



RIO DELL CITY COUNCIL AGENDA
CLOSED SESSION – 5:30 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, MAY 1, 2018
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

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



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

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
 - 1) 2018/0501.01 - **Conference with Labor Negotiator – City Manager**
Employee Organizations: Rio Dell Police Officers Association, Rio Dell Employees Association, and all Contract Employees (Pursuant to §54957.6)
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION – 5:30 P.M.
- F. RECONVENE INTO OPEN SESSION – 6:30 P.M.
- G. ORAL ANNOUNCEMENTS
- H. PLEDGE OF ALLEGIANCE

I. CEREMONIAL MATTERS

- 1) 2018/0501.02 - Proclamation - Mental Health Awareness Month 1

J. PUBLIC PRESENTATIONS

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

K. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Council 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) 2018/0501.03 - Approve Minutes of the April 17, 2018 Regular Meeting
(ACTION) 3

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

M. REPORTS/STAFF COMMUNICATIONS

- 1) 2018/0501.04 - City Manager/Staff Update **(RECEIVE & FILE)** 17

N. SPECIAL PRESENTATIONS/STUDY SESSIONS

O. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) 2018/0501.05 - Discussion and Possible Action on Election Dates for
2018 **(DISCUSSION/POSSIBLE ACTION)** 21

P. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2018/0501.06 - Resolution No. 1387-2018 Awarding Bid for the 2018
Street Striping Project
(DISCUSSION/POSSIBLE ACTION) 22

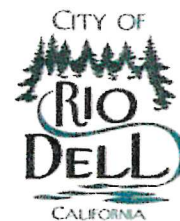
2) 2018/0501.07 - Introduction and First Reading (by title only) of Ordinance No. 367-2018 to Recodify Chapter 5.40, Recreational Cannabis Sales to Chapter 5.45 of the Rio Dell Municipal Code (RDMC)
(DISCUSSION/POSSIBLE ACTION)

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Q. COUNCIL REPORTS/COMMUNICATIONS

R. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, May 15, 2018 at 6:30 p.m.*



*675 Wildwood Avenue
Rio Dell, CA 95562*

TO: Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM: Karen Dunham, City Clerk

DATE: May 1, 2018

SUBJECT: Proclamation – Mental Health Awareness Month

RECOMMENDATION

Read and present the Proclamation in recognition of May 2018 as Mental Health Awareness Month

BACKGROUND AND DISCUSSION

Rayna Avery, RDH, BSW from Humboldt State University is arranging for someone to attend the meeting and accept the proclamation. At the time of agenda publication, the name of the person was not yet confirmed.

ATTACHMENTS: Proclamation

PROCLAMATION
In Recognition of
MENTAL HEALTH AWARENESS MONTH
May 2018

WHEREAS, mental health is part of overall health; and

WHEREAS, one in five adults experiences a mental health problem in any given year and one in 17 adults lives with mental illness such as major depression, bipolar disorder or schizophrenia; and

WHEREAS, approximately one-half of chronic mental illness begins by the age of 14 and three-quarters by age 24; and

WHEREAS, long delays--sometimes decades—often occur between the time symptoms first appear and when individuals get help; and

WHEREAS, early identification and treatment can make a difference in successful management of mental illness and recovery; and

WHEREAS, it is important to maintain mental health and learn the symptoms of mental illness in order to get help when it is needed; and

WHEREAS, every citizen and community can make a difference in helping end the silence and stigma that for too long has surrounded mental illness and discouraged people from getting help; and

WHEREAS, public education and civic activities can encourage mental health and help improve the lives of individuals and families affected by mental illness;

NOW, THEREFORE BE IT RESOLVED, that we the City Council of the City of Rio Dell do hereby proclaim May 2018 as Mental Illness Awareness Month in Rio Dell, California to increase public understanding of the importance of mental health and to promote identification and treatment of mental illness; and

BE IT FURTHER RESOLVED that all citizens, businesses, schools and community organizations are encouraged to take the “stigma-free pledge” at www.nami.org/stigmfree in observance of Mental Illness Awareness Week.

Dated: May 1, 2018

Frank Wilson, Mayor

**RIO DELL CITY COUNCIL
REGULAR MEETING
APRIL 17, 2018
MINUTES**

The regular meeting of the Rio Dell City Council was called to order at 5:30 p.m. by Mayor Wilson.

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

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

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

Employee Negotiations (Pursuant to §54957.6) Conference with Labor Negotiator: City
Manager – Employee Organizations: Rio Dell Police Officers Association, Rio Dell Employees
Association and Contract Employees

The Council adjourned into closed session with City Manager Knopp and City Attorney Gans at 5:30 p.m.

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

City Attorney Gans left the meeting at this time.

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

PUBLIC PRESENTATIONS

Nick Angeloff provided a brief update on Chamber of Commerce activities and events and announced that the Chamber may be moving from their current location to 440 Wildwood Ave. He indicated that they would have a definite decision by the end of the month. He also reported that the gentlemen that he mentioned at the last meeting who expressed interest in locating their business here for medical cannabis research are currently out of the country (Africa) so he had not yet arranged for them to come and provide a presentation to the Council.

Cheryl Short reported an issue involving graffiti on the green box by Eagle Prairie Bridge.

CONSENT CALENDAR

Councilmember Strahan removed Item 6 from the consent calendar for separate discussion. Mayor Wilson also removed Items 2, 3 and 4.

Motion was made by Johnson/Garnes to approve the remaining consent calendar items including approval of the minutes of the April 3, 2017 regular meeting and cancellation of the bid for 2018 City Hall Improvements and rescheduling it for the fall of 2018 pending budget approval for FY 2018/19. Motion carried 5-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Approve Resolution No. 1382-2018 Designating Projects to be Funded by Senate Bill (SB 1) Road Maintenance and Rehabilitation Account (RMRA) During FY 2018/19

Mayor Wilson referred to the spreadsheet submitted with the staff report and asked for clarification that the additional streets funding through SB-1 would be used for potholes and general maintenance.

Finance Director Woodcox explained that under SB-1, the City must make citizens aware of the projects proposed for funding and which projects have been completed each fiscal year including general repairs and maintenance. She said for this year the estimated \$57,241 will be used for general streets maintenance and repairs citywide including potholes, sweeping, storm drain, etc.

Mayor Wilson called for public comment on the proposed resolution; no public comment was received.

Motion was made by Wilson/Johnson to approve *Resolution No. 1382-2018 Adopting a List of Projects for Fiscal Year 2018-19 Funded by SB-1: The Road Repair and Accountability Act of 2017*. Motion carried 5-0.

Approve Resolution No. 1383-2018 Opposing the Tax Fairness, Transparency and Accountability Act of 2018

Mayor Wilson said he wanted to make the public aware of the implications of the proposed ballot measure and explained that it would change the rules for how the state and local governments can impose taxes, fees and other charges. He said tax measures would be limited to specific taxes rather than general taxes and would have severe impacts on the City regarding raising revenue to address the needs of the community and much needed infrastructure improvements. He noted that the League of California Cities has opened a campaign to oppose this act.

Mayor Wilson called for public comment on the proposed resolution. No public comment was received.

Motion was made by Wilson/Johnson to approve *Resolution No. 1383-2018 Opposing the Tax Fairness, Transparency and Accountability Act of 2018*. Motion carried 5-0.

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

Mayor Wilson explained that Assembly Bill (AB) 1912 relates to retirement liabilities of Joint Powers Authorities (JPA's) and if this bill became law it would essentially make the City liable for CalPERS failure and make the City incur debt for all retirement related obligations as members of JPA's. He noted that the debt would be significant and could actually exceed the City's annual revenue, which would be devastating to the City. He said should this bill pass, the City would need to consult legal counsel to see how to get out of all JPA's as this would virtually bankrupt the City.

He called for public comment on the proposed resolution. No public comment was received.

Mayor Pro Tem Johnson noted that he currently serves on the Humboldt County Association of Governments (HCAOG) Board as the City's representative and they recently had an audit and as a member of CalPERS with five (5) permanent employees HCAOG's unfunded liability is close to \$80,000 for one year.

Mayor Wilson commented that the City is not a member of CalPERS and has no unfunded pension liability yet could be burdened with millions of dollars of liabilities with passage of this bill.

Motion was made by Wilson/Johnson to approve a letter opposing AB 1912 Joint Powers Authority Pension Liability and authorize the Mayor to sign. Motion carried 5-0.

Receive and File Check Register for March 2018

Councilmember Strahan questioned Check No. 6746 to Wendt Construction for Edward Dr. storm damage repairs.

City Manager Knopp explained that the storm damage was from a recent culvert failure. He said the City Engineer assessed the situation and recommended it be fixed immediately because it poses a threat to the rest of the City's infrastructure in that area including the water line and possibly the sewer line.

Motion was made by Strahan/Johnson to receive and file the check register. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp referred to the staff update provided in the Council packet and said that staff was available to answer any questions the Council may have.

Mayor Wilson commented that after the discussion at the last meeting regarding the Eagle Prairie bridge closure he reached out to various agencies and found out that there is nothing that can be done. He encouraged everyone to do what they can to support the local restaurants and other downtown businesses during the next few months of construction.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Presentation from State Regulators on Drinking Water and Wastewater – Ronnean Lund, State Water Resources Control Board and Cathleen Goodwin, North Coast Regional Water Quality Control Board

City Manager Knopp said that staff invited the State's regulators on drinking water and wastewater who work closely with the City to provide a short presentation about the City's responsibilities related to regulatory compliance. He introduced Ronnean Lund, Sanitary Engineer with the State Water Resources Control Board, Division of Drinking Water and Cathleen Goodwin, Water Resources Control Engineer with the North Coast Regional Water Quality Control Board. (NCRWQCB).

Cathleen Goodwin began by providing an overview of the power point presentation provided in the Council packet including the roles and responsibilities of the Regional Water Quality Control Board and the laws they are required to implement. She said as a regulator, compliance is a very important part of her job and that she would much rather offer assistance to municipalities than have to bring violations back before her Board. She noted that she was assigned to Rio Dell in the fall of 2015 and shortly after that, she began working with the City on the NPDES Permit renewal process. She said the purpose of the permit is to insure proper design, operation and maintenance of the City's Wastewater treatment plant, collection system and storage and disposal facilities and noted that the permit is specific to Rio Dell. It also addresses effluent limitations, discharge prohibitions, source control provisions, sludge handling and disposal, operator certification, and monitoring and reporting requirements.

She pointed out that shortly after she began working on the permit renewal process; she learned that the City had two (2) major accomplishments during the current permit term. The first was in 2013 with the upgrade of the outdated wastewater treatment plant facility with an updated state-of-the-art system with technics to meet state requirements and the ability to remove most of the nitrogen from wastewater, which is huge as far as the protection of the Eel River. The other large accomplishment was elimination of the percolation ponds and discharge to the river with inclusion of a land disposal site.

She said that as she worked on the permit she identified some new issues that were addressed in the permit. The first of those was related to the chlorine disinfection system noting that the monitoring data that was collected had high levels of chlorine disinfection by-products, which are chemicals that are formed when chlorine comes in contact with organics that are present in wastewater and algae. She said she immediately let staff know that it would be an issue addressed in the permit.

She said another challenge was related to the collection system with excess water getting in through storm water, through ground water infiltration and possibly illicit connections. (I & I). She noted that these were the two biggest issued addressed in the permit. She said another

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problem the City has had in the past has been in retaining trained, qualified wastewater operators however; the current staff is motivated, conscience and works hard to achieve overall compliance.

She further explained that the Water Quality Control Board approved the permit with a Time Order Schedule (TOS) to give the City time to address these issues. She added that she worked with staff to try to establish compliance schedules that work for the City and to not require anything that was over ambitious or impossible to meet.

Mayor Pro Tem Johnson questioned the time schedule order to improve the chlorination system and collection system.

Ms. Goodwin said that she worked with staff to dial down the chlorine levels and the monitoring data reflects reduced levels. She noted that the expectation is that the City will be able to achieve compliance through operations and if not, they will evaluate other options. She said that the City has until October 31, 2022 to come into compliance although the code allows for an additional 5-year extension if the City can demonstrate they are working toward achieving compliance.

She said regarding the collection system, it is a much more general work plan. She said once the City identifies a work plan to address the City's aging collection system and I & I issues they will need to provide the Water Quality Control Board with a schedule to complete the tasks. She noted that a large part of the permit is operation, maintenance and monitoring of the facility but the cost of compliance is also considered so they also look for redundant procedures. She said one of the things that were changed is the frequency of tests, which is one of the areas where they have some flexibility.

City Manager Knopp commented that the City did go through a very rigorous permit process and staff feels very confident that the NPDES Permit has been well vetted.

Mayor Pro Tem Johnson pointed out that a lot of people swim in the Eel River and asked if Scotia CSD's permit is a mirror image Rio Dell's.

Ms. Goodwin commented that in 2011 or 2012, Lisa Bernard from their office wrote both Rio Dell and Scotia's permit so she would imagine she took into account consistency between the two systems. She indicated that Scotia is starting through their permit process and because she is not writing their permit, she talked to the person in her office that is and asked him to allow her to be part of the process to make sure it is consistent noting that he is very aware of the City's concerns. She pointed out that there are going to be somewhat different requirements due to different treatment systems but since they are both secondary treatment facilities, she would expect Scotia CSD would be required to take the same steps towards compliance as Rio Dell. She said this is of high priority to her and encouraged the City Council to be involved in the renewal process. She said as the permit is written and comes out for public comment, it is very appropriate for the City to look at it and express any concerns.

Mayor Pro Tem Johnson pointed out that both Scotia and Blue Lake have breweries so they have big demands for oxygen noting that their BOD is probably 50-100 times greater than what is allowed in Rio Dell and asked if that is equitable. Also, Blue Lake has an infiltration pond by the river whereas; Rio Dell had to eliminate the use of their percolation ponds approximately 5 years ago and said as a Council they just want to make sure everyone is on a level playing field. He added that he is getting the feeling that it is not level.

Ms. Goodwin commented that there are a number of inconsistencies such as there are more leniencies with regard to the dairy industry. She said with regard to Blue Lake, she is not sure why they are still allowed to use percolation ponds but since they don't discharge to surface waters they are in a different unit. She indicated that she does coordinate with those folks to make sure there is consistency among the different agencies.

Mayor Pro Tem Johnson asked if Humboldt Creamery is under NPDES permit regulations and if they discharge to the river.

Ms. Goodwin stated that the Creamery is under a NPDES permit and has the ability to discharge to the river but doesn't believe they do. She indicated that she would be happy to take the City's concerns regarding inconsistencies among the various agencies back to the office and have them addressed.

Mayor Pro Tem Johnson asked what she sees on the horizon for Rio Dell.

Ms. Goodwin said the two issues are the chlorination system and collection system. She noted that the City may have to look at its effluent as recycled water use because it is being applied through a land application process for crop production and apply some of those requirements that apply to recycled water. This involves having to develop a Title 22 Engineering Report to document that the City is meeting all of the state requirements. She said they are still processing how that would apply to Rio Dell. Beyond that, she said there might be some additional monitoring requirements. She commented that the Eel River is on the list of impaired rivers as far as aluminum content and reviewed potential things that could cause changes in monitoring requirements.

Mayor Pro Tem Johnson mentioned the recent sanitary sewer overflow that occurred in the city (Rigby Ave.) and asked if the Water Board took any action.

Ms. Goodwin indicated that it is being evaluated but no action has been taken at this time.

Councilmember Garnes commented that Rio Dell is under junior water rights and during the drought were restricted to limited water usage even though there was plenty of water whereas; the Town of Scotia and the City of Fortuna were not held to those same restrictions because they have senior water rights. She asked if there is any way to make that equal regardless of who has which type of water rights.

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Ms. Goodwin said that she doesn't deal with water rights issues but she would be happy to get the City in touch with the appropriate person that does.

Mayor Pro Tem Johnson commented that the City of Ferndale built the same Aeromod treatment plant as Rio Dell except on a smaller scale noting that the City's permit requirements are dilution of 100 to 1 during the winter; Ferndale's dilution factor is 1 to 1. He asked how that is possible.

Ms. Goodwin explained that there is a provision in the Basin Plan that requires that all discharges to surface waters be limited to 1% of the flow of the surface water unless the discharger goes through a process as outlined in the Basin Plan to demonstrate that there is cause for the Regional Board to consider the ability to discharge a higher amount of discharge than the limitation allows.

She said Ferndale had an older pond system that was not meeting state requirements so they decided to upgrade their wastewater treatment plant. She said they also recognized that based on the way the Salt River worked, that they would never be able to meet the 1% discharge limitation. As such, they went through a very detailed technical evaluation and had to demonstrate that they were designing a plant that would provide a much higher level of treatment (referred to as tertiary system). With the Aeromod System, they included a filtration system so they are generating a very high level of effluent they are discharging to the Salt River system. She noted that the Basin Plan does allow for that if that were something Rio Dell would like to consider in the future.

Mayor Pro Tem Johnson commented that one of the more controversial actions being taken by the County is a proposal on the Mad River upstream from the water intake for Humboldt Bay Municipal Water District, which provides water for approximately 70,000 people in the Humboldt County area. He said the proposal involves a local gravel company looking at putting in cannabis cultivation. He asked if that is something her agency gets involved with as far as writing NPDES permits for cannabis cultivation upstream from a water intake system.

Ms. Goodwin commented that there is a new program dealing with cannabis discharges and anticipated that this would fall under that program.

Ronnean Lund addressed the question and explained that they make these waste discharge requirements that are exhaustive and probably is going to be a year or so before they will have regulations for cannabis facilities because this new unit of people assigned to cannabis activities is not even clear on what the waste stream is for these facilities. She said the industry is all new and all moving too fast. She advised anyone with concerns regarding cannabis by-products going into the waste stream to call the Water Board and try to put the brakes on it until they can figure this whole thing out.

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Mayor Pro Tem Johnson noted that in the summer months, the water taken from the Eel River has a fairly high BOD level going into the treatment plant. He asked if that is a result of Scotia or perhaps failing septic systems upstream.

Ms. Lund said it is likely due to all of the above as well as algae.

Mayor Pro Tem Johnson commented that County Environmental Health is responsible for the septic systems countywide and asked if they were happy with regard to how the County was managing that effort.

Ms. Goodwin indicated that she would need to redirect that question to another division within her office.

Ronnean Lund, Field Staff Engineer for the Division of Drinking Water continued the presentation by providing an outline of what the State Department of Water Resources does and reviewed the key legal obligations of public water systems.

She explained that they were formerly under the Department of Public Health and they weren't as enforcement oriented. Now that they are under the umbrella of the Department of Water Resources, there are compliance orders and fines associated with violations.

She continued with review of the drinking water requirements as they relate to Rio Dell.

She noted that their office is currently working on the update of the City's Water Permit since it was never amended when the new water treatment plant was constructed 10 years ago. She noted that there has also been upgrades to the water distribution system and upgrade of the wells. She commented that the permit renewal is not nearly onerous as the permits from the Regional Board. She noted that the office is also working with staff to make sure the wells are free from potential contamination and said there are different issues with the various sites at the Humboldt Rio Dell Business Park that have to be addressed.

She pointed out that probably the best investment the City can make is having qualified operators to meet compliance requirements and provide safe drinking water to the community. She added that she has a wonderful working relationship with City staff but has always heard that there could be more staff.

Mayor Wilson called for public comment or questions from the public. There were no comments.

Mayor Wilson then thanked them for attending the meeting and their assistance in working with staff to make sure the city is complying with state law with regard to the water and wastewater operations.

Water/Roadways Superintendent Jensen asked what Rio Dell needs to do to prepare for the new regulations.

Ms. Lund commented that there is the 1, 2, 3 TCP test requirement but Rio Dell already performed the test and it came back non-detected. A waiver for future testing was sent in and approved so at this point there is no further testing required.

Community Development Director Caldwell noted that County Environmental Health approved the septic system for the Wendt project and was thankful that Ronnean Lund denied the application and made them relocate the leach field from 150 feet to 250 feet from the wells. He said the Health Department rescinded their approval because he indicated that he would not issue the permit until the Regional Water Quality Control Board was satisfied. He said they are in the process of relocating their leach field hundreds of feet away now. He said it was also suggested by Ronnean that as a condition of approval, they install a monitoring well and it will now be imposed as a condition.

Mayor Wilson commented that the City's drinking water must take precedence over any cannabis activities at the Humboldt Rio Dell Business Park.

Ms. Lund reiterated that they really don't know what will be going into the waste stream as a result of the cannabis activities at the Business Park. She said they will be using solvents and pesticides and other chemicals and they are not clear on how they are going to separate these waste streams. She explained that they are proposing to do onsite sewage disposal systems for the domestic waste (kitchen, bathrooms, and showers) and holding tanks for any other waste. She expressed the importance of the City having a very clear plan that is understood by those

approving it on how these waste streams are going to be separated. She added that ideally the waste should be going to the wastewater treatment plant so it could be handled properly but unfortunately, the City's sewer does not extend to that site. She indicated that the Regional Water Quality Control Board will be working on the permits but it will be a year or so before they are implemented.

Commissioner Woodall pointed out that one of the proposed development sites contains a Brownfield's site.

Community Development Director Caldwell clarified that Rio Dell Holdings must satisfy the Department of Toxic Substance Control (DTSC) before any cannabis activities can occur at that site.

Mayor Wilson called a 5-minute recess at this time, 8:33 p.m.

The Council reconvened at 8:38 p.m.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Consider Sculpture Committee's Recommended Location of the Wendt Eagle Sculpture on City Hall Grounds

Mayor Wilson stated that he concurred with the other members of the Sculpture Committee regarding placement of the Eagle Sculpture at location "C" on City Hall grounds.

Motion was made by Wilson/Johnson to accept the Sculpture Committee's recommended location of the Wendt Eagle Sculpture to be placed on the City Hall grounds at location "C". Motion carried 5-0.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Approve Resolution No. 1384-2018 Awarding Bid for the 2018 Culvert Installation and Repair Project

City Manager Knopp provided a staff report and said this project includes the construction of a new drainage inlet along a portion of Spring Street, exiting at the existing drainage swale north of Belleview Ave. and as an additive to the project, replacement of the culvert on Pacific and Belleview Avenues.

He said \$75,000 was appropriated in the FY 2017-2018 budget for drainage repairs. The city received four bids ranging from \$82,000 to \$143,485 and Wahlund Construction Inc. was determined to be the lowest responsible and responsive bidder at \$82,000. He noted that staff is recommending a 20% contingency for a total project amount of \$98,400 which would require a budget adjustment of \$23,400 to complete the project. Staff's recommendation was to award the bid to Wahlund Construction and authorize the budget adjustment from the General Fund Reserves. The alternatives would be to direct staff to reject all bids and reissue the bid, or cancel the project; or eliminate the additive culvert replacement and reduce the award amount by \$18,000.

Councilmember Strahan said she thought the additive culvert work was going to be added to the Active Transportation Plan (ATP)/Safe Routes to School Project. She supported saving the \$18,000 as opposed to taking more funds out of the General Fund Reserves.

Mayor Pro Tem Johnson commented that part of the problem with adding something to the ATP Project is that it would bring the cost of the project up and since the grant funds are already obligated for other things, the extra cost would have to come out of the City's general fund.

City Manager Knopp noted that the additive culvert work could be eliminated and staff could try to incorporate it into the ATP Project but expressed concern that the scope of the ATP Project will be narrowed anyway. He pointed out that the work needs to be done and if it is delayed, it will be more expensive.

Water/Roadways Superintendent Jensen explained that the base is already eroding away so the job needs to be done as soon as possible.

Mayor Pro Tem Johnson questioned the possibility of installing a HTPE liner to avoid tearing up the street.

Water/Roadways Superintendent Jensen said there is the potential to do that but it would be more expensive. He also clarified that this project is outside the boundaries of the ATP Project.

City Manager Knopp explained the goal of the ATP Project is bike lanes and the more the City tries to push it into "an active drainage plan" the more the scope of work is questioned. He pointed out that with this culvert work done, it increases the likelihood to get the area paved.

Councilmember Strahan made the suggestion to get it done and do it right.

Motion was made by Johnson/Garnes to approve Resolution No. 1384-2018 Awarding the Bid for the 2018 Culvert Installation and Repair Project including the Additive Culvert Replacement on Pacific and Belleview Avenue to Wahlund Construction, Inc. in the amount of \$82,000 including a 20% contingency for a total project amount not to exceed \$98,400, authorizing the City Manager to sign the Notice of Award and Contract Agreement including any change orders within the approved budget amount, and authorizing a budget adjustment of \$23,000 from the General Fund Reserves. Motion carried 5-0.

Approve Resolution No. 1385-2018 Awarding Bid for the 2018 Drainage Ditch Repair Project

City Manager Knopp provided a staff report and said the City received five (5) bids for the drainage ditch repair project ranging from \$2,370 to \$18,840. He noted that Wendt Construction provided the lowest bid and the reason it was significantly lower than the other bids was that they have a nearby disposal site for depositing the debris.

He explained that there are no funds budgeted for this project but when the City annexed this area from the County, it took on responsibility for all the legacy issues including the drainage ditch. He said periodic flooding occurs and as basic maintenance, small basins need to be created to alleviate some of the flooding.

Mayor Wilson asked what part of the budget the money was coming out of.

City Manager Knopp noted that it would be coming out of the City Manager's budget under Contract/Professional Services from funds originally budgeted for the Employee Total Compensation Study.

Mayor Pro Tem Johnson suggested that since the bid came in so low that the City work toward getting everything cleaned out that needs to be cleaned out because it would cost a lot more in the future due to trucking costs.

City Manager Knopp said for now the goal is to get basic cleanup done. He pointed out that as developers do improvements they will be taking care of some of the drainage improvements so he doesn't want to see the City do any unnecessary work at this time.

Motion was made by Johnson/Garnes to approve Resolution No. 1385-2018 Awarding the Bid for the 2018 Drainage Ditch Repair Project to the lowest responsible and responsive bidder, Wendt Construction, Inc. in the amount of \$2,370, authorizing the City Manager to sign the Notice of Award and Contract Agreement and further authorizing the City Manager to authorize any change orders within the approved budget amount which shall not exceed \$5,000 from the City Manager's budget. Motion carried 4-1; Councilmember Strahan dissenting.

Approve Resolution No. 1386-2018 Awarding Bid for the 2018 Water Treatment Plant Backwash Line Realignment Project

City Manager Knopp provided a staff report and explained the project will redirect water plant effluent away from directly entering the Wastewater Treatment Plant. Instead, the effluent will be directed to several pre-existing holding basins where fine materials in the effluent will be allowed to settle before the effluent enters the plant. He said this saves money on the wastewater side and helps the wastewater treatment plant comply with state regulations and creates a more efficient way to process the effluent created in the water treatment process. He commended Water/Roadways Superintendent Jensen for coming up with the idea and increasing the efficiency of the treatment plant.

City Manager Knopp said the City received two (2) bids for the project including a bid from Wahlund Construction in the amount of \$44,800 and one from Wendt Construction in the amount of \$37,475. He added that the City Council appropriated \$150,000 towards modifications to the handling of water plant effluent, which would cover any potential change orders.

Mayor Wilson expressed concern about the \$150,000 appropriation and suggested the project contingency be amended to not exceed \$50,000.

Motion was made by Johnson/Garnes to approve Resolution No. 1386-2018 Awarding the Bid for the 2018 Water Treatment Plant Backwash Line Realignment Project to the lowest responsible and responsive bidder, Wendt Construction, Inc. in the amount of \$37,475, authorizing the City Manager to sign the Notice of Award and Contract Agreement and any change orders within the approved budget not to exceed \$50,000. Motion carried 5-0.

Approve Resolution No. 1387-2018 Awarding Bid for the 2018 Street Striping Project

City Manager Knopp provided a staff report and said the City received only one (1) bid for the 2018 Street Striping Project, which was from Apply-A-Line, LLC in the amount of \$15,795. The project includes \$10,390 for Center St. striping between Wildwood Ave. and Ireland Ave. and an additive item for bike lane striping along Wildwood Ave. from Columbus St. to Monument Road for \$5,405. No noted that \$20,000 was appropriated in the current budget for street striping and recommended approval of the project. He added that the project would improve safety in front of the schools as well as the downtown portion of Wildwood Ave.

Councilmember Strahan questioned the need for the project and asked when the original bike lanes were put in.

Staff responded that they were installed in 2012, which is the reason for the re-striping.

Mayor Pro Tem Johnson commented that many agencies restripe and repaint every year.

Councilmember Garnes said if the City has the means to do it, then it should be done.

Councilmember Strahan addressed the need of a crosswalk at Riverside and Painter St. for kids walking to school.

City Manager Knopp commented that with limited funds it seems the school street should have priority for safety purposes. He noted that Painter St. meets the requirements for the next slurry seal project so staff will be making that recommendation at the appropriate time. He said the crosswalk could possibly be incorporated into the slurry seal project, which is scheduled to take place in 12 or 13 months.

Councilmember Strahan said it seems that the City keeps redoing the same streets when there are a lot of streets in the City that need attention.

City Manager Knopp expressed concern about grinding off the striping to do slurry seal noting that Center St. is not scheduled for slurry seal any time soon.

Mayor Pro Tem Johnson suggested tabling the item until the next regular meeting to allow the Council and staff an opportunity to look at the bike lane on Wildwood Ave. before making a decision. Council concurred.

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

Mayor Wilson stated that the City Attorney provided a legal opinion regarding his concerns about the City retaining ultimate jurisdiction over determining disqualifying offenses and that he is in agreement with the language at this time.

Community Development Director Caldwell provided a brief staff report and said the ordinance was introduced to the Council at their March 20, 2018 regular meeting followed by its recommended second reading and adoption on April 3rd. He said because of Mayor Wilson's concerns, the Council voted to continue the item and refer the issue to the City Attorney for his legal opinion. He said the attorney responded directly to the Councilmembers under "Attorney-client Privileged Communication" following that meeting basically restating what he told staff which was that the City should rely on the State for determining disqualifying offenses for numerous reasons. As such, staff recommends adoption of the ordinance at this time.

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

Motion was made by Johnson/Garnes to approve second reading (by title only) and adoption of Ordinance No. 365-2018 Amending the City's Commercial Cannabis Regulations, Section 17.30.195 of the Rio Dell Municipal Code to Eliminate the City's Requirement for Background Checks. Motion carried 5-0.

Second Reading (by title only) and Adoption of Ordinance No. 366-2018 Amending the City's Flood Damage Prevention Regulations, Section 15.15 of the Rio Dell Municipal Code to Reflect the Update of the Flood Insurance Study and Associated Flood Insurance Rate Maps (FIRM)
Community Development Director Caldwell provided a staff report and said as noted at the last meeting staff recently discovered that the City's Flood Regulations still refer to the Federal Emergency Management Agency (FEMA) 1982 Flood Insurance Study and Rate Map (FIRM). The map was updated in 2016 so the City needs to amend its Flood Damage Prevention Regulations to reflect the updated information.

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

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

COUNCIL REPORTS/COMMUNICATIONS

There were no Council Reports received.

ADJOURNMENT

Motion was made by Johnson/Garnes to adjourn the meeting at 9:10 p.m. to the April 23, 2018 Budget Study Session beginning at 4:00 p.m. Motion carried 5-0.

Frank Wilson, Mayor

Attest:

Karen Dunham, City Clerk



Staff Update – 2018-05-01

City Council

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

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

City Manager

Staff has been meeting with CalTrans to discuss the ATP project.

Staff met and responded to inquiries from a security firm interested in locating in Rio Dell.

Discussed possible ways for Caltrans to speed up repainting of the Eagle Prairie Bridge. The enclosure is likely to be extended across the entirety of the bridge to double-up the work. The pedestrian and biking tunnel will also be extended across the entirety of the bridge. This passageway is very narrow and it will be important that users share the tunnel. Caltrans stated there was a good possibility the bridge could be reopened by August 1st with these adjustments.

Issued Spring 2018 newsletter.

Issued Notice of Awards and contracts for 2018 Public Works projects.

Responded to PRA regarding drainage on Ogle.

City Clerk

- Processed six (6) Building Permits:
 1. 144 W. Painter St. – Re-Roof
 2. 434 Davis St. – Gas Line Repair
 3. 329 Douglas St. – Sewer Lateral
 4. 434 Davis St. – Sewer Cleanout
 5. 591 Pacific Ave. – New Windows
 6. 116 Dixie St. – New Windows

- Processed one (1) Business License:
 1. Tom Genter Plumbing – Non-Resident Contractor

- Staff received a Special Event Permit for the Annual Tour of the Unknown Coast taking place on May 19, 2018. Staff was in contact with the applicant to inform them of the



bridge closure and at the request of the City Manager Caltrans made contact with them and has agreed to move their equipment to one side of the bridge the night before the event to create a usable lane. On the morning of the race they will remove the concrete barricade to leave a 6-foot opening; big enough for the riders, but not big enough for a vehicle. They will also be bringing in a couple of their lighted signs that will read "Bicycle Event – Riders Only" and will schedule a couple of their people to direct the riders across the bridge.

- Staff received a request from the Executive Director of *Pride and Poise*, also coach at Eureka High requesting the use of the tennis courts late August or September. The purpose of the tournament is to help fund a resurfacing project for the Hammond Park tennis courts in Eureka. They expect 30 participants for the 6-day event.

City Attorney

Human Resources, Risk & Training

Staff is currently conducting interviews and background checks for field crew utility workers.

Finance Department

*Troubleshoot water meter reading system

*Held budget workshops week of April 23

*Submit SB1 Project List and Resolution to California Transportation Commission

*Submit State Controller's Office 2017 Compensation Report

*Submitted payroll quarterlies

*Continue GL close out process for month of March

*Training and assisting new employee (Fiscal Assistant) as needed

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

Public Works Water

1. Water Operations and Sampling- Infiltration Gallery (Wells Off)
2. Work on Rio Dell System # 1210012 Annual Water Report. (Ongoing)
3. Online Consumer Confidence Report Classes.
4. Work on 2017 Consumer Confidence report.
5. Phone conferences with Division of Drinking Water on Water System.
6. Grounds Maintenance at Water Facilities.
7. Work on WWTP Reports.
8. WWTP Inspection and site visit on SSO locations.
9. Work on Budget



10. Work on Meter Reading system and resolve issues with Hand held reader.

Public Works Wastewater

- Acute water toxicity testing is complete with a written report confirming the test was a pass at 100% for zero daphnia and Rainbow Trout.
- SSO at 780 Rigby was updated with modifications to the spill amount. This report is being evaluated by the state currently to determine whether the spill volume estimation is valid.
- Wastewater facility will soon be switching its discharge from the River at EFF-001 to the irrigation field North of town EFF-003. This will likely happen as soon as staff are able to install repaired pumps from Flygt.
- Summer Projects for the wastewater plant will include: a complete revamping of plumbing of S03 supply lines and fittings, Pressure washing Tent Roof, completion of Biosolids conveyor, repairs to baffling in contact basin, assessment of Cl2 disinfection system cost analysis, Continued dryer Repairs and installation of Cl2 generation cell.
- Joe English is scheduled to take his water treatment 1 exam in mid-May.
- Ongoing CWIQS training from for Randy Jensen to wastewater staff for Quarterly Monitoring. Staff have also received training from Freshwater environmental services on SSO reporting.

Public Works Streets, Buildings and Grounds

Public Works City Engineer

Staff will be advertising for the City Engineer's Contract in May.

Public Works Capital Projects

Staff has been working with the City Engineer and Attorney to develop and issue contracts to move approved projects forward.

Police Department

Community Development Department

Intergovernmental

Humboldt-Rio Dell Business Park

Council Priority Areas

Street Work

Striping work pending Council authorization.

River Access



Staff worked with Google Maps on information related to the trail at the end of Davis Street.

Habitat Parcel

Code Enforcement

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

Access Humboldt



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

May 1, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager 

SUBJECT: Discussion and Possible Action on Election Dates for 2018

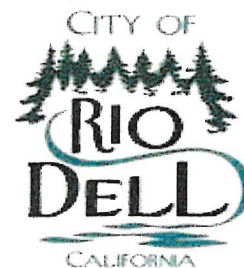
IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff, if any.

BACKGROUND AND DISCUSSION

The City Manager will discuss election dates for 2018.

///



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

May 1, 2018

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

A handwritten signature in blue ink, appearing to be "K. Knopp", written over the name "Kyle Knopp, City Manager".

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

IT IS RECOMMENDED THAT THE CITY COUNCIL:

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

Alternatives:

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

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

BACKGROUND AND DISCUSSION

This item was tabled on April 17, 2018.

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

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

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

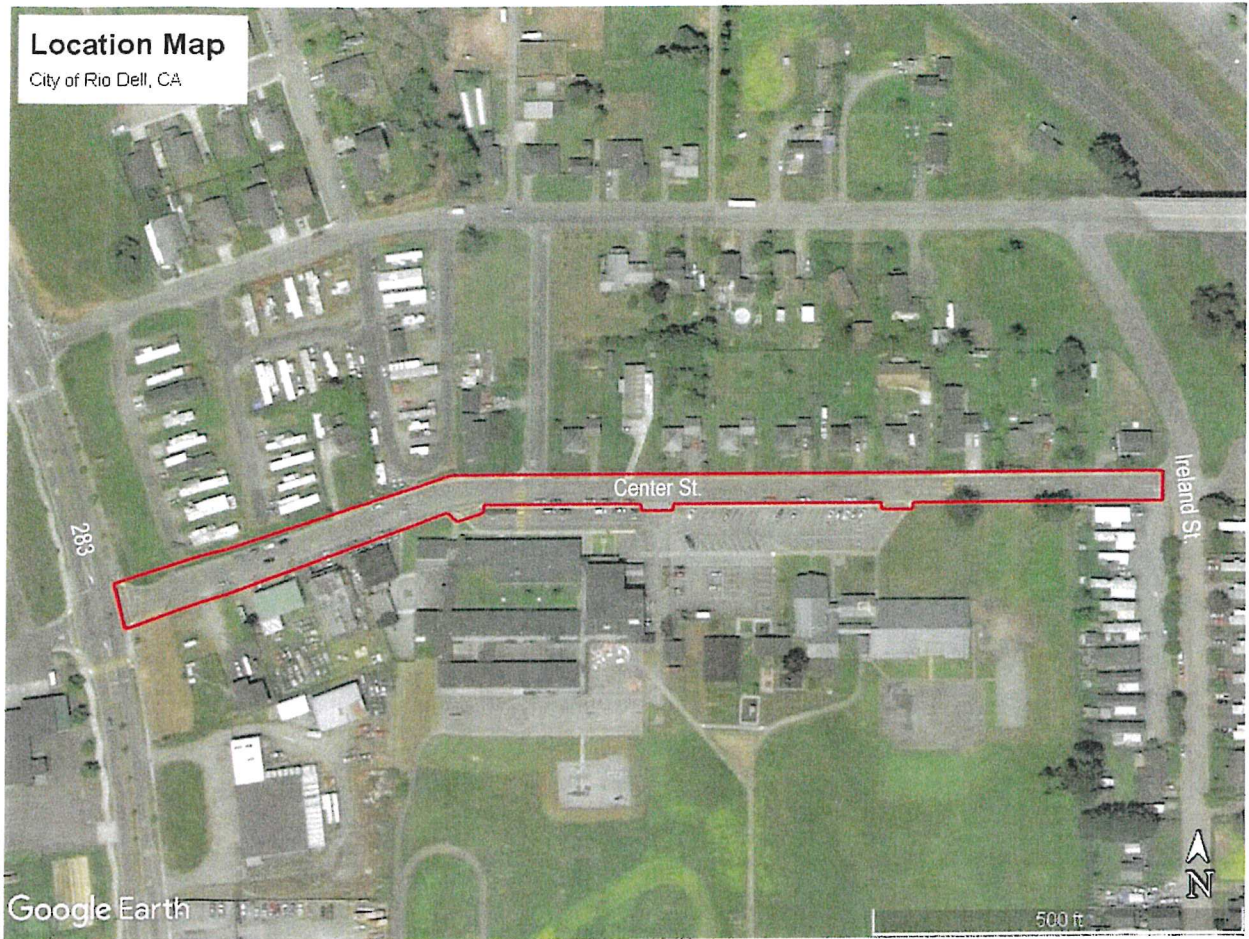
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City of Rio Dell



ATTACHMENT B: LOCATION MAP

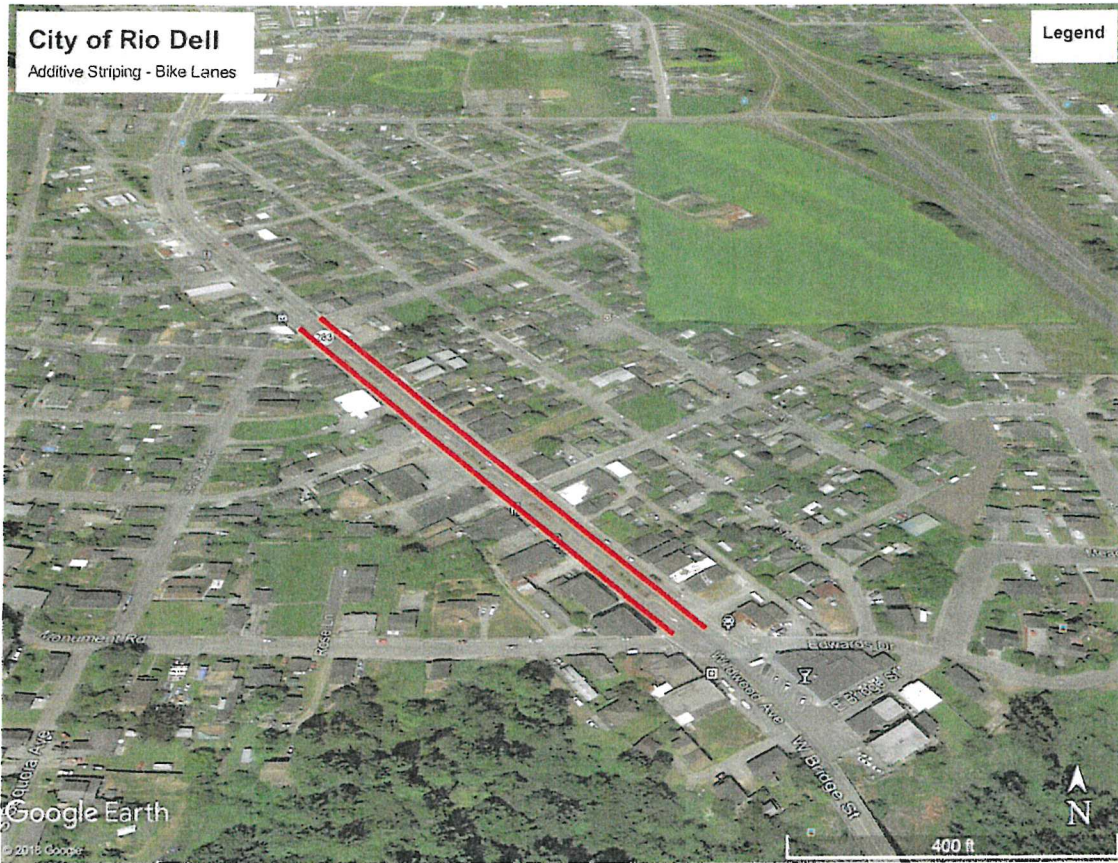




Description	Units
Thermoplastic traffic stripe, 12", yellow	330 LF
Thermoplastic traffic stripe, 4", yellow	470 LF
Thermoplastic traffic stripe, 4", double line, yellow	70 LF
Thermoplastic traffic stripe, 12", white	210 LF
Thermoplastic traffic stripe, 4", white	60 LF
Item	Quantity
Thermoplastic pavement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

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

Additive Option 1



Item	Quantity
Thermoplastic traffic stripe, 4", white	4080 ft.

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




For Meeting of: May 1, 2018

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: April 26, 2018

Subject: Introduction of Ordinance No. 367-2018 to Recodify Chapter 5.40, Recreational Cannabis Sales to Chapter 5.45 of the Rio Dell Municipal Code (RDMC).

Recommendation:

That the City Council:

1. Introduce (first reading) Ordinance No. 367-2018 to Recodify Chapter 5.40, Recreational Cannabis Sales to Chapter 5.45; and
2. Open the public hearing, receive public input and deliberate; and
3. Continue consideration, approval and adoption of the proposed Ordinance to your meeting of May 15, 2018 for the second reading and adoption.

Discussion

The Council adopted Ordinance No. 361-2017 on September 1, 2017 prohibiting the sales of adult or recreational cannabis within the City. The Ordinance was adopted as Chapter 5.40 of the Rio Dell Municipal Code (RDMC). Staff recently discovered that Chapter 5.40 was previously codified pursuant to Ordinance No. 354-2017 as the City's Commercial Cannabis Tax. As such, we need to recodify Chapter 5.40, Recreational Cannabis Sales to Chapter 5.45.

Attachments

Attachment 1: Draft Ordinance No. 367-2018 to recodify Chapter 5.40, Recreational Cannabis Sales to Chapter 5.45.

ORDINANCE NO. 367-2018



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
TO RECODIFY CHAPTER 5.40, RECREATIONAL CANNABIS SALES TO CHAPTER
5.45 OF THE RIO DELL MUNICIPAL CODE:**

THE CITY COUNCIL OF THE CITY OF RIO DELL DOES ORDAIN AS FOLLOWS:

WHEREAS the Council adopted Ordinance No. 361-2017 on September 1, 2017 prohibiting the sales of adult or recreational cannabis within the City; and

WHEREAS the Ordinance was adopted as Chapter 5.40 of the Rio Dell Municipal Code (RDMC); and

WHEREAS staff recently discovered that Chapter 5.40 was previously codified pursuant to Ordinance No. 354-2017 as the City's Commercial Cannabis Tax; and

WHEREAS such, the City needs to recodify Chapter 5.40, Recreational Cannabis Sales to Chapter 5.45 of the Rio Dell Municipal Code (RDMC); and

WHEREAS the City has determined that the proposed Ordinance is not a "Project" pursuant to Section 15378 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

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

1. Finds that the proposed Ordinance is not a "Project" pursuant to Section 15378 of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.
2. Approves and adopts the proposed Ordinance.

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

Section 1. Intent

Chapter 5.40 Recreational Cannabis Sales is hereby recodified to Chapter 5.45 of the Rio Dell Municipal Code.

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. 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 May 1, 2018 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the May 15, 2018 by the following vote:

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

Frank Wilson, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 367-2018 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on May 15, 2018.

Karen Dunham, City Clerk, City of Rio Dell