment.

- C.) Action:** Develop plans for underutilized or vacant parcels with streamlined permitting for parcels with an economic component.

Rio Dell still has significant undeveloped or under developed parcels within the city limits. These are potentially immense opportunities for housing and business growth. In the absence of a vision by property owners, the city should, where possible, begin visioning for these properties to be put towards higher and better uses.

6.) Branding and Identity

- A.) Action:** Develop "Selfie-Station" concept where travelling visitors can identify themselves as having visited the community or region via social media.

In the era of social media, visual iconography takes on added importance. The Golden Gate Bridge, Carson Mansion and other visual symbols of a community or geographic area are common photo opportunities that help to social media users readily represent that they have visited a location. Rio Dell is gifted with a number of icons, including the Eagle Prairie Bridge and the majestic bluffs. Icons can be created, such as the gateway signage. Capitalizing on these icons is important as social media continues to grow in influence.

- B.) Action:** Create a Rio Dell Economic Development webpage to promote ideas, encourage investment and provide transparency.

A website specific to Economic Development could also help to serve as a platform to help develop branding and identity for the community.

7.) Capacity Enhancement

A.) Action: Develop a plan to implement the Economic Development actions and provide the financial resources to accomplish.

This Economic Development Initial Plan will need resources to fully realize.

B.) Action: Consider hiring a grant writer and/or economic development coordinator to move the plan forward.

C.) Action: Consider the formation of an Economic Development Committee with community partners to help oversee and assist with the implementation of the core actions.

D.) Action: Send a delegation to cities of similar size and composition to first-hand explore their successes and failures.

E.) Action: Send delegations to Economic Development Conferences and developer conventions.

F.) Action: Create an annual grant availability inventory.

Metrics

Reduced Downtown Vacancy Rates

Measure Downtown Vacancy Rate

Action: Develop updatable standard metric for vacancies on Wildwood Avenue. Consider extending the metric to all commercial spaces.

Increased Outside Visitation

Measure Traffic Activity

Action: Look to CalTrans for existing data. Consider establishing regular traffic volume monitoring on Wildwood Avenue if data is insufficient.

Cell Phone Data

Action: Consider using data provided by GoHumCo as a method of monitoring visitation to Rio Dell.

Increased City Revenues

Enhanced Measurement of City Revenues

Action: Partner with an analytics firm to look at sales tax and other city revenues more closely.

Recent Success

- Street and Sidewalk Work
- Increased staffing in the Police Department
- Business investment related to Cannabis and Cannabis Taxes
- Infrastructure Grants
- Increased Code Enforcement and an improving self-image for the community.

Immediate Action Plan (IAP)

1. Third Party Leakage Study – Develop relationship with Consultants and produce respected third party data to make informed decisions.
2. Façade Improvement Program – Develop and implement.
3. Open Space Facility / Dog Park – Pursue new and specific recreational assets for the City.
4. Pursue Todd Property – Explore the future of this undeveloped parcel.
5. Beatification/Walkability Committee – form a group of community members and councilmembers to develop and plan and specific projects towards beautification.
6. Dinsmore Plateau / HRDBP Development / Development Friendly / Signage / Develop Alternative Options for Developers Water Line – Continue to invest in the current largest economic driver in Rio Dell: The legal cannabis industry.

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



For Meeting of: April 20, 2021

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: April 7, 2021

Subject: Second reading, approval and adoption of Ordinance No. 384-2021 amending the existing Street Dedication and Improvement Regulations, Section 17.30.310(2) and (6), of the Rio Dell Municipal Code

Recommendation:

That the City Council:

1. Receive staff's presentation of the second reading of Ordinance No. 384-2021 amending the existing Street Dedication and Improvement Regulations, Section 17.30.310(2) and (6), of the Rio Dell Municipal Code; and
2. Open public hearing and receive public comment; and
3. Close public hearing, approve and adopt Ordinance No. 384-2021.

Background and Discussion

As reported at your meeting of April 6, 2021, staff recently discovered that the City's Street Dedication and Improvement Regulations, Section 17.30.310 of the Rio Dell Municipal Code (RDMC), requires that owner's make application to the Planning Commission or City Council in order to waive the dedication and required improvements.

The proposed amendments would allow the Director of Public Works to waive the dedication and required improvements. Currently the adopted fee to make application to the Planning Commission or City Council is \$250.

As reported at your meeting of April 6th, staff and the Planning Commission recommends approval of the amendment because it streamlines the process for the property owner in terms of time and cost.

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

Staff believes the recommended changes are in the public interest for the following reasons:

- The property owner would not have to make application, including the \$250 filing fee to the Planning Commission or City Council requesting an exception; and
- The proposed amendment will reflect the process that has historically been in place; and
- Historically the Council or Commission would defer to the Public Works Director for their recommendation.

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

Staff is not aware of any General Plan policies that are contrary to the recommended amendment.

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 nature of the project, staff has determined that the project is 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 "Common Sense" 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 that the project will result in a significant, substantial, or potentially substantial, adverse change in any of the physical

conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Attachments:

Attachment 1: Ordinance No. 384-2021 amending the existing Street Dedication and Improvement Regulations.

ORDINANCE NO. 384-2021



ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE EXISTING STREET DEDICATION AND IMPROVEMENT REGULATIONS, SECTION 17.30.310(2) AND (6), OF THE RIO DELL MUNICIPAL CODE.

WHEREAS, staff recently discovered that the City's Street Dedication and Improvement Regulations, Section 17.30.320 of the Rio Dell Municipal Code (RDMC), apply to private streets as well as public streets; and

WHEREAS, these regulations require the irrevocable dedication of land and construction of street, curb, gutter and sidewalk improvements; and

WHEREAS, under the current regulations, the Planning Commission or City Council may waive the dedication and required improvements; and

WHEREAS, historically the Public Works Director has actually waived dedication and/or improvement requirements and/or has required that the owners enter into a Deferred Improvement Agreement; and

WHEREAS, the proposed amendment will reflect the process that has historically been in place; and

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

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

WHEREAS, the City finds that based on evidence on file and presented in the staff report that the proposed amendments are in the public interest and consistent and compatible with the General Plan and any implementation programs that may be affected; 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, based on the minor nature of the text amendments, staff believes that the text amendments are 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.

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

1. The proposed amendments are in the public interest and consistent with the General Plan and any applicable specific plan; and
2. Based on the minor nature of the text amendments, 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 FURTHER RESOLVED that the City Council of the City of Rio Dell does hereby ordain as follows:

Section 1. Sections 17.30.310(2) and (6) are hereby amended as follows:

(2) Requirement – Private Streets. The provisions of subsection (1)(a)(ii) of this section shall apply to lots or parcels abutting a private street or road right-of-way established by recorded document or easement, with the exception that the ~~City Planning Commission or City Council~~ Public Works Director may, in lieu of requiring a dedication as hereinafter provided, require an irrevocable offer of dedication which shall be recorded and shall not become a part of the City street system until therefore accepted into the City’s street system by resolution of the City Council. The ~~Commission or City Council~~, Public Works Director as the case may be, may waive the dedication requirement of this section where it is found and determined that there is little likelihood that the remaining right-of-way adjacent to other lots or parcels in the area will be acquired for the public use and that the acquisition of said right-of-way in connection with the proposed improvements to any given parcel would be of no public benefit

(6) Waiver. The ~~Planning Commission~~ Public Works Director may approve ~~recommend to the City Council~~, upon determination of hardship, other than financial hardship, by

reason of unusual circumstances applicable to the owner of any parcel of property subject to the provisions of this section, a waiver of any and all provisions of this section.

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after adoption.

I HEREBY CERTIFY that the forgoing Ordinance was PASSED and ADOPTED at a regular meeting of the City Council of the City of Rio Dell on April 20, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Debra Garnes, 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. 384-2021 which was approved and adopted by the City Council of the City of Rio Dell on April 20, 2021.


Karen Dunham, City Clerk, City of Rio Dell

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



For Meeting of: April 20, 2021
 Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: April 7, 2021

Subject: Second reading, approval and adoption of Ordinance No. 385-2021 amending Section/Table 17.20.070, of the Rio Dell Municipal Code to exclude agricultural structures in the lot coverage calculation. Owners/operators of commercial cannabis greenhouses with concrete slab floors will be required to execute a Surety Performance Bond for the removal of all but one of the approved greenhouses after two years of no commercial use of the structure

Recommendation:

That the City Council:

1. Receive staff's presentation of the second reading of Ordinance No. 385-2021 amending Section/Table 17.20.070, of the Rio Dell Municipal Code to exclude agricultural structures in the lot coverage calculation. Owners/operators of commercial cannabis greenhouses with concrete slab floors will be required to execute a Surety Performance Bond for the removal of all but one of the approved greenhouses after two years of no commercial use of the structures; and
2. Open public hearing and receive public comment; and
3. Close public hearing, approve and adopt Ordinance No. 385-2021.

Background and Discussion

As reported at your meeting of April 6, 2021, staff recently discovered that the City's Rural (R) zoning and land use designation limits lot coverage to 10%. Staff is not sure if the 10% was in fact an error, given that the Natural Resource designation allows up to 90% lot coverage.

It's staff's opinion that the intent of the 10% maximum lot coverage was likely intended for residential buildings on the property and not intended to apply to agricultural structures including greenhouses, barns, covered riding arenas, etc. However, because it is not clear, staff is recommending that the language be amended to clarify that agricultural structures are excluded from the lot coverage calculation.

The Planning Commission deliberated on this issue at their meeting of March 23, 2021 and recommends your Council approve modifying the allowable lot coverage to exclude agricultural structures in the lot coverage calculation. The Planning Commission's recommendation is qualified to require owners/operators of commercial cannabis greenhouses with concrete slab floors will be required to execute a Surety Performance Bond for the removal of all but one of the approved greenhouses after two years of no commercial use of the structures

Your Council approved the Planning Commission's recommendation at your Meeting of April 6th and directed staff to return to the Council for the second reading, approval and adoption of Ordinance No. 385-2021,

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

Staff believes the recommended changes are in the public interest for the following reasons:

- General agriculture, including horticulture and floriculture are desired principally permitted uses; and
- The proposed amendments will facilitate additional agricultural activities; and
- The proposed amendments will not convert prime agricultural lands from agricultural uses to non-agricultural uses; and
- The proposed amendments will facilitate additional cannabis cultivation activities, including the generation of taxes. These taxes are used for capital projects, including street and drainage improvements, police services, code enforcement economic development and other uses as determined by the City Council.

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

As previously indicated the Table 1-2 of the Land Use Element of the General Plan must be amended as well. See below:

Designation	Permitted Uses	Minimum Lot Size	Open Space	Density	Building Height
Rural (R)	<ul style="list-style-type: none"> ● Agricultural uses including crop production and animal grazing. ● Residential uses including detached residential units and live-work units. ● Limited commercial uses including retail sales of items produced on the property and nurseries and greenhouses as accessory uses. ● Limited office uses including professional services in a residential building. ● Limited lodging uses including bed and breakfast inns and rooming houses in a residential unit or in an accessory building. ● Civic and cultural uses including parks. 	5 acres average	90% ¹	.2 units per net acre plus 1 secondary dwelling unit per lot	Maximum 3 stories, or 45 feet.
<p>¹ Open space requirements are not intended to apply to agricultural structures including greenhouses, barns, covered riding arenas, etc. All commercial cannabis cultivators will be required to submit a Surety Bond to ensure the removal of all but one of the abandoned greenhouses on concrete slabs so as not to exceed the 10% lot coverage within two years of the cessation of commercial cannabis activities.</p>					

The proposed amendment is consistent with the following Land Use Element Policies of the General Plan:

LU-17 Strengthen and diversify the local economy and maintain and improve property values;

The proposed text amendment will certainly enhance and diversify the local economy by giving the investors a reasonable return on their investment. The value of the property is currently limited by the 10% lot coverage. For example, a five-acre parcel is currently limited to 21,780 square feet of lot coverage. About 18,000 square feet would be available for cultivation. If the proposed amendment is approved the cultivation potential increase to about 175,000 square feet. This would certainly increase property values.

LU-21 Encourage the creation and retention of employment opportunities that provide sustainable wages and benefits for Rio Dell residents by promoting a thriving local retail, personal services and commercial sector.

As previously indicated without the proposed amendment, the 10% maximum lot coverage would limit the Plateau to somewhere between 6 and 7 acres of cultivation and support facilities. The recommended amendment may increase the cultivation are to around 50 acres, creating approximately eight-times more jobs. Half-acre grows typically employ 2 full time employees. As such it is estimated that 6 or 7 acres of cultivation would employ approximately 12-15 people. If the amendment were approved and 50+/- acres were ultimately cultivated, those operations could provide around 100 full-time jobs, provided the operations were year-round mixed-light.

These jobs will not only increase local employment opportunities, but will also contribute to our local retail sector (i.e. stores, restaurants, bars, gas stations, etc.)

The only General Plan Conservation/Open Space Element contains the following Goal and Policy:

Goal CO 5.3-1

Conserve and protect working agricultural lands within and adjacent to the City.

Policy CO 5.3-1

Encourage clustered development on the Dinsmore Plateau and consider density bonuses for development on or adjacent to prime agricultural lands.

The recommended option to not include agricultural structures in the lot coverage calculation will actually increase agricultural activities on the Dinsmore Plateau.

Staff is not aware of any General Plan policies that are contrary to the recommended amendment.

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 nature of the project, staff has determined that the project is 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 "Common Sense" 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 that the project will result in a significant, substantial, or potentially substantial, adverse change in any of the physical

conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. Findings in support of the determination include:

- General agriculture, including horticulture and floriculture are desired principally permitted uses; and
- The proposed amendments will facilitate additional agricultural activities; and
- The proposed amendments will not convert prime agricultural lands from agricultural uses to non-agricultural uses; and
- The proposed amendments do not exempt potential projects from the City's Environmentally Sensitive Habitat Area (ESHA) regulations; and
- There are no mapped Streamside Management Areas on the Dinsmore Plateau flat; and
- There are two mapped wetlands on-site. One mapped wetland is actually a man-made rain catchment pond. The other mapped wetland is subject to the City's Environmentally Sensitive Habitat Area (ESHA) regulations; and
- All cannabis activities are required to obtain a Conditional Use Permit; and
- Commercial uses including retail sales of items produced on the property, nurseries and greenhouses are required to obtain a Conditional Use Permit; and
- A Cultural Resource Study (CRS) was conducted on the flat and one artifact was found. Future development may require an addendum to the CRS depending on the location and comments from the local tribes; and
- All commercial cannabis cultivators will be required to submit a Surety Bond to ensure the removal of all abandoned greenhouses on concrete slabs so as not to exceed the 10% lot coverage within two years of the cessation of commercial cannabis activities.

Attachments:

Attachment 1: Ordinance No. 385-2021 amending Section/Table 17.20.070, of the Rio Dell Municipal Code, to exclude agricultural structures in the lot coverage calculation, provided owners/operators of commercial cannabis greenhouses with concrete slab floors will be required to execute a Surety Performance Bond for the removal of all but one of the approved greenhouses after two years of no commercial use of the structures.

ORDINANCE NO. 385-2021



A ORDINANCE OF THE CITY COUNCIL AMENDING THE RURAL DESIGNATION DEVELOPMENT STANDARDS, SECTION/TABLE 17.20.070, OF THE RIO DELL MUNICIPAL CODE TO EXCLUDE AGRICULTURAL STRUCTURES IN THE LOT COVERAGE CALCULATION, PROVIDED THAT THE APPLICANT EXECUTES A SURETY BOND TO ENSURE THE REMOVAL OF ALL ABANDONED GREENHOUSES ON CONCRETE SLABS SO AS NOT TO EXCEED THE 10% LOT COVERAGE WITHIN TWO YEARS OF THE CESSATION OF COMMERCIAL CANNABIS ACTIVITIES.

WHEREAS, staff recently discovered that the City's Rural (R) zoning and land use designation limits lot coverage to 10%; and

WHEREAS, staff believed the allowable lot coverage of the Rural designation was identical to the Natural Resource (NR) designation; and

WHEREAS, the Natural Resource designation requires a minimum open space of 10%, equating to maximum lot coverage of 90%; and

WHEREAS, it's staff's opinion that the intent of the 10% maximum lot coverage was likely intended for residential buildings on the property and not intended to apply to agricultural structures including greenhouses, barns, covered riding arenas, etc.; and

WHEREAS, commercial cannabis activities are allowed up on the Dinsmore Plateau with a Conditional Use Permit (CUP); and

WHEREAS, the vast majority of the Dinsmore Plateaus is designated Rural; and

WHEREAS, open field, outdoor cannabis cultivation is not allowed; and

WHEREAS, all commercial cannabis activities must occur in a greenhouse or indoors; and

WHEREAS, the Dinsmore Plateau flat comprises approximately 80 acres. A five-acre (217,800 square feet) average minimum parcel size is required for the Rural designation. The 10% maximum lot coverage limits the lot coverage to 21,780 square feet; and

WHEREAS, assuming one developed a 2,400 square foot house, a 720 square foot garage and 720 square foot shop, which totals 3,840 square feet, the available area for agricultural structures would be further be reduced to approximately 17,940 square feet; and

WHEREAS, the required setbacks, 20 feet all around, reduce the lot coverage or buildable area by 39,600 square feet or about 18% on a five-acre parcel; and

WHEREAS, applying the 10% maximum lot coverage would limit the Plateau to somewhere between 6 and 7 acres of commercial cannabis cultivation, horticulture/floriculture once the drying/processing facilities and potential residences and accessory structures are built; and

WHEREAS, the primary reason the City chose to allow commercial cannabis cultivation on the Dinsmore Plateau was to generate tax revenue; and

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

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

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

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

1. The proposed amendments are in the public interest and consistent with the General Plan and any applicable specific plan; and

2. The proposed amendments are Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations because:

- General agriculture, including horticulture and floriculture are desired principally permitted uses; and
- The proposed amendments will facilitate additional agricultural activities; and
- The proposed amendments will not convert prime agricultural lands from agricultural uses to non-agricultural uses; and
- The proposed amendments do not exempt potential projects from the City's Environmentally Sensitive Habitat Area (ESHA) regulations; and
- There are no mapped Streamside Management Areas on the Dinsmore Plateau flat; and
- There are two mapped wetlands on-site. One mapped wetland is actually a man-made rain catchment pond. The other mapped wetland is subject to the City's Environmentally Sensitive Habitat Area (ESHA) regulations; and
- All cannabis activities are required to obtain a Conditional Use Permit; and
- Commercial uses including retail sales of items produced on the property, nurseries and greenhouses are required to obtain a Conditional Use Permit; and
- A Cultural Resource Study (CRS) was conducted on the flat and one artifact was found. Future development may require an addendum to the CRS depending on the location and comments from the local tribes; and
- All agricultural operators, including cannabis cultivators will be required to submit a Surety Bond to ensure the removal of all but one of the abandoned greenhouses on concrete slabs so as not to exceed the 10% lot coverage within two years of the cessation of commercial cannabis activities.

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

Section 1.

Section 17.20.070, Table 17.20.020 of the Rio Dell Municipal Code is hereby amended as follows:

Table 17.20.070
Development Standards in the Rural or R Zone

Site Development Standard	Zone Requirement
Minimum Lot Area:	5 acres
Maximum Ground Coverage:	10% ¹
Minimum Lot Width:	100 ft.
Minimum Yard	
Front:	20 ft.
Rear:	20 ft.
Side:	20 ft.
Maximum Building Height:	3 stories or 45 feet [Ord. 252 § 4.15, 2004.]

¹ *Open space requirements are not intended to apply to agricultural structures including greenhouses, barns, covered riding arenas, etc. All commercial cannabis cultivators will be required to submit a Surety Bond to ensure the removal of all but one of the abandoned greenhouses on concrete slabs so as not to exceed the 10% lot coverage within two years of the cessation of commercial cannabis activities.*

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. Effective Date

This ordinance becomes effective thirty (30) days after adoption.

I HEREBY CERTIFY that the forgoing Ordinance was PASSED and ADOPTED at a regular meeting of the City Council of the City of Rio Dell on April 20, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Debra Garnes, 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. 385-2021 which was approved and adopted by the City Council of the City of Rio Dell on April 20, 2021.


Karen Dunham, City Clerk, City of Rio Dell

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



For Meeting of: April 20, 2021
 Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: April 8, 2021

Subject: Second reading, approval and adoption of Ordinance No. 386-2021 establishing Industrial Hemp Regulations banning the cultivation of Industrial Hemp in the City, Section 17.30.180 of the Rio Dell Municipal Code and Renumbering General Provisions and Exceptions, Sections 17.30.010 – 17.30.370 to Accommodate the Proposed Industrial Hemp Regulations.

Recommendation:

That the City Council:

1. Receive staff's presentation of the second reading of Ordinance No. 386-2021 establishing Industrial Hemp Regulations, banning the cultivation of Industrial Hemp in the City, Section 17.30.180 of the Rio Dell Municipal Code and Renumbering General Provisions and Exceptions, Sections 17.30.010 – 17.30.370 to accommodate the proposed Industrial Hemp Regulations; and
2. Open public hearing and receive public comment; and
3. Close public hearing, approve and adopt Ordinance No. 386-2021.

Background and Discussion

As reported at your meeting of April 6, 2021 James Cortazar made application and received approval from the County's Agricultural Department, which regulates industrial hemp, for twenty (20) acres of cultivation of industrial hemp on the Dinsmore Plateau.

Staff reached out to the owners of the one permitted farm, Rio's Diamond Farms and others who were either in the permitting process, were about to make application or were/are considering pursuing commercial cannabis permits on the Dinsmore Plateau. All expressed concerns regarding the possibility of cross pollination and the introduction of new pests and pathogens

As the Council is aware, the County of Humboldt recently adopted a ban on industrial hemp, primarily due to cannabis farmer's concerns regarding cross pollination and the introduction of new pests and pathogens.

Again, commercial cannabis cultivation is having a very positive impact on the City's financial resources. Staff shares the same concerns regarding cross pollination and the introduction of new pests and pathogens. An accidental cross pollination or the introduction of new pests and pathogens could have a tremendous negative impact on our local farmers, likely affecting their ability to pay their taxes. In addition, given the apparent loophole regarding Delta 8, staff is recommending that the City adopt a ban on industrial hemp.

The Planning Commission recommended unanimously that the City adopt a ban on Industrial Hemp at this time.

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

Staff believes the recommended changes are in the public interest for the following reasons:

- A ban would protect our cannabis farmers from potential of cross pollination and the introduction of new pests and pathogens that would adversely impact our farmers crops and investments; and
- An accidental cross pollination or the introduction of new pests or pathogens could have a tremendous negative impact on our local farmers, likely affecting their ability to pay their taxes, affecting the City's expected tax revenue.
- The apparent loophole in the 2018 Federal Farm Bill regarding Delta 8, and its psychoactive compound.

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

There are no policies which are in conflict with the recommended ban on cultivation of industrial hemp in the City.

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.

The proposed amendments are exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to Sections 15050(c)(2) and 15060(c)(3) of the CEQA Guidelines, which states an activity is not subject to CEQA when it will not result in a physical change to the environment either directly or indirectly.

Attachments

Attachment 1: Ordinance No. 386-2021 establishing Industrial Hemp Regulations, banning the cultivation of Industrial Hemp in the City, Section 17.30.180 of the Rio Dell Municipal Code and Renumbering General Provisions and Exceptions, Sections 17.30.010 – 17.30.370 to accommodate the proposed Industrial Hemp Regulations.

ORDINANCE NO. 386-2021



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
ESTABLISHING INDUSTRIAL HEMP REGULATIONS, BANNING THE CULTIVATION
OF INDUSTRIAL HEMP IN THE CITY, SECTION 17.30.180 OF THE RIO DELL
MUNICIPAL CODE AND RENUMBERING GENERAL PROVISIONS AND EXCEPTIONS,
SECTIONS 17.30.010 – 17.30.370 TO ACCOMMODATE THE PROPOSED
INDUSTRIAL HEMP REGULATIONS.**

WHEREAS, a new Federal law allowing cultivation of Industrial Hemp in 2019 was viewed by many locally as a potential new market for cannabis farmers to participate in, particularly small legacy cannabis farmers who opted out of the commercial cannabis industry due to the regulatory burdens and high costs of permitting; and

WHEREAS, the County of Humboldt recently adopted a ban on industrial hemp, primarily due to cannabis farmer's concerns regarding cross pollination and the introduction of new pests and pathogens; and

WHEREAS, a local property owner made application and received approval from the County's Agricultural Department, which regulates industrial hemp, for twenty (20) acres of cultivation of industrial hemp on the Dinsmore Plateau; and

WHEREAS, staff reached out to the owners of the one permitted farm, Rio's Diamond Farms and others who were either in the permitting process, were about to make application or were/are considering pursuing commercial cannabis permits on the Dinsmore Plateau; and

WHEREAS, all expressed concerns regarding the possibility of cross pollination and the introduction of new pests and pathogens; and

WHEREAS, commercial cannabis cultivation is having a very positive impact on the City's financial resources; and

WHEREAS, staff shares the same concerns regarding cross pollination and the introduction of new pests and pathogens; and

WHEREAS, an accidental cross pollination or the introduction of new pests and pathogens could have a tremendous negative impact on our local farmers, likely affecting their ability to pay their taxes; and

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

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

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

1. The proposed amendment is in the public interest.

- A ban would protect our cannabis farmers from potential of cross pollination and the introduction of new pests and pathogens that would adversely impact our farmers crops and investments; and
- An accidental cross pollination or the introduction of new pests or pathogens could have a tremendous negative impact on our local farmers, likely affecting their ability to pay their taxes, affecting the City's expected tax revenue.

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

There are no policies which are in conflict with the recommended ban on cultivation of industrial hemp in the City.

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

The proposed amendments are exempt from environmental review under the California

Environmental Quality Act (CEQA) pursuant to Sections 15050(c)(2) and 15060(c)(3) of the CEQA Guidelines, which states an activity is not subject to CEQA when it will not result in a physical change to the environment either directly or indirectly.

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

Section 1.

Purpose of the Zoning Regulation Amendments

The Rio Dell Municipal Code is hereby amended to establish Industrial Hemp regulations and renumbers Chapter 17.30, General Provisions and Exceptions, to accommodate the Industrial Hemp regulations.

Section 2. Industrial Hemp Land Use Regulations

Section 17.30.180, Industrial Hemp regulations, of the Rio Dell Municipal Code is hereby established as follows:

17.30.180 Industrial Hemp Land Use Regulations

(1) Purpose and Intent

The purpose of this Section is to establish land use regulations for the cultivation of Industrial Hemp and registration of Industrial Hemp cultivation sites within the Inland Area of the County of Humboldt which reduce negative impacts of Industrial Hemp Cultivation on our community and environment.

(2) Applicability and Interpretation

All facilities and activities involved in the cultivation of Industrial Hemp and registration of Industrial Hemp cultivation sites within the jurisdiction of the City of Rio Dell.

(3) Definitions

“Industrial Hemp”: A crop agricultural product, whether growing or not, that is limited to types of the plant *Cannabis sativa Linnaeus* and any part of that plant, including the seeds of the plant and

all derivatives, extracts, the resin extracted from any part of the plant, cannabinoids, isomers, acids, salts, and salts of isomers, with a delta-9 tetrahydrocannabinol (THC) concentration of no more than 0.3 percent on a dry weight basis.

(4) General Provisions Applicable to Industrial Hemp Cultivation and Registration of Industrial Hemp Cultivation Sites

(a) Cultivation of Industrial Hemp by any person or entity for any purpose is expressly prohibited in all zoning districts in the City of Rio Dell. Additionally, "Established Agricultural Research Institutions" as defined in Food and Agriculture Code section 81000, are similarly prohibited from cultivating Industrial Hemp for agricultural or academic research purposes.

(b) Acceptance of any application for or issuance of a registration, permit or entitlement, or approval of any type, that authorizes the establishment, operation, maintenance, development or construction of any facility or use for the purpose of the cultivation of Industrial Hemp is expressly prohibited in all zoning districts in the City of Rio Dell.

Section 3. Sections 17.30.010 – 17.30.350 are hereby renumbered and amended as follows:

**Chapter 17.30
GENERAL PROVISIONS AND EXCEPTIONS**

Section	Existing Provision	Section	Changes Provision
17.30.010	Applicability	17.30.010	Applicability
17.30.020	Accessory dwelling units	17.30.020	Accessory dwelling units
17.30.030	Accessory uses and buildings.	17.30.030	Accessory uses and buildings.
17.30.040	Adult entertainment.	17.30.040	Adult entertainment.
17.30.050	Airports.	17.30.050	Airports.
17.30.060	Animals and animal shelters.	17.30.060	Animals and animal shelters.
17.30.070	Assemblages of persons and vehicles.	17.30.070	Assemblages of persons and vehicles.
17.30.080	Camping.	17.30.080	Camping.
17.30.090	Commercial cannabis land use regulations.	17.30.090	Commercial cannabis land use regulations.
17.30.100	Cottage industry.	17.30.100	Cottage industry.
17.30.110	Density bonus.	17.30.110	Density bonus.
17.30.120	Emergency shelter/transitional housing regulations	17.30.120	Emergency shelter/transitional housing regulations

17.30.130	Environmentally sensitive habitat areas (ESHAs)	17.30.130	Environmentally sensitive habitat areas (ESHAs)
17.30.140	Fences, walls and screening.	17.30.140	Fences, walls and screening.
17.30.150	Flag lots.	17.30.150	Flag lots.
17.30.160	Flood zone regulations.	17.30.160	Flood zone regulations.
17.30.170	Home occupation businesses and address of convenience.	17.30.170	Home occupation businesses and address of convenience.
17.30.180	Lot size modifications.	17.30.180	Industrial hemp.
17.30.190	Manufactured/mobile homes on individual lots.	17.30.190	Lot size modifications.
17.30.200	Manufactured/mobile home park development standards.	17.30.200	Manufactured/mobile homes on individual lots.
17.30.210	Nonconforming uses.	17.30.210	Manufactured/mobile home park development standards.
17.30.220	Parking regulations.	17.30.220	Nonconforming uses.
17.30.230	Parkland dedication.	17.30.230	Parking regulations.
17.30.240	Personal cannabis cultivation regulations.	17.30.240	Parkland dedication.
17.30.250	Public uses.	17.30.250	Personal cannabis cultivation regulations.
17.30.260	Public utility buildings and uses.	17.30.260	Public uses.
17.30.270	Quasi-public uses.	17.30.270	Public utility buildings and uses.
17.30.280	Recreational vehicle park development standards.	17.30.280	Quasi-public uses.
17.30.290	Removal of natural materials.	17.30.290	Recreational vehicle park development standards.
17.30.300	Second dwelling units.	17.30.300	Removal of natural materials.
17.30.310	Signs and nameplates.	17.30.310	Second dwelling units.
17.30.320	Street dedication and improvement.	17.30.320	Signs and nameplates.
17.30.330	Swimming pools.	17.30.330	Street dedication and improvement.
17.30.340	Tract offices.	17.30.340	Swimming pools.
17.30.350	Vacation dwelling units.	17.30.350	Tract offices.
17.30.360	Yards.	17.30.360	Vacation dwelling units.
		17.30.370	Yards.

Section 4. 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 5. 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 6. Effective Date

This ordinance becomes effective thirty (30) days after adoption.

I HEREBY CERTIFY that the forgoing Resolution was PASSED and ADOPTED at a regular meeting of the City Council of the City of Rio Dell on April 20, 2021 by the following vote:

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

Debra Garnes, 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. 384-2021 which was adopted by the Planning Commission of the City of Rio Dell on April 20, 2021.

Karen Dunham, City Clerk, City of Rio Dell