



**AGENDA**  
**RIO DELL CITY COUNCIL**  
**CLOSED SESSION – 5:00 P.M.**  
**REGULAR MEETING - 6:30 P.M.**  
**TUESDAY, JUNE 6, 2017**  
**CITY COUNCIL CHAMBERS**  
**675 WILDWOOD AVENUE**

***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, 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.*

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
  - 1) 2017/0606.01 - **Conference with Labor Negotiator – City Manager**  
Employee Organizations: Rio Dell Employees Association  
Rio Dell Police Officers Association and all Contract  
Employees (Pursuant to §59457.6 of the Government Code)
  - 2) 2017/0606.02 - **Conference with Legal Counsel – Anticipated Litigation**  
Initiation of Litigation (Pursuant to paragraph (4) of  
Subdivision (d) of §59456.9 of the Government Code)  
(one case)
- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION
- F. RECONVENE INTO OPEN SESSION – 6:30 P.M.
- G. ORAL ANNOUNCEMENTS

## H. PLEDGE OF ALLEGIANCE

## I. CEREMONIAL MATTERS

## J. PUBLIC PRESENTATIONS

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

## K. CONSENT CALENDAR

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

- 1) 2017/0606.03 - Approve Minutes of the May 16, 2017 Regular Meeting  
(ACTION) 1
- 2) 2017/0606.04 - Approve Resolution No. 1336-2017 Adopting the Gann  
Appropriations Limit for FY 2017-2018 (ACTION) 12
- 3) 2017/0606.05 - Approve Resolution No. 1339-2017 Adopting Billable Rates  
for staff time for FY 2017/18 and rescind Resolution No.  
1300-2016 (ACTION) 17
- 4) 2017/0606.06 - Approve rate adjustment with Eel River Disposal and accept  
it as an amendment to the Solid Waste and Recycling  
Franchise Agreement effective July 1, 2017 (ACTION) 21
- 5) 2017/0606.07 - Approve a letter of opposition to the Governor's Trailer Bill  
associated with the Adult Use of Marijuana Act (Prop 64)  
and authorize the Mayor to sign (ACTION) 31
- 6) 2017/0606.08 - Approve a letter of opposition to the Trailer Bill associated  
with the Community Development Block Grant (CDBG)  
Program and authorize the Mayor to sign (ACTION) 36

7) 2017/0606.09 - Approve letter of opposition to AB 1250 pertaining to Public contracting and authorize the Mayor to sign **(ACTION)** 42

8) 2017/0606.10 - Approve proposed revisions to the Wildwood Avenue Sculpture Guidelines **(ACTION)** 48

L. ITEMS REMOVED FROM THE CONSENT CALENDAR

M. SPECIAL PRESENTATIONS/STUDY SESSIONS

N. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

1) 2017/0606.11 - Architectural Barrier Removal (ABR) Project Update **(DISCUSSION/POSSIBLE ACTION)** 54

2) 2017/0606.12 - Discussion/Possible Action on proposed removal of Median Island on Wildwood Ave. **(DISCUSSION/POSSIBLE ACTION)** 59

O. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

1) 2017/0606.13 - Reconsideration and possible approval and adoption of Ordinance No. 355-2017 amending Section 17.30.020 "Accessory Uses and Buildings" of the Rio Dell Municipal Code to include Cargo/Shipping Containers used as Accessory Structures **(DISCUSSION/POSSIBLE ACTION)** 67

2) 2017/0606.14 - Approve Resolution No. 1338-2017 Amending the Police Department FY 2016/17 Operating Budget in the amount of \$30,907.00 for the purchase of ballistic vest carriers, Taser's body cameras and a portion of a police vehicle **(DISCUSSION/POSSIBLE ACTION)** 84

3) 2017/0606.15 - Introduction and first reading (by title only) of Ordinance No. 359-2017 amending Section 17.30.195 of the Medical Cannabis Commercial Land Use Regulations of the Rio Dell Municipal Code (RDMC) to allow for the therapeutic application and retail sales of medical cannabis products excluding flowers, trim, leaf or cannabis infused edibles

accessory to a Health and Wellness Center in the Industrial  
Commercial (IC) designation located in the Sawmill  
Annexation area **(DISCUSSION/POSSIBLE ACTION)** 97

- P. REPORTS/STAFF COMMUNICATIONS
- Q. COUNCIL REPORTS/COMMUNICATIONS
- R. ADJOURNMENT

*The next regular City Council meeting is scheduled for  
Tuesday, June 20, 2017 at 6:30 p.m.*

**RIO DELL CITY COUNCIL  
REGULAR MEETING  
MAY 16, 2017  
MINUTES**

The closed session/regular meeting of the Rio Dell City Council was called to order at 5:00 p.m. by Mayor Wilson.

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

                         Absent:        Councilmember Strahan (excused)

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

                         Absent:        Councilmember Strahan (excused)

         Others Present:    City Manager Knopp, Finance Director Woodcox, Community Development Director Caldwell and City Clerk Dunham

                         Absent:        Chief of Police Hill, Water/Roadways Superintendent Jensen and Wastewater Superintendent Trainee Yaple (excused)

**CLOSED SESSION**

The Council recessed into closed session at 5:00 p.m. to discuss the following matters: ***Conference with Labor Negotiator – City Manager. Employee Organizations: Rio Dell Employees Association, Rio Dell Police Officers Association and all Contract Employees (Pursuant to §59457.6 of the Government Code)***

***Conference with Legal Counsel – Anticipated Litigation – Initiation of Litigation (Pursuant to paragraph (4) of subdivision (d) of §59456.9 of the Government Code) (one case)***

The Council reconvened into open session at 6:30 p.m. Mayor Wilson announced there was no reportable action taken in closed session.

**PUBLIC PRESENTATIONS**

**Muriel Spencer, 715 Walnut Dr.** addressed the Council regarding river bar access from Davis St. and provided history of the area prior to the '64' flood. She noted that her father had a farm at the end of Davis St. and owned property to the middle of the river. After the '64' flood he sold the property to Earl Nally for a gravel business. She said the City wanted citizens to be

able to use the river bar as a recreational area so instead of a gravel business, he put in an R.V park. She said the conditions of the park was that it be for short-term recreational vehicles and campers but somewhere along the way as the park changed hands, the trailers got bigger and their duration longer. She provided a picture of how the access used to be and said it was never intended to be what it is today.

She noted that the current owner has basically blocked off access to residents and said she attempted to go for a walk with her daughter and granddaughter and was told by the park managers that they couldn't go down there and threatened to call the police. She said citizens should be able to walk on the river bar without feeling like they are breaking the law and asked for the Council's help.

**Ranada Laughlin, 570 Gunnerson Lane** addressed the Council regarding the same issue and said approximately three (3) years ago a similar situation came before the City Council when certain residents sought to restrict access to the river bar from Edwards Dr. She noted that the County map shows legal access all the way down to the river from Davis St. and the City's zoning map designates the area as Natural Resources (NR) zone. She said Norman Ehrlich, the owner of River's Edge R.V. Park and his staff has decided that people can't access the river bar from Davis St.

She said the long-term solution would be to address the actual property boundaries and develop the City's legal right-of-way. She indicated that there is a monument at the south east corner of the park. She provided information regarding possible sources of funding to develop the right-of-way.

**Gail Walton**, resident of the R.V. Park stated that the managers of the park have a heart of gold and the reason they restrict access is to keep out "druggies." She said it is a conflict of interest to have a business inundated by chaos.

Mayor Wilson said normally the Council doesn't provide dialog during the *Public Presentation* portion of the agenda but wanted to say that the Council is aware that the City Manager has received similar complaints about this issue and because of the nature of this issue feels it needs to be addressed as a Council and put on a future agenda.

City Manager Knopp encouraged any members of the public with similar concerns to provide a written statement and include their contact information.

**Tawny Morse**, owner of the Green Bean currently under construction at 281 Wildwood Ave. addressed the Council related to an additional business plan proposal. She said in addition to the original business for the Green Bean, she would like to provide the citizens of Rio Dell and surrounding areas the ability to fulfill their medical marijuana needs in a safe, discreet manner. She said there would be no visual representation to the general public other than a green

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cross menu card upon request including a photo with potency and medicinal notes. She said the marijuana products would remain inside their individual packaging and only removed from its secure location when being given to a patient. She indicated that as a secondary service at the Green Bean, no pipes or any other smoking related paraphernalia of any kind would be sold there. She added that the only products provided would be marijuana flower and oils and would not be offering any edibles so as to alleviate any worry or concern for cross contamination between marijuana edibles and non-patient related food items. She said her primary goal has and will continue to be to provide fast healthy food options for the working families on the go.

She added that she understands that one of the concerns of the Council was to limit the number of dispensaries in town if any, and if approved, she would like to request that she be the only location granted approval for a medical marijuana dispensary as she feels multiple dispensaries at this time would hinder the community, anger the residents and be overall unnecessary.

**Nick Angeloff** provided a brief update on recent activities of the Chamber of Commerce and said they are moving forward with Christmas decorations and are trying to establish a plan on a larger scale so will be trying to gather donations from businesses to add to the City's generous contribution of \$1,500.

He said with regard to this year's Wildwood Days parade he spoke to the City Manager and got permission to insert an announcement and possibly an application for parade entries in City Newsletter.

Mayor Wilson asked if they had decided on a theme for this year's parade.

Nick said the parade is in memory of Ernie Cannady and he will be the Master of Ceremonies with his picture in the car along with his family. He said he did a lot for children throughout his life so this year's theme for the parade is "It's all about the kids."

**Harry Smith**, owner of Root 101 addressed the Council regarding the median in front of his business at 770 Wildwood Ave. and said he would like to propose removal of the median for traffic flow reasons, safety and to facilitate large truck deliveries. He stated that he is willing to assume all costs related to the removal.

City Manager Knopp stated that the City will be willing to consider a formal proposal once submitted.

Councilmember Garnes commended him for how well the business looked and commented on the beautiful flowers in the nursery stating that he should get them out front so people can see them.



**CONSENT CALENDAR**

Motion was made by Johnson/Garnes to approve the consent calendar including approval of minutes of the May 2, 2017 regular meeting; to receive and file the Check Register for April, 2017; approval of Resolution No. 1335-2017 proposing a Commercial Cannabis Business Tax to voters and requesting consolidation with the General Election; approval of designation of Mayor Pro Tem Johnson and Councilmember Garnes as voting delegates for the 2017 League of California Cities Annual Conference; and approval of the first amendment to the Water/Roadways Superintendent's Employment Agreement. Motion carried 4-0.

**SPECIAL CALL ITEMS/COMMUNITY AFFAIRS**

Architectural Barrier Removal (ABR) Project Update

Community Development Director Caldwell provided a staff report and said as the Council is aware staff has been pursuing possible ADA access improvements to City Hall. He said the majority of the project was to be funded with CDBG Program Income which is required to be expended by September to utilize the remaining grant funds. He noted that the City has approximately \$210,000 of Program Income and remaining grant funds combined. He said in November 2016 staff issued Request for Qualifications with Whitchurch Engineering being the only submitter. He said at that time, Whitchurch estimated the cost of construction to be approximately \$80,000 however; staff estimated the cost including design and construction to be between \$133,200 and \$181,700 including a 20% contingency.

He further stated that staff sent out Request for Proposals (RFP's) for construction of the project in March and held a pre-bid meeting in April. The only proposal received was from DCI Construction in the amount of \$296,785. As such, if the project moves forward, staff will have to request a Sole Source approval from the Department of Housing and Community Development (HCD). He said staff referred the RFP to HCD for their review and approval of the project and in speaking with the County CDBG representative; a few of the project items will likely not be approved as part of the Architectural Barrier Removal (ABR) project. As such, the City would be responsible for assuming those cost if the Council would like to incorporate those items into the project.

He reviewed the list of five (5) items that would not be covered including replacement of windows along the front of the building; parking striping and signage; ten (10) LED parking lot light fixtures; ten (10) accent lights along the ramp; and relocation of existing landscape plantings.

Community Development Director Caldwell noted that removal of these items would reduce the project cost to \$261,700 and if the Council wants to go forward with the project as proposed, the City would have to contribute \$85,000 - \$90,000 in funding from the General Fund.



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He explained the options would be to 1) not pursue the project; 2) pursue the project requesting Sole Source approval without the elective elements; or 3) pursue the project requesting Sole Source approval with the elective elements.

He noted that if the project were to go back out to bid, it would likely not meet the timeline to expend the funds.

Mayor Wilson referred to the installation of ten (10) parking lot light fixtures and said it seems overkill for a parking lot of this size and questioned the need for the ten (10) lights along the ramp. He also asked if there is a need to replace the windows at this time.

Community Development Director Caldwell explained the lights along the ramp will actually light up the ramp and provide some accent lighting behind the existing landscaping area. He said replacement of the windows along the front of the building is definitely an elective item and the idea was to take the opportunity at the same time other work is being done to replace the windows to get some ventilation into the building as none of the existing windows open.

He referred to Attachment 3 of the staff report (DCI's Bid) and said he reached out to the contractor to see about the possibility of negotiating on the price on some of the items such as the \$54,000 for forming and \$46,000 for concrete work so that may be a possibility.

Mayor Pro Tem Johnson stated that he is in favor of some form of negotiations with the contractor if possible. He said most of the optional items are safety items but the windows could probably wait. He indicated that he would like to try and save the landscape plantings.

Councilmember Garnes said any successful negotiation on costs would be great and she understands these items are extra elective items but felt the windows needed to be replaced with windows that open because it does get hot in the building in the summer.

Mayor Wilson called for public comment on the proposed project. There was no public comment received.

Motion was made by Johnson/Garnes to table the matter to allow staff to negotiate with the contractor on costs and bring it back to the Council on June 6, 2017. Motion carried 4-0.

Discussion/Possible Adoption of FY 2017/18 Operating and Capital Budget

Finance Director Woodcox provided a staff report and reviewed the schedule of budget hearings leading up to this meeting beginning with the general outlook of the budget at the April 4, 2017 meeting. She noted that this is the third meeting in which the budget was presented for possible adoption and the proposed budget has not changed since it was first presented on April 18, 2017. She said staff is recommending adoption of the budget at this time or at the latest by June 20, 2017.

She reported this year's expenditures once again at \$4,119,688 and revenues at \$3,673,014 resulting in a draw on reserves of \$446,675. She then provided a brief review of the Capital Projects and said the Council has the option to adopt the budget as proposed; continue the discussion and adoption to a later date; or provide staff with suggested changes with direction to bring back the amended budget for consideration at a later date.

Mayor Wilson called for public comment on the proposed budget. There was no public comment received.

Motion was made by Johnson/Garnes to adopt Resolution 1333-2017 Adopting the Operating and Capital Budget for fiscal year 2017/18. Motion carried 4-0.

### **ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS**

#### Second Reading (by title only) and Adoption of Ordinance No. 355-2017 amending Section 17.30.020 "Accessory Uses and Buildings" of the Rio Dell Municipal Code (RDMC) to include Cargo/Shipping Containers used as Accessory Structures

Community Development Director Caldwell provided a staff report and said discussion on cargo/shipping containers used as accessory structures began back in August of 2016 and this is the tenth meeting where the matter has been discussed by either the Planning Commission or City Council.

He said the Council agreed to prohibit the use of cargo/shipping containers in residential zones and that existing cargo containers be considered legal non-conforming uses and allowed to remain on lots larger than 10,000 square feet subject to certain requirements. Those provisions included a building permit, no electrical, containers be no larger than 8' x 20', they be placed on a gravel or other all-weather surface, placed on the rear half of the parcel and screened from public view, painted a solid neutral color or a color to match the residence, containers to have no signage, they not be stacked and limiting the number to no more than two (2).

He further reported that the Ordinance was presented to the Council on April 18, 2017 with recommendation for adoption in which only three (3) members of the Council were in attendance. Mayor Pro Tem Johnson suggested that Building Permits for existing containers be waived and Councilmember Marks reiterated that he is not in support of allowing them at all in residential zones. Also, Mayor Wilson recommended that once containers wear out, they not be allowed to be replaced.

Community Development Director Caldwell said as recommended by Mayor Wilson, staff did send out notices to property owners with known cargo containers. He said staff is aware of 8 or 9 existing containers located in residential zones; one of which is temporary.

Mayor Wilson said that he has given a lot of thought about this and he doesn't think that cargo containers are conducive to residential uses. As such, he would like to recommend the existing containers be allowed to remain with a sunset date of 5 years and that owners with existing containers have 60 days in which to obtain a building permit. He asked that all property owners with containers be notified again so they can attend the meeting when it is brought back to Council.

Community Development Director Caldwell asked if it would be acceptable if they are required to put facades or perhaps a gabled roof on the containers.

Mayor Wilson commented that cargo containers are meant to be temporary and if residents are using them for storage, under his suggestion they would have 5 years to deal with it. He said property values may not be affected now but may be in the future with different property owners.

Mayor Wilson opened the public hearing to receive public comment on the proposed ordinance.

**Kathy Wildgrube**, 6 Painter St. addressed the Council and said she has been a resident of the City for 30 years and has two (2) containers. She said this issue is like beating a dead horse and if she wanted to attend this many meetings she would have run for City Council. She said as she explained before, one container is used as a wood shed and the other for family belongings. She also reiterated that she doesn't have \$30,000 - \$40,000 to construct a building noting that these containers are very secure and are not a fire hazard. She said again that she is willing to do whatever the city wants to make them look more like a stick built structure and had already painted them a neutral color as requested by the City. She said she would really like this issue resolved and asked for the Council's consideration.

**Bryan Richter**, addressed the Council and said as a contractor he can't construct a 160 square foot building for the \$3,500 people normally have invested for two containers or make it as secure. He said they provide a cheap, all-weather structure that lasts forever. He said to give a 5-year sunset date is ridiculous. He said he works all over town and didn't even notice the Wildgrube's containers because they are located on the rear portion of a large lot. He said to take 8 or 9 months to make a decision on whether to allow cargo containers in town is waste of everyone's time. He pointed out that there are much more important issues to address such as the water, sewer, streets and police. He said if the Council wants to put a sunset provision on the existing containers then let it go with the property owner to say when they sell the property they have to be removed.

He added that he operates his construction business out of his home on North St. which creates a potential fire hazard in itself. He said if he had a steel structure the fire would be contained. He stated that he lived in Alaska and they had an excavator that caught on fire and burned to the ground and everything they had in cargo containers was fine.

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He said not allowing these containers to remain in the City is a mistake because they can't replace them and get a secure structure built anywhere close to what they have invested in the containers.

**Travis Wildgrube** agreed and said he also doesn't have \$40,000 to construct a garage. He indicated that he is willing to put siding on his containers and gabled roofs but it's not practical to spend \$5,000 to do it if he will be throwing it all away in 5 years.

**Sharon Wolff** commented that she lives three (3) doors down from Kathy Wildgrube and until this came up didn't realize she even had any containers on her property.

Mayor Wilson asked if it is legal to establish a sunset date to go with the property owner as Bryan Richter suggested.

Community Development Director Caldwell noted that the provisions could be adopted by ordinance however; it would be very difficult to police.

Mayor Pro Tem Johnson stated that during his time as engineer for the State, contractors used and purchased cargo containers (Connex boxes) for security purposes because when materials were left on job sites things were stolen. He added that maintenance crews were happy to have them.

Motion was made by Johnson/Garnes to adopt Ordinance No. 355-2017 amending Section 17.30.020 "Accessory Uses and Buildings" of the Rio Dell Municipal Code (RDMC) to include Cargo/Shipping Containers used as Accessory Structures. Motion failed 2-2 with Mayor Wilson and Councilmember Marks dissenting.

Mayor Wilson stated that without adoption of the proposed ordinance, the provisions remain unchanged.

Second Reading (by title only) and Adoption of Ordinance No. 356-2017 Amending Chapter 13.05 Water Rates and Regulations to require that all Residential Dwellings, Commercial and Industrial buildings within the City be required to connect to the City's Water System and have fees and charges established by Resolution

Community Development Director Caldwell provided a staff report and stated that the ordinance was presented to the Council for its second reading and adoption at their meeting of May 2, 2017. Mayor Wilson pointed out an error in the ordinance as proposed regarding language related to a 150 percent water rate for water users outside City limits which was not correct. In light of the Mayor's observation, the item was pulled so staff could make the correction and bring it back at this meeting.

Councilmember Garnes stated that she was unable to find State regulations to say that people

must connect to community water.

Community Development Director Caldwell explained that it would apply to sewer connections but whether to require residential and commercial buildings to connect to the community water system is up to the jurisdictions.

Mayor Wilson opened the public hearing to receive public input on the proposed ordinance. There being no public comment, the public hearing closed.

Motion was made by Johnson/Marks to adopt Ordinance No. 356-2017 amending Section 13.05, Water Rates and Regulations to require that all new residential dwellings, commercial and industrial buildings within the City be required to connect to the City's water system and have fees and charges established by Resolution. Motion carried 3-1; Councilmember Garnes dissented.

#### **REPORTS/STAFF COMMUNICATIONS**

City Manager Knopp had no written staff report to provide so provided a verbal update on recent activities and events. He said as the Council is aware there has been some progress on the pavement projects with a lot of work completed on Belleview Ave. He said staff is working on some minor corrections with the contractor and that the next phase of the project will be the slurry sealing. He anticipated June 7<sup>th</sup> as the date for micro-sealing of Davis St. and Monument Road and within one week after that striping.

He also reported on the progress of the NPDES permitting for the wastewater treatment plant and said staff is getting closer on reaching a consensus with the Water Board.

He said Measure Z funding looks good since continuation of the grant is included in the County's budget although it hasn't been officially adopted yet.

Councilmember Marks asked about the status of the traffic study for the former Eel River Sawmill site.

City Manager Knopp stated that in the report they are recommending some modifications and staff is currently working with Caltrans and the stakeholders to address them.

Mayor Wilson asked if staff is working on a list of improvements for the former Eel River Sawmill site.

City Manager Knopp stated that staff continues to work on it and will bring it back to Council at the appropriate time. He noted that there needs to be an enforcement plan in place although development plans are somewhat in flux at this time.



Finance Director Woodcox said she had nothing to report at this time.

Community Development Director Caldwell reported on recent activities and events and said he attended a Building Official's workshop during the first week in May on the Electrical Code, ADA Compliance and Wall Bracing and it was by far the best workshop yet. He said wall bracing is really difficult to calculate and learned that the American Plywood Association has actually developed a calculator on how to calculate wall bracing requirements which will be very useful.

He said he also touched base with Interwest Consulting Group which is a third party plan review and building inspection agency that works with a lot of jurisdictions throughout the state. He noted that it is his understanding that the County is going to retain their services for plan checking of commercial cultivation and manufacturing plan check services. He said that he actually got a proposal from them with a fee schedule and what is nice is that their fees will basically be what the City charges for plan checks.

He also announced that on June 1<sup>st</sup> there will be a meeting at the Adorni Center from 1-3 p.m. regarding the State's recently released new regulations on both medical and recreational cannabis and encouraged those who can attend to do so.

Lastly, he reported on an increase in building permit activity over the past couple of weeks including two (2) new single family residences and a residential addition as well as typical water heater, roofing and solar permits. He noted that there may be construction of a 4-plex on the corner of First and Berkeley as well.

## **COUNCIL REPORTS/COMMUNICATIONS**

Mayor Pro Tem Johnson thanked citizens for showing up and addressing the Council and providing future City Council agenda items for the next several meetings.

He reported that he attended a special LAFCo meeting and the item discussed front and center was related to Samoa stating that they have been talking about it for the two (2) years he has been on the Board.

He said the Fire Protection District of Samoa wanted to do more than just provide fire protection services and the only way they could really do that was to form a Community Services District (CSD) so they combined Samoa with Fairhaven. He said the LAFCo Board approved their recommendation on the formation of the CSD which is only one of many steps to finally get it to an election then set rates and assessments and choose terms for the Board.

He noted that Samoa with a population of almost 200 residents will double in size so the plan also includes putting in all new sewer including lines and a new wastewater treatment plant. He said with all this going on, these are very exciting times on the peninsula.

Mayor Wilson reported on his attendance at the Redwood Coast Energy Authority (RCEA) meeting. He said they reported out on the Community Choice Energy Program and said residents no longer get power from PG&E. He commented that the board budgeted for a 10% opt out of customers with the current opt out at 2.5% and said in the end it will probably be at around 5%. He noted that the meeting got pretty heated and they actually had to hire an armed guard at one point when going over the budget.

He explained that when energy from all of these solar panels out there comes up there is a huge peak of power that goes into the grid and really messes with it. Community Choice Energy is trying to work out a contract similar to Humboldt Redwood and bring that plant back up but they will have to buy power at a commercial rate for 9 months in the process. He noted that the rate for power was at a negative \$8.00/MW so if the plant is going to be left online they would have to pay \$8.00/MW for power going out because the solar mix coming in changes the dynamics of everything. He commented that this will change the face of the whole economy in the energy market.

#### ADJOURNMENT

Motion was made by Johnson/Wilson to adjourn the meeting at 7:43 p.m. to the June 6, 2017 regular meeting. Motion carried 4-0.

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Frank Wilson, Mayor

Attest:

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Karen Dunham, City Clerk



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Rio Dell, CA 95562  
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E-mail: k



**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
June 6, 2017**

TO: Mayor and Members of the City Council  
THROUGH: Kyle Knopp, City Manager *3*  
FROM: Brooke Woodcox, Finance Director *BW*  
DATE: June 6, 2017  
SUBJECT: Resolution 1336-2017 Adopting 2017/18 GANN Appropriations Limit

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**Recommendation**

Adopt Resolution 1336-2017 adopting the Gann Appropriation Limit for the 2017/18 fiscal year.

**Background and Discussion**

Voters approved Proposition 4 in November of 1979, an initiative that added Article XIII B to the California Constitution. This constitutional amendment, also known as the *Gann initiative*, placed limits on the growth of expenditures for publicly funded programs. Div. 9 of Title 1, Sec. 7900 of the Government Code, was then added to laws to establish the process for calculating state and local government appropriations limits and appropriations subject to limitation under Article XIII B of the California Constitution. These constitutional and statutory sections explain and define the appropriations limit and appropriations subject to limitation as they apply to state and local government and require that each entity of government formally "adopt" its appropriations limit for a given fiscal year.

**2017-2018 Gann Appropriations Limit: \$1,226,102**  
**City of Rio Dell's Gann Calculation Amount: \$802,220**  
**Amount Under Limit: \$423,882**

A jurisdiction may not exceed the appropriations limit unless the Governor declares an emergency or by majority approval by the voters of a jurisdiction. The override may not exceed four years.

**Attachments:** 1) Resolution 1336-2017, 2) Revenue Worksheet, 3) Gann Calculation



**RESOLUTION NO. 1336-2017  
A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF RIO DELL  
ADOPTING GANN APPROPRIATIONS LIMIT  
FOR THE YEAR 2017-2018**

**WHEREAS**, the voters of the State of California in November 1979 approved Proposition 4, commonly known as the Gann Initiative; and

**WHEREAS**, the Proposition created Article XIIIB of the California State Constitution placing limits on the amount of revenue which can be spent by all entities of the government within the State; and

**WHEREAS**, these limits require a municipality to determine an appropriations limit each year in accordance with a formula set forth by state law; and

**NOW, THEREFORE BE IT RESOLVED**, the City Council of the City of Rio Dell hereby adopts the Gann Appropriations limit of \$1,226,102 for fiscal year 2017/18.

**I HEREBY CERTIFY** that the foregoing Resolution was duly introduced, passed and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 6<sup>th</sup> day of June 2017 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

\_\_\_\_\_  
Frank Wilson, Mayor

ATTEST:

\_\_\_\_\_  
Karen Dunham, City Clerk

CITY OF RIO DELL  
CALCULATION OF APPROPRIATIONS LIMIT

REVENUE DEPT	BUDGETED REVENUES	PROCEEDS OF TAXES	NON-PROCEEDS OF TAXES
4010 Tax - Property Current Secured	107,246	107,246	
4011 Tax - Property Current Unsecur	7,426	7,426	
4013 Tax - Property Prior Unsecured	46	46	
4025 Tax - Supplemental Roll	1,798	1,798	
4026 Tax - Home Owner's Property	1,342	1,342	
4027 Tax - Prior Years - Supplemental	172	172	
4030 Tax - Transient Occupancy Tax	13,152	13,152	
4035 Tax - Timber Yield	26	26	
4040 Tax - Retail Sales	104,997	104,997	
4041 Tax - In Lieu Retail Sales - County	19,000	19,000	
4042 Tax - Measure U Sales Tax	173,168	173,168	
4045 Tax - (HCAOG) Transportation - TDA	114,217		114,217
4048 Tax - Gasoline (Highway Users Tax)	100,580		100,580
4050 Tax - Documentary Real Property	2,365	2,365	
4056 Tax - Public Safety .5% sales	2,460		2,460
4110 Fees - Franchise - Electric	28,869		28,869
4115 Fees - Franchise - Gas	6,020		6,020
4120 Fees - Franchise - Garbage	16,778		16,778
4125 Fees - Franchise - Cable TV	36,144		36,144
4150 Fees - Business License	10,694	10,694	
4151 Fees - Business License CASP SB1186	285	285	
4152 Fees - Memorial Park	-		
4162 Fees - Motor Vehicle License (VLF)	4,309	4,309	
4163 Fees - In Lieu VLF - County	356,194	356,194	
4170 Fees - Animal License	1,657		1,657
4173 Fees - Animal Control/Relinq.	928		928
4178 Fees - Booking	350		350
4180 Fees - Notary	75		75
4183 Fees - Special Police Services	2,100		2,100
4185 Fees - Street & Sidewalks	-		
4186 Fees - Weed & Lot	-		
4190 Fees - Integrated Waste Management	9,000		9,000
4195 Fees - Customer fax and copy	35		35
4199 Sewer Lien Fees	-		
4310 Interest Income	800		800
4320 Rental Income - U.S. Cellular	6,657		6,657
4321 Rental Income - T. Mobile	14,212		14,212
4410 Building Plan - Constr Permits	14,500		14,500
4420 Planning - Zoning Fees	2,500		2,500
4430 Planning - Subdivison Fee	-		
4435 Planning - Home Occupation Permit Fee	200		200
4440 Building Plan - Plan Check Fee	4,100		4,100
4445 Building - Administrative Fees	15,500		15,500
4455 Planning - Other	-		
4456 Planning - Parks & Recreation Development Fees	1,500		1,500
4460 Building Plan - Seismic Fees	75		75
4462 Building Standards- SB1473	56		56
4463 Building - Continuing Education	100		100
4464 Building - Technology Fee	300		300
4465 Encroachment Permits	500		500
4480 Insurance Premium Reimbursement	650		650
4570 Sewer - Assmt Dist #1 Current	28,500		28500
4571 Sewer - Assmt Dist #1 - Prior	-		
4516 Sewer - Debt Service	303,000		303000
4540 Sewer - Replacement Reserve	71,930		71930
4615 Water - Debt Service	136,700		136700
4616 Water - Debt Service Restricted	27,500		27500
4650 Water - Capital	172,584		172,584
4510 Sewer - Service	673,082		673,082
4520 Sewer - Connection	-		

CITY OF RIO DELL  
CALCULATION OF APPROPRIATIONS LIMIT

REVENUE DEPT	BUDGETED REVENUES	PROCEEDS OF TAXES	NON-PROCEEDS OF TAXES
4630 Late Fee - Sewer	5,000		5,000
4630 Late Fee - Water	25,000		25,000
4635 Delinquent Fees - Sewer	2,500		2,500
4635 Delinquent Fees - Water	10,000		10,000
4640 Water - Damage Replacement	-		
4651 Water Capital Infiltration Gallery	-		
4653 Water - Metro Wells	14,795		14,795
4654 Water - Dinsmore Zone	22,744		22,744
4610 Water - Service	684,720		684,720
4620 Water - Connection	5,400		5,400
4712 Grant Restricted - RSTP HCAOG	22,000		22,000
4725 GEN. FUND FROM CDBG PRINCIPAL INCOME	3,174		3,174
4727 Late Fees - GEN. FUND FROM CDBG PI	-		
4728 GEN. FUND INCOME FROM CDBG MISC FEES	-		
4740 Grant Restr - Police Grant SLESF	100,000		100,000
4744 Grant Rest - Police Realignment Grant	4,800		4,800
4746 Grant Restristed - Recycling	5,000		5,000
4747 Grant - Measure Z	34,101		34,101
4763 Grant Rest.- Prop. 84 - DWR	-		
4764 Grant Rest - SDW5RF			
4765 Grant Rest. - USDA ECWAG	-		
4802 Donations- Bicycle Helmets			
4803 Donations- Misc	-		
4900 Interfund Revenue	2,387		2,387
4920 Misc - Special Public Works	1,745		1,745
4936 Bad Debt Recovery	2,100		2,100
4941 Misc - Post Training & Special Project Reimbursement	-		
4950 Misc	325		325
4963 Anniversary Income	-		
4990 Misc - Other	100		100
4995 Donations	500		500
<b>TOTAL REVENUE</b>	<b>3,542,769</b>	<b>802,220</b>	<b>2,740,550</b>

*GANN Appropriations Limit Calculation  
FY 2016-2017*

<i>Prior Years Appropriations Limit</i>	<u>\$ 1,170,066</u>
<i>Adjustment Factors for the current year</i>	
<i>2016/17 Inflation*</i>	<i>1.0450</i>
<i>2015/16 Population Change*</i>	<u><i>100.00%</i></u>
<i>Total Adjustment</i>	<u><i>1.0450</i></u>
<i>2016/17 Appropriations Limit</i>	<u><u><i>\$ 1,222,731</i></u></u>

*\* Provided by Demographic Research Unit, Department of Finance, State of California*

BREAKDOWN OF ANNUAL CALCULATION

Per Capita Personal Income % Change FY 2015-2016	4.50
Population change (Rio Dell)	0.1%

A Per Capita Cost of Living ratio:	$\frac{4.5+100}{100}$	1.045
B Population ratio	$\frac{0.001+100}{100}$	100.00%
TOTAL ADJUSTMENT (A x B)		<u><u>1.04501045</u></u>

*Data and appropriations limit calculation from California Department of Finance*

675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
(707) 764-5480 (fax)  
E-mail: [knoppk@cityofriodell.ca.gov](mailto:knoppk@cityofriodell.ca.gov)



**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
June 6, 2017**

TO: Mayor and Members of the City Council  
THROUGH: Kyle Knopp, City Manager *[Signature]*  
FROM: Brooke Woodcox, Finance Director *[Signature]*  
DATE: June 6, 2017  
SUBJECT: Approve Resolution 1339-2017 Approving Billable Rates for Staff Time for Fiscal Year 2017/18 and Rescind Resolution 1300-2016

---

**RECOMMENDATION**

Approve Resolution 1339-2017 Approving the Billable Rate for staff time for the fiscal year 2017/18  
Rescinding Resolution 1300-2016

**BACKGROUND AND DISCUSSION**

From time to time the City is involved in various activities and projects that require cost recovery for staff time spent on behalf of a customer. In these circumstances the City prepares an invoice detailing all direct and indirect costs incurred by the City. The City bills for staff time actually spent, which is calculated using the employee's salary, benefits, and an overhead rate by department.

A billable rate for each employee for the fiscal year of 2017/18 has been calculated using the following formula:

*Billable Rate:* Hourly Rate + (Hourly Rate x City's Average Benefit Cost %) + Overhead

The result of the formula is a billable rate that allows the City to recover all costs associated with staff time.

*Hourly Rate:* Depending on employee classification the **hourly rate** is set by various employee contract agreements and is based on classification and step.

*Benefit Cost %:* Total Benefits ÷ (Total Salary + Total Benefits)

*Overhead Expense\*\*:* Total Overhead by Department ÷ Total Department Labor hours



The billable rates are shown in the following chart:

2016-2017 Billable Burdened Rates Resolution No. 1339-2017				
TITLE	HOURLY RATE	AVERAGE BENEFIT COST %	OVERHEAD COST PER LABOR HOUR	HOURLY RATE CHARGE
City Clerk	28.18	33%	20.22	58.09
City Manager	54.51	33%	20.22	94.43
Community Development Director	41.16	33%	20.22	65.2
Finance Director	34.41	33%	10.15	58.43
Accountant I	23.44	33%	10.15	41.89
Fiscal Assistant II	17.62	33%	10.15	34.21
Senior Fiscal Assistant	20.2	33%	10.15	37.62
Chief of Police	40.57	33%	9.85	72.05
Police Sergeant	27.38	33%	9.85	51.68
Police Officer	22.63	33%	9.85	43.81
Police Officer	21.33	33%	9.85	47.29
Police Officer	21.33	33%	9.85	46.38
Records Technician	16.41	33%	9.85	46.38
Wastewater Superintendent	26.31	33%	19.73	71.57
Wastewater Superintendent Trainee	24.53	33%	19.73	69.34
Water/Roads Superintendent	33.31	33%	19.73	80.36
Wastewater Treatment Operator I	16.96	33%	19.73	61.82
Utility Worker I	14.39	33%	19.73	58.14
Utility worker I	14.39	33%	19.73	58.14
Public Works Leadman	16.19	33%	19.73	58.14

## ATTACHMENT

- Resolution 1339-2017 approving the billable rate for staff time for the fiscal year 2017/18

*\*\*Overhead expenses are all costs on the income statement except for direct labour, direct materials, and direct expenses. Overhead expenses include accounting fees, advertising, insurance, interest, legal fees, labor burden, rent, repairs, supplies, taxes, telephone bills, travel expenditures, and utilities.*





**RESOLUTION NO. 1339-2017 CITY OF RIO DELL  
APPROVING THE BILLABLE RATES FOR STAFF TIME  
FOR FISCAL YEAR 2017/18  
AND RESCINDING RESOLUTION 1300-2016**

**WHEREAS**, the California Constitution Article XI, 7 grants Cities the authority to enforce all local ordinances and regulations not in conflict with general laws; and

**WHEREAS**, the City has further authority to charge regulatory fees to cover the cost of regulatory programs, and user fees to limited to the cost of providing service, and

**WHEREAS**, the City from time to time must recover the cost of labor and operating expenses; and

**NOW THEREFORE BE IT RESOLVED**, that the City of Rio Dell City Council does hereby adopt the following billable rates for staff time to ensure cost recovery on various projects as follows:

2016-2017 Billable Burdened Rates Resolution No. 1339-2017				
TITLE	HOURLY RATE	AVERAGE BENEFIT COST %	OVERHEAD COST PER LABOR HOUR	HOURLY RATE CHARGE
City Clerk	28.18	33%	20.22	58.09
City Manager	54.51	33%	20.22	94.43
Community Development Director	41.16	33%	20.22	65.2
Finance Director	34.41	33%	10.15	58.43
Accountant I	23.44	33%	10.15	41.89
Fiscal Assistant II	17.62	33%	10.15	34.21
Senior Fiscal Assistant	20.2	33%	10.15	37.62
Chief of Police	40.57	33%	9.85	72.05
Police Sergeant	27.38	33%	9.85	51.68
Police Officer	22.63	33%	9.85	43.81
Police Officer	21.33	33%	9.85	47.29
Police Officer	21.33	33%	9.85	46.38
Records Technician	16.41	33%	9.85	46.38
Wastewater Superintendent	26.31	33%	19.73	71.57
Wastewater Superintendent Trainee	24.53	33%	19.73	69.34
Water/Roads Superintendent	33.31	33%	19.73	80.36
Wastewater Treatment Operator I	16.96	33%	19.73	61.82
Utility Worker I	14.39	33%	19.73	58.14
Utility worker I	14.39	33%	19.73	58.14
Public Works Leadman	16.19	33%	19.73	58.14

**PASSED AND ADOPTED** by the City of Rio Dell on this 6<sup>th</sup> day of June, 2017.

Ayes:

Noes:

Abstain:

Absent:

---

Frank Wilson, Mayor

ATTEST:


---

Karen Dunham, City Clerk

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



June 6, 2017

TO: Rio Dell City Council  
FROM: Kyle Knopp, City Manager   
SUBJECT: Annual Adjustment to Eel River Disposal Garbage Rates

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the proposed rate adjustment with Eel River Disposal and accept it as an amendment to the Solid Waste and Recycling Franchise Agreement, effective July 1, 2017.

BACKGROUND AND DISCUSSION

The Solid Waste Franchise Agreement with Eel River Disposal (ERD) contains a Consumer Price Index (CPI) adjustment in section 2.03.04. As documented in the packet, the new disposal rate per ton is \$114.05, an increase of \$0.16. The CPI rate adjustment for January of 2017 is +2.5% and so therefor, the change in the disposal rate per ton that can be attributed to ERD has increased by \$0.16 cents. Last year, there was an increase in the CPI of 1.4%, leading to a \$.09 per ton increase for ERD. Aggregated per ton costs associated with Humboldt Waste Management Authority fees remained level compared to last year.

Attached is a comparison with fee levels from last year along with a cover letter from Eel River Disposal.

The adjusted disposal rates can be found in Exhibit A.

The CPI adjustment has been applied to the collection rate pursuant to the contract. The new collection rates can be found on Exhibit B.

Exhibit C details the combined rate, which is simply the disposal rate by size plus the collections rate by size. Together, these total the combined rate. (Exhibit A + Exhibit B = Exhibit C)

Exhibit D displays the Bureau of Labor Statistics data for the CPI calculation.

Exhibit E is attached to demonstrate the breakdown of the per ton rate by size of the container

Exhibit F displays the services provided directly to the City through the franchise agreement.

///



May 12, 2017

City of Rio Dell  
Mr. Kyle Knopp  
675 Wildwood Ave  
Rio Dell, CA, 95562

RE: Rate increase to be effective 7-1-17

Dear Kyle:

Please find enclosed new rate sheets reflecting our proposed rate change based upon the CPI, this year the change is +2.5 %. There was an increase in the disposal rate, last year the rate was \$ 113.89 per ton and this year it is \$ 114.05 per ton. The rate change should be effective July 1, 2017.

If you should have any questions I can be reached at 725-5156.

Sincerely,

Karen Smith  
Office Manager

Solid Waste Fees - City of Rio Dell			
Effective Date	7/1/2015	7/1/2016	7/1/2017
<b>ERD FEES</b>			
ERD Labor Cost (75% of CPI)	\$7.07	\$7.14	\$7.27
ERD Operations (75% of CPI)	\$4.38	\$4.43	\$4.51
ERD Scale Maintenance (75% of CPI)	\$0.77	\$0.78	\$0.80
ERD Haul Cost Avoidance (75% of CPI)	-\$10.71	-\$10.82	-\$11.02
ERD Capital Cost (fixed fee)	\$5.88	\$5.88	\$5.88
ERD Return on Investment (75% of CPI)	\$6.69	\$6.76	\$6.89
<b>Subtotal</b>	<b>\$14.08</b>	<b>\$14.17</b>	<b>\$14.33</b>
<b>HWMA FEES</b>			
<b>Countywide Program Fees</b>			
Administration	\$1.91	\$1.91	\$1.91
Household Hazardous Waste Program	\$6.29	\$6.43	\$5.15
Cummings Road Landfill Maintenance	\$4.67	\$4.44	\$4.44
Cleanup/Enforcement Programs	\$0.57	\$0.57	\$0.57
Rural Container Program	\$4.52	\$4.68	\$4.81
County/Cities AB939 Programs	\$4.93	\$4.52	\$2.52
Table Bluff Landfill Maintenance	\$0.94	\$0.81	\$0.74
Countywide Enforcement (LEA)	\$2.66	\$3.13	\$3.13
<b>Subtotal</b>	<b>\$26.49</b>	<b>\$26.49</b>	<b>\$23.27</b>
<b>HWMA Base Fees</b>			
Administration	\$4.30	\$4.30	\$4.19
Universal Waste Programs	\$0.89	\$0.89	\$3.51
Recycling Programs	\$6.38	\$6.38	\$9.20
Cummings Road Landfill Operations	\$5.50	\$5.50	\$4.00
<b>Subtotal</b>	<b>\$17.07</b>	<b>\$17.07</b>	<b>\$20.90</b>
<b>Facility Fees</b>			
Operations (Transportation & Disposal)	\$55.01	\$55.01	\$54.40
Indirect	0	\$0.00	\$0.00
Capital Expenditures	N/A	N/A	N/A
<b>Subtotal</b>	<b>\$55.01</b>	<b>\$55.01</b>	<b>\$54.40</b>
<b>OTHER FEES</b>			
Fortuna Host Fee (pass through)	\$1.15	\$1.15	\$1.15
<b>Subtotal</b>	<b>\$1.15</b>	<b>\$1.15</b>	<b>\$1.15</b>
<b>TOTAL FEES</b>			
<b>Total ERD Fees</b>	<b>14.08</b>	<b>14.17</b>	<b>\$14.33</b>
<b>Total HWMA Fees</b>	<b>\$98.57</b>	<b>\$98.57</b>	<b>\$98.57</b>
<b>Total Other Fees</b>	<b>\$1.15</b>	<b>\$1.15</b>	<b>\$1.15</b>
<b>Grand Total All Fees</b>	<b>113.80</b>	<b>113.89</b>	<b>\$114.05</b>

**City of Rio Dell**  
**Disposal Rates**  
**EXHIBIT A**

114.05 Per Ton  
Effective 7-1-17

**Bag Service**                      **1 Bag**  
Regular                                \$1.92

**Monthly Rate**  
**20-Gallon Can**                      **1 Can**  
1xWeekly                                \$5.20

<b>Monthly Rate</b>				
<b>32-Gallon Can</b>	<b>1 Can</b>	<b>2 Cans</b>	<b>3 Cans</b>	<b>4 Cans</b>
1xWeekly	\$8.32	\$16.65	\$24.97	\$33.29
2XWeekly	\$16.65	\$33.29	\$49.94	\$66.59

<b>Monthly Rate</b>							
<b>Bins No Rental</b>	<b>1 Yard</b>	<b>1.5 Yard</b>	<b>2 Yard</b>	<b>3 Yard</b>	<b>4 Yard</b>	<b>6 Yard</b>	<b>8 Yard</b>
1xWeekly	\$52.54	\$78.81	\$105.09	\$157.63	\$210.17	\$315.26	\$420.34
2xWeekly	\$105.09	\$157.63	\$210.17	\$315.26	\$420.34	\$630.52	\$840.69
3XWeekly	\$157.63	\$236.44	\$315.26	\$472.89	\$630.52	\$945.77	\$1,261.03

# City of Rio Dell

Collection Rate

EXHIBIT B

Bold numbers  
effective 7-1-17

0.025

**Bag Service**                      **1 Bag**  
Regular                              \$4.55

**\$4.66**

Curbside Recycling              \$6.23

**\$6.39**

**Monthly Rate**  
**20-Gallon Can**                      **1 Can**  
1xWeekly                              \$15.48

**\$15.87**

**Monthly Rate**  
**32-Gallon Can**                      **1 Can**      **2 Cans**      **3 Cans**      **4 Cans**  
1xWeekly                              \$17.71      \$24.82      \$34.38      \$40.50  
2xWeekly                              \$30.91      \$46.92      \$66.07      \$78.33

**\$18.15**      **\$25.44**      **\$35.24**      **\$41.51**  
**\$31.68**      **\$48.09**      **\$67.72**      **\$80.29**

**Monthly Rate**  
**Bins No Rental**                      **1 Yard**      **1.5 Yard**      **2 Yard**      **3 Yard**      **4 Yard**      **6 Yard**      **8 Yard**  
1xWeekly                              \$29.88      \$44.82      \$59.82      \$89.74      \$119.58      \$179.46      \$239.84  
2xWeekly                              \$53.34      \$89.05      \$118.87      \$178.21      \$237.97      \$356.52      \$475.39  
3xWeekly                              \$89.74      \$133.67      \$178.21      \$267.46      \$356.52      \$534.73      \$713.42  
  
**\$30.63**      **\$45.94**      **\$61.32**      **\$91.98**      **\$122.57**      **\$183.95**      **\$245.84**  
**\$54.67**      **\$91.28**      **\$121.84**      **\$182.67**      **\$243.92**      **\$365.43**      **\$487.27**  
**\$91.98**      **\$137.01**      **\$182.67**      **\$274.15**      **\$365.43**      **\$548.10**      **\$731.26**

**Bin Rental**                              **1 Yard**      **1.5 Yard**      **2 Yard**      **3 Yard**      **4 Yard**      **6 Yard**      **8 Yard**  
\$19.93      \$22.68      \$25.49      \$31.10      \$36.57      \$48.11      \$56.07  
  
**\$20.43**      **\$23.25**      **\$26.13**      **\$31.88**      **\$37.48**      **\$49.31**      **\$57.47**



# City of Rio Dell

Combined Rate  
EXHIBIT C

To be effective 7-1-17

<b>Bag Service</b>	<b>1 Bag</b>						
Regular	\$6.58						
<b>Curbside Recycling</b>	<b>\$6.39</b>						
<b>Monthly Rate</b>							
<b>20-Gallon Can</b>	<b>1 Can</b>						
1xWeekly	\$21.07						
<b>Monthly Rate</b>							
<b>32-Gallon Can</b>	<b>1 Can</b>	<b>2 Cans</b>	<b>3 Cans</b>	<b>4 Cans</b>			
1xWeekly	\$26.48	\$42.09	\$60.21	\$74.81			
2XWeekly	\$48.33	\$81.39	\$117.66	\$146.88			
<b>Monthly Rate</b>							
<b>Bins No Rental</b>	<b>1 Yard</b>	<b>1.5 Yard</b>	<b>2 Yard</b>	<b>3 Yard</b>	<b>4 Yard</b>	<b>6 Yard</b>	<b>8 Yard</b>
1xWeekly	\$83.17	\$124.76	\$166.40	\$249.61	\$332.74	\$499.20	\$666.18
2xWeekly	\$159.76	\$248.91	\$332.01	\$497.92	\$664.26	\$995.95	\$1,327.96
3XWeekly	\$249.61	\$373.46	\$497.92	\$747.03	\$995.95	\$1,493.87	\$1,992.29
<b>Bin Rental</b>	<b>1 Yard</b>	<b>1.5 Yard</b>	<b>2 Yard</b>	<b>3 Yard</b>	<b>4 Yard</b>	<b>6 Yard</b>	<b>8 Yard</b>
	\$20.43	\$23.25	\$26.13	\$31.88	\$37.48	\$49.31	\$57.47

07/01/17

RIO DELL

ERD FEES:

ERD Labor Cost	\$7.27 75 % of CPI
ERD Operation	\$4.51 75 % of CPI
ERD Scale Maintenance	\$0.80 75 % of CPI
ERD Haul Cost Avoidance	\$11.02 75 % of CPI
ERD Capital Cost	\$5.88 FIXED FEE
ERD Return on Investment	\$6.89 75 % of CPI

HWMA FEES:

Operations	\$54.40
Indirect Expenses	

Payroll	\$20.90
Capital Expenditures	
Transportation	
Landfill	

Household Hazardous Waste Program	\$5.15
County/City Recycling Programs	\$2.52
Table Bluff Maintenance	\$0.74
County Local Enforcement Agency (LEA)	\$3.13
Cleanup Fees	\$0.57
Cummings Landfill Maintenance, Monitoring	\$4.44
County Rural Container Subsidy	\$4.81
Administration	\$1.91

Other Fees (Fortuna Host fee of 1.15 per ton)	\$1.15
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<b>TOTAL</b>	<b>\$114.05</b>
--------------	-----------------

# EXHIBIT E

SIZE	TON	RATE	Rate/cont.	Monthly Rate	Rate w/FF	Monthly Rate w/ff
1#/GAL-202#/YD						
20 Gallon	0.01	\$ 114.05	1.14	4.94	1.20	5.20
32 Gallon	0.016	\$ 114.05	1.82	7.91	1.92	8.32
40 Gallon	0.02	\$ 114.05	2.28	9.88	2.40	10.40
64 Gallon	0.032	\$ 114.05	3.65	15.81	3.84	16.65
1 Cu Yd	0.101	\$ 114.05	11.52	49.92	12.13	52.54
1.5 Cu Yd	0.1515	\$ 114.05	17.28	74.87	18.19	78.81
2 Cu Yd	0.202	\$ 114.05	23.04	99.83	24.25	105.09
3 Cu Yd	0.303	\$ 114.05	34.56	149.75	36.38	157.63
4 Cu Yd	0.404	\$ 114.05	46.08	199.66	48.50	210.17
6 Cu Yd	0.606	\$ 114.05	69.11	299.50	72.75	315.26
8 Cu Yd	0.808	\$ 114.05	92.15	399.33	97.00	420.34

# EXHIBIT F

## SERVICE TO THE CITY RIO DELL FRANCHISE AGREEMENT

CONTRACTOR shall provide CITY with solid waste collection of up to twelve 32-gallon cans per week. The CITY may increase this limit by one can per year. CITY reserves the right to control the location and frequency of pick up within the above stated limits. Locations of bins are to be designated by CITY from time to time in writing. CONTRACTOR shall also provide recycling service to CITY. The list of materials that CONTRACTOR is required to pickup for such recycling collection shall not exceed that established in this Agreement, or as it is from time to time amended. (See section 2.01.03.05 in regard to recycling service.)

Current Can Locations: as of January, 2007

Police & City Hall	3 cans
Corporation Yard	1 four yard dumpster
Public Cans located throughout town	9 cans

CONTRACTOR will also provide services one day per year for a clean up event. Those services will include disposal bins and recycling bins. Recycling will include metals, wood, cardboard, and appliances. CONTRACTOR will provide labor to assist residents with their material. CONTRACTOR will not be required to accept tires, hazardous materials, liquids, household garbage, commercial waste, or waste from remodeling projects. Participants will be required to demonstrate that they are residents of Rio Dell. The CITY will pay for disposal costs of the disposed material from the event, but will not pay for transportation, or CONTRACTOR's labor. CITY and CONTRACTOR will work together to maximize recycling and minimize disposal. CITY will be responsible for organizing and publicizing the event. CITY will determine the date for the event.

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# Databases, Tables & Calculators by Subject

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To: 2017 ▼

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Data extracted on: May 11, 2017 (7:07:49 PM)

## CPI-All Urban Consumers (Current Series)

Series Id: CUUR0000SA0

Not Seasonally Adjusted

Series Title: All items in U.S. city average, all urban consumers, not seasonally adjusted

Area: U.S. city average

Item: All items

Base Period: 1982-84=100

Download:

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	HALF1	HALF2
2007	202.416	203.499	205.352	206.686	207.949	208.352	208.299	207.917	208.490	208.936	210.177	210.036	205.709	208.976
2008	211.080	211.693	213.528	214.823	216.632	218.815	219.964	219.086	218.783	216.573	212.425	210.228	214.429	216.177
2009	211.143	212.193	212.709	213.240	213.856	215.693	215.351	215.834	215.969	216.177	216.330	215.949	213.139	215.935
2010	216.687	216.741	217.631	218.009	218.178	217.965	218.011	218.312	218.439	218.711	218.803	219.179	217.535	218.576
2011	220.223	221.309	223.467	224.906	225.964	225.722	225.922	226.545	226.889	226.421	226.230	225.672	223.598	226.280
2012	226.665	227.663	229.392	230.085	229.815	229.478	229.104	230.379	231.407	231.317	230.221	229.601	228.850	230.338
2013	230.280	232.166	232.773	232.531	232.945	233.504	233.596	233.877	234.149	233.546	233.069	233.049	232.366	233.548
2014	233.916	234.781	236.293	237.072	237.900	238.343	238.250	237.852	238.031	237.433	236.151	234.812	236.384	237.088
2015	233.707	234.722	236.119	236.599	237.805	238.638	238.654	238.316	237.945	237.838	237.336	236.525	236.265	237.769
2016	236.916	237.111	238.132	239.261	240.229	241.018	240.628	240.849	241.428	241.729	241.353	241.432	238.778	241.237
2017	242.839	243.603	243.801											

## 12-Month Percent Change

Series Id: CUUR0000SA0

Not Seasonally Adjusted

Series Title: All items in U.S. city average, all urban consumers, not seasonally adjusted

Area: U.S. city average

Item: All items

Base Period: 1982-84=100

Download:

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	HALF1	HALF2
2007	2.1	2.4	2.8	2.6	2.7	2.7	2.4	2.0	2.8	3.5	4.3	4.1	2.5	3.1
2008	4.3	4.0	4.0	3.9	4.2	5.0	5.6	5.4	4.9	3.7	1.1	0.1	4.2	3.4
2009	0.0	0.2	-0.4	-0.7	-1.3	-1.4	-2.1	-1.5	-1.3	-0.2	1.8	2.7	-0.6	-0.1
2010	2.6	2.1	2.3	2.2	2.0	1.1	1.2	1.1	1.1	1.2	1.1	1.5	2.1	1.2
2011	1.6	2.1	2.7	3.2	3.6	3.6	3.6	3.8	3.9	3.5	3.4	3.0	2.8	3.5
2012	2.9	2.9	2.7	2.3	1.7	1.7	1.4	1.7	2.0	2.2	1.8	1.7	2.3	1.8
2013	1.6	2.0	1.5	1.1	1.4	1.8	2.0	1.5	1.2	1.0	1.2	1.5	1.5	1.4
2014	1.6	1.1	1.5	2.0	2.1	2.1	2.0	1.7	1.7	1.7	1.3	0.8	1.7	1.5
2015	-0.1	0.0	-0.1	-0.2	0.0	0.1	0.2	0.2	0.0	0.2	0.5	0.7	-0.1	0.3
2016	1.4	1.0	0.9	1.1	1.0	1.0	0.8	1.1	1.5	1.6	1.7	2.1	1.1	1.5
2017	2.5	2.7	2.4											

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



June 6, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approve of a Letter of Opposition to the Governors Trailer Bill Associated with the Adult Use of Marijuana Act (Proposition 64) and Authorization for the Mayor to Sign

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve of the letter and authorize the mayor to sign.

BACKGROUND AND DISCUSSION

The League of California Cities recommends that the City of Rio Dell oppose the Governor's trailer bill associated with the Adult Use of Marijuana Act.

Since 2014 the League of California Cities and the California Police Chiefs Association have worked to establish a balance between California cities' ability to preserve their land use authority over medical marijuana businesses within their borders and the right of California's citizens to access medical marijuana pursuant to Proposition 215 (1996). In 2015, three bills, AB 266 (Bonta, et. al.), AB 243 (Wood) and SB 643 (McGuire), or the Medical Cannabis Regulation and Safety Act (MCRSA) was signed into law.

The MCRSA established three fundamental tenets: 1) advancing local control; 2) protecting public safety; and 3) creating uniform health and safety standards that ensure the lawful distribution of medical marijuana in those cities and counties in which it is authorized.

The Administration's proposed trailer bill includes language which would invalidate the MCRSA. The trailer bill's intended purpose is to reconcile Prop. 64 with the MCRSA, however, it is being done in a way that is hostile to local governments.

Here are just a few local control and local enforcement provisions in the MCRSA that are absent from the trailer bill, to the detriment of cities:

- **Definition of "volatile solvent"** – *Repealing this definition will undermine local regulation and enforcement vis-a-vis manufacturing operations.*

- **State Medical Marijuana ID Card program** – *Repealing this program will result in locals taking a hit in sales tax revenue.*
- **Fire Safety Standards** - *Repealing this language will set cities up for litigation when they try to enforce the Fire Code. This language should be left intact and amended to expressly authorize cities to enforce the Fire Code.*
- **Allow non-storefront retail operations** – *Failure to allow non-storefront businesses goes against the advice of local law enforcement in some cities.*
- **Codify local agency right of inspection** – *Failure to codify this could set cities up for unnecessary litigation when they undertake routine regulatory duties.*
- **Provision regarding state agency response time (amended)** – *This gives locals assurance that state agencies will at least begin an investigation by a date certain once a local permit has been revoked. The trailer bill proposed to delete it. It should instead be amended to give the state more time to respond.*
- **Clarify local government ability to apply for grants** – *This addresses a question many cities have asked: Can we have clearer rules on what can and cannot be banned, and still allow a city to retain eligibility for grant monies?*
- **Effect of revocation of local permit** – *not included in initial draft of Trailer Bill. Local permits, once revoked should suspend a state license pending a resolution of the defect that led to the local revocation.*

///



*Rio Dell City Hall  
675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532  
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June 6, 2017

The Honorable Edmund G. Brown Jr.  
Governor, State of California  
State Capitol, First Floor  
Sacramento, CA 95814  
FAX: (916) 558-3177

**RE: Prop. 64 Trailer Bill Implementing the Adult Use of Marijuana Act  
Notice of Opposition**

Dear Governor Brown:

On behalf of the City of Rio Dell I am writing to express our opposition to the proposed Trailer Bill implementing Proposition 64, the Adult Use of Marijuana Act.

The Trailer Bill purports to “reconcile” Prop. 64 with the Medical Cannabis Regulation and Safety Act (MCRSA), which the League of California Cities supported, together with the California Police Chiefs Association. However, the truth is that the Trailer Bill reconciles nothing. It proposes to delete the MCRSA from the Trailer Bill altogether, and a number of the local control, public health and public safety provisions that the MCRSA contains are currently not carried over into the Trailer Bill.

What does this mean for cities? Here are just a few local control and local enforcement provisions in the MCRSA that are absent from the Trailer Bill, to the detriment of cities:

- Definition of “volatile solvent” – Section 11362.3(d) – p. 3: ***Repealing this definition will undermine local regulation and enforcement vis-a-vis manufacturing operations.***

- State Medical Marijuana ID Card program – Section 11362.712 – p. 5 *Repealing this program will result in locals taking a hit in sales tax revenue.*
- Fire Safety Standards - Section 26064 – p. 37 *Repealing this language will set cities up for litigation when they try to enforce the Fire Code. This language should be left intact and amended to expressly authorize cities to enforce the Fire Code.*
- Allow non-storefront retail operations – Section 26070(a)(1)(a) – p. 41 *Failure to allow non-storefront businesses goes against the advice of local law enforcement in some cities.*
- Codify local agency right of inspection – Section 26160(c) – pp. 52-53 *Failure to codify this could set cities up for unnecessary litigation when they undertake routine regulatory duties.*
- Provision re: state agency response time (amended) – Section 26200(c) – p. 56 *This gives locals assurance that state agencies will at least begin an investigation by a date certain once a local permit has been revoked. The trailer bill proposed to delete it. It should instead be amended to give the state more time to respond.*
- Clarify local government ability to apply for grants – Section 34019(f)(2)(C) – p. 68 *This addresses a question many cities have asked: Can we have clearer rules on what can and cannot be banned, and still allow a city to retain eligibility for grant monies?*
- Effect of revocation of local permit – Business & Professions Code Section 19320(b) – not included in initial draft of Trailer Bill. *Local permits, once revoked should suspend a state license pending a resolution of the defect that led to the local revocation.*

We will oppose any measure regulating cannabis that does not sufficiently protect local control, including the local ability to regulate these businesses.

We have seen in the press the argument that because Prop. 64 was approved by voters by a comfortable margin, it should trump any Act of the Legislature. *But the Legislature crafted the regulatory scheme upon which Prop. 64 relied at the time it was pitched to the voters.* The text of Prop. 64 references the Medical Cannabis Regulation and Safety Act, which the Trailer Bill now proposes to repeal, several times.

Finally, the City of Rio Dell will not support any proposal that threatens fiscal harm to cities, as does the Trailer Bill's proposed elimination of the state medical

marijuana ID card program. All consumers will need to do then, to avoid paying sales tax on recreational, is to get a doctor's recommendation, a very easy thing indeed to get hold of. This will shrink the recreational market, which cities can tax, and expand the medical market, which they cannot. We do not support any proposal that threatens to reduce our tax base.

For these reasons, the City of Rio Dell respectfully opposes this measure.

Sincerely,

Frank Wilson  
Mayor  
City of Rio Dell

cc: Senator McGuire & Assembly Member Wood  
Sara Rounds LoCC  
Meg Desmond, League of California Cities, email: [mdesmond@cacities.org](mailto:mdesmond@cacities.org)  
or fax: 916-658-8240

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(707) 764-3532  
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June 6, 2017

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approve of a Letter of Opposition to the Trailer Bill Associated with the Community Development Block Grant Program and Authorization for the Mayor to Sign.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve of the letter and authorize the Mayor to sign.

BACKGROUND AND DISCUSSION

The Department of Housing and Community Development (HCD) is proposing to reduce the CDBG economic development set aside by removing language that requires them to fund economic development for some of California's most needy communities. *In a nutshell*, this proposal cuts the longstanding share of CDGB economic development funds in half (from 30% to 15%) and eliminates it entirely if total funding falls below \$25 million.

As the Council is aware, staff has spent the past two years working to meet the ever-changing requirements of the program in order to access these funds for economic development. This includes all work associated with the architectural barrier removal project. CDBG economic development funds compose one of the economic development strategies for the City. With potential elimination or reduction in CDBG funding, State and Federal participation in the economic development and recovery of Rio Dell will be virtually eliminated.

Attachments include a letter from the California Association for Local Economic Development and a flow chart for Rio Dell's Economic Development Strategies first presented in June of 2015.

///

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Jason Crawford, Chair Elect  
*City of Santa Clarita*

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*Economic & Planning Systems*



# California Association for Local Economic Development

May 2, 2017

The Honorable Jim Cooper  
CA State Assembly  
State Capitol Building, Room 8025  
Sacramento, CA 95814  
VIA FAX: 916-319-2109

Re: Preserving Economic Development Resources for Underserved Communities

Dear Assembly Member Cooper:

I am writing on behalf of the California Association for Local Economic Development (CALED) to ask that you preserve economic development funding for underserved communities and persons and families of low or moderate income by opposing the reduction of the economic development set aside for the State Community Development Block Grant (CDBG) program administered by the Department of Housing and Community Development (HCD). We have communicated with HCD regarding their inability to get these funds out to the communities that need them and are surprised to see that instead of focusing on options to grow local economies and create economic opportunity for some of California's most vulnerable communities – as these funds were intended for – this bill seeks to reduce HCD's requirements to do so because they cannot resolve their internal issues.

Economic development funds through CDBG are an important resource to California's neediest communities. The program is not undersubscribed due to lack of need, but rather because HCD has not been able to address their internal staffing, training, and resource issues so additional rules are being created annually by HCD staff, making it harder and harder for communities to apply for these funds.

We understand HCD's desire to focus on efficiency given their temporary influx of staff for a three-year period to address program deficiencies is about to end, reducing their staffing levels back to 10 or fewer people by July 1, 2017. Compounded with California's low expenditure rate, this is even more concerning as we advocate at the federal level to save this funding source. Our concern is that reducing the economic development allocation does not address some of the underlying issues impacting the success of the program that further hurt HCD's ability to efficiently and effectively get CDBG funding to the communities that need them the most. Some of the concerns we have heard from members include:

- HCD's "functional alignment" has resulted in dilution of trained CDBG-knowledgeable staff and resulted in additional barriers and reduced communication between HCD staff; and efforts to streamline processes by making CDBG "more like the HOME program" are detrimental to the CDBG program, which is very different in scope and intended flexibility than HOME;
- HCD staff is not adequately trained and staff provides inconsistent and conflicting direction to awardees;
- HCD has not provided adequate trainings to grantees, and available resources for program guidance are not easily accessible, do not tie to staff interpretations of regulations, and in some cases, are in conflict with required forms and contract language.
- HCD has failed to ensure that Program Income distributed across the state is spent. This is a significant cause of California's low expenditure rate.



There are many ways that HCD can more efficiently run their program without taking much needed economic development funds away from communities serving California's low to moderate income populations. Here are some suggestions we have already shared with HCD:

- Focus on clean-up and streamlining of HCD State CDBG regulations so they are more aligned with Entitlement CDBG regulations.
- Focus on staff training so consistent, correct information can be provided to awardees and practitioners.
- Focus on aligned and correct program materials including Grant Management Manual, forms, contracts, and other materials that reflect regulations and law to reduce subjective and inconsistent interpretation of state and federal regulations through alignment of materials and training of staff.
- Focus on spending or retrieving and re-issuing idle CDBG funds.

With over 800 members, CALED is the premier membership association for economic developers and the voice of economic development in California. For the past 37 years, we have been dedicated to advancing our members' ability to achieve excellence in delivering economic development services to their communities and business clients. Our membership consists of public and private organizations and individuals involved in economic development: the business of creating and retaining jobs.

The CDBG program has been and continues to be a significant source of economic development and community development support for some of California's most needy populations. Please oppose the reduction of the CDBG economic development set aside. It will not make the program more efficient and will create yet another barrier for communities to access these federal funds.

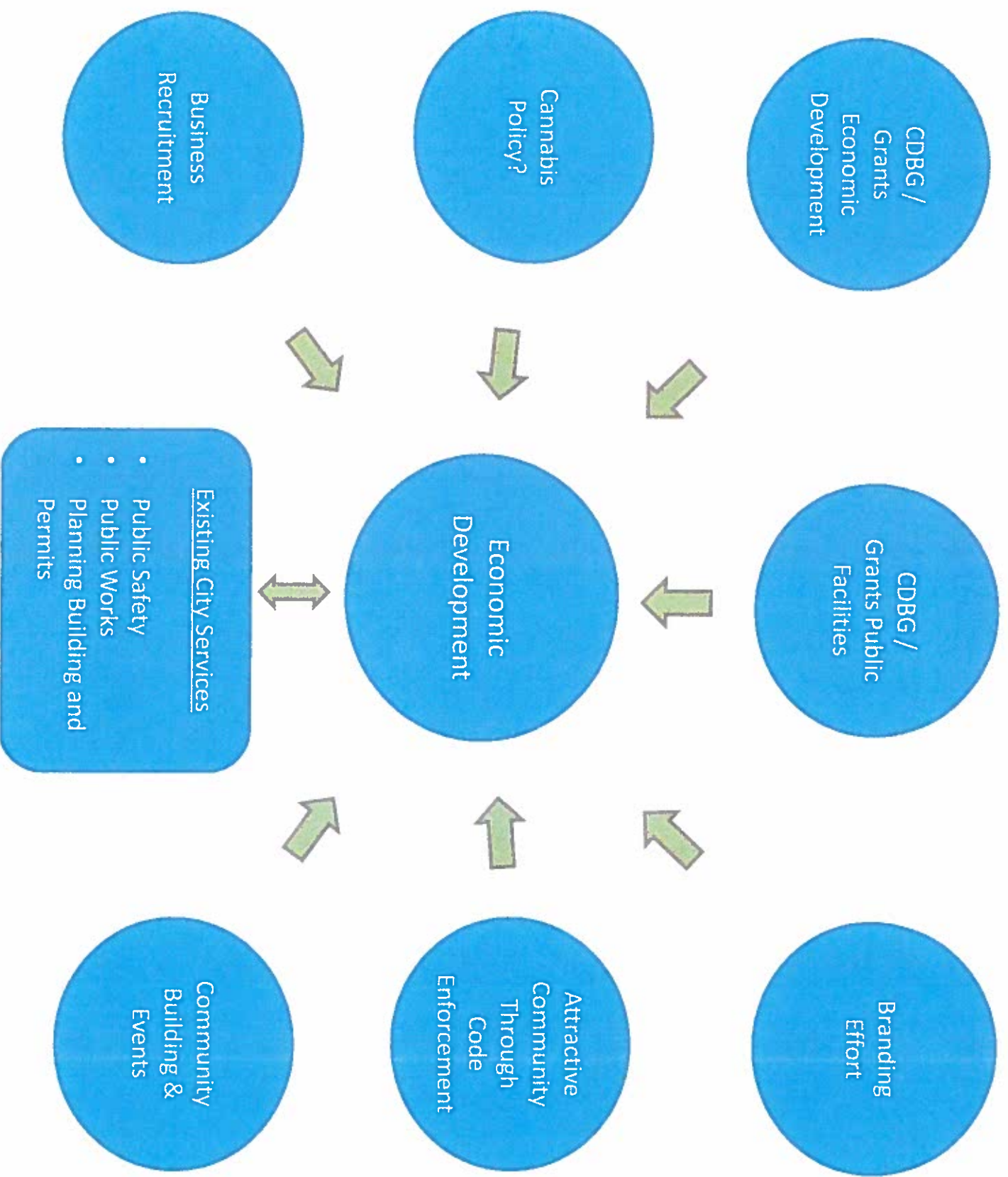
Please reach out to me at [gsahota@caled.org](mailto:gsahota@caled.org) or 916-448-8252 ext. 15 if you have any questions.

Respectfully,



Gurbax Sahota  
President & CEO

cc: Assembly Member Travis Allen  
Assembly Member Anna Caballero  
Assembly Member David Chiu  
Assembly Member Steven S. Choi, PhD.  
Assembly Member Philip Y. Ting  
Assembly Member Jay Obermole





---

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



June 6, 2017

The Honorable Jim Cooper, Chair  
Assembly Budget Subcommittee #4  
CA State Assembly  
State Capitol Building, Room 6025  
Sacramento, CA 95814  
VIA FAX: 916-319-2109

**RE: CDBG Trailer Bill Language (RN 17 13279)  
Notice of Opposition**

Dear Chairman Cooper:

The City of Rio Dell is opposed to the proposed trailer bill language sponsored by the Department of Housing and Community Development (HCD) that proposes major changes to the CDBG program, including provisions that would significantly reduce funds available for local economic development. Specifically, this proposal seeks to cut longstanding shares of CDGB economic development funds in half (from 30% to 15%) and eliminates it entirely if total funding falls below \$25 million

These federal CDBG funds are allocated by HCD to "non entitlement" cities (under 50,000 pop) and counties (under 200,000 pop). Many of these communities are in the state's rural areas that have been losing population and facing harder times than other regions of the state, and depend on these funds to attract and retain business in their communities, operate revolving loan programs to assist local businesses and other activities. We are particularly concerned that HCD does not appear to have vetted a proposal of this magnitude with the affected small cities and counties that use these programs.

Rio Dell has spent the past two years realigning our CDBG program in order to take advantage of economic development funds available through this program. Reduction or elimination of this program damages one of the only economic development strategies available to this city outside of the cannabis industry.

Such a major proposed change should not be put through as a budget proposal, rather--given the impacts on many small cities and counties—HCD should be expected to vet this proposal with affected cities and counties and propose related changes through the usual policy process.

For these reasons, the City of Rio Dell opposes this Trailer Bill Proposal.

Sincerely,

Frank Wilson  
Mayor  
City of Rio Dell

cc: Members, Assembly Budget Subcommittee #4  
Members, Senate Budget Subcommittee #4  
Senator McGuire & Assembly Member Wood  
Sara Rounds, LoCC  
Meg Desmond, League of California Cities, [mdesmond@cacities.org](mailto:mdesmond@cacities.org)

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June 6, 2017

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: Approval of a Letter of Opposition to AB 1250 Pertaining to Public Contracting and Authorization for the Mayor to Sign.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve of the letter and authorize the Mayor to sign.

BACKGROUND AND DISCUSSION

The League of California Cities recommends that the City of Rio Dell oppose AB 1250.

AB 1250 will place substantial burdens on local agencies by adding onerous, over prescriptive and unnecessary requirements that impede on local control and have significant impacts on local governance. The new reporting requirements, privacy concerns, increased costs, and potential for litigation created by this measure would place an overwhelming and significant burden on nearly every city department and would create a de facto ban on virtually all contracting services.

The provisions outlined in this bill set an impossible standard for cities to meet for contracting—which is still in essence and de facto ban on contracting services. Cities need to retain flexibility in how we deliver quality services to residents. Less competition from innovative service providers will ultimately mean a decrease in the quality of services provided to residents.

Potential Rio Dell services adversely impacted by this legislation include but are not limited to services for: Attorneys, Solid Waste (Eel River Disposal), Recycling, IT Support, Auditing, Animal Care, general consulting and other services.

AB 1250 creates a series of new and burdensome reporting requirements prior to entering or renewing a contract, such as, performing a full cost-benefit analysis of the potential impacts of outsourcing, including the impact on local businesses, conducting a full environmental impact analysis caused by contracting for the services, and requiring an annual audit of each contract.

Apart from the inherent cost drivers associated with developing and maintaining a database of contractors, forcing a city to publically disclose every individual contracted (and subcontracted) employees name, work address, and their annual salary is a gross violation of privacy. This will

invite litigation from those private citizens who do not wish to have their information made public.

AB 1250 would:

- Require a city, before entering a contract or renewing a contract, to perform a full cost-benefit analysis of the potential impacts of outsourcing, including the impact on local businesses if consumer spending power is reduced.
- Mandate a city to conduct a full cost-benefit analysis and environmental impact analysis caused by contracting for the services.
- Force a city to conduct an annual audit of each contract.
- Eliminate local agency hiring discretion by limiting a local agencies' ability to utilize a contract for the sole purpose of cost savings through salaries and benefits.
- Require that the agency provide an orientation to contract non-city employees.
- Require a city to create a new, fully searchable database that must be posted on the city website for certain contracts. Apart from the inherent cost drivers with this provision, there are significant privacy concerns about posting full names, job titles, and salaries of non-city employees. This database must include: The names, job titles, salary of each contracted non-city employee and subcontractors.
  - The services of the contract, the name of the agency department or division of the city who manages the contract.
  - The amount paid to the contract including the total projected cost of the contract for all fiscal years and the funding source.
  - The total number of "full time equivalent" employees being contracted out.

///

# AB 1250 (JONES-SAWYER)

## Myths vs Facts

### MYTHS

### FACTS



1400 K Street, Suite 400  
Sacramento, California 95814  
Phone: (916) 658-8200

- 1 MYTH:** AB 1250 only applies to new contracts. No existing contracts will be affected.  
**FACT:** AB 1250 specifically states this measure covers services “currently or customarily performed by a city or county.” This would include potential contracts and/or **renewals of existing contracts**. Further, the bill states the city/ county shall not **renew or extend an existing contract** prior to [completing] receiving and considering an annual performance audit.
- 2 MYTH:** AB 1250 does not prevent or prohibit contracting for services.  
**FACT:** AB1250 establishes impossible standards and costly barriers for procurement of services throughout California without providing enforceable or implementable guidelines for entering into contracts—acting as a prohibition in everything but name. **The result:** Fewer contracts and public services.
- 3 MYTH:** AB 1250 will result in higher quality public services.  
**FACT:** AB 1250 will likely result in substantial service reductions statewide. The mandated procedures will impair everyday necessary operations without added public benefit. AB 1250's provisions will also likely increase the costs and decrease the quality and accessibility of services. Further, AB 1250 inappropriately requires a public bidding process, which is ordinarily reserved for projects where cost is the only factor. Local government prefers service proposals, which assess experience, qualifications, staffing levels, etc. so they can ensure high quality services for residents. **AB 1250 only focuses on costs and sacrifices quality and safety.**
- 4 MYTH:** Local governments only care about saving money, not their employees.  
**FACT:** Many local governments do not have the resources or need to retain full time employees. Many would prefer to have employees rather than contract but are financially unable. Furthermore, many cities are struggling to attract qualified candidates for employment, particularly in rural and remote areas. **AB 1250 exacerbates the problems by locking many cities into a catch-22 situation.** Under AB 1250, they will not be able to afford to procure services and will not be able to hire employees. **The result:** Reduced service levels and weakened communities.
- 5 MYTH:** AB 1250 is a narrowly crafted bill that will improve local government accountability.  
**FACT:** AB 1250 contains numerous ambiguous terms, unenforceable and implementable requirements, and does little to improve public engagement in local service contracts. Rather, the measure opens locals to violations of privacy, increased litigation, and liabilities without significant public benefit. Local governments are accountable to their residents and this measure injures their relationship.
- 6 MYTH:** AB 1250 saves taxpayer dollars and improves local economies.  
**FACT:** The costs to comply with AB 1250 or pay for new hires (and benefits) will be paid by taxpayers. AB 1250 will cost taxpayers tens of millions of dollars. Proponents' arguments that employees provide greater return on investment (which, in some cases, is true) are void because AB 1250 will largely not result in new hires. Rather, local governments will need to cut services or pay more for contracted services. Furthermore, the disclosures required will likely discourage service providers from bidding or applying for government contracts—resulting in fewer, more costly services and reduced local economic activity. **The result:** Communities will experience job loss, blight, and lower quality of life.



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



June 6, 2017

The Honorable Reginald Jones-Sawyer, Sr.  
California State Assembly  
State Capitol Building, Room 2117  
Sacramento, CA 95814  
VIA FAX: 916-319-2159

**RE: AB 1250 (Jones-Sawyer). Counties and Cities: Contracts for Personal Services.**  
**Notice of Opposition to Any and All Versions**

Dear Assembly Member Jones-Sawyer:

The City of Rio Dell must respectfully oppose your Assembly Bill (AB) 1250, which effectively eliminates almost all contracting services for cities and counties.

Local governments have a long history of addressing service delivery challenges with creativity, self-reliance and innovation. Unique local challenges and limited budgets continue to fuel innovative efforts to obtain expertise and provide high quality services. City employees provide many services, while others such as refuse collection and specialized services are provided on a contract basis. Law enforcement services may also be provided via contract with the sheriff and fire and park services by a special district.

As amended, AB 1250 places substantial burdens on local agencies by adding onerous, over prescriptive and unnecessary requirements that impede on local control and have significant impacts on local governance. Specifically AB 1250:

**Creates Significant Cost and Workload Requirements:**

AB 1250 eliminates local agency hiring discretion by limiting a local agencies' ability to utilize a contract for the *sole purpose of cost savings through salaries and benefits*. This creates a significant hurdle as many local agencies continue to struggle financially and have not achieved the same level of economic prosperity compared to pre-2008 recession levels. Unemployment rates remain high in certain areas, agencies are at a near breaking point on their unfunded

actuarial liability (UAL) and normal pension costs and some communities remain in significant financial difficulty.

Moreover, AB 1250 requires that the agency provide an orientation to contracted employees. Last year, AB 2835 (Cooper) which mandated that public employers must provide an orientation to their own employees was tagged at *\$350 million in ongoing costs* by the California department of Finance. Having a local agency provide an additional orientation to non-city employees create significant cost and logistical concerns.

Additionally, there are real and significant privacy concerns about posting full names, job titles and salaries of *non-city employees*. AB 1250 would require a city to create a new, fully searchable database that must be posted on the city website which will include substantive and sensitive information including the names, job titles, salary of each contracted employee (and subcontractors) and services of the contract, the name of the agency department or division of the city who manages the contract.

**Creates a series of new and burdensome reporting requirements prior to entering or renewing a contract:**

AB 1250 would require a city, before entering a contract or renewing a contract, to perform a full economic analysis of the potential impacts of outsourcing, including the impact on local businesses if consumer spending power is reduced (among other factors). AB 1250 mandates a city to conduct a full environmental impact analysis caused by contracting for the services. Further, the measure forces a city to conduct an annual audit of each contract and prohibits a city from renewing or granting a new contract before the report is released and considered by the council.

**Increased Litigation to Local Agencies**

AB 1250 applies joint and several liability for employment law violations arising from performance of the contractor as well as torts committed by the contractor or any of its subcontractors in the course of providing services under the contract would place overly restrictive requirements on cities and potentially open that agency up to litigation.

Cities continue to face difficult budget conditions, which have been compounded by recent state takeaways including the loss of redevelopment and expanding pension and retiree health care obligations. This measure compounds existing constitutional limitations on local agencies to raise additional revenue. Thus, local agencies are in no position to have their flexibility further curtailed.

The workload, privacy concerns, costs and litigation created by this measure places an overwhelming and significant burden on nearly every city department and would create a de facto ban on virtually all contracting services.

For these reasons City of Rio Dell **Opposes** Assembly Bill 1250.



Sincerely,

Frank Wilson  
Mayor  
City of Rio Dell

cc: Senator McGuire & Assembly Member Wood  
Sara Rounds, LoCC  
[Michael Bolden](#), Chief Consultant, Assembly Committee Public Employees, Retirement,  
and Social Security  
[Joshua White](#), Consultant, Assembly Republican Caucus  
[Camille Wagner](#), Legislative Secretary, Office of Governor Edmund G. Brown Jr.  
Meg Desmond, League of California Cities, [mdesmond@cacities.org](mailto:mdesmond@cacities.org)

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



For Meeting of: June 6, 2017

To: City Council  
From: Kevin Caldwell, Community Development Director  
Through: Kyle Knopp, City Manager  
Date: June 1, 2017  
Subject: Wildwood Avenue Sculpture Guidelines

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**Recommendation:**

That the City Council:

1. Receive staff's report regarding possible revisions to the Wildwood Avenue Sculpture Guidelines; and
2. Open the public hearing, receive public input and deliberate; and
3. Approve the proposed revisions.

**Discussion**

As the Council is aware the City established a Sculpture Committee in 2014 to review and approve potential sculptures to be placed on two pedestals that were constructed as part of the Wildwood Avenue enhancement project.

Unfortunately, the City has not been successful in getting artist to display their work. Member of the Committee, based on comments from local artists, believes the requirement that the art be displayed for a minimum of one year is discouraging artist from displaying their work. As such, the Committee has made some minor revisions to hopefully encourage artists to display their works, including reducing the minimum display time from one year to ninety (90) days.

**Attachment 1:** Revised Wildwood Avenue Sculpture Guidelines



## WILDWOOD AVENUE SCULPTURE GUIDELINES

The City of Rio Dell has installed (2) concrete art pedestals in the medians on Wildwood Avenue for the purpose of showing sculptures created by local artists. The medians are landscaped with shrubs, grass and Maple trees. Typically, artists will compete to have their works shown and a local selection committee will choose the sculptures.

### Guidelines for Sculptures

Sculptures to be displayed will be chosen on the basis of artistic excellence, suitability for public art, 3 dimensional presentation and appropriateness for the Rio Dell setting. Consideration will be given to safety in design and construction since the artwork will be located in a public outdoor setting where people may be in contact with them.

The general content of the sculptures could be animal forms, local attractions, natural forms, landscapes and pieces indicative of the history and culture of the area. A sculpture that could be an attractive nuisance is not acceptable.

### Sculpture Limitations and Setting

Sculptures must be engineered and constructed to bolt onto a concrete pedestal, which is 12" above the ground, 24" in diameter with four (4) ¾" bolts placed 10" on center every 90 degrees. Sculptures should be at least 4' tall, and due to base loading and wind pressure, are limited to 9' and 3-1/2' wide. A pattern of the pedestal base is attached to the application

A typical Wildwood Avenue median is 13.5' wide. The 55' (north) sculpture median has a pedestal placed in the middle of the island, surrounded by low vegetation-no trees. The other pedestal island (south) is 77' long with the sculpture placed at the south end—Big Leaf Maple tree in the middle. The sculptures are lighted from (2) sides. Between the sculpture medians is an island for the Town Clock.

There cannot be any lights or sounds from the art that would be distracting to motorists or a nuisance to neighboring properties. Additionally, reflective devices and/or reflective paint coatings ~~must~~ should not be utilized.

### **Responsibility of the Artist**

The artist must complete a Wildwood Avenue Sculpture application, mailing it to Rio Dell City Hall, 675 Wildwood Ave, Rio Dell CA 95562, Attn: Sculpture Selection Committee. Photos of the completed sculpture must accompany the application. If not yet completed, detail drawing and the scale of the artwork is to be submitted.

A selected sculpture must be completed at least (3) weeks prior to the installation date and available for review and inspection by the Selection Committee. The cut-off date is firm, not optional. Visits to the sculpture studio may be made by the Committee and finished photos of all detail from all sides must be in the Committee's possession prior to installation.

The artist agrees to install and remove the sculpture with the assistance of the Committee or City. Artist agrees to maintain the sculpture throughout the term of exhibition and agrees to repair, restore or replace any damaged or defective components, or remove the art.

If the sculpture should be damaged or vandalized, the artist is responsible to fund the repairs up to \$500, not including labor. The City will provide additional reimbursement to the artist thereafter, up to \$500. **In no event will the City reimburse the artist any sum(s) in excess of \$500.00 for repairs.**

The artist must place a reasonable value on the sculpture on the application and prior to installation. High value sculptures (over \$5,000 value) may be determined to be ineligible, unless insured for full value by a party other than the City and the insurance policy is procured by the artist (or other third party) prior to installation on public property. The artist shall bear all risk of loss to the sculpture up and to the time it is properly installed on public property.

The artist shall provide the committee with a list of information to be placed on a plaque at the base of the artwork, i.e. artist name, title of the sculpture, year completed, media, dimensions, web site and, approximate weight and selling price if applicable.

**The artist agrees to display the sculpture for not less than ninety (90) days and up to one (1) year. The artist and City may mutually agree to extend the display of the sculpture beyond one (1) year.**

### **Benefit to the Artist**

- The selected artist will enjoy the prestige of exhibiting their sculpture for up to 1 (one) year in the beautiful natural outdoor setting in Rio Dell.
- A plaque giving credit to the artist and identifying the sculpture will be placed at the base of the artwork.
- You will be honored publically by the Eagle Prairie Art District, the Rio Dell City Council and other selected forms of media.
- You have the opportunity to sell you sculpture at the end of the exhibit period.

### **Sale of Art**

An artist may contingently sell the art while it is on display, but the art will stay on display and will remain the personal property of the artist (not any buyer) until the specified end of the exhibition. Such sale is between the artist and the buyer exclusively and no commission will be retained by the City of Rio Dell. The City will bear no obligation to any sculpture buyer, and any buyer will assume all risks of loss to the sculpture while it remains on public property. The City may, in its discretion, purchase sculptures from an artist, if a mutual agreement is subsequently negotiated for purchase.

### **City Responsibility**

The City shall provide staff support to assist the artist in installing and removing the sculpture from the City's pedestal. The City will have an identifying plaque placed at the base of the pedestal identifying the artwork, artist, selling price and other pertinent information as to size, media, and weight.

The City will reimburse the artist for repairs up to \$500 above the artist's cost as noted above for damage or vandalism. In no event will the City reimburse the artist any sum(s) in excess of \$500.00 for repairs.

The City reserves the right to have a sculpture removed if it poses a public health or safety risk, becomes an attractive nuisance or presents a liability to the City. Furthermore, a sculpture that

offends the public decency or is subject to vandalism that offends the public decency shall be removed by the artist. Whether or not a sculpture is offensive to public decency is a determination that shall be made by a majority vote of the Rio Dell City Council, in its complete and absolute discretion, at a regular or special meeting of the Council. A decision by the Council shall be binding and final. If the artist fails to remove a sculpture with 24 hours of notification, the City shall cause the artwork to be removed and its cost for said removal shall be billed to and payable by the artist.

The art pedestals and medians are the property of the City of Rio Dell, who retains ultimate authority as to whether to offer them to the public for the display of sculptures and art. The City may purchase sculptures for installation on one or more pedestals if it chooses.

#### **Wildwood Avenue Sculpture Committee**

The Rio Dell City Council may appoint 5 members to the Committee and may remove or replace members as it sees fit. The committee may meet at the Rio Dell City Hall when required. The charge of the committee is specifically related to the selection and management of sculptures placed on City pedestals in the Wildwood Avenue medians, including when art must be removed or repaired. The committee may also decide not to select any application from artists.

Members of the committee to be nominated and appointed by the City Council are (1) member of the City Council, the Planning/Community Development Director and (1) member of the general public. These appointees may not have membership in the Eagle Prairie Arts District or the Scotia/Rio Dell Chamber of Commerce. The Eagle Prairie Arts District and Scotia/Rio Dell Chamber of Commerce may nominate (1) member each from their membership.

If any of these appointments remain unfilled for 60 days, the Rio Dell City Council may fill the vacancy with a member of the public. If a member of the committee misses two or more consecutive meetings, the City Council may assume that a vacancy has occurred and may move to fill that vacancy. Committee members shall serve without compensation.

#### **Application Process**

All artists desiring to exhibit their sculptures on Wildwood Avenue median pedestals must complete the Artist Application Form. There shall be no fee for filing the application. Photos showing the detail from all sides of the sculpture must accompany the application. If the

sculpture is not yet complete, a detailed drawing and description must be attached to the application. The selection of a sculpture by the committee shall be only tentative-not final until such time as the work is complete. At that time the committee's selection may be finalized or they may move on to another applicant. If the committee is unable to make a selection, the item shall be placed on the agenda of the City Council for a decision.

~~Deadlines for applications shall be the first work day in April, in anticipation of the installation date to occur on or before July 4 each year. The committee shall make its selection of sculptures by May 15 and shall prioritize their selection(s) in case a primary selection is not completed or acceptable (3) weeks prior to the installation date.~~

### **Prize Money**


Prize money may be raised by the community and awarded to sculptures selected to display their art on Wildwood Avenue pedestals. Prize money amounts must be determined prior to the release of applications and shall be stated in the application materials. The presentation of the prize awards will be made by the Eagle Prairie Arts District in a public ceremony, perhaps during Wildwood Days. Prize money donations made by commercial or civic organization sponsors will be acknowledged on the identifying plaque provided by the City.






For Meeting of: June 6, 2017

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: June 1, 2017

Subject: Architectural Barrier Removal (ABR) Project City Hall.

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**Recommendation:**

That the City Council:

1. Receive staff's report regarding possible ADA access improvements to City Hall, including possible cost saving measures; and
2. Open the public hearing, receive public input and deliberate; and
3. Direct staff to pursue the project as originally proposed.

**Discussion**

At your meeting of May 16, 2017 staff presented the bid from DCI Construction for possible ADA access improvements to City Hall. Their bid is \$296,785. Again, the City has approximately \$215,000 of Program Income and remaining Grant funds combined. The City has until September of this year to spend down the Program Income fund and utilize the PTA grant funds.

Although staff referred the RFP to HCD for their review and approval, in speaking with the County CDBG representative, a few of the project items will likely not be approved as part of the Architectural Barrier Removal (ABR) project. Apparently HCD reviews projects in detail at the back-end of the project. As such, if the Council would like to incorporate those items into the project the City would be responsible for the costs. These items include:

	Description	Cost
1.	Replacement of seven (7) large windows along the front of the building along the access route.	\$11,800
2.	Parking striping and signage	\$2,460
3.	Installation of ten (10) twelve (12) foot 150 watt LED parking lot light fixtures.	\$11,900
4.	Installation of ten (10) accent lights along the ramp foundation wall.	\$7,850
5.	Relocate existing landscape plantings.	\$1,075
	Total	\$35,085

Removing the elective costs from the project reduces the cost of the ABR project to \$261,700. Should the Council want to include the elective elements, the City would be responsible for the costs.

At your meeting of May 16, 2017, the Council directed staff to contact DCI in an attempt to negotiate some cost savings. DCI has provided some suggestions, included as Attachment 1, which could reduce the cost of the project by an additional \$29,000+/- . These suggestions include eliminating the wood grain stamped wall panels (\$17,500), not painting the hand/guardrails (\$6,000), modifying the ramp design and handrail to eliminate the planting area between the upper deck and ramp (\$2,500 - \$5,000).

Removing the elective costs and DCI's suggested changes would bring the cost of the project down to about \$233,000. Therefore the City's contribution would be approximately \$18,000. Just a reminder that the recently adopted budget included \$90,000 to go towards the project, which would be enough to build the project as originally proposed.

## Attachments

Attachment 1: DCI Construction Modified Bid costs dated May 23, 2017.



May 23, 2017

City of Rio Dell- Exterior ADA project

The following are some options for reducing costs of the project:

- |   |            |
|---|------------|
| • Remove wood texture wall panels                   | \$17,500   |
| • Remove painting of the handrail                   | \$ 6,000   |
| • Remove trees/replanting (to be done by City crew) | \$ 1,075   |
| • Change ramp design and handrail (\$2,500-5,000)   | TBD        |
| • Bond cost change (amount based on final contract) | \$ 300 +/- |
| • Lighting fixtures/design                          | TBD        |

Task	Labor	Materials	Equipment	Mgmt	Cost Allow	TOTAL	Adjustment	Comments
Mobilization	2,000	500	375	6,500		9,375		supervise/bond/site requirements
<b>SAVINGS: bond amount*</b>							<b>(300)</b>	<b>approximate amount</b>
Demolition/Disposal	12,000	3,500	3,200			18,700		
Site Prep/Layout	1,600	150	-			1,750		
Footings Excavation	3,000	100	800			3,900		
Forming: includes access openings and underfloor vents	50,000	3,750	300			54,050		
Relocate/extend exterior plumbing features	2,200	500	200			2,900		
Rebar/Ties	10,400	3,800	150			14,350		per plans & spec
Fill Material	8,000	7,500	600			16,100		compacted gravel
Concrete Pour and Finish, includes ramps, decks, accessible pathways from parking lot and to sidewalk north of City Hall	29,200	16,000	275			45,475		all concrete pouring and finishing: no color, standard concrete mix design- 2500 PSI
<b>SAVINGS: re-design ramp and handrail</b>							<b>(4,500)</b>	
Strip Forms	7,200	500	250			7,950		
Stamp Walls: Wood grain pattern	8,500	9,000	-			17,500		adder for decorative panels only; no adder for colored concrete
<b>SAVINGS: remove stamping</b>							<b>(17,500)</b>	
Metal Fabrication- Black Powder Coated Guardrails and Handrails	1,400	39,250				40,650		change from powder coated to painted hot dipped galvanized
<b>SAVINGS: remove painting from handrail</b>							<b>(6,000)</b>	would have galvanized finish only
Installation, including necessary framing of ADA Automatic Doors for Council Chambers, Main Entrance and Police Dept Entrance	1,000	23,500	-			24,500		2 new doors and frames, existing double doors to remain. 3 panic hardware & handicap operators complete, new exit sign at door location
<b>PAGE SUBTOTAL</b>	<b>136,500</b>	<b>108,050</b>	<b>6,150</b>	<b>6,500</b>	<b>-</b>	<b>257,200</b>	<b>(28,300)</b>	<b>PAGE SUBTOTAL</b>

\*bond amount would decrease with a reduced final contract amount

Task	Labor	Materials- DCI	Equip- DCI	Mgmt	Cost Allow	TOTAL	Adjustment	Comments
Replacement of Windows along front of City Hall (ADA pathway)	4,000	7,800	-	-	-	11,800		1 windows total, tempered bottom/slider top; bronze frame, gray tint glass
Parking AND striping and signage	200	100	-	360	1,800	2,460		one ADA parking sign; 5 parking stalls, one ADA parking
Installation of ten (10) 12' 150 watt LED black parking lot light fixtures	1,200	10,500	200	-	-	11,900		4- 15' light posts & lights; pole foundation & hook up
Installation of ten accent lights along ramp foundation wall	600	7,250	-	-	-	7,850		10 landscape wall lights installed on concrete wall
Relocate existing landscape plantings	300	125	150	-	-	1,075		relocate 2 existing trees
<b>SAVINGS: city to do landscaping</b>							(1,075)	City Works staff to relocate landscaping
Provide temporary access to City Hall during construction	3,000	1,500	-	-	-	4,500		temp guardrail during construction & access to bldg
Plumbing		-	-	-	-	-		with plumbing relocate
Electrical		-	-	-	-	-		with light pole & landscape lighting
PAGE SUBTOTAL	9,800	27,275	350	360	1,800	39,585	(1,075)	
PROJECT TOTAL	146,300	135,325	6,500	6,860	1,800	296,785	(29,375)	
ADJUSTED CONTRACT							267,410	

Bidder acknowledges having received and included in the Bid herein the following Addenda:

**Description:**

Furnish all labor, materials, equipment, mechanical workmanship, transportation, and services to be used and employed in the construction the complete project in accordance with the plans and specifications.

It is further understood and agreed that:

- The owner reserves the right to eliminate any section of this proposal from the Contract without claim of the Contractor for profits lost.

CITY OF RIO DELA ARB BID PACKAGE MARCH 2017

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



June 6, 2017

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 on Proposed Removal of Median Island on Wildwood Avenue

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Provide direction to staff:

1. Ask for additional information or otherwise continue the item to a future meeting; or,
2. Approve the proposal and direct staff to continue working with the applicant; or,
3. Approve modifications of the proposal and direct staff to work with the applicant; or,
4. Deny the proposal by tabling the item indefinitely.

BACKGROUND AND DISCUSSION

Staff has received a request from the owner of Root 101 Nursery, Mr. Harry Smith, to remove the median island along 770 Wildwood Avenue. Mr. Smith reports that the median is difficult for truck traffic to navigate and impedes access to his business and other businesses in town.

The medians were installed in 2004 from a STIP grant via HCAOG, and this particular median was the subject of a change order during the construction process to accommodate the concerns of the property owner (then Wildwood Feed). The Council was presented multiple options and chose the modification which imposed the least impact to the island.

At some point between 2012 and 2015 an adjustment was made to the fence line between 770 Wildwood and the adjacent property. The fence line was moved approximately 32 feet to more accurately reflect the actual property boundaries between these two private properties. This reconfiguration has further complicated the ingress/egress issues for 770 Wildwood Avenue.

Mr. Smith has indicated that he understands that he will need to bear all costs associated with removal of the island, pending the approval of the Council. If the Council were to authorize staff to proceed with the applicant, the city will:

- Continue the processing of the encroachment permit in a similar manner to all other permits.

- Request an engineered plan, and have that plan be reviewed by the City Engineer.
- Stipulate a performance guarantee for the project to insure its proper construction.

Included in this packet is the proposal from Mr. Smith, a copy of the encroachment permit application and two maps giving an initial overview of the project. In addition, Mr. Smith has issued correspondence to the Council, which has been distributed to the Council.

///



May 23, 2017

## Proposal to City of Rio Dell

Green To Gold Ent LLC. / DBA Root 101 Nursery 770 Wildwood Ave. would like to propose removal of the island in front of our business to meet CalTrans and City of Rio Dell code, efficiently and at our own cost.

With the island in front of our store, the larger delivery trucks are having a difficult time entering from northbound, as well as exiting our location, leaving no option to go southbound. Another issue with the island, is that our customers have to turn right when leaving and then do a u-turn at Central and Wildwood which prevents them from visiting any other businesses easily in the City of Rio Dell, also causing more concern for safety.

Chad Pasquini with Whitchurch Engineering will be doing any engineering or plans for this project. Chad was our engineer for our entire remodel. Conn Construction (license #672282) will be the contractor hired to remove the island, repave, restripe and add a turn lane in front of our business. Conn Construction will also provide all signage for the road closure and detour. The proposed detour would take traffic from the north to turn right onto Center St, left to Pacific Ave., left to W Davis Street then right back onto Wildwood Ave. From the south traffic would turn left onto W Davis Street, right on Pacific Ave, right on Center St. back to Wildwood. We will be capping and removing the City irrigation system.

CITY OF RIO DELL

5-23-17

We would like to have this project completed before Wildwood Days for the ease of traffic flow along with allowing our business to stay open during the four day event. After early discussions with the fire department, they seem to be on board for removal of the island because of the blockage of their driveway going northbound on Wildwood Avenue.

In conclusion; we feel that the overall traffic flow and public safety would benefit from the removal of the island. I feel that you, the city council, may run into this problem in the future with the island that extends north past Central St. The lot for sale on the east side of the street will run into these same issues, with the possibility of commercial storefront with street access. Any business from a hotel to a bicycle shop will be affected in the same way our storefront is now with the lack of access southbound, and all traffic being directed away from the city center northbound. We here at Root 101 Nursery have been more than happy with the support of the city council and the residence of Rio Dell. We plan on being here at this location for the long haul so let's work together to do what will only benefit us both in the years to come.

Harry Smith

Owner, Root 101 Nursery

A handwritten signature in black ink, appearing to be 'H. Smith', written over a light blue horizontal line.

**City of Rio Dell**  
**Encroachment Permit Application**

*(No work can be started until an approved permit has been issued)*



Date Issued: \_\_\_\_\_ Permit #: \_\_\_\_\_

Applicant's Name: <u>Green To Gold</u>	Contractor's Name: <u>Conn Construction</u>
Address: <u>770 Wildwood Ave</u>	Contact Name: <u>Kavin Conn</u>
<u>Rio Dell</u>	Address: <u>50 Metropolitan Hts</u>
Phone: <u>707-526-3072</u>	<u>Turkey CA 95570</u>
Start Date: _____	Phone: <u>707-725-9033</u>
Completion Date: _____	License No.: <u>672282</u>
Project Location: <u>Wildwood Ave</u>	Parcel Number: _____

**Project Type**

**PLANS REQUIRED: Minimum 8 1/2" 11" SCHEMATIC DRAWING or FULL SET OF PLANS**  
**REQUIRED INSPECTIONS MUST BE REQUESTED 24 HOURS IN ADVANCE (707) 764-3532**

- ☒ Installation/Repair/Replacement:    ☐ Sidewalk    ☐ Driveway    ☒ Street Paving    ☐ Curb & Gutter    ☐ Other
- ☐ Underground Utilities:    ☐ Water    ☐ Gas    ☐ Electrical    ☐ Sewer    ☐ Storm Drain    ☐ Tele/TV    ☐ Other
- ☐ Encroachment:    ☐ Awnings    ☐ Dumpster    ☐ Outdoor Seating    ☐ Bike Racks    ☐ Street Furniture    ☐ Other

Please Describe Removal of island and repaving of street

Excavation in Public Right-of-Way Required? ☐ YES ☒ NO If "YES" U.S.A. Ticket No. \_\_\_\_\_  
**Permit will not be issued until applicant provides U.S.A. ticket Number. U.S.A. Phone #811**

Insurance ☒ General Liability    ☐ Worker's Compensation    City Business License ☒ YES    ☐ NO  
**Permit will not be issued until applicant provides insurance certificates and City Business License**

**In signing this Encroachment Permit Application, the Applicant and Contractor agree to the terms and Conditions attached hereto.**

Signature of Applicant: [Signature] Date: 5/23/17

Signature of Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

**City Use Only**

Route To:	Department/Approved	Conditions Attached
<input type="checkbox"/> City Manager:	_____ Date: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> City Planner:	_____ Date: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> City Engineer:	_____ Date: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO
<input type="checkbox"/> Police Dept.:	_____ Date: _____	<input type="checkbox"/> YES <input type="checkbox"/> NO

Fee: \_\_\_\_\_ Receipt #: \_\_\_\_\_

Approved for Construction: ☐ YES    ☐ NO By: \_\_\_\_\_ Date: \_\_\_\_\_

Inspection Required: ☐ YES    ☐ NO Final Inspection By: \_\_\_\_\_ Date: \_\_\_\_\_

Building Permit Required: ☐ YES    ☐ NO Building Permit #: \_\_\_\_\_

CITY OF RIO DELL  
ENCROACHMENT PERMIT GENERAL TERMS AND CONDITIONS  
ALL CHECKED CONDITIONS SHALL APPLY TO THIS ENCROACHMENT PERMIT

**General:**

1. ☐ Dumpsters and debris box locations shall be approved by the City.
2. ☐ Dumpsters/debris box must have reflectors. Please call when box is picked-up. (707) 764-3532.
3. ☒ All work shall be constructed in accordance with Caltrans standards and specifications.
4. ☒ Contractor shall provide a plan for safe pedestrian and vehicular passage around the construction site in accordance with Caltrans Manual of Traffic Safety in Construction Work Zones.
5. ☒ Contractor shall maintain barricades at all times.
6. ☐ Subcontractors must obtain a separate Encroachment Permit.
7. ☐ All disturbed traffic markings and signs shall be replaced.
8. ☒ No construction equipment shall be parked on City streets overnight unless approved by the City.
9. ☒ Businesses and residents in the immediate area shall receive written notice of the proposed work, days of road and sidewalk closures, hours of operations and a contact person for questions. The written notice shall be reviewed and approved by the City prior to distribution, and must be distributed at least 24 hours prior to the start of work.
10. ☒ Working hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

**Excavation:**

11. ☐ All trenches shall be closed at the end of the work day with steel plates or temporary cut back.
12. ☒ Trench backfill shall be compacted to ☒ 90% or ☐ 95%. Contractor shall install permanent paving as required.
13. ☒ Contractor shall excavate and expose all utilities. Utility elevations shall be verified by the design engineer (or if applicable, by the contractor and observed by a City representative).
14. ☒ All construction and related work shall be coordinated between the contractor, utility representatives and City representatives.
15. ☒ Saw cut along lip of gutter. Do not damage existing pavement. If pavement is damaged, the pavement shall be saw cut and replaced a minimum width of 2 feet or as directed by the City.
16. ☐ If existing roadway has pavement fabric, saw cut a minimum of 4 inches deep to cut through the fabric. Do not tear the fabric during excavation.

**Sidewalk/Driveway:**

17. ☐ Saw cut along score lines of the sidewalk.
18. ☐ Install driveway approach as per American with Disabilities Act (ADA) requirements.
19. ☐ Driveway approach and sidewalk shall be replaced per City standards within two weeks of the start of work. The limits of removal and replacement shall be marked in the field by the City.
20. ☐ Pave a minimum of 20 feet behind the driveway approach.
21. ☐ Bore under sidewalk or remove and replace sidewalk to install underground pipe. Tunneling is not permitted unless approved by the City.
22. ☐ Wheelchair ramps shall be in accordance with the American with Disabilities Act (ADA) requirements.
23. ☐ Concrete forms and reinforcement must be inspected and approved prior to concrete pour.

The following additional Conditions shall also apply: \_\_\_\_\_

I have read, understand and will abide by the Terms and Conditions listed above:

Signature of Applicant: \_\_\_\_\_

Date: 5/23/17

Detour  
↓ ↗

ROAD  
CLOSED

Rio Dell Volunteer  
Fire Department 

Pacific Ave

Wildwood Ave

Rio Dell Library 

 Kreations A

Humboldt Gables



 Dollar (



↑ Detour  
↓

W Davis St

ROAD  
CLOSED

Detour  
← ↓





Wildwood Ave

REMOVE  
OF  
ISLAND  
REPLACE  
WITH  
ASPHALT


STRIP  
FOR  
TURN  
LANE


Wildwood Ave



For Meeting of: June 6, 2017

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: May 31, 2017

Subject: Reconsideration and possible approval and adoption of Ordinance No. 355-2017 amending Section 17.30.020 *Accessory Uses and Buildings* of the Rio Dell Municipal Code (RDMC) to (1) prohibit new cargo/shipping containers in residential zones and the Town Center zone; (2) establish developments standards for cargo/shipping containers in other zones and to (3) allow for exceptions by the Planning Commission when certain findings can be made.

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**Recommendation:**

That the City Council:

1. Receive staff's report regarding amending Section 17.30.020 Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to address cargo/shipping containers; and
2. Should the Council desire to reconsider potential cargo container regulations, provide direction to staff with the following motion:

*"I move to suspend the rules so that a motion to reconsider Ordinance No. 355-2017 may be made at this meeting. (4/5 Vote Requirement)"; and*

*"I move to reconsider Ordinance No. 355-2017, which was considered and rejected by a vote of 2-2 at the May 16, 2017 meeting." (Motion must be made by Council Member Marks or Mayor Wilson); and*

3. Open the public hearing, receive public input and deliberate; and either
4. Find that the proposed text amendment is consistent and compatible with the General Plan and any implementation programs that may be affected; and



5. Find that the proposed amendments have been processed in accordance with the California Environmental Quality Act (CEQA); and
6. Adopt Ordinance No. 355-2017 amending Section 17.30.020 Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to (1) prohibit new cargo/shipping containers in residential zones and the Town Center zone; (2) establish developments standards for cargo/shipping containers in other zones and to (3) allow for exceptions by the Planning Commission when certain findings can be made; and
7. Direct the City Clerk, within 15 days after adoption of the Ordinance, to post an adoption summary of the Ordinance with the names of those City Council members voting for or against, or otherwise voting in at least three (3) public places and to post in the office of the City Clerk a certified copy of the full text of the adopted Ordinance pursuant to Section 36933(a) of the California Government Code; or
8. Do not take any action at this time.

## **Discussion**

As you're aware, your Council was schedule to adopt the Ordinance at your meeting of April 18, 2017. Only Council members Johnson, Marks and Mayor Wilson were present for the meeting. Council member Johnson suggested that Building Permit Fees for existing cargo containers be waived. Council member Marks reiterated that that he is not in support of allowing them at all in residential zones. Mayor Wilson stated that once a container wears out, that they should not be allowed to be replaced. There was no one from the public that attended the meeting. Subsequent discussions with two of the stakeholders indicated that they were under the impression that adoption of the Ordinance as presented and modified at the meeting of April 4<sup>th</sup> was a formality and therefore chose not to attend the meeting.

The Council decided to continue the item to the meeting of May 16<sup>th</sup> and directed staff to contact property owners with known cargo containers so that they were aware of the meeting.

At the Council meeting of May 16<sup>th</sup>, the Council reconsidered the Planning Commission's recommendations regarding the use of cargo containers in certain zones throughout the City. The Planning Commission recommended that new cargo containers in residential zones not be allowed unless an exception is approved by the Planning Commission. As was discussed at the April 4<sup>th</sup> meeting, the exception is through a Conditional Use Permit process which requires that neighbors within 300 feet of the project site be notified of the application and the date of the public hearing. This allows neighbors who may have a concern, to express their concerns to the Planning Commission.

Some property owners attended the May 16<sup>th</sup> meeting and expressed their desire to keep those existing cargo containers, subject to the recommended performance standards. Mayor Wilson was supportive of allowing existing containers for a limited time, five years, and then they had to be removed. Council member Marks was opposed to allowing cargo containers in residential zones, including existing cargo containers. Council member Johnson made a motion to approve the provisions (Ordinance No. 355-2017). Council member Garnes, seconded the

motion. The motion failed on a 2 – 2 vote with Mayor Wilson and Council member Marks dissenting.

In order for the Council to reconsider Ordinance No. 355-2017, either Mayor Wilson or Council member Marks must make the following motion:

*"I move to suspend the rules so that a motion to reconsider Ordinance No. 355-2017 may be made at this meeting. (4/5 Vote Requirement)"; and*

*"I move to reconsider Ordinance No. 355-2017, which was considered and rejected by a vote of 2-2 at the May 16, 2017 meeting." (Motion must be made by Council Member Marks or Mayor Wilson).*

It should be noted that staff did contact the City's of Fortuna, Arcata and Eureka and the County inquiring if cargo containers were allowed in residential zones and if building permits were required. Arcata indicated that they have no provisions which would preclude cargo containers in residential zones. However, cargo containers certain areas within the City would be subject to design review. Eureka and Fortuna also indicated that they do not have any provisions which would preclude cargo containers in residential zones subject to the development standards of the zone (i.e. setbacks, lot coverage, etc.). Apparently cargo containers have not been an issue as of yet. All three City's indicated that Building Permits are required. At this point, we have not heard back from the County. If we do, staff will inform the Council at the meeting Tuesday night

Staff did send letters to those property owners with known cargo containers to inform them that the Council is scheduled to revisit possible cargo container regulations.

### **Zone Reclassification Required Findings**

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

There are a no polices in the General Plan which preclude or discourage the recommended minor text amendments. As such, the proposed amendments are consistent and compatible with the General Plan.

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

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

staff believes there is no evidence to suggest that the minor amendments will have a ***significant*** effect on the environment.

### **Attachments**

Attachment 1: Ordinance No. 355-2017 amending Section 17.30.020 Accessory Uses and Buildings of the Rio Dell Municipal Code (RDMC) to (1) prohibit new cargo/shipping containers in residential zones and the Town Center zone; (2) establish developments standards for cargo/shipping containers in other zones and to (3) allow for exceptions by the Planning Commission when certain findings can be made.

**ORDINANCE NO. 355-2017**



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING SECTION 17.30.020 ACCESSORY USES AND BUILDINGS OF THE RIO DELL MUNICIPAL CODE (RDMC) TO (1) PROHIBIT NEW CARGO/SHIPPING CONTAINERS IN RESIDENTIAL ZONES AND THE TOWN CENTER ZONE; (2) ESTABLISH DEVELOPMENTS STANDARDS FOR CARGO/SHIPPING CONTAINERS IN OTHER ZONES AND TO (3) ALLOW FOR EXCEPTIONS BY THE PLANNING COMMISSION WHEN CERTAIN FINDINGS CAN BE MADE.**

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

**WHEREAS** staff has been contacted a number of times the past few years from those who would like to place and utilize cargo/shipping containers on their parcels and those who have expressed concern regarding the visual appearance of cargo containers; and

**WHEREAS** the City does not currently have any regulations regarding the use of cargo/shipping containers used as accessory structures; and

**WHEREAS** shipping containers are an increasingly common sight in the City and throughout the nation; and

**WHEREAS** in response many jurisdictions have enacted regulations regarding the placement and use of cargo/shipping containers the past few years to protect the character of neighborhoods and communities, reduce the potential for health and safety hazards, maintain and protect the visual qualities and property values of an area; and

**WHEREAS** the Planning Commission recommends allowing cargo/shipping containers in certain zones subject to specific development standards intended to protect the character of neighborhoods and maintain and protect the visual qualities and property values of an area; and

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

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

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

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

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

**Section 1.** Chapter 17.10, Definitions of the RDMC is amended to include the following definition of "Cargo/Shipping Container":

**Cargo/Shipping Container means a container made of steel or similar material which is designed for securing and protecting items for transport or storage. Cargo/Shipping containers include, but are not limited to, containers commonly used as shipping containers on ships and railroads, and/or tractor trailers, PODS (Portable On Demand Storage) and other similar units.**

**Section 2.** Section 17.30.020(2) of the Rio Dell Municipal Code is amended to read in as follows:

**17.30.020 Accessory Uses and Buildings**

(1) A use legally permitted in the zone that is accessory to and subordinate to the principal use of the site and serves a purpose which does not change the character of the principal use. Accessory uses, as defined herein, shall be permitted as appurtenant to any permitted use, without the necessity of securing a use permit, unless particularly provided in this chapter; provided, that no accessory use shall be conducted on any property in any urban residential, suburban residential or suburban zone unless and until the main building is erected and occupied, or until a use permit is secured. [Ord. 252 § 6.02, 2004.]

(2) Detached accessory buildings in suburban residential, urban residential, residential multifamily and suburban zones shall conform to the following development standards. See "Building Height" definition, Section 17.10.010.

**(a) Maximum Building Height**

- (i) Fifteen feet (15') on lots 20,000 square feet or less.

(ii) Twenty feet (20') on lots larger than 20,000 square feet.

(b) Maximum Gross Floor Area

(i) 1,000 square feet on lots 20,000 square feet or less.

(ii) 1,500 square feet on lots larger than 20,000 square feet.

(3) Exceptions. The Planning Commission may modify by use permit, the height and floor area requirements of this part, upon a showing of good cause. For any such modification, the Planning Commission shall be required to make the following findings:

(a) The proposed modification will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;

(b) The proposed modification will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and

(c) The proposed modification will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

(d) In issuing a use permit, the Planning Commission may require such changes or alterations to the building as it may deem necessary to satisfy the findings specified in this part. Such changes or alterations may include, but shall not be limited to the following:

- Building height
- Building area
- Setback from property line
- Screening or landscaping

(4) Detached accessory buildings may not be located within five feet of any main building, nor within five feet of a side line, nor as to encroach on any easement. Minimum yards: side, five feet, shall have the street side yard of 20 feet; rear, 10 feet.

(5) Detached accessory buildings used as second dwelling units shall not be located within 10 feet of lot lines or within five feet of an alley. The second dwelling unit shall be subject to the minimum yard requirements of the zoning district in which it is located.

(5) Accessory buildings attached to main buildings shall be structurally a part thereof and shall comply with main building yard requirements except as follows:

(a) A passive solar addition to a main building, as defined herein, may be permitted in the required front, rear, or side yard, except street side yard; provided, that no such addition shall reduce the distance between the main building and the front or rear property line to less than 15 feet, nor less than five feet from a side property line, and that no such addition shall occupy

more than five percent of the area of the front or rear yard, nor more than 10 percent of the side yard area. [Amended during 2010 codification; Ord. 252 § 6.21.5, 2004.]

(6) Cargo/Shipping Containers used as accessory structures in Suburban Residential, Urban Residential, Residential Multifamily, Suburban, Rural and Town Center zones are prohibited.

(a) Existing Cargo/Shipping Containers in Suburban Residential, Urban Residential, Residential Multifamily, Suburban, Rural zones on parcels 10,000 square feet or larger shall be considered legal non-conforming uses and/or structures and comply with the following provisions:

(i) A Building Permit is required, electrical service is prohibited;

(ii) Parcel must be developed with the primary use;

(iii) No more than two (2) containers per parcel;

(iv) Containers shall be no more than 8' x 20';

(v) Container must be placed on a gravel, decomposed granite or other all-weather surface as approved by the Director of Public Works;

(vi) Unit(s) must be placed on the rear half of the parcel and screened (i.e. vegetation, fencing) from public view;

(vii) Must not exceed allowable lot coverage;

(viii) Must comply with the setback requirements of the zone;

(ix) May not be placed within any easements;

(x) Must be painted a solid neutral color (i.e. beige, taupe and browns) or a color(s) to match the residence;

(xi) Containers cannot be stacked;

(xii) No signage is allowed on the container;

(b) Existing Cargo/Shipping Containers that do not comply with the above provisions shall not be considered a legal non-conforming use and/or structure and shall be relocated, removed and/or modified to comply with the provisions of this section within 180 days after adoption of the implementing ordinance.



(7) Cargo/Shipping Containers used as accessory structures in Natural Resource zones shall conform with the following development standards:

(a) A Building Permit is required, electrical service is prohibited;

(b) Parcel must be developed with the primary use;

(b) No more than one (1) container per parcel;

(c) Container shall be no more than 8' x 20';

(d) Container must be placed on a gravel, decomposed granite or other all-weather surface as approved by the Director of Public Works;

(e) Unit(s) must be placed on the rear half of the parcel and screened (i.e. vegetation, fencing) from public view;

(f) Must not exceed allowable lot coverage;

(g) Must comply with the setback requirements of the zone;

(h) May not be placed within any easements;

(i) Must be painted a solid neutral color (i.e. beige, taupe and browns) or a color(s) to match the residence;

(j) No signage is allowed on the container;

(k) Containers cannot be stacked;

(l) Existing Cargo/Shipping Containers shall not be considered a legal non-conforming use and/or structure and shall be relocated, removed and/or modified to comply with the provisions of this section within 180 days after adoption of the implementing ordinance.

(8) Cargo/Shipping Containers used as accessory structures in Community Commercial and Neighborhood Center zones shall conform to the following development standards:

(a) The allowable number of containers on a parcel shall be based on the size of the parcel as follows:

<u>Parcel Size</u>	<u>Number of Containers</u>
<u>10,000 square feet or less</u>	<u>1</u>
<u>10,001 to 20,000 square feet</u>	<u>2</u>
<u>20,000 to 1 acre</u>	<u>3</u>
<u>Parcels larger than 1 acre</u>	<u>4</u>

(b) A Building Permit is required, electrical service is prohibited;

(c) Parcel must be developed with the primary use;

(d) Unit(s) must be placed on the rear half of the parcel and screened (i.e. vegetation, fencing) from public view;

(e) Container must be placed on a gravel, decomposed granite or other all-weather surface as approved by the Director of Public Works;

(f) Must not exceed allowable lot coverage;

(g) Must comply with the setback requirements of the zone;

(h) May not be placed within any easements;

(i) Must be painted a solid neutral color (i.e. beige, taupe and browns) or a color(s) to match the primary building;

(j) Containers cannot be stacked;

(k) Existing Cargo/Shipping Containers shall not be considered a legal non-conforming use and/or structure and shall be relocated, removed and/or modified to comply with the provisions of this section within 180 days after adoption of the implementing ordinance.

(9) Cargo/Shipping Containers used as accessory structures in the Industrial Commercial zone shall conform to the following development standards:

(a) Parcel must be developed with the primary use;

(b) A Building Permit is required, electrical service is prohibited;

(c) Must not exceed allowable lot coverage;

(d) Must comply with the setback requirements of the zone;

(e) May not be placed within any easements;

(f) Container must be placed on a gravel, decomposed granite or other all-weather surface as approved by the Director of Public Works;

(g) Must be painted a solid neutral color (i.e. beige, taupe and browns) or a color(s) to match the primary building;

(h) No signage is allowed on the container;

(i) Containers cannot be stacked;

(j) Existing Cargo/Shipping Containers shall not be considered a legal non-conforming use and/or structure and shall be relocated, removed and/or modified to comply with the provisions of this section within 180 days after adoption of the implementing ordinance.

(10) Exceptions. The Planning Commission may modify by use permit, the number and/or location, including zoning designations, requirements of this part, upon a showing of good cause. For any such modification, the Planning Commission shall be required to make the following findings:

(a) The proposed location and/or modification will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;

(b) The proposed location and/or modification will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and

(c) The proposed location and/or modification will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

(d) In issuing a use permit, the Planning Commission may require such changes or alterations as it may deem necessary to satisfy the findings specified in this part. Such changes or alterations may include, but shall not be limited to the following:

- Location
- Screening
- Setback from property line

### **Section 3. Severability**

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

### **Section 4. Limitation of Actions**

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

### **Section 5. Effective Date**

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on March 7, 2017 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 18, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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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. 355-2017 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the April 18, 2017.

---

Karen Dunham, City Clerk, City of Rio Dell

City Clerk Dunham explained that cargo containers used as accessory structures are considered the same as any other accessory structure and that any structure over 120 sq. ft. requires a permit.

Mayor Pro Tem Johnson said he would like to see the fees for existing containers waived.

Mayor Wilson stated that the idea was to prohibit cargo containers in residential zones so in the event a container wears out, feels they shouldn't be allowed to be replaced.

City Clerk Dunham explained that existing cargo containers are considered legal non-conforming uses and can be replaced however; if the use ceases for 12 months or more it is deemed to an abandonment of the use and it would then revert back to the current requirements of the zone.

Councilmember Marks stated that he is perfectly happy with the original ordinance to not allow them at all.

Mayor Wilson opened a public hearing to receive input on the proposed ordinance. There being no public comment, the public hearing was closed.

City Manager Knopp suggested the matter be continued to the next regular meeting on May 2, 2017.

Motion was made by Johnson/Wilson to continue the discussion, consideration and possible adoption of Ordinance No. 355-2017 to the meeting of May 2, 2017. Motion carried 3-0.

Mayor Wilson stated that he would also like staff to send out notices to all property owners with existing cargo containers and that they be identified by assessor parcel number so there is no misconception later on.

## **REPORTS/STAFF COMMUNICATIONS**

City Manager Knopp provided a written City Manager update of recent activities and events. (attachment 1 to these minutes).

Finance Director Woodcox reported on recent activities and events in the finance department and said the auditor from the State Controller's Office was here for over a week to audit the Gas Tax Funds for 2015-2016 and said there were only a couple of small items identified. She said a report will be forthcoming.

## **OTHER COUNCIL REPORTS**

By consensus of the Council, Councilmember Marks was appointed as Alternate to the Rio Dell Sculpture Committee.


## ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

### Resolution No. 1331-2017 Amending Project Budget for 2017 Slurry Seal Project to include an additional \$7,200 General Fund Subsidy for Sealing of Lower Monument Road

City Manager Knopp provided a staff report and said he received an email from the contractor asking if the City would like to add any extra work for slurry sealing. He said under the 2017 Asphalt Repair project included crack sealing of the lower portion of Monument Road but in light of the recent storms, staff is recommending the contractor focus on crack sealing on the upper portion of Monument Road above Pacific Ave. and add slurry sealing on the lower portion of Monument Road. He noted that the addition of this section of roadway is estimated to cost \$7,200 including a 10% contingency and the project is likely to come in lower than the estimate.

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

Motion was made by Johnson/Marks to approve Resolution No. 1331-2017 amending the project budget for the 2017 Slurry Seal Project to include an additional \$7,200 General Fund Subsidy for sealing of lower Monument Road. Motion carried 3-0.



### Second reading (by title only) and adoption of Ordinance No. 355-2017 Amending Section 17.30.020 "Accessory Uses and Buildings" of the Rio Dell Municipal Code (RDMC) to include Cargo/Shipping Containers used as Accessory Structures

City Manager Knopp provided a brief staff report and said at the April 4, 2017 meeting the Council considered and approved the Planning Commission's recommendations regarding the use of cargo containers in certain zones throughout the City. He explained that new cargo containers in residential zones are not allowed unless an exception is approved by the Planning Commission through the Conditional Use Permit (CUP) process. He said the Council also followed the recommendation of the Planning Commission to allow existing cargo containers on lots larger than 10,000 sq. ft. to remain subject to certain performance standards including a building permit, location standards and limiting the number of containers to no more than two (2).

The Council also directed staff to amend the screening provisions to require vegetation and/or fencing from public view which he noted was incorporated into the ordinance.

Mayor Pro Tem Johnson asked if existing cargo containers will be required to obtain a building permit.



May 9, 2017

Dear Property Owner:

Subject: City Council Meeting May 16, 2017 - Cargo Containers

The City Council is scheduled to reconsider their April 4<sup>th</sup> amendments regarding the use of cargo containers in certain zones throughout the City. Below is a brief summary of the changes:

- New cargo containers in residential zones are not allowed unless an exception is approved by the Planning Commission.
- The Council followed the recommendation of the Planning Commission to allow existing cargo containers on lots larger than 10,000 to remain subject to certain requirements including a building permit, location standards and limiting the number of containers to no more than two.
- The Council also directed staff to amend the screening provisions to require vegetation and/or fencing. See below.

(vi) Unit(s) must be placed on the rear half of the parcel and screened **(i.e. vegetation, fencing)** from public view.

If you have any questions, please feel free to contact me at 764-3532.

Respectfully,

A handwritten signature in blue ink that reads "Kevin Caldwell".

Kevin Caldwell  
Community Development Director and  
Building Inspector

Enclosures



**Public Notice**  
**City of Rio Dell City Council Meeting**  
**Notice of Public Hearing**

On Tuesday, May 16, 2017 at 6:30 p.m. or as soon thereafter as the matters can be heard, the Rio Dell City Council will hold a public hearing in the City Council Chamber at City Hall to consider the project listed below. If you have any questions regarding the proposed project, contact Kevin Caldwell, Community Development Director at (707) 764-3532.

**1. Accessory Structures – Cargo/Shipping Containers:** Continued discussion regarding establishing regulations regarding cargo/shipping containers as accessory uses, including their size, number and location.

**California Environmental Quality Act (CEQA):** Based on the nature of the project, staff has determined that the project is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Pursuant to Section 15061(b) (3) of the CEQA Guidelines this exemption is covered by the general rule that CEQA applies only to projects which have the potential for causing a *significant* effect on the environment. Based on the nature of the proposed amendments, staff believes there is no evidence to suggest that the amendments will have a *significant* effect on the environment.

Any person may appear and present testimony in regard to the project at the hearing. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council, at, or prior to, the public hearing. The City Council needs **10 copies** of any materials submitted either prior to, or at the meeting.

General questions regarding the project, the planning process, submission of materials and information not specific to this project may be obtained from the City, 675 Wildwood Avenue, Rio Dell, CA. 95562; telephone (707) 764-3532.



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

Cargo Containers  
Mailing List

Pamela Cassady  
975 Webb Lane  
Rio Dell, CA. 95562

Neil & Kathy Wildgrube  
6 Painter Street  
Rio Dell, CA. 95562

Bounthouy & Heather Vonglakhone  
220 Willow Lane  
Rio Dell, CA. 95562

Kaleb & Cassandra Perry  
229 Ogle Avenue  
Rio Dell, CA. 95562

Timothy Roscoe  
P.O. Box 593  
Fortuna, CA. 95540

Ray Ayers  
655 Rigby Avenue  
Rio Dell, CA. 95562

Peter & Sarah Chapman  
543 Rigby Avenue  
Rio Dell, CA. 95562

Michael Ward  
730 Ireland Avenue  
Rio Dell, CA. 95562

Travis Wildgrube  
6 Painter Street  
Rio Dell, CA. 95562

Myrna Moore  
P.O. Box 135  
Rio Dell, CA. 95562

Kevin Bradley  
1838 Thelma Street  
Fortuna, CA. 95540

Michael Ward  
730 Ireland Avenue  
Rio Dell, CA. 95562

James Cortazar  
625 Monument Road  
Rio Dell, CA. 95562

Sean Studebaker  
4439 Briceland-Thorn Road  
Redway, CA. 95562

Shane Wilson  
Rio Dell Fire Department  
50 W. Center Street  
Rio Dell, Ca. 95562

Randy Whitlow  
P.O. Box 767  
Miranda, CA. 95553

Dennis Wendt  
1660 Newburg Road  
Fortuna, CA. 95540

101 Auto Supply  
Kenneth Ransbottom  
33 Center Street  
Rio Dell, CA. 95562

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675 Wildwood Avenue  
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**CITY OF RIO DELL  
STAFF REPORT  
CITY COUNCIL AGENDA  
APRIL 2, 2017**

TO: Mayor and Members of the City Council  
THROUGH: Kyle Knopp, City Manager *[Signature]*  
FROM: Graham Hill, Chief of Police *[Signature]*  
DATE: June 6, 2017  
SUBJECT: Police Department Budget Amendment/SLESF Funds Expenditure

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**RECOMMENDED CITY COUNCIL ACTIONS**

Authorize an amendment to the Police Department 2016-2017 Fiscal Year budget in the amount of \$30,907.00 of SLESF surplus funds, and \$6,000.00 from Realignment Grant Funds, to be used for the purchase of ballistic vest carriers, Taser's, body cameras, and a portion of a police vehicle.

**SUMMARY**

Every year the police department receives SLESF funding via the State of California. This money is restricted to use by the police department specifically for front-line law enforcement purposes. These funds are used to employ one police officer position. We typically budget for that position and there is generally a small surplus. We received additional funding (\$143K vs. our typical funding of \$100k) last year and therefore have a larger surplus than usual. We currently have a surplus of \$30,907.00 that needs to be encumbered before the end of this fiscal year.

As you are aware we have applied for USDA funding to help with the purchase of a new police car. That application was made almost a year ago. We have not received information as to whether or not that project is going to be funded. For that reason, we waited to request this budget amendment so we did not

encumber these funds in the case that we needed to utilize them for a vehicle if we did not receive approval from USDA. At this point I do not anticipate receiving USDA funding, however we have not been notified as of yet. Additionally, we have approximately \$9,000.00 in Realignment funding and while we are not under any time constraints to expend it, I would like to apply a portion of that funding to be applied to the vehicle purchase. This will bridge the gap between what has already been allocated for a vehicle purchase and the additional SLESF funds. Additionally, it has been a year since we obtained quotes to outfit these vehicles and this will create some additional available funds and prevent a return to Council for additional funding.

Because we are reaching the end of the fiscal year we need to encumber the SLESF funding to adhere to the rules of the funding. It is my intention to utilize the funds as follows for needed equipment that is consistent with the front-line law enforcement requirement.

- Body Cameras- As you are aware, and recently reported to Council, we purchased body cameras several years ago and those cameras have failed. We have diligently reviewed and tested several brands of cameras (as previously described), and have settled on Axon cameras (Formerly known as Taser International). I have attached a summary of the cameras we tested and how we came to the decision of Axon). The cost of the cameras (5), extended 3 year warranty, and download/charging block **\$4,832.12**
- Ballistic Vest Carriers- These are vests that carry our ballistic vests as well as have utility pockets and webbing to carry some of our equipment. The vests are customized to the needs of the department/officer and specifically tailored to our current ballistic panels. The cost of these vests (5) is **\$2,241.37**
- Taser's. While we have Tasers they were purchased in 2003 and have reached the end of their useful life. Taser's are used in the field by trained officers and are one of the force options available when dealing with subjects in the field under specific circumstances. The cost of Taser's, Taser holsters, additional 4 year warranty, batteries, and 50 cartridges, is **\$6947.54**
- Vehicle purchase- I do not anticipate receiving the USDA funding and we are in desperate need of a vehicle at this point. I am proposing we utilize these funds toward the purchase of a second patrol vehicle and withdraw our application with USDA. **\$16,885.97 (SLESF)**, and **\$6,000.00 (Realignment Grant)** to be applied to the purchase of an additional patrol vehicle. This amount coupled with the funds already allocated to a vehicle purchase would make up the difference of the amount that USDA would likely have provided if they were to have awarded the funding.

#### ATTCHMENTS:

- Camera review information
- Vest Information
- Taser Information



**RESOLUTION NO. 1338-2017  
A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF RIO DELL  
BUDGET AMENDMENT FOR THE POLICE DEPARTMENT  
2016-2017 OPERATING BUDGET FOR EQUIPMENT**

**WHEREAS**, the City adopted Resolution 1288-2016 establishing the City's Operating and Capital Budget for the Fiscal-Year 2016/17; and

**WHEREAS**, the City is required to expend Supplemental Law Enforcement Services Fund (SLESF) prior to the end of the 2016-2017 fiscal year; and

**WHEREAS**, there is \$30,907.00 identified as being unencumbered; and

**WHEREAS**, the Police Department requires and additional vehicle and some funds have already been allocated for the purchase, additional funds are required to make the purchase and outfit the vehicle, and there is funding from the Law Enforcement Realignment Grant in the amount of \$6,000.00 that is unencumbered; and

**WHEREAS**, the Police Department has identified purchases that fit the needs of the department and fall within the spending guidelines of the funding, and are identified as follows:

• Body cameras and associated equipment	\$4,832.12
• Ballistic vest carriers	\$2,241.37
• Taser's and associated equipment	\$6,947.54
• Portion of patrol vehicle purchase	\$16,885.97 (SLESF)
• Portion of patrol vehicle purchase	\$6,000.00 (Realignment Grant)

**NOW THEREFORE BE IT RESOLVED**, that the City of Rio Dell City Council does hereby amend the City of Rio Dell 2016/17 Operating and Capital Budget with the following transaction:

Transfer an additional amount of \$30,907.00 from SLESF Reserves, and \$6,000.00 from Realignment Grant Reserves, amending the Police Department operating budget to go towards the purchase of identified equipment.

<u>FUND</u>	<u>AMOUNT</u>
040 (SLESF)	\$30,907.00
046 (Realignment Grant)	\$6,000.00

**PASSED AND ADOPTED** by the City Council of the Rio Dell on this 6th day of June, 2017 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

\_\_\_\_\_  
Frank Wilson, Mayor

\_\_\_\_\_  
Karen Dunham, City Clerk



## Rio Dell Police Department body worn camera testing and evaluation.

Chief Hill,

I was assigned to the test and evaluate four body worn cameras. These cameras would be relied on by officers for their safety, public transparency as well as the most accurate evidence documentation. During the testing and evaluation I based by decisions and opinions on the following needs which were determined to be the most important.

**Video Quality:** Without good video quality, it could still leave questions asked for the officer as well as potential jurors during prosecution of the case.

**Battery Life:** The camera is only useful as a tool if the camera is deployable and will last a whole shift with the officer.

**Storage:** The camera should be able to store a full shift of 10 hours worth of video before needing to be downloaded.

**Mounting and Durability:** The camera will only document evidence if it will stay with the officer during some of the physically demanding tasks they perform during a shift.

**Ease of use:** The officer should be able to easily use the camera in the day to day operations and not have the unit being too complicated.



Camera 1. Patrol Eyes SC-DV5 \$464.95



Specs:

- **Battery Life:** Up to 6 hours
- **Video Resolution Modes:** 1296P @ 30fps | 1080P @ 30fps | 720P @ 30fps | 720P @ 60fps | 480P @ 30fps | 480P @ 60fps
- **Photo Resolution:** Up to 33MP
- **Video Format:** .MP4
- **Photo Format:** .JPG
- **Storage Capacity:** 32GB
- **Battery:** Removable 1950mAh battery
- **Standby Battery Life:** Up to 15 hours
- **Field of View:** 170°
- **Night Vision:** Auto infrared
- **Night Vision Range:** Up to 32ft with visible face detection
- **Motion Detection Capable:** Yes
- **Waterproof:** Up to 3ft depth
- **Time and Date Stamp:** Embedded on every video with user ID
- **Burst Photo:** 1, 3, or 5 photos at once
- **Fast Forward or Rewind Speeds:** 2x, 4x, or 8x
- **Working Temperature:** -40°C to 60°C
- **Camera Weight:** 163 grams
- **Camera Dimensions:** 3.3x2.7x1.2 inch
- **Video Storage:**
  - 1080p @30fps (1 hour of footage=5GB)
  - 720p @30fps (1 hour of footage=3.6GB)
  - 480p @30/60fps (1 hour of footage=2.1GB)
- **Battery Life:**
  - **480P:** 5.6 hours
  - **720P:** 5 hours
  - **1080P:** 4 hours

Mounting: Plastic clips

## Camera 2. Body Cams by Retired Cops "Brave" \$399.99



### Specs:

- 32MBs of on board storage.
- Highly water resistant and dust proof.
- Shock proof ( DROP) up to 5 feet.
- 140 degree wide angle lens.
- 64 X zoom lens.
- Infrared lighting (auto/manual/off) which is a selectable setting in the menu.
- Powerful 3200 mh battery for 9 hours of operation on 720R.
- Easy to find one touch off/on video button which is located conveniently on the front of camera.
- Still photographs are up to 32 megapixels.
- Audio only recording for sensitive interview.
- 3 easily recognized notifications of video and power off/on status.
- 32 menu options for feature activation or selectable adjustment.
- Volume control for sound and indicator lights capable of being turned off for night duty operation.
- On the fly HD resolution upgrade during videotaping.
- 2 inch HD screen for instant review and playback on rear of camera, with audio.
- Strong 360 degree rotatable HD Clip for mounting.
- NO special software needed! Download to Windows 7 /8 or 10 on your own computer. Access to download is password protected.
- Professional grade BWC perfect for officer owned camera application.
- Can be used with many Digital Management systems software including Linear Systems.
- One year factory Warranty.

Mounting: Plastic clips

### Camera 3. Point Blank IRIS Body Camera \$549.99



#### Specs:

- Sensor -4 MP low light sensor
- Video resolution- 2304x1296, 1920x1080, 1280x720, 848x480
- High quality audio recording
- 16 MP still photo camera built in
- Able to give GPS coordinates and water mark the officers name and badge number on the video
- Snap Shot- Able to capture photos while recording
- Able to continuously record for up to 300 minutes.
- Storage capacity – 16GB (32GB and 64 GB options available)
- One button recording
- IR light activation for night vision recording
- Battery life- consistent recording for up to 5 hours at 480P

Mounting: Plastic clips and magnetic mount, however not very effective.

Camera 4. Axon Body 2 \$400 each



Specs:

- Retina HD video and dual audio channels – record in low-light and HD, and make voices more distinct with automatic tuning and noise reductions.
- Unmatched durability and advanced security- handle in extreme weather and brutal conditions, and protect data at all times with evidence encryption.
- Wireless Activation – Axon signal reports events, like when you open the car door or activate the light bar, so you camera can start recording.
- Wifi and Bluetooth Connectivity – use wifi to stream videos and Bluetooth to assign metadata
- Mobile App – Connect with Axon View to stream, tag, and replay videos from your phone
- Full-Shift Battery – Record for more than 12 hours.
- Optional Mute- Disable audio to support dual-party consent.
- In-Field Tagging – Mark any important points in your video.
- Axon Rapidlock Mounts – Keep your shot steady with versatile mounts
- Video Resolution – 1080p/ 720p/ 480p
- Field of View – 143\*
- Battery Life – 12+ hours
- Storage – 64GB
- Record Time – Up to 70 hours
- Us Military Standard for drop test and water resistance

+ \$1,495<sup>00</sup>  
FOR CHARGING  
DOWNLOD DOCK

## Overview:

After the testing of the above cameras I came to the following conclusions:

- The plastic mounting clips will not securely hold the camera to the officers body
- The pre event record feature will only work with the Axon camera due to battery life on the cameras.
- Night vision would be a hindrance to the officer due to it being able to see things the officer would not be able to. ~~✗~~

I would recommend the Axon Body 2 as it meets all of the needs of the department. The versatility of the mounting options makes it the best option. The mounting options given were found to be secure and durable. The ease of use as well as the available features makes this camera very officer friendly.

Richard Cowell Tactical – Serving Those Who Protect

(208) 267-8090



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# ARMOR CARRIERS

## EXTERNAL ARMOR CARRIERS

Our Armor Carriers are custom designed to fit you and your body armor and also accommodate strike plates and additional armor panels. These carriers offer a clean and uniform appearance, allowing equipment to be efficiently organized and easily accessed.

The Cordura nylon vest body features lightly padded adjustable shoulders and a breathable mesh liner to allow the armor to air out between shifts. Carriers have an inside sleeve that will accommodate the standard sized trauma plates in the front and back of the vest. The side closure is adjustable, and our buckled fight strap provides added security.

Each vest is custom made to your specifications, size, pocket configuration, color, and identification.

**Prices start at: \$417.50**

Click [here](#) to download the design template.



## Axon Enterprise, Inc.

Protect Life.

17800 N 85th St.  
Scottsdale, Arizona 85255  
United States  
Phone: (800) 978-2737  
Fax: (480)999-6160

Jordan Walstrom  
(707) 764-5641  
walstromj@cityofriodell.ca.gov



### Quotation

Quote: Q-117467-2  
Date: 5/31/2017 4:44 PM  
Quote Expiration: 6/30/2017  
Contract Start Date\*: 6/15/2017  
Contract Term: 1 year

**AX Account Number:**  
107489

**Bill To:**  
Rio Dell Police Dept. - CA  
675 Wildwood Avenue  
Rio Dell, CA 95562  
US

**Ship To:**  
Jordan Walstrom  
Rio Dell Police Dept. - CA  
675 Wildwood Avenue  
Rio Dell, CA 95562  
US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Steve Hartfield	(480) 515-6318	stevch@laser.com	Fedex - Ground	Net 30

\*Note this will vary based on the shipment date of the product.

Net 30-Due in 2017

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
3	22002	HANDLE, BLACK, CLASS III, X2	USD 1,103.31	USD 3,309.93	USD 0.00	USD 3,309.93
3	22014	WARRANTY, 4 YEAR, X2	USD 340.92	USD 1,022.76	USD 0.00	USD 1,022.76
3	22012	TPPM, BATTERY PACK, TACTICAL, PINKY EXTENDER, X2/X26P	USD 58.38	USD 175.14	USD 0.00	USD 175.14
3	22501	HOLSTER, BLACKHAWK, RIGHT, X2, 44HT01BK-R-B	USD 70.54	USD 211.62	USD 0.00	USD 211.62
50	22151	CARTRIDGE, PERFORMANCE, SMART, 25'	USD 33.74	USD 1,687.00	USD 0.00	USD 1,687.00
1	22013	KIT, DATAPORT DOWNLOAD, USB, X2/X26P	USD 176.49	USD 176.49	USD 176.49	USD 0.00

Net 30-Due in 2017 Total Before Discounts: USD 6,582.94

Net 30-Due in 2017 Discount: USD 176.49

Net 30-Due in 2017 Net Amount Due: USD 6,406.45

Subtotal: USD 6,406.45

Estimated Shipping & Handling Cost: USD 69.99



Estimated Tax	USD 471.10
Grand Total	USD 6,947.54

## Axon Enterprise, Inc.'s Sales Terms and Conditions for Direct Sales to End User Purchasers

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and Axon's Master Services and Purchasing Agreement posted at [www.axon.com/legal](http://www.axon.com/legal). You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

<b>Signature:</b> _____  <b>Name (Print):</b> _____  <b>PO# (if needed):</b> _____	<b>Date:</b> _____  <b>Title:</b> _____
--	---

Quote: Q-117467-2

Please sign and email to Steve Hartfield at [steveh@taser.com](mailto:steveh@taser.com) or fax to (480)999-6160

THANK YOU FOR YOUR BUSINESS!


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



For Meeting of: June 6, 2017

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager 

Date: June 1, 2017

Subject: Text Amendment Section 17.30.195, Commercial Medical Cannabis Land Use Ordinance of the Rio Dell Municipal Code (RDMC)

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#### **Recommendation:**

That the City Council:

1. Receive staff's report regarding amending Section 17.30.195, Commercial Medical Cannabis Land Use Ordinance of the Rio Dell Municipal Code (RDMC); and
2. Open the public hearing, receive public input and deliberate; and
3. Introduce (first reading) Ordinance No. 359-2017 amend Section 17.30.195, Commercial Medical Cannabis Land Use Ordinance of the Rio Dell Municipal Code (RDMC) to (1) identify and define Health and Wellness Centers, including the therapeutic application and retail sales of medical cannabis products including oils, tinctures, sublingual's, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sale of flowers, trim, leaf or cannabis infused edibles as a Conditionally Permitted use in the Industrial Commercial zone in the Sawmill Annexation Area; and (2) amend the required hours of video security storage from 240 to 720 hours and continue consideration, approval and adoption of the proposed Ordinance to your meeting of June 20, 2017 for the second reading and adoption.

#### **Background**

Staff was recently contacted by the Glen White group regarding the establishment of a Health and Wellness Center and the holistic and therapeutic application and sales of medical cannabis products, including oils, tinctures, sublingual's, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sale of flowers, trim, leaf or cannabis infused edibles. Staff supports the requested amendment provided there is only one Health and Wellness Center that would be allowed to administer and sell medical cannabis products.

Staff presented the recommended amendments to the Planning Commission at their meeting of May 23, 2017. After public comments and questions, the Planning Commission unanimously voted to recommend that your Council approve the proposed amendments. Below is a summary of the proposed amendments.

#### **Definitions – Section 17.30.195(6)**

**“Health and Wellness Center” means an establishment that offers health services for the body and mind, including but not limited to fitness, personal training, nutrition consulting, skin care services, massage, holistic and herbal therapies, therapeutic application and retail sales of medical cannabis products including oils, tinctures, sublingual’s, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sales of flowers, trim, leaf or cannabis infused edibles.**

#### **General Provisions – Section 17.30.195(7)**

This section applies to all **cannabis related** facilities and activities involved in the Commercial Cultivation, Processing, Manufacturing, **Health and Wellness Centers**, Testing or Distribution of cannabis for medical use, as defined in this Section.

- (a) All **cannabis related facilities and activities, including** commercial cultivation, processing, manufacturing, **Health and Wellness Centers**, testing, or distribution of cannabis for medical use shall operate in compliance with this Section, as well as all applicable state and local laws and conditions as deemed appropriate by the Planning Commission and/or the City Council.

**(k) Health and Wellness Centers as herein defined are allowed in the Industrial Commercial (IC) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council. No more than one (1) Health and Wellness Center administering therapeutic application and retail sales of medical cannabis products, including oils, tinctures, sublingual’s, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sales of flowers, trim, leaf or cannabis infused edibles shall be allowed.**

- (l)** Other than as enumerated in this Section, the commercial cultivation, processing, manufacturing, testing or distribution of cannabis for medical use in any other zoning district in the City of Rio Dell is prohibited.

#### **General Provisions – Section 17.30.195(14)**

##### **(14) Performance Standards for Health and Wellness Centers**

**(a) Health and Wellness Centers shall not sell or distribute cannabis flowers, trim, leaf or cannabis infused edibles.**

**(b) The facility shall be alarmed with an audible interior and exterior alarm system, unless waived for extenuating circumstances by the Planning Commission that is operated and monitored by a recognized security company, deemed acceptable by the Planning Commission. Any change in the security company shall be subject to the approval of the City Manager or his designee. All current contact information**

regarding the medical marijuana facility's security company shall be provided to the City.

(c) Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 720 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.

(d) Entrance to the any medical cannabis products storage areas shall be locked at all times, and under the control of facility staff.

(e) Medical cannabis products shall be stored in a secured and locked room, vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.

(f) The sale of any medical cannabis products shall be limited to qualified patients, as defined in Section 11362.7 of the Health and Safety Code.

(g) Medical cannabis may not be inhaled, smoked, eaten, ingested, vaped, or otherwise used or consumed at the premises and/or location.

(h) The sales of pipes, including water pipes and other paraphernalia are prohibited.

Staff is also recommending that the required security video storage be increased from 240 hours to 720 hours. Attachment 2 includes the recommended amendments.

### **Procedural Requirements**

Pursuant to Section 17.35.010 of the City of Rio Dell Municipal Code, the following City procedures are required to amend the Ordinance:

- An amendment may be initiated by one or more owners of property affected by the proposed amendment, as set out in Section 17.35.010(3), or by action of the Planning Commission, or the City Council.
- The application of one or more property owners for the initiation of an amendment shall be filed in the office of the City Clerk on a form provided, accompanied by a filing fee.
- Subject only to the rules regarding the placing of matters on the Planning Commission agenda, the matter shall be set for a public hearing.
- Notice of hearing time and place shall be published once in a newspaper of general circulation at least ten calendar days before the hearing or by posting in at least three public places.
- At the public hearing, the Planning Commission shall hear any person affected by the proposed amendment. The hearing may be continued from time to time.

- Within 40 days of the conclusion of the hearing, the Planning Commission shall submit to the City Council a written report of recommendations and reasons therefore.
- Subject only to the rules regarding the placing of matters on its agenda, the City Council, at its next regular meeting following the receipt of such report, shall cause the matter to be set for a public hearing. Notice of the time and place of the hearing shall be given as provided in Section 17.35.010(5), hereof.
- At the public hearing, the City Council shall hear any person affected by the proposed amendment. The hearing may be continued to a specified future date, but shall be concluded within 60 days of the commencement thereof.
- The City Council shall not make any change in the proposed amendment until the proposed change has been referred to the Planning Commission for a report, and the Planning Commission report has been filed with the City Council.

### **Zone Reclassification Required Findings**

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

There are no General Plan policies that would discourage or prohibit the proposed amendments. The proposed amendments are consistent and compatible with the General Plan.

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

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

### **Attachments**

Attachment 1: Ordinance No. 359-2017 amending Section 17.30.195, Commercial Medical Cannabis Land Use Ordinance of the Rio Dell Municipal Code (RDMC) to (1) identify and define Health and Wellness Centers, including the therapeutic application and retail sales of medical cannabis products including oils, tinctures, sublingual's, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sale of flowers, trim, leaf or cannabis infused edibles as a Conditionally Permitted use in the Industrial Commercial zone in the Sawmill Annexation Area; and amend the required hours of video security storage from 240 to 720 hours.

**ORDINANCE NO. 359-2017**



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING SECTION 17.30.195, COMMERCIAL MEDICAL CANNABIS LAND USE ORDINANCE OF THE RIO DELL MUNICIPAL CODE (RDMC) TO (1) IDENTIFY AND DEFINE HEALTH AND WELLNESS CENTERS, INCLUDING THE THERAPEUTIC APPLICATION AND RETAIL SALES OF MEDICAL CANNABIS PRODUCTS INCLUDING OILS, TINCTURES, SUBLINGUAL'S, CREAMS, LOTIONS, PILLS, SUPPOSITORIES, COSMETICS, ETC., BUT EXCLUDING THE SALE OF FLOWERS, TRIM, LEAF OR CANNABIS INFUSED EDIBLES AS A CONDITIONALLY PERMITTED USE IN THE INDUSTRIAL COMMERCIAL ZONE IN THE SAWMILL ANNEXATION AREA; AND (2) AMEND THE REQUIRED HOURS OF VIDEO SECURITY STORAGE FROM 240 TO 720 HOURS.**

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

**WHEREAS** staff was recently contacted by the Glen White group regarding the establishment of a Health and Wellness Center; and

**WHEREAS** the Health and Wellness Center would include the holistic and therapeutic application and sales of medical cannabis products, including oils, tinctures, sublingual's, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sale of flowers, trim, leaf or cannabis infused edibles; and

**WHEREAS** staff supports the requested amendment provided there is only one Health and Wellness Center that would be allowed to administer and sell medical cannabis products; and

**WHEREAS** staff is also recommending that performance standards be established for Health and Wellness Centers administering the holistic and therapeutic application and sales of medical cannabis products; and

**WHEREAS** staff is also recommending that Section 17.30.195(9)(e) be amended to require that the required security video storage be increased from 240 hours to 720 hours; and



**WHEREAS** the Planning Commission held a Public Hearing on May 23, 2017 to consider and discuss the proposed amendments; and

**WHEREAS** the Planning Commission recommends the City Council approves the proposed amendments; and

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

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

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

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

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

**Section 1.** Section 17.30.195 of the Rio Dell Municipal Code is amended to read in as follows:

**(6) Definitions**

**“Health and Wellness Center” means an establishment that offers health services for the body and mind, including but not limited to fitness, personal training, nutrition consulting, skin care services, massage, holistic and herbal therapies, therapeutic application and retail sales of medical cannabis products including oils, tinctures, sublingual’s, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sales of flowers, trim, leaf or cannabis infused edibles.**

**General Provisions – Section 17.30.195(7)**

This section applies to all **cannabis related** facilities and activities involved in the Commercial Cultivation, Processing, Manufacturing, **Health and Wellness Centers**, Testing or Distribution of cannabis for medical use, as defined in this Section.

- (a) All **cannabis related facilities and activities, including** commercial cultivation, processing, manufacturing, **Health and Wellness Centers**, testing, or distribution of cannabis for medical use shall operate in compliance with this Section, as well as all applicable state and



local laws and conditions as deemed appropriate by the Planning Commission and/or the City Council.

**(k) Health and Wellness Centers as herein defined are allowed in the Industrial Commercial (IC) designation located in the Sawmill Annexation area subject to a Conditional Use Permit and the conditions and limitations set forth in this Section and as deemed appropriate by the Planning Commission and/or the City Council. No more than one (1) Health and Wellness Center administering therapeutic application and retail sales of medical cannabis products, including oils, tinctures, sublingual's, creams, lotions, pills, suppositories, cosmetics, etc., but excluding the sales of flowers, trim, leaf or cannabis infused edibles shall be allowed.**

**(j) Other than as enumerated in this Section, the commercial cultivation, processing, manufacturing, testing or distribution of cannabis for medical use in any other zoning district in the City of Rio Dell is prohibited.**

#### **General Provisions – Section 17.30.195(9)**

**(e) A Security Plan shall be submitted that includes, describes and addresses the following:**

**(i) Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least ~~240~~ 720 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.**

#### **General Provisions – Section 17.30.195(14)**

#### **(14) Performance Standards for Health and Wellness Centers**

**(a) Health and Wellness Centers shall not sell or distribute cannabis flowers, trim, leaf or cannabis infused edibles.**

**(b) The facility shall be alarmed with an audible interior and exterior alarm system, unless waived for extenuating circumstances by the Planning Commission that is operated and monitored by a recognized security company, deemed acceptable by the Planning Commission. Any change in the security company shall be subject to the approval of the City Manager or his designee. All current contact information regarding the medical marijuana facility's security company shall be provided to the City.**

- (c) Security cameras shall be installed and maintained in good condition, and used in an on-going manner with at least 720 concurrent hours of digitally recorded documentation in a format approved by the Planning Commission. The cameras shall be in use 24 hours per day, 7 days per week. The areas to be covered by the security cameras shall include, but are not limited to, the public areas, processing areas, storage areas, employee areas, all doors and windows, and any other areas as determined to be necessary by the Planning Commission.
- (d) Entrance to the any medical cannabis products storage areas shall be locked at all times, and under the control of facility staff.
- (e) Medical cannabis products shall be stored in a secured and locked room, vault or safe, or other secured storage structure which is bolted to the floor or structure of the premises.
- (f) The sale of any medical cannabis products shall be limited to qualified patients, as defined in Section 11362.7 of the Health and Safety Code.
- (g) Medical cannabis may not be inhaled, smoked, eaten, ingested, vaped, or consumed at the premises and/or location.
- (h) The sales of pipes, including water pipes and other paraphernalia are prohibited.

## **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 June 6, 2017 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 June 20, 2017 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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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. 359-2017 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the June 20, 2017.

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Karen Dunham, City Clerk, City of Rio Dell