

A G E N D A
RIO DELL CITY COUNCIL
REGULAR MEETING - 6:30 P.M.
TUESDAY, AUGUST 21, 2012
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

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

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

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

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL

1) 2012/0821.01 - Commendations - Sergeant Wiener and Officer Lungi

E. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, 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 5 minutes.

F. CONSENT CALENDAR

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

1) 2012/0821.02 - Approve Minutes of the August 7, 2012 Regular Meeting (**ACTION**)

- 2) 2012/0821.03 - Approve Resolution No. 1171-2012 Approving \$5,000 Budget Amendment for Suddenlink Cable Transfer Application Process, Approve Amendment to Access Humboldt Agreement, and Authorize Payment of \$5,000 to Access Humboldt to act as Agent to the City in the Ownership Transfer Process **(ACTION)**
- 3) 2012/0821.04 - Update on City Council Election Process **(RECEIVE & FILE)**
- 4) 2012/0821.05 - Status Report on Development of Capital Improvement Plan (CIP) **(RECEIVE & FILE)**

G. SPECIAL PRESENTATIONS

- 1) 2012/0821.06 - Adam Dias - Eagle Prairie Arts District Presentation (10-15 minutes) **(INFORMATIONAL)**
- 2) 2012/0821.07 - Wildwood Ave. Enhancement Project - Presentation by City Engineer, Merritt Perry of GHD **(ACTION)**

H. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2012/0821.08 - Approve Wastewater Rate Study RFP and Authorize Distribution **(ACTION)**

I. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

- 1) 2012/0821.09 - Approve Resolution No. 1157-A-2012 Denying the Albin General Plan Amendment and Zone Reclassification **(ACTION)**
- 2) 2012/0821.10 - Approve Resolution No. 1170-2012 Amending the City Budget for Park and Recreation Maintenance (Davis St. Tennis Courts) **(ACTION)**
- 3) 2012/0821.11 - Approve Resolution No. 1172-2012 Amending the City Budget for Street Maintenance and Improvements, and Declaring the Need for Emergency Repairs (Miller Ct. Drainage Ditch) **(ACTION)**

J. REPORTS/STAFF COMMUNICATIONS

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

- K. COUNCIL REPORTS/COMMUNICATIONS
- L. STUDY SESSIONS/PUBLIC HEARINGS
- M. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED CLOSED SESSION AS FOLLOWS
- N. PUBLIC COMMENT REGARDING CLOSED SESSION
- O. RECESS INTO CLOSED SESSION
- P. RECONVENE INTO OPEN SESSION
- Q. ORAL ANNOUNCEMENTS
- R. ADJOURNMENT

*The next Regular meeting will be on September 4, 2012
at 6:30 PM in City Hall Council Chambers*

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



To: Honorable Rio Dell City Council
From: Graham Hill, Chief of Police *GH*
Through: Jim Stretch, City Manager *JMS*
Date: August 21, 2012
Subject: Commendation – Sergeant Wiener and Officer Lungi

Action

Present Sergeant Wiener with the Rio Dell Police Department's Life Saving Award for his actions as described below, and present Officer Lungi with the Rio Dell Police Department's Proactive Policing Award for his actions as described below.

Background

Sergeant Wiener-

On June 14th, 2012 Officers were dispatched to a residence off Riverside Drive on a report of an individual who been submersed under water for an extensive period of time. Upon arrival Sergeant Wiener removed the person from the water, and determined the individual had no pulse, and was not breathing. Sergeant Wiener applied his First Responder training and started CPR on the individual and continued until additional emergency personnel from the Rio Dell Fire Department and Fortuna Ambulance arrived on scene. Because of Sergeant Wiener's actions and subsequent life saving efforts by the other emergency personnel on scene the individual survived.

Officer Lungi-

During the month of June our community was experiencing a series of thefts from vehicles. Our department received more than ten separate theft reports. Officer Lungi discovered property that had been stolen and was able to link that property to a specific individual and recovered additional stolen property from that individual. Officer Lungi was able to directly link the suspect to more than half of the crimes through the identification of property, and the individual remains a suspect in the remaining crimes. Since the subjects arrest the thefts have ceased. Due to officer Lungi's thorough investigation and follow-up efforts these crimes were solved and the individual responsible was arrested.

Sergeant Wiener and Officer Lungi have demonstrated excellent performance and applied their training and experience which resulted in the resolution of a difficult case as well as the saving of a person's life. Both Officers are commended for their performance.

**RIO DELL CITY COUNCIL
REGULAR MEETING
AUGUST 7, 2012
MINUTES**

The Regular Meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Leonard, Marks, Thompson and Wilson

Others Present: City Manager Stretch, Finance Director Beauchaine, Wastewater Superintendent Chicora and City Clerk Dunham

Absent: Chief of Police Hill, Community Development Director Caldwell and Water Superintendent Jensen (excused)

PUBLIC PRESENTATIONS

Sharon Wolff said she noticed a lot of work occurring north of the City and asked if it was related to the Wastewater Treatment Plant Upgrade and Disposal Project; City Manager Stretch explained the area in question where the contractors are working is the wastewater irrigation site.

CONSENT CALENDAR

Mayor Woodall asked that Item 6 *Resolution No. 1168-2012 Consolidating Water Rates*, and Item 7 *Resolution No. 1169-2012 Approving Position Allocation Schedule* be removed from the consent calendar and placed under *Special Call Items* for separate discussion; Likewise, Councilmember Wilson asked that Item 8, *Suddenlink Transfer Application* be removed for separate discussion.

Motion was made by Marks/Leonard to approve the consent calendar including approval of minutes of the July 10, 2012 special meeting; approval of minutes of the July 17, 2012 regular meeting; report on disposal of surplus property (John Deere Mower Model F1194); approval of Progress Pay Request No. 5 to Wahlund Construction, Sequoia Construction Specialties in the amount of \$1,377,678.49 for work related to the Wastewater Treatment Plant Upgrade and Disposal Project; and approval of short-term modification of Employment Agreement with City Manager James R. Stretch, directing the City Attorney to prepare the necessary amendments and authorizing the Mayor to sign. Motion carried 5-0.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Approve Resolution No. 1168-2012 Consolidating Water Rates, Charges and Fees Pursuant to Provisions of Rio Dell Municipal Code Chapter 13.05, Rescinding Resolutions 998-2008, 1142-2012, and 1159-2012

Mayor Woodall questioned how the water rates for R.V. Parks are charged; Finance Director Beauchaine said she would review the rate structure and report back to the Council.

Motion was made by Thompson/Marks to approve *Resolution No. 1168-2012 Consolidating Water Rates, Charges and Fees Pursuant to Provisions of Rio Dell Municipal Code Chapter 13.05, Rescinding Resolutions 998-2008, 1142-2012, and 1159-2012*. Motion carried 5-0.

Approve Resolution No. 1169-2012 Approving Position Allocation Schedule for Fiscal Year 2012-2013

Mayor Woodall referred to the Allocation Table contained in the Resolution and asked for a definition of the asterisk (*) noted on the various positions; Finance Director Beauchaine explained the notation means “flexibly allocated.” City Manager Stretch explained those positions with a I or II means that there could be any combination of employees within those ranges provided the number of employees does not exceed the total number allocated for both positions.

Motion was made by Wilson/Leonard to approve *Resolution No. 1169-2012 Approving the Position Allocation Table for Fiscal Year 2012-2013*. Motion carried 5-0.

Receive and File Report on Suddenlink Transfer Application

Councilmember Wilson asked for further clarification on what the matter is about and if Suddenlink currently pays the City franchise fees. City Manager Stretch explained the City receives 5% in franchise fees from Suddenlink and that a number of years ago, the franchise agreements with 7 local cities, including Rio Dell were negotiated by the Buske Group. What is happening now is that Suddenlink is in the process of changing equity ownership which entitles the franchise holders to review current issues to make sure franchise rights are enforced and remain in compliance. He said Suddenlink has provided each of the 7 franchise holders with checks for \$5,000 for costs associated with reviewing the change of equity application. He further reported that the City Manager’s and County Administrative Officer met with Sean McLaughlin, Executive Director of Access Humboldt and the idea was discussed to perhaps pool the checks received from Suddenlink and send all or a portion to Access Humboldt in order to retain the Buske Group to review the associated transfer documents and identify any franchise compliance issues.

Councilmember Leonard pointed out that the 5% franchise fee is charged to the Suddenlink customers on their monthly bill; and that the cable service has decreased recently with a lot of dead channels in the channel lineup. He asked if complaints should be directed to Access Humboldt; City Manager Stretch said complaints should be directed to Access Humboldt and that there is a report that shows customer complaints at 14% which is high.

AUGUST 7, 2012 MINUTES

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Councilmember Marks asked about the status of the City's wi-fi; Finance Director Beauchaine stated she had spoken with Sean McLaughlin and was told the wi-fi was a pilot program which ended, and that the City has no contract for ongoing maintenance. He indicated he would be getting back to staff with information on cost but to date no information has been received.

Approve Change Order in the Amount of \$30,892 for a new PLC SCADA and Pump Control Panel for the Wastewater Treatment Plant Upgrade and Disposal Project

Wastewater Superintendent Chicora provided a staff report and said prior to the start of the project, there was a list of items, with this item at the top, that were removed from the original bid list to stay within budget. He said with the project approximately 40% complete, there is approximately \$80,000 in accrued savings therefore, staff is recommending purchase of this equipment. He provided a slide presentation and explained the requested change order is for the replacement of the main control panel and cabinet that houses all of the monitors, alarms, equipment controls and data systems related to the current wastewater plant system. He said with this it will make it much easier to trouble shoot problems at the wastewater plant, with integration of all of the monitors and controls into one panel.

He continued with an explanation of the SCADA System and how it works.

Councilmember Wilson asked if the Change Order was covered under the current project budget; staff responded that the \$30,892 will be coming out of the project budget.

Councilmember Wilson then referred to the proposal from Wahlund Construction where it noted the proposal from Parker Electric as an attachment to the proposal however it was not attached. Wastewater Superintendent Chicora explained that Aqua Sierra Controls is a sub-contractor to Parker Electric and Parker Electric is a sub-contractor to Wahlund Construction and basically Aqua Sierra Controls and Parker Electric will be working together on the re-wiring of the Wastewater Treatment Plant.

Mayor Woodall asked what would happen if this change order is approved and something else comes up requiring another change order and so forth. Finance Director Beauchaine explained in addition to the recognized project savings to date of \$80,000, there is a built-in contingency of 1 ½ percent which amounts to approximately \$200,000.

Motion was made by Leonard/Wilson to approve the Change Order in the Amount \$30,892 for a new PLC SCADA and Pump Control Panel for the Wastewater Treatment Plant Upgrade and Disposal Project. Motion carried 5-0.

Approve Minor Amendments to (6) Employment Agreements

City Manager Stretch provided a staff report and stated at the July 10, 2012 special meeting, the Council approved the employment agreements with its six (6) contract employees. Shortly thereafter, he said he circulated the agreements for signature and as they trickled in, he learned that there were some minor issues still outstanding within the various agreements.

He said he met with each employee, listened to their points and after careful consideration, recommends approval of the following amendments:

- Amend Section 10 of the employment agreement with the City Clerk to increase the annual Executive Leave benefit from 40 hours to 80 hours.
- Amend Section 10 in all 6 agreements to read that any Executive Leave that remains on the books (not taken or paid out) as of the first pay period in June will be paid on that pay period.
- Amend Section 8 of the agreements with the Water/Roadways Superintendent and Community Development Director to increase the occasional number of hours worked per week in outside employment from 4 to 8 without City Manager approval.
- The employment agreement with the Chief of Police be amended to require that he wear a full insignia uniform when appropriate and that he receive a uniform allowance of \$187.50 per calendar quarter in the first pay period of the quarter, effective September 1, 2012. This allowance is recognized to cover the cost of the uniform and should be strictly used for the purchase, maintenance, repair of the uniform(s) and necessary leather and safety gear worn by the department's sworn officers.
- Amend Section 2 d. of Chief of Police's employment agreement to read the same as the other 5 contract employees' Section 2 for severance payment.

City Manager Stretch said there were a couple of other items discussed that he is not recommending for change such as increasing the number of Executive Hours from 80 hours to a greater number, and replacing Executive Leave with a compensatory time off provision.

After brief discussion on the proposed amendments, motion was made by Leonard/Marks to approve the minor amendments to (6) employment agreements as recommended. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager Stretch reported on recent activities and announced the Chief of Police and Community Development Director were excused from attending the meeting since they had no items on the agenda and asked the Council if there were any objections to their being excused.

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Mayor Woodall commented that she planned on asking the Chief for an update on Nuisance Abatement and when they would receive the next Monthly Police Report.

Councilmember Marks said she had a question for the Chief on whether or not all of the police officers are radar certified.

Councilmember Thompson said he would like to have a report on Wildwood Days activities.

Mayor Woodall stated that it is nice to have department heads present so that Councilmembers can ask questions during council meetings rather than disturbing employees during regular work hours.

City Manager Stretch suggested the idea of going back to weekly staff reports/council updates.

Councilmember Marks agreed that it is helpful to be informed on what is going on in the City on a regular basis.

Wastewater Superintendent Chicora reported on recent activities in the public works department and presented pictures of a pilot unit of the future sludge dryer. He explained with the new dryer staff will be able to take 8 yards of wet sludge and reduce it down to 1 ½ yards of Class A sludge which can be applied to lawns.

Mayor Woodall asked if the sludge can then be sold or given away rather than paying to dispose of it; Wastewater Superintendent Chicora said the issue is open for discussion and indicated that the sludge could actually be stock piled and sold to a fertilizer company.

City Manager Stretch stated there is another City that is interested in using the City's dryer to dry their sludge which would in turn, generate revenue for the City.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Marks questioned Finance Director Beauchaine about the water consumption report requested by the Council at a previous meeting; Finance Director Beauchaine said she had e-mailed it to Councilmembers but agreed to send it out again.

Councilmember Wilson commented on the Wildwood Ave. Streetscape Project and suggested some thought be given to making sure the car show and cruise will be able to continue. City Manager Stretch stated the matter will be coming back to the Council at the next meeting for discussion.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 7:22 p.m. to the August 21, 2012 regular meeting.

Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk

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



TO: Honorable Rio Dell City Council
FROM: Jim Stretch, City Manager
DATE: August 21, 2012
SUBJECT: Amendment to Budget for Suddenlink Cable Transfer Application
and amendment to Access Humboldt agreement

Recommended Council Action:

1. By motion, approve attached Resolution 1171-2012, amending Budget Resolution 1158-2012, in the amount of \$5,000 for the Suddenlink Cable Transfer Application process, and
2. Approve amendment (Attachment "A") to the existing Access Humboldt "Cable-Related Agreement" dated June 1, 2008, to be signed by the City Manager, to secure the services of Access Humboldt and the Buske Group related to the review and processing the ownership transfer application from Suddenlink, dated July 26, 2012, and
3. Authorize the payment of \$5,000 to Access Humboldt to act as the agent of the City of Rio Dell in the ownership transfer process and to supervise the analysis undertaken by consultant Buske Group (Attachment B) and act as payment agent in the amount up to \$5,000.

Background and Discussion:

On August 7, 2012 the City Council received and filed the initial report on this subject.

Sudden Link Communications notified the city (franchise holder) on July 26, 2012 of their change of equity ownership application. The franchise holders; County of Humboldt along with the Cities of Arcata, Blue Lake, Eureka, Fortuna, Ferndale and Rio Dell all received the same notice.

When a change of equity ownership occurs, entities have an opportunity to review current issues to make sure franchise rights are enforced and will remain in compliance.

Franchise holders have thirty (30) days to request more information. Suddenlink's application for change of equity ownership is expected to conclude within 120 days from when the franchises were put on notice, or by November 20, 2012.

Sudden Link has provided the 7 franchise holders with checks for \$5,000 each for their costs associated with the review and processing of the application. The City managers and County Administrative Officer recently met with Access Humboldt via conference call and, since our entities all have existing agreements with Access Humboldt to facilitate the franchise agreements, proposed to amend our agreement to engage Access Humboldt to retain the Buske Group to represent our interests. The proposed Access Humboldt amendment dated August 10, 2012 is **Attachment "A"**.

It is also recommended that we pool the checks we received so that Access Humboldt can retain the Buske group as consultants to perform a list of tasks described in **Attachment "B"**. The Buske Group provided **Attachment "C"** which outlined their view of the overall process.

Financial Impact:

The amended budget in the amount of \$5,000 received from Suddenlink Communications is intended to cover the total cost of the consultant's review of the transfer application. Staff is keeping track of the time spent on this subject. Assuming that the cost of the Buske Group is less than \$35,000, each agency can expect to receive their share of the refund to cover local staff cost.

Attachments: Resolution 1171-2012

Attachment "A" –Amendment to Access Humboldt agreement

Attachment "B" –Consultants (Buske Group) scope of work

Attachment "C" –Buske Group outline of process dated July 24, 2012

Cc: Director of Finance



August 10, 2012

Jim Stretch, City Manager
City of Rio Dell
675 Wildwood Ave.
Rio Dell, CA 95562

Amendment to "Cable-Related Services Agreement" dated June 1, 2008

This document serves as a written amendment to the existing "Cable-Related Services Agreement" ("Agreement") dated June 1, 2008 with Access Humboldt.


The purpose of this amendment is to secure services of Access Humboldt and the Buske Group related to the review and processing of an ownership transfer application by Suddenlink Communications, dated July 26, 2012.

All other provisions of the Agreement remain in place with the following amendments:

- "Scope of Services" is revised to include a new "Exhibit C" which is attached;
- "Compensation" is revised to include a new one time payment of five thousand dollars (\$5,000.) due upon submission of an invoice by Access Humboldt; and,
- Any of these funds that are not used to provide services described in Exhibit C will be refunded.

IN WITNESS WHEREOF, the parties hereto have made and executed this written amendment to the existing "Cable-Related Services Agreement" ("Agreement") dated June 1, 2008.

City of Rio Dell
By: Jim Stretch
Signature:
Date:

Access Humboldt
By: Sean McLaughlin
Signature: 
Date: August 10, 2012

Encl. 1

Amendment to "Cable-Related Services Agreement" dated June 1, 2008

Exhibit C, August 10, 2012

Scope of Services

Suddenlink Communications ownership transfer application review

Access Humboldt will act as agent for local jurisdictions (County & Cities) to gather information, coordinate and supervise work, including legal analysis and financial reviews, to be undertaken by the consultant (Buske Group) for review of the ownership transfer application submitted by Suddenlink, to include:

- Review FCC Form 394 filed by Suddenlink.
- Review other associated documents, such as the transfer of assets agreements and associated financial documents.
- Communicate with Suddenlink and designated Cities/County staff to identify franchise compliance issues, if any.
- Communicate with Suddenlink and designated Cities/County staff regarding other ancillary issues, if any (e.g., rate issues).
- Conduct legal and financial analyses.
- Prepare a memo outlining relevant findings.
- Draft a change of control/transfer of ownership agreement (if necessary) and a resolution for action by the County Board of Supervisors and Cities' Councils.
- Conduct negotiations (as necessary) with Suddenlink and/or the buyer to agree on the terms of the transfer of ownership agreement.
- Provide other assistance related to the transfer of ownership as requested by designated Cities/County staff.



July 24, 2012

Sean McLaughlin
Executive Director
Access Humboldt
1915 J Street
Eureka, CA 95501

Dear Sean:

The Buske Group is pleased to have the opportunity assist Access Humboldt, acting on behalf of Humboldt County and the Cities of Arcata, Blue Lake, Eureka, Fortuna, Ferndale, and Rio Dell. During our recent telephone conversation, you requested a scope of work and budget for the work that was discussed regarding the recently announced change of control/transfer of ownership of the Suddenlink cable system, which serves the County and Cities.

Background:

Over the past ten years, we have had the opportunity to work with Access Humboldt, Humboldt County and the Cities on a number of occasions. The Buske Group assisted the County and Cities in the franchise renewal process with Cox, which was completed in 2006. That process involved revising the Cities/County Code, and negotiating a renewed franchise with Cox that was subsequently transferred to Suddenlink. During that renewal process, we assisted the County and Cities in creating Access Humboldt and assisted in the process of hiring the Executive Director. In 2006, StarStream applied for a transfer of cable system ownership for its system in the Garberville area to WAVE Broadband. We assisted the County with that transfer of ownership process. In the years that followed, after changes in state law occurred, The Buske Group assisted the County and Cities in developing a new section of the Cities/County Code that addressed state video franchises.

The Project:

The local franchise agreements between Suddenlink and the County and Cities empower the local governments to approve a change of control/cable transfer of ownership that may occur. Both the local franchises and federal law contain certain information submittal requirements with which the seller and the buyer must comply. In addition, federal law specifies certain criteria that may be considered by a local government when making a determination whether to approve a transfer of ownership.

Since all seven local governments have identical franchise agreements and ordinances, the transfer process can be conducted in an effective and economical fashion. A good deal of the general research and background analysis associated with the proposed transfer of ownership is applicable to any community being served by the cable operator that has proposed the transfer.

The timing of this transfer of ownership/change of control is of particular significance because the local franchise agreements are due to expire in April 2014 and will roll over to state franchises pursuant to state law. Once the local franchises end, the County and Cities will have very limited authority over the cable operator and only in areas where state law permits local government to seek remedies in court (PEG access and franchise fees). Therefore, this is likely to be the last time the local government will have an opportunity to have any "leverage" with the cable company to correct compliance issues or make changes. It is important to remember that *Suddenlink* is asking the County and Cities for something of value to Suddenlink -- approval of the transfer/change of control. The County and Cities may not unreasonably withhold approval of this transaction, but it is certainly reasonable to carefully review and consider the past performance of Suddenlink and the financial and management capabilities of the buyer.

Below is a list of tasks that we foresee to be undertaken by the consultant:

- Review FCC Form 394 filed by Suddenlink.
- Review other associated documents, such as the transfer of assets agreements and associated financial documents.
- Communicate with designated Access Humboldt and Cities/County staff to identify franchise compliance issues, if any.
- Communicate with designated Access Humboldt and Cities/County staff regarding other ancillary issues, if any (e.g., rate issues).
- Prepare a memo outlining our findings.
- Draft a change of control/transfer of ownership agreement (if necessary) and a resolution for action by the Cities/County Councils.
- Conduct negotiations (as necessary) with Suddenlink and/or the buyer to agree on the terms of the transfer of ownership agreement.
- Provide other assistance related to the transfer of ownership as requested by Access Humboldt and Cities/County staff.

The hourly professional fees for the services listed above will be as follows:

Senior Consultant/Negotiator (Sue Buske)	\$150.00 per hour
Senior Consultant (Randy VanDalsen)	\$125.00 per hour
Financial Analyst (Connie Cannady)	\$195.00 per hour
Engineers and Technical Associates (Columbia Telecommunications)	\$75.00 - \$170.00 per hour
Legal Advice (the law firm of Spiegel McDiarmid)	\$300 - \$450.00 per hour

Direct costs such as printing, overnight delivery fees, and travel (if any) will be billed as incurred, in addition to the professional hourly fees listed above.

I anticipate that the total cost to Access Humboldt on behalf of the County and Cities for all aspects of the transfer of ownership project will not exceed \$35,000. If the cost exceeds this estimate, we would not proceed with additional work until we received a written authorization from Access Humboldt to do so. The Cities/County Codes include a clause that states as follows: *"The proposed transferee shall pay all reasonable costs incurred by the City(County) in reviewing and evaluating the applications"*.

We believe that it is wise to undertake a compliance review when a transfer is requested, since it is difficult to achieve franchise/contract compliance with regard to certain matters after a franchise transfer has occurred. This may even be the case in situations where the Cities/County possess the legal right to insist on such compliance and the incoming cable operator has the responsibility to remedy all past noncompliance issues (known and unknown).

Therefore, we are also prepared to undertake the following tasks upon request.

1. Review the Operator's Compliance with the Existing Franchise.

As part of the change of control/transfer of ownership process, the Cities/County have an interest in reviewing the operator's past performance to assure that they and members of the public have received all benefits of the existing franchise. If noncompliance areas are identified, the Cities/County may seek corrections to the areas of noncompliance and penalties or remedies. If the noncompliance is the result of a lack of clarity in the franchise agreement, the Cities/County may seek revised franchise language to eliminate any ambiguities. The review may also result in immediate improvements to service in some areas. This task would include charting all primary obligations and determining the level of compliance in such areas as PEG access, reporting, interconnection, system rebuild, required performance bonds and letter of credit.

Estimated Cost: \$5,000 - \$7,000

2. Conduct a Franchise Fee Payment Review.

We have found that when a cable operator requests a transfer of ownership, it is appropriate to review the past franchise fees it has paid. This will assure that a community has collected the historical amounts due before a transfer of ownership is renewal is approved. The types of issues that typically arise in assuring that franchise fee payments are correct include:

- Differences between cash receipts and accrual accounting, including bad debt accounting polices;
- Procedures for allocating revenues to particular franchising authority areas when the same operation serves multiple jurisdictions;
- Inclusion or exclusion of certain revenue items (e.g., advertising, home shopping, leased access, late fees, and others); and
- Treatment of the franchise fee amount itself as an element of gross revenues.

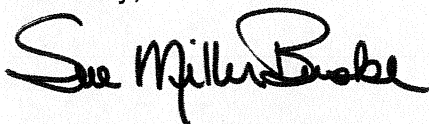
We propose to determine whether payments made commencing January 2009 through July 2012 (or an alternative period selected by the affected Cities/County) have been appropriate.

Estimated Cost Range: \$9,000 – 13,000

I have prepared this proposal to provide consulting services related to the cable change of control/transfer of ownership process (and other services) in a letter form -- rather than a more formal proposal -- to permit Access Humboldt and the Cities/County to make its decision on these matters as soon as possible. A rapid decision with regard to the consulting services you require is necessary because Federal law requires that each community must act upon a transfer of ownership request within 120 days of the date that the FCC Form 394 is received. Furthermore, once the FCC 394 is filed with the Cities/County the local government have only 30 days to respond with request for any additional information that might be needed to properly review the transfer application.

I look forward to the opportunity to work with you and to be of assistance to Access Humboldt and the Cities/County.


Sincerely,



Sue Miller Buske, President
The Buske Group



**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA
AUGUST 21, 2012**

TO: Mayor and Members of the City Council
FROM: Karen Dunham, City Clerk
THROUGH:  Jim Stretch, City Manager
DATE: August 21, 2012
SUBJECT: November 6, 2012 General Election

RECOMMENDATION

Receive and file the information.

BUDGETARY IMPACT

Estimated election cost is \$1,200 - \$1,500

BACKGROUND AND DISCUSSION

On July 12, 2012, a Notice of Election was posted announcing the two open positions on the City Council. The nomination period was opened on July 16, 2012 with Candidate Information Packets available for perspective candidates. The close of the nomination period was August 10, 2012 at 5:00 p.m. As of the close of the filing period, the only two nominations received were those from the two incumbents, Jack Thompson and Frank Wilson.

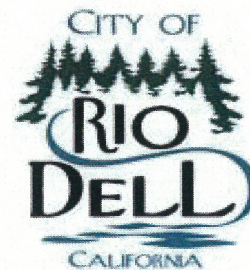
In accordance with the California Elections Code Section 10229, Subdivision (a), in the case of any office or offices to be elected on a citywide basis, the number of persons who have been nominated for those offices does not exceed the number to be filled at that election, the City Elections Official (City Clerk) shall submit to the City Council a statement of these facts and inform the City Council that it may, at a regular or special meeting held before the municipal election, adopt one of the following courses of action:

- 1) Appoint to the office the person(s) who have been nominated.
- 2) Appoint to the office an eligible elector if no one has been nominated.
- 3) Hold the election, if either no one or only one person for each office has been nominated.

There is however an exception under the Elections Code under Subdivision (b) that says that Subdivision (a) shall not apply if a city measure has qualified and is to be submitted to the voters at that municipal election. As a result of Measure "J" being placed on the November ballot, we are required to proceed with the election of the two council positions as scheduled.

On August 15, 2012, the City Clerk presented the nomination papers to the County Elections Department for verification; both candidates provided the required number of valid signatures to qualify for candidacy.

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



August 21, 2012

TO: Honorable Mayor and City Council Members
FROM: Jim Stretch, City Manager
SUBJECT: Status report on development of Capital Improvement Plan

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive and file this report

BACKGROUND AND DISCUSSION

This is a status report on the drafting of a Capital Improvement Plan (CIP) for the Council's consideration.

When prior City Manager Ron Henrickson retired he passed a preliminary outline of some potential elements of a CIP to the incoming City Manager. As you are aware, the position went from full time to one-half time at the same time (June 1, 2012). Though I have indicated to the City Council at different times that a CIP is a priority item on my list of things to do, I have not found the time yet to even locate and read the various documents at City Hall related to the topic in order to gain the necessary background to put pen to paper. Though it might exist, I have not yet found a comprehensive inventory and assessment of the short and long capital requirements of the City, except for the water system.

I am aware that our short construction season is passing without a plan in place. I also know by personal experience that the development of a 5 year CIP is too important to rush. An inventory and prioritization of potential capital needs will take considerable staff time and is not something that any one person should attempt in a vacuum.

So, now that there is more time available during the months of August and September, 2012, I have begun by reading the CITY OF RIO DELL WATER SYSTEM ASSET MANAGEMENT PLAN and CAPITAL IMPROVEMENT PLAN-OCTOBER 2010. A review of the inventory of capital needs of the City from staff's point of view will now occur, as well as an analysis of the funding options as the case may be.

The timetable for a draft of the CIP to the Council for a study session is September 18, 2012. It may occur that items identified during this process become a priority and need to be addressed immediately. Such items will be brought forward to the City Council for consideration and action.

Unless there are questions or comments, or the Council wishes to give specific direction at this time, please receive and file this report.

Cc: All department Heads

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



For Meeting of: August 21, 2012

To: City Council
From: Kevin Caldwell, Community Development Director
Through: Jim ~~Stretch~~, City Manager
Date: August 15, 2012
Subject: Presentation by Adam Dias; Eagle Prairie Arts District

Recommendation:

That the City Council:

1. Receive a presentation from Adam Dias regarding the potential of creating the Eagle Prairie Arts District;
2. Based on the presentation and discussion provide direction, if any, to staff.

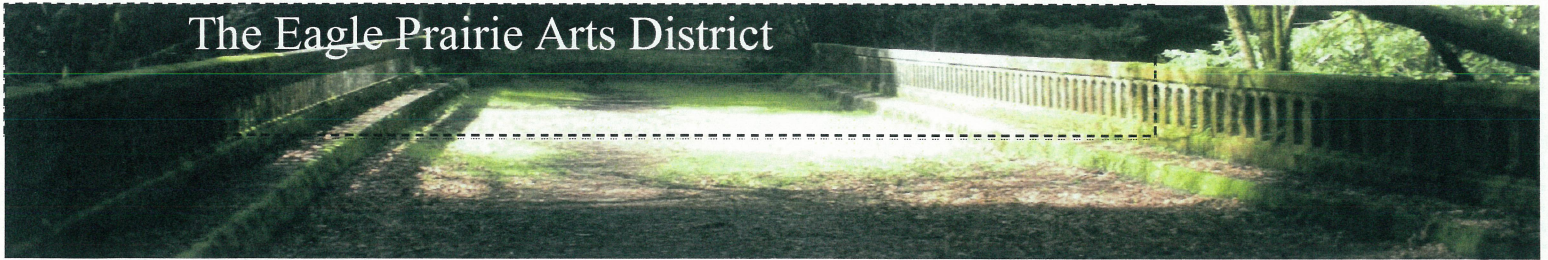
Summary

Adam Dias has submitted information, included as Attachment 1, regarding the formation of the Eagle Prairie Arts District (EPAD) and has requested to make a presentation to the City Council. At this point the presentation is for informational purposes only. Should the Council wish to take an active role in helping establish and develop the EPAD, the Council should provide direction to staff.

Attachment:

1. Synopsis of the Eagle Prairie Art District.

The Eagle Prairie Arts District



Membership Information

By investing in the Eagle Prairie Arts District, you are investing in the future of art, entertainment, and business in Rio Dell.

Your \$35.00 a year tax deductible membership fee will help to further the Eagle Prairie Arts District's vision of promoting and supporting the development of an art, entertainment, and business district in Rio Dell's newly zoned Town Center.

Objective:

The objective of the Eagle Prairie Arts District (EPAD) is to build relationships with Humboldt County artists, promote artists within Rio Dell, help establish and promote new businesses in Rio Dell's town center, and develop a vibrant and successfully arts community within the Eel River Valley.

Membership into EPAD is not limited, anybody may become a member. Becoming a member of EPAD is similar to becoming a member of a chamber of commerce or business improvement district. Your contribution is not limited to just a once a year fee. In order to help build and grow this newly formed district, volunteer support will be needed. Your membership also allows you to run for office and vote on board members.

Goal:

The goal of EPAD will be defined as being dedicated to bringing art, entertainment and business to Rio Dell's newly re- zoned town center. EPAD will be dedicated to re-inventing Rio Dell as an art, entertainment, and cultural center in Humboldt County. Our mission will be to connect the few organizations we have within the city to help promote unity. We see no reason that the Fire department, Police Department, City, Planning Commission and Chamber of Commerce should not be in constant communication with each other, and we intend to bridge any gap that may exist between these interests.

EPAD will adopt a model of many other art and cultural districts which have risen up in towns that have lost economic stability. By designating Rio Dell's town center as a cultural, historically significant arts district, Rio Dell will be taking the first step in the direction of redeveloping and preserving the unique history of our city.

Structure:

A board of directors will be elected by EPAD members consisting of five members. Of those five members, one member will be appointed president. Board members will set for two years before they are re elected or replaced. In the event that a board member resigns, applications will be taken from members who wish to occupy the vacant seat, which will then be appointed by the appointed board member will occupy the remaining term of the vacated seat. A treasurer will be appointed by the board and will occupy the position of treasurer until they resign or a 2/3rd vote to remove the treasurer from their seat takes place. The president and treasure will be responsible for issuing payments on behalf of the arts district. It will always take the approval of both the president and treasurer to make purchases. In order to allow the art district to do its daily business, There will be a limit on purchase amounts set by the board. The board will set the limit at what they feel appropriate. All purchases over this amount will need to be approved by the a majority vote from the board.

If you wish to be a part of the Eagle Prairie Arts District contact the Eagle Prairie Arts District

Preserving and Capitalizing on our History:

Rio Dell, and Scotia alike, are rich with history and remain one of the most historical areas in Humboldt County. It will be the art district's mission to capitalize on this history, by supporting a local museum that combines the rich history of Scotia, and the already existing Scotia museum, and Rio Dell, along with the natural arts that have made Northern California a popular destination for the last hundred years. By allowing travelers and local interests to engage in the rich history of Rio Dell and Scotia, our community will benefit tremendously. The more attractions we have in town, the more likely visitors are to dine, shop and recreate within our community. With the many vacant buildings available in Rio Dell, it is very plausible that with community, city government, and grants, a wonderful museum can be erected.

Attracting Artists:

Rio Dell already has a vibrant artist population. Our goal will be to help these artists exhibit their many talents, while becoming the central point for artists from all over the county. The first initiative for the arts coalition will be to help to establish an artist collective, which works similar to a coop. By establishing an artist collective, the arts district will allow the many artists from Rio Dell to emerge and display their talents alongside some of the best artists in Humboldt County. This collective will be located downtown and will be open to the public for viewing and shopping. With the availability of inexpensive rent and large spaces, Rio Dell has the potential to house the largest and most affordable artist collective in the county. It will be our mission to establish this collective and use it to connect with many artists and organizations, (e.g.; Arts Alive, Arts Arcata, etc...) to develop a similar arts exhibit, which, with the emergence of first

Fridays in Fortuna, could help the eel river valley have a regularly occurring open art walk.

The establishment of an artist collective, and the members and supporters of the many artists that will embark on the city, will help to ensure that an educated, artistic and business minded audience will frequent the city.

There should be no doubt that Rio Dell is not a “diamond in the rough” but instead, is a diamond being cut from the finest stone in the county. The emergence of an arts market in the Eel River Valley is inevitable, and in many ways has already been established in Ferndale. However, the market for arts in Humboldt County continues to grow. While areas like Old Town in Eureka, Arcata, Ferndale, and Garberville have space to offer, that space is at a premium that many talented and unknown artists can’t afford. Art must remain fresh or it becomes a history that leaves only artifacts of what it once was behind. In order for art and artists to stay vibrant, a melting pot must be created or established. Like Santa Fe, New Mexico, which houses only 65,000 people, yet stands as the third largest art market in the country behind New York City and Los Angeles, Rio Dell offers the perfect ingredients for emerging artists.

First and foremost, a place needs beauty. Without it, positive inspiration may fail to emerge. This is what attracts artists to Humboldt, and Rio Dell happens to be one of the most beautiful places in the county. Not a day goes by that one can’t gaze upon our surrounding views that bulge out of the ground toward the sky surrounding the city at its center like a Roman Coliseum. Our bluffs give way to an awe inspiring patch of second growth that tells the town, and those that inhabit the area, that only minutes away, one can divulge in one of the most amazing wonders of the world. This is perhaps the greatest gift that was given to the area. As the dust from the logging trucks and mills of the past settles, and the reality that we are no longer a town that can depend on a flourishing timber industry sets in, the sun continues to set, even through the fog, upon one of the greatest stretches of Old Growth Redwood in the state: the esteemed Avenue of the Giants. To the right of, what is and should be coined as, the gateway to The Avenue of the Giants, stands Monument Mountain with its golden and green summer colors or its white snowy top in the winter. The mighty Eel River – the third largest river in California and one of the only rivers in the world that runs south to north--runs through our back yards as it weaves through the California Coastal Range, a mountain range that kills cellular signals, but also shades us from much of the wind and fog created by the nearby Pacific Ocean, creating an almost perfect micro climate in a place known best for cold wet winters and often colder summers.

And at the center of our town is a vacant business district, full of buildings eagerly awaiting occupancy. On the vacant windows are pasted signs that read AFFORDABLE. The most beneficial part of our city is that we have affordable rent. Now we just need to offer the guidance and assurance needed to help our city be the artistic and cultural center it has been eagerly waiting to be. This will be the focus of the the Eagle Prairie Arts District.

We May Only Have One Real Problem as a City:

The current problem the city is facing is a lack of business. Of course there are more pressing problems like sewer, water, street improvement, a large drug problem, dilapidated housing, and a false image that Rio Dell may still be the epicenter of crime and poverty in Humboldt County, and the list goes on and on. Yet, all this takes a back seat to the real problem facing this city. We have no business. We have tourists, they frequent the Shell gas station, occasionally the Bar, Mini Golf, and The Pizza Factory, but where else shall they go? Why should they stay? The problems the city faces are minor, even minuscule, when compared to the number of failing, failed, or barely above water businesses it houses. It is my thought that a single council, planning, chamber, police or fire meeting should not convene that does not in some way directly address this issue. All else fails without business, and we are quickly heading in a direction of not having business. Each day, for anyone who is concerned with this community we cherish, when they wake, they should be asking themselves, what am I doing to help bring business to Rio Dell? Because, with quality business, revenue is generated, revenue to fix our streets, build our parks, keep our police force working, and allow our drinking water to remain clean and our toilets flushing. Revenue is the answer to most all the cities problems, and business is the answer to our lack of revenue.

Art alone will not provide the city with the business it needs. Entertainment, festivals, concert series, museums, beautiful parks, a river walk, historical land marks, unique scenery, fine dining, lodging, recreation, shopping, fitness facilities, breweries, a school, bakeries, offices, commercial and light industrial, these are all types of businesses that thrive within an arts, entertainment and culturally diverse community. We must not be fooled into thinking that we are a just a bedroom community. A bedroom community needs an established city with all the necessary requirements of societal need. We do not, and do to the counties anti growth attitude, we may never have the ability to be a bedroom community. This does not, however, mean we are not asleep. The town must realize that we must create our own vision, our own jobs, and our own future. Depending on other communities is how we ended up in the dire situation the city faces today. And if we fool ourselves into believing that we can get by on another cities success, we are doomed to fall further into the abyss.

The culture of this town must change, but our history will not. We will no longer be a dying mill town, a bedroom community in an area that is not pro growth, but we will be a vibrant, bustling small city surrounded by some of the most glorious views nature can provide. We will be mentioned by travelers in the same breath as Santa Fe, New Mexico, Corvallis, Oregon, Sebastopol, California or Boulder Colorado. We will be known as both the gateway to the historic Avenue of the Giants, as well as the Victorian Village of Ferndale.



The cities mentioned here are not referenced by accident. Santa Fe was once a city like Rio Dell, as was Corvallis, Sebastopol and Boulder. As divided as we are from Arcata and Garberville in culture and thought, we may be wise to look upon them as inspiration for our city, as they were once dying mill towns that found prosperity by providing art, entertainment and fine dining to their community. It is my hope, and the

hope of the Eagle Prairie Arts District, that the residents and council members of Rio Dell will help usher in a new era of prosperity to the city of Rio Dell.

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



For Meeting of: August 21, 2012

To: City Council
From: Kevin Caldwell, Community Development Director 
Through: Jim Stetch, City Manager 
Date: August 17, 2012
Subject: Wildwood Avenue Enhancement Project Update

Recommendation:

That the City Council:

1. Receive a presentation from the City Engineer, Merritt Perry of GHD, regarding the status of the Wildwood Avenue Enhancement Project;
2. Identify and establish project priorities and direct staff accordingly.

Summary

The City Manager and I recently met with Merritt Perry regarding the status of the Wildwood Avenue Enhancement Project. Mr. Perry has submitted the 90% Preliminary Plans (Attachment 1) and the Estimate of Probable Costs (Attachment 2).

The project will be funded by the State Transportation Improvement Program (STIP). Below is a summary of the approved funding for the project:

Environmental Studies and Permits	\$11,000
Plans, Specifications & Estimate	\$40,000
Construction Engineering	\$39,000
Construction Total	\$498,618
Total Project Estimate	\$588,618

GHD's current opinion/estimate of the total costs for construction including a 10% contingency is \$617,146, which is approximately \$118,500 over the original construction cost estimate. This figure does not include the costs for the Environmental Studies (\$11,000) and Permits, Plans, Specifications & Estimate (\$40,000) and Construction Engineering (\$39,000). Including these costs, the total estimate for the project is currently \$707,146, which is about \$118,500 more than the original estimate.

The revised estimate includes changes made to the project, including the elimination of left turn-pocket curbs, reducing the median/island excavation depth from 24 inches to 18 inches, except where trees are to be planted and the elimination of the median/island immediately south of Monument Road. Although these changes did reduce the cost estimate for the project, they were not enough to reduce the costs to the original estimate.

GHD's estimate includes a base estimate which includes the medians/islands from the bridge up to Columbus Street. The construction estimate for this phase of the project is \$372,375 not including the 10% contingency. The estimate also included Additive Construction Estimates for those medians/islands north of Columbus Street. The Additive Estimates are broken down into three phases as identified below:

Bid Additive Estimates	Cost
Douglas Street to Columbus Street (Medians/Islands 6 & 7)	\$54,951
Elm Street to Douglas Street (Medians/Islands 4 & 5)	\$47,959
Side Street to Elm Street (Medians/Islands 1, 2 & 3)	\$85,757
Bid Additive Total	\$188,667

Again, the total estimate for the project is currently \$707,146. Obviously the Council will have to either have to decide to build only those improvements that are budgeted for or amend the project to eliminate some landscaping and improve the medians/islands with grass until additional funding becomes available to complete the original landscaping concept.

Attachment:

- Attachment 1: 90% Preliminary Plans.
- Attachment 2: Current GHD Estimate of Probable Costs
- Attachment 3: Email dated August 17, 2012 from GHD
- Attachment 4: Original Estimate of Probable Costs

Opinion of Probable Construction Cost

Agency: CITY OF RIO DELL

Project Name: WILDWOOD AVENUE PEDESTRIAN AND STREETSCAPE IMPROVEMENTS PROJECT

Project Location: CITY OF RIO DELL

Date of Estimate: 8/17/2012

Prepared by: BV,MP

BASE BID SCHEDULE ITEMS - STA 20+74 TO 35+51 COLUMBUS STREET TO BRIDGE

Item No.	Description	Quantity	Units	Unit Cost	Total
1	Mobilization/Demobilization ¹	1	LS	\$26,716	\$26,716
2	Construction Area Signs	15	EA	\$300	\$4,500
3	Traffic Control (Throughout Construction)	1	LS	\$15,000	\$15,000
4	Erosion and Sediment Control	1	LS	\$5,000	\$5,000
5	Remove Existing Pavement Striping & Marking	1	LS	\$1,000	\$1,000
Island 14					
6	Cold Plane Asphalt Concrete 6" max	28	SY	\$30	\$843
7	Stamped Concrete 12" thick	18	SY	\$30	\$553
8	Minor Concrete (6" Vertical Curb, A1-6)	54	LF	\$27	\$1,458
Island 13					
9	Cold Plane Asphalt Concrete 6" max	244	SY	\$30	\$7,310
10	Roadway Excavation (Assume 18", 4 trees ² @ 24")	120	CY	\$30	\$3,587
11	Minor Concrete (6" Vertical Curb, A1-6)	245	LF	\$27	\$6,615
Island 12					
12	Cold Plane Asphalt Concrete 6" max	142	SY	\$30	\$4,273
13	Roadway Excavation (Assume 18", 1 tree ² @ 24")	67	CY	\$30	\$2,018
14	Minor Concrete (6" Vertical Curb, A1-6)	148	LF	\$27	\$3,996
Island 11					
15	Cold Plane Asphalt Concrete 6" max	160	SY	\$30	\$4,793
16	Roadway Excavation (Assume 18", 3 trees ² @ 24")	79	CY	\$30	\$2,358
17	Minor Concrete (6" Vertical Curb, A1-6)	196	LF	\$27	\$5,292
Island 10					
18	Cold Plane Asphalt Concrete 6" max	154	SY	\$30	\$4,630
19	Roadway Excavation (Assume 18", 2 trees ² @ 24")	75	CY	\$30	\$2,258
20	Minor Concrete (6" Vertical Curb, A1-6)	188	LF	\$27	\$5,076
Island 9					
21	Cold Plane Asphalt Concrete 6" max	153	SY	\$30	\$4,583
22	Roadway Excavation (Assume 18", 3 trees ² @ 24")	75	CY	\$30	\$2,254
23	Minor Concrete (6" Vertical Curb, A1-6)	190	LF	\$27	\$5,130
Island 8					
24	Cold Plane Asphalt Concrete 6" max	76	SY	\$30	\$2,293
25	Roadway Excavation (Assume 18")	35	CY	\$30	\$1,062
26	Minor Concrete (6" Vertical Curb, A1-6)	101	LF	\$27	\$2,727
Landscaping Islands 8-13					
27	Irrigation Service Connection & Backflow Prevention	1	LS	\$6,000	\$6,000
28	Landscape & Irrigation ³ (Islands 8 - 14)	1	LS	\$216,780	\$216,780
Striping, Markers, and Symbols					
29	Thermoplastic Pavement Markings (Bike w/out Person)	49	SF	\$10	\$490
30	Thermoplastic Pavement Markings (Bike Lane Arrow)	49	SF	\$10	\$490
31	Thermoplastic Pavement Markings (Type III L Arrow)	42	SF	\$10	\$420
32	4-Inch Thermoplastic Traffic Stripe (22)	183	LF	\$3	\$549
33	4-Inch Thermoplastic Traffic Stripe (27B and Loading Zone)	2950	LF	\$3	\$8,850
34	6-Inch Thermoplastic Traffic Stripe (39)	1595	LF	\$6	\$9,570
35	6-Inch Thermoplastic Traffic Stripe (39A)	500	LF	\$6	\$3,000
36	8-Inch Thermoplastic Traffic Stripe (38)	50	LF	\$8	\$400
37	Retroreflective Pavement Marker (Type H Detail 26)	50	EA	\$10	\$500
Base Bid Schedule Subtotal					\$372,375
Base Bid Schedule Total Opinion of Probable Construction Cost					\$372,375

ATTACHMENT 2

BID ALTERNATE ITEMS - STA 17+55 to 20+74 DOUGLAS STREET TO COLUMBUS STREET					
Item No.	Description	Quantity	Units	Unit Cost	Total
	Island 7				
38	Cold Plane Asphalt Concrete 6" max	93	SY	\$30	\$2,797
39	Roadway Excavation (Assume 18", 1 tree ² @ 24")	44	CY	\$30	\$1,319
40	Minor Concrete (6" Vertical Curb, A1-6)	118	LF	\$27	\$3,186
41	Landscape & Irrigation ³ Island 7	1	LS	\$22,140	\$22,140
	Island 6				
42	Cold Plane Asphalt Concrete 6" max	64	SY	\$30	\$1,910
43	Roadway Excavation (Assume 18")	30	CY	\$30	\$888
44	Minor Concrete (6" Vertical Curb, A1-6)	87	LF	\$27	\$2,349
45	Landscape & Irrigation ³ & Island 6	1	LS	\$14,730	\$14,730
	Striping, Markers, and Symbols				
46	Thermoplastic Pavement Markings (Bike Lane w/out Person)	14	SF	\$10	\$140
47	Thermoplastic Pavement Markings (Bike Lane Arrow)	14	SF	\$10	\$140
48	4-Inch Thermoplastic Traffic Stripe (27B)	583	LF	\$3	\$1,749
49	6-Inch Thermoplastic Traffic Stripe (39)	584	LF	\$6	\$3,504
50	Retroreflective Pavement Marker (Type H)	10	EA	\$10	\$100
Additive Bid Alternate 1 Subtotal					\$54,951
Additive Bid Alternate 1 Total Opinion of Probable Construction Cost					\$54,951

BID ALTERNATE ITEMS - STA 15+18 to 17+55 ELM STREET TO DOUGLAS STREET					
Item No.	Description	Quantity	Units	Unit Cost	Total
	Island 5				
51	Cold Plane Asphalt Concrete 6" max	69	SY	\$30	\$2,067
52	Roadway Excavation (Assume 18")	32	CY	\$30	\$948
53	Minor Concrete (6" Vertical Curb, A1-6)	92	LF	\$27	\$2,484
54	Landscape & Irrigation ³ Island 5	1	LS	\$16,290	\$16,290
	Island 4				
55	Cold Plane Asphalt Concrete 6" max	67	SY	\$30	\$1,997
56	Roadway Excavation (Assume 18")	30	CY	\$30	\$903
57	Minor Concrete (6" Vertical Curb, A1-6)	87	LF	\$27	\$2,349
58	Landscape & Irrigation ³ & Island 4	1	LS	\$16,950	\$16,950
	Striping, Markers, and Symbols				
59	Thermoplastic Pavement Markings (Bike Lane w/out Person)	14	SF	\$10	\$140
60	Thermoplastic Pavement Markings (Bike Lane Arrow)	14	SF	\$10	\$140
61	4-Inch Thermoplastic Traffic Stripe (27B)	399	LF	\$3	\$1,197
62	6-Inch Thermoplastic Traffic Stripe (39)	199	LF	\$6	\$1,194
63	6-Inch Thermoplastic Traffic Stripe (39A)	200	LF	\$6	\$1,200
64	Retroreflective Pavement Marker (Type H)	10	EA	\$10	\$100
Additive Bid Alternate 2 Subtotal					\$47,959
Additive Bid Alternate 2 Total Opinion of Probable Construction Cost					\$47,959

Kevin Caldwell

From: Brett Vivyan [Brett.Vivyan@ghd.com]
Sent: Friday, August 17, 2012 11:26 AM
To: Jim Stretch (cm@riodellicity.com); Kevin Caldwell (kcaldwell@riodellicity.com)
Cc: Merritt Perry
Subject: Updated Plans and Budget for Wildwood Ave. Improvements
Attachments: 90% Plans.pdf; Engineer's Estimate 083011.pdf; 90%_Engineers_Estimate.pdf

Jim and Kevin,

Please find the attached, update Plans and Engineer's Estimate, as well as the original Engineer's Estimate for comparison.

After reviewing the estimates, I found that the three islands on the north side of town (#'s 1, 2, and 3) were not properly summed in the estimate we discussed on the phone moments ago. These three islands brought the total construction cost up to ~\$561K from the discussed ~\$500K.

We will have to have another discussion concerning how to bring down the cost to the original estimate. I apologize for not having fully reviewed and confirmed the budget prior to our discussion and any inconvenience this might have created.

A summary of the updated costs are as follows:

Base Bid Total	\$372,375
Additive Bid Alternate 1 Total	\$54,951
Additive Bid Alternate 2 Total	\$47,959
Additive Bid Alternate 3 Total	\$85,757
TOTAL OPINION OF PROBABLE CONSTRUCTION COST	\$561,042
<hr/>	
Contingency (10%)	\$56,104
TOTAL	\$617,146

Original Estimate:

Construction Total	\$ 498,618.00
Environmental and Permitting	\$ 11,000.00
Landscape and Civil Design	\$ 40,000.00
Construction Engineering	\$ 39,000.00
Total Project Estimate	\$ 589,000.00

Let me know if you have any questions or need any more information.

Thanks,

Brett Vivyan, EIT
Staff Engineer

GHD

T: 707 443 8326 | F: 707 443 8330 | E: brett.vivyan@ghd.com
718 3rd Street, Eureka, CA 95501, USA | www.ghd.com

CITY OF RIO DELL SOUTH WILDWOOD DOWNTON IMPROVEMENTS
 ENGINEER'S ESTIMATE FOR THE APPLICATION
 August 30, 2011

No.	DESCRIPTION	Quantity	Unit	ENGINEER'S ESTIMATE	
				Unit Price	Total
1	Mobilization/Demobilization	1	LS	\$ 25,000.00	\$ 25,000.00
2	Traffic Control System	1	LS	\$ 13,500.00	\$ 13,500.00
6	Remove Concrete (sidewalk, driveway, curb, gutter)	5,600	SF	\$ 4.00	\$ 22,400.00
6	Remove Asphalt Concrete	7,500	SF	\$ 2.00	\$ 15,000.00
8	Relocate Roadside Sign	8	EA	\$ 155.00	\$ 1,240.00
10	Adjust Existing Utilities	10	EA	\$ 370.00	\$ 3,700.00
17	Minor Concrete – Sidewalk	2,400	SF	\$ 7.00	\$ 16,800.00
18	Minor Concrete – Curb and Gutter	1,500	LF	\$ 42.00	\$ 63,000.00
19	Minor Concrete – Stamped Concrete Crosswalk	3,200	SF	\$ 15.00	\$ 48,000.00
20	Minor Concrete – Driveways	1,600	SF	\$ 16.00	\$ 25,600.00
21	Minor Concrete-ADA Curb Ramp	2	EA	\$ 2,500.00	\$ 5,000.00
22	Thermoplastic Traffic Striping (4")	6,364	LF	\$ 2.00	\$ 12,728.00
23	Thermoplastic Traffic Striping (6")	2,790	LF	\$ 5.00	\$ 13,950.00
24	Thermoplastic Crosswalk, Stop Bar, Pavement Markings	700	SF	\$ 8.00	\$ 5,600.00
28	Storm Drain (Reinforced Concrete Pipe) (18")	200	LF	\$ 100.00	\$ 20,000.00
31	Storm Drain Drop Inlet	5	EA	\$ 2,400.00	\$ 12,000.00
32	Gateway Sign	1	LS	\$ 12,000.00	\$ 12,000.00
32	Interpretive Sign	1	LS	\$ 4,500.00	\$ 4,500.00
32	Furnishings (Benches, Waste and Recycling Receptacles)	1	LS	\$ 12,000.00	\$ 12,000.00
36	Water Fountain and Service Connection	1	EA	\$ 2,500.00	\$ 2,500.00
36	Bicycle Rack	4	EA	\$ 2,500.00	\$ 10,000.00
33	Street Trees	22	EA	\$ 600.00	\$ 13,200.00
33	Decorative Tree Grate	22	EA	\$ 400.00	\$ 8,800.00
35	Furnish Decorative Street Lights	13	EA	\$ 8,308.00	\$ 108,100.00
36	Install Decorative Street Lights	13	EA	\$ 1,846.00	\$ 24,000.00
Construction Total				\$	\$ 498,618.00
Environmental and Permitting				\$	\$ 11,000.00
Landscape and Civil Design				\$	\$ 40,000.00
Construction Engineering				\$	\$ 39,000.00
Total Project Estimate				\$	\$ 589,000.00

Construction Total \$ 498,618.00
 Environmental and Permitting \$ 11,000.00
 Landscape and Civil Design \$ 40,000.00
 Construction Engineering \$ 39,000.00
Total Project Estimate \$ 589,000.00

Attachment 4

675 Wildwood Avenue
Rio Dell, CA 95562



TO: Mayor and Members of the City Council

THROUGH: Jim Stretch, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: August 21, 2012

SUBJECT: Wastewater Rate Study RFP

RECOMMENDATION

By motion approve the Wastewater Rate Study RFP and authorize distribution.

BUDGETARY IMPACT

None

BACKGROUND AND DISCUSSION

A draft Wastewater Rate Study RFP has been prepared as directed by the Council. The RFP describes the City's intent as "not to change the rates, but to reallocate them to customers in a more equitable way based on water consumption."

Included in the RFP is a description of the scope of services requested by the City including:

1. Design a minimum of three consumption based rate models in excel or other commonly used software system. Key factors shall include:
 - a. The new rate structures will be revenue neutral, and based on the current cost of service.
 - b. At least one tiered consumption rate structure will be developed.
 - c. The recommended rate structure will provide direct identification of revenues for each of the major fund categories including; operating,

- capital, and debt service.
- d. The recommended rate structure shall be consistent with industry practice for utility rate making in California and comply with the provisions Article XIIIID of the California Constitution, commonly referred to as Proposition 218.
 - e. The benefits of any proposed modification will be weighed against the financial impact on rate payers.
 - f. Justification for any additionally recommended classes shall be demonstrated.
 - g. The recommended rate structure shall result in no decrease in the stability of revenue as compared to the current structure.
 - h. The recommended rate structure should be easy to administer and understand.
 - i. The City's billing system must be able to calculate and bill the recommended structure.
2. Coordinate with the City's Utility Billing Software (Accufund) tech support to ensure that any rate structure proposed is supported and billable with the current accounting software.
 3. Meet with City Management to explain and review a draft of the recommendations.
 4. Demonstrate the impact of proposed rate changes on various groups of users.
 5. Present the rate recommendations at 1 public meetings of the City Council and two subsequent public hearings on the rate increases.
 6. Train staff how to use the selected model to ensure key staff have the ability to calculate future rate changes.

We are proposing to make the RFP available no later than Friday August 24, 2012.

The proposal opening is scheduled for September 14, 2012 at 3:00 pm, and the screening process will be conducted by the City Manager, Finance Director, and Wastewater Superintendant with an award recommendation made to the City Council at the next regular Council meeting of September 18, 2012.



**REQUEST FOR PROPOSAL
WASTEWATER RATE STUDY**

Proposal Opening: September 14, 2012 3:00 p.m.

City Hall

675 Wildwood Avenue

Rio Dell, California, 95562

City of Rio Dell Wastewater Rate Study RFP

CITY OF RIO DELL, CALIFORNIA **WASTEWATER RATE STUDY** **REQUEST FOR PROPOSALS**

The City of Rio Dell invites qualified firms to submit proposals to provide:

A Wastewater Rate Study

The City intends to award a single contract to a firm to provide services necessary to complete the project (the “Project”) described herein.

The City of Rio Dell (herein after referred to as the “City”) will receive sealed proposals until 3:00 p.m. on September 14, 2012, at City Hall, 675 Wildwood Avenue, Rio Dell, California 95562.

The City’s contact information for this RFP is:

Finance Director
City of Rio Dell
675 Wildwood Avenue
Rio Dell, California 95562
(707)-764-3532
(707)-764-5480 fax
Finance1@Riodellcity.com

RFP documents may be obtained via the internet at the City of Rio Dell website at www.riodellcity.com. If you do not have internet access, you may obtain the documents by contacting the City directly.

The RFP deadline is 3:00 p.m. September 14, 2012. The City reserves the right to waive any informalities or minor irregularities; reject any and all proposals which are incomplete, conditional, unclear, contain unsigned forms, or which contain terms not allowed for; accept or reject any proposal in whole or in part with or without cause; and accept the proposal which best serves the City. All information required by this RFP must be supplied to constitute a proposal.

City of Rio Dell Wastewater Rate Study RFP

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PART I - STATEMENT OF WORK

A. OBJECTIVE

The City of Rio Dell (City) is soliciting proposals from qualified and experienced firms/individuals to undertake a modified wastewater utility rate study.

B. GENERAL INFORMATION

Incorporated in 1965, The City of Rio Dell is located in Humboldt County approximately 25 miles south of Eureka in Humboldt County. The City is approximately 2 square miles with a population of 3,295.

The City's current wastewater fee structure was established in 2005 and includes four user classifications: Single family dwellings; Multiple family dwellings; Industrial; and Commercial. Customer user fees are charged on a modified flat rate fee structure per ESU. All single family dwellings are considered one ESU. All multiple family dwelling units are assigned ESU's based on how many actual dwelling units exist. All commercial and Industrial customers ESU's are based on average cold weather flow figures from 2005.

The City completed a \$2.5 million Headwork's upgrade in 2011 and is currently in the process of completing a \$13.5 million wastewater facility and effluent disposal project. During the financial planning of these projects, the operating, capital, and debt financing budgets were reviewed, and funded through a rate increase effective March of 2011.

The Council's intent at this time is not to change the rates, but to re-allocate them to customers in a more equitable way based on water consumption. The City's hope is to adjust the rates downward for low volume users, and increase the cost for customers who have a higher impact on the system.

C. SCOPE OF WORK

The following is a description of the scope of services required by the City:

1. Design a minimum of three consumption based rate models in excel or other commonly used software system. Key factors shall include:
 - a. The new rate structures will be revenue neutral, and based on the current cost of service.
 - b. At least one tiered consumption rate structure will be developed.
 - c. The recommended rate structure will provide direct identification of

City of Rio Dell Wastewater Rate Study RFP

revenues for each of the major fund categories including; operating, capital, and debt service.

- d. The recommended rate structure shall be consistent with industry practice for utility rate making in California and comply with the provisions Article XIIIID of the California Constitution, commonly referred to as Proposition 218.
 - e. The benefits of any proposed modification will be weighed against the financial impact on rate payers.
 - f. Justification for any additionally recommended classes shall be demonstrated.
 - g. The recommended rate structure shall result in no decrease in the stability of revenue as compared to the current structure.
 - h. The recommended rate structure should be easy to administer and understand.
 - i. The City's billing system must be able to calculate and bill the recommended structure.
2. Coordinate with the City's Utility Billing Software (Accufund) tech support to ensure that any rate structure proposed is supported and billable with the current accounting software.
 3. Meet with City Management to explain and review a draft of the recommendations.
 4. Demonstrate the impact of proposed rate changes on various groups of users.
 5. Present the rate recommendations at 1 public meetings of the City Council and two subsequent public hearings on the rate increases.
 6. Train staff how to use the selected model to ensure key staff have the ability to calculate future rate changes.

D. INSURANCE AND LICENSES

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, its agents, representatives, or employees.

Coverage shall be at least as broad as:

City of Rio Dell Wastewater Rate Study RFP

1. **Automobile Liability:** Insurance Services Office Form Number CA 001 covering Code 1 (any auto), or if Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with a limit no less than \$1,000,000 per accident for bodily injury and property damage.
2. **Workers Compensation:** As required by the State of California, with Statutory Limits, and Employer's Liability Insurance with a limit of no less than \$1,000,000 per accident for bodily injury or disease.
3. **Professional Liability (Errors and Omissions):** Insurance appropriate to the Consultants Profession, with limit no less than \$1,000,000 per occurrence or claim, and \$2,000,000 aggregate.

Licenses

1. Must have a City of Rio Dell Business License.

City of Rio Dell Wastewater Rate Study RFP

RFP - GENERAL INFORMATION

PART II

A. DEFINITIONS

For the purposes of this Request for Proposals (RFP):

Proposer shall mean the contractor, consultant, respondent, organization, firm, or other person submitting a response to this RFP.

City shall mean the City of Rio Dell, the City Council and any officials, employees, agents and elected officials as applicable.

B. INVITATION TO PROPOSE; PURPOSE

The City solicits proposals from responsible Proposers to perform work for or provide goods and/or services to the City as specifically described in Part I., Section C.

C. CONTRACT AWARDS

The City anticipates awarding one contract, but reserves the right to award more than one contract if in its best interest. If the City accepts a Proposal, the City will provide a written notice of the award.

The Proposer understands that neither this RFP nor the notice of award constitutes an agreement or a contract with the Proposer. A contract or agreement is not binding until proposals are reviewed by the City and a written agreement or contract is approved and executed by the City, the successful Proposer, and the City Attorney.

D. PROPOSAL COSTS

Neither the City nor its representatives shall be liable for any expenses incurred in connection with preparation of a response to this RFP. Proposers should prepare their proposals simply and economically, providing a straight forward and concise description of the Proposer's ability to meet the requirements of the RFP.

E. INQUIRIES

Proposers may mail, electronic mail or fax written inquiries for interpretation of this RFP to the attention of the Finance Director.

F. DELAYS

The City may postpone scheduled due dates at its sole discretion. The City will attempt to notify

City of Rio Dell Wastewater Rate Study RFP

all registered Proposers of all changes in scheduled due dates.

G. PROPOSAL SUBMISSION

To facilitate processing, submit one (1) original and seven (7) copies of the proposal in a sealed envelope.

THE CITY MUST RECEIVE ALL PROPOSALS ON OR BEFORE 3 p.m., September 14, 2012.

Late submittals, additions, or changes will not be accepted. Due to the irregularity of mail service, the City cautions Proposers to assure actual delivery of proposals to the City prior to the deadline set for receiving proposals. Telephone confirmation of timely receipt of the proposal may be made by calling the Office of the Finance Director before proposal opening time. Proposers may withdraw their proposals by notifying the City in writing at any time prior to the opening.

Proposals, once opened, become the property of the City and will not be returned to the Proposers. Proposals are public documents and subject to public disclosure.

H. IRREGULARITIES; REJECTION OF PROPOSALS

The City reserves the right to reject proposals for any reason, to waive any irregularities or informalities, and to solicit and re-advertise for other proposals. Incomplete or non-responsive proposals may be rejected by the City as non-responsive or irregular. The City reserves the right to reject any proposal for any reason, including but without limitation, with or without cause.

I. ORAL PRESENTATION

At its discretion, the City may require any Proposer to make an oral presentation of the proposal.

J. INSURANCE AND LICENSES

The successful Proposer, if awarded a contract, shall maintain in full force and effect throughout the contract: (a) insurance coverage reflecting the minimum amounts and conditions required by the City, and (b) any required licenses required by the City. These requirements are detailed further in part Part I., Section D.

K. PROPOSAL FORMAT

In order to insure a uniform review process and to obtain the maximum degree of comparability, it is required that the proposals be organized in the manner specified herein.

Proposers shall prepare their proposals using the following format:

1. Letter of Transmittal


This letter will summarize in a brief and concise manner, the Proposer's understanding of the scope of work and make a positive commitment to provide its services on behalf of the City. The letter must name all of the persons authorized to make representations for or on behalf of the Proposer, and must include their titles, addresses, and telephone numbers. An official


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



For Meeting of: August 21, 2012
CONTINUED FROM JULY 17, 2012 MEETING

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Jim Stritch, City Manager 

Date: August 13, 2012

Subject: Albin General Plan and Zone Reclassification

Recommendation:

That the City Council:

1. Receive staff's report regarding the proposed General Plan and Zone Reclassification;
2. Open the public hearing, receive public input and deliberate;
3. Consider the application and based on information contained in the staff report, the applicant's justification, public comments, the Planning Commission's recommendation;
4. Adopt Resolution No. 1157-A-2012 **denying** the proposed General Plan Amendment and Zone Reclassification designating approximately 3 acres from Community Commercial (CC) to Urban Residential (UR);

Alternative

5. Introduce Ordinance No. 290-2012 and Resolution No. 1157-B-2012 amending the plan and zoning designation of approximately 3 acres from Community Commercial (CC) to Urban Residential (UR); and continue consideration of the proposed Ordinance and Resolution to your meeting of September 4, 2012 for second reading and adoption.

Background

In an attempt to save copy costs, staff did not include some of previously provided attachments which were previously provided. **If you need another copy of those attachments, please let staff know.**

As you're aware the Council considered the Albin amendments at the meeting of May 15th. Both Council members Leonard and Marks were not able to attend the meeting. After public comment, Council members, Wilson, Thompson and Mayor Woodall discussed and deliberated the application. I believe the Council felt that the proposed amendments have both advantages and disadvantages. Council member Wilson felt that it was in the City's best financial interest to redesignate the property Community Commercial to Urban Residential.

Following the discussion, Council member Wilson made a motion to approve the proposed General Plan Amendment and Zone Reclassification. The Motion was seconded by Council member Thompson and the Council voted 2-1 to approve the requested amendments. There was subsequent discussion regarding the Council's action and whether a majority of the entire Council was required in order to approve the proposed amendments. At that point the Council determined that it would be in the best interest of the City to have the other Council members consider and vote on the proposed amendments. As such, Council member Wilson made a motion to withdraw his original motion and continue the item to the meeting of June 5th. The motion was seconded and passed 3-0.

Staff subsequently reviewed the Government Code regarding Plan Amendments and Zone Reclassifications and determined that a majority of the total membership of the legislative body is required in order to approve General Plan Amendments. Staff checked with legal counsel and it was confirmed that a majority of the entire Council is required to approve General Plan Amendments.

Based on Council member Wilson's comments regarding the financial advantage to the City in redesignating the parcel to Urban Residential, staff looked into the tax advantages and disadvantages of commercial development versus residential development. The "Guide to California Planning", Third Edition, by William Fulton and Paul Shigley contains an excellent discussion of on tax revenue and its link to land use planning. Below is a summary of the discussion.

Most cities and counties in California receive the vast majority of their tax revenue from two sources: property tax and sales tax. (Subventions from the state and the federal government, usually passed through the state, often provide the largest shares of city and county general fund revenue.) Prior to the passage of Proposition 13 in 1978, property tax was the most important source of local government revenue. However, since Proposition 13 placed restrictions on property tax rates, sales tax revenue has become the key source of revenue for local government. In many communities, sales tax revenue actually exceeds property tax revenue.

Under Proposition 13, property tax rates are limited to one percent of a property's assessed value. Generally speaking, the rate cannot be increased except when approved by a two-thirds vote of the local residents—a difficult task, but achievable for construction of police stations, libraries, and other highly popular items. Furthermore, property may not be reassessed except when it is sold or when new construction occurs. If property is not sold, assessed value may rise by no more than two percent per year, no matter how rapidly the market value is rising.

Property tax revenue, though collected by counties, is typically divided among city, county, school district, and special districts. Under complex formulas that are determined by the state and are different for every county, school districts typically get 50 to 60 percent of property tax revenue. Usually, cities each get about 15 percent of property tax revenues, while counties get about 25 percent. **However, based on recent information provided by the County Tax Collector's office, the City receives 6 percent or 6 cents for every dollar of property tax revenue.**

Because property tax revenue after Proposition 13 bears little relationship to the cost of providing a property with public services, some developments are clearly winners and some are clearly losers for local government. An office building or shopping center pays a lot of property tax, but takes up relatively little land compared with a subdivision, requires minimal police and fire protection, and produces no children who must be educated by the local schools. A subdivision of single-family homes stretches across the landscape, requires extensive police and fire protection, and generates a vast number of children who must be educated. But the subdivision produces relatively little property tax revenue and no sales tax revenue. For most cities and counties, the subdivision is a direct money loser. Below is a copy of a diagram that illustrates the revenue benefits of retail development.

Revenue Benefits of Retail Development

Shopping Center	vs.	Residential Subdivision
Pays higher property taxes on less land		Pays lower property taxes on more land
+		+
Generates sales tax revenue		Generates NO additional revenue
+		+
Requires minimal fire and police protection		Requires extensive fire and police protection
+		+
Generates no new children to be educated		Generates many new children to be educated
=		=
Revenue PRODUCING Project		Revenue DRAINING project

Source: Guide to California Planning

Assuming the Albin property was redesignated from Community Commercial to Urban Residential and developed with 15 new residences averaging \$250,000 each, the total assessed value of the subdivision would be \$3,750,000. Based on the 6 percent or 6 cents for every dollar of property tax revenue the City receives, the City would receive \$2,250 in property tax revenue. Obviously this is much less than most would expect.

On the other hand, staff checked into the assessed values of the Walgreens in the Strong's Creek Plaza in Fortuna. The assessed value of the 1.53 acre parcel (land) is \$1,537,866 and the assessed value of the building and improvements (parking lot, landscaping, lighting, etc.) is \$4,049,717. The total assessed value is \$5,587,583. Therefore the property tax revenue to the City would be about \$3,350 a year. However, assuming estimated modest sales revenue of \$10,000 per day for 360 days a year, this would result in about \$3,600,000 in annual sales revenue. This would result in additional \$36,000 in City sales tax revenue.

Obviously it's clear that commercial development produces much more potential tax revenue than residential development.

Discussion

Andy Albin has made application to redesignate approximately 3 acres from Community Commercial (CC) to Urban Residential (UR). Included as **Attachment 1** is the applicant's justification for the proposed amendments.

The property was originally planned and zoned Residential Multiple Family (R-3) as part of the City's initial zoning designations after incorporation in 1965. The R-3 zone principally permitted single family, two family and dwelling groups and multiple dwellings for not more than four families.

The property was redesignated in 2004 to Community Commercial. At that time the parcel included some lands to the east of the subject property which was and is designated Urban Residential. In May of 2006, a minor subdivision creating four parcels and a Remainder (the subject parcel) was approved. Sometime in 2008 or 2009 the applicant informally requested the City consider redesignating the parcel from Community Commercial to Urban Residential. At that time, the City chose not to consider amending the land use designations.

As indicated above, the applicant's agent has submitted justification in support of making the required Public Interest and General Plan consistency findings. Below is a summary of the justification:

Public Interest

- Re-zoning to "Urban Residential" would make this parcel compatible with the surrounding existing residential use;
- Residential development will not require modifications to the Gateway improvements

adjacent to the parcel;

- Redesignating the parcel to Residential will further encourage commercial development to the Town Center and the Todd parcel;
- Residential development will not detract from the view of the Scotia bluffs and be easy to landscape for privacy.

General Plan

- The General Plan encourages commercial development in the Town Center. Consistent with this policy, redesignating the parcel to Residential will further encourage commercial development to the Town Center and the Todd parcel ;

The General Plan encourages commercial development to strengthen and diversify the local economy throughout the community. Of course eliminating potential commercial use of the property would limit commercial development opportunities in the community.

- The General Plan encourages compatible development. Residential development would be more compatible with the existing surrounding residential development.

The General Plan does call for the City to “Develop a review procedure as part of the zoning ordinance to ensure that proposed uses are compatible with existing uses.” As the Council is aware the City recently adopted Design Review Guidelines. The purpose of the design review process is to promote orderly and harmonious growth within the City.

The Planning Commission considered the application at their meeting of April 25, 2012. Based on information provided to the Commission and comments from the public, the Planning Commission is recommending denial of the proposed amendments at this time. The Planning Commission denied the application for the following reasons:

- Limited amount of available, vacant, viable Community Commercial land;
- Parcel has very good visibility and convenient highway access;
- Existing inventory of residentially designated lands.

Plan and Zone Amendment Required Findings:

1. The proposed amendments are deemed to be in the public interest.

The applicant’s agent has submitted justification for the proposed amendment which is included as **Attachment 1**. In regards to the required Public Interest finding, the applicant provided the information below as evidence that the proposed amendment is in the public interest:

“It is in the City's and public's interest to encourage commercial development in the "Town Center" and to discourage a commercial "strip mall" development along Wildwood Ave. Rio Dell is not a destination area which will attract the vacationing public to the City. The "Town Center" area of the City stands to benefit from the attractions, subdivision and industrial uses located in the town of Scotia. Residential use of this area

will not create the need for additional access onto Wildwood Ave. Residential use is consistent and compatible with the existing residential neighborhood. “

In addition, the applicant’s agent provided the following information as part of the justification included as Attachment 1:

“It was once believed that this parcel’s proximity to US 101 would make it an ideal commercial site for serving traffic on the highway. Now, the City has identified a more appropriately located parcel along US 101.”

It should be noted that the above reference to the parcel along US 101 is the Todd parcel that the City was pursuing for acquisition and development. However, this parcel was and is already zoned Community Commercial.

Staff Analysis

In order to determine if the proposed amendment is in the public interest, staff believes we need to evaluate the commercial and residential land use inventory for the City. Table 1 below identifies the amount of commercial and residential land within the City.

**Table 1
Commercial/Residential Lands**

Land Use/Zoning Designation		Acres	% of City
CC	Community Commercial	33	2.6%
NC	Neighborhood Commercial	6.0	0.5%
TC	Town Center	48	3.8%
UR	Urban Residential	323.6	25.3%
SL	Suburban Low	188	14.7%
SR	Suburban Residential*	21.7	1.7%
RR	Rural Residential	334	26.1%

**Does not include approximately 55.5 acres of the Blue Slide Road Annexation*

Residential Lands

As the above table indicates, there is ample residential land, approximately 323 acres of lands designated Urban Residential and a total of about 870 acres, to facilitate residential development within the City. The current residential land use designations could accommodate approximately 3,150 additional parcels, resulting in a population of almost 8,000 people within the City limits.

In addition, should the Dinsmore Plateau be redesignated from 5 acre minimum parcel size to 1 acre or ½ acre minimums, this would accommodate an additional 125 or 250 parcels (not including potential second units), adding another 300 or 600 potential residents. Furthermore, there is approximately 75 acres east of Highway 101 that is designated 1 acre minimums due to the Cease and Desist Order (CDO) placed on the City as a result of the City’s antiquated Waste Water Treatment Plant (WWTP). Once the WWTP project is complete, the CDO will be lifted

and the area will likely be redesignated Urban Residential. Redesignating this area could result in up to 400 additional parcels or another 1,000 residents, not including second units.

There are currently 22 residential properties for sale within the City. In addition, the Town of Scotia is expected to record Phase I of their subdivision by the end of the year or the spring of next year. Once recorded an additional 128 residential properties will be for sale.

Obviously, based on the above information, at this point in time there is no need for additional residential lands within the City.

Commercial Lands

Although the City has more than enough lands for residential development, only about 4% of the City's land base is designated commercial. Again, referring to the current land use inventory only 2.6% or 33 acres of the City is zoned Community Commercial.

There are twenty (20) parcels in the City that area zoned Community Commercial. Please refer to the map included as **Attachment 2**. Of those twenty parcels, **only four are vacant**. Please refer to Table 2 and the map included as **Attachment 3**. Of the four vacant parcels, only one parcel (APN's 052-232-005 & -010); located at the intersection of Davis Street and Ireland Avenue is larger than a 2/3 of an acre or 30,055 square feet. The other three vacant parcels are 6,724 square feet, 8,276 square feet and 14,460 square feet respectively. The 14,460 square foot parcel (APN 052-211-022) is owned by the Baptist Church and is only about 50 feet deep and about 300 feet wide. In addition, although not permanent, the southerly portion of the parcel is developed with the Community Garden and Orchard. Staff believes that the only parcel with realistic commercial development potential is APN's 052-232-005 & -010. This parcel is a little over a 1/3 of an acre and has excellent access and visibility making ideal for future commercial development.

**Table 2
Vacant Community Commercial Parcels**

Assessor Parcel Number	Size Sq. Ft.	Developed	Use	Frontage Street	Comments
052-211-022	14,460	No	Vacant	Wildwood Avenue	Parcel is 50'+/- deep. Development potential is very limited.
052-222-004	8,276	NO	Vacant	Wildwood Avenue and Center Street	Parcel is limited due to its size.
052-232-041	6,724	NO	Vacant	Davis Street	Parcel is limited due to its size.
052-232-005 & -010	30,055	NO	Vacant	Davis Street and Ireland Avenue	Very good development potential.

According to both the General Plan and Zoning designations, the purpose of the Community Commercial or CC land use and zoning designation is to provide for large-scale commercial uses, including super-markets, offices, lodging and civic uses. In addition, all uses allowed as

conditionally permitted uses in the Neighborhood Commercial zone are also principally permitted.

One of the twenty parcels is the Todd parcel discussed above and it does have very high development potential. The Todd parcel is approximately 18 acres and is developed with a single family residence and barn. As indicated above, the City pursued the purchase and subsequent development of the parcel. Although the City offered the property owner \$975,000 for the parcel, the property owner wanted \$50,000 guaranteed should the City not be able to complete the terms of the purchase agreement. As such, staff believes the City should not count on this parcel being developed in the near future.

Notwithstanding the asking price (\$385,000) of the Albin parcel, past subdivisions of the parcel, which reduced its size and the Gateway road improvements along the frontage of the parcel which will require additional expenditures to develop may have an impact on the parcels commercial viability.

The applicant's agent has pointed out that the parcel has been on the market for close to 2 ½ years. However this in itself has little, if any, bearing on the commercial viability of the parcel. Real estate sales in general are down not only in Humboldt County, but throughout the country as well. In addition, the applicant's agent has provided the following justification on support of the proposed amendments:

- *Some commercial uses have developed northerly along Wildwood Ave. towards this site. Further commercial development along Wildwood would continue the fragmentation of the Town Center.*

Staff disagrees. The commercial development of the parcel should not have an impact on the "fragmentation" of the Town Center. In fact, it is staff's opinion that the commercial development of properties adjacent to and visible from Highway 101 will help attract the traveling public to the City, including the downtown area.

- *Commercial development should be encouraged in the Town Center or adjacent to US 101 where it's possible to draw the traveling public.*

Staff agrees. Commercial development should be and is encouraged in the Town Center. However, the Town Center and Community Commercial designations are intended to provide different commercial use types.

- *This parcel does not have good US 101 visibility and any commercial development here would draw business away from Town Center.*

Staff disagrees. The subject parcel and the Todd parcel provide the best highway visibility of any of the parcels designated Community Commercial. Please refer to the photos included in **ATTACHMENT 4**. Again, staff believes if we can encourage the traveling public to notice commercial/shopping opportunities within the City that it will help attract business to the downtown area.

- *Raw land is more easily developed into today's retail/commercial type businesses. Converting existing structures into desirable retail space is difficult with today's building code requirements.*

Staff agrees. This justification actually supports retaining the property as Community Commercial. There are very few vacant parcels in the Town Center designation that can be commercially developed. Again, the Town Center and Community Commercial designations are intended to provide different commercial use types.

- *Another problem with this parcel is that a commercial establishment would want to take access from Wildwood Ave. which the City would prefer not to allow.*

Staff disagrees. Access off of Wildwood Avenue was and is expected as part of any commercial development of the site. In fact, the parcel's location on Wildwood Avenue adjacent to the Highway is one of the parcels attributes that is identified in the parcels multiple listing on the Humboldt Association of Realtors website.

Council member Thompson has expressed concerns regarding the potential grade/slope of the access roads/driveways from Wildwood Avenue onto the parcel. Based on contour information prepared by Ontiveros and Associates, staff calculated the slope from the existing Wildwood Avenue roadway to a point 45 feet east of the existing property, which is 60 feet from the roadway. The 60 foot distance was used based on the location of a conceptual parking lot access off the extension of North Street. $\text{Grade} = (\text{rise}/\text{run}) \times 100$. The difference in elevation (rise) is about 6 feet. Therefore, the grade from Wildwood Avenue to the intersection of the conceptual parking lot is $(6/60) \times 100 = 10\%$. The City's Standard Improvement Specifications regarding street grades is below.

Section III-2

F. Grades of Streets and Highways. No street or highway shall have a grade of more than twelve percent (12%) unless, because of topographical conditions or other exceptional conditions, the City Engineer determines that a grade in excess of twelve percent (12%) may be necessary.

Although, the anticipated grade does comply with the 12% maximum, it's expected that the parking lot encroachments would also be sloped, thus reducing the 10% grade to closer to 6% to 8%. It should be noted that the northern access off of Wildwood Avenue into the former Humboldt Hydroponics/Wildwood Feed store is approximately 9%.

- *Allowing this parcel to develop into a commercial enterprise would weaken the resolve to maintain a core downtown area.*

Staff disagrees. Again, the commercial development of the parcel should not have an impact on the commercial viability of the Town Center. As indicated above, Town Center and Community Commercial designations are intended to provide different commercial use types. Furthermore, as previously indicated it is staff's opinion that the commercial development of properties adjacent to and visible from Highway 101 will help attract the traveling public to the City, including the downtown area.

Based on the above discussion and the applicant's justification, it is staff's opinion that the proposed amendment to change the parcel from Community Commercial to Urban Residential **is not in the public interest** at this time.

2. The proposed amendments are consistent and compatible with the rest of the General Plan and any implementation programs that may be affected.

The purpose of the General Plan is to provide a balance of use types to encourage and facilitate planned orderly development within the City. Below are goals and policies of the General Plan associated with the proposed amendments:

- Promote a variety of commercial uses and allow light manufacturing in appropriate commercial zones.

The various commercial designations are intended to provide a variety of commercial uses. Based on the limited development potential of all lands designated Community Commercial, it is staff's opinion that the removal of Community Commercially designated lands may be premature at this time. Should base information and/or community values and assumptions change, it would certainly be reasonable to reevaluate land use designations throughout the City.

- Provide sufficient land for business expansion and attraction of new employers by designating a mixed use corridor along Wildwood Avenue and in the Town Center.

As previously discussed and documented, there is a **very limited** supply of suitable land designated Community Commercial, especially Community Commercial land visible and adjacent to Highway 101 and commercial land along the City's major thoroughfare.

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

The redesignation of the parcel from Commercial to Residential is not consistent with this policy. In fact changing the designation is contrary to this policy. Not only does the commercial designation hopefully provide goods and services to the City's residents, it will also create jobs.

- Encourage infill development of vacant and underutilized land in the Town Center before amending the General Plan to allow additional commercial and residential land elsewhere.

Staff believes amending the General Plan and Zoning designation from Community Commercial to Urban Residential would conflict with this adopted policy. However, it could be argued that amending the land use designation as requested could facilitate additional commercial development in the Town Center.

- Monitor market demand for residential land and consider, where appropriate, changes in the City General Plan Land Use Element and Zoning to ensure a balance in residential uses and densities.

The applicant's agent has pointed to the fact that the parcel has been on the real estate market for over 2 ½ years. This could indicate that the current demand for commercial land in Rio Dell is not present. However, there has not been a big demand for commercial and residential development in the County for a number of years. As previously discussed, based on the amount of existing residential and commercial land within the City and the fact that under the current residential designations the City can grow close to the size of the City of Fortuna, there

is currently no need to increase the amount of residential land in the City. In fact, it is likely that additional commercial lands will be needed.

At this point in time, based on existing General Plan goals and policies and the existing land use base, staff believes the proposed amendments **are not consistent the General Plan** and its implementation policies and programs.

3. The potential impacts of the proposed amendments have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.

There is no evidence to suggest that the proposed amendments would be detrimental to the public health, safety or welfare.

4. The proposed amendments have been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).

State law requires that any amendment of a general plan comply with the California Environmental Quality Act (CEQA). The primary purpose of CEQA is to inform the decision makers and the public of potential environmental effects of a proposed project. Since the project is a discretionary action subject to CEQA, an Initial Study has been prepared to assess environmental factors that could potentially be affected by the project. Because residential development of the site is a "foreseeable" project under the proposed amendments, staff evaluated the impacts of residential development on the site. Through preparation of the Initial Study, it has been found that there will not be a significant effect in this case because features of the project reduce impacts and mitigation measures have been included to further reduce impacts to a less than significant level. These measures are documented in the Initial Study and Draft Mitigated Negative Declaration which has been prepared and was previously provided to your Council. The Notice of Intent to adopt a Mitigated Negative Declaration (finding of no significant adverse environmental effect) on the project was mailed and posted on February 28, 2012. Pursuant to Section 15073 of the CEQA Guidelines requires that the public review period be not less than 20 days.

Financial Impact

The applicant is responsible for the costs associated with the proposed amendments.

Alternatives

The City Council may approve in whole or in part or deny of the proposed amendments. Should the City Council believe the required findings can be made; the Council should introduce the draft Ordinance and Resolution and continue the hearing to the meeting of September 4, 2012 for the second reading, approval and adoption.

Attachments

Attachment 1: Applicant's justification regarding the proposed amendments.

Attachment 2: Map of Community Commercial parcels.

Attachment 3: Map of the four vacant Community Commercial parcels.

Attachment 4: Photographs of the site from Highway 101.

Attachment 5: Initial Study and Mitigated Negative Declaration. **Previously provided.**

Attachment 6: Draft Ordinance No. 290-2012 and Resolution No. 1157-A-2012 denying the proposed amendments.

Attachment 7: Draft Resolution No. 1157-B-2012 approving the proposed amendments.

CITY OF RIO DELL
675 Wildwood Avenue
Rio Dell, CA 95562
Phone: (707)764-3532
Fax: (707)764-5480

PLANNING DEPARTMENT
Case No. _____
Application Fee _____
Consulting Deposit _____

SUPPLEMENTAL APPLICATION FOR:
GENERAL PLAN AMENDMENT

1. Describe the Proposed Plan Amendment:

Answer: This is a map change from "Community Commercial" to "Urban Residential".

2. Indicate why the need for the proposed plan designation cannot be met on other appropriately designated lands in the City (map change only):

Answer: The Gateway Neighborhood is already predominantly residential, with a mix of single-family residences, mobile homes parks, the Rio Dell School, Fire Station and other civic uses. Some commercial uses have developed northerly along Wildwood Ave. towards this site. Further commercial development along Wildwood would continue the fragmentation of the Town Center. This property has been on the market under its "Commercial" zoning for 2.5 years with no buyers.

3. Indicate those goals, objectives, policies, strategies and/or programs of the General Plan which are supported or implemented by the Plan Amendment request and explain the reasoning behind this contention:

Answer: Commercial development should be encouraged in the Town Center or adjacent to US 101 where its possible to draw the traveling public. This parcel does not have good US 101 visibility and any commercial development here would draw business away from Town Center. Raw land is more easily developed into todays retail/commercial type businesses. Converting existing structures into desirable retail space is difficult with todays building code requirements. Another problem with this parcel is that a commercial establishment would want to take access from Wildwood Ave. which the City would prefer not to allow. Converting this parcel to "Urban Residential" would allow residential parcels to back up to Wildwood Ave. with an interior street connecting North St. to Pine St. with no outlet to Wildwood Ave.

4. Indicate those goals, objectives, policies, strategies and/or programs of the General Plan that conflict with the Plan Amendment request; show how those items should be amended to be consistent with the request, and present substantial evidence to justify those changes.

Answer: Vacant land for commercial development will be reduced. Vacant commercial land is scarce in Rio Dell and its zoning must take in to account economic realities. Any commercial development away from Town Center could further reduce the viability of Town Center. Sales tax revenue could be reduced with a reduction of commercial zoned property. Increases in sales tax must be based on spending by non-residents and commercial location is crucial in getting the non-residents to stop and spend.

5. Document the economic costs and benefits to the City.

Answer: The loss of vacant land zoned for commercial use may cost the City new businesses. It was once believed that this parcel's proximity to US 101 would make it an ideal commercial site for serving traffic on the highway. Now, the City has identified a more appropriately located parcel along US 101. The addition of about 14 residential lots will preserve the residential use in this area and avoid conflict between residential and commercial uses. The City would be relieved of the problem of providing reasonable access to Wildwood Ave. for

commerical use. The backyards of residential lots will not detract from the view of the Scotia bluffs and be easy to landscape for privacy.

6. Specify any significant environmental effects that would be expected if the proposal were approved:

Answer: The effects of development whether residential or commerical, will result in increased surface water runoff. A new street for residential use or a paved parking lot for a commerical use can be mitigated by retention basins and/or bio swales and the requirement to make storm drain improvements.

7. Discuss the compatibility of the proposed Plan Amendment with adjacent land uses.

Answer: Re-zoning to "Urban Residential" would make this parcel compatible with the surrounding existing residential use.

8. Describe the impact of the proposal on traffic and circulation systems.

Answer: The addition of 14 residential lots will have minimal effect on the residential streets. A new street connecting North St. to Pine St. will provide circulation within the community with the feeling of living on a cul-de-sac. May St. and Painter St. will experience more traffic. Most traffic would turn on Painter St. towards Wildwood Ave. and turn left onto Wildwood Ave. to go downtown or right to access US 101. At certain times of the day, people may choose to go east on Painter St. to Ireland St. and south to Davis St. to access US 101 or the downtown area.

9. Evaluate the adequacy of public service systems to accommodate the change in the General Plan.

Answer: This area currently has access to all "public service systems" that exist within the City of Rio Dell. Any new development will be required to install its fair share of infrastructure to accomadate future residents. An existing sewage collection system is in place. New water mains will be installed on North St. Existing storm drains will be extended along North St. PG&E currently supplys existing residents with electricity and gas, telephone services exist, waste disposal services are available, police and fire protection are already provided in this area. An elementary school is within walking distance to this site.

10. Analyze the impacts of the proposal on the long-term development phasing of the City and on the City as a whole.

Answer: During the current recession it is unlikely that residential buildout will occur within the next 5 to maybe 10 years. Much depends on factors outside the control of the City. This area of May St., North St. and Pine St. is surrounded by residential use. Allowing this parcel to develope into a commerical enterprise would weaken the resolve to maintain a core downtown area. Hopefully, the Humboldt Redwood Mill in Scotia will continue to expand bringing more jobs to the area. With the subdivision of the town of Scotia, more permanent residents in the area will spill over and be beneficial to businesses in the downtown area of Rio Dell.

11. Analyze the impacts of the proposal on each individual element of the General Plan not previously discussed:

Answer: Conservation Element; this property has been used for grazing of livestock and the making of hay. The property is bounded on the north by the US 101 freeway and on the other sides by residential development which precludes the use by wildlife. Open Space Element; the Eel River corridor provides open space for residents of Rio Dell as well as the viewshed of surrounding forests and the Scotia Bluffs. Noise Element; Highway 101 is a minimal noise source for the northerly portion of the property which can be mitigated by tree screening and well insulated houses. Safety Element; this area is in an active seismic zone which is addressed by

current building codes. The threat of flooding from the Eel River and local drainages is not an issue. The threat of wild fire is very low in this urban setting.

12. Prepare findings that are based upon identified and documented facts and clearly demonstrate how the proposal is in the public interest.

Answer: It is in the City's and public's interest to encourage commercial development in the "Town Center" and to discourage a commercial "strip mall" development along Wildwood Ave. Rio Dell is not a destination area which will attract the vacationing public to the City. The "Town Center" area of the City stands to benefit from the attractions, subdivision and industrial uses located in the town of Scotia. Residential use of this area will not create the need for additional access onto Wildwood Ave. Residential use is consistent and compatible with the existing residential neighborhood.

RESPONSE TO STAFF REPORT ON
ALBIN GP/ZONING AMENDMENT

April 17, 2012

Analysis of Community Commerical zoned properties:

As quoted from staff report "community commerical land use and zoning is to provide for large scale commerical uses, i.e. super markets, offices, lodging and civic uses." Whether the frontages of Wildwood Avenue, from the south end to the US 101 overpass, are best suited to be reserved for community commerical is the question. The answer to the question revolves around what "professional" planners believe the City of Rio Dell should look like over the coming 10 to 20 years. The future is very un-certain. Do the citizens of Rio Dell want this area to develop commercially? Do they care if this property stays vacant for 2 more years, or 5 more years? Do they want this area to develop if it means that the downtown area will continue to decline? Are we carefully taking into account the affects, now and in the future, of the Town of Scotia? How much equivalent commerical acreage exists in Scotia? Is the permitting process easier, the same or more difficult in the Town of Scotia compared to Rio Dell? How long should a property owner be held hostage to a zoning designation?

Analysis of Attracting the "Traveling Public" to Rio Dell:

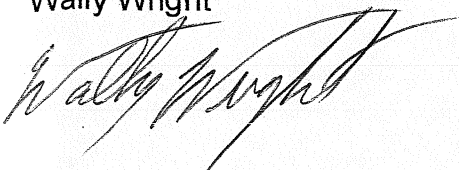
The presumption that the "traveling public" will "see" something that will cause them to exit US 101 into the City of Rio Dell does not fit with my traveling experiences. First, you are traveling 65 miles per hour on a freeway. Secondly, you need to have some sort of advertising so that you know that what ever it is you are looking for is available via a freeway offramp. Freeway advertising conflicts with the groups wanting to keep our "Redwood Highway" free of billboards. This site is not visible from the freeway. The Todd parcel, on the other hand, has the visibility from the freeway, at least for north bound traffic, to take advantage of the "freeway visibility factor". Development of the Todd parcel would likely soften the demand for "community commerical" property for years into the future rather than create a "demand" for commerical development.

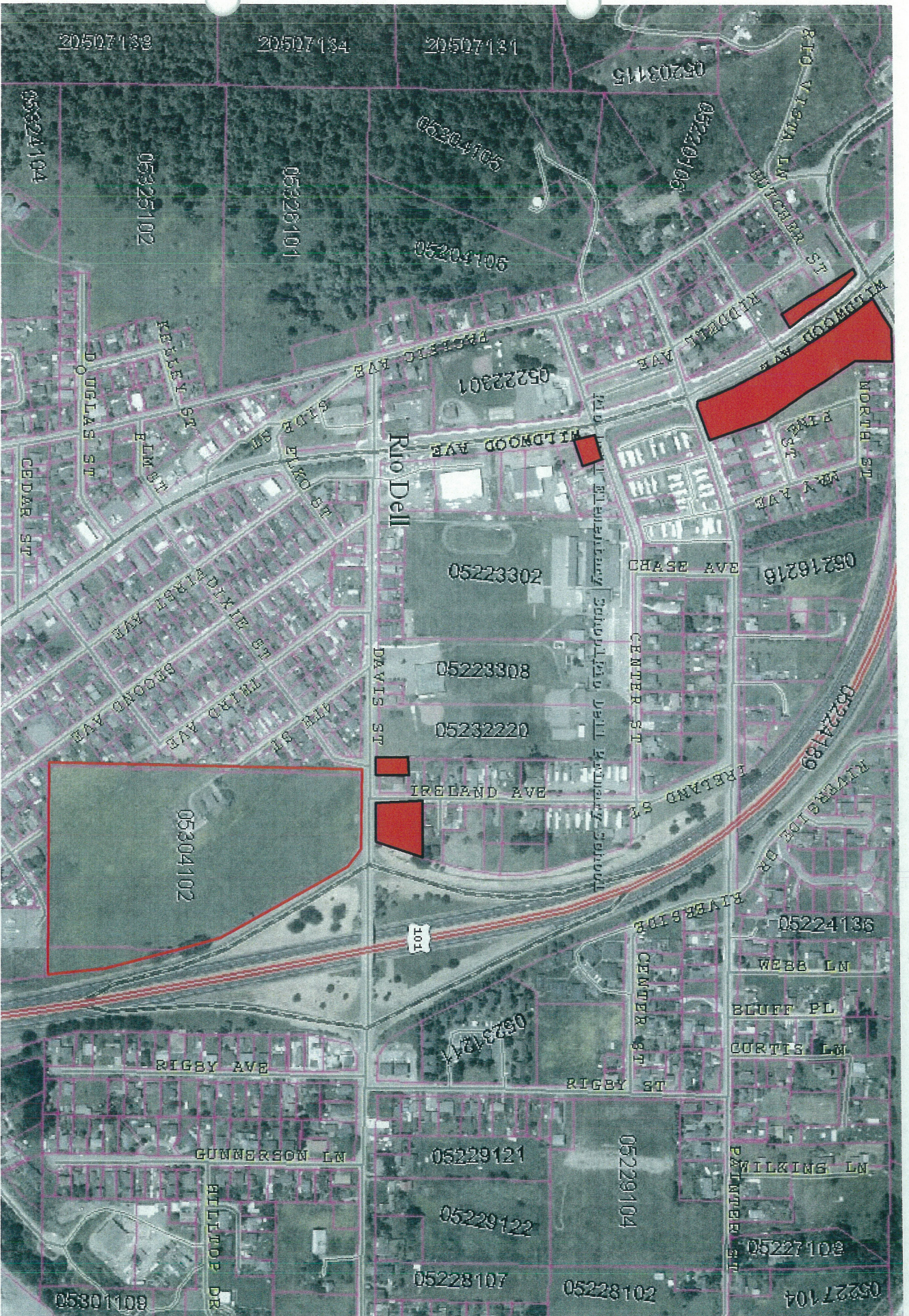
Analysis of "General Plan" goals:

Every community in the State would like businesses to open and expand in their communities. How successful has the "promotion" of commercial and light manufacturing in appropriate commerical zones been? "Light manufacturing" may not be appropriate at this site due to the surrounding residential uses. The Eel River Sawmill site would be ideal for "heavy" or "light" manufacturing. Some types of commerical development would be suitable at this site, but some types would conflict. Allowing access from Wildwood Ave would require a complete re-design of the "Gateway" approach to downtown Rio Dell. Looking at the aerial map, Attachment 3, the current use of properties north of Center St. and east and west of Wildwood Ave is for residential use. The "General Plan" is designed to be amended and the applicant feels that the current and future economic realities justify a review of the zoning on this parcel.

Respectfully submitted for the Albin General Plan Amendment:

Wally Wright





Albin General Plan Amendment and Zone Reclassification
Vacant Commercial Parcels



Albin Property
Looking South from Highway 101 Overpass



Albin Property
Looking South from Highway 101

Albin General Plan Amendment & Zone Reclassification

Attachment 5: Initial Study and Mitigated Negative Declaration.
Previously provided.

RESOLUTION NO. CC 1157-A-2012

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL DENYING THE ALBIN
GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION:**

WHEREAS Andy Albin has made application to redesignate approximately 3 acres from Community Commercial (CC) to Urban Residential (UR); and

WHEREAS the property was originally planned and zoned Residential Multiple Family (R-3) as part of the City's initial zoning designations after incorporation in 1965; and

WHEREAS the property was redesignated in 2004 to Community Commercial; and

WHEREAS there is ample residential land, approximately 323 acres of lands designated Urban Residential and a total of about 870 acres, to facilitate residential development within the City; and

WHEREAS at this point in time there doesn't appear to be need for additional residential lands within the City; and

WHEREAS in contrast there is only about 33 acres designated for Community Commercial development; and

WHEREAS there are only twenty (20) parcels in the City that area zoned Community Commercial; and

WHEREAS of those twenty parcels only four are vacant; and

WHEREAS of the four vacant parcels, only one parcel (APN's 052-232-005 & -010); located at the intersection of Davis Street and Ireland Avenue is larger than a 2/3 of an acre or 30,055 square feet; and

WHEREAS the other three vacant parcels are 6,724 square feet, 8,276 square feet and 14,460 square feet respectively. The 14,460 square foot parcel (APN 052-211-022) is owned by the Baptist Church and is only about 50 feet deep and about 300 feet wide; and

WHEREAS based on information on file, existing land use designations and the applicant's justification, the proposed amendment to change the parcel from Community Commercial to Urban Residential **is not in the public interest** at this time; and

WHEREAS the General Plan calls to promote a variety of commercial uses and allow light manufacturing in appropriate commercial zones; and

WHEREAS based on the limited development potential of all lands designated Community Commercial, it is staff's opinion that the removal of Community Commercially designated lands may be premature at this time; and

WHEREAS the General Plan requires the City to provide sufficient land for business expansion and attraction of new employers by designating a mixed use corridor along Wildwood Avenue and in the Town Center; and

WHEREAS there is a very limited supply of suitable land designated Community Commercial, especially Community Commercial land visible and adjacent to Highway 101 and commercial land along the City's major thoroughfare; and

WHEREAS the General Plan encourages infill development of vacant and underutilized land in the Town Center before amending the General Plan to allow additional commercial and residential land elsewhere; and

WHEREAS amending the General Plan and Zoning designation from Community Commercial to Urban Residential would conflict with this adopted policy; and

WHEREAS based on existing General Plan goals and policies, the proposed amendments **are not consistent the General Plan** and its implementation policies and programs; 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 17.30.010 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 potential impacts of the proposed amendment has been assessed and have been determined not to be detrimental to the public health, safety, or welfare; 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

WHEREAS an Initial Study has been prepared to assess environmental factors that could potentially be affected by the project; and

WHEREAS through preparation of the Initial Study, it has been found that should the amendments be approved, there will not be a significant effect in this case because features of the project reduce impacts and mitigation measures have been included to further reduce impacts to a less than significant level; and

WHEREAS pursuant to Section 15073 of the CEQA Guidelines requires that the public review period be not less than 20 days; and

WHEREAS the Notice of Intent to adopt a Mitigated Negative Declaration (finding of no significant adverse environmental effect) on the project was mailed and posted on February 28, 2012.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell denies the Albin General Plan Amendment and Zone Reclassification of approximately 3 acres from Community Commercial (CC) to Urban Residential (UR) ;).

I HEREBY CERTIFY that the forgoing Resolution was duly introduced at a regular meeting of the City Council of the City of Rio Dell on May 15, 2012 and furthermore the forgoing Resolution was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 5th day of June 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Julie Woodall, Mayor

ATTEST:

Karen Dunham, City Clerk

RESOLUTION NO. CC 1157-B-2012

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL APPROVING THE
ALBIN GENERAL PLAN AMENDMENT AND ZONE RECLASSIFICATION:**

WHEREAS Andy Albin has made application to redesignate approximately 3 acres from Community Commercial (CC) to Urban Residential (UR); and

WHEREAS the property was originally planned and zoned Residential Multiple Family (R-3) as part of the City's initial zoning designations after incorporation in 1965; and

WHEREAS the property was redesignated in 2004 to Community Commercial; and

WHEREAS it is in the City's and public's interest to encourage commercial development in the "Town Center" and to discourage a commercial "strip mall" development along Wildwood Ave; and

WHEREAS residential development of the parcel is consistent and compatible with the existing residential neighborhood; and

WHEREAS commercial development of the parcel could weaken the City's desire to maintain a core downtown area; and

WHEREAS based on information on file, existing land use designations and the applicant's justification, the proposed amendment to change the parcel from Community Commercial to Urban Residential **is in the public interest**; and

WHEREAS the General Plan calls to monitor market demand for residential land and consider, where appropriate, changes in the City General Plan Land Use Element and Zoning to ensure a balance in residential uses and densities; and

WHEREAS based on information from the applicant's agent, the current demand for commercial land is less than that for residential land; and

WHEREAS the General Plan encourages residential infill development of vacant and underutilized land; and

WHEREAS based on existing General Plan goals and policies, the proposed amendments **can be found consistent the General Plan** and its implementation policies and programs; 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 17.30.010 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 potential impacts of the proposed amendment has been assessed and have been determined not to be detrimental to the public health, safety, or welfare; 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

WHEREAS an Initial Study has been prepared to assess environmental factors that could potentially be affected by the project; and

WHEREAS through preparation of the Initial Study, it has been found that should the amendments be approved, there will not be a significant effect in this case because features of the project reduce impacts and mitigation measures have been included to further reduce impacts to a less than significant level; and

WHEREAS pursuant to Section 15073 of the CEQA Guidelines requires that the public review period be not less than 20 days; and

WHEREAS the Notice of Intent to adopt a Mitigated Negative Declaration (finding of no significant adverse environmental effect) on the project was mailed and posted on February 28, 2012.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Rio Dell approves the Albin General Plan Amendment and Zone Reclassification of approximately 3 acres from Community Commercial (CC) to Urban Residential (UR) ;).

I HEREBY CERTIFY that the forgoing Resolution was duly introduced at a regular meeting of the City Council of the City of Rio Dell on May 15, 2012 and furthermore the forgoing Resolution was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the 5th day of June 2012 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Julie Woodall, Mayor

ATTEST:

Karen Dunham, City Clerk

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



August 21, 2012

TO: Honorable Mayor and City Council Members
FROM: Jim Stetch, City Manager
SUBJECT: Budget Amendment for Tennis Court Repair
and picnic tables at Memorial Park

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Adopt attached Resolution 1170 -2012 to amend the Final City Budget by \$5,700 for repairs of the Davis Street tennis court and (2) concrete picnic tables for Memorial Park, said revenue transferred from the General Fund Reserve (000) in like amount, and
2. Authorize tennis court repairs to the fencing and windscreen and the purchase of (2) concrete picnic tables for Memorial Park.

BACKGROUND AND DISCUSSION

This item is presented to the City Council without a recommendation from the Parks and Recreation Commission because Commissioner terms have expired and consequently there is currently is no quorum. The last public posting that advertised for candidates to fill Commission vacancies went unanswered.

The Davis Street City Park has two (2) fine tennis courts enclosed in a 10' high chain link fence with a locking gate. Nine foot (9') windscreens are installed on the west and north side fences. Over time the windscreens have become weathered and then ripped in several places. And, the chain link fence has come loose from the vertical metal posts to a point that persons are entering the court under the fence.

The repairs for the fence and windscreen are estimated at no more than \$4,000 as follows:

1. Replace 107' of windscreen on west side of the court (\$1,238.16).
2. Install 1-5/8" bottom fence railing around the entire tennis court, secured to the fence (\$1,495).
3. Install 1-5/8" middle fence railing on the west and north (windward) sides of the court (\$655).
4. Purchase and install fence ties (\$195).

The quoted costs total \$3,583.16, but sales tax is not broken out. Accordingly, the total has been rounded up with a small amount allowed for unknown costs—call it \$4,000. Taylor Made

Fencing working out of Rio Dell will install the railings and fence ties and the Public Works Department will install the windscreen.

In Memorial Park there is one (1) concrete picnic table that is constantly in use by the community and the traveling public who come upon it when fueling up their vehicles. Apparently the table was loaned to the City, not donated, and the owner wishes to reclaim it. Given the high degree of use in the recently enlarged park, it is recommended that we acquire two (2) concrete picnic for the park at the cost of \$1,700, which includes tax and shipping. The tables are manufactured by Hilfiker Pipe Company of Eureka.

The City has a Park and Recreation Fund with a \$9,500 balance created by means of developer impact fees, but it can only be used for the acquisition of new parklands. Therefore, these maintenance and park improvements expenditures are a General Fund requirement and will have to be transferred from its reserve. Assuming that Street Improvement Measure "J" passes on November 6, 2012, the estimated balance in the General Fund Reserve would be \$555,000.

Cc: Finance Director
Water/Street Superintendent

Attachments: 1) Resolution No.1170-2012
2) Cost estimates for tennis court repairs

RESOLUTION NO. 1170-2012

**A RESOLUTION OF THE CITY COUNCIL OF
RIO DELL AMENDING THE CITY BUDGET FOR PARK
AND RECREATION MAINTENANCE AND IMPROVEMENTS**

WHEREAS, the Rio Dell City Council adopted its 2012-2013 Budget on June 19, 2012;
and

WHEREAS, expenditures for parks and recreation were not foreseen and thus were not
included in the budget, and

WHEREAS it has occurred that expenditures are required for the Davis Street tennis
courts to replace windscreen and to secure the fencing, and for picnic tables for Memorial
Park, and

WHEREAS, the City of Rio Dell does have a General Fund Reserve with an adequate
balance as of July 1, 2012 that can be used for park and recreation maintenance and
improvements.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Rio Dell hereby
adopts this Resolution to amend the City Budget in the amount of \$5,700 for the
maintenance of the Davis Street tennis courts and the purchase of two (2) concrete picnic
tables for Memorial Park, with revenues in like amount being transferred from the
General Fund Reserve (0000).

APPROVED this day of by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk

Summit Supply Corporation of Colorado
5092 County Road 302
Durango CO 81303
Phone (970) 247-8858 Fax (970) 247-1371
800-526-0116

Quote

Date	Quote #
7/16/2012	L07161203

Name / Address	Ship To
City of Rio Dell Accounts Payable 675 Wildwood Ave Rio Dell CA 95562	City of Rio Dell Attn: Carla 475 Hilltop Dr Rio Dell, CA 95562 707-764-3532

REP		Terms		
Larry		Net 30		
Qty	Item	Description	Cost	Total
109	VCP-9	9' windscreen green (1) panel 55' long (1) panel 54' long both panels with dual air vents	8.40	915.60
11	21002D	Dual AVR reinforced air vents top and bottom	16.00	176.00
1	31600	black nylon Lacing cord (600' reel)	47.00	47.00
2	31657	TR-120P tie rap 8" (100-pkg)	10.78	21.56
	Shipping	Shipping	78.00	78.00
Total				\$1,238.16

Our firm is financially able to meet any commitments we have made and we understand that we are to pay your invoices according to your terms of net 30 days from date of invoice. In addition to invoice amounts, Buyer agrees to pay to the Seller interest on account past due at a rate of 1.5% per month or the maximum allowable interest rate applicable, whichever is lower, all collections cost including attorney's fees, and any other costs involved in the collection of any accounts past due

NOTE: THIS PROPOSAL MAY BE WITHDRAWN BY US IF NOT ACCEPTED IN 30 DAYS

Date: _____ Signed by: _____ Title: _____
 Please print name: _____

TAYLOR MADE FENCING

LIC#834877

**P. O. Box 145
Fortuna, Ca. 95540
Phone/Fax 725-2533**

Date: 7-30-12
C.O.R.D.
Attn: Justin
Fax# 764-5480

Job Site Address: Tennis Ct.

We Propose to furnish all materials and perform all labor necessary to complete the installation of bottom rail and midrail around half of tennis court.

Materials

1-5/8" Structural Top Rail
Fittings

Total materials/labor estimated to be: \$ 2150.00

Acceptance of Proposal:

The specifications described above are satisfactory and are hereby accepted. By signing below it is understood that I accept all material costs to proceed with proposal. Due to the instability of wood products, Taylor Made Fencing is not liable for any problems caused by shrinkage, expansion, or warping. Taylor Made Fencing is not liable for any damage/problem due to anything other than workmanship. Payment in full is to be made at completion of job, upon invoice, in cash or check only.

Sign & Print _____ **Date** _____

Amount of Deposit: _____

***This proposal may be withdrawn if not accepted within 30 days.**

 **FAXED**
7-31-12

TAYLOR MADE FENCING

LIC#834877

**P. O. Box 145
Fortuna, Ca. 95540
Phone/Fax 725-2533**

Date: 7-24-12
C.O.R.D.
Attn: Justin
Fax# 764-5480

Job Site Address: Tennis Ct.

We Propose to furnish all materials and perform all labor necessary to complete the repair of bottom of fence around tennis court.

Materials

Fence Ties
Hog Rings
Bottom Wire Where Needed

Total materials/labor estimated to be: \$ 195.00

Acceptance of Proposal:

The specifications described above are satisfactory and are hereby accepted. By signing below it is understood that I accept all material costs to proceed with proposal. Due to the instability of wood products, Taylor Made Fencing is not liable for any problems caused by shrinkage, expansion, or warping. Taylor Made Fencing is not liable for any damage/problem due to anything other than workmanship. Payment in full is to be made at completion of job, upon invoice, in cash or check only.

Sign & Print _____ **Date** _____

Amount of Deposit: _____

***This proposal may be withdrawn if not accepted within 30 days.**

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



August 21, 2012

TO: Honorable Mayor and City Council Members

FROM: Jim Stretch, City Manager

SUBJECT: Declaration of emergency repair and budget amendment for drainage ditch in the vicinity of Miller & Tyme Courts

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Make the finding required by California Contract Code Section 22050 that the repair of the drainage ditch in the vicinity of Miller and Tyme Courts presents an emergency that will not permit a delay resulting from a competitive solicitation of bids, and that the action is necessary to respond to that emergency; and
2. Adopt attached Resolution 1172 -2012 declaring the emergency and amending the Final City Budget by \$20,000 for the repair of the drainage ditch at the intersection of Miller Court and Tyme Court, said revenue transferred from the Gas Tax Reserve (20) in like amount, and
3. Authorize the City Manager to commence and complete the emergency ditch repair at the earliest opportunity, reporting back to the City Council at every regularly scheduled meeting until the emergency repair is complete.

BACKGROUND AND DISCUSSION

It has recently come to the attention of Public Works Department that the drainage ditch that runs along the back of the Miller Estates Subdivision, draining the streets of Miller Court and Tyme Court, is severely eroded, causing the bank to give way in close proximity to the foundation of a residence. It is the City Engineer's opinion that without emergency repairs prior to winter, the erosion will worsen and threaten the structure.

On August 13, 2012 the City Manager signed an agreement (attached) with GDH Engineering to allow the topographical work to be done. Elevations are needed to return the ditch to the original grade. The plan is to line the drainage ditch with rock to stabilize the sides and adjacent area for a distance of approximately 65 feet.

The Engineer's estimate of the cost of engineering, topographic and geotechnical work is \$8,600 (attached). This does not include the cost of the rock or the contractor to actually do the work. An early estimate of this portion of the work was stated at \$5,000. The probable cost of the repair

is greater than the \$10,000 authority delegated to the City Manager in the Rio Dell Municipal Code Section 3.30.030 (Purchasing Procedures), so City Council approval is required.

The California Department of Fish and Game has been to the site and concluded that a special permit for the work is not required. Otherwise, the cost would be several thousands of dollars more and the repair would be tabled for months, if it would occur at all this winter.

California Contract Code Sections 20168 and 22050 set forth the procedures and findings that the City Council must make by Resolution in order to address an emergency situation without complying with competitive bidding requirements. The declaration must be passed by at least 4/5 vote.

FINANCIAL IMPACT

The 2012-13 Final Budget for street repairs for the entire year totaled only \$17,000. It is recommended that the Gas Tax Reserve Fund augment that appropriation by \$20,000. The Gas Tax Fund Reserve had a balance available of \$129,000 as of July 1, 2012.

It is recommended that the work be done now on an emergency basis to mitigate potential damage and liability.

Cc: Finance Director
Water/Street Superintendent

Attachments: 1) Resolution No.1172-2012
2) Agreement with GHD Inc. for emergency topographic and engineering work related to drainage ditch near Miller and Tyme Courts

RESOLUTION NO. 1172-2012

**A RESOLUTION OF THE CITY COUNCIL
OF RIO DELL AMENDING THE CITY BUDGET FOR
STREET MAINTENANCE AND IMPROVEMENTS, AND
DECLARING THE NEED FOR EMERGENCY REPAIRS**

WHEREAS, the Rio Dell City Council adopted its 2012-2013 Budget on June 19, 2012;
and

WHEREAS, expenditures for street maintenance and repairs for the entire fiscal year
was set at \$17,000, an amount that would normally fund requirements, and

WHEREAS, it was recently learned that erosion along the drainage ditch near Miller and
Tyme Courts has created a threat to an adjacent structure; an emergency requiring
immediate repair in the opinion of the City Engineer, and

WHEREAS, a drainage structure (ditch) not located in the street right-of-way is an
allowable gas tax expenditure if it serves the purpose of draining City streets, and

WHEREAS, the City of Rio Dell does have a Gas Tax Fund Reserve with a balance of
\$129,000 as of July 1, 2012 that can be used for street maintenance and improvements.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Rio Dell hereby
adopts this Resolution to amend the City Budget in the amount of \$20,000 for the
maintenance of City streets, more particularly to address the urgent situation caused by
the drainage ditch in the vicinity of Miller and Tyme Courts, with revenues in like
amount being transferred from the Gas Tax Fund Reserve (20), and

BE IT FURTHER RESOLVED, that the Rio Dell City Council declares that this repair
is an emergency and warrants the immediate expenditure of public monies to safeguard
property; authorizing the City Manager to cause repairs to be made immediately without
regard to the normal bidding procedures required by City Code or the California Contract
Code.

APPROVED this day of by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest:

Julie Woodall, Mayor

Karen Dunham, City Clerk



**Agreement Between
The City of Rio Dell
And
GHD Inc
For
Miller-Tyme Court Drainage Repair Project**

This agreement is between the City of Rio Dell and GHD Inc (GHD) to provide engineering services for the development and implementation of a project to repair an existing drainage ditch within an existing city drainage easement in a residential area along Fern Street. This agreement is based on a prime agreement between the City of Rio Dell and GHD dated October 10, 2003. All provisions of the prime agreement apply to this agreement unless noted otherwise in this agreement.

The City of Rio Dell determined that an existing drainage ditch located between Fern Street and Tyme Court is eroding at a culvert outfall adjacent to a home. The City would like to reinforce the ditch in the vicinity of the erosion and stabilize the ditch and adjacent area and to re-establish the original grades of the drainage ditch. The City has identified this project as urgent and intends to hire a contractor to make the repairs soon to avoid potential for future erosion this fall and winter. A site visit was conducted with representatives of the California Department of Fish and Game on August 3rd, and they verbally conveyed that a 1600 permit with the department would not be required.

To assist the City with this effort the City has requested that GHD provide them with assistance to generally describe the work to be completed and provide an estimate for this repair general assistance during construction.

Scope of Services

Our scope of services is defined by the following tasks.

Task 1: Erosion Control Conceptual Design and Sketch

Under this task GHD will prepare a concept design for erosion control at the site that will be presented as a site sketch and typical sections to prevent future erosion. GHD will contract directly with Gutierrez Land Surveying to provide a basic topographic survey of the drainage ditch and provide the data to GHD as an AutoCAD base map. GHD will utilize the topographic survey to develop a site sketch showing generally the limits of the work, approximate grades, and, one to two typical sections. This conceptual plan developed will be used to develop a preliminary opinion of probable construction cost for use by the City to help determine how they want to proceed with the project.

It is anticipated that a rock buttress will be used to stabilize the end of the drainage ditch and provide grade control for the ditch. GHD will contract directly with LACO and Associates to visit the site and provide general recommendations for the development of the typical sections. No subsurface investigations will be conducted nor will any physical data be collected at the site.



Recommendations will be based on past experience with similar stabilization approaches on similar projects. LACO will be available as requested by the City during construction to review the site conditions and provide general feedback on the improvements construction to be undertaken by the City.

GHD will review the grade of the existing drainage ditch and site features and determine the approximate original grades of the ditch flow line, and establish new grades for the ditch, with the intention of re-establishing the original size and capacity. No hydraulic calculations will be completed. The impact to existing trees and downstream drainage will be minimized as possible.

Assumptions and Exclusions

1. No environmental permitting is needed this project.
2. All rights of entry will be secured for this project by the City
3. The topographic survey will be based on assumed datum and will not include any boundary information. Approximate location of property lines and easements will be shown based on assessor's parcel maps.
4. The geotechnical support provided by LACO and Associates will not include a slope stability analysis or be based on physical data or models, but will be qualitative based on general conditions observed at the site.
5. GHD will provide assistance to the City as requested to administer a contract with a construction contractor. The City will have the primary responsibility for contract administration and oversight
6. Other services not defined in the above Task(s) are not included in this scope of services.

Compensation

This project will be billed on a time and materials per GHD Fee Schedule in effect at the time services are performed. We will assist the City up to the budgeted amount of \$8,600 and may be more or less depending on the actual effort needed. Charges will be invoiced monthly and due within 30 days. A charge at the maximum legal rate of interest will be assessed on past due accounts.

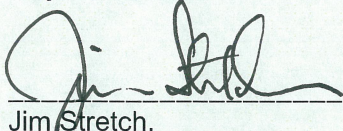
Schedule

GHD will complete the concept sketch within 30 days of receiving the signed contract and provide assistance with the remaining tasks as necessary over the next 60 days.

AGREED

City of Rio Dell

GHD Inc.

 8-13-12
Date

Steven Allen, Regional Office Manager Date

Jim Stretch,
Interim City Manager

Rio Dell Accounting Tracking Number