



AGENDA
RIO DELL CITY COUNCIL
REGULAR MEETING – 6:30 P.M.
TUESDAY, APRIL 5, 2016
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

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

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

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

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

E. PUBLIC PRESENTATIONS

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

F. CONSENT CALENDAR

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

1) 2016/0405.01 - Approve Minutes of the March 15, 2016 Regular Meeting (ACTION) 1

- 2) 2016/0405.02 - Approve Resolution No. 1292-2016 to Renew and Re-designate the North Coast Recycling Market Development Zone (North Coast RMDZ) (**ACTION**) 16

G. ITEMS REMOVED FROM THE CONSENT CALENDAR

H. SPECIAL PRESENTATIONS/STUDY SESSIONS

I. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) 2016/0405.03 - Water Services to the Rio Dell Community Garden
(**DISCUSSION/POSSIBLE ACTION**) 20
- 2) 2016/0405.04 - Purchase and Installation of Electronic Sign for Public Information
Purposes (**DISCUSSION/POSSIBLE ACTION**) 22
- 3) 2016/0405.05 - 2015 Annual Police Department Report (**RECEIVE & FILE**) 25
- 4) 2016/0405.06 - Update on the Downtown Parking Lot **DISCUSSION/POSSIBLE
ACTION**) 39

J. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2016/0405.07 - Introduction and First Reading (by title only) of Ordinance 345-2016
Amending the Rio Dell Municipal Code (RDMC) to authorize
Participation in the Community Choice Aggregation Program
Implemented and Operated by the Redwood Coast Energy Authority
(RCEA) (**DISCUSSION/POSSIBLE ACTION**) 40
- 2) 2016/0405.08 - Adopt Ordinance No. 343-2016 Amending Section 1730.280, Removal
of Natural Materials to accurately reference the California Building
Code (CBC) (**DISCUSSION/POSSIBLE ACTION**) 56
- 3) 2016/0405.09 - Introduction and first Reading (by title only) of Ordinance 344-2016
establishing an Alternate Planning Commissioner and annually
appointing a Chairperson and Vice Chairperson (**DISCUSSION/
POSSIBLE ACTION**) 62

K. REPORTS/STAFF COMMUNICATIONS

1. City Manager
2. Chief of Police
3. Finance Director
4. Community Development Director

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

***The next regular meeting will be on April 19, 2016
at 6:30 p.m. in City Hall Council Chambers***

**RIO DELL CITY COUNCIL
REGULAR MEETING
MARCH 15, 2016
MINUTES**

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

ROLL CALL: Present: (Closed Session) Mayor Wilson, Mayor Pro Tem Johnson, Councilmembers Garnes, Marks and Thompson

Others Present: City Manager Knopp and City Attorney Gans

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

Others Present: City Manager Knopp, Finance Director Woodcox, Chief of Police Hill, Water Roadways Superintendent Jensen and City Clerk Dunham

Absent: Community Development Director Caldwell and Wastewater Superintendent Chicora (excused)

CLOSED SESSION

EMPLOYEE NEGOTIATIONS – Conference with Labor Negotiator:

City's Labor Negotiator: Kyle Knopp, City Manager

Employee Organizations: Rio Dell Employees Association, Rio Dell Police Officers Association and all Contract Employees (Pursuant to Gov't Code Section 54857.6)

The Council recessed into closed session at 6:00 p.m. with City Manager Knopp and City Attorney Gans.

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

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

PUBLIC PRESENTATIONS

Melissa Marks addressed the Council regarding the upcoming Planning Commission meeting on March 22nd related to medical marijuana land use regulations and suggested a notice be put in the Times-Standard.

Jomra Kan distributed a letter to the Council urging them to consider moving forward quickly in crafting policies that would allow the City to take advantage of and participate in the

MARCH 15, 2016 MINUTES

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quickly approaching regulated cannabis economy in Humboldt County. He stated that he currently owns investment property in Rio Dell and believes there are opportunities for both investors and the City to benefit from the industry. He pointed out that he feels these opportunities can be realized without the establishment of dispensaries or other retail businesses and those wholesale and manufacturing businesses would benefit the City in multiple ways including revenue from property taxes and special taxes imposed by the City for cannabis related businesses.

He noted that his proposed project involves the purchase of property from Dennis Wendt north of Rio Dell and the construction of a 10,000 square foot metal building that would accommodate five, 2,000 square foot businesses. He said the investment will require a substantial amount of capital therefore; he can't move forward without certainty with regard to the City's position on allowing cannabis related businesses in the City.

He provided a breakdown of approximate construction costs and possible scenarios of taxes that could be collected by the City from future business operations within the building. He indicated that he and the other perspective businesses have no problem paying a City imposed tax in exchange for being able to establish lawful cannabis related businesses in the City of Rio Dell. Annual taxes imposed by the City were estimated from \$67,000 - \$121,000. He noted the other advantage is job creation with just the processing facility potentially employing as many as twenty full-time people.

In closing, he urged the Council to view the current cannabis situation as a chance to help shape the economic future of Rio Dell by adopting policies to incorporate commercial cannabis operations in the City.

Nick Angeloff reported on the Chamber of Commerce meeting held earlier in the day and said they discussed cannabis regulations and invited board members to attend the next Planning Commission meeting on March 22nd to formulate an opinion and make a recommendation on behalf of the Chamber of Commerce.

He said with regard to the City's contribution to the Chamber, he drafted an agreement between the City and the Chamber which he was given authorization to sign. He thanked the Council for its support and commented that he believes it will be highly productive and that he has already begun assessing economic development meetings and thinks they will have a product out that will in the end be something resulting in positive investment in the community.

He also reported that he was speaking with a Wiyot Tribal Council person who indicated that they would be happy to have a dance in Rio Dell. He said the idea is to have what they call a

staff to coordinate the event. He said there was discussion in the past about having a Wiyot traditional dance; perhaps having a sculpture in the Avenue of the Sculptures that represents the Native American history in the area. He said he will be speaking more with the tribal council and other Native Americans in the area.

Debbie was present to address the Council as part of the support network for the Community Garden and acknowledged there were a number of gardeners present from the Community Garden. She pointed out that the garden provides space for residents to grow food for themselves and their families and also includes an orchard with fruit trees and berries. She added that the garden not only provides fresh nutritious food for families but provides physical activity, stress reduction and increased family bonding. She said the City Council has been supportive of the Community Garden in the past and the gardeners are appreciative of that; their hope is that it can continue into the future.

Nick Angeloff expressed the Chamber's support of the Community Garden.

City Manager Knopp stated that staff will come back to the Council on April 5th with an agenda item related to the Community Garden.

CONSENT CALENDAR

Councilmember Marks asked that Items 1 and 2 be removed from the consent calendar for separate discussion.

John Rutherford, representing the Rio Dell Mobilehome Park asked that Item 5 also be removed for separate discussion.

Motion was made by Johnson/Thompson to approve the consent calendar including approval of Resolution No. 1290-2016 appointing voting delegates to the League of California Cities Redwood Empire Division Business Meeting and Legislative Committee; and approval of a Memorandum of Understanding with the County of Humboldt for assistance with the State of California Housing and Community Development Block Grant (CDBG) Program. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Approval of Minutes of the March 1, 2016 Regular Meeting

Councilmember Marks referred to page 13 of the minutes with the motion by the Council directing staff to come back to Council on March 15th with the introduction and first reading of the ordinance amendment to the Planning Commission membership to include an alternate position to the membership as well as some other minor text amendments. He said the

the item was not on the agenda and assumed it will be on the next agenda.

Motion was made by Garnes/Marks to approve the minutes of the March 1, 2016 meeting as presented. Motion carried 5-0.

Councilmember Marks recused himself and stepped outside during discussion and action on the next agenda item.

Approve Appointment of Melissa Marks to the Rio Dell Planning Commission to the term expiring December 31, 2018

Mayor Pro Tem Johnson expressed support for the appointment of Melissa Marks to the Planning Commission and said she brings tremendous knowledge of the City and has demonstrated many years of her commitment to serve the community. He commented that he really appreciates her willingness to once again, be involved in the activities of the City.

Motion was made by Johnson/Thompson to approve the appointment of Melissa Marks to the Rio Dell Planning Commission to the term expiring December 31, 2018. Motion carried 4-0.

Councilmember Marks resumed his seat on the Council at this time.

Water Rates and Charges for RV and Mobilehome Parks

John Rutherford, as spokesperson for Thelma Maddox (Rio Dell Mobile Park), addressed the Council regarding the recent water rate increase. He said there are a few things he wanted to bring to the Council's attention that perhaps could be discussed at another time.

He said he would like the Council to consider opening discussion on mitigation, compromise and conversation regarding recalculation of the water and sewer charges for the Rio Dell Mobile Park.

He referred to the staff report which included a statement by California's Legislative Analyst's Office that stated in part:

"Specifically, local governments must make sure that no property owner's fee is greater than the proportionate cost to provide the property-related service to his or her parcel...this requirement may result in local governments setting property-related fee rates on a block-by-block basis, or parcel-by-parcel basis."

He said what this means is that there is some leeway in the method in which the rates are calculated. He said the park has one meter just like, for example, the Humboldt Gables Motel

and they are charged based on four Equivalent Dwelling Units (EDU's). He suggested the park's rates be calculated the same way. He pointed out that in his research he read that if mobile homes are part of a co-op that don't have individual meters, they shall be considered a commercial user. He noted that they have one meter and are paying for 39 EDU's on both water and sewer. He said some cities charge empty spaces one-quarter of an EDU for those spaces. He pointed that they are paying \$100.00/month for each empty space and they currently have ten empty which means they are paying \$1,000/month for services they are not using. He said \$12,000/year makes it difficult to run a business.

He stated that the most important point he wanted to make is that nothing is set in stone; everything can be mitigated. He added that a normal residence is calculated at 5 EDU's and they use an average of 2.8 per space which is a little over one-half of a normal EDU. In addition, if an R.V. comes in, they are required to pay a Transient Occupancy Tax to the City.

He added that he understands that the City spent a lot of time writing the ordinance and going through the rate process but as a former Code Enforcement Officer and a person who has written ordinances, he knows that mitigation is a possibility. He felt if they could sit down with staff and/or Council they could come up with some sort of compromise on the rates and asked the Council to consider assigning someone to work with them to come up with a solution.

Linda Freitas said she addressed the Council with the same concern at a prior meeting noting that she has a 4-unit apartment complex served by one meter and pays \$425.00/month for water and sewer. She felt it is unfair to pay for vacant units.

Mayor Wilson commented that he understands there is a base charge for inactive sewer accounts but was uncertain about the water charge. He asked how the \$100.00/month per space is calculated.

Finance Director Woodcox explained that there is no charge when the water meter is shut off however; that doesn't apply to multi-family units or mobilehome parks when one meter serves multiple spaces/units. She said the \$100.00 per-space charge for the Mobilehome Park applies to the base charge for both water and sewer and there are no provisions in the ordinance for allowances with regard to empty spaces. She said in the past, mobilehome parks were given a 35% discount on those spaces but was removed from the current ordinance.

Mayor Wilson questioned the reason for eliminating the 35% discount.

Finance Director Woodcox explained that the discount was eliminated based on the assumption that no rate payer should subsidize another rate payer.

Mayor Wilson stated that he felt there are things that need to be addressed and the Rio Dell Mobile Park presented a fair argument that warrants further investigation, perhaps with establishment of a committee.

City Manager Knopp said he would be happy to meet with Mr. Rutherford, do some additional research and bring the item back to Council no later than the second meeting in April.

The Council and Mr. Rutherford concurred.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Introduction and Presentation from Sara Faught related to services provided by the Rio Dell Community Resource Center

Sara Faught introduced herself as the new Coordinator of the Community Resource Center and presented a flyer outlining the various resources and referrals they have available for the community. She also provided a flyer on the 3rd Annual Scotia/Rio Dell Easter Egg Hunt as well as a daily tracking log of services and referrals provided to the community.

She indicated that her main goal is to get re-engaged with the various community partners , look at all of the programs and make sure they are being implemented the way they are supposed to be so they are fair to all community members.

Mayor Pro Tem Johnson asked if the services provided were summarized on a monthly basis and if it would be possible for her to provide a monthly report to the City Council.

Sara stated that the information for services is compiled every month and she would be happy to provide updates to the Council. She indicated that the Resource Center provides between 300 – 400 services each month and that their doors are open and no one gets turned away.

Nick Angeloff commented that the Chamber of Commerce and Community Resource Center have a well-established relationship and said one of their successful team coordinated efforts is producing the monthly Rio Dell-Scotia Newsletter.

Councilmember Garnes asked if there is a way to incorporate a “meals on wheels” into their program for the elderly.

Sara commented that it is actually one of the things she has been talking about with those who facilitate the Brown Bag Program and when she was in Blue Lake Meals on Wheels was part of their program. She said it is definitely something they hope to be able to implement here.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Approve Plans and Specifications for the Metropolitan Wells Project and authorize staff to solicit bids for the project

City Manager Knopp provided a brief staff report and reviewed the materials in the Council packet related to this item. He said hopefully this project will be a long-term fix to problems related to drought conditions and changes in the environment in general and insure that the City is supplied with robust diverse sources of water which is really the core background of any urban community.

He announced that Steve McHaney from GHD was present to provide a power point presentation on the wells project.

Engineer McHaney began by reviewing the outline of the presentation which included:

- Purpose of the Project
- Description of Features
- Overall Current Funding
- Bid Strategy
- Opinion of Probably Cost
- Possible Bidding Outcomes
- Strategies to Address Possible Outcomes
- Bidding and Construction Process
- Next Steps

He pointed out that the original intent of the project was to provide an emergency backup water source for the City and what has evolved in working with staff on this project is that the wells are actually a valuable resource of the City; not only for emergencies but for other operational reasons. He noted that staff has realized that there is a much greater opportunity for possible use of this facility so GHD has really tried to accommodate that in the design. He said with that, there are added features and increased costs.

He stated that initially the wells were supposed to be periodically operated during drought conditions but may want to run them other times because there are some advantages to that. He said the wells also provide flexibility in the event of a disaster.

Engineer McHaney then reviewed the description of the site and the proposed features included in the design. He said one feature added as an option is a contact pipe as it provides more operator flexibility. He pointed out that it would be a good feature to have operationally but may not be absolutely necessary. He noted that the proposed treatment building is constructed of split-face block. A wooden structure would be cheaper but would be much

more susceptible to vandalism, rot, bugs and varmints; over time a wooden building in a remote site is not going to last. Also, metal buildings are a little cheaper but they rust. He said with this type of investment, staff agreed that a split-face block structure would be the best option.

He stated that the system was designed as a single filter unit although the building is large enough for two filters. He said for emergency projects a single unit is adequate but ideally when they design things they design them for two filters as it makes operations a lot better with two units.

The shallow pond shown on the diagram was noted to be used for the backwash water from the filter system since there is no sewer on site.

Next was discussion of funding with the three main sources of funding totaling \$1,213,000, including a \$57,000 city match. He noted that additional funds may be available to augment the project and that he has been talking with the City Manager about some potential funding sources. He pointed out that the city's match of 5% is absolutely unheard of and to get 95% grant funding to do anything in today's world is incredible. He complimented staff for doing an amazing job in securing this funding.

Next was review of the bid strategy which was basically laid out in three phases: the base bid; the additive bid items; and the contingency. The additive bid items included the chlorine contact pipe, a second filter unit and asphalt.

Engineer McHaney said the contract management included a standby generator and the reason it wasn't included as a bid item is that it is a stand-alone item and doesn't need to be purchased by the contractor. He said that staff, in working with the funding agency can identify the generator they want and if there is enough contingency left at the end of the project, it can be purchased.

Probable costs were then reviewed with a breakdown of the base costs, fixed costs and additive costs. He said in his opinion, the \$1,213,000 will cover the base bid but the thing to remember is that the opinion of probable costs do not control the contractors bids and that bids can vary significantly.

Next was review of strategies to address possible bidding outcomes should the bids come in lower or higher than the engineer's estimate, and review of the bidding and construction process.

He said next steps would be to authorize staff to put the project out to bid; consider strategies for potential additional funding; bid the project; retain services for Labor Standards

Compliance; return to Council with recommendation for award; and proceed to the final contracting and construction.

Mayor Pro Tem Johnson asked when they could expect to advertise for bids should the Council give authorization to proceed tonight, given the fact that they are still waiting for a response from the State Department of Health Services and addressing some pump issues.

Engineer McHaney said advertising would probably be within two weeks depending on when the issues with the pump supplier can be resolved. He said he doesn't expect to get a lot of comments from the State Health Department.

Mayor Pro Tem Johnson referred to the contractor from Redding that did the City's streets project in 2013 and said he would like to make sure the advertisement gets out to out-of-area contractors.

Engineer McHaney explained that the advertisement is sent to the Humboldt County Builder's Exchange as well as the Builder's Exchange in Santa Rosa and they actually distribute it through most of northern California electronically. In addition to that, he usually calls contractors that he thinks may be interested in bidding the project. He pointed out that the project is not a high dollar project and has a number of discreet local pieces to it so he doesn't know if it will attract a lot of out-of-area contractors.

Councilmember Garnes asked how long the bid process stays open.

Engineer McHaney said typically two weeks and possibly three weeks for this type of project.

Mayor Wilson asked if the fixed costs will also go out to bid and which portion of those costs are GHD's costs.

Engineer McHaney explained the fixed costs include the existing contract GHD has with the City and other administrative costs, the Labor Standards Compliance, and the completed monitoring wells cost which has already been spent. He said the planning and design costs and the construction engineering management and inspection are GHD's costs.

Mayor Wilson said he recalled there was some discussion about the construction management and inspection going out to bid.

City Manager Knopp explained that there was a possibility to potentially look at a third party for construction management and having that as a separate bid option but whether that would actually save money is unknown. He pointed out that there would still need to be a lot of

involvement by GHD to oversee the project as the City's engineer. He indicated that it could be put out as a separate bid item if that is the wish of the Council.

Mayor Wilson commented that \$124,000 is a lot of money and said the project started out at \$1.2 million and now is up to \$1.6 million which is about a 30% increase which is money the City doesn't have.

Engineer McHaney said that is certainly why they configured the project with a base bid knowing there are other features that are desirable although may not be affordable. He said they are looking for other sources of funding for those additives.

Councilmember Thompson referred to page C-101 referencing the line that goes out to the second well and reference to the February 11th letter from Dennis Wendt requesting the City abandon the well there stating that the well is not on city property. He said he has begun researching that issue and it brings up a question regarding the design of the project. He said after discovering some new information regarding those parcels, he thinks that the plan to cut off the pipe and abandoning the well is not a good idea. He said there seems to be some discrepancies between what is being reported with regard to well #3 and what information he has found. He said he wants to move forward with the bid process but wanted to bring this to everyone's attention.

Engineer McHaney asked him to share the information with him and said the parcels may need to be surveyed to determine ownership.

Councilmember Thompson suggested the Council, at a future date reject Dennis Wendt's proposal to abandon the well.

Melissa Marks said when the sewer project design was done, it was discovered that the design was lacking in some areas with regard to some electrical and grading of the road and asked if something like this comes up with this project if GHD will be responsible for correcting it.

Engineer McHaney explained that if GHD clearly makes a mistake in the design and they have to redesign it, it is at the expense of GHD. He said the reason for having a contingency is to cover unexpected situations and used the example of excavating the site and there is something in the ground that doesn't appear on any of the maps and there are costs associated with removal, the contingency will cover that cost.

He said that the project is pretty straight forward and compact site and they are not expecting to run into problems. He said ultimately the idea is to try and preserve the contingency as best as possible so there is money left to buy such things as the generator.

Motion was made by Garnes/Johnson to approve the plans and specifications for the Metropolitan Wells Project and authorize staff to solicit bids for the project. Motion carried 5-0.

Approve contract with Miranda's Animal Rescue for Animal Care Services and authorize the City Manager to execute the Agreement

City Manager Knopp provided a brief staff report and presented a graph depicting some of the historical costs associated with Animal Control.

He noted that one of the issues that have come up over the past few months is related to animal care services in the City. He said at the request of the City Council, staff has been looking at ways to solve the issues and come up with a comprehensive approach in the appropriate manner.

He said one of the reasons the relationship between the City and Miranda's Rescue ended was because of a disagreement regarding some of the numbers reported. As such, staff wants to make sure that in moving forward the contract provides for routine verification and communication on the actual number of animals handled which becomes part of the record and avoids any disagreement in the future.

Chief of Police Hill continued the discussion and said the City Manager hit on the key point and that in 2012 there was a huge discrepancy with regard to the number of animals handled by Miranda's Rescue. He said at that time, the city was paying \$14,400 annually for animal control services; using Miranda's numbers the cost per animal was \$130 per animal, using the City's numbers the cost was \$300 per animal.

He said he assumes some of the responsibility for the deterioration of that relationship as he didn't do a great job in communicating with Miranda's Rescue at the time. Since then, the City has been working with the City of Fortuna and paying them \$200 per animal. Miranda's main complaint to the City is that many of the animals taken to Fortuna have ended up at his facility.

He said he and the City Manager sat down with Shannon Miranda and discussed some of the reasons the relationship had previously ended and discussed some of the challenges with the current arrangement that includes the City of Fortuna. He said they were able to work out an agreement that addresses the concerns. He said the proposed contract includes provisions that specifically say that an animal that doesn't come through the City first doesn't count which means citizens can't simply drop off stray dogs and cats to Miranda's Rescue.

Chief Hill said the other key portion of the contract under Section 3(b.) indicates that with each invoice and as a condition of payment by the City, Miranda's Rescue will provide the City with

Information related to the number of animals handled that month and the disposition of each of those animals.

He continued with review of the rates and noted that this arrangement will allow the Police Department to be more pro-active because they won't have to be concerned about driving up costs for those services with a fixed monthly rate. He said he also believes they will be able to do a better job regarding licensing and enforcement and hopefully there will be an increase in compliance.

Councilmember Thompson stated that he likes the agreement as presented and feels the Chief is taking more responsibility for the termination of the partnership than he should. He said the contract addresses the previous problems. He asked how the City determines who the owner of a dog is when they take possession.

Chief Hill explained one way to determine ownership is with licensing but unfortunately not everyone is compliant with regard to licensing their dog. The other problem is if the dog is from out of the area there is really no way to know. He noted that Miranda's Rescue has pretty good results with regard to finding owners of dogs.

Councilmember Thompson questioned the penalties and fines.

Chief explained there is a first, second or third time fee when dogs are picked up and the fee is more if the dog is not spayed or neutered. He explained the process and said the owner will be required to come to the City, pay the fee and take the release slip to Miranda's in order to get their dog back. Miranda's then charges additional fees aside from the City's fees.

Mayor Pro Tem Johnson asked if the contract had been reviewed by the City Attorney; staff's response was that it was.

Councilmember Marks asked if the City or Miranda's Rescue drafted the contract and referred to the clause in the contract that said that the head of any animal that dies while under confinement must be removed and made available to the County Health Officer.

Chief Hill explained that the law requires the animal to be inspected by the County Health Officer and the only way to determine if the dog had rabies is to inspect the brain.

Councilmember Marks asked if the \$1,000 monthly fee covers board and care as well as veterinary bills.

Chief Hill said the only time it doesn't cover is if there is a seriously ill animal that the City picks up and it has to be taken to the vet or euthanized as the City is required by law to care for the

animal.

Councilmember Garnes asked if there will be a notice in the next City Newsletter to notify citizens that they will need to turn dogs into the City rather than take them to Miranda's Rescue.

City Manager Knopp stated that there is definitely a need for community outreach to make sure citizens are aware.

Chief Hill pointed out that Miranda's Rescue won't take animals that have not gone through the City first.

Alice Millington asked if there is any reference in the contract regarding spaying and neutering of animals and wanted to make the City aware that there is money available through Bless the Beast for spaying and neutering of animals most of the time. She urged staff to refer people with those needs to her.

Melissa Marks asked if the animal control fees included in the Master Fee Schedule are current. She also asked if there is a way to prevent an owner from adopting their own dog.

Chief Hill stated that the fees in the Master Fee Schedule are outdated and that he will be bringing forward a new fee schedule at the direction of the City Manager. He said it may actually be more expensive to adopt an animal than pay the impound fees to redeem a dog so the issue of a person adopting their own dog is not that likely.

Melissa Marks asked if the City still has kennels to hold animals.

Chief Hill said they only have boxes to temporarily hold animals.

Kathleen Kemp referred to a site on Facebook called "Paws Cause" which helps to locate owners of lost animals. She suggested stray animals be posted on that site as an alternative to taking the animals to Miranda's.

Chief Hill stated that it's not really conducive to Police Department duties.

Alice Millington said with regard to adoption of your own dog, Miranda's Rescue is very careful with screening people through the adoption process. Also, it's pretty obvious when the dog obviously knows their owner.

Motion was made by Garnes/Thompson to authorize the City Manager to sign a two-year contract with Miranda's Animal Rescue to facilitate Miranda's Animal Rescue to receive and house animals submitted to their facility by the City of Rio Dell. Motion carried 5-0.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Introduction and first reading (by title only) of Ordinance No. 343-2016 Amending Section 17.30.280 of the Rio Dell Municipal Code (RDMC) related to Removal of Natural Materials to accurately reference the California Building Code

City Manager Knopp provided a staff report and said this matter involves a minor text amendment to the regulations in the code under the Removal of Natural Materials to accurately reflect reference to the California Building Code (CBC) rather than the Uniform Building Code (UBC). He commented that the UBC was replaced by the CBC in 2000 and it only recently came to staff's attention that the reference still existed.

A public hearing was open to receive public comment on the proposed ordinance.

There being no public comment, the public hearing closed.

Motion was made by Johnson/Garnes to introduce and conduct the first reading (by title only) of Ordinance No. 343-2016 amending Section 17.30.280 of the Rio Dell Municipal Code (RDMC) related to Removal of Natural Materials to accurately reference the California Building Code. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager Knopp reported on recent activities and events and distributed a draft of the City's website update. He said staff will be moving forward with the production phase with Precision Intermedia on the website and will also be changing email addresses for most staff members as well as setting up a generic email address for the Police Department and Administration.

Finance Director Woodcox reported on recent activities in the Finance Department and said she attended a CSFMO conference in Anaheim and one of the big topics had to do with the proposed excise tax on health benefit plans. She said if it passes, employers that provide too generous of health plans to employees would be subject to a 40% tax.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Thompson reported on his attendance at Humboldt Waste Management Authority (HWMA) and said the Cummings Landfill project is completed and they are in the final phase of the reimbursement process. He said if anyone is interested, there is a 5-6 minute slide presentation on closure of the Cummings Landfill and Ash Dump.

Mayor Pro Tem Johnson expressed interest in seeing the presentation.

Mayor Wilson was happy to announce that he will be bringing his wife home after her 9 week stay in the hospital following her accident.

ADJOURNMENT

Motion was made by Johnson/Marks to adjourn the meeting at 8:40 p.m. to the April 5, 2016 regular meeting. Motion carried 5-0.

Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk

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



April 5, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approval of Resolution 1292-2016 to Renew and Re-designate the North Coast Recycling Market Development Zone (North Coast RMDZ)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve Resolution 1292-2016 renewing and redesignating the North Coast Recycling Market Development Zone.

BACKGROUND AND DISCUSSION

The redesignation, or renewal, of the North Coast RMDZ is required so that the City of Rio Dell may remain an active participant in the California Department of Resources, Recycling and Recovery's (CalRecycle) Recycling Market Development Zone Program (RMDZ). This program promotes recycling by providing businesses that use materials from the waste stream to manufacture their products access to low interest loans, assistance in permitting, feedstock identification, referrals to local agencies and business assistance groups, and free product marketing, if they site within a RMDZ. While some of jurisdictions have limited or no heavy industrial land, their participation in the North Coast RMDZ could provide assistance for smaller cottage industries that also use recycled feedstock. Additionally, all jurisdictions will benefit from having local markets for their recycled materials.

In 1990, the State of California established the California Recycling Market Development Zone (SB 2310) for the purpose of stimulating the recycling of waste materials generated in California. The RMDZ is an economic and technical assistance program consisting of state-funded low interest loans, engineering and technical assistance, siting and permitting assistance and assistance with obtaining recycled feedstock. There are approximately 36 zones that cover roughly 88,000 square miles of California from the Oregon border to San Diego. Assistance is provided by local zone administrators and local government incentives may include relaxed building codes and zoning laws, streamlined local permit processes, reduced taxes and licensing, and increased and consistent secondary material feedstock supply.

The designation as a RMDZ is necessary to assist in attracting private sector recycling investments to the area. A key unique benefit of the RMDZ designation is that recycled product manufacturers located within a RMDZ have access to the State's low-interest RMDZ loan

program, which has interest rates that are at or below other lenders. The types of projects eligible for loans are:

- Waste Prevention
- Re-Use
- Recycling, Composting and Anaerobic Digestion
- Producing recycled raw feedstock material
- Manufacturing recycled-content finished products.

Program funds can be used for, but not limited to:

- Machinery and equipment
- Working capital
- Real estate purchase (max. \$1,000,000)
- Real estate improvements
- Finance loan-closing points.

The NCRMDZ also encompasses Humboldt and Del Norte counties and the incorporated cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Trinidad and Crescent City.

The NCRMDZ outreach and assistance program continues the City's good faith efforts to meet both the State-mandated solid waste diversion from landfill goal of 50%, as well as working towards future Diversion goals which will require the implementation of additional programs to divert more material from the landfills.

///

RESOLUTION 1292-2016

A RESOLUTION OF THE CITY OF RIO DELL SUPPORTING THE RENEWAL OF NORTH COAST RECYCLING MARKET DEVELOPMENT ZONE REDESIGNATION

WHEREAS, California Public Resources Code Section 42010, et al, provides for the establishment of the Recycling Market Development Zone (RMDZ) program throughout the State which provides incentives to stimulate development of post-consumer and secondary materials markets for recyclables; and

WHEREAS, all California jurisdictions must meet a mandatory 50% reduction in landfill waste disposal by 2000 as mandated by CalRecycle, with a goal of meeting a 75% reduction by 2025; and

WHEREAS, Humboldt Recycling Market Development Zone was established by the Humboldt County Board of Supervisors in 1992 and included the designated areas of Humboldt County and the cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell and Trinidad; and

WHEREAS, in 2002 the Humboldt Board of Supervisors designated the Humboldt Waste Management Authority as the Zone Administrator for the Humboldt County RMDZ; and

WHEREAS, in 2003 the Humboldt RMDZ was expanded to include Del Norte County and the City of Crescent City, and re-named the **North Coast Recycling Market Development Zone** (North Coast RMDZ); and

WHEREAS, California Public Resources Code Section 42011 requires the appropriate legislative bodies designate the RMDZ every 10 years; and

WHEREAS, the **North Coast RMDZ** is dedicated to establish, sustaining and expanding recycling-based manufacturing businesses, which is essential for market development and to assist these jurisdictions in meeting the established landfill waste reduction goals; and

WHEREAS, the City of Rio Dell desires existing and new recycling-based manufacturing businesses located within the **North Coast RMDZ** to be eligible for the technical and financial incentives associated with the RMDZ program; and

WHEREAS, the renewal of the **North Coast RMDZ** as a RMDZ is still necessary to facilitate local and regional planning, coordination, and support existing recycling-based manufacturing businesses, as well as attract private sector recycling investments to the RMDZ; and

WHEREAS, the California Legislature has defined environmental justice as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies” [Government Code section 65040.12 (e)], and has directed the California Environmental Protection Agency to conduct its programs, policies and activities that substantially affect human health or the environment in a manner that ensues the fair treatment of all races, cultures and income levels, including minority populations and low-income populations of the state [Public Resource Code section 7110(a)]; and

WHEREAS, the County of Humboldt and the cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell and Trinidad, and the County of Del Norte and the city of Crescent City have agreed to submit an application to CalRecycle requesting renewal as a RMDZ; and

WHEREAS, the County of Humboldt has agreed to act as Lead Agency for the proposed renewal of the RMDZ;

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the County of Humboldt has determined that this redesignation is exempt from CEQA; and

WHEREAS, the City of Rio Dell finds there are no grounds for the City of (insert) to assume the Lead Agency role or to prepare an environmental document.

NOW, THEREFORE, BE IT RESOLVED that the City of Rio Dell hereby approves the renewal of **North Coast RMDZ** and directs the Chairman of the Board of Supervisors of the County of Humboldt, or is/her designee, to submit an application to CalRecycle requesting renewal of **North Coast RMDZ** as an RMDZ which includes Humboldt County, the cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell and Trinidad and Del Norte County and the city of Crescent City.

BE IT FURTHER RESOLVED that the County of Humboldt will continue to administer the **North Coast RMDZ** program, and in a manner that seeks to ensure the fair treatment of people of all races, cultures and incomes including by not limited to soliciting public participation in all communities within the RMDZ, including minority and low income populations.

PASSED AND ADOPTED by the City Council of the City of Rio Dell on April 5, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above to be a full, true and correct copy of Resolution No. 1292-2016 adopted by the City Council of the City of Rio Dell on April 5, 2016.

Karen Dunham, City Clerk


City Clerk

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



April 5, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Discussion and Possible Action Regarding Water Services to the Rio Dell Community Garden

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Direct staff to move forward under the described plan to finance the Community Garden in partnership with the Rio Dell Community Resource Center.

BACKGROUND AND DISCUSSION

Members of the community and the Community Resource Center have expressed the intent to restart the Community Garden on Rio Dell Avenue. The garden has remained largely inactive over the last two years due to drought and low involvement. During the summer of 2014, outdoor watering with potable water was temporarily disallowed.

The Governor and State Water Resources Control Board have extended Stage 2 drought restrictions until October of 2016, pending further notice. These restrictions limit outdoor watering to an "odd—even" schedule. Under this plan odd numbered homes and businesses are asked to restrict outside water usage to Wednesday and Friday. Even numbered homes and businesses will be asked to water outdoors only on Tuesday and Thursday. The Rio Dell Community Garden is located at 1026 Rio Dell Avenue, meaning that the community garden could only be watered on Tuesday's and Thursday's.

Drought consideration aside, staff has been working with the Community Resource Center to devise a pilot plan to fund the bill associated with the Community Garden's water supply. Working with the Community Resource Center, staff is recommending the following:

The Rio Dell Community Resource Center has identified \$450.00 in funds for the water bill. The water would remain on (and billed) until October 2016, or, when the budgeted allocation of \$450.00 is depleted. Costs above the \$450.00, created through an unexpected line breakage or theft, would be the responsibility of the City. Staff believes this risk can be managed through regular monitoring of this particular connection and/or through the application of new metering technology. This allocation will allow over 80 units of water (59,840 gallons) to be used during

the 6 month period. Provided there are no water line breaks, water theft or abuse, this allocation should be more than sufficient.

Staff will also post notices at the garden, explaining drought rules, contact information and procedures for a line breakage. Between regular monitoring and education of the users, staff feels that risk exposure to the City is minimal.

///

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675 Wildwood Avenue
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March 15, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager *3*

SUBJECT: Discussion and Possible Action to Purchase and Install Electronic Sign for Public Informational Purposes

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff to purchase, place and install electronic sign.

Alternative actions include taking no action or to direct staff to pursue an RFP for the sign.

BACKGROUND AND DISCUSSION

Councilmember Garnes has proposed the addition of a Light-Emitting Diode (LED) sign along Wildwood Avenue that could be used to advertise public events in the City. Potential locations include the sign or lawn in front of City Hall, three medians along Wildwood Avenue near the Chamber of Commerce, or on the median near the main Rio Dell gateway sign on the north end of Wildwood Avenue. These locations were chosen as options due to the availability of electricity.

Rio Dell Municipal Code 17.30.300(1)(f) states that such a "*municipal sign... as may be approved by the City council shall be permitted in all districts without the necessity of obtaining a use permit.*" At the time of publication of this agenda, applicable State law and traffic regulations are still under review.

Professionally installed outdoor LED signs are estimated to cost around \$10,000.00 and would include mounting infrastructure, electricity and wifi access to the display.

A less costly alternative was identified at \$1,229.00 to \$1,649.00 (single vs. double-sided) which could then be installed by City staff at a cost of staff time and up to another \$500.00. Staff would have to physically access this model in order to change the message and the coloration of the LED would be limited to amber. The signs would be provided by outdoorsignsamerica.com.

The current preferred location for the sign would be on the median at the northern end of Wildwood Avenue approximately 20-50 feet south of the current Rio Dell welcoming sign (X5 on the attached map). ///



Google earth

feet 2000
meters 600



Potential LED sign locations with electricity.

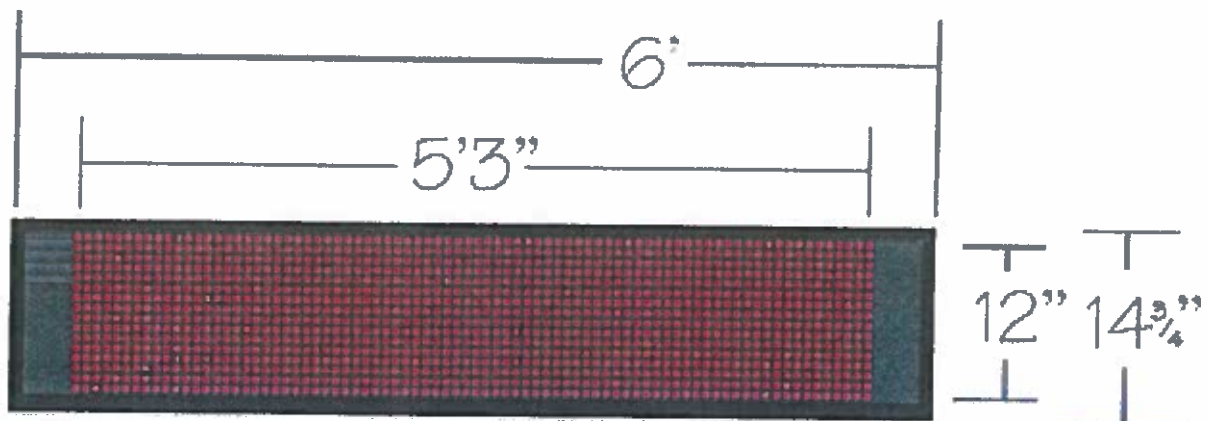
X1: The lawn in front of City hall adjacent to the front parking area, including the City sign.

X2: Median approx. 100 feet north of the Chamber.

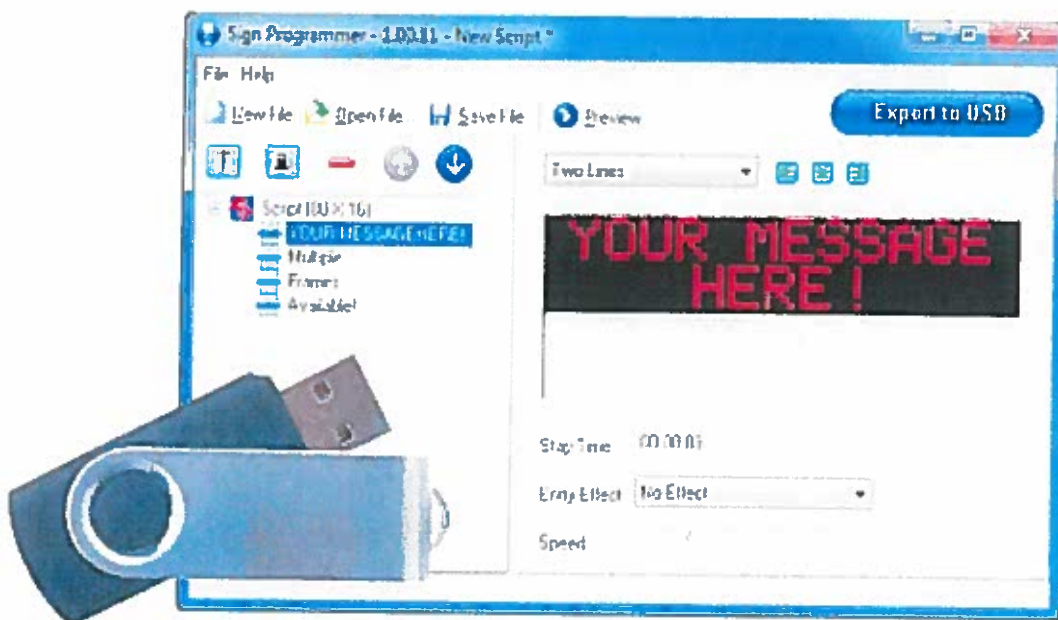
X3: Median with Rio Dell Clock.

X4: Median across from Pizza Factory.

X5: Attached to or 20 feet south of the Rio Dell Welcoming sign.



Front View





CITY OF RIO DELL

675 WILDWOOD AVENUE RIO DELL, CALIFORNIA 95562-1597

CITY HALL
(707) 764-3532
FAX 764-5480


PUBLIC WORKS DEPARTMENT
(707) 764-5754


POLICE DEPARTMENT
(707) 764-5641
FAX 764-2569



Date: April 5, 2016

To: Honorable Mayor and City Council

Through: Kyle Knopp, City Manager 

From: Graham Hill, Chief of Police 

Subject: 2015 Annual Report from Police Department

Recommendation:

Receive and File

2015 was a difficult year for the Police Department. Near the beginning of the year we started short-handed with an injured officer being out of service, then lost two officers shortly thereafter leaving us with three employees for the majority of the year. From June through November shift work was covered by Officer Brady, Sergeant Beauchaine and myself. We hired Officer Walstrom and Officer Valk who completed their training the beginning of this year. 2015 was one of the more difficult years we have had at the department and Officer Brady and Sergeant Beauchaine really stepped up when the department and community needed them.

During 2015 we took 386 Incident crime reports, which is about 19 crime reports fewer than in 2014 (404). We took a total of 531 Incident reports in 2015 including non-criminal reports. We documented about 1800 Calls-For-Service during the year and made 292 arrests. A sample of incident types was pulled for a three year comparison and you can see that while the frequency of some crime types stayed relatively stable, we did see some increases in certain areas. Most notably vehicle theft, drug possession, and possession of stolen property. Heroin possession in particular saw an increase, however this was directly related to increased efforts on the part of the department to target that particular issue. We worked very closely with the Humboldt County Drug Task Force and the Sheriff's office during 2015.

Due to staffing we were unable to accomplish a lot in the way of community programs however are working on improving in that area during 2016. We were able to secure funding through Measure Z for fiscal year 2015-2016 and as a result, have been able to have assistance at the front counter of the police department for 24 hours a week. Approximately eight hours each week were dedicated to code enforcement. We handed just under fifty code enforcement complaints in the second half of 2015.

Attachment:

1. Incident Offenses Three Year Comparison
2. Arrest Total by Violation
3. Calls for Service Totals for Day of Week
4. Incident Offense Totals Month to Month Comparison
5. Incident Reports by Day of Week (bar graphs)

Incident Offense Three Year Comparison

Offense	Description	Period:		January 1 to December 31			
		Year:		2013		2014	
				# ofs.	% +/- 2013	# ofs.	% +/- 2014
CVC 10851	Stolen Vehicle			4		7	75.00 %
CVC 14601	Driving w/ Suspended or Revoked			21		36	71.43 %
H&S 11350	Possession of Cocaine/Heroin			6		6	0.00 %
H&S	Possess concentrated cannabis			1		3	200.00 %
H&S	Possession of Drug Paraphernalia			12		19	58.33 %
H&S 11377	Possession of Controlled Substance			17		16	-5.88 %
PC	Resist , delay, obstruct officer			11		7	-36.36 %
PC	Battery on a Cohabitant			16		16	0.00 %
PC 273.5	Domestic Violence			4		8	100.00 %
PC 422	Criminal Threats			0		12	100.00 %
PC 459	Burglary			23		21	-8.70 %
PC 487	Grand Theft			3		1	-66.67 %
PC	Theft of Firearm			0		1	100.00 %
PC 488	Petty Theft			15		25	66.67 %
PC 496	Possession of Stolen Property			8		1	-87.50 %
PC 594	Vandalism			22		39	77.27 %
PC 647(f)	Public Intoxication			39		30	-23.08 %
Total all Offenses				202		248	22.77 %

RIO DELL
POLICE DEPARTMENT
675 WILDWOOD AVENUE
RIO DELL, CA 95562

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Arrest Totals By Violation

01/01/2015 TO 12/31/2015

Violation		Total
A/W - M	RDPD Arrest Warrant - Misdemeanor	1
B&P 4060	Possess Controlled Drug w/out...	2
B/W - M	RDPD Bench Warrant - Misdemeanor	1
CVC 10851	Stolen Vehicle	2
CVC 12500	No Drivers License	12
CVC 14601	Driving w/ Suspended or Revoked	28
CVC 16028(a)	No Vehicle Insurance	1
CVC 22450	Stop Sign Violation	1
CVC 23152(a)	DUI - Impaired Alcohol or Drugs	2
CVC 2800.2	Evading Police Officer/ Reckless...	1
CVC 4462.5	Display False Reg. Tabs	1
H&S 11350	Possession of Cocaine/Heroin	15
H&S 11357(a)	Possess concentrated cannabis	2
H&S 11359	Marijuana; possess or purch. for sales	1
H&S 11360	Transportation of Marijuana	4
H&S 11364(a)	Possession of Drug Paraphernalia	15
H&S 11366.5(a)	Operating a drug house	7
H&S 11377	Possession of Controlled Substance	17
H&S 11378	Possession for Sale	1
H&S 11379	Transportation of a Controlled...	3
H&S 11550(e)	Under the influence Cntrl'd...	1
O/W - F	Outside Agency Arrest/Bench Warrant -...	13
O/W - I	Outside Agency Arrest/Bench Warrant -...	5
O/W - M	Outside Agency Arrest/Bench Bench...	43
PC 1203.2	Misdemeanor Violation of Probation	2
PC 12035	Firearms Accessible to Children	1
PC 12301(a)	PC 12301(a)	1
PC 136.1	Dissuading or Preventing Witness or...	1
PC 148(a)(1)	Resist , delay, obstruct officer	3
PC 166(a)(4)	Disobey Court Order	1
PC 182	Criminal Conspiracy	1
PC 18715(a)	Explosive Device	1
PC 211	Robbery	1
PC 21310	Concealed dirk or dagger	1
PC 22210	Billy Club, Black Jack, Sap	1
PC 243(d)	Battery; Serious Bodily Injurt	1
PC 243(e)(1)	Battery on a Cohabitant	5

RIO DELL
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675 WILDWOOD AVENUE
RIO DELL, CA 95562

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Arrest Totals By Violation

01/01/2015 TO 12/31/2015

Violation	Total
PC 245(a)(1) Assault with Deadly Weapon or...	2
PC 25400 (a)... Concealed firearm within vehicle	1
PC 25400 (a)... Concealed on person	1
PC 273.5 Domestic Violence	7
PC 273.6 Violation of Domestic Violence...	4
PC 273a(a) Cruelty to Child - Felony	1
PC 273a(b) Cruelty to Child; other than great...	3
PC 278.5 Parental Abduction of a Child	1
PC 290(g)(2) Failure to register - Felony	1
PC 29800(a)(1) Possession of firearm by felon	1
PC 368 Abuse of Elder or Dependent Adult	2
PC 381 Possession of Toluene	3
PC 415(3) Offensive Words/Provoke Immediate,...	1
PC 417 Brandishing Deadly Weapon	2
PC 422 Criminal Threats	8
PC 459 Burglary	5
PC 488 Petty Theft	1
PC 496 Possession of Stolen Property	13
PC 498 Theft of Utility Services	1
PC 594 Vandalism	2
PC 647(f) Public Intoxication	30
PC 69 Resisting Executive Officer	1
PC 836.6 Escape from police	1
W&I 601(a) Uncontrolable Juvenile	1
Grand Total	292

RIO DELL POLICE DEPARTMENT

675 WILDWOOD AVENUE
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Calls For Service Totals For Day of Week

01/01/2015 to 12/31/2015

Call Type / Description	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
1033 Alarm	3	2	0	1	6	2	0	14
415 Disturbance	16	18	24	24	26	10	24	142
459 Burglary	5	3	5	3	2	3	7	28
5150 Mental Illness Incident	4	2	1	2	5	0	3	17
594 Vandalism	1	5	5	2	2	3	2	20
653 Annoying phone calls	0	1	1	0	0	1	0	3
911 911 Hang-up, Disconnect, Etc.	0	2	2	3	1	1	1	10
A/C Animal Control	5	12	14	13	12	12	19	87
AA... Agency Assist CHP	1	1	1	2	3	2	6	16
AA EPD Agency Assist Eureka PD	0	0	0	0	0	0	2	2
AA FPD Agency Assist Ferndale PD	0	1	0	0	0	0	0	1
AA... Agency Assist Fortuna PD	3	1	1	1	2	0	3	11
AA... Agency Assist HCSO	2	4	0	4	0	0	2	12
AA... Agency Assist All Other	0	0	1	0	1	1	1	4
AA PW Assist Public Works - Call...	3	1	0	0	3	0	1	8
ASC Assault Call	0	4	0	1	1	5	4	15
AVA Abandoned Vehicle	0	2	1	1	0	2	1	7
BD Barking Dog	2	2	2	1	2	5	0	14
CM Civil Matter	1	11	2	7	2	6	8	37
CNT... Counterfeit Bill	0	0	0	0	1	0	0	1
COV City Ordinance Violation	0	0	0	1	2	1	2	6
CS Citizen Service	3	2	4	3	6	4	8	30
CSB Civil Stand-by	0	2	0	0	1	0	1	4
CT... Disobey Court Order	1	0	0	0	0	0	1	2
CUST Custody Dispute	2	1	1	1	0	0	2	7
CWS... CWS Documentation Only	0	0	0	1	0	0	0	1
DIS Disorderly Conduct	1	4	2	2	5	1	3	18
DOC... Documentation Only	7	29	25	25	23	23	12	144
DVC Domestic Violence Call	3	3	2	2	1	1	5	17
F/I Field Interview	27	19	23	14	9	18	21	131
F/U Follow-up Investigation	6	7	7	6	11	4	4	45
FIRE Fire Call	1	0	0	0	2	2	3	8
FP Found Property	4	4	0	2	4	2	5	21
INVEST Investigation	4	3	5	11	7	8	7	45
LP Lost Property	0	0	0	1	0	0	0	1

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Calls For Service Totals For Day of Week

01/01/2015 to 12/31/2015

Call Type / Description	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Total
MEDI... Medical Aid	12	8	3	5	2	7	12	49
MPA Missing Person - Adult	0	0	0	2	0	0	0	2
MPJ Missing Person - Juvenile	2	2	4	1	2	4	1	16
ND Neighbor Dispute	0	0	0	1	0	1	4	6
O/I Officer Initiated	3	2	1	16	28	12	17	79
PCK Patrol Check	2	3	2	6	2	3	2	20
PS Reported Gun Shots Heard,...	3	1	0	0	0	0	0	4
REG Registrant -...	1	8	3	4	2	3	2	23
SS Subpoena Service	2	3	2	2	1	2	2	14
SUS... Suspicious Circumstances	12	15	12	18	17	20	20	114
SW Search Warrant	0	0	2	1	3	2	3	11
T/C Traffic Collision	1	2	3	1	5	2	1	15
THEF... Theft Report	10	18	6	15	10	8	13	80
TRAF... Traffic Stop	64	34	25	45	63	40	72	343
TRAF... Traffic Post	0	0	2	4	3	1	2	12
UNSUB Unwanted Subject	3	0	2	2	4	4	6	21
V... Vehicle Investigation	9	8	5	3	3	2	9	39
WC Welfare Check	4	4	6	4	5	7	3	33
Total	233	254	207	264	290	235	327	1810

RIO DELL

POLICE DEPARTMENT

675 WILDWOOD AVENUE
RIO DELL, CA 95562Date : 03/31/2016
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Incident Offense Totals Month to Month Comparison

01/01/2015 to 12/31/2015

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
AWW - F - RDPD Arrest Warrant - Felony													1
AWW - M - RDPD Arrest Warrant - Misdemeanor													2
B&P 4060 - Possess Controlled Drug w/out							1				1	1	3
B/W - F - RDPD Bench Warrant - Felony			1										1
B/W - M - RDPD Bench Warrant - Misdemeanor	1				2								3
CVC 10851 - Stolen Vehicle	4		2	1	1	4		2	1	1	2	2	20
CVC 12500 - No Drivers License	1	2	2		1		1				2	3	12
CVC 14601 - Driving w/ Suspended or Revoked	3	5	4	3	3	1	1		1		7	3	31
CVC 16028(a) - No Vehicle Insurance	1	1									2	1	5
CVC 20002 - Hit and Run, Property													1
CVC 22450 - Stop Sign Violation	1										1		2
CVC 22651(k) - Removal of vehicle after 72	1	1	1										3
CVC 22651(o) - Vehicle Storage Authority -					1					1			2
CVC 23152(a) - DUI - Impaired Alcohol or Drugs		1											1
CVC 23152(b) - DUI - .08 BAC						1							1
CVC 23222(a) - Open Container While Driving						1							1
CVC 2800.2 - Evading Police Officer/ Reckless	2												3
CVC 4000(a) - Vehicle on Highway, Unregistered	1			1							1	1	4
CVC 4462.5 - Display False Reg. Tabs	1										1		2
Death Investigation - - Coroner's		1									1		2
Dog Bite - - Animal vs. human/Animal vs. animal	1							1					2
Fire Code: 1102.3.4 - Unsafe Fire	1												1

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Incident Offense Totals Month to Month Comparison

01/01/2015 to 12/31/2015

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
H&S 11350 - Possession of Cocaine/Heroin	2	2	2		1		2	1			4	3	17
H&S 11357(a) - Possess concentrated cannabis	2										2		4
H&S 11359 - Marijuana; possess or purch. for								1			1		2
H&S 11360 - Transportation of Marijuana				1			1		1		2	1	6
H&S 11364(a) - Possession of Drug	2	3			2		1		3	1	6	1	19
H&S 11366.5(a) - Operating a drug house	1	1			1			1		3			7
H&S 11377 - Possession of Controlled	3	3	2	4			2				4	5	26
H&S 11379 - Transportation of a Controlled	1	1									1		3
H&S 11550 - Under The Influence Control'd									1				1
H&S 11550(e) - Under the influence Control'd								1					1
Incident Report - Documentation of Non-Criminal						1						1	2
Investigation - Criminal/Non-Criminal/Civil					1						1		2
Missing Person - - Adult or Juvenile		1	2	1			1	1			2	1	9
OWW - F - Outside Agency Arrest/Bench Warrant		1	1	3	1	1		2	1	1			12
OWW - I - Outside Agency Arrest/Bench Warrant -						2		1	1				5
OWW - M - Outside Agency Arrest/Bench Bench	5	2	1	3	4	5	4	3	3		1	2	33
PC 1203.2 - Misdemeanor Violation of Probation	1	1	2		1	1		1	1		1	2	11
PC 1203.3 - Felony Violation of Probation					1								1
PC 12301(a) - PC 12301(a)	1						1						2
PC 136.1 - Dissuading or Preventing Witness or												2	2
PC 13700 - Domestic Violence Incident		1		1				1				1	4
PC 148(a)(1) - Resist , delay, obstruct officer		2			1		1				2	1	7

RIO DELL
POLICE DEPARTMENT
675 WILDWOOD AVENUE
RIO DELL, CA 95562

Date : 03/31/2016
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Agency : RDPD

Incident Offense Totals Month to Month Comparison

01/01/2015 to 12/31/2015

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
PC 148.9(a) - False ID to Police Officer					1								1
PC 166(a)(4) - Disobey Court Order	1			1						1	1		4
PC 182 - Criminal Conspiracy			1										1
PC 211 - Robbery						1		1	1				3
PC 21310 - Concealed dirk or dagger											1		1
PC 22810(a) - Unlawful Tear Gas Possession				1									1
PC 236 - False Imprisonment			1		1				1				3
PC 240 - Assault								1					1
PC 242 - Battery		1						1					2
PC 243(d) - Battery; Serious Bodily Injurt						1	1						2
PC 243(e)(1) - Battery on a Cohabitant				1		1		1		1		1	5
PC 245(a)(1) - Assault with Deadly Weapon or		1								2			3
PC 25400 (a) (2) - Concealed on person								1				1	2
PC 273.5 - Domestic Violence	2	1				1	2	2	2	1	1		12
PC 273.6 - Violation of Domestic Violence				1				1			1	1	4
PC 273a(a) - Cruelty to Child - Felony						1							1
PC 273a(b) - Cruelty to Child; other than great			1								1	1	3
PC 273g - Drunkenness or Immoral practice in			1										1
PC 288 - Sex Offense or Lewd Act Against a											1		1
PC 290(g)(2) - Failure to register - Felony		1											1
PC 29800(a)(1) - Possession of firearm by felon			1										1
PC 368 - Abuse of Elder or Dependent Adult			1							1		1	3

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Incident Offense Totals Month to Month Comparison

01/01/2015 to 12/31/2015

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
PC 374.4 - Littering		1											1
PC 381 - Possession of Toluene		1										1	2
PC 415(3) - Offensive Words/Provoke												1	1
PC 417 - Brandishing Deadly Weapon								1		1			2
PC 422 - Criminal Threats		1		1		1		2	1		2	3	11
PC 451 - Arson											1		1
PC 451(b) - Arson - Inhabited Structure or								1					1
PC 452 - Unlawfully Causing a Fire			1		1								2
PC 459 - Burglary	1	4	4	5		2		1	1	2		4	24
PC 484 - Theft		1			1								2
PC 484g - Fraudulent Use of Access Card						1							1
PC 487 - Grand Theft	2		1				1						4
PC 488 - Petty Theft	2	3	2		1	3	1	1	1	1	3	6	24
PC 496 - Possession of Stolen Property	2			1	3		2	1	1	1	2	2	15
PC 498 - Theft of Utility Services			1										1
PC 591 - Tampering with Telecommunications									1				1
PC 594 - Vandalism	2	1	2	1	1	1	1				1	1	11
PC 597 - Cruelty to Animals											1		1
PC 602 - Trespass Circumstances	1	1							1		2		5
PC 646.9(a) - Stalking		1						1					2
PC 647(f) - Public Intoxication	3	3	2		4	2	1	1	1	2	1	4	24
PC 69 - Resisting Executive Officer					1								1

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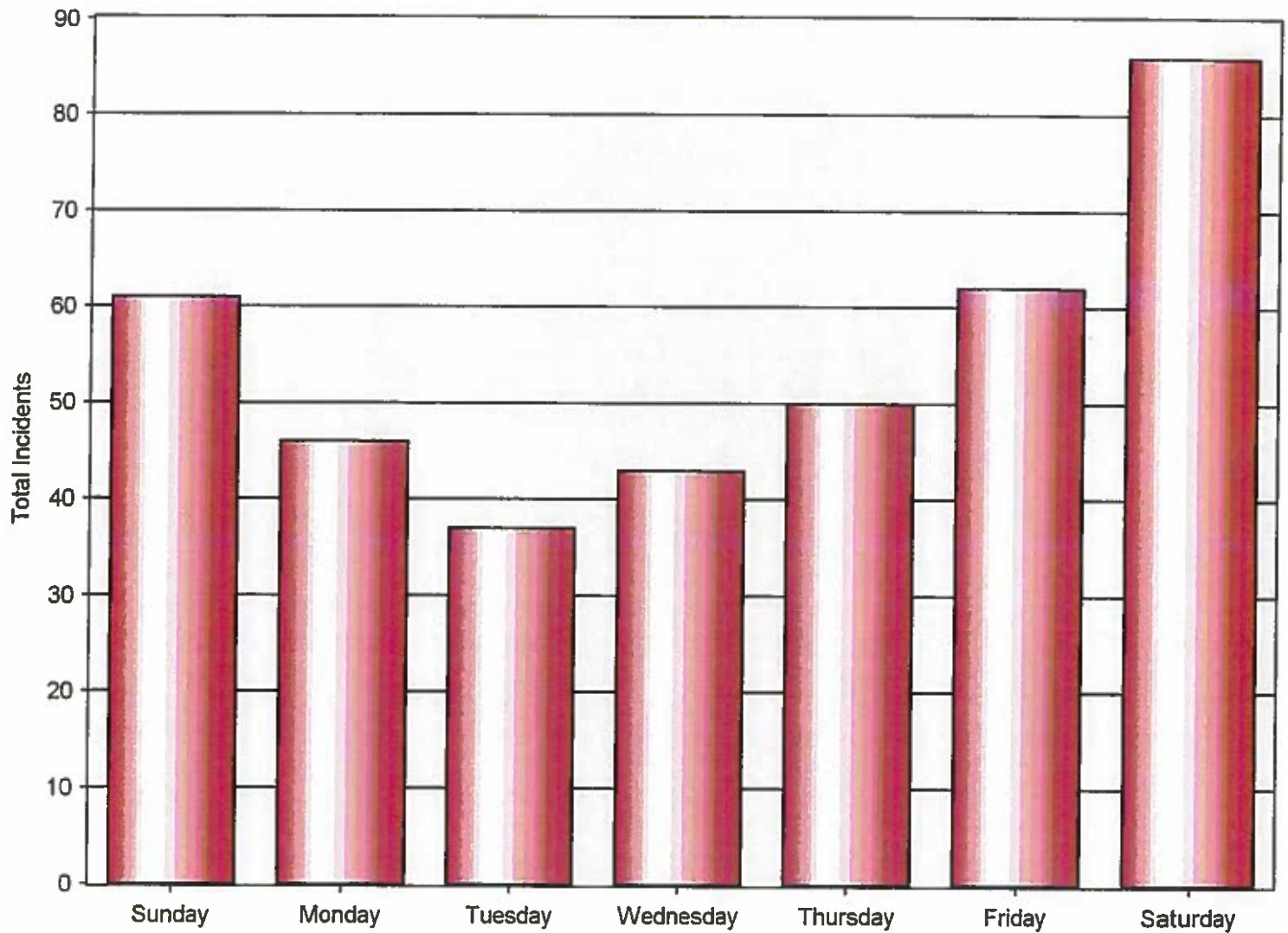
Incident Offense Totals Month to Month Comparison

01/01/2015 to 12/31/2015

Offense Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
PC 836.6 - Escape from police									1				1
Vehicle Invest. - Investigation					1								1
W&I 5150 - Mental Disorder		2	2		2	1	1	1				1	10
W&I 601(a) - Uncontrollable Juvenile							1						1
W&I 602(a) - Delinquent Minor				1									1
Total	52	52	42	31	37	33	27	34	28	20	66	64	486
Percentage	10.69	10.69	8.64	6.37	7.61	6.79	5.55	6.99	5.76	4.11	13.58	13.16	

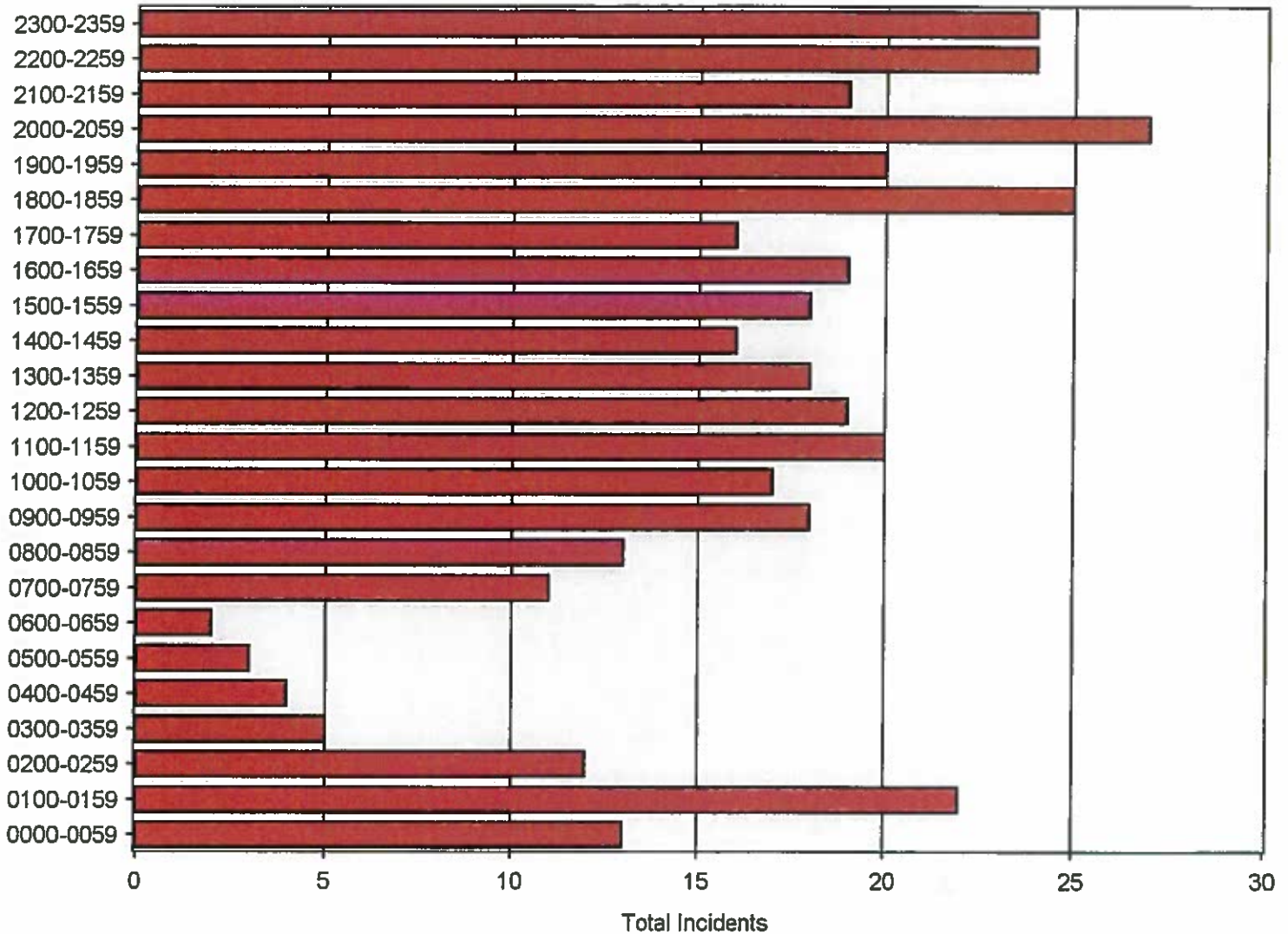
RIO DELL POLICE DEPARTMENT

Incident Reports By Day of Week
From: 01/01/2015 To: 12/31/2015



RIO DELL POLICE DEPARTMENT

Incident Reports By Time of Day
From: 01/01/2015 To: 12/31/2015





*Rio Dell City Hall
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532
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April 5, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Discussion and Possible Action on Downtown Parking Lot

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentation and provide input if any.

BACKGROUND AND DISCUSSION

The City Manager will provide an update on the status of work being undertaken to modify the City's downtown parking lot. The main topic will be the design and implementation of the planter boxes.

///

*Rio Dell City Hall
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January 5, 2016

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: First Reading of Ordinance 345-2016 and Associated Public Hearing to Consider an Amendment to the Rio Dell Municipal Code by Adding Chapter 13.35 to Title 13 (Public Utilities and Services) Allowing Electrical Ratepayers the Option of Community Choice Aggregation (CCA)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Receive staff's report and open the public hearing for comment and deliberation.
2. Introduce Ordinance 345-2016 amending the Rio Dell Municipal Code to participate in the CCA being developed for Humboldt County by the Redwood Coast Energy Authority (RCEA), continuing the consideration and approval of the proposed ordinance to April 19, 2016.

BACKGROUND AND DISCUSSION

RCEA was established to provide regional development and implementation of energy programs that reduce demand, increase efficiency and advance the use of renewable resources for the benefit of local residents, businesses and institutions. On May 6, 2003 the City Council authorized execution the RCEA JPA via Resolution No. 842-2003 and the City of Rio Dell has been a member ever since. On November 17, 2016 the City Council authorized the mayor to sign Resolution 1279-2016 which amended and restated the RCEA JPA allowing the Authority to develop of a Community Choice Aggregation program throughout Humboldt County.

In 2002, the state provided local communities with the opportunity to procure electric power for their residents through establishment of community choice aggregation programs under Assembly Bill (AB) 117. Unlike a traditional municipal utility in which the city or county owns all of the infrastructure to generate and distribute power and service customer needs, community choice aggregation programs utilize the existing wires and equipment of incumbent investor-owned utilities. In Rio Dell's case, this would be Pacific Gas and Electric Company (PG&E). The community choice aggregation program purchases power, which is then delivered, metered and billed by PG&E. A joint powers authority can function as a community choice aggregator. Based on interest from member agencies the RCEA Board has approved revisions to the JPA which will allow RCEA to implement a CCA program.

Other agencies involved in this effort include the County of Humboldt, Humboldt Bay Municipal Water District and the cities of Trinidad, Fortuna, Ferndale, Eureka, Blue Lake and Arcata.

The Amended and Restated JPA has become effective with approval of the above member agencies. This agenda item, if moved forward, would be the first of two steps to allow the City of Rio Dell and electric customers within the city to opt in to the CCA program on a voluntary basis.

RCEA continues to move the CCA project development forward and will be selecting a provider who will be responsible for technical/back-office services for development, launch and operations of the program. There is no financial impact to the City of Rio Dell.

///

ORDINANCE NO. 345-2016

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING THE CITY MUNICIPAL CODE TO AUTHORIZE PARTICIPATION IN
THE COMMUNITY CHOICE AGGREGATION PROGRAM IMPLEMENTED AND
OPERATED BY
THE REDWOOD COAST ENERGY AUTHORITY (RCEA)**

The City Council of the City of Rio Dell, hereby ordains as follows:

SECTION 1. Title 13, of the City of Rio Dell Municipal Code is hereby amended by creating a new Chapter 13.35, *Community Choice Aggregation*, as follows:

13.35 Findings and Purpose.

- A. The California Public Utilities Code under Chapter 2.3 of Division 1, Part 1 allows electric utility customers to aggregate their electric loads as members of their local community with community choice aggregators, where a community choice aggregator may be any city, county, or group of cities or counties who have elected to combine the loads of their programs through the formation of a joint powers agency established under Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the California Government Code.
- B. The City of Rio Dell has been investigating options to provide electric services to constituents within its service areas with the intent of achieving greater local involvement over the provisions of electric services, competitive electric rates, the development of clean, local renewable energy projects, reduced greenhouse gas emissions, and the wider implementation of energy conservation and efficiency projects and programs through a community choice aggregation (CCA) program.
- C. The City of Rio Dell is a member of the Redwood Coast Energy Authority (RCEA), a joint powers authority formed by the County of Humboldt, Cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna and Rio Dell, Trinidad and the Humboldt Bay Municipal Water District, to act as a regional agency to promote sustainable energy initiatives that reduce energy demand, increase energy efficiency, and advance the use of clean, efficient and renewable resources available in the region.
- D. The RCEA is authorized by ordinance to act as a community choice aggregator to implement and operate a CCA program under California law.
- E. RCEA has established key CCA program goals of maximizing the use of local renewable resources while also providing competitive rates to customers. These goals are aimed at supporting local economic development as well as reducing the

environmental impacts resulting from the use of electricity in a technically and economically feasible manner.

- F. To analyze the feasibility of operating a CCA program that achieves these goals, RCEA [*is currently in the process of procuring technical support services/has retained independent technical support services*] to conduct the appropriate development and operational studies, including technical, financial and risk analyses. These studies will assist RCEA, its member agencies, and the community in evaluating a potential rate structure and energy portfolio, and, ultimately, potential CCA program viability prior to formal launch of a CCA program through the filing of an Implementation Plan with the CPUC.
- G. Participation in a CCA program implemented and operated by the RCEA, rather than independently electing to become a community choice aggregator, will reduce the City's financial exposure from community choice aggregation, if any, because RCEA's joint power authority structure immunizes its member agencies from its debts, liabilities and obligations, and therefore the debts, liabilities and obligations of a CCA program.
- H. Electric customers have the right to opt out of the CCA program and continue to receive service from the existing utility under Public Utilities Code §366.2.
- I. Under the RCEA CCA program structure, the City will have CCA program voting privileges on the RCEA Board of Directors as set out in the RCEA Amended and Restated Joint Powers Agreement effective December 15, 2015.

13.35 Participation in Community Choice Aggregation

Based on all of the above, the City Council of the City of Rio Dell elects to implement a Community Choice Aggregation program within the City's jurisdiction by and through the RCEA, subject to the determination of the RCEA, based on its CCA program developmental and operational analyses and member agency input, that a CCA program based on the key goals set out above is not technically or economically feasible and consequently decides not to launch the CCA program.

SECTION 2. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The City Council of the City of Rio Dell hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 3. This ordinance shall take effect and be in full force thirty (30) days from and the date of its passage. The City Clerk is hereby authorized and directed to publish this ordinance at least fifteen (15) days after its passage. It shall be published once with the names of the City

Council members voting for and against the ordinance in a newspaper of general circulation published in the City of Rio Dell in the State of California.

PASSED, APPROVED, AND ADOPTED this 5th day of April, 2016.

AYES:

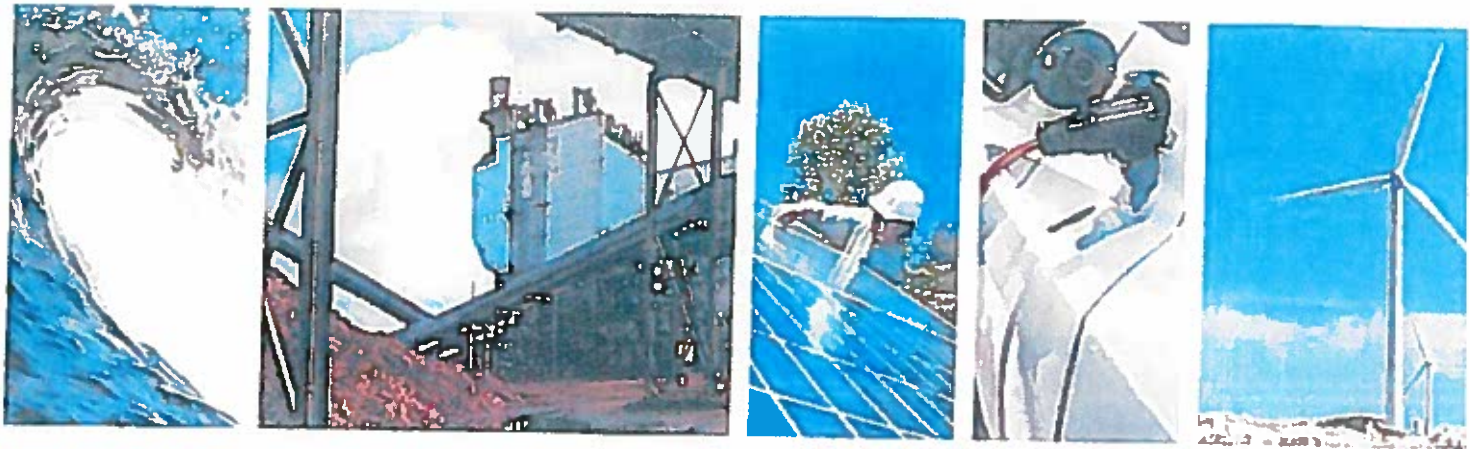
NOES:

ABSENT:

Frank Wilson, Mayor

ATTEST:

Karen Dunham, City Clerk



HUMBOLDT COUNTY Community Choice Energy ROADMAP



Introduction BACKGROUND

The Redwood Coast Energy Authority (RCEA) is a local government joint powers agency of the County of Humboldt, the Cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, Trinidad and the Humboldt Bay Municipal Water District. Formed in 2003, RCEA's mission is to develop and implement sustainable energy initiatives that reduce energy demand, increase energy efficiency, and advance the use of clean, efficient and renewable resources available in the region. RCEA offers a range of energy related services to Humboldt County local governments, businesses, and residents in the community.

In 2012 RCEA adopted the Humboldt County Comprehensive Action Plan for Energy (CAPE), which is RCEA primary guiding document. Expanding on the strategies outlined in the CAPE, RCEA initiated RePower Humboldt, a community-wide effort to define a vision and Strategic Plan for achieving energy independence and energy security in Humboldt County. With the support of the Humboldt State University Schatz Energy Research Center, the CA Energy Commission, and many community stakeholders, this effort culminated in the development of the RePower Humboldt Strategic Plan to establish a vision for the year 2030 and guide the integration of renewable energy in Humboldt County, develop local energy infrastructure, and set energy-related goals.

RCEA has identified community choice aggregation as potentially a critical mechanism to enable the implementation of the RePower Humboldt Strategic Plan and to realize the RePower Humboldt 2030 vision and the associated community benefits of that vision. To that end, RCEA's board has directed staff to move forward with pursuing the implementation of a local community choice program.

WHAT IS A COMMUNITY CHOICE PROGRAM?

Community choice aggregation (CCA), also known as community choice energy, is a provision of California law that allows cities, counties or joint powers agencies to purchase electricity and other necessary electrical services on behalf of the customers in their territories. CCAs differ from municipal utility districts in that CCAs only provide the generation component of electricity services, which accounts for around half of a customer's electricity bill. The investor-owned utility (IOU), in our case Pacific Gas & Electric (PG&E), continues to own the electricity distribution infrastructure and to provide electricity transmission, distribution, billing, and related customer services. However, CCAs are able to determine their own energy supply mixes and rate structures.

How Local Energy Aggregation Works



While CCA is relatively new in California, with three programs currently providing service to customers, there are over 1,000 CCAs operating across the country in Illinois, Ohio, New Jersey, Rhode Island, and Massachusetts.

WHY IS IT WORTH DOING?

Local Control: A CCA program allows Humboldt County to pursue our own priorities, such as local generation and programs to support economic development, and provides local control of rate-setting. Unlike IOUs, local governments are accountable to their citizens through locally elected officials whose tenures depend on serving the public good and supporting the interests of their communities. When compared with an IOU, the decision making process of a local authority will be more transparent and accessible to the public, and can better reflect the interests and desires of the community. Conversely, IOUs are required to serve the interests of their investors and are subject the regulatory constraints imposed by the CA Public Utilities Commission (CPUC).

Rates: A key motivating factor for the 1,000+ CCAs in operation has been the opportunity to reduce rates for electricity customers; like municipal utilities, CCAs have been able to provide rates sometime as much as 20-30% lower than investor-owned utilities. The established California CCAs have focused on prioritizing environmental performance, but have still managed to achieve rates 2-7% below PG&E while providing significantly higher percentages of renewable energy.

Choice: When a City or County chooses to offer a CCA program to its community, each individual household and business still has the option to opt out of the program and continue to have their generation services provided by PG&E. State law requires that customers receive multiple notices of CCA program launch to ensure they are aware of the option to opt out, and customers can also opt out after the launch anytime in the future. While no customer is forced to participate, opt-out rates are typically very low (under 10% in Sonoma County), which is not surprising when customers' utility costs are lowered by participating in the CCA .

Priorities

RCEA will implement the Humboldt County CCA program guided by three core priorities established by the RCEA Board of Directors and aligned with the RePower Humboldt Strategic Plan: maximizing the use of local renewable resource, providing competitive rates, and supporting local economic development.

COMPETITIVE RATES

A key factor in success will be our CCA's ability to achieve rate competitiveness with PG&E while pursuing other CCA program goals. To minimize customer opt-outs, the CCA must provide overall rates that are competitive with or lower than those offered by PG&E for similar power supply products.

Maintaining relative rate parity while also providing a high share of local renewable energy will be challenging. Natural gas prices are currently very low, reducing the cost of non-renewable energy. In the long run, factors such as renewable technology costs, expiration of federal renewable tax credits, natural gas prices, and greenhouse gas compliance costs will influence the ability to maintain rate parity. While these factors cannot be predicted with great confidence, one possible future benefit for a CCA would be a potentially significant financial advantage to the extent that it invests in its own generation resources, particularly if and when renewable tax credits for private developers expire. Prior to launch RCEA is exploring a variety of supply portfolios using different cost assumptions for the above factors to determine the likelihood of maintaining rate parity while offering a larger share of renewable energy.

LOCAL RENEWABLE ENERGY

The CCA program will pursue an energy portfolio that prioritizes the use of local renewable resources, including existing facilities, to the maximum extent technically and economically feasible.

The State has aggressive goals for renewable energy, implemented through the State's Renewable Portfolio Standard (RPS) which sets targets for quantities and types of renewable energy that electricity providers must supply to their customers. These targets are 25% renewable energy by 2016, 33% by 2020, and 50% by 2030. The CCA program will strive to use local renewable resources to exceed these targets.

Existing local renewable energy generation facilities that the CCA could potentially pursue contracts with are listed in the table below along with generation information as reported by the California Energy Commission.

Facility	Nameplate Capacity (MW)	2013 net output (MWh)
Eel River Biomass Plant	32.5	134,929
Fairhaven Biomass Plant	18	115,522
Blue Lake Biomass Plant	13.8	74,450
Ruth Lake Hydroelectric Plant	2	4,228
Total	66.3	329,129

Average community-wide energy consumption in Humboldt County is around 850,000 MWh per year. So, assuming 10% customer opt-out, these existing facilities could potentially supply around 40% of the CCA's energy demand. However, the power from local facilities is not low-cost, and so a key first step in the procurement planning process will be a detailed and thorough evaluation to determine to what extent the CCA's portfolio can incorporate local renewables and still maintain competitive rates.

The CCA will also offer customer programs that offer residents and businesses options to more directly engage in the development and use of local renewable energy:

100% renewable, opt-in choice: Customers will be offered a 100% renewable energy option at a price premium, based on the costs of a 100% renewable supply.

Net energy metering tariff: Net energy metering allows customers to make their meter “spin backward” and offset their electrical usage by installing a generating system (e.g. rooftop solar).

Feed-in-tariff program: A Feed-In Tariff is a renewable energy purchasing program which sets simple and straightforward rules and pricing for purchasing surplus electricity from small-scale renewable electricity projects within the CCA's service territory.

ECONOMIC DEVELOPMENT

The CCA will strive to create quantifiable economic benefits in the region through job retention and creation and the investment of any surplus funds to develop local renewable energy projects and community energy programs that benefit customers.

The CCA will promote regional energy conservation through custom programs targeted at local customers and implementing demand management best practices. The CCA will also explore the development of energy rates and incentives that can support community business retention and expansion.

Of immediate and significant relevance to the local economy is the critical role of local biomass power plants in the forest-products sector. Biomass from sustainably managed forests is a renewable resource that can be used to generate base-load electricity, reducing the need for electricity on California's grid produced from fossil resources. In addition, biomass use in electricity generation contributes to lowering greenhouse emissions by disposing of wood residuals (sawdust, wood chips) generated from milling logs into lumber in a controlled combustion environment eliminating methane, particulate matter and other harmful emissions associated with alternative fates such as open pile burning or landfills.

Further, markets for woody materials generated from wildfire risk reduction treatments created by biomass power generation increase the likelihood that fire on the landscape can fulfill its ecological role in California's forests by allowing land managers to conduct fire risk reduction treatments on larger areas.

Two of our three local biomass plants are currently idle due to the wholesale purchase prices offered by utilities being too low for our plants to viability operate. This is the result of both the currently-low price of

natural gas as well as the rapidly-decreasing cost of other renewable technologies like solar. While the low cost of other renewable resources available to utilities is an excellent development overall, the local impact of our biomass power plants shutting down has a significant negative impact on the entire forest products industry in the County in the form of increased costs of sawmill residue removal and increasing levels of logging residues left in the woods to pile burn or be burned in the next wildfire.

Yana Valachovic, University of California Cooperative Extension Forest Advisor and Humboldt - Del Norte County Director, describes the current situation this way: "Without a market to purchase sawmill residue or residue from fuel reduction or forest health activities, sawmills are scrambling, investors are looking elsewhere, and many forest stewardship activities have been stopped. This creates a significant economic and ecological crisis in this region."

The availability of local biomass facilities to utilize wood waste is the Achilles' heel of our forest-products sector, with possibly hundreds of local living-wage jobs currently threatened by the uncertain fate of our local power plants. The local control of power purchasing decisions provided by the CCA program will provide a key opportunity to potentially solve this problem. Unfortunately this urgent issue has already reached a critical point in 2014, providing an impetus for swift action to establish the CCA, determine the feasibility and parameters of incorporating biomass energy into the CCA's portfolio, and proceed with contracting if that is deemed viable.

OTHER KEY PRINCIPLES

In addition to the core priorities above, the CCA will be implemented with the following guiding principles:

Operational Excellence: The CCA will operate as a well-managed organization based on a financially sustainable and flexible business model. This will include a commitment to robust planning and risk management strategies, conservative fiscal management, and the development of a reserve fund.

Environmental Performance: In addition to the percentage of renewable energy delivered, the CCA program will pursue an energy portfolio that also reduces greenhouse gas emissions and other pollution while minimizing the use of unbundled renewable energy credits (RECs), as well as minimizing environmental and community impacts overall.

Accountability and Transparency: As a local government program the CCA will be accountable to citizens through locally elected officials who will serve the public good and supporting the interests of their communities. Customer will have access to democratically elected or appointed representatives and CCA governance decisions will be made in local, public meetings in a transparent way and will strive to reflect the best interests of the community.

Launch & Operations

The launch and operations of the CCA program can be categorized into three primary categories of activities: governance, community outreach and engagement, and operations.

GOVERNANCE

Joint Power Agreement: Established in 2003, RCEA's joint powers agreement (JPA) provides an existing foundation to move forward with a community-wide CCA program for Humboldt County. The RCEA Board has established its interest in becoming a community choice aggregator and implementing a local CCA program on behalf of those member Cities and the County that choose to become CCA participants. In order to become a community choice aggregator the RCEA JPA required revision. Pursuant to the current JPA, amendments are permissible if in writing and approved by at least 2/3 of the RECA member agencies.

In September 2014 RCEA's Board approved CCA-enabling revisions to the JPA; the nature of these changes include:

1. Any RCEA member City or the County may elect to participate in the CCA program by adopting an ordinance indicating its election to participate (staff intends to prepare a template ordinance for member agency use).
2. As specified in the current JPA, the RCEA's debt, liabilities and obligations do not become debts, liabilities or obligations of the member agencies.
3. A partially weighted voting structure based on each participating member's proportion of total electricity customers.
4. RCEA member agencies that are not CCA program participants would continue to vote on all RCEA matters except those pertaining to the CCA program. Only member agencies that become CCA program participants will vote on CCA program matters.

The RCEA Board chose to adopt a 2/3 vote weighting systems to provide more representative decision making while still ensuring that a diversity of community perspectives are included. Weighting based on the share of electricity customers was selected to capture representation of both residential and commercial CCA customers, while not tying the weighting to higher consumption as other CCA have done. It should be noted that there is not currently a substantive difference regardless of whether the weighting was based on population, electricity customers, or total energy load as shown in the following table.

Jurisdiction	Population	% of pop.	% of electric. customers (selected for weighting)	% of energy load
Unincorp. County	71,925	53.4%	52.9%	58.2%
Eureka	26,925	20.0%	21.1%	21.2%
Arcata	17,730	13.2%	12.4%	10.6%
Fortuna	11,888	8.8%	8.5%	6.0%
Rio Dell	3,377	2.5%	2.3%	1.7%
Ferndale	1,364	1.0%	1.4%	0.9%
Blue Lake	1,243	0.9%	1.0%	0.6%
Trinidad	357	0.3%	0.4%	0.7%

The amended and reinstated JPA is currently in the review and approval process with RCEA's Members.

CCA Ordinance: Established by State law, the process for becoming a CCA requires that each local government governing body adopt an ordinance proclaiming their decision to participate in the CCA through RCEA, after which RCEA must then file an Implementation Plan with the CPUC. RCEA is preparing an ordinance template for Member governments that chose to participate in the CCA.

It should be reiterated that a jurisdiction choosing to be a part of the CCA is making the option of participation available to that community, but individual customers can choose initially or at a later time whether or not they want to participate.

Implementation Plan: The CPUC, which ultimately has to approve the program, requires that the CCA submit an implementation plan that covers all aspects of the set-up and operation. The plan will include the following:

- Process and consequences of aggregation
- Organizational structure of the program, its operations and funding
- Rate setting and other costs to participants
- Disclosure and due process in setting rates and allocating costs among participants
- Methods for entering and terminating agreements with other entities
- Participant rights and responsibilities
- Termination of the program
- Description of third parties that will be supplying electricity under the program, including information about financial, technical and operational capabilities

The Implementation Plan must also include a statement of intent indicating that the program must provide universal access, reliability and equitable treatment of all classes of customers, and to meet any other requirements established by state law or by the CPUC (Section 366.2 of the Public Utilities Code specifies that to form a CCA, there must be a local ordinance approved by the entity proposing the CCA, followed by the

preparation of an implementation plan, which must contain specific elements outlined in the statute). After the implementation plan is approved, the CCA registers with the CPUC and provides an executed copy of the services agreement between the CCA and the utility that covers the services to be provided by the utility (eg: billing).

Funded by the CA Energy Commission, the Local Government Commission developed the template for CCA implementation plans, along with a CCA implementation guidebook, available at:

http://www.energy.ca.gov/pier/project_reports/CEC-500-2008-091.html

COMMUNITY OUTREACH & ENGAGEMENT

Media and Information Distribution: There are numerous complexities related to electricity service and how CCAs operate that are unfamiliar to the majority of citizens. To ensure that the community becomes aware of the local CCA efforts and the ramifications of CCA implementation, RCEA has begun conducting general education and outreach efforts through print, online, social media, radio, television, and through RCEA's resource center in Old Town Eureka.

Workshops: In addition to broad outreach efforts, RCEA is scheduling a series of town-hall open-house workshops around the County to provide the community numerous in-person opportunities to learn about what a CCA program is, why we are doing it, and how it works.

Rate Comparison: Developed and jointly produced with PG&E, a rate comparison provides a typical bill for various customer classes under the CCA's rates alongside the current PG&E rates. This provides a clear picture of the rate impact for customers based on the power option they choose; an example rate comparison from Sonoma Clean Power is available at: <https://sonomacleanpower.org/wp-content/uploads/2015/11/2015-09-01-SCP-Joint-Rate-Comparison.pdf>

Opt-Out Notices: An important step in CCA launch is providing all customers with multiple opt-out notices. The CCA must fully inform all customers of their right to opt out of the CCA program and to continue receiving service as a bundled customer from the IOU. All customers must be notified twice within 60 days prior to the date of automatic enrollment. In addition, notification must continue for participating customers for at least two consecutive billing cycles after enrollment. Customer notification must contain the following information:

- Those customers will be automatically enrolled.
- That each customer has the right to opt out of the program without penalty.
- The terms and conditions of CCA service.

The Table below outlines at a high-level the anticipated roles and duties of the RCEA Board, RCEA staff, and the third-party contractor(s). RCEA anticipated a heavy reliance on contracted companies in the initial 5 years, with the potential to shift certain operational activities to RCEA staff if deemed viable and cost-effective.

Function	Start-Up	Near-Term (2 to 5 Years)	Long-Term
Program Governance	Authority Board	Authority Board	Authority Board
Program Management	Authority staff (Third Party support)	Authority staff	Authority staff
Outreach	Authority staff	Authority staff	Authority staff
Customer Service	Authority staff (Third Party support)	Authority staff (Third Party support)	Authority staff (Third Party support)
Key Account Management	Authority staff	Authority staff	Authority staff
Regulatory	Third Party (Authority staff support)	Authority staff (Third Party support)	Authority staff
Legal	Authority staff (third Party support)	Authority staff (Third Party support)	Authority staff
Finance	Third Party (Authority staff support)	Authority staff (Third Party support)	Authority staff
Rates: Approve	Authority Board	Authority Board	Authority Board
Rates: Develop	Third Party (Authority staff support)	Authority staff (third Party support)	Authority staff
Resource Planning	Third Party (Authority staff support)	Third Party (Authority staff support)	Third Party (potentially Authority staff)
Energy Efficiency	Authority staff	Authority staff	Authority staff
Resource Development	Authority staff (Third Party support)	Authority staff (Third Party support)	Authority staff (Third Party support)
Portfolio Operations	Third Party	Third Party (Authority staff support)	Third Party (Authority staff support)
Scheduling Coordinator	Third Party	Third Party	Third Party
Data Management	Third Party	Third Party	Third Party




633 3rd Street, Eureka, CA 95501
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675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



For Meeting of: April 5, 2016

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: March 28, 2016

Subject: Ordinance No. 343-2016 amending Section 17.30.280, Removal of Natural Materials, to accurately reference the California Building Code (CBC).

Recommendation:

That the City Council:

1. Receive staff's report regarding the existing Removal of Natural Materials Regulations;
2. Open the public hearing, receive public input and deliberate;
3. Find that the proposed text amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and
4. Find that the proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA); and
5. Adopt Ordinance No. 343-2016 amending Section 17.30.280, Removal of Natural Materials, to accurately reference the California Building Code (CBC); and
6. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code.

Background and Discussion

At your meeting of March 15, 2016, Ordinance No. 343-2016 was introduced. The Ordinance amends Section 17.30.280, of the Rio Dell Municipal Code, "Removal of Natural Materials", to accurately reference the California Building Code (CBC). The current language refers to the Uniform Building Code (UBC). The Uniform Building Code was replaced by the California Building Code (CBC) in 2000.

There was very little discussion regarding the proposed amendment and no revisions or changes were recommended by the Council or the public. As such, staff is recommending that the Council:

1. Find that the proposed text amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and
2. Find that the proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA);
3. Adopt Ordinance No. 343-2016 amending Section 17.30.280, Removal of Natural Materials, to accurately reference the California Building Code (CBC); and
4. Direct the Clerk of the Board to post the Ordinance adoption summary.

Attachments

Attachment 1: Ordinance No. 343-2016 amending Section 17.30.280, Removal of Natural Materials, to accurately reference the California Building Code (CBC).

Attachment 2: Post Adoption Summary

ORDINANCE NO. 343-2016



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING SECTION 17.30.280, REMOVAL OF NATURAL MATERIALS OF THE RIO
DELL MUNICIPAL CODE, TO ACCURATELY REFERENCE THE CALIFORNIA BUILDING
CODE (CBC):**

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

WHEREAS staff recently discovered that Section 17.30.280, Removal of Natural Materials, of the Rio Dell Municipal Code (RDMC) refers to the Uniform Building Code (UBC); and

WHEREAS the Uniform Building Code was replaced by the California Building Code (CBC) in 2000; and

WHEREAS staff is accordingly recommending that the Removal of Natural Materials regulations accurately reference the California Building Code (CBC); and

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

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

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

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

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

Section 1. Section 17.30.280, Removal of Natural Materials, of the Rio Dell Municipal Code is hereby amended as follows:

17.30.280 Removal of Natural Materials.

A grading permit issued by the Building Official is required for all clearing or earthwork within the City of Rio Dell, except for those earthwork or clearing activities specifically exempted in ~~Chapter 33~~ Appendix J of the ~~Uniform~~ California Building Code ~~and its Appendix~~. [Ord. 252 § 6.17, 2004.]

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on March 15, 2016 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 5, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 343-2016 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 5, 2016.

Karen Dunham, City Clerk, City of Rio Dell

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



Public Notice
City of Rio Dell City Council
SUMMARY FOR POSTING AFTER ADOPTION OF ORDINANCE

(The summary shall be published or posted within 15 calendar days after the adoption of the ordinance)

Summary

On **Tuesday, April 5, 2016 at 6:30 p.m.**, the Rio Dell City Council held a public hearing in the City Council Chamber at City Hall and approved and adopted Ordinance No. 343-2016 amending Section 17.30.280 of the Rio Dell Municipal Code, "Removal of Natural Materials", to accurately reference the California Building Code (CBC).

Section 36933(a) of the California Government Code requires that the City Clerk, to post a summary of the Ordinance within 15 days of adoption with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance. Said Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 5, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

A certified copy of the full text of the Ordinance is posted in the office of the City Clerk at 675 Wildwood Avenue in Rio Dell. General questions regarding the Ordinance and the process should be directed to Kevin Caldwell, Community Development Director, (707) 764-3532.

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



For Meeting of: April 5, 2016

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: March 28, 2016

Subject: Introduction of Ordinance No. 344-2016 establishing an Alternate Planning Commissioner and annually appointing a Chairperson and Vice Chairperson.

Recommendation:

That the City Council:

1. Receive staff's report regarding the establishment of an Alternate Planning Commissioner and annually appointing a Planning Commission Chairperson and Vice Chairperson; and
2. Open the public hearing, receive public input and deliberate; and
3. Introduce Ordinance No. 344-2016 amending Section 2.60.020(1) of the Rio Dell Municipal Code to establish an Alternate Planning Commissioner position and amending Section 2.60.030(3) of the Rio Dell Municipal Code to annually appoint a Chairperson and Vice Chairperson and continue consideration, approval and adoption of the proposed Ordinance to your meeting of April 19, 2016 for the second reading and adoption.

Background and Discussion

Alternate Planning Commissioner

At the February 16, 2016 regular meeting, the Council approved the reappointment of Planning Commissioners Angeloff, Long and Leonard. As the Council is aware, Commissioner Leonard recently resigned and former Council Member Melissa Marks was appointed in his place.

During discussion of the reappointments of Commissioners Angeloff, Long and Leonard, Mayor Pro Tem Johnson presented the idea of establishing an alternate position on the Planning Commission due to frequent absenteeism by one or more of the Commissioners over the past year. It needs to be pointed out that former Commissioner Wilson was working out of the area and therefore was not able to attend a number of meetings. Commissioner Leonard was not able to attend a few meetings due to health and mobility issues.

In any event, the City Clerk was directed to research the government code and contact other jurisdictions regarding appointment of alternates on Planning Commissions.

Section 65101(a) of the Government Code states (in part) ***“The legislative body shall specify the membership of the commission or commissions. In any event, each planning commission shall consist of at least five members, all of whom shall act in the public interest.”***

As presented at your meeting of March 1, 2016, staff researched the membership and terms of planning commissions with nine (9) other jurisdictions including Fortuna, Eureka, Arcata, Blue Lane, Ferndale, Crescent City, Ft. Bragg, Willits and Redding and among those jurisdictions, the City of Fortuna was the only jurisdiction whose membership includes an alternate position.

Fortuna’s commission is comprised of seven regular members appointed to 4-year terms and one resident alternate commissioner who are appointed to a 2-year term. The alternate has all of the powers and duties of a regular commissioner except his/her right to vote is limited to when they are seated as an acting commissioner in the absence of one of the regular commissioners. The alternate attends the regular and special meetings of the commission and reviews the staff reports and documents and otherwise prepares for meetings like regular members.

When a permanent vacancy is created on the commission, the alternate then fills that vacancy as a regular member for the remainder of that commissioner’s term of office and the City Council appoints a new alternate.

Another potential advantage of having an alternate planning commissioner is that in the event of a potential conflict of interest with one or more of the regular commissioners, the alternate can be seated and vote as a regular commissioner, thus eliminating the possibility of a tie vote on an issue before the commission.

Based on the current Planning Commission membership, staff does not anticipate any of the Commissioners being absent on a regular basis. However, should the Council determine that an alternate position is necessary; staff has prepared the requisite ordinance.

Appointment of Chairperson and Vice Chairperson

In reviewing the Planning Commission provisions of the Municipal Code, Chapter 2.60, staff discovered that there are no provisions regarding the timing of the appointment of the Chairperson and Vice Chairperson. Staff also discovered language regarding the appointment of a secretary. As the Council is aware the City Clerk actually serves as the secretary. Staff recommends that Section 2.60.030(3) of the Municipal Code be amended to read as follows:

2.60.030 Powers, duties and procedures.

(3) The Commission shall elect a chairperson and vice chairperson from among the appointed voting members at their first meeting in January of each year or as soon thereafter, and shall appoint a secretary who need not be a member of the Commission.

Attachments

Attachment 1: Ordinance No. 344-2016 amending Section 2.60.020(1) of the Rio Dell Municipal Code to establish an Alternate Planning Commissioner position and amending Section 2.60.030(3) of the Rio Dell Municipal Code to annually appoint a Chairperson and Vice Chairperson

ORDINANCE NO. 344-2016



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
AMENDING SECTION 2.60.020(1) OF THE RIO DELL MUNICIPAL CODE TO
ESTABLISH AN ALTERNATE PLANNING COMMISSIONER POSITION AND
AMENDING SECTION 2.60.030(3) OF THE RIO DELL MUNICIPAL CODE TO
ANNUALLY APPOINT A CHAIRPERSON AND VICE CHAIRPERSON**

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

WHEREAS at the City Council February 16, 2016 regular meeting, the Council approved the reappointment of Planning Commissioners Angeloff, Long and Leonard; and

WHEREAS Commissioner Leonard recently resigned and former Council Member Melissa Marks was appointed in his place; and

WHEREAS during the discussion of the reappointments of Commissioners Angeloff, Long and Leonard, Mayor Pro Tem Johnson presented the idea of establishing an alternate position on the Planning Commission due to frequent absenteeism by one or more of the Commissioners over the past year; and

WHEREAS the City Clerk was directed to research the government code and contact other jurisdictions regarding appointment of alternates on Planning Commissions; and

WHEREAS staff researched the membership and terms of planning commissions with nine (9) other jurisdictions including Fortuna, Eureka, Arcata, Blue Lane, Ferndale, Crescent City, Ft. Bragg, Willits and Redding and among those jurisdictions, the City of Fortuna was the only jurisdiction whose membership includes an alternate position; and

WHEREAS the alternate has all of the powers and duties of a regular commissioner except his/her right to vote is limited to when they are seated as an acting commissioner in the absence of one of the regular commissioners; and

WHEREAS the alternate attends the regular and special meetings of the commission and reviews the staff reports and documents and otherwise prepares for meetings like regular members.

WHEREAS when a permanent vacancy is created on the commission, the alternate then fills that vacancy as a regular member for the remainder of that commissioner's term of office and the City Council appoints a new alternate; and

WHEREAS in reviewing the Planning Commission provisions of the Municipal Code, Chapter 2.60, staff discovered that there are no provisions regarding the timing of the appointment of the Chairperson and Vice Chairperson; and

WHEREAS staff also discovered language regarding the appointment of a secretary to the Planning Commission; and

WHEREAS the City Clerk actually serves as the secretary; and

WHEREAS the proposed amendments are not considered projects pursuant to the California Environmental Quality Act (CEQA); and

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

Section 1. Section 2.60.020(1), Planning Commission Membership, of the Rio Dell Municipal Code is hereby amended as follows:

2.60.020 Membership.

(1) Membership. The Rio Dell Planning Commission, appointed by the City Council, consists of five members and one alternate member who are residents of the City, who are not City officials or employees, and who shall be voting members. The alternate has all of the powers and duties of a regular commissioner except his/her right to vote is limited to when they are seated as an acting commissioner in the absence of one of the regular commissioners. The alternate attends the regular and special meetings of the commission and reviews the staff reports and documents and otherwise prepares for meetings like regular members. When a permanent vacancy is created on the commission, the alternate then fills that vacancy as a regular member for the remainder of that commissioner's term of office and the City Council appoints a new alternate. In addition, the City Council may appoint one ex officio member of the City Council and one ex officio member who is a City official or employee. Both ex officio members shall be nonvoting members. Ex officio members shall serve as the liaison(s) to the City Council and City staff. Ex officio member terms shall correspond to their official tenure, unless otherwise appointed by the City Council.

(2) Term of Office. New Planning Commission members are now appointed by a majority vote of the City Council to three-year terms. Should three or more new members be appointed to the Commission in the same year, terms shall be staggered in such a way that no more than two members' terms end at the same time. By a majority of the City Council any member may be terminated from the Commission at any time.

(3) If a member of the Planning Commission is absent without permission from regular Planning Commission meetings, for 60 days consecutively, his/her position on the Commission becomes vacant and shall be filled by appointment of the City Council, as set forth in subsections (2) and (4) of this section.

(4) Advertising for Members. Recruitment for new Planning Commission members shall be done by posting and publishing a public notice. [Ord. 238 § 2, 2000.]

Section 2. Section 2.60.030(3), Planning Commission Powers, Duties and Procedures, of the Rio Dell Municipal Code is hereby amended as follows:

2.60.030 Powers, duties and procedures.

(1) The Commission shall exercise all the powers and duties provided for a city planning commission under the laws of the State of California, and such additional duties as may be assigned it by the City Council.

(2) The provisions of this section shall not be construed as affecting or limiting, or as a prerequisite to, the powers of the City Council or electors of the City to legislate, or in any way to conflict with the powers and duties of the City Council and the departments or boards of the City.

(3) The Commission shall elect a chairperson and vice chairperson from among the appointed voting members at their first meeting in January of each year or as soon thereafter. ~~and shall appoint a secretary who need not be a member of the Commission.~~

(4) The Commission shall hold at least one regular meeting each month. The regular meeting of the Planning Commission shall be held at 6:30 p.m. on the fourth Thursday of the month and, in the event that the fourth Thursday falls on a legal holiday, the meeting shall be held the following Thursday at the same hour. Location shall be in the Rio Dell City Hall Council Chambers at 675 Wildwood Avenue.

(5) The Commission shall operate under the rules as adopted by the City Council, and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. [Ord. 317 § 1, 2014; Ord. 238 § 3, 2000.]

Section 3. Severability

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

Section 4. Limitation of Actions

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

Section 5. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on April 5, 2016 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 19, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 344-2016 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 19, 2016.

Karen Dunham, City Clerk, City of Rio Dell