



RIO DELL CITY COUNCIL
VIRTUAL MEETING AGENDA
CLOSED SESSION – 5:00 P.M.
REGULAR MEETING - 6:30 P.M.
TUESDAY, MAY 4, 2021
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME - Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue and available on the City's website at cityofriodell.ca.gov. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.

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

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

Public Comment by Email:

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

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

Zoom Public Comment:

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

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

1) 2021/0504.01 - **Public Employee Performance Evaluation – City Manager**
Pursuant to Government Code Section 54957

- D. PLEDGE OF ALLEGIANCE
- E. CEREMONIAL MATTERS
- F. PUBLIC PRESENTATIONS

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

G. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Councilmembers if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually following action on the remaining consent calendar items.

- 1) 2021/0504.02 - Approve Minutes of the April 20, 2021 Regular Meeting
(ACTION) 1
- 2) 2021/0504.03 - Approve Resolution No. 1488-2021 Amending the FY
2020-2021 Adopted Budget to Increase Appropriations
for the 2021 Street Improvement Project **(ACTION)** 18
- 3) 2021/0504.04 – Authorize the City Manager to Sign Legal Services
Agreement with the Mitchell Law Firm, LLP **(ACTION)** 20

H. ITEMS REMOVED FROM THE CONSENT CALENDAR

- I. REPORTS/STAFF COMMUNICATIONS
 - 1) 2021/0504.05 - City Manager/Staff Update **(RECEIVE & FILE)** 26
- J. SPECIAL PRESENTATIONS/STUDY SESSIONS
 - 1) 2021/0504.06 - Presentation and Possible Action to Adopt Economic Development Goals and Actions to Achieve Economic Development in Rio Dell Including the Immediate Action Plan **(DISCUSSION/POSSIBLE ACTION)** 33
- K. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS
 - 1) 2021/0504.07 – Priority Setting Session for FY 2021-2022 **(DISCUSSION/POSSIBLE ACTION)** 41
- L. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS
- M. COUNCIL REPORTS/COMMUNICATIONS
- N. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, May 18, 2021 at 6:30 p.m.*

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
APRIL 20, 2021**

The regular “virtual” meeting of the Rio Dell City Council was called to order at 5:00 p.m. by Mayor Garnes.

ROLL CALL: Present: Closed Session: Mayor Garnes, Mayor Pro Tem Johnson, Councilmembers Carter, Wilson and City Manager Knopp and City Attorney Gans

 Absent: Councilmember Woodall (excused)

 Present: Regular Meeting: Mayor Garnes, Mayor Pro Tem Johnson, Councilmembers Carter, and Wilson

 Absent: Councilmember Woodall

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

ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

Public Employee Performance Evaluation – City Manager

Pursuant to Government Code Section 54957

Contract Agent Performance Evaluation – City Attorney

Pursuant to Government Code Section 54957

RECESS INTO CLOSED SESSION

The Council recessed into closed session at 5:00 p.m. to discuss the above listed matters.

The Council reconvened into open session at 6:30 p.m. Mayor Garnes announced that there was nothing to report out of closed session.

PUBLIC PRESENTATIONS

Mayor Garnes asked if there were any public comments received. No public comment was received on non-agenda related matters.

CONSENT CALENDAR

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

Councilmember Wilson removed Items 4 and 9 from the Consent Calendar for separate discussion.

Motion was made by Johnson/Carter to approve the Consent Calendar including approval of Minutes of the April 6, 2021 Regular meeting, authorizing the City Manager to execute an amendment to T-Mobile Lease Agreement, authorizing the Mayor to sign Letter of Opposition to SB-210, approving Employment Agreement for Finance Director, approving Request for Proposal (RFP) for a Water and Wastewater Rate Study, approving Cost Recovery for abatement of 483 Fourth Ave., and to receive and file the Check Register for March 2021. Motion carried 4-0.

ITEMS REMOVED FROM THE CONSENT CALENDAR

Authorize the City Manager to Sign the Customer Participation Agreement with Redwood Coast Energy Authority (RCEA)

Councilmember Wilson asked if the Customer Participation Agreement with Redwood Coast Energy Authority (RCEA) is for oversight and if there is a charge involved.

City Manager Knopp explained that there is no cost to the City but this allows RCEA to receive reimbursement for providing support to the City with the CalOES Energy Resiliency (PSPS) Grant under the Local Government Partnership (LGP) Program with PG&E.

Approve Resolution No. 1487-2021 Awarding the Bid for the 2021 Rio Dell Street Improvement Project to S. T. Rhoades Construction

Councilmember Wilson asked how the bid lines up with what was budgeted for the project.

City Manager Knopp explained that there are no funds allocated in the budget specifically for this item. He said that there is approximately \$100,000 remaining in the current FY 2020-21 streets budget and once staff has a better understanding of whether the work can be completed by June 30, 2021, staff will return to Council with a requested budget amendment. He noted that the bid amount of \$448,415 is consistent with the Council's broad reaching objective for streets projects for the year.

Councilmember Wilson pointed out that even through there was not a specific amount budgeted for this year's streets projects, the Council had a target and asked if a separate RFP would go out for the Miller Ct. repair work.

City Manager Knopp clarified that Miller Ct. was included in the bid. He explained that the project includes different components centering around overlays but there is also a

wastewater component to replace a manhole on Ogle Ave. and some other storm water improvements.

He added that it was a very competitive bid and that the bid was reviewed and determined to be a responsive bid. He said that the contractor is from the Redding area but is working on another job nearby.

Motion was made by Wilson/Johnson to approve the two above Consent Calendar items as presented. Motion carried 4-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp provided highlights of the staff update and began by thanking staff for their help in getting out the Spring Newsletter.

He reported that staff received notification from Caltrans that they would be starting work on April 26, 2021 for the upgrade of the sidewalk on the Eagle Prairie Bridge to current ADA standards with an expected completion date of sometime in June. He indicated that they would not be doing any work on the bridge itself so there would no closure of the bridge with the exception of some restrictions to pedestrian traffic at times. He said that staff was looking forward to completion of the project and extended thanks to Caltrans for their public outreach efforts.

Mayor Pro Tem Johnson asked for a status update on the Tesla Energy Battery Backup project at the wastewater treatment plant.

Wastewater Superintendent Taylor reported that the next upcoming milestone was May 10, 2021 related to having the engineering completed. He anticipated them breaking ground on the project within the next few months.

SPECIAL PRESENTATIONS/STUDY SESSIONS

Presentation – Climate Action Plan

Community Development Director Caldwell provided a brief introduction of the project and said that the process of developing a Regional Climate Action Plan began in late 2018 and has been a collaborative effort among local jurisdictions. He then introduced Michael Richardson and Conner McGuigan from the Humboldt County Planning Department to provide a presentation and answer questions.

Conner McGuigan proceeded with a Power Point presentation on *Humboldt Regional Climate Action Plan*. He said that the purpose of the presentation is to provide introduction to the

Humboldt Regional Climate Action Plan and update the City Council on climate action plan activities to date, current status, and upcoming milestones. Project goals included a regional Climate Action Plan adopted by each jurisdiction to reduce greenhouse gas emissions throughout Humboldt County.

He reviewed the timeline for implementation and provided two different scenarios with regard to CEQA and explained the difference between a “Qualified” Climate Action Plan versus a “Non-Qualified” Climate Action Plan.

Next was review of the *2015 County-Wide Inventory and 2015 Emissions by Jurisdiction*. The cities of Rio Dell, Ferndale, Trinidad and Blue Lake represented 1% or less with Arcata at 12%, Eureka at 18% and the unincorporated areas of the County at 60%. In comparison with greenhouse gas emissions in 1990 versus 2015, there was a significant decrease shown county-wide. State greenhouse gas emission targets were to reach 1990 levels by 2020, to be 40% below 1990 levels by 2030 with carbon neutrality statewide by 2045. The recommended target for Humboldt County was to pursue the goal of 40% below 1990 levels by 2030. Sections being targeted were:

- Land Use Planning
- Low-Carbon Transportation
- Efficiency of Buildings and Facilities
- Renewable Energy Generation
- Waste Prevention, Reduction, Diversion
- Carbon Sequestration

Conner explained that Carbon Sequestration refers to not just trees but nature's ability to store carbon naturally.

Examples of greenhouse gas reduction measures included:

- Increase density of development
- Add additional bike lanes
- Promote electric vehicles
- Provide more opportunity for transit use
- Increase use of low-carbon liquid fuels (i.e. renewable diesel)
- Switch from natural gas to electricity in buildings
- Increase energy efficiency of buildings
- Assist with zoning and implementation of small renewable energy development
- Support RCEA Re-Power Humboldt goals
- Promote forest and agriculture land stewardship
- Reduce construction and event waste
- Expand greenwaste programs

He completed the presentation by reviewing the timeline for the drafting and review of the Climate Action Plan including monthly meetings with jurisdictions.

Mayor Garnes thanked them for the presentation and requested a hard copy of the presentation.

Councilmember Wilson asked if it is a State or Federal requirement that jurisdictions reach the numbers as identified for reduction of greenhouse gas emissions.

Conner said that Rio Dell would not be required unless they chose to go with a "Qualified" CAP rather than a "Non-Qualified" CAP. In that case, the Climate Action Plan (CAP) would be just a planning document.

Councilmember Wilson asked for clarification that the City's target is to reduce greenhouse gas emissions by 1%.

Conner clarified that he was correct.

Mayor Pro Tem Johnson asked if there was any real benefit to the City or County by having a "Qualified" CAP versus a "Non-Qualified" CAP.

Michael Richardson explained that having a "Qualified" CAP is important to developers with regard to discretionary permits for projects. Having a "Qualified" CAP would also enable the City to streamline the permitting process.

Mayor Pro Tem Johnson asked what streamlining would do for a particular project.

Michael said that there are various hurdles a developer must go through to get a project permitted and approved and having a "Qualified" CAP would lower the height of those hurdles and make them easier to reach.

City Manager Knopp provided examples of what the City is doing in terms of reducing greenhouse gas emissions in the City. He commented that the City received \$295,000 in energy resiliency (PSPS) funding through CalOES focusing on emergency power backup systems for City Hall and the Police Department in addition to solar for City Hall and possibly the Wastewater Treatment Plant facility.

In addition, on the subject of transportation fuels, once the new Police fleet is online, one-third of the fleet will be hybrid which will reduce fuel consumption substantially. He said that as the City focuses on Economic Development, and capturing economic leakage, the more services that are provided locally, the less trips people will have to make to surrounding communities for regular supplies.

City Manager Knopp said that one of the biggest challenges for the City is the use of natural gas for the belt press dryer at the wastewater treatment plant and noted that the City is the largest consumer of greenhouses gasses in the City. He said that staff would be keeping their eyes open in terms of feasibility studies for alternative belt press systems that rely less on natural gas resources.

Presentation/Workshop Discussion on Solid Waste Agreement and Opportunity for Universal Collection

City Manager Knopp began by providing a brief recap of the events leading up to tonight's workshop and said that included with the staff report is a copy of the "Questions and Answers" from the March 16, 2021 workshop on Universal Collection. He reviewed the adopted meeting calendar and noted that the first public hearing on the draft ordinance was scheduled for June 1, 2021 with potential adoption of the ordinance on June 15, 2021. He then turned it over to Linda Wise, Executive Director of Recology Eel River to provide a Power Point presentation on *City of Rio Dell Solid Waste Regulations and Universal Collection Service Discussion*.

Linda Wise provided an overview of what Universal Collection is and said that it requires that all households and businesses have garbage service.

City Manager Knopp stated for clarification that the first slide of the presentation identifies December 2021 as the expiration date for the City's Franchise Agreement with Recology Eel River but that date refers to other regional partners. The expiration date on the City's contract is not until 2026.

Linda continued with review of current and proposed services, regulatory drivers including an overview of SB 1383 and key implementation dates with regard to compliance, organic waste collection services, jurisdiction responsibilities and requirements, next steps towards collection compliance, and the proposed timeline for implementation of universal collection.

Next was a review of the Questions and Answers from the March 16, 2021 meeting followed by questions from the Council.

Councilmember Wilson said that the proposed changes included a 20% discount for seniors or low-income subscribers and asked if the cost for those discounts would be borne by the City or other ratepayers.

Linda explained that the 20% discount is just an example and it would be up to the City Council to make the determination on the percentage and qualifying factors. Essentially the other ratepayers would absorb that cost.

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Councilmember Wilson commented that language could be included in the ordinance that spells out the responsibility of the ratepayers if discounts are allowed.

Linda said that normally the franchise agreement spells out how the rates are distributed and one way to do it would be to start at a base amount and build from that.

Councilmember Wilson pointed out that in order to give one group of rate payers a discount, the other ratepayers would have to pick up that cost. He then commented about a remark made in the Questions and Answers about rates possibly doubling.

Linda explained that the remark was in reference to a question from a citizen who asked why there would be a proposed increase in rates when the subscriber base for Rio Dell would double. She explained that there is not a 1-to-1 ratio in that regard.

Mayor Pro Tem Johnson said that currently seniors and low trash users have the option of purchasing prepaid bags in lieu of subscribing for garbage service and asked if that option would still be available.

Linda said that the bags would no longer be available since it would be difficult for the new type of trucks to pick up the bags.

Mayor Pro Tem Johnson asked about the availability of a smaller size can.

Linda indicated that there would be the option for a smaller can at a lower rate.

Mayor Pro Tem Johnson commented that he would like to have a level playing field for seniors and those people that don't generate a large amount of garbage.

Councilmember Carter asked if there were any updates from Fortuna or Ferndale on the subject.

Linda noted that Ferndale's first Public Workshop was scheduled for the next day and that Fortuna had held one Public Workshop with another one scheduled for next week so they are taking the idea of Universal Collection seriously. She said that the idea is to implement universal collection in tandem to lower the costs.

Mayor Garnes said that she had a citizen call her with concerns about noise pollution with the trucks and asked if there would only be one weekly pickup.

Linda indicated that there would be one weekly pickup day for the City with the exception of commercial businesses that may have the need for an additional pickup.

Mayor Garnes asked if there were any public comments received.

City Clerk Dunham said that there were five public comments received via email which she then read (included as Attachments 1-5 to these minutes).

Rosa Maciel commented that she understands the regulations that are being imposed by the State down the road and suggested the City Council look into implementing universal collection now rather than later to be more cost efficient.

Mayor Garnes said that she received a comment regarding the requirement that cans/bins must be kept out of sight and asked how to handle situations where customers don't have the ability to do that. She said this is a regulation in the City's ordinance and perhaps that question could be answered in a public meeting.

Mayor Garnes called for a 5-minute recess at 8:04 p.m.

The meeting reconvened at 8:10 p.m.

Presentation and Discussion on Draft Economic Development Goals and Actions to Achieve Economic Development in Rio Dell

City Manager Knopp provided an update on the *Economic Development Ad Hoc Draft Goals and Actions to Achieve Economic Development*.

He began by reviewing the five (5) preliminary goals and steps, followed by the Mission Statement which read:

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

He said that this is the initial briefing of the report and that staff would return at the next meeting with the final report for adoption by the Council.

City Manager Knopp explained that the plan includes specific directives such as reducing downtown vacancy rates. There are a number of ways to achieve that including implementing a city funded Façade Improvement Program with grants/loans for façade renovation, developing a Phantom Gallery concept for artists to rent unused commercial space, creating a Walkability Enhancement & Beautification Plan, creating more off-street parking, consider purchase of 255 Wildwood Ave. for pollution remediation and redevelopment, research and develop an advocacy plan for the future of the Eagle Prairie Bridge, and develop and implement a Mural Program.

He provided an overview of recent success in the city including street and sidewalk work, increased staffing in the Police Department, business investment related to cannabis and

cannabis taxes, infrastructure grants and increased code enforcement, and an improved self-image for the community.

The Immediate Action Plan (IAP) included a third-party leakage study, a façade improvement program, open space facility/dog park, pursue development of Todd property, formation of a beautification/walkability committee, and continue to invest in the current largest economic driver in the City which is the legal cannabis industry.

Councilmember Carter commented that staff and the committee did a great job putting together the report. She expressed desire to be on the Beautification/Walkability Committee and asked how she could share branding ideas.

City Manager Knopp suggested Councilmembers bring back at the next meeting, potential branding ideas for the city.

Councilmember Wilson agreed with Councilmember Carter regarding the report and commented that it is going to be a big challenge to bring the goals to fruition but there is a lot of potential for the city with regard to economic development. He expressed the importance of staff keeping a handle on Caltrans plans for the Eagle Prairie Bridge. He pointed out that the bridge may be considered an historical structure and said that the bridge needs to remain safe and open. He said that he was excited about the enthusiasm and was looking forward to discussion at the next meeting.

Mayor Pro Tem Johnson thanked staff for putting together the report.

Mayor Garnes urged anyone who is interested in walkability and beautification efforts to reach out to staff or councilmembers and let them know.

She said that she received correspondence from Cindy Treadwell referencing a City Newsletter mentioning a 2014 Good Neighbor Policy where we encouraged reaching out to neighbors and trying to get them more involved, and through that avenue making our city stronger and more attractive versus fining residents with nuisance violations.

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

Community Development Director Caldwell provided a staff report and explained that the ordinance was introduced to the Council at their meeting of April 6, 2021 and is back before the Council for its second reading and adoption. He summarized the ordinance and explained that this is a minor text amendment to streamline the process for the property owner in terms of time and cost by allowing the Public Works Director to waive the dedication and required improvements rather than requiring the owner to make application to the Planning Commission or City Council to request a waiver.

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

Motion was made by Johnson/Carter to approve the second reading (by title only) and adoption of Ordinance No. 384-2021 Amending the Existing Street Dedication and Improvement Regulations, Section 17.30.310(2) and (6) of the Rio Dell Municipal Code (RDMC). Motion carried 4-0.

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

Community Development Director Caldwell provided a staff report and said that this ordinance was also introduced to the Council at their meeting of April 6, 2021 and is back before the Council for its second reading and adoption. He provided a summary of the ordinance and said that the Planning Commission deliberated on the issue at their meeting of March 23, 2021 and recommended that the Council approve modifying the allowable lot coverage to exclude agricultural structures in the lot coverage provided the applicant executes a Surety Performance Bond for the removal of all but one of the abandoned greenhouses after two years of no commercial use of the structures.

Mayor Pro Tem Johnson pointed out a typographical error on the agenda item as listed noting that the Resolution was actually approved at the last meeting.

Community Development Director Caldwell agreed that adoption of the Resolution should have been removed from the agenda description.

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

Motion was made by Johnson/Carter to approve the second reading (by title only) and adoption of Ordinance No. 385-2021 (by title only) amending Section/Table 17.20.070 of the Rio Dell Municipal Code to exclude agricultural structures in the lot coverage calculation provided the applicant executes a Surety Bond to ensure the removal of all abandoned greenhouses on concrete slabs so as not to exceed the 10% lot coverage within two years of the cessation of commercial use of the structures. Motion carried 4-0.

Second Reading (by title only) and Adoption of Ordinance No. 386-2021 Establishing Industrial Hemp Regulations Banning the Cultivation of Industrial Hemp in the City, Section 17.30.180 of the Rio Dell Municipal Code and Renumbering General Provisions and Exceptions, Sections 17.30.010-17.30.370 to Accommodate the Proposed Industrial Hemp Regulations

Community Development Director Caldwell provided a staff report and said as reported at the April 6, 2021 regular meeting, the County of Humboldt recently adopted a ban on industrial hemp, primarily due to cannabis farmer's concerns regarding cross pollination and the introduction of new pests and pathogens. He commented that James Cortazar received approval from the County's Agricultural Department for twenty (20) acres of cultivation of industrial hemp on the Dinsmore Plateau. As the Council is aware, commercial cannabis cultivation is having a very positive impact on the City's financial resources and an accidental cross pollination or the introduction of new pests and pathogens could have a tremendous negative impact on our local farmers as well as the potential negative impact to the City's cannabis tax revenue. For this reason, staff is recommending the Council support staff's recommendation banning the cultivation of industrial hemp in the City.

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

Motion was made by Johnson/Carter to approve the second reading (by title only) and adoption of Ordinance No. 386-2021 Establishing Industrial Hemp Regulations Banning the Cultivation of Industrial Hemp in the City, Section 17.30.180 of the Rio Dell Municipal Code and Renumbering General Provisions and Exceptions, Sections 17.30.010-17.30.370 to Accommodate the Proposed Industrial Hemp Regulations and to continue the item to the next regular on April 20, 2021 for its second reading and adoption. Motion carried 4-0.

COUNCIL REPORTS/COMMUNICATIONS

City Manager Knopp identified a clerical error on the Finance Director's employment agreement that was approved under the Consent Calendar stating that the effective date should be immediately rather than July 1, 2021.

Councilmember Wilson also noted that the contract agreement referred to Exhibit A which is the salary schedule, as an attachment but it was not included with the agreement.

Motion was made by Johnson/Wilson to re-open Consent Calendar Item G (5) and approve the employment agreement for the Finance Director with the corrections as noted. Motion carried 4-0.

Mayor Pro Tem Johnson noted that Element 7 was not yet open and asked what is holding up the grand opening.

Community Development Director Caldwell reported that they were in the process of conducting interviews and had plans to open during the first week in May.

Councilmember Wilson said that he had nothing to report other than he would be attending the next Redwood Coast Energy Authority (RCEA) meeting on Thursday.

Councilmember Carter reported that she attended a Cal Cities Transportation, Communications and Public Works and Policy Committee meeting and that the discussion centered around broadband deployment. She noted that a couple of things that could be coming our way is AB 1060 which establishes a statewide emergency alert system versus a local emergency alert system. They also talked about moving from a gas tax to a road tax as more vehicles become electric.

Mayor Garnes reported that she attended a Cal Cities Environmental Quality Policy Committee meeting where they talked about AB 418 regarding power outages and power resiliency, and AB 585 related to extreme heat and community resiliency as well as the reduction of single use plastics and packaging.

She said that on the Community Services Committee they discussed one of the more important bills, AB 46 which is about youth empowerment and ways to get youth involved in government so that the next generation would be prepared to step up and fill roles in government. The goal of the committee is to reach out to youth ages 14-25 and put together a group of 25 or so people and work to empower them. She mentioned possibly forming a Mayor's Youth Commission and have them work with the Council.

She also reported that the Eureka Traffic Committee is trying to develop an educational campaign to make people be more considerate of how they are driving.

ADJOURNMENT

Motion was made by Johnson/Wilson to adjourn the meeting at 8:55 p.m. to the May 4, 2021 Regular meeting. Motion carried 4-0.

Debra Garnes, Mayor

Attest:

Karen Dunham, City Clerk

Public Comment

From: Kathi Edwards <kathicanfixit@yahoo.com>
Sent: Monday, April 19, 2021 10:58 AM
To: Public Comment
Subject: ABSOLUTELY NO on trash service being required

Do NOT vote for this policy.

I am against it.

There are many people who don't have enough money for food and medicine...to add this to their budget is criminal.

You have a person on staff to deal with the VERY FEW residences that have trashy yards.

"Abatement" person, right?

Let the abatements deal with the messes and DO NOT PUNISH the rest of us citizens for the lazy, messy few.

Sincerely,
Katherine R. Edwards
540 Edwards Drive
Rio Dell

Public Comment

From: Esther Isaacs <iladybug5@yahoo.com>
Sent: Monday, April 19, 2021 11:56 AM
To: Public Comment
Subject: [SPAM] Mandatory garbage service

Dear City Council,

I am writing to express my opposition to a mandatory garbage service. I have lived in Rio Dell for seven years and have always taken care of my garbage myself. It is much easier and more cost effective for me to take my own garbage into the dump.

I do not think that the citizens of Rio Dell should be punished for the actions of a few.

Deal with the people that are causing a problem and leave the rest of us alone.

I feel that mandatory garbage service is just one more freedom that is being taken away from us.

Hopefully there is another solution to this problem. I do not support mandatory garbage collection.

Sincerely,

Esther Isaacs

Sent from Yahoo Mail on Android

Public Comment

From: Robert & Chelsie Orr <chelsandrob@yahoo.com>
Sent: Monday, April 19, 2021 12:20 PM
To: Public Comment
Subject: Fw: Failure Notice

Mayor Games,

I know the Facebook trolls want residents to attack your trash proposal, however, I would like to say thank you. Finally there is someone brave enough to do something that has needed to be done for years. This may not stop those who are illegally dumping around town but it will give them an incentive to decrease or desist. This proposal eliminates a major excuse residents are using to collect trash in their yards versus disposing of it properly. I would gladly pay a little more to see our city raise its standard of living.

Thank you,
Concerned Resident

Public Comment

From: Michael Porter <portterms104@gmail.com>
Sent: Monday, April 19, 2021 8:02 PM
To: Public Comment
Subject: Trash pickup

As I've seen in Rio Dell there are a few people that don't give a hoot about taking their trash to the dump so you want to force everyone to use trash pickup. Those people won't use that either they don't care. I can't see how this is going to benefit the city overall? Now that we have a code enforcement officer that should be up to her to look into those problems not force everyone to have trash pick up. I maybe off base but what happened with fixing the streets with the sales tax money?

Public Comment

From: City of Rio Dell
Sent: Tuesday, April 20, 2021 8:06 AM
To: Public Comment
Subject: FW: Forced trash

From: Jonathan Weltsch <jonathanweltsch@gmail.com>
Sent: Monday, April 19, 2021 9:54 PM
To: City of Rio Dell <cityhall@cityofriodell.ca.gov>
Subject: Forced trash

Mandatory trash is fraud. I have paid for my trash to be collected curb side my entire life but others can't afford to. Your plans of forcing them to do business with a private corporation is immoral. What's next? Mandatory health insurance? I live in a free country and besides jury duty I'm not required to do anything. You put pressure on the slobs to clean up their own mess and leave the rest be!



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

DATE: May 4, 2021

TO: Mayor and Members of the City Council

FROM: Cheryl Dillingham, Finance Director

THROUGH: Kyle Knopp, City Manager

SUBJECT: Resolution No. 1488-2021 Budget Adjustment for Street Capital Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve Resolution No. 1488-2021 amending the Fiscal Year (FY) 2020-21 adopted budget to increase appropriations for the 2021 Street Improvement Project.

BACKGROUND AND DISCUSSION

On April 20, 2021 the City Council awarded the bid for the 2021 Rio Dell Street Improvement Project to S.T. Rhoades Construction for asphalt maintenance overlays on Dixie, Eeloa, Rio Dell, Painter, Butcher, River, Spring and Ogle streets. The requested action is needed to provide funding for the construction contract. Approval of Resolution No. 1488-2021 will increase the FY 2020-21 General Fund Capital Project budget by \$548,415 to cover the bid contract amount and contingencies.

At this time, it is not known when construction will start, any unexpended funds will be carried over into the FY 2021-20 for completion of the project.

ATTACHMENTS

Resolution 1488-2021 Budget Amendment



**RESOLUTION NO. 1488-2021
A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIO DELL
AMENDING THE ADOPTED BUDGET
FOR FISCAL YEAR 2020-21 STREETS CAPITAL PROJECTS**

WHEREAS, the City adopted Resolution 1453-2020 establishing the City’s Operating and Capital Budget for Fiscal Year (FY) 2020-21 and any adjustment that increases appropriations in a fund must be approved by the City Council; and

WHEREAS, the City awarded the 2021 Rio Dell Street Improvements Project (“Project”) to S.T. Rhoades Construction on April 20, 2021 for the bid of \$448,415; and

WHEREAS, a budget adjustment is need for the Project plus a contingency of \$100,000; and

NOW THEREFORE BE IT RESOLVED, that the City of Rio Dell City Council does hereby amend the City of Rio Dell FY 2020-21 Operating and Capital Budget to increase appropriations for the asphalt paving maintenance Project as follows:

<u>\$548,415</u>	<u>6500 14 000 0000 9068</u>	<u>Capital Projects Street Maintenance</u>
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\$548,415	TOTAL INCREASED APPROPRIATIONS
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PASSED AND ADOPTED by the City Council of the Rio Dell on this 4th day of May, 2021 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Debra Garnes, Mayor

ATTEST:

Karen Dunham, City Clerk



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

May 4, 2021

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the City Manager to Sign Legal Services Agreement with The Mitchell Law Firm, LLP.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager to sign the agreement.

BACKGROUND AND DISCUSSION

The current legal services agreement has not been updated since 2013. Staff is recommending a new agreement for City Attorney Services with the Mitchell Law Firm, LLP and to continue our work with Russell Gans, Ryan Plotz and other staff of the firm.

///

LEGAL SERVICES AGREEMENT

THE MITCHELL LAW FIRM, LLP (“Law Firm”) and **CITY OF RIO DELL** (“City”) hereby agree that Law Firm will provide legal services to the City on the terms set forth below.

1. **CONDITIONS.** This Agreement will not take effect, and the Law Firm will have no obligation to provide legal services, until City returns a signed copy of this Agreement.

2. **TERM.** The term of this Agreement shall commence on _____ and continue until terminated in accordance with Section 14 below.

3. **SCOPE OF SERVICES.** Law Firm will provide those legal services reasonably required to represent and advise the City, as directed by the City Manager, Mayor or City Council. For purposes of providing services under this Agreement, Russell S. Gans shall be designated as the City Attorney and Ryan T. Plotz shall be designated as Deputy City Attorney. Law Firm will take reasonable steps to keep the City informed of progress and to respond to the City’s inquiries. This is a non-exclusive agreement, and the City has the right to retain other counsel for specific legal issues or to resolve potential conflicts.

4. **INDEPENDENT CONTRACTOR.** Law Firm hereby declares it is engaged in an independent business and agrees to perform services provided for in this Agreement as an independent contractor and not as the agent, servant or employee of the City. The Law Firm shall be solely responsible for its own matters relating to payment of employees, including compliance with social security, withholding and all other regulations governing such matter.

5. **DEPOSIT.** There will be no deposit requirement.

6. **LEGAL FEES AND BILLING PRACTICES.** City agrees to pay by the hour at Law Firm's prevailing rates for all time spent on City's matter by Law Firm's legal personnel. Current hourly rates for legal personnel are as follows:

Partners	\$190/hour
Associates	\$165/hour
Paralegal	\$90/hour

The rates on this schedule are subject to change on 30 days written notice to City. If City declines to pay any increased rates, Law Firm will have the right to withdraw as Law Firm for City.

Time is charged in minimum units of one tenth (.1) of an hour.

7. COSTS AND OTHER CHARGES.

(a) Law Firm may incur various costs and expenses in performing legal services under this Agreement. City agrees to pay for all costs, disbursements and expenses in addition to the hourly fees. The costs and expenses commonly include, service of process charges, filing fees, court and deposition reporters' fees, jury fees, notary fees, deposition costs, long distance telephone charges, messenger and other delivery fees, postage, photocopying and other reproduction costs, travel costs including parking, mileage, transportation, meals and hotel costs, investigation expenses, consultants' fees, expert witness, professional, mediator, arbitrator and/or special master fees and other similar items. Except for the items listed below, all costs and expenses will be charged at Law Firm's cost.

Mileage \$0.58/mile

(b) Out of town travel. City agrees to pay transportation, meals, lodging and all other costs of any necessary out-of-town travel by Law Firm's personnel. City will also be charged the hourly rates for the time legal personnel spend traveling.

(c) Experts, Consultants and Investigators. To aid in the preparation or presentation of City's case, it may become necessary to hire expert witnesses, consultants or investigators. City agrees to pay such fees and charges. Law Firm will select any expert witnesses, consultants or investigators to be hired, and City will be informed of persons chosen and their charges.

Additionally, City understands that if the matter proceeds to court action or arbitration, City may be required to pay fees and/or costs to other parties in the action. Any such payment will be entirely the responsibility of City.

8. BILLING STATEMENTS. Law Firm will send City periodic statements for fees and costs incurred. Each statement will be payable within 30 days of its mailing date. City may request a statement at intervals of no less than 30 days. If the City so requests, Law Firm will provide a statement within 10 days. The statements shall include the amount, rate, basis of calculation or other method of determination of the fees and costs, which costs will be clearly identified by item and amount.

9. INSURANCE. During the term of this Agreement, Law Firm shall maintain the following insurance:

A. General liability and property damage insurance in the minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate;

B. Professional errors and omissions insurance in the minimum amount of \$2,000,000 per occurrence and \$4,000,000 aggregate; and

C. Workers compensation and employer's liability insurance in the amount of \$1,000,000 per accident.

Proof of coverage shall be provided to the City.

10. INDEMNIFICATION. Law Firm agrees to indemnify, defend and hold harmless the City, its Council, officers, agents and employees from any and all claims or losses to the extent caused by and arising out of the wrongful or negligent acts or omissions of Law Firm or any person employed by Law Firm in the performance of this Agreement.

11. NONDISCRIMINATION. Law Firm shall not discriminate on the basis of race, religion, color, creed, national origin, gender, sexual orientation, marital status, age, physical or mental disability, legally protected medical condition, veteran status, or any other basis protected by law.

12. CONFLICT OF INTEREST. Law Firm agrees that neither it, nor any member of Law Firm who may work on City matters, has any current conflict of interest with the City's interests. Law Firm agrees that neither it nor any member of Law Firm who may work on City matters, will acquire any interest, direct or indirect, which would conflict in any matter or degree with the performance of Law Firm's performance of its services to the City under this Agreement. Law Firm acknowledges that it and its attorneys are subject to various conflict of interest requirements under California law, local ordinances, policies and regulations.

13. ARBITRATION REGARDING FEES. If a dispute arises between the City and the Law Firm over fees charged for services, the dispute will be submitted to binding arbitration in accordance with the rules of the California State Bar Fee Arbitration Program. Each side will bear its own attorneys' fees and costs.

14. DISCHARGE AND WITHDRAWAL. City may discharge Law Firm at any time. Law Firm may withdraw with City's consent or for good cause. Good cause includes City's breach of this Agreement, refusal to cooperate or to follow Law Firm's advice on a material matter or any fact or circumstance that would render Law Firm's continuing representation unlawful or unethical. When Law Firm's services conclude, all unpaid charges will immediately become due and payable. After services conclude, Law Firm will, upon City's request, deliver City's file and property in Law Firm's possession, whether or not City has paid for all services.

15. DISCLAIMER OF GUARANTEE AND ESTIMATES. Nothing in this Agreement and nothing in Law Firm's statements to City will be construed as a promise or guarantee about the outcome of the matter. Law Firm makes no such promises or guarantees. Law Firm's comments about the outcome of the matter are expressions of opinion only. Any estimate of fees given by Law Firm shall not be a guarantee. Actual fees may vary from estimates given.

16. ENTIRE AGREEMENT AND MODIFICATION BY SUBSEQUENT AGREEMENT. This Agreement contains the entire agreement of the parties. No other agreement, statement, or promise made on or before the effective date of this Agreement will be binding of the parties. This Agreement may be modified by subsequent Agreement of the parties only by an instrument in writing signed by both of them or an oral agreement only to the extent that the parties carry it out.

17. SEVERABILITY IN EVENT OF PARTIAL INVALIDITY. If any provision of this Agreement is held in whole or in part to be unenforceable for any reason, the remainder of that provision and of the entire Agreement will be severable and remain in effect.

18. EFFECTIVE DATE AND EXECUTION. This Agreement will govern all legal services performed by Law Firm on behalf of City commencing with the date Law Firm first performed services. The date at the beginning of this Agreement is for reference only. Even if this Agreement does not take effect, City will be obligated to pay Law Firm the reasonable value of any services Law Firm may have performed for City. This Agreement may be executed in counterparts, the parts of which shall be taken to constitute one whole. Electronic scan signatures and/or facsimile signatures shall be deemed to constitute originals.

THE PARTIES HAVE READ AND UNDERSTOOD THE FOREGOING TERMS AND AGREE TO THEM AS OF THE DATE LAW FIRM FIRST PROVIDED SERVICES. IF MORE THAN ONE CITY SIGNS BELOW, EACH AGREES TO BE LIABLE, JOINTLY AND SEVERALLY, FOR ALL OBLIGATIONS UNDER THIS AGREEMENT. CITY SHALL RECEIVE A FULLY EXECUTED DUPLICATE OF THIS AGREEMENT.

DATED: April ___, 2021

The Mitchell Law Firm, LLP

Russell S. Gans

Ryan T. Plotz

DATED: April ___, 2021

City of Rio Dell

By: _____

Name: _____

Its: _____

MEDIATION DISCLOSURE NOTIFICATION AND ACKNOWLEDGMENT

To promote communication in mediation, California law generally makes mediation a confidential process. California’s mediation confidentiality laws are laid out in Sections 703.5 and 1115 to 1129, inclusive, of the Evidence Code. Those laws established the confidentiality of mediation and limit the disclosure, admissibility, and a court’s consideration of communications, writings, and conduct in connection with a mediation. In general, those laws mean the following:

- All communications, negotiations, or settlement offers in the course of a mediation must remain confidential.
- Statements made and writings prepared in connection with a mediation are not admissible or subject to discovery or compelled disclosure in noncriminal proceedings.
- A mediator’s report, opinion, recommendation, or finding about what occurred in a mediation may not be submitted to or considered by a court or another adjudicative body.
- A mediator cannot testify in any subsequent civil proceeding about any communication or conduct occurring at, or in connection with, a mediation.

This means that all communications between you and your attorney made in preparation for a mediation, or during a mediation, are confidential and cannot be disclosed or used (except in extremely limited circumstances), even if you later decide to sue your attorney for malpractice because of something that happens during the mediation.

I understand that, unless all participants agree otherwise, no oral or written communication made during a mediation, or in preparation for a mediation, including communications between myself and my attorney, can be used as evidence in any subsequent noncriminal legal action including an action against my attorney for malpractice or an ethical violation.

NOTE: This disclosure and acknowledgment does not limit your attorney’s potential liability to you for professional malpractice, or prevent you from (1) reporting any professional misconduct by your attorney to the State Bar of California, or (2) cooperating with any disciplinary investigation or criminal prosecution of your attorney.

DATED _____

THE MITCHELL LAW FIRM, LLP

By: _____
Russell S. Gans

DATED _____

CITY OF RIO DELL

By: _____
Name: _____
Its: _____



Staff Highlights – 2021-05-04

City Council

City Manager

Found and purchased backup equipment on EBay for the City's Meter Reader system, which is no longer supported by the manufacturer.

Discussed development of drought situation with staff and City Attorney.

Discussions on approach to Humboldt Rio Dell Business Park infrastructure issues related to US101.

City Hall camera system installed. Working on Cloud storage solution.

Attended Executive Advisory Committee for HWMA.

Worked on Vaccine Clinic for May 6th.

City Clerk

Processed Six (6) Building Permits:

613 ½ Second Ave. – Repair Damaged Siding
440 Second Ave. – Covered Porch and Patio
194 Birch St. – Reinstate Electrical
475 Hilltop Dr. – Tesla Battery Energy Backup System
460 Second Ave. – Sewer Lateral & Cleanout
291 Columbus St. – Electrical and Plumbing Upgrades

Processed Six (6) Business Licenses:

Barry Smith Construction – Non-Resident Contractor
Restoration Group, LLC – Water, Mold and Fire Restoration Services
D. R. Hoffman Services – Mobile Notary, Loan Signing Agent, Business Verifier
Element 7 – Commercial Cannabis Retail Sales
Larue Sisters, LLC – Online Store
Parker Hall – Tractor Work and Brush Removal

Processed Four (4) Encroachment Permits:

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



Lora Toupin – Sewer Cleanout in Sidewalk
Quiroz Contracting – ADA Sidewalk at Eagle Prairie Bridge
Mr. Rooter Plumbing – Sewer Cleanout in Sidewalk

Misc:

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

City Attorney

Human Resources, Risk & Training

Finance Department

Public Works Water

Meter Reading for the month of April

Leak Repair on Birch St. (Added additional leak bands)

Leak Repair on Upper Monument Rd (Partial Main Line Pipe Replacement)

Ongoing – Working on Annual Report to SWRCB

Monthly Report to SWRCB

Monthly Water Testing

Obtain Quotes for Replacement Turbidity Meters

Investigate and obtain rough cost for New transmission line from Douglas Tank Booster station to the Dinsmore Tank (by the US Cellular tower)

General Grounds maintenance at Water Properties

Water Storage Tank Cleaning and Inspection completed. NOTE: Redwood tank - unable to repair leaks along the bottom perimeter of the tank.

Wendt Construction installed a new CLOW 960 Fire hydrant at the entrance to Bluff Place.

Public Works Wastewater

- Site visit with GHD: Discussed the SSES and Modification to the Disinfection System for Chloramines.



- Submitted Quarterly Report to Resource Control Board.
- Ed Lee Training in Kansas at Aeromod
- Sewer cleaning of the collection system.
- Switched Discharge location to Irrigation Field.
- Cut and Baled Irrigation Fields.
- Sewer lateral inspections at 460 2nd Ave, 150 Cedar St., 375 Painter St.
- New lateral installed at 490 Bluff.
- Vegetation clearing at Riverview Estates, over collection main.
- Budget meeting with Finance director and City manager.
- Spring Cleaning and mowing around the WWTP.

Public Works Streets, Buildings and Grounds

Weekly morning safety meeting.

Mowed, weeded and edged the north and south gateway.

Mowed City Hall.

Rehabilitate South Gateway Islands.

Weeded entrance to town, Edwards Dr, Belleview/Pacific Ave

Picked up garbage behind City Hall.

Applied vinegar, salt and dish soap mixture around town to kill and prevent weeds.

Public Works City Engineer

Public Works Capital Projects

Police Department

The Department had the following statistics for the period of April 14, 2021 to April 27, 2021. This period of time saw an above average number of calls for service across all of the metrics. One reason for this is Officer Johnson has completed his field training and is operating on his own, giving us additional police presence. The addition of the Community Services Officer also generates more calls for service. The summation of Calls for Service may be greater than the total as multiple officers can now be assigned to the same call for service. There may also be administrative calls for service that are not documented below.

Officer	Calls for Service	Reports	Arrests
Conner	19	5	1
Beauchaine	37	2	1
Landry	43	7	5
Mitchell	48	7	6



Burns	59	6	2
Johnson	61	4	2
Fielder	6	1	0
Matthews	27	0	N/A
Totals	251	32	17
Averages	17.9 per day	16 per week	8.5 per week
2020 Yearly Average	14.2 per day	12.2 per week	5.3 per week

Calls for Service at 355 Center Street

Type	Date	Time	Location	Primary Unit	Case #
2735R	04/16/2021	12:37:08	355 CENTER ST	R613	21-0000226
FU	04/16/2021	17:23:07	355 CENTER ST	6S1	
WELFARE	04/17/2021	23:08:50	355 CENTER ST	R614	
415N	04/19/2021	08:38:44	355 CENTER ST	6A1	
415	04/20/2021	05:00:01	355 CENTER ST	R615	
FU	04/20/2021	17:30:13	355 CENTER ST	6S1	
WELFARE	04/22/2021	11:47:42	355 CENTER ST	R613	
415	04/22/2021	18:00:20	355 CENTER ST	6S1	
UNW	04/24/2021	09:03:43	355 CENTER ST	R613	
OUTHCSO	04/24/2021	14:21:42	355 CENTER ST	R618	
417*	04/24/2021	15:16:13	355 CENTER ST	R613	
415	04/27/2021	01:08:47	355 CENTER ST	R615	

- WELFARE – Check on the welfare of an occupant
- 275R – Domestic violence report
- 415N – Noise complaint
- FU – Follow up or generic contact
- 415 – Argument or disturbance
- UNW – Removal of an unwanted person
- OUTHCSO – Agency assist for the Sheriff’s Department
- 417* - Brandishing a weapon – in progress

- R613 – Officer Crystal Landry
- R614 – Officer Logan Mitchell
- 6S1 – Sergeant John Beauchaine
- R615 – Officer Liam Burns
- R618 – Officer Russell Johnson
- 6A1 – Chief Jeff Conner

During the period April 14, 2021, to April 27, 2021, there were twenty-one calls for service related to animal control issues. One dog and one cat were transported to Miranda’s. The dog, Bruce, is a repeat offender and has been previously housed in doggie jail. His owner paid the appropriate fees and he was released from custody once again.



On April 17, 2021, Officer Burns was in route to back Officer Mitchell on a traffic stop when he noticed a pickup headed south on Northwestern in the industrial park. Officer Burns was aware that the road was a dead-end and elected to check the area when he did not see the truck return before the traffic stop was concluded. He found the truck parked in front of a locked gate at the end of the pavement. A routine check of the license plate found that the truck had recently been reported stolen in Eureka. Sergeant Beauchaine and Officer Mitchell also responded to the area. Officer Mitchell began to check the woods surrounding the truck and located fresh tracks through the wet grass. He followed the tracks until he saw a backpack in the brush. He quickly realized that there was a person attached to the backpack and requested help from the other officers. The man claimed to have been sleeping after walking to this area from town. He had not heard or seen the truck arrive. There was a bottle of soda next to where he was lying that was the same unusual brand as an empty bottle in the truck. He was promptly arrested for vehicle theft. A search of the backpack found bolt cutters, a prybar, a wig, and other burglary tools. The truck was turned over to the owner and the miscreant was transported to jail without further ado.

On April 23, 2021, a man called to report that his son was currently injecting heroin in the bathroom. The caller added that he had kicked his son out of the house some time ago after he threatened to burn it down with his father inside. The drug user had fled before Sergeant Beauchaine arrived. However, Officer Mitchell noticed an open door to a shed at a nearby church and stopped to investigate. As the officer walked up to the building, the suspect stepped out with his hands raised. He denied making any threats. He had only drug paraphernalia in his possession, but when Officer Johnson searched the shed, he found about a half-ounce of heroin. The suspect was transported to the jail for making criminal threats, drug possession and six outstanding warrants.

On April 25, 2021, Officers Burns and Johnson responded to a commercial business for an assault report. Officer Burns learned that a woman had left the store and triggered the theft prevention technology the store used. She was asked to come back and pay for the item, but the woman continued walking and started to get into the passenger seat of a waiting pickup. The clerk chased after her and was punched in the face for her efforts. A short struggle ensued with the clerk suffering additional punches and kicks while trying to keep the suspect from fleeing. She eventually let go when the truck started to back away. Officer Johnson began checking the area as Officer Burns continued to obtain statements from the victim and other witnesses. Officer Burns located the truck headed north on 101 and pulled it over. The driver told Officer Burns that she did not know the other woman well and had kicked her out of the truck before getting on the freeway. While Officer Johnson was talking to the driver, the suspect called and Officer Johnson was able to convince her to meet him at the station. When she arrived, she claimed that she was unaware that there was a roll of tape in her purse that she had not paid for. She had not heard the security device alarm sound and did not understand why the woman was "hollering" at her. When she got into the truck, her feet slipped and it may have looked like she was trying to kick the woman outside. She was arrested and transported to the jail. However, the jail would not accept her due to Covid concerns and she was returned to Fortuna and issued a citation.

Code Enforcement

During the period April 14, 2021 to April 27, 2021, the Department opened one new case dealing with a junk vehicle and closed four. Three of the vehicles were towed by the City. The remaining vehicle was moved by the owner. There were five open cases at the end of this reporting period.



During the period of April 14, 2021 to April 27, 2021, the Department did not open any new cases and closed one. The case was closed when the deceased owner's son cut the grass and disposed of the solid waste in the yard. There were forty-eight open cases as of April 27, 2021.

Community Development Department

Complete Housing Element Annual Progress Report

Prepare for and present Staff Reports, Ordinances for Rural text amendment, Industrial Hemp regulations and Street Dedication amendments.

Attend virtual CAP meeting.

Attend virtual REAP meeting.

Review and comment on revised Plan of Operation for Dinsmore Plateau Farms. Correspondence with Timberland Resource Consultants and Biologist for Biological Assessment addendum

Roof Inspections 55 Belleview Avenue.

Life Safety Inspection 87 Berkeley Street. Follow-up letter to property owner.

Rough Electrical, garage foundation inspection 325 Berkeley Street.

Review TESLA plans for battery storage system at the corporation yard. Prepare Plan Check Agreement with TESLA and Interwest.

Review City Attorney opinion regarding agricultural structures in the flood zone based on FEMA's July 2020 Technical Bulletin. Prepare response requesting clarification.

Attend virtual Nuisance Committee meeting.

Attempt to reformat Cannabis Quarterly Tax Return. Finance Director finished.

Final Inspection Element 7, 281 Wildwood Avenue.

Review and approve Enes Electrical/Plumbing Permit for 291 Columbus Street. Prepare letter highlighting electrical requirements (i.e. tamper-proof receptacles, AFCI circuit breakers, supplemental ground rod, securing requirements and fire-blocking).

Electrical Inspection for former illegal cannabis grow at 94 Birch Street. Prepare email with required corrections.



Intergovernmental

Humboldt-Rio Dell Business Park



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

May 4, 2021

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Presentation and Possible Action to Adopt Economic Development Goals and Actions to Achieve Economic Development in Rio Dell Including the Immediate Action Plan

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentation and adopt economic development goals and actions to achieve economic development in Rio Dell including the Immediate Action Plan, further directing staff to begin implementation of the Immediate Action Plan including the necessary steps to create a Beautification & Walkability Committee and return to the Council as appropriate; or

Continue discussion with the Council; or

Provide direction and re-refer to the Economic Development Ad Hoc.

BACKGROUND AND DISCUSSION

Staff will update the Council on the recommendations out of the Economic Development Ad Hoc Committee. The document represents a first step towards a new effort in the arena of Economic Development and is intended to spark an ongoing conversation about this topic, particularly around resources to implement the plan over the coming years.

///

Economic Development Ad Hoc

Draft Goals and Actions to Achieve Economic Development

Goals

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

Mission Statement:

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

Goal Directives

1.) Reduce Downtown Vacancy Rates

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3.) Increase the Quality of Life

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5.) Capitalize on Strengths and Opportunities

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

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

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

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

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

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

6.) Branding and Identity

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

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

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

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

7.) Capacity Enhancement

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

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

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

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

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

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

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

Metrics

Reduced Downtown Vacancy Rates

Measure Downtown Vacancy Rate

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

Increased Outside Visitation

Measure Traffic Activity

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

Cell Phone Data

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

Increased City Revenues

Enhanced Measurement of City Revenues

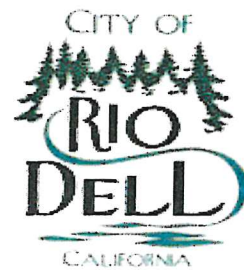
Action: Partner with an analytics firm to look at sales tax and other city revenues more closely.

Recent Success

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

Immediate Action Plan (IAP)

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



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

May 4, 2021

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Discussion and Possible Action on Priority Setting for FY 2021-22

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Discuss priority setting and provide direction to staff.

BACKGROUND AND DISCUSSION

Staff will conduct the 2021 priority setting session in a virtual format this year. The results will be presented on May 18, 2021.

On June 2, 2020 the City Council and staff held a priority setting session to discuss the priorities of the City Council. The council underwent a priority setting exercise that listed various high priority topics. A summary is listed below in no particular order:

- Nuisance abatement
- Street work
- Infrastructure
- Public safety
- Total Compensation Study
- Ethics policy
- Public Safety Power Shutoffs
- COVID-19
- Economic development recovery (COVID-19)
- Abandoned vehicles
- Police foot/bicycle patrol
- Community Services Officer
- 5-Year Streets Plan
- Total build-out of Humboldt-Rio Dell Business Park

The deliberation over the 2020 Priority Setting Session on June 2, 2020 resulted in the following prioritization graph, which also includes the results from the prior three years.

Priorities			
2017	2018	2019	2020
Street Work	Street Work	Code Enforcement	Street Planning & Work
Habitat Parcel	River Access	Police Employees	Code Enforcement
I&I Mitigation	Habitat Parcel	Street Work	Public Safety General
Tax Measure	Code Enforcement	Water Sewer Study	Economic Development
Proposition 64	Access Humboldt	Economic Development	Personnel General

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