

RIO DELL CITY COUNCIL VIRTUAL MEETING AGENDA

CLOSED SESSION – 5:00 P.M. REGULAR MEETING - 6:30 P.M. TUESDAY, SEPTEMBER 15, 2020

CITY COUNCIL CHAMBERS 675 WILDWOOD AVENUE, RIO DELL

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

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

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

Public Comment by Email:

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

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

Zoom Public Comment:

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

- A. CALL TO ORDER
- B. ROLL CALL
- C. ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:
 - 1) 2020/0915.01- Conference with Labor Negotiator:

Designated Representative: City Manager Kyle Knopp Employee Organizations: Rio Dell Police Officers Association, Rio Dell Employees Association and all Contract Employees (Pursuant to Gov't Code Section 54957.6)

- D. PUBLIC COMMENT REGARDING CLOSED SESSION
- E. RECESS INTO CLOSED SESSION (REMOTELY/ZOOM)
- F. RECONVENE INTO OPEN SESSION 6:30 P.M.
- G. ORAL ANNOUNCEMENTS
- H. PLEDGE OF ALLEGIANCE
- I. CEREMONIAL MATTERS
 - 1) 2020/0915.02 Proclamation Declaring September 17-23 as Constitution Week (ACTION)
- J. PUBLIC PRESENTATIONS

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

K. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public, and the Councilmembers if there is anyone who

wishes to address any matter	on the Consent Calendar.	The matters removed	from the Consent
Calendar will be considered indi	vidually following action or	n the remaining consent	calendar items.

	1) 2020/0915.03 -	Approve Minutes of the September 1, 2020 Regular Meeting (ACTION)	3
	2) 2020/0915.04 -	Authorize Mayor to Sign Letter of Appreciation to Dr. Theresa Frankovich (ACTION)	12
	3) 2020/0915.05	Delay Letter to the State of California Regarding River Bluff Cottages (ACTION)	14
	4) 2020/0915.06 -	Adopt Resolution No. 1463-2020 Adopting Without Revision the City's Conflict of Interest Code (ACTION)	15
	5) 2020/0915.07 -	Receive and File Check Register for August (ACTION)	28
L.	ITEMS REMOVED F	ROM THE CONSENT CALENDAR	
M.	REPORTS/STAFF CO	OMMUNICATIONS	
	1) 2020/0915.08 -	City Manager/Staff Update (RECEIVE & FILE)	33
N.	SPECIAL PRESENTA	ATIONS/STUDY SESSIONS	
	1) 2020/0915.09 -	Update from Rio Dell School Superintendent Angela Johnson in Response to COVID-19 (RECEIVE & FILE)	36
0.	SPECIAL CALL ITEM	IS/COMMUNITY AFFAIRS	
	1) 2020/0915.10	 Authorize City Manager to Execute an MOU between to City of Rio Dell and County of Humboldt Regarding the Monument Road Storm Damage Repair DISCUSSION/ POSSIBLE ACTION) 	e
P.	ORDINANCES/SPECI	AL RESOLUTIONS/PUBLIC HEARINGS	
	1) 2020/0915.11 -	Second Reading (by title only) and Adoption of Ordina No. 382-2020 Amending Existing Sign Regulations, Section 17.30.300, Table 7-1 of the Rio Dell Municipal Code (DISCUSSION/POSSIBLE ACTION)	nce 70

- Q. COUNCIL REPORTS/COMMUNICATIONS
- R. ADJOURNMENT

The next regular City Council meeting is scheduled for **Tuesday, October 6, 2020** at 6:30 p.m.



675 Wildwood Avenue Rio Dell, CA 95562

STAFF REPORT

TO:

Mayor and Members of the City Council

THROUGH:

Kyle Knopp, City Manager

FROM

Karen Dunham, City Clerk

DATE:

September 15, 2020

SUBJECT:

Proclamation Declaring September 17-23 as

Constitution Week

RECOMMENDATION

Read and present the Proclamation declaring September 17-23 as Constitution week.

BACKGROUND AND DISCUSSION

Darla McGrath, Constitution Week Chairman from the Daughters of the American Revolution Eel River Valley Chapter, requested the proclamation be placed on the agenda. She will be present at the meeting to verbally accept the proclamation with the signed Proclamation to be sent by mail.

ATTACHMENTS: Proclamation

PROCLAMATION Declaring September 17-23, 2020 as Constitution Week

WHEREAS, September 17, 2020, marks the two hundred thirty third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, the United States Constitution stands as a testament to the tenacity of Americans throughout history to maintain their liberties and freedom and to ensure those unalienable rights to every American; and

WHEREAS, it is fitting and proper official recognize this magnificent document and the anniversary of its creation; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE I, Debra Garnes on behalf of the City Council of the City of Rio Dell, California do hereby proclaim the week of September 17 through 23 to be

CONSTITUTION WEEK

in the City of Rio Dell and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787.

SIGNED this 15th day of September, 2020 at the City of Rio Dell in the State of California and in witness thereof, the seal of the City of Rio Dell.

Attest:	
Karen Dunham City Clerk, City of Rio Dell	Debra Garnes Mayor, City of Rio Dell

RIO DELL CITY COUNCIL REGULAR MEETING MINUTES SEPTEMBER 1, 2020

The regular "virtual" meeting of the Rio Dell City Council was called to order at 6:30 p.m. by Mayor Garnes.

ROLL CALL: Present: Mayor Garnes, Mayor Pro Tem Woodall, Councilmembers

Johnson, Strahan and Wilson

Others Present: City Manager Knopp, Community Development Director

Caldwell, Water/Roadways Superintendent Jensen, Wastewater Superintendent Taylor, and City Clerk

Dunham

Absent: Interim Finance Director Dillingham and Chief of Police

Conner

PUBLIC PRESENTATIONS

Mayor Garnes asked if there were any public comments.

No public comments were received.

CONSENT CALENDAR

Mayor Garnes asked if any councilmember, staff or member of the public, would like to remove any item from the consent calendar for separate discussion. No items were removed.

Motion was made by Johnson/Woodall to approve the consent calendar including approval of Minutes of the August 18, 2020 regular meeting. Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONS

City Manager/Staff Update

City Manager Knopp reviewed highlights of the staff update and reported that staff was in the process of recruiting for a Community Servicers Officer (CSO) and would be re-advertising the position. He said that he would be requesting from the Council, individual letters of support for the ATP Trails Project and would send out an email tomorrow with the web address and a petition to sign.

Mayor Pro Tem Woodall referred to the first item on the Wastewater Update related to bench testing for Chloramines to see if it is a viable method for full scale testing to the irrigation fields and asked if staff had the results yet.

Wastewater Superintendent Taylor explained that in working with GHD on the Sanitary Sewer Evaluation Study (SSES), one of the issues has to do with the disinfection by-products. They ran an effluent sample with a different type of disinfection strategy by adding ammonia to chlorine and so far, have had some positive results. They will be doing a couple more things including a full-scale run to the irrigation field to see if it is going to be a viable solution as a year-round disinfection method.

Mayor Pro Tem Woodall thanked public works staff for watering the trees at the south end of the Gateway. She also expressed thanks to Chief Conner for moving forward on the 611 Wildwood Ave. nuisance issue. She noted that one of the travel trailers was moved out and asked if it happened to be the travel trailer that is now at the Humboldt Rio Dell Business Park.

City Manager Knopp commented that Chief Conner was not on the line for the meeting to answer the question.

Councilmember Wilson questioned staff's discussion with the Agriculture Commissioner over possible Industrial Hemp operations on the Dinsmore Plateau.

City Manager Knopp said that his understanding is that the property owner (James Cortazar) is proposing 10,000 square feet of industrial hemp cultivation.

Councilmember Wilson said that he was also pleased with the progress at 611 Wildwood Ave. He then questioned the status of the Rio Dell Holdings project.

Community Development Director Caldwell reported that the Planning Commission approved a modification to their subdivision at their meeting on August 25, 2020. He commented that the parcels are in escrow and they are hoping to bond the conditions of approval so they can record the map and complete the sale. He said the location of the site is just north of Humboldt 454's large green building. He said that it is his understanding that they will retain the 1.85-acre remainder parcel with the Brownfield site.

Councilmember Strahan asked if the City Manager and Mayor had met with Danco representatives yet.

City Manager Knopp said that a follow-up email was sent to Danco's representative and she indicated that they are working on it but no date for a meeting has been established.

Councilmember Strahan wanted to pursue sending a letter to the State suggesting all the issues the City has had related to this project. The Rio Dell Fire Department was also asked to provide a list of their calls to the Rio Dell Bluff Cottages.

City Manager Knopp indicated that he had not seen the list.

Staff agreed to agenize the item for the next regular meeting.

Mayor Garnes called for public comment on the Staff Update. No public comments were received.

ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

Approve Resolution No. 1462-2020 Adopting the Mitigated Negative Declaration for the Rio Dell Water Infrastructure Improvement Project and Adopting the Mitigation Monitoring and Reporting Program

City Manager Knopp provided a brief staff report and noted that the City Council last received an update from GHD on the Water Infrastructure Improvement project at their meeting of July 21, 2020. He said that Andrea Hilton from GHD was on line to provide an overview of the environmental review process and answer any questions.

Andrea Hilton noted that she was present along with Rebecca Crow from GHD.

Andrea began by reviewing the updates since the last presentation. The Initial Study/Proposed Mitigated Negative Declaration for the proposed project was circulated and two (2) comments were received from (1) Caltrans and (2) the California State Lands Commission. Response letters were prepared for both agencies. The City currently has an existing waterline located inside the U.S. 101 southbound bridge which is considered seismically vulnerable due to the use of glued joints and simple pipe stands. The project proposes three construction scenarios for addressing this section of pipe. Construction Scenario 1 and 2 would install an additional seismically resilient connection between the Metropolitan Wells and the City's storage and distribution system using HDD under the Eel River. Construction Scenario 3 would replace the existing pipeline in the bridge using modern seismic mitigation methods.

Andrea continued with review of the environmental review process and said that the Notice of Completion and the Initial Study and Mitigation Negative Declaration were filed with the Office of Planning and Research State Clearinghouse on July 14, 2020 and was made available for public review, noting that the public review period ended on August 13, 2020.

She explained that the documents are being provided to the City Council for review, consideration as a full disclosure of potential impacts, and mitigation measures. If the project is approved, the Initial Study and Mitigated Negative Declaration would be adopted, and the recommended mitigation measures implemented as specified in the resolution and an accompanying Mitigation Monitoring and Reporting Program. Upon approval, a notice would be filed with the County Clerk this week.

Councilmember Strahan asked for clarification that the Council is only adopting the Mitigated Negative Declaration and adopting the Mitigation Monitoring and Reporting Program and not deciding on one of the three (3) construction scenarios at this time.

Andrea confirmed that she was correct and explained that all three (3) potential construction scenarios were evaluated and that the Council could decide on a scenario later.

Councilmember Strahan referred to page 35 of the packet related to the response from the California State Lands Commission and a potential future lease.

Andrea explained that should the Council decide to pursue scenario 1 or 2 with directional drilling under the Eel River, the State Lands Commission claims jurisdiction to the underground portion and the City would be required to apply to the State Lands Commission for a lease to do that at a future date.

Councilmember Johnson asked for a timeline on completing the design and putting the project out to bid.

Rebecca Crow, Project Engineer reported that they reviewed the 65% design with the City Manager and Water Superintendent and that the 95% design was expected to be done in the next month or so.

Mayor Garnes called for public comment. No public comment was received.

Motion was made by Woodall/Johnson to approve Resolution No. 1462-2020 Adopting the Mitigated Negative Declaration for the Rio Dell Water Infrastructure Improvement Project and Adopting the Mitigation Monitoring and Reporting Program. Motion carried 5-0.

Adopt Urgency Ordinance No. 381-2020 Approving Text Amendment Title 8, Health and Safety, Chapter 8.10, Nuisances of the Rio Dell Municipal Code (RDMC)

Community Development Director Caldwell provided a staff report and said that the City has received a number of complaints regarding the use of generators, largely in part due to the use of generators by people utilizing travel trailers as residences. Currently the City has no regulations regarding the use of generators and the Nuisance Committee at their last meeting discussed the lack of enforcement regulations related to the use of generators.

In addition, in response to potential for PG&E's Public Safety Power Shutoffs (PSPS's), staff believes the adoption of regulations for the use of generators is necessary and urgent. As such, staff upon consultation with the City Attorney, believes the adoption of the Ordinance is of an urgent matter for the immediate preservation of the public health, safety and general welfare of the community and requires that the Ordinance be enacted as an urgency ordinance.

Community Development Director Caldwell continued with review of the proposed language to be incorporated into Section 8.10.020, Definitions and 8.10.030, Nuisances of the Rio Dell Municipal Code.

He noted that the other item of concern by the Nuisance Committee is the recent proliferation of graffiti throughout town. He said that although graffiti is considered by most as visual blight, it is not included in the definition of "visual blight" in the Nuisance Regulations. By including graffiti in the definition, it makes it clear to the community that graffiti is a visual blight and a public nuisance.

Councilmember Strahan referred to page 76 of the packet under 8.10.030(10)(a) that stated in part that "Generators supporting residential uses shall not be operated during the hours of 9:00 p.m. to 7:00 a.m., except as required for Bonafede health or medical need" and asked if this applies to running generators anytime or just during prolonged power outages.

Community Development Director Caldwell said that the intent is that generators may only be used during prolonged power outages. He agreed that the language is a little loose and offered to have the City Attorney review the proposed language to make sure it is solid.

Councilmember Johnson commented that as an urgency ordinance, it would become effective immediately following adoption.

Councilmember Wilson asked for clarification on whether generators permanently installed at residences have the same restrictions since they come on automatically when the power is off.

Community Development Director Caldwell explained that the regulations would apply to all generators which may be problematic due to the 4-hour restriction. He said that staff would reach out to those customers and let them know of the new restrictions.

Councilmember Wilson asked if sound decibels are a factor with regard generator noise.

Community Development Director Caldwell clarified that the Noise Element of the General Plan limits noise to 6 decibels at the property line and these new generators have attenuation built into the cabinets to keep the noise levels maintained at 6 decibels or less.

Mayor Pro Tem Woodall asked for clarification that the generators would be restricted to emergency use only.

Community Development Director responded that she was correct

Mayor Garnes pointed out that during a PSPS event of less than 4 hours, a generator could not be used for a project or other use.

Community Development Director Caldwell explained that the City Council has the ability to modify the language as they feel is appropriate.

Mayor Garnes asked if a citizen would have the ability to call City Hall and get approval to run a generator during the restricted times under certain circumstances.

Community Development Director Caldwell said that there is no language that provides for an exception.

Motion was made by Councilmember Strahan to adopt Urgency Ordinance No. 381-2020 Approving Text Amendment Title 8, Health and Safety, Chapter 8.10, Nuisances of the Rio Dell Municipal Code (RDMC) as amended to remove the 4-hour power outage restriction.

Mayor Pro Tem Woodall agreed to reducing the 4-hour limitation to a 2-hour linitation.

Councilmember Wilson commented that if there is a PSPS, the problem is not so much with the outage but with the need to correct a violation of the City code with regard to the use of generators for illegal travel trailers used as residences.

Community Development Director Caldwell said that the reason this was brought to the Council was because of the situation at 611 Wildwood Ave. and the use of generators for travel trailers used as residences in violation of the City code. He said that the proposed amendment was not related to power outages and that he had no objection to removing the 4-hour power outage restriction.

Mayor Garnes called for public comment. No public comment was received.

Mayor Pro Tem Woodall then seconded the motion as amended. Motion carried 5-0.

Councilmember Johnson commented that he had some time today and read Rosenburg's Rules of Order and said that what the Council is doing as far as motions fits with those regulations. He invited councilmembers to review the regulations when they have some time.

Introduction/First Reading (by title only) of Ordinance No. 382-2020 Amending Existing Sign Regulations, Section 17.30.300, Table 7-1 of the Rio Dell Municipal Code (RDMC)
Community Development Director Caldwell provided a staff report and said it was recently brought to staff's attention by Element 7 that the current sign regulations only allow one onbuilding sign per business with a maximum area of 100 square feet in the Town Center and other commercial zones. He said that it was an oversight on staff's part in 2018 when the City adopted new comprehensive sign regulations.

Element 7 presented sign details proposing three (3) signs on their building. They were willing to pursue a Variance but after further consideration, staff felt that it would be easier to

amend the current sign regulations to allow up to three (3) on-building signs in the Town Center and all commercial zones. He said that the new regulations would especially apply to corner lots and also come into play with potential development of the Todd Property. He referred to the Petaluma Outlet Mall that backs up to Highway 101 noting that most of those businesses have signage on the backs of their businesses allowing travelers to see the signs.

He referred to Table 7-1 under Section 17.30.300 of the Rio Dell Municipal Code, *Signs Permitted by Zoning Districts*, and commented that staff is not proposing to increase the square footage of signage which is a maximum of 100 square feet in the Town Center and Neighborhood Center zones.

He noted that the Planning Commission reviewed and discussed the recommended amendment at their meeting of August 25, 2020 and voted unanimously to recommend the Council approve the proposed text amendment. In addition, the Rio Dell Chamber of Commerce is supportive of the amendment.

He continued with review of the required findings for Zoning Amendments and said that the proposed amendment is in the public interest, is consistent and compatible with the General Plan and is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines.

Mayor Garnes asked if all three (3) of the signs at Element 7 would be illuminated and if there were any restrictions with regard to illumination.

Community Development Director Caldwell noted that all three signs are proposed to be illuminated and that the illumination cannot create any glare on neighboring residential properties and the rays cannot extend beyond the boundaries of their parcel.

Councilmember Johnson said that he had no problem with allowing three (3) signs on businesses located on corner lots but questioned the Humboldt Rio Dell Business Park in the Industrial Commercial zone. Considering Glenn White's large building which abuts 101 in an Industrial Commercial zone, they could have one sign per project entrance so with two (2) entrances, they could have two (2) signs at each entrance.

Community Development Director Caldwell explained that under staff's recommendation they would be allow to have three (3) signs instead of one, including one (1) free-standing sign. He explained that an integrated development would be more like a shopping mall and referred to the Strong's Creek Plaza in Fortuna where they have most of the businesses on one sign at the entrance to the shopping center.

Councilmember Wilson supported the text amendment as recommended.

Councilmember Strahan said that her only concern was the illumination of the signs noting that there are residential uses next to Element 7. She commented that Rio Dell is not a big

city and that she felt businesses in the Town Center should be required to apply for a variance to have three (3) signs so potential impacts to the neighborhood could be considered. She was against illuminated signs on sides of buildings in the Town Center.

Mayor Pro Tem Woodall supported the text amendment since the square footage of the signs is limited and agreed with the illumination as proposed. She commented that the Planning Commission reviewed and discussed the text amendment and recommended approval by the City Council which she supported.

Mayor Garnes called for public comment. No public comment was received.

Motion was made by Johnson/Woodall to approve the introduction and first reading (by title only) of Ordinance No. 381-2020 *Approving Test Amendment Title 8, Health and Safety, Chapter 8.10. Nuisances of the Rio Dell Municipal Code.* Motion carried 4-1; Councilmember Strahan dissenting.

COUNCIL REPORTS/COMMUNICATIONS

Councilmember Wilson announced that HWMA opened their facility up for CRV redemption as of this morning and would be open for collection on Tuesday-Saturday. In addition, Recology Eel River applied for recertification as a redemption center. When he talked to Director Duffy about that she indicated that the reason for that is that is not profitable for them to do CRV. HWMA subsidized their CRV and recycling program by \$1 million a year.

Councilmember Strahan reported that she attended an HCAOG meeting and that they are moving along with the 101 Corridor Project and the Last Chance Grade Project. She commented that the FAU was shot down so the city will be getting less than the bigger cities.

She also reported on the Nuisance Committee meeting and thanked Patrick Knight and Virginia Sifford for their letters regarding the nuisance at 611 Wildwood Ave.

Councilmember Johnson reported on the recent Traffic Committee meeting and said that there is research that is needed before the next meeting scheduled in two weeks.

Mayor Pro Tem Woodall reported on her attendance at the RREDC meeting and said that they discussed Project Equity and the North Coast Business Development did a presentation on Succession Planning and Employee Ownership. In addition, they discussed the lease renewal on their building. They were also invited to apply for a \$5 million non-competitive EDA grant.

She asked about the status of the study session on Economic Development.

City Manager Knopp said that staff was working on it.

Mayor Garnes thanked Mayor Pro Tem Woodall and Councilmember Strahan and staff for their work on the Nuisance Committee and help in getting the nuisance issue at 611 Wildwood Ave. resolved.

ADJOURNMENT

Motion was made by Johns	son/Strahan to adjourn	the meeting at	7:35 p.m. 1	to the September
15, 2020 Regular meeting.	Motion carried 5-0.			

Attest:			Debra Garnes, Ma	yor
Allest.				
Karen Dunha	m, City Clerk	_		

RIO DELL

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

September 15, 2020

TO:

Rio Dell City Council

FROM:

Kyle Knopp, City Manager

SUBJECT:

Letter of Appreciation to Dr. Theresa Frankovich

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the Mayor to sign the attached letter.

BACKGROUND AND DISCUSSION

On September 2, 2020 Humboldt County Public Health Officer Dr. Theresa Frankovich announced her resignation from this role. Dr. Frankovich has been on numerous calls with staff and the Mayor over the course of the pandemic to provide advice and direction on the implementation of the state, federal and local pandemic response.

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



September 14, 2020

Dr. Theresa Frankovich c/o Humboldt County Public Health 529 I Street Eureka, CA 95501

Re: Letter of Appreciation

Dr. Theresa Frankovich,

We have recently learned of your planned departure from the role of the Humboldt County Public Health Officer. On behalf of the City Council of the City of Rio Dell I am issuing this correspondence to send our sincere appreciation for your service to the community of Rio Dell and to Humboldt County. This has been a difficult time for everyone and we appreciate your accessibility and the level of care you have provided to this community during the pandemic crisis.

As Sheriff Honsal has stated from his first-hand experience, "... Dr. Frankovich has conducted herself with the utmost professionalism and compassion, putting the community and its needs above her own. She has led the community through this public health crisis and helped guide us through the federal, state and local pandemic response."

We wish you well in your future endeavors and thank you for your work.

Sincerely,

Debra L Garnes, Mayor City of Rio Dell

Cc: Board of Supervisors Sheriff Honsal

RIO DELL

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

September 15, 2020

TO:

Rio Dell City Council

FROM:

Kyle Knopp, City Manager

SUBJECT:

Letter to the State of California Regarding River Bluff Cottages

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Delay issuance of correspondence to the State of California.

BACKGROUND AND DISCUSSION

Shortly after the Council's regularly scheduled meeting on September 1, 2020 representatives from Danco calendared a meeting with the Mayor and City staff on September 17th. At this time, staff is recommending that action on a possible letter be delayed.

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675 Wildwood Avenue Rio Dell, CA 95562

TO:

Mayor and Members of the City Council

THROUGH: Kyle Knopp, City Manager

FROM:

Karen Dunham, City Clerk

DATE:

September 15, 2020

SUBJECT:

Conflict of Interest Code Update

RECOMMENDATION

Adopt Resolution No. 1463-2020 Adopting Without Revision the City's Conflict of Interest Code

BACKGROUND AND DISCUSSION

State law requires Public Agencies to review and if needed, update their Conflict of Interest Codes during even numbered years. A local agency's conflict of interest code must reflect the current structure of the organization and properly identify officials and employees who should be filing Statements of Economic Interests (Form 700). A code tells public officials, governmental employees, and consultants what financial interests they must disclose on their Form 700. It also helps provide transparency in local government as required under the Political Reform Act.

Upon review of the existing Conflict of Interest Code, staff has determined that no update of the current Code is necessary at this time.

ATTACHMENTS:

Resolution No. 1463-2020 Conflict of Interest Code



RESOLUTION NO. 1463-2020 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL ADOPTING WITHOUT REVISION THE CONFLICT OF INTEREST CODE FOR THE CITY OF RIO DELL FOR CITY COUNCIL MEMBERS COMMISSIONERS, OFFICERS, CONSULTANTS, AND DESIGNATED EMPLOYEES AND RESCINDING RESOLUTION NO. 1388-2018

WHEREAS, the Political Reform Act, Government Code Section 81000 et. Seq. requires State and Local Government Agencies to adopt conflict of Interest Codes and to review those Codes in even-numbered years to ensure that they are current; and

WHEREAS, on March 17, 1981, the Rio Dell City Council enacted Resolution No. 330, Adopting a Conflict of Interest Code for the City of Rio Dell ("City"); and

WHEREAS, the current Conflict of Interest Code for the City was last updated by the City Council on June 5, 2018 with adoption of Resolution No. 1388-2020; and

WHEREAS, Section 87306.5 of the Government Code states that every agency shall review its Conflict of Interest Code no later than July 1 of each even-numbered year, subject to the provisions of Section 87302(a) and 873203, when necessitated by changed circumstances; and submit amendments to the Code reviewing body (the City Council) no later than October 1 of the same year; and

WHEREAS, Title 2 California Code of Regulations Section 18730 contains the terms of a standardized conflict of interest code which will update the City's Conflict of Interest Code and maintain compliance with all new and future regulations adopted by the Fair Political Practices Commission; and

WHEREAS, no additional positions have been deemed to make, or participate in the making of, decisions which may have a foreseeable material effect on a financial interest; and

WHEREAS, no previously listed positions have been vacated that are needed to be eliminated from the Code; and

WHEREAS, Exhibit A as attached herein lists the designated employees subject to the model Conflict of Interest Code (listed as "designated filers"); and Exhibit B identifies specific financial interests that would be reportable (listed as "disclosure categories"); and

WHEREAS, this review has been completed and the City Council has determined that no changes are necessary due to changes in the City organization and to comply with state law and that Exhibits A and B attached herein, accurately sets forth the designated positions, and their respective categories of financial interests which should be made reportable and those boards, commissions and committees which should be designated and the respective categories of financial interests which should be made reportable by their members; and

WHEREAS, the City of Rio Dell Conflict of Interest Code, incorporated herein accurately sets forth the designated positions and categories of financial interests which should be made reportable.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RIO DELL DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Title 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference, and along with the attached Exhibits in which members and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of the City of Rio Dell.

SECTION 2. The following departments and categories are hereby designated to comply with the City's Conflict of Interest Code as reflected in Exhibit "A."

APPROVED AND ADOPTED by the City Council of the City of Rio Dell on September 15, 2020 by the following vote:

AYES: NOES: ABSENT: ABSTAIN:	
ATTEST:	Debra Garnes, Mayor

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above to be a full, true and correct copy of Resolution No. 1463-2020 adopted by the City Council of the City of Rio Dell on September 15, 2020.

EXHIBIT A DESIGNATED FILERS

Designated Positions	Disclosure Category
Mayor City Council Members City Manager City Clerk Finance Director Community Development Director Public Works Director Water/Roadways Superintendent Wastewater Superintendent	Govt Code §87200 et seq. Govt Code §87200 et seq. Govt Code §87200 et seq. 1 Govt Code §87200 et seq. 1 1 1 1
Chief of Police Planning Commissioners	1 Govt Code §87200 et seq.
Planning Commissioners	Govi Code 907200 et seq.
Consultants City Attorney City Engineer	Govt Code §87200 1,2,3,4

Note: The disclosure category for consultants shall be determined on a case-by-case basis by the City Manager. After written notification is given to the City Council, the City Manager may make a determination as to what disclosure, if any, is required by any particular consultant.

The City Manager may determine in writing that a particular consultant, although a "designated position" is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this and, based upon that description, a statement of the extent of disclosure requirement. The City Manager's determination is a public record and shall be retained for public inspection in the same manner as this Conflict of Interest Code.

Positions designated in Government Code Section 87200 are positions that are subject to the disclosure requirements of the Political Reform Act and are required to file full Statements of Economic Interests (Form 700). These filers shall file Statements of Economic Interests with the City Clerk as the filing officer for the City of Rio Dell. These statements with original signatures are filed with the Fair Political Practices Commission.

EXHIBIT B DISCLOSURE CATEGORIES

Category 1

Persons in this category shall disclose all interests in real property within the City. Real property shall be deemed to be within the City if the property or any part of it is located within or not more than two miles outside the boundaries of the City or within two miles of any land owned or used by the City.

Persons are not required to disclose property used primarily as their residence or for personal recreational purposes.

Category 2

Persons in this category shall disclose all investments.

Category 3

Persons in this category shall disclose all income, including loans, aggregating \$500 or more received during the reporting period, received from any one source located or doing business within the City or expecting to do business within the City. Gifts aggregating \$50 or more received during the period from any one source located inside or outside the City shall be disclosed. Income received from a public agency need not be disclosed.

Category 4

Persons in this category shall disclose all income form and investments in business that manufacture or sell services and/or supplies of the type utilized by the City and associated with the job assignment of designated positions assigned this disclosure category.

EXHIBIT C DETERMINATION OF CONSULTANT

DISCLOSURE FILING REQUIREMENTS

determine that the following "Consultan	, City Manager of the City of Rio Dell, hereby its" are retained by the City of Rio Dell to serve in quired to file statements of economic interest and ollowing categories:
CONSULTANT NAME/COMPANY	DISCLOSURE CATEGORIES
-	
	nsultants" range of duties are limited in scope vaiver from filing a disclosure statement under ode:
CONSULTANT NAME/COMPANY	PROJECT/DUTIES '
······	
City Manager	Date

CONFLICT OF INTEREST CODE OF THE CITY OF RIO DELL

Section 100. Purpose

Pursuant to the provisions of the Government Code Sections 87300 et seq. The City of Rio Dell hereby adopts and incorporates by reference Regulation 2 of the California Code of Regulations, Section 18730. (Title 2, Division 6) and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Exhibits A, B and C, in which members and employees are designated and disclosure categories are set forth, which constitutes the Conflict of Interest Code of the City of Rio Dell. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974. (Government Code Section 81000 et seq.). The provisions of this Code are additional to Government Code Section 87100 and other laws pertaining to conflicts of interest. Except as otherwise indicated, the definitions of said Act and regulations adopted pursuant thereto are incorporated herein and this Code shall be interpreted in a manner consistent therewith.

Section 200. Designated Positions

The positions listed on Exhibit A are designated positions within each city department and/or division. Officers and employees holding those positions are designated employees and are deemed to make, or participate in the making of, decisions which may have foreseeable material effect on a financial interest.

Section 300. Disclosure Statements

Designated positions shall be assigned to one or more of the disclosure categories set forth on Exhibit B. Each designated employee shall file an Initial Statement disclosing that employee's interest in investments and real property, and thereafter an Annual Statement disclosing said employee's interest in investments, real property and income designated as reportable under the category to which the employee's position is assigned on Exhibit A.

Section 400. Place and Time of Filing

- (a) All designated employees required to submit a Statement of Economic Interests Form 700 shall file the original, on the form provided (per Section 500 of this Code), with the City Clerk's Office.
- (b) A designated employee required to submit an Initial Statement of Economic Interests Form 700 shall submit the statement within thirty (30) days after the effective date of this Code.

- (c) Merit service employees appointed, promoted or transferred to designated positions shall file an Assuming Office Statement within thirty (30) days after date of assuming the designated position.
- (d) All other employees appointed, promoted or transferred to designated positions shall file an Assuming Office Statement not less than thirty (3) days after assuming the designated position.
- (e) Annual Statements shall be filed with the City Clerk's Office no later than the 1st day of April of each year by all designated employees. Such statements shall cover the period of the preceding calendar year.
- (f) A Leaving Office Statement shall be filed within thirty (30) days after leaving a designated position. Such statements shall cover the period from the closing date of the last statement filed to the date of leaving the position.
- (g) Individuals who resign designated positions within 30 days following initial appointment are not deemed to assume or leave office, provided that during the period between appointment and resignation, the individual did not make, participate in making, or use the position to influence any decision of the City or receive, or become entitled to receive any form of payment by virtue of being appointed to the position.
- (h) A designated employee required to file a Statement of Economic Interests Form 700 with any other agency, which is within the same territorial jurisdiction as the City and disclosure requirements are identical, may comply with the provisions of this Code by filing a duplicate copy of the statement filed with the other agency, in lieu of an entirely separate statement.
- (i) "Consultant" as identified by FPPC Regulation 18700, is herewith added to the list of designated employees and such persons shall disclose pursuant to the broadest disclosure category in the Code, subject to the limitations stated in Exhibit C attached hereto.

Section 500. Form for Statements of Economic Interests

Statements of Economic Interests shall be made on a form supplied by the Fair Political Practices Commission (FPPC), and such form shall be made available by the City Clerk's Office.

Section 600. Definitions

GIFT

- (a) "Gift" means, except as provided in subdivision (b), any payment to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status. Any person, other than a defendant in a criminal action, who claims that a payment is not a gift by reason of receipt of consideration has the burden of proving that the consideration received is of equal or greater value.
- (b) The term "gift" does not include:
 - (1) Informational materials such as books, reports, pamphlets, calendars or periodicals. No payment for travel or reimbursement for any expenses shall be deemed "informational material";
 - (2) Gifts which are not used and which, within thirty (30) days after receipt, are returned to the donor or delivered to a charitable organization without being claimed as a charitable contribution for tax purposes;
 - (3) Gifts from an individual's spouse, register domestic partner, child, parent, grandparent, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin or the spouse or register domestic partner of any such person; provided that a gift from any such person shall be considered a gift if the donor is acting as an agent or intermediary for any person not covered by this paragraph;
 - (4) Campaign contributions required to be reported under Sections 84100-84400 of the Government Code.
 - (5) Any devise or inheritance.

INCOME

(a) "Income" means, except as provided in subdivision (b), a payment received, including but not limited to any salary, wage, advance, dividend, interest, rent, proceeds from any sale, gift, including any gift of food or beverage, loan, forgiveness or payment of indebtedness received by the filer, reimbursement for expenses, per diem, or contribution to an insurance or pension program paid by any person other than an employer, and including any community property interest in the income of a spouse or registered domestic partner. Income also includes an outstanding loan. Income of an individual also includes a pro rate share of any income of any business entity or trust in which the individual or spouse or registered domestic partner owns, directly, indirectly or beneficially, a 10 percent interest or greater. "Income," other than a gift, does not include income received from any source outside the jurisdiction and not doing business

within the jurisdiction, or not having done business within the jurisdiction during the two years prior to the time any statement or other action is required under this Code.

- (b) "Income" also does not include:
 - (1) Campaign contributions required to be reported under Sections 84100-84400 of the Government Code.
 - (2) Salary and reimbursement for expenses or per diem received from a state, local or federal government agency and reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization.
 - (3) Any devise or inheritance.
 - (4) Interest, dividends or premiums on a time or demand deposit in a financial institution, shares in a credit union or any insurance policy, payments received under any insurance policy, or any bond or other debt instrument issued by any government or governing agency.
 - (5) Dividends, interest or any other return on a security which is registered with the Securities and Exchange Commission of the United States government.
- (6) Redemption of a mutual fund.
- (7) Alimony or child support payments.
- (8) Any loan or loans from a commercial lending institution which are made in the lender's regular course of business on terms available to members of the public without regard to official status if:
 - (A) Used to purchase, refinance the purchase of, or for improvements to, the principal residence of filer; or
 - (B) The balance owed does not exceed ten thousand dollars (\$10,000).
- (9) Any loan from an individual's spouse, register domestic partner, child, parent, grandparent brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin or the spouse or register domestic partner of any such person; provided that a loan from any such person shall be considered income if the lender is acting as an agent or intermediary for any person not covered by this paragraph;

- (10) Any indebtedness created as part of a retail installment or credit card transaction if made in the lender's regular course of business on terms available to members of the public without regard to official status, so long as the balance owed to the creditor does not exceed ten thousand dollars (\$10,000.)
- (11) Payments received under a defined benefit pension plan qualified under Internal Revenue Code Section 401(a).

INTEREST IN REAL PROPERTY

"Interest in real property" included any leasehold, beneficial or ownership interest or any option to acquire such an interest in real property located in the City owned directly, indirectly or beneficially by the public official, or other filer, or his or her immediate family if the fair market value of the interest is two thousand dollars (\$2,000) or more. Interests in real property of an individual includes a pro rata share of interests in real property of any business entity or trust in which the individual or immediate family owns, directly, indirectly or beneficially, a 10 percent interest or greater.

INVESTMENT

"Investment" means any financial investment in or security issued by a business entity, including but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership or other ownership interest owned directly, indirectly or beneficially by the public official, or other filer, or his or her immediate family, if the business entity or any parent, subsidiary or otherwise related business entity has an interest in real property in the jurisdiction, or does business or plans to do business in the jurisdiction, or has done business in the jurisdiction, or has done business within the jurisdiction at any time during the two years prior to the time any statement or other action is required under this Code. No asset shall be deemed an investment unless its fair market value equals or exceeds two thousand dollars (\$2,000). The term "investment" does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, interest in a diversified mutual fund registered with the Securities and /Exchange Commission under the Investment Company Act of 1940 or a common trust fund which is created pursuant to Section 1564 of the Financial Code, or any bond or other debt instrument issued by any government or government agency. Investments of an individual includes a pro rata share of investments of any business entity, mutual fund, or trust in which the individual or immediate family owns, directly, indirectly or beneficially, a 10 percent interest or greater. The term "parent, subsidiary or otherwise related business entity" shall be specifically defined by regulations of the commission.

CONSULTANT

"Consultant" means any individual who, pursuant to a contract with the state or local government agency:

- (a) Makes a governmental decision whether to:
 - (1) Approve a rate, rule or regulation;
 - (2) Adopt or enforce a law;
 - (3) Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order or similar authorization or entitlement;
 - (4) Authorize the agency to enter into, modify, or renew a contract provided it is the tyope of content which requires agency approval;
 - (5) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
 - (6) Grant agency approval to a plan, design, report, study, or similar item;
- (7) Adopt, or grant agency approval of, policies, standards, or guidelines for the agency, or for any subdivision thereof; or
- (b) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Section 700. Disqualification

Designated employees shall disqualify themselves from making or participating in the marking or in any way attempting to use their official position to influence a governmental decision when it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on:

- (a) Any reportable investment;
- (b) Any interest in real property;
- (c) Any reportable source of income, other than loans by a commercial lending institution in the regular course of business, aggregating five hundred dollars (\$500) or more in value provided to, received by or promised to the designated employee within twelve (12) months prior to the time when the decision is made:
- (d) Any business entity in which the designated employee is a director, officer, partner, trustee, employee or holds any position of management.

(e) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating five hundred dollars (\$500) or more in value provided to, or promised to the designated employee within twelve (12) months prior to the time when the decision is made.

City of Rio Dell Check Listing for City Council Meeting

August 2020

Ref#	Date	Vendor	Description	
9566	8/05/2020	[6038] ACCURATE TERMITE & PEST SOLUTIONS	BI-MONTHLY PEST CONTROL @ 675 WILDWOOD AVE. RODENT & INSECT CONTROL @ 1	Amount
9267	8/05/2020	[3075] AT&T F700	475 HILLTOP DR	7.5.00
9268	8/05/2020	[5373] AIM - 5709	FAX LINE EXPENSES FOR JULY 2020	7
0360	9/03/2020	[6466] BCR ENVIRONMENTAL CORP	55 GAL DRUM PARATHERM	51.65
9209	8/05/2020	[6676] DAVIS, MATTHEW	CUSTOMER DEPOSIT REFUND	1,488.69
9270	8/05/2020	[2407] FORBUSCO LUMBER	SELF LEVELER RETURN, 4-1/2 BIMETAL HOLE SAW: 3/8 MANDREI W/PII OT THREE	177.54
9271	8/05/2020	[2405] FORTUNA ACF HARDWARE	WHITE VINYL WINDOWS	452.11
9272	8/05/2020	[2551] MIRANDA'S ANIMAL RESCUE	ANIMAL CONTROL FOR REFILL, ROUNDUP PUMP & GO REFILL; FERTILIZER; EZ SEED	117.12
9273	8/05/2020	[3006] MISSION LINEN SUPPLY, INC	MAINTENANCE 8 1 4 1 10 5 2 1 2 1 2 1 2 2 2 2 2 2 2 2 2 2 2 2 2	1,900.00
9274	8/05/2020	[4393] NYLEX.net. Inc.	MONTHLY MAINTENANCE ED A LICIET 1 TILONO MAINTENANCE ED A LICIET 1	52.18
9275	8/05/2020	[6806] PINTERMEDIA LLC	MONTHLY WEB HOSTING FOR THE TOP THE TO	1,270.00
9276	8/05/2020	[6349] RECOLOGY EEL RIVER	GARRAGE BACS FOR HILLY 2020	30.00
9277	8/05/2020	[2659] RIO DELL PETTY CASH	SOAP FOR WEED SPANING: BE CHEMITS BOXT. 2.2	184.08
9278	8/05/2020	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR ALLCHIET, ACCESSION STORAGE,	74.71
9279	8/05/2020	[4908] THE MITCHELL LAW FIRM. LLP	FIGAL SERVICES FOR HILK 2000 1: ACCESSION, ARCHIV	138.65
			JULY 2020, LEGAL SERVICES FOR ILLY 2020, LEGAL SERVICES FOR JULY 2020, LEGAL SERVICES FOR	2,522.00
9280	8/05/2020	[4818] THREE G'S HAY & GRAIN	SALES TAX NOT INCLUDED ON ORIGINAL INVOICES D	
9281	8/05/2020	[6993] VALLEY PACIFIC PETROLEUM SERVICES, INC.	MACHINERY GREASE	184.80
9282	8/05/2020	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA CODIED DAYMENT FOR ALICHET 2000	37.59
9283	8/06/2020	[6994] SUPERIOR INSTALLS	REMOVE & INSTALL NEW HOLITERS 2020	534.58
9284	8/12/2020	[0576] 101 AUTO PARTS	INCINIOVE & INSTALL NEW LIGHT BAR; REPLACE REAR, SEAT BELT RECEPTACLE	3,733.95
			MEAVY DOLY ANTIFREEZE; STIK HOS, JACK, GEAR WRENCH 1"; RATCHETING COM	340.78
9285	8/12/2020	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHIY MAINTENANCE & CODIED CHARCES TOR III.	
9286	8/12/2020	[4217] CALPERS	SSA 218 - ANNITAL EFF	648.33
9287	8/12/2020	[2293] CITY OF FORTUNA	POLICE DISPATCH SERVICES FOR ALIGHET	400.00
9288	8/12/2020	[2303] COAST CENTRAL CREDIT UNION	POA DUES FOR PDE 7/31/20	3,941.67
9289	8/12/2020	[2385] EUREKA READYMIX	27.48 TONS 3/4 BASE ROCK 4000PSI DEI IVERED TO SECOND AVIE 8 ATI ANITA	120.00
9290	8/12/2020	[2405] FORTUNA ACE HARDWARE	TWO GAL DISTILLED WHITE VINEGAR TWO GAI DISTILLED WHITE VINEGAR SCIENCE	559.67
			40 COUPLERS & ADAPTER, THREE 94# PORTLAND 1 & 2. MAGNETIC KEY CASE:	96.79
9291	8/12/2020	[5052] GHD, INC	ENGINEERING SERVICES FOR STREETS SAFETY IMPRO, ENGINEERING SERVICES FOR	11,618.90
9292	8/12/2020	[2750] HD Supply Facility Maint DBA: 115A BITTEROOV	DEVELOPMENT OF SANIT	
9293	8/12/2020	[2228] HIMBOLDT COLINTY ASSESSOR	LEST TUBE BRUSHES; PH BUFFER PACK; DET-O-JET, CYLINDER & BOTTLE BRUSH	228.33
	0=0=/==/0	Least 1 Holyabore 1 Coolin 1 Assessor	CLLY OF KIO DELL OWNERSHIP & MAILING ADDRESSE	97.35

City of Rio Dell Check Listing for City Council Meeting

August 2020

	Vendor [6614] L	or LE-HEW, INDIGO	Description CUSTOMER DEPOSIT REFUND	Amount
	[6998] MAD RIVER COMMUNITY H	OSPITAL	PRE-EMPLOYMENT DRUG SCREENING: PHYSICAL & FVA	19.37
T	[5689] MENDES SUPPLY COMPANY		ONE CASE EACH PAPER TOWELS, HAND SOAP & TOILE	253.75
8/12/2020 [2546] MERCER-FRASER CO. INC 8/12/2020 [3006] MISSION LINEN STIREN W.C.	[2546] MERCER-FRASER CO. INC		2019 SAFE ROUTES TO SCHOOL STREET ASPHALT REP	325,875,46
	[5621] PAPE MACHINERY		MAINTENANCE & LAUNDER UTILITY WORKERS SHIRTS;	48.10
			REPAIRS IO SMALL JD TRACTOR, 310 BACKHOE REPAIRS & MAINTENANCE, MOWER REPAIR & MAINTENANCE, SMALL JD TRACTOR MAINTENANCE	1,990.61
	[6723] PEDERSON, JAMES & REXFORD, SHA	WNA	CUSTOMER DEPOSIT REFUND	440
	[2603] PG&E		UTILITY EXPENSES FOR JULY 2020	112.05
8/12/2020 [3343] PITNEY BOWES RESERVE ACCOUNT	[3343] PITNEY BOWES RESERVE ACCOUNT		POSTAGE PURCHASE FOR RESERVE	400.00
8/12/2020 [6349] RECOLOGY EEL KIVEK	[62543] KECOLOGY EEL KIVEK		.19 TONS GENERAL DEBRIS	53.20
	[2735] TIMES-STANDARD		IN I EKNE I SERVICES 8/1/20-8/31/20	900.00
	[2747] UNITED RENTALS. INC.		MILITIOLID MINASA DARMARD	376.30
	[2481] VANTAGEPOINT TRANSEER AGENTS	-30/1361	DETIDENCENT CON DEL 2/22 /22	2,968.88
	[2772] WENDT CONSTRUCTION. INC	10000	DELIVERS 1 OADS BASE DOCK	6,199.27
8/12/2020 [6672] WEX BANK	[6672] WEX BANK		PD FUEL EXPENSES & CAR WASH FOR JULY 2020, PW FIJE! EXPENSES FOR JULY 2020, PW	162.50
			ADMIN CAR FUEL EXPENSES & CAR WASH FOR JULY 2, PD FUEL EXPENSES & CAR	60'11'7
מודיר מיראני (בסברו) מכמני/ כויו ס	מושו האיניו (בסבה)		WASH FOR AUGUST 2020, PW FUEL EXPENSES FOR AUGUST 2020	
T	[2/8/] WYCKOFF'S		GALV NIPPLES, BUSHINGS, ELBOWS; 2" BALL VALVE	241.03
	[3114] 3T EQUIPMENT CO., INC.		NOZZLES & NOZZLE EXTENSION	1.569.75
8/19/2020 [2237] BANK OF AMERICA BUSINESS CARD	[2237] BANK OF AMERICA BUSINESS CARD		SHELL - BULK PROPANE, DOLLAR GENERAL - DISH SOAP FOR WEED SPRAYING, COSTCO - PORTABLE 2TB EXTERNAL HARD DRIVE, COSTCO - FOUR 8 UNIT PACKS DURACELL 9V BATTER. ADORF PRO DC MONTHIX SUIBSCRIPTION ADOCTORS	5,633.48
			TRAINING, FORTUNA ACE - WEED KILLER REFILL, CRAIGSLIST - EMPLOYMENT	
			ADVERTISEMENT FOR UTI, COSTCO - PENDAFLEX TOP TAB 1/3 CUT FOLDERS; 2, INDEED - EMPLOYMENT ADVERTISEMENT FOR UTILITY. INDEED - EMPLOYMENT	
			ADVERTISEMENT FOR UTILITY, BROESE', UNIFORMS - TWO BOA IIIA BALLISTIC VE,	
			AMAZON - BATTERY STORAGE ORGANIZER & BATTERY, USPS - EVERY DOOR DIRECT	
			MAILING, USPS - EVERY DOOR DIRECT MAILING, SCRAPPER'S EDGE - POSTCARD	
			PRINTING, SCRAPPER'S EDGE - POSTCARD PRINTING, HOTELS.COM - LODGING TO ATTEND FIREARMS ACADE 200M - COMMINICATION WA COMMITTED AND ACADE ACADE 200M - COMMINICATION WAS COMMITTED AND ACADE ACAD	
			SAFETYSIGN - FACE MASK 7X10" RUST-FREE ALUMIN	
[3206] CALIFORNIA POLICE CHIEFS ASSO	[3206] CALIFORNIA POLICE CHIEFS ASSOCIAT	CIATION	ANNUAL MEMBERSHIP DUES 7/2020 - 6/2021	200.00
8/19/2020 [2283] COASTAL BUSINESS SYSTEMS	[2283] COASTAL BUSINESS SYSTEMS		ANNUAL DOCSTAR MAINTENANCE AGREEMENT 8/8/20 -	1,600.00

City of Rio Dell Check Listing for City Council Meeting

August 2020

August 2020

Check Listing for City Council Meeting City of Rio Dell

Ref#	Date	Vendor	Description	
				Amount
Ref#	Date	Vendor	Description	,
547-616	8/10/2020	ELECTRONIC FUNDS TRANSFER	FET FOR END BAVBOLL TAVES FOR DAY (22, 2000)	Amount
5072265	8/10/2020	ELECTRONIC FUNDS TRANSFER	EET FOR CETRS BAVROLL TAVES FOR PPE UT/31/2020	-2,001.22
858041	8/12/2020	ELECTRONIC FUNDS TRANSFER	EFT FOR ACIACING IDANCE FOR THE 01/31/2020	-11,450.76
9424214	8/24/2020	WITHDRAWALS	BANK ANALYSIS EEE EOD ALICHET 2020	-443.42
020-448	8/24/2020	ELECTRONIC FUNDS TRANSFER	EFT FOR END BAVED I TAVES FOR BALL 1000	-227.44
1590912	8/24/2020	ELECTRONIC FUNDS TRANSFER	EFT FOR ECTDS BAVEOUR TAVES FOR PPE 08/14/2020	-2,076.62
995341	8/27/2020	WITHDRAWALS	DEPOSITED ITEM PETITIONER	-11,933.88
Total EFT's/B	Total EFT's/Bank Withdrawals		DEL OSITED TIENY RELORNED	-165.80
				-28,299.14
Ref#	Date	Vendor	Description	
TRY TO DD	0000/1/0	TDANICIES TO ANOTE STATE		Amonnt

8/4/2020

TRX TO PR

-30,167.15

TRANSFER TO PAYROLL ACCOUNT FOR PPE 07/31/2020 TRANSFER TO PAYROLL ACCOUNT FOR PPE 08/14/2020

-61,700.36

675 Wildwood Avenue, Rio Dell CA 95562

cityofriodell.ca.gov

(707)764-3532

Staff Highlights - 2020-09-15

City Council

City Manager

Organized and gathered petition signatures and letters of support for ATP Grant – now submitted.

Work with City Attorney on Employee Agreements

Submission of CEQA documents for Water Infrastructure Project to County Clerk.

City Clerk

Processed three (3) Building Permits

515 Hilltop Dr. – Re-Roof Residence 764 Walnut Dr. – New Single-Family Residence 397 Pacific Ave. – Re-Roof Residence

Processed two (2) Business License Applications

Griffith's Maintenance Service Northern Processing

City Attorney

Human Resources, Risk & Training

Finance Department

Public Works Water

Power meter was installed at Water Control Building to monitor power usage for billing purposes. (ONGONG)

Water leak on Martin Dr



Repair broken 6" Water Backwash line at Water Plant

Work at Rio Dell Metropolitan Wells, Clean and Flush filters. Preparations to use during the month of September (Ongoing)

Roadways and Parks mowing / weedeating.

Read Water Meters

Replace bad ERTS from water meters.

Public Works Wastewater

Public Works Streets, Buildings and Grounds

Worked with wastewater sewer jetting and manhole cleaning

Work on City of Rio Dell Entry Sign and Post/ Rock Structure - Clear Seal Coat Sign Post and rock base

Scraped and spray weeds on roads around town

Mow and Weedeat Gateway

Picked up Garbage at Infiltration Gallery, City Parking Lot and Memorial Park (ONGOING)

Cleanup trash at Edwards Dr River Bar Access and on Riverbar

Patched Potholes throughout town

Water trees on South Gateway Islands and Riverside

Public Works City Engineer

Public Works Capital Projects

Police Department

The Department had the following statistics for the period of August 26, 2020 to September 8, 2020. This period of time saw a higher than average number of calls for service, but a lower than average number of reports and a significantly lower than average number of arrests as compared to this year to date. The summation of Calls for Service may greater than the total as multiple officers can now be

assigned to the same call for service. There may also be administrative calls for service that are not documented below.

Officer	Calls for Service	Reports	Arrests
Conner	32	3	1
Beauchaine	31	1	1
Landry	43	11	4
Mitchell	55	10	5
Burns	91	4	1
Fielder	31	1	0
Totals	258	23	5
Averages	18.4 per day	11.5 per week	2.5 per week
2020 Yearly Average	13.9 per day	13.4 per week	5.3 per week

Calls for Service at 355 Center Street

Туре	Date	Time	Location	Primary Unit	Case #
415	08/28/2020	22:21:46	355 CENTER ST	R615	
FOOT	08/29/2020	14:41:47	355 CENTER ST	R613	
FOOT	08/31/2020	22:42:57	355 CENTER ST	R613	
415	09/06/2020	10:50:35	355 CENTER ST	6A1	20-0000414
FOOT	09/06/2020	22:24:07	355 CENTER ST	R615	

415 – Disturbance FOOT – Foot Patrol

R613 – Officer Crystal Landry 6A1 – Chief Jeff Conner

R615 - Officer Liam Burns

During the period August 26, 2020, to September 8, 2020, there were ten calls for service related to animal control issues. Two cats were taken to Miranda's Rescue. One of the cats was believed to be pregnant. The other was the same cat that had been taken to the vet in the last reporting period. His examination showed that he was running a high fever. The cat was given antibiotics and he was returned to health. He was put up for adoption after being neutered an receiving his shots.

On August 27, 2020, Chief Conner and Sergeant Beauchaine covered the City of Fortuna while that police department held an all-staff meeting.



On September 6, 2020, two women came to the station to make a report. Officer Landry spoke with the women and learned that one had been seriously assaulted by her ex-boyfriend, resulting in a broken nose and black eye in addition to other more minor scrapes, bruises and scratches. As the assault had taken place in the City of Arcata, that department was contacted. It was agreed that rather than make the victim retell her story to another officer, our Department would handle the initial investigation. Officer Landry spent more than two hours interviewing the victim and learned of other assaults that has taken place in the County's jurisdiction. The suspect was arrested by the Eureka Police Department later that night. The investigation has been turned over to the Arcata Police Department and they have canvased the neighborhood where the assault occurred for additional witnesses as well writing a search warrant for the suspect's phone.

Code Enforcement

During the period of August 26, 2020 through September 8, 2020, the Department opened five new junk vehicle cases and closed ten. Six of the closed cases were a result of the cars being towed by the City, while the remaining vehicles were moved/repaired by their owners. There are currently thirteen open cases.

During the period of August 26, 2020, to September 8, 2020, the Department opened two new code enforcement cases. One was for excessive vegetation and the second was for prohibited camping. The offending recreational vehicle has been moved to a location outside of the City and consequently that case has already been closed. There were 57 open cases at the end of the reporting period.

Several of the violations located at 611 Wildwood have been cleared. Both occupied recreational vehicles have been moved to locations outside of the City. The inoperable vehicles parked along the property line were towed. There are still some solid waste issues that need to be addressed, but the most serious of the issues have been resolved.

Community Development Department

Intergovernmental

Humboldt-Rio Dell Business Park

RIO DELL

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

September 15, 2020

TO:

Rio Dell City Council

FROM:

Kyle Knopp, City Manager

SUBJECT:

Update on Rio Dell School District Response to COVID-19

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive the presentation

BACKGROUND AND DISCUSSION

At the invitation of the Mayor, Angela Johnson, Superintendent of the Rio Dell School District will provide a short update to the Council regarding the current operation of the schools during the pandemic.

///

RIO DELL

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

September 15, 2020

TO:

Rio Dell City Council

FROM:

Kyle Knopp, City Manager

SUBJECT:

Authorization for the City Manager to Execute Memorandum of Understanding

Between the City of Rio Dell and County of Humboldt Regarding the Monument

Road Storm Damage Repair.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Receive a presentation and authorize the City Manager to execute an MOU between the City of Rio Dell and County of Humboldt for an amount not to exceed \$66,045.

BACKGROUND AND DISCUSSION

During the winter storm events of February 2017, a slip out developed on Monument Road along the boundary of the City of Rio Dell and unincorporated County. The storm events have been declared federal and state disasters. The damage is estimated to span 260 feet in total, of which approximately half is within the City. On April 6, 2017 City and County staff met with representatives of FEMA at Rio Dell City Hall to conduct a kickoff meeting. It was advised that one agency take the lead on this issue. The City and County agreed the project would best be handled by the County.

The City Manager met with County staff on February 26th 2020 to discuss the slip-out on Monument Road that resulted from the February 2017 winter storms, which were declared both a state and federal disaster. Under this scenario the County and city would be responsible for a 6.25% share of the total repair costs.

The repair is currently scheduled to be constructed over the summer of 2021.

According to the Engineer's Probable Opinion of Cost, the repair is estimated to cost \$2,032,143 and the local share of the project will be \$132,089. The attached MOU would split the local cost of the repair equally between the County and City. Therefore, the best information we have at this time indicates Rio Dell's share of the cost at \$66,045. No budget adjustment is advised at this time, however this item if approved by both agencies, will obligate the city for this payment in the future.

MEMORANDUM OF UNDERSTANDING BY AND BETWEEN COUNTY OF HUMBOLDT AND CITY OF RIO DELL FOR FISCAL YEAR 2020-2021

This Memorandum of Understanding ("MOU"), entered into this ____ day of _____, 2020, by and between the County of Humboldt, a political subdivision of the State of California, hereinafter referred to as "COUNTY," and the City of Rio Dell, a municipal corporation, hereinafter referred to as "CITY," is made upon the following considerations:

WHEREAS, on February 14, 2017, the Federal Emergency Management Agency ("FEMA") declared a disaster for Humboldt County due to severe winter storms, flooding and mudslides; and

WHEREAS, during the 2017 winter storms significant damage occurred to Monument Road at the COUNTY/CITY jurisdictional line; and

WHEREAS, COUNTY and CITY submitted FEMA DR-4308 damage claims for the necessary storm damage repairs to Monument Road; and

WHEREAS, FEMA determined that only one (1) Project Worksheet would be written for the necessary storm damage repairs to Monument Road; and

WHEREAS, after conducting a meeting with COUNTY and CITY, FEMA determined that COUNTY would be responsible for preparing the Project Worksheet, designing the necessary storm damage repairs, applying for all necessary permits, advertising for bids and acting as project manager for construction of the Monument Road Storm Damage Repair Project; and

WHEREAS, on _______, 20 _____, COUNTY received approval from FEMA to proceed with the Monument Road Storm Damage Repair Project; and

WHEREAS, FEMA has agreed to reimburse COUNTY for seventy-five percent (75%) of all eligible costs associated with the Monument Road Storm Damage Repair Project; and

WHEREAS, the California Governor's Office of Emergency Services has agreed to reimburse COUNTY for eighteen and three-quarters percent (18.75%) of all eligible costs associated with the Monument Road Storm Damage Repair Project; and

WHEREAS, COUNTY is responsible for paying six and one-quarter percent (6.25%) of all eligible costs ("Remaining Costs") associated with the Monument Road Storm Damage Repair Project; and

WHEREAS, the damages to Monument Road appear to be split equally between COUNTY's and CITY's jurisdiction; and

WHEREAS, CITY has agreed to reimburse fifty percent (50%) of the Remaining Costs associated with the Monument Road Storm Damage Repair Project; and

WHEREAS, COUNTY and CITY desire to enter into an agreement which sets forth each party's rights and responsibilities regarding payment of the Remaining Costs associated with the Monument Road Storm Damage Repair Project.

NOW THEREFORE, in consideration of the foregoing, and of the mutual promises contained herein, the parties hereto agree as follows:

1. RIGHTS AND RESPONSIBILITIES OF COUNTY:

COUNTY shall directly pay any and all Remaining Costs associated with the Monument Road Storm Damage Repair Project. Once the Monument Road Storm Damage Repair Project has been accepted and deemed complete, COUNTY shall submit to CITY an itemized invoice for CITY's portion of the Remaining Costs associated with the Monument Road Storm Damage Repair Project.

2. RIGHTS AND RESPONSIBILITIES OF CITY:

CITY shall provide COUNTY with an amount not to exceed Dollars (,, ,) for the purpose of paying fifty percent (50%) of the Remaining Costs associated with the Monument Road Storm Damage Repair Project. Payment of CITY's portion of the Remaining Costs associated with the Monument Road Project shall be made within sixty (60) days after the receipt of an approved invoice from COUNTY.

3. TERM:

This MOU shall begin upon execution by both parties and shall remain in full force and effect until June 30, 2022 unless sooner terminated as provided herein.

4. TERMINATION:

Either party may, in its sole discretion, terminate this MOU, if the other party fails to comply with the terms or conditions set forth herein, or violates any local, state or federal law, regulation or standard applicable to its performance hereunder, and such default continues unremedied for a period of thirty (30) days following the receipt of written notice thereof.

5. NOTICES:

Any and all notices required to be given pursuant to the terms and conditions of this MOU shall be in writing and either served personally or sent by certified mail, return receipt requested, to the respective addresses set forth below. Notice shall be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to the foregoing.

COUNTY: Humboldt County Administrative Office

Attention: Amy S. Nilsen, County Administrative Officer

825 Fifth Street, Room 112 Eureka, California 95501

CITY: City of Rio Dell

Attention: Kyle Knopp, City Manager

625 Wildwood Avenue Rio Dell, California 95562

6. REPORTING REQUIREMENTS:

Each party hereto agrees to prepare and submit any and all reports that may be required by any local, state and/or federal agencies for compliance with this MOU. Any and all reports required hereunder shall be prepared in a format that complies with the Americans with Disabilities Act, and any other

applicable local, state and federal accessibility laws, regulations and standards, and submitted in accordance with any and all applicable timeframes.

7. RECORD RETENTION AND INSPECTION:

- A. <u>Maintenance and Preservation of Records</u>. Each party hereby agrees to timely prepare accurate and complete records, documents and other evidence relating to its performance hereunder, and to maintain and preserve said records for at least three (3) years after the expiration or termination of this MOU, or as otherwise required by any and all applicable local, state and federal laws, regulations and standards, except that if any litigation, claim, negotiation, audit or other action is pending, the records shall be retained until completion and resolution of any and all issues arising therefrom.
- B. <u>Inspection of Records</u>. Pursuant to California Government Code Section 8546.7, all records, documents and other evidence relating to each party's performance hereunder, shall be subject to the examination and audit of the California State Auditor and any other duly authorized agents of the State of California for a period of three (3) years after the expiration or termination of this MOU. Each party hereby agrees to make all such records, documents and other evidence available during normal business hours to inspection, audit and reproduction by any duly authorized local, state and/or federal agencies. Each party further agrees to allow interviews of any of its employees who might reasonably have information related to such records, documents or other evidence by any duly authorized local, state and/or federal agencies. All examinations and audits conducted hereunder shall be strictly confined to those matters connected with the performance of this MOU, including, without limitation, the costs of administering this MOU.
- C. <u>Audit Costs</u>. In the event of an audit exception or exceptions related to the performance of this MOU, the party responsible for not meeting the requirements set forth herein shall be responsible for the deficiency and for the cost of such audit.

8. CONFIDENTIAL INFORMATION:

- A. <u>Disclosure of Confidential Information</u>. Each party hereby agrees to protect all confidential information obtained pursuant to the terms and conditions of this MOU in accordance with any and all applicable local, state and federal laws, regulations, policies, procedures and standards.
- B. <u>Continuing Compliance with Confidentiality Requirements</u>. Each party hereby acknowledges that local, state and federal laws, regulations and standards pertaining to confidentiality, electronic data security and privacy are rapidly evolving and that amendment of this MOU may be required to ensure compliance with such developments. Each party agrees to promptly enter into negotiations concerning an amendment to this MOU embodying written assurances consistent with the requirements of any and all applicable local, state and federal confidentiality laws, regulations or standards.

9. NON-DISCRIMINATION COMPLIANCE:

A. <u>Professional Services and Employment</u>. In connection with the execution of this MOU, neither party shall unlawfully discriminate in the provision of professional services or against any employee or applicant for employment because of: race; religion or religious creed; color; age (over forty (40) years of age); sex, including, without limitation, gender identity and expression, pregnancy, childbirth and related medical conditions; sexual orientation, including, without limitation, heterosexuality, homosexuality and bisexuality; national origin; ancestry; marital status; medical condition, including, without limitation, cancer and genetic characteristics;

mental or physical disability, including, without limitation, HIV status and AIDS; political affiliation; military service; denial of family care leave; or any other classifications protected by any applicable local, state or federal laws, regulations or standards, all as may be amended from time to time. Nothing herein shall be construed to require employment of unqualified persons.

B. Compliance with Anti-Discrimination Laws. Each party further assures that it will abide by the applicable provisions of: Title VI and Title VII of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Food Stamp Act of 1977; Title II of the Americans with Disabilities Act of 1990; the California Fair Employment and Housing Act; California Civil Code Sections 51, et seq.; California Government Code Sections 4450, et seq.; California Welfare and Institutions Code Section 10000; Division 21 of the California Department of Social Services Manual of Policies and Procedures; United States Executive Order 11246, as amended by United States Executive Order 11375 and Part 60 of Title 41 of the Code of Federal Regulations ("C.F.R."); and any other applicable local, state or federal laws, regulations or standards, all as may be amended from time to time. The applicable regulations of the California Fair Employment and Housing Commission implementing California Government Code Section 12990, set forth in Sections 8101, et seq. of Title 2 of the California Code of Regulations, are incorporated herein by reference as if set forth in full.

10. NUCLEAR-FREE HUMBOLDT COUNTY ORDINANCE COMPLIANCE:

By executing this MOU, CITY certifies that it is not a Nuclear Weapons Contractor, in that CITY is not knowingly or intentionally engaged in the research, development, production or testing of nuclear warheads, nuclear weapons systems or nuclear weapons components as defined by the Nuclear-Free Humboldt County Ordinance. CITY agrees to notify COUNTY immediately if it becomes a Nuclear Weapons Contractor. COUNTY may immediately terminate this MOU if it determines that the foregoing certification is false or if CITY subsequently becomes a Nuclear Weapons Contractor.

11. INDEMNIFICATION:

- A. <u>Mutual Indemnity</u>. Each party shall hold harmless, defend and indemnify the other party and its agents, officers, officials, employees and volunteers from and against any and all claims, demands, losses, damages, liabilities, expenses and costs of any kind or nature, including, without limitation, attorney's fees and other costs of litigation, arising out of, or in connection with, the negligent performance of, or failure to comply with, any of the duties and/or obligations contained herein, except such loss or damage which was caused by the sole negligence or willful misconduct of the other party or its agents, officers, officials, employees or volunteers.
- B. <u>Comparative Liability</u>. Notwithstanding anything to the contrary, in the event that both parties are held to be negligently or willfully responsible, each party will bear their proportionate share of liability as determined in any such proceeding. In such cases, each party will bear their own costs and attorney's fees.
- C. <u>Effect of Insurance</u>. Acceptance of the insurance required by this MOU shall not relieve either party from liability under this provision. This provision shall apply to all claims for damages related to either party's performance hereunder, regardless of whether any insurance is applicable or not.

12. INSURANCE REQUIREMENTS:

A. <u>General Insurance Requirements</u>. Without limiting either party's indemnification obligations set forth herein, each party shall maintain in full force and effect, at its own expense, any and all

-41-

appropriate comprehensive general liability, comprehensive automobile, workers' compensation and professional liability insurance policies.

B. <u>Insurance Notices</u>. Any and all insurance notices required to be given pursuant to the terms and conditions of this MOU shall be sent to the addresses set forth below in accordance with the notice requirements contained herein.

COUNTY: County of Humboldt

Attention: Risk Management 825 Fifth Street, Room 131 Eureka, California 95501

CITY: City of Rio Dell

Attention: Kyle Knopp, City Manager

625 Wildwood Avenue Rio Dell, California 95562

13. RELATIONSHIP OF PARTIES:

It is understood that this MOU is by and between two (2) independent entities and is not intended to, and shall not be construed to, create the relationship of agent, servant, employee, partnership, joint venture, or any other similar association. Each party shall be solely responsible for the acts and omissions of its agents, officers, employees, assignees and subcontractors.

14. COMPLIANCE WITH APPLICABLE LAWS, REGULATIONS AND STANDARDS:

- A. <u>General Legal Requirements</u>. Each party hereby agrees to comply with any and all local, state and federal laws, regulations, policies, procedures and standards, including, without limitation, any and all local, state and federal licensure, certification and accreditation requirements, applicable to its performance hereunder.
- B. <u>Accessibility Requirements</u>. Each party hereby agrees to comply with any and all applicable accessibility requirements set forth in the Americans with Disabilities Act, Section 508 of the Rehabilitation Act of 1973, as amended, California Government Code Section 1135 and any current and future implementing regulations, policies, procedures and standards promulgated thereunder, including, without limitation, the federal accessibility standards set forth in 36 C.F.R. Section 1194.1, all as may be amended from time to time.
- C. <u>Conflict of Interest Requirements</u>. Each party hereby agrees to comply with any and all applicable conflict of interest requirements set forth in the California Political Reform Act and any current and future implementing regulations, policies, procedures and standards promulgated thereunder, including, without limitation, COUNTY's Conflict of Interest Code, all as may be amended from time to time.

15. PROVISIONS REQUIRED BY LAW:

This MOU is subject to any additional local, state and federal restrictions, limitations or conditions that may affect the terms, conditions or funding of this MOU. This MOU shall be read and enforced as though all legally required provisions are included herein, and if for any reason any such provision is not included, or is not correctly stated, the parties agree to amend the pertinent section to make such insertion or correction.

16. REFERENCE TO LAWS, REGULATIONS AND STANDARDS:

In the event any law, regulation or standard referred to herein is amended during the term of this MOU, the parties agree to comply with the amended provision as of the effective date thereof.

17. SEVERABILITY:

If any provision of this MOU, or any portion thereof, is found by any court of competent jurisdiction to be unenforceable or invalid for any reason, such provision shall be severable and shall not in any way impair the enforceability of any other provision of this MOU.

18. <u>ASSIGNMENT</u>:

Neither party shall delegate its duties nor assign its rights hereunder, either in whole or in part, without the other party's prior written consent. Any assignment in violation of this provision shall be void, and shall be cause for immediate termination of this MOU. This provision shall not be applicable to service agreements or other arrangements usually or customarily entered into by either party to obtain supplies, technical support or professional services.

19. AGREEMENT SHALL BIND SUCCESSORS:

All provisions of this MOU shall be fully binding upon, and inure to the benefit of, the parties and to each of their heirs, executors, administrators, successors and permitted assigns.

20. WAIVER OF DEFAULT:

The waiver by either party of any breach of this MOU shall not be deemed to be a waiver of any such breach in the future, or of the breach of any other requirement of this MOU.

21. NON-LIABILITY OF OFFICIALS AND EMPLOYEES:

No official or employee of either party shall be personally liable for any default or liability under this MOU.

22. AMENDMENT:

This MOU may be amended at any time during the term of this MOU upon the mutual consent of both parties. No addition to, or alteration of, the terms of this MOU shall be valid unless made in writing and signed by the parties hereto.

23. JURISDICTION AND VENUE:

This MOU shall be construed in accordance with the laws of the State of California. Any dispute arising hereunder, or relating hereto, shall be litigated in the State of California and venue shall lie in the County of Humboldt unless transferred by court order pursuant to California Code of Civil Procedure Sections 394 or 395.

24. ADVERTISING AND MEDIA RELEASE:

Each party shall obtain the written approval of the other party before any informational material related to this MOU may be used as advertising or released to the media, including, without limitation, television, radio, newspapers and internet. Each party shall inform the other party of any and all

requests for interviews by media related to this MOU before such interviews take place; and the other party shall be entitled to have a representative present at such interviews. Any and all notices required by this provision shall be given to the Humboldt County Administrative Officer in accordance with the notice requirements set forth herein.

25. SURVIVAL OF PROVISIONS:

The duties and obligations of the parties set forth in Section 7 – Record Retention and Inspection, Section 8 – Confidential Information and Section 11 – Indemnification shall survive the expiration or termination of this MOU.

26. CONFLICTING TERMS OR CONDITIONS:

In the event of any conflict in the terms or conditions set forth in any other agreements in place between the parties hereto and the terms and conditions set forth in this MOU, the terms and conditions set forth herein shall have priority.

27. INTERPRETATION:

This MOU, as well as its individual provisions, shall be deemed to have been prepared equally by both of the parties hereto, and shall not be construed or interpreted more favorably for one (1) party on the basis that the other party prepared it.

28. INDEPENDENT CONSTRUCTION:

The titles of the sections and subsections set forth herein are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of the provisions of this MOU.

29. FORCE MAJEURE:

Neither party hereto shall be liable or responsible for delays or failures in performance resulting from events beyond the reasonable control, and without the fault or negligence, of such party. Such events shall include, without limitation, acts of God, strikes, lockouts, riots, acts of war, epidemics, pandemics, acts of government, fire, power failures, nuclear accidents, earthquakes, unusually severe weather, acts of terrorism or other disasters, whether or not similar to the foregoing.

30. ENTIRE AGREEMENT:

This MOU contains all of the terms and conditions agreed upon by the parties hereto and no other agreements, oral or otherwise, regarding the subject matter of this MOU shall be deemed to exist or to bind either of the parties hereto. In addition, this MOU shall supersede in its entirety any and all prior agreements, promises, representations, understandings and negotiations of the parties, whether oral or written, concerning the same subject matter. Any and all acts which may have already been consummated pursuant to the terms and conditions of this MOU are hereby ratified.

31. COUNTERPART EXECUTION:

This MOU, and any amendments hereto, may be executed in one (1) or more counterparts, each of which shall be deemed to be an original and all of which, when taken together, shall be deemed to be one (1) and the same agreement. This MOU, and any amendments hereto, may be signed by manual or electronic signatures in accordance with any and all applicable local, state and federal laws, regulations and standards, and such signatures shall constitute original signatures for all purposes. A

signed copy of this MOU, and any amendments hereto, transmitted by email or by other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original executed copy of this MOU and any amendments hereto.

32. AUTHORITY TO EXECUTE:

CITY OF RIO DELL:

Each person executing this MOU represents and warrants that he or she is duly authorized and has legal authority to execute and deliver this MOU. Each party represents and warrants to the other that the execution and delivery of this MOU and the performance of such party's obligations hereunder have been duly authorized.

IN WITNESS WHEREOF, the parties hereto have entered into this MOU as of the first date written above.

By: Kyle Knopp, City Manager (Pursuant to the authority delegated by the Rio Dell City Council on [] []. 2020 [Item No.]-])	Date:	
COUNTY OF HUMBOLDT :		
By: Thomas K. Mattson, Public Works Director (Pursuant to the authority delegated by the Humboldt County Board of Supervisors on [Date:	
INSURANCE AND INDEMNIFICATION REQUIREM	MENTS APPROVED:	
By:Risk Management	Date:	

Opinion of Probable Construction Cost



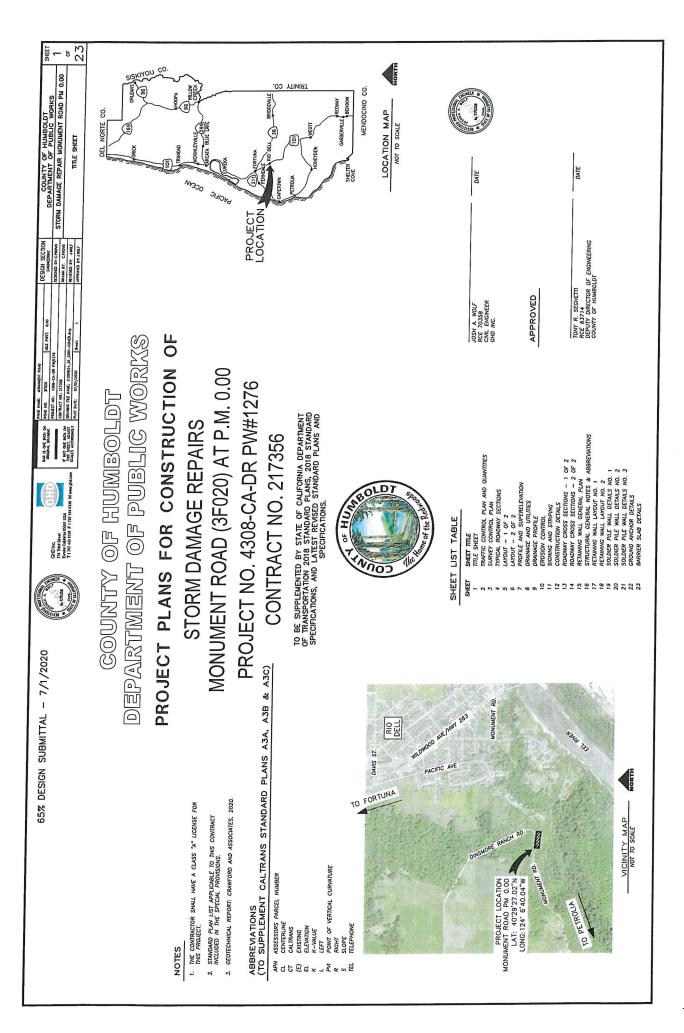
Client: County of Humboldt

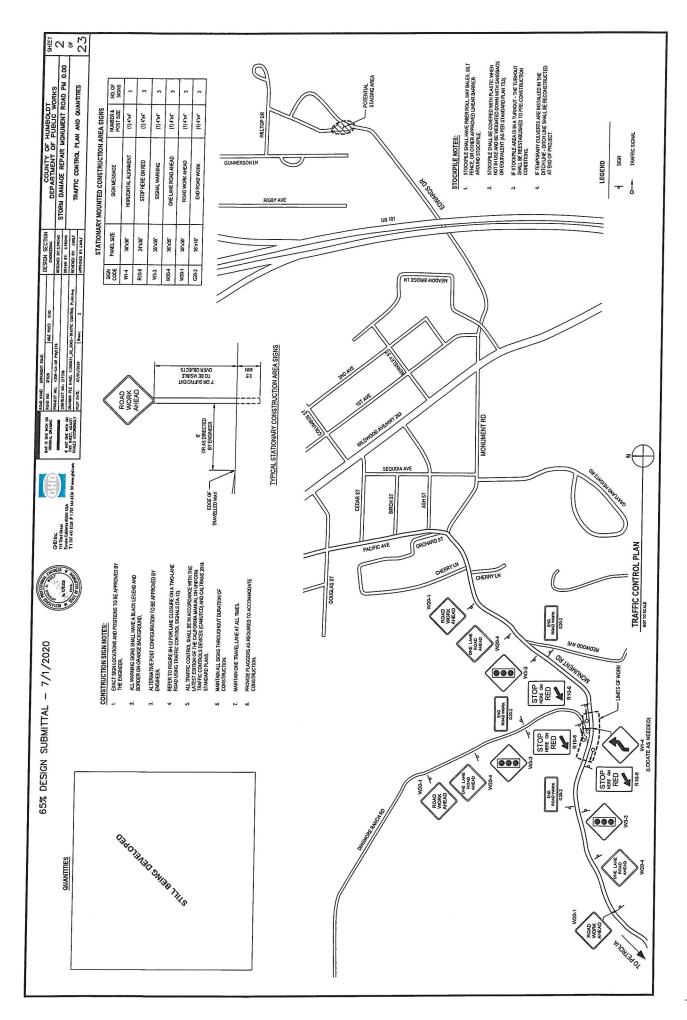
Project Title: Monument Road PM 0.00
Federal Project No. 4308-DR-CA PW#1276
County Contract No. 217356

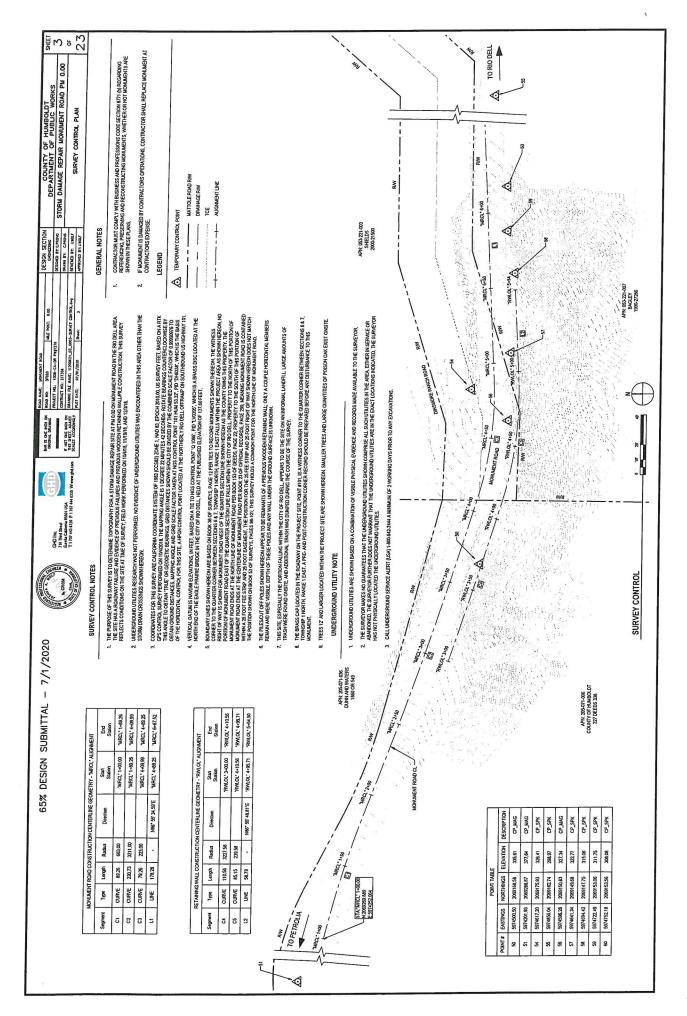
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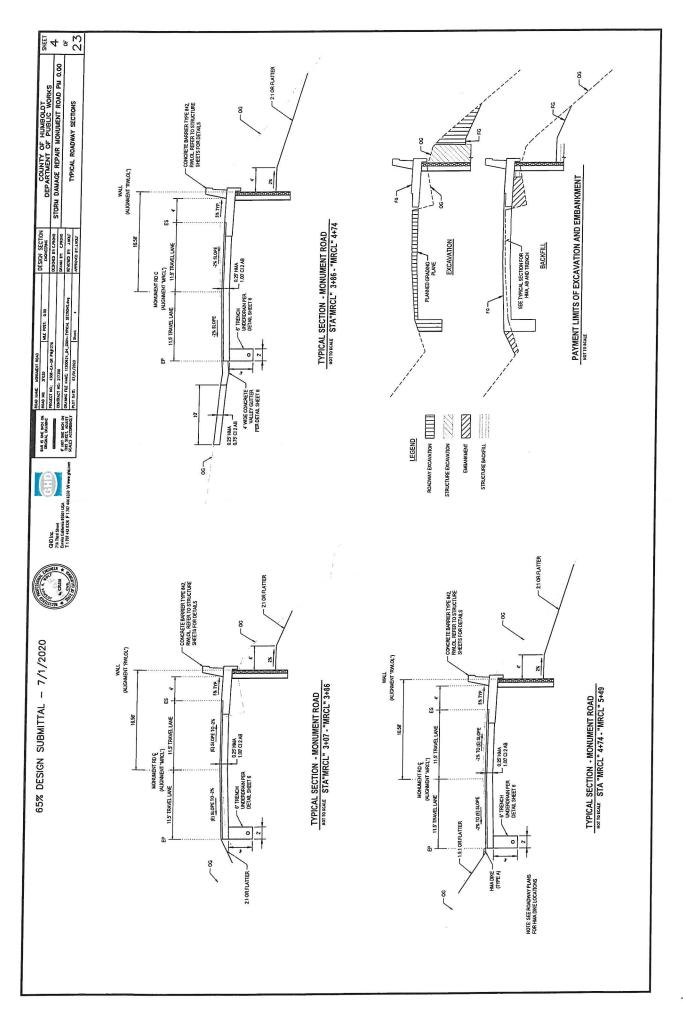
No. of the	Item Co		Donovision	Unit	Quantity	Unit Cost	Total
Item No.		oue	Description Construction Area Signs	LS	1	\$5,000.00	\$5,000,00
	120090	+		LS	1	\$20,000.00	\$20,000.00
2	120100	+-	Traffic Control System	LS	1 1	\$10,000.00	\$10,000.00
3	120202	+	Portable Signal System	EA		\$400.00	\$8,000.00
4	129000	-	Temporary Railing (Type K)	LS	20		\$5,000.00
5	130100	_	Job Site Management		1	\$5,000.00	\$5,000.00
6	130200		Prepare Water Pollution Control Program	LS	1	\$5,000.00	\$1,850.00
7	130610	_	Temporary Check Dam	LF	74	\$25.00	\$2,000.00
8	130620		Temporary Drainage Inlet Protection	EA	4	\$500.00	
9	130680		Temporary Silt Fence	LF	505	\$10.00	\$5,050.00
10	130900		Temporary Concrete Washout	EA	1	\$3,000.00	\$3,000.00
11	170103		Clearing and Grubbing (LS)	LS	1	\$20,000.00	\$20,000.00
12	190101		Roadway Excavation	CY	900	\$25.00	\$22,500.00
13	192049	F	Structure Excavation (Soldier Pile Wall)	CY	861	\$150.00	\$129,150.00
14	193029	F	Structure Backfill (Soldier Pile Wall)	CY	508	\$270.00	\$137,160.00
15	193116	F	Concrete Backfill (Soldier Pile Wall)	CY	139	\$400.00	\$55,600.00
16	193119	F	Lean Concrete Backfill	CY	126	\$410.00	\$51,660.00
17	198050		Embankment	CY	25	\$45.00	\$1,125.00
18	210212		Dry Seed (SQFT)	SQFT	8300	\$0.50	\$4,150.00
19	210280		Rolled Erosion Control Product (Blanket)	SQFT	8300	\$1.00	\$8,300.00
20	210350		Fiber Rolls	LF	1500	\$10.00	\$15,000.00
21	260203		Class 2 Aggregate Base (CY)	CY	250	\$100.00	\$25,000.00
22	390132		Hot Mix Asphalt (Type A)	TON	150	\$200.00	\$30,000.00
23	394073		Place Hot Mix Asphalt Dike (Type A)	LF	70	\$15.00	\$1,050.00
24	460210		Ground Anchor (Subhorizontal)	EA	32	\$5,500.00	\$176,000.00
25	490325A		Steel Soldier Piling (W18x106)	LF	1450	\$195.00	\$282,750.00
26	490403		30" Drilled Hole	LF	1556	\$180.00	\$280,080.00
27	510060A	F	Structural Concrete, Retaining Wall (Waler)	CY	50	\$1,300.00	\$65,000.00
28	510072	F	Structural Concrete, Barrier Slab	CY	126	\$1,200.00	\$151,200.00
29	510094A		Structural Concrete, Drainage Inlet (Type G0)	EA	2	\$5,000.00	\$10,000.00
30	520101A	F	Bar Reinforcing Steel (Barrier Slab)	LB	16222	\$2.00	\$32,444.00
31	520103A	F	Bar Reinforcing (Retaining Wall - Waler)	LB	21627	\$2.00	\$43,254.00
32	575004	F	Timber Lagging	MFBM	24.12	\$5,500.00	\$132,660.00
33	641107A		18" Plastic Pipe (Heat-Fused HDPE)	LF	260	\$150.00	\$39,000.00
34	680902		6" Perforated Plastic Pipe Underdrain	LF	500	\$60.00	\$30,000.00
35	680903		6" Non-Perforated Plastic Pipe Underdrain	LF	65	\$50.00	\$3,250.00
36	692381		Concrete Anchor and Cable Assembly	EA	1	\$8,000.00	\$8,000.00
37	700638	\dashv	36" Corrugated Steel Pipe Inlet (.079" Thick)	LF	9	\$500.00	\$4,500.00
38	710132	\dashv	Remove Culvert (LF)	LF	210	\$25.00	\$5,250.00
39	723080	\dashv	Rock Slope Protection (60 lb, Class II, Method B) (CY)	CY	6	\$200.00	\$1,200.00
40	729011	\dashv	Rock Slope Protection Fabric (Class 8)	SQYD	20	\$25.00	\$500.00
41	730040A	\dashv	Minor Concrete (Valley Gutter) (LF)	LF	84	\$60.00	\$5,040.00
42	839543	\dashv	Transition Railing (Type WB-31)	EA	2	\$5,000.00	\$10,000.00
43	839584	\dashv	Alternative In-LineTerminal System	EA	2	\$5,000.00	\$10,000.00
44	839746	F	Concrete Barrier (Type 842)	LF	245	\$300.00	\$73,500.00
45	840505		6" Thermoplastic Traffic Stripe	LF	584	\$5.00	\$2,920.00
46	999990	-+	Mobilization	LS	1	\$100,000.00	\$100,000.00
70	550000		Hosinadon		Construction	The state of the s	\$2,032,143.00
Mater							,,-

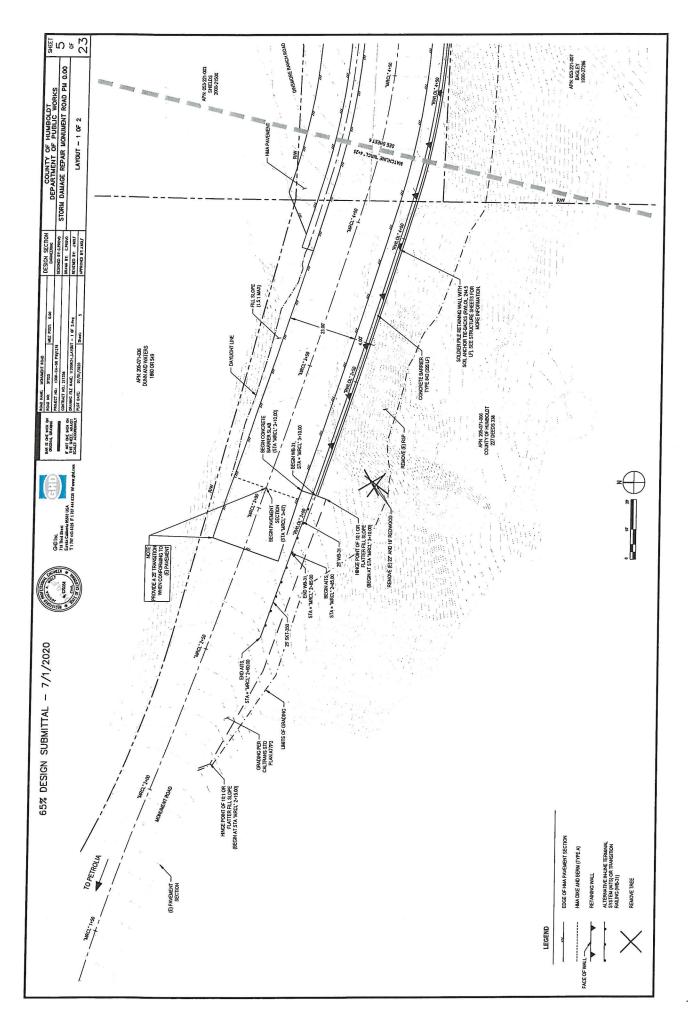
THIS OPINION OF PROBABLE COST HAS BEEN PREPARED USING STANDARD ENGINEERING ESTIMATE PROCEDURES. GHD HAS NO CONTROL OVER ACTUAL CONTRACTOR COSTS, BIDDING, OR MARKET CONDITIONS.

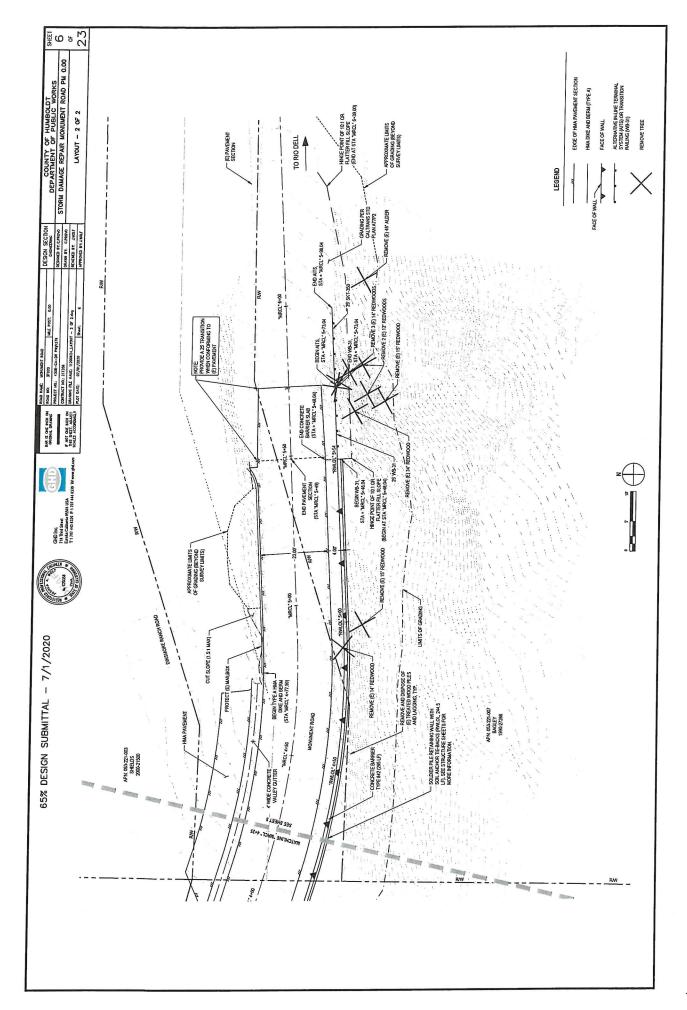


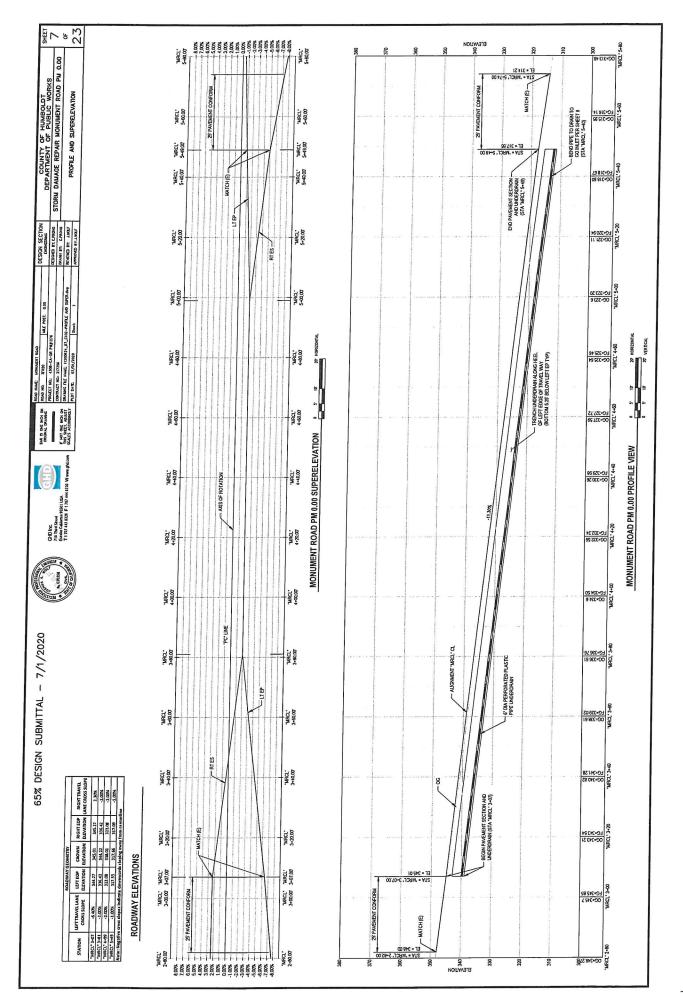


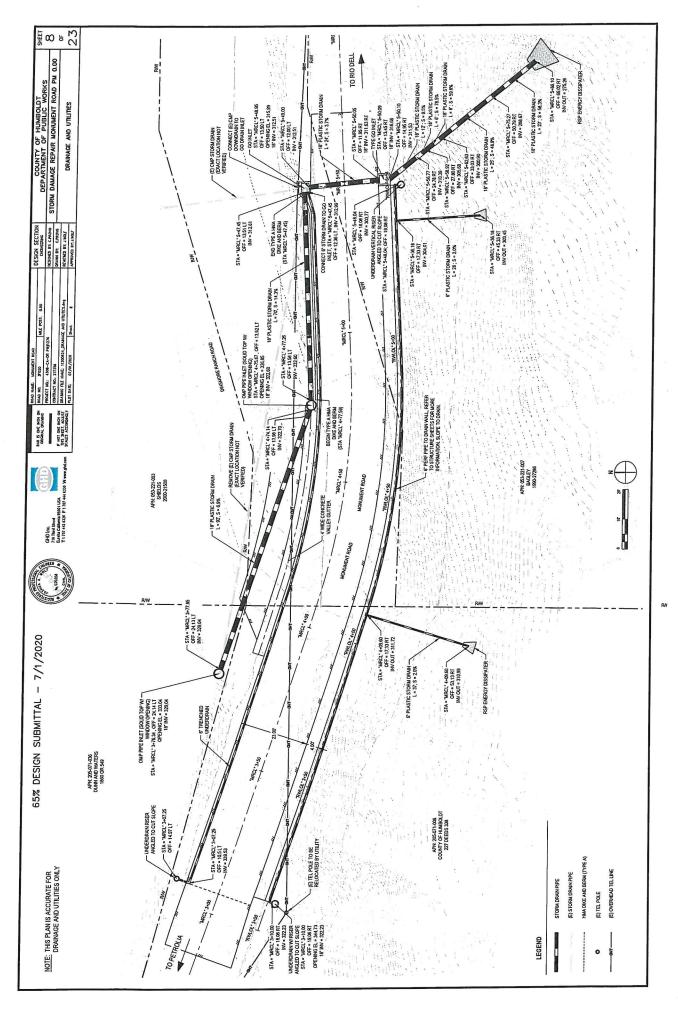


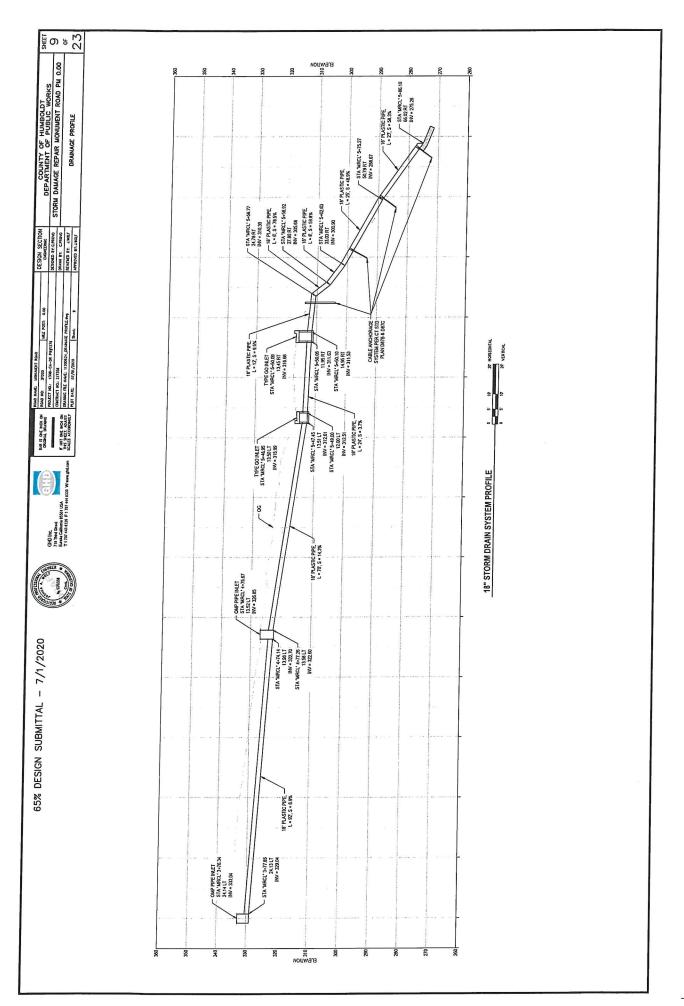


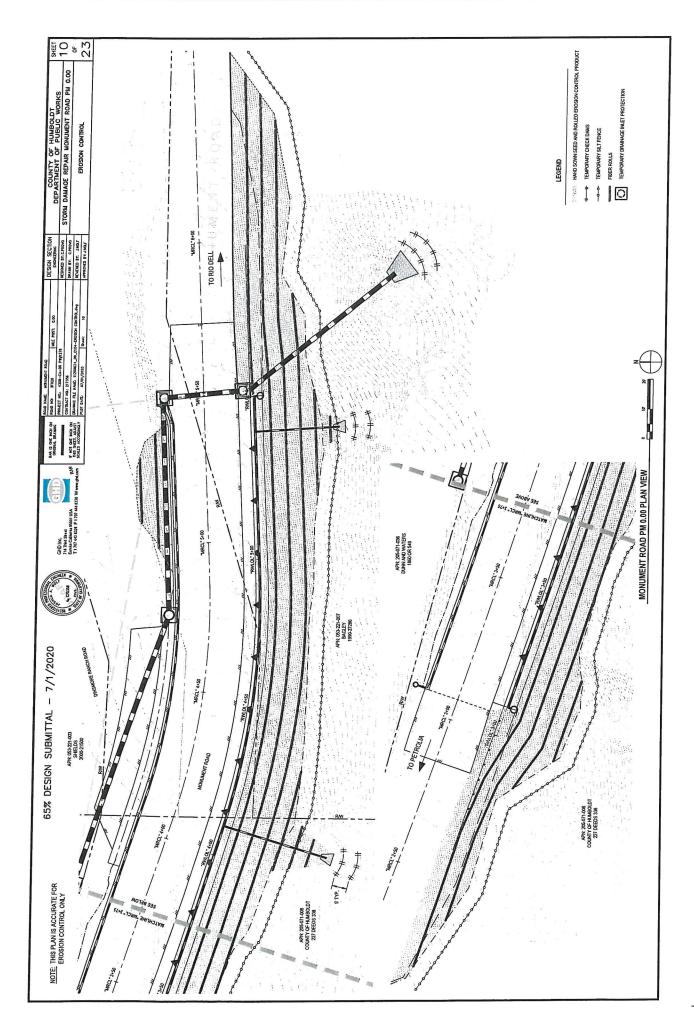


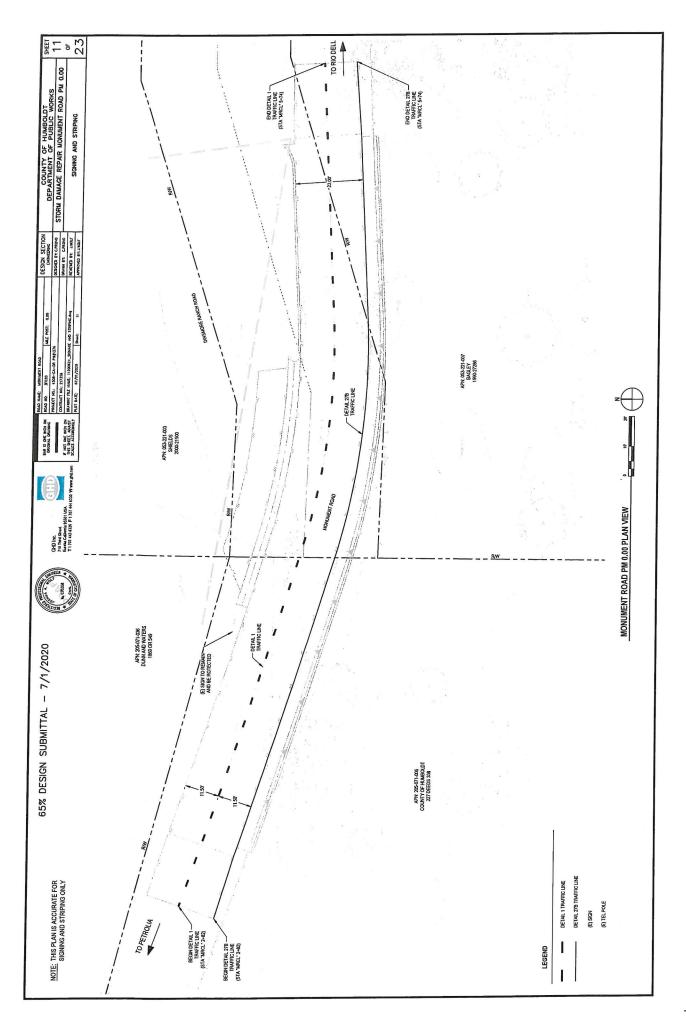


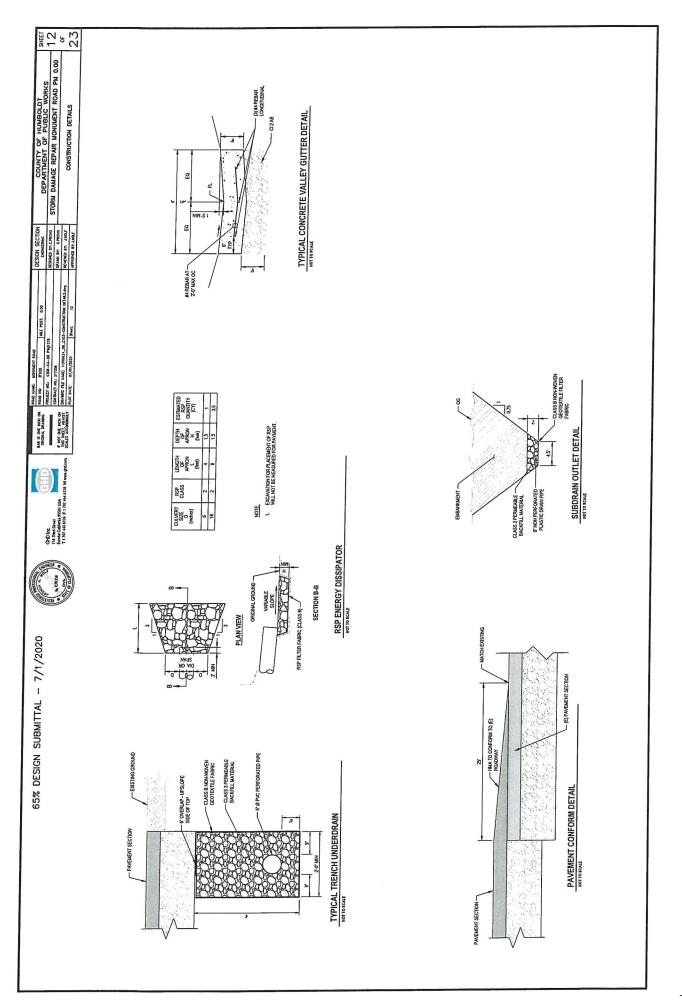


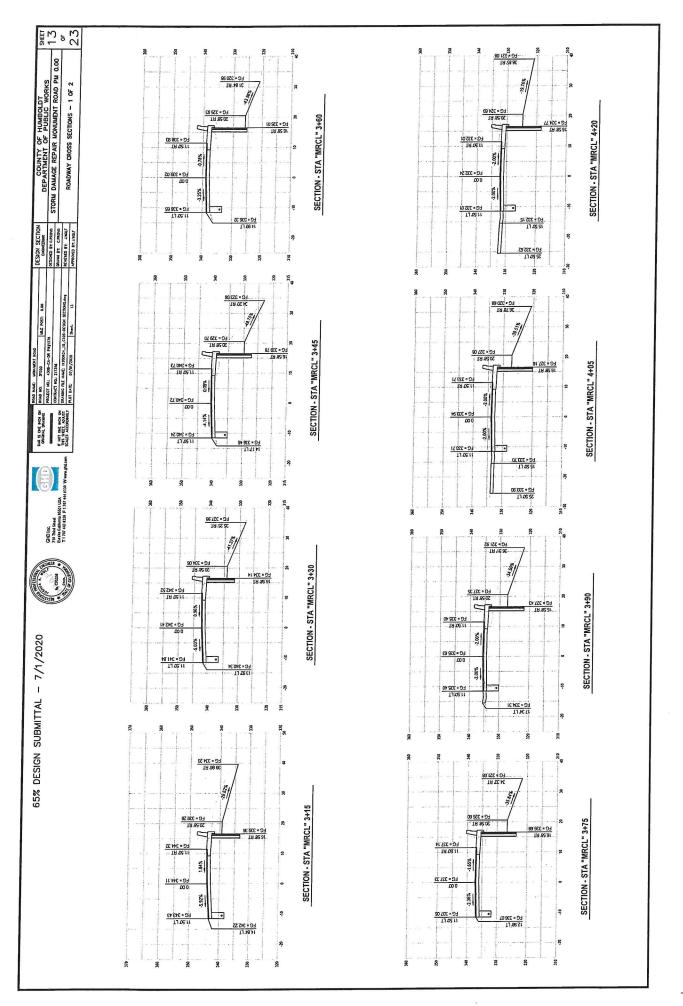


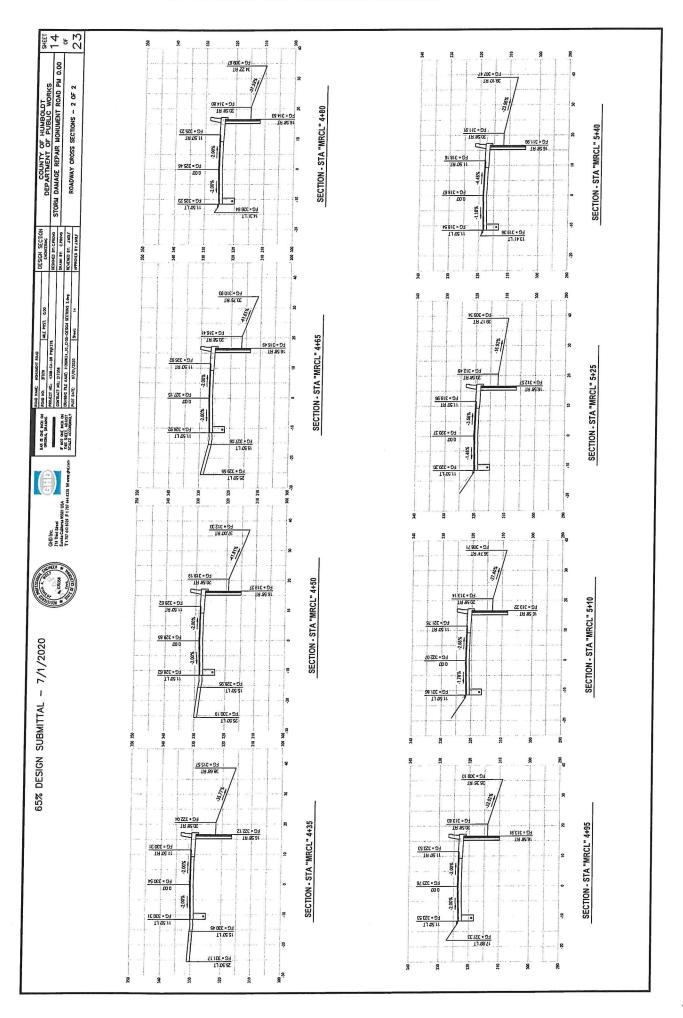


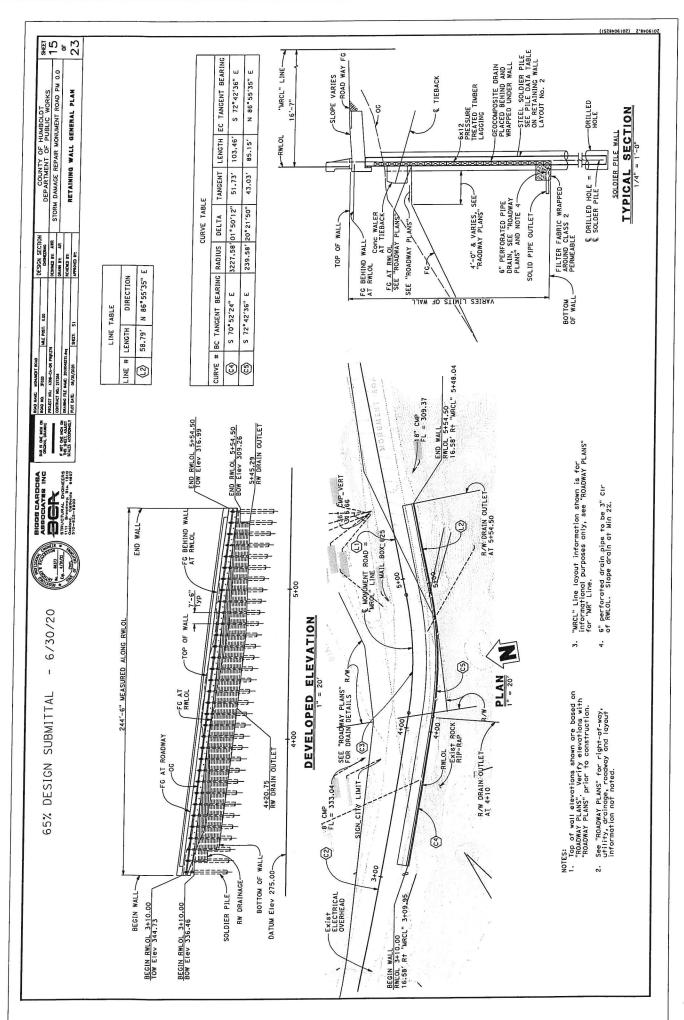


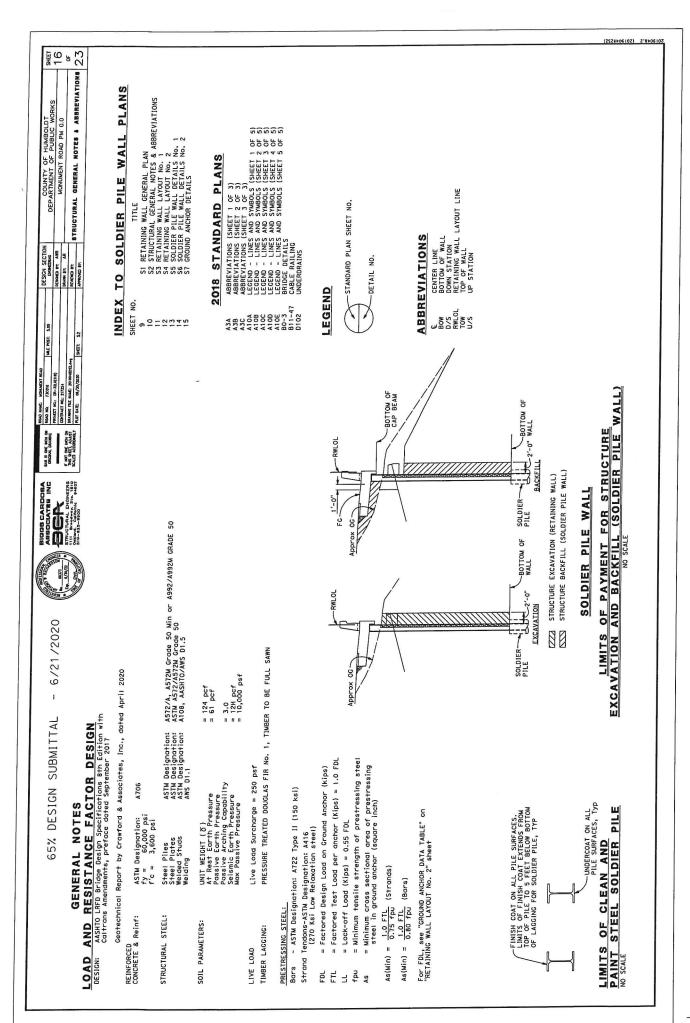


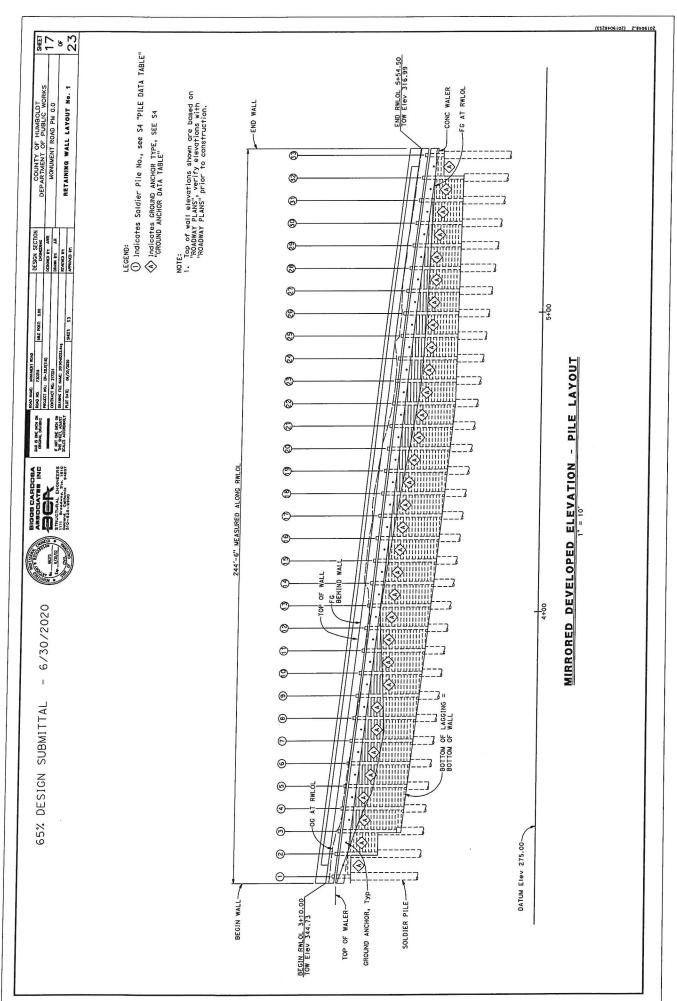




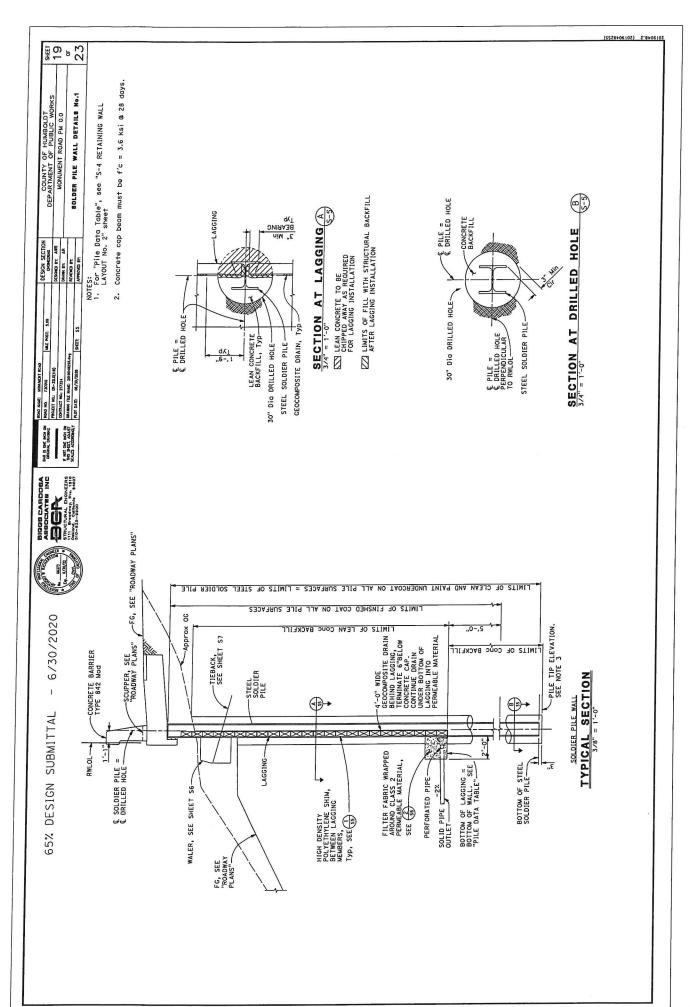


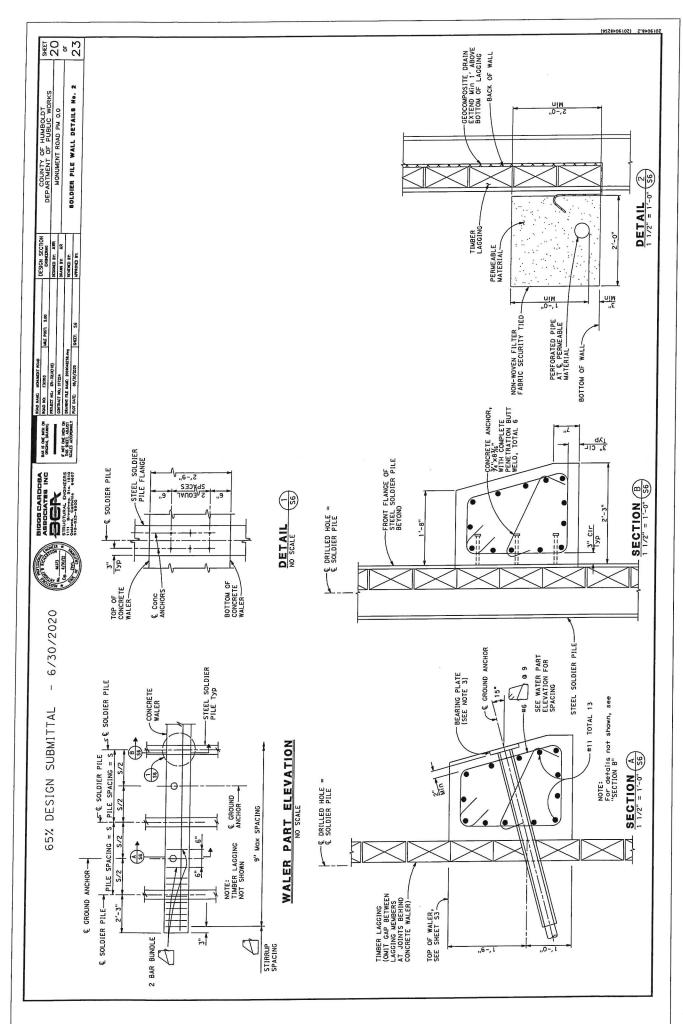


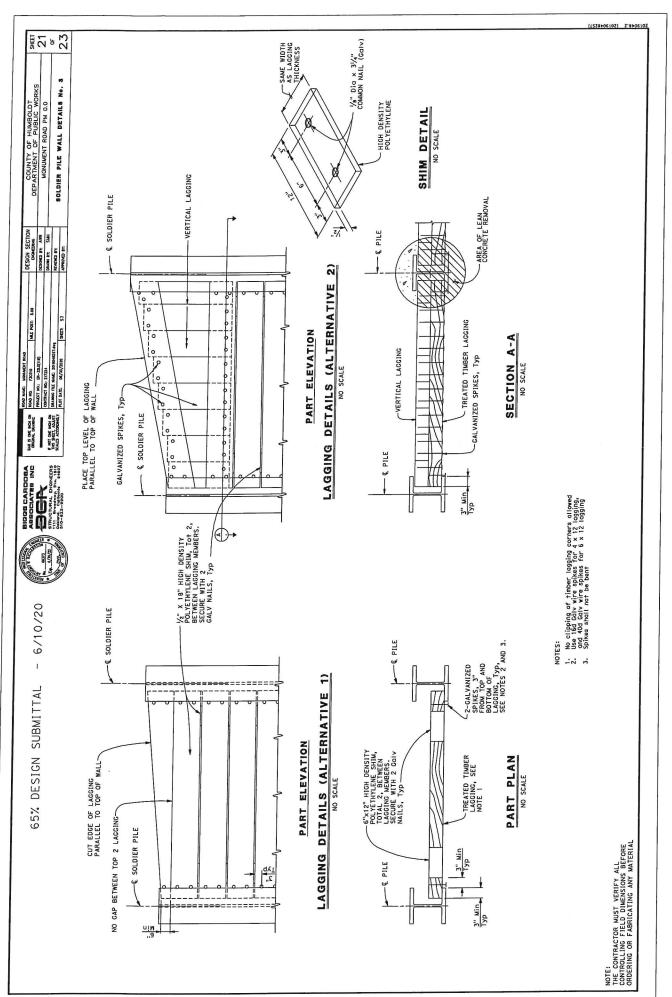


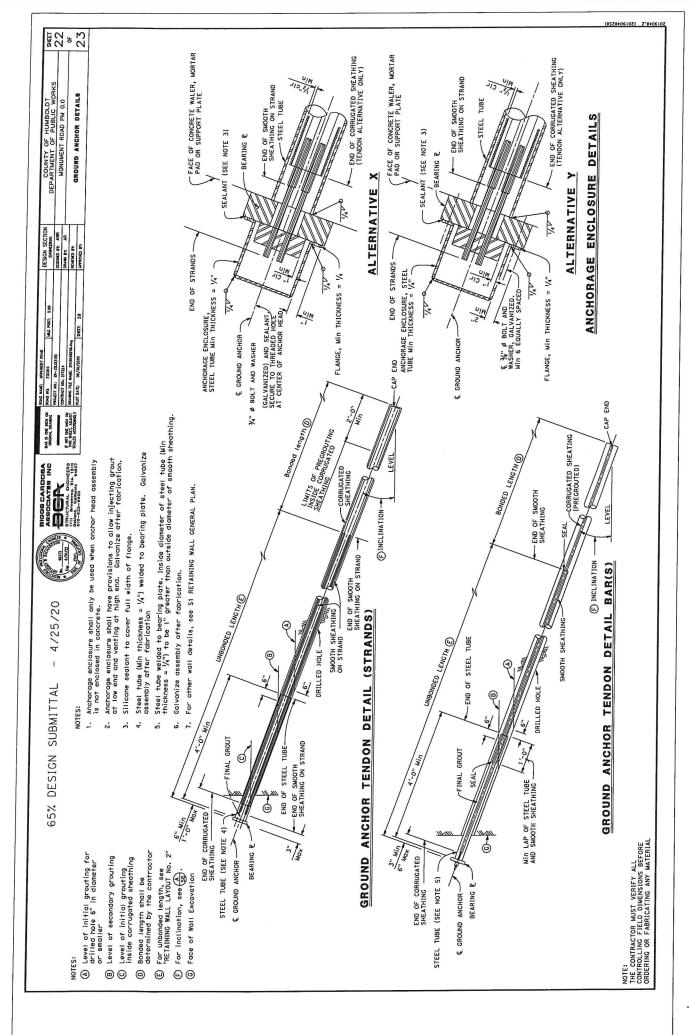


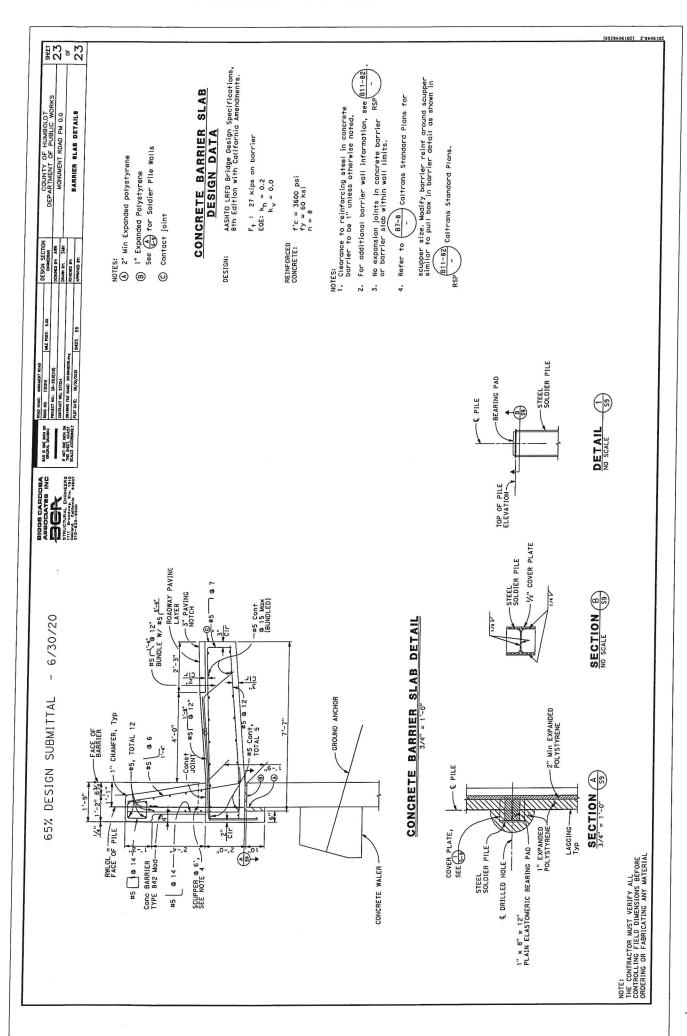
	NOTES: 1. Top_of Wall elevations shown are based	on "RADMMAY PLANS", verify elevations with "RADMMAY PLANS" prior to construction. Notify Engineer if top of wall elevations are higher than shown on plans.	2. Per the Geotechnical report by Crawford	& Associates, Inc., dated April 2020, the	extend at least 5 feet or H/5, whichever	"infact" material.	LEGEND:	(1) Indicates Soldier Pile No., see	3										LIAW OWIN	SEE "ROADWAY		PLANS" NALL								BOTTOM OF	BEAM BEAM		WALER	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		- 1 - 1 - 1 - 1	BOTTOM OF WALL D/S		E OF SOLUTER PILE (**) U/S	DETAIL (1)
DESIGN SECTION DESIGNATION DESIGNATION DESIGNATION DESIGNATION RECEDED IN: APPROXIMENT AR		PILE TIP ELEVATION		1	298.47	297.62	296.77	295.92	295.07	293.37	292.52	291.67	290.82	289.97	289.12	288.27	286.41	285.71	284.86	284.01	283.16	282.31	280.61	279.76	278.91	278.06	277.20	276.35	274 65	273.80	272.95	272.10	-	1			BOTTOM	é	J H	
100 No. 1200 M.E. Petit 3.00 M.E. Petit		PILE LENGTH (FT)			43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92	43.92						
DOCUME, DANIEL OF TOO TO TOO TO TOO TO TO TOO TO TO TO TO		BOTTOM OF WALL ELEVATION (FT), SEE (E-4)	N/S		336.21	329.62	318 92	318,07	317.22	316.37	315.52	314.67	313.82	312.97	311.27	310.41	309.56	308.71	307.86	307.01	306.16	304.46	304.46	304.46	304.46	304.46	304.46	304.46	304.46	304.46	304.46	304.46	1	-						
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THE PARTY OF THE P	TABLE	PILE CUTOFF ELEVATION (FT)		94 245	341.54	340.69	339.84	338.99	338,14	337.29	336.44	335,59	333.80	333.04	332.19	331.33	330.48	329.63	328.78	327.08	326.23	325.38	324.53	323.68	322.83	321.12	320.27	319.42	318.57	317.72	316.87	316.02	315.17	'						
- 6/30/2020	PILE DATA	DRILLED HOLE SIZE (IN)		30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30,00	30.00	30.00	30.00	30.00	30.00	20.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	30.00	,						
		TOP OF WALL ELEVATION (FT), SEE NOTE 1	344.73	344.47	343.62	342.77	341.92	341.07	340.22	339.37	347.67	336.82	335.97	335.12	334.27	333.41	332.56	330.66	330.01	329.16	328.31	327.46	326.61	325.76	324.06	323.20	322.35	321.50	320.65	319.80	318.95	317.25	316 99	66.910						
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65%		RWLOL STATION (FT)	3+10.00	3+12.25	3+19.75	3+27.25	3+34.75	3+49 75	3+57.25	3+64.75	3+72.25	3+79.75	3+87.25	3+94.75	4+02.25	4+09.75	4+24.75	4+32.25	4+39.75	4+47.25	4+54.75	4+62.25	4+69.75	4+84.75	4+92.25	4+99.75	5+07.25	5+14.75	5+22.25	5+29.75	5+44 75	5+52.25	5+54.50			ANCHOR	BED .	PDL (Kips) LENGTH (FT)	214 23'-0"	
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For Meeting of: September 15, 2020

To:

City Council

From:

Kevin Caldwell, Community Development Director



Through:

Kyle Knopp, City Manager

Date:

September 8, 2020

Subject:

Sign Regulations Text Amendment, Section 17.30.300, Table 7-1 of the Rio Dell

Municipal Code; Ordinance No. 382-2020

Recommendation:

That the City Council:

- 1. Receive staff's presentation regarding the second reading of Ordinance No. 382-2020 amending Section 17.30.300, Table 7-1 of Rio Dell Municipal Code, the City's existing Sign Regulations; and
- Open the public hearing, receive public input and deliberate; and
- 3. Approve and adopt Ordinance No. 382-2020 amending the Sign Regulations.

Background and Discussion

As reported at your meeting of September 1st, the City adopted new, comprehensive sign regulations in 2018. The current regulations only allow one on building sign with a maximum area of 100 square feet.

After considering various situations, including corner parcels, developed parcels adjacent to vacant parcels and parcels adjacent to Highway 101, staff recommended amending the sign regulations to allow up to three on-building signs.

The Planning Commission reviewed and discussed the recommended amendment at their meeting of August 25, 200 and unanimously recommended that your Council approve the proposed text amendment.

During the discussion of the proposed amendment at your meeting of September 1st, Councilmember Strahan expressed concerns of allowing up to three illuminated on-building signs by right and suggested that those who propose more than one on-building sign go through a discretionary process.

Staff would be supportive of amending the regulations to allow two on-building signs with an exception provision. The current regulations allow exceptions to the height and size limits after showing that the operation on site requires the added visibility and that site topography or other constraints would preclude adequate visibility of the sign and upon the issuance of a Conditional Use Permit. Attachment 2, Ordinance No. 382-2020 incorporates this alternative.

TABLE 17.30.300-7-1					
	SIGNS PERMITTED BY ZONING DISTRICTS				
Sign Type	Maximum No. Permitted	Maximum Area⁴ (Sq. Ft.)	Maximum Height ⁴ (Ft.)	Minimum Setback From ROW (Ft.)10	Illumination Standards
Town Center and Neigh	borhood Center	Zones:			
Building signs¹:	1 per business 3 per business	100	Roofline	-	No glare onto residential property
Freestanding signs: Individual businesses	1	50	10	10	Indirect or background
Freestanding signs: Integrated development	1	150	15	10	Indirect or background
Community Commercial and Industrial Commercial Zones:					
Building signs	1 per business 3 per business	125	Roofline	-	No glare onto residential property
Freestanding signs	1 per business	150	35		No glare onto residential property
	1 per project entrance	300³	35		No glare onto residential property

Notes:

- 1. Excludes nameplates as described in section 17.30.300(3) of this chapter.
- 2. Refer to Design Review Guidelines.
- 3. Square feet by side.
- 4. On site signs for commercial and industrial zones may exceed the <u>number</u>, height and size limits after showing that the operation on site requires the added visibility and that site topography or other constraints would preclude adequate visibility of the sign and upon issuance of a Conditional Use Permit.

Zone Amendment Required Findings:

1. The proposed amendment is in the public interest.

The proposed amendment is in the public interest in that they would allow additional signs, up to three in Town Center, Neighborhood Center, Community Commercial and Industrial Commercial zones. The current regulations only allowing one on-building sign could affect the success of a local business. The success of a business depends in part on the location and visibility, including signage. A vibrant commercial district is in the public's interest. Staff has discussed the recommended amendment with the Chamber of Commerce and they are supportive of the amendment.

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

One of the primary purposes of the General Plan is to facilitate planned, orderly development and to promote economic development, and protect the public health, safety and welfare of the community. There are a number of policies which encourage a vibrant commercial community. Appropriate and visible signage is an important factor in the success of any business.

There are no specific General Plan goals, policies or discussions that are contrary to the recommended amendment. Therefore, staff believes the proposed amendment is consistent with the General Plan.

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

The primary purpose of the California Environmental Quality Act (CEQA) is to inform the decision makers and the public of potential environmental effects of a proposed project.

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

Attachments:

Attachment 1: Ordinance No. 382-2020 amending the existing Sign Regulations, Section 17.30.300, Table 7-1 of Rio Dell Municipal Code to allow up to three onbuilding signs.

Attachment 1: Ordinance No. 382-2020 amending the existing Sign Regulations, Section 17.30.300, Table 7-1 of Rio Dell Municipal Code to allow up to two on-building signs with an exception that additional signs may be allowed upon the issuance of a Conditional Use Permit.

ORDINANCE NO. PC 382-2020



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE SIGN REGULATIONS, SECTION 17.30.300 Table 7-1 OF THE RIO DELL MUNICIPAL CODE:

WHEREAS the City adopted new, comprehensive sign regulations in 2018; and

WHEREAS Element 7, one of three approved cannabis retailers, recently submitted construction drawings, including sign details; and

WHEREAS Element 7 is proposing three signs, one on the Ash Street side near the entrance to the building and two on the front of the building; and

WHEREAS the current regulations only allow one on building sign with a maximum area of 100 square feet; and

WHEREAS after considering other parcels, including corner parcels, developed parcels adjacent to vacant parcels and parcels adjacent to Highway 101, staff decided to recommend amending the sign regulations to allow up to three on-building signs.; and

WHEREAS the current regulations only allowing one on-building sign could affect the success of a local business; and

WHEREAS the current regulations only allowing one on-building sign could affect the success of a local business; and

WHEREAS the success of a business depends in part on the location and visibility, including signage; and

WHEREAS the proposed amendment is in the public interest in that they would allow additional signs, up to three in Town Center, Neighborhood Center, Community Commercial and Industrial Commercial zones; and

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

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

WHEREAS the Planning Commission held a duly noticed public hearing on August, 25, 2020; and

WHEREAS the Planning Commission found that based on evidence on file and presented in the staff report that the proposed amendments are deemed to be in the public interest; and

WHEREAS the Planning Commission found that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with a comprehensive view of the General Plan and any implementation programs that may be affected; and

WHEREAS the Planning Commission found that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

WHEREAS the City Council finds that based on evidence on file and presented in the staff report that the proposed amendments are deemed to be in the public interest; and

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

WHEREAS the City Council finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.

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

SECTION 1.

Table 7-1 of Section 17.30.300 of the Rio Dell Municipal Code is hereby amended as follows:

TABLE 17.30.300-7-1					
SIGNS PERMITTED BY ZONING DISTRICTS					
Sign Type	Maximum No. Permitted		Maximum Height ⁴	Minimum Setback From ROW (Ft.)10	Illumination Standards
Town Center and Nei	ghborhood Cen	ter Zones:			
Building signs ¹ :	1 per business 3 per business		Roofline	-	No glare onto residential property
Freestanding signs: Individual businesses	1	50	10	10	Indirect or background
Freestanding signs: Integrated development	1	150	15	10	Indirect or background
Community Commercial and Industrial Commercial Zones:					
	1 per business 3 per business		Roofline	-	No glare onto residential property
Freestanding signs	1 per business	150	35	10	No glare onto residential property
	1 per project entrance	300 ³	35		No glare onto residential property

Notes:

- 1. Excludes nameplates as described in section 17.30.300(3) of this chapter.
- 2. Refer to Design Review Guidelines.
- 3. Square feet by side.
- 4. On site signs for commercial and industrial zones may exceed the height and size limits after showing that the operation on site requires the added visibility and that site topography or other constraints would preclude adequate visibility of the sign and upon issuance of a Conditional Use Permit.

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. CEQA

The City of Rio Dell has determined that the proposed amendment is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

Section 5. Effective Date

This ordinance becomes effective thirty (30) days after adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on September 1, 2020 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the September 15, 2020 by the following vote:

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Debra Garnes, Mayor
ATTEST:	
I, Karen Dunham, City Clerk for the City of Rio De and foregoing to be a full, true and correct copy approved and adopted at a regular meeting of th September 15, 2020.	of Ordinance No. 382-2020 which was passed,
Karen Dunham, City Clerk, City of Rio Dell	

ORDINANCE NO. PC 382-2020



AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL AMENDING THE SIGN REGULATIONS, SECTION 17.30.300 Table 7-1 OF THE RIO DELL MUNICIPAL CODE:

WHEREAS the City adopted new, comprehensive sign regulations in 2018; and

WHEREAS Element 7, one of three approved cannabis retailers, recently submitted construction drawings, including sign details; and

WHEREAS Element 7 is proposing three signs, one on the Ash Street side near the entrance to the building and two on the front of the building; and

WHEREAS the current regulations only allow one on building sign with a maximum area of 100 square feet; and

WHEREAS after considering other parcels, including corner parcels, developed parcels adjacent to vacant parcels and parcels adjacent to Highway 101, staff decided to recommend amending the sign regulations to allow up to three on-building signs.; and

WHEREAS the current regulations only allowing one on-building sign could affect the success of a local business; and

WHEREAS the current regulations only allowing one on-building sign could affect the success of a local business; and

WHEREAS the success of a business depends in part on the location and visibility, including signage; and

WHEREAS the proposed amendment is in the public interest in that they would allow additional signs, up to three in Town Center, Neighborhood Center, Community Commercial and Industrial Commercial zones; and

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

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

WHEREAS the Planning Commission held a duly noticed public hearing on August, 25, 2020; and

WHEREAS the Planning Commission found that based on evidence on file and presented in the staff report that the proposed amendments are deemed to be in the public interest; and

WHEREAS the Planning Commission found that based on evidence on file and presented in the staff report that the proposed amendment is consistent and compatible with a comprehensive view of the General Plan and any implementation programs that may be affected; and

WHEREAS the Planning Commission found that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare; and

WHEREAS the City Council finds that based on evidence on file and presented in the staff report that the proposed amendments are deemed to be in the public interest; and

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

WHEREAS the City Council finds that based on evidence on file and presented in the staff report that the potential impacts of the proposed amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare.

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

SECTION 1.

Table 7-1 of Section 17.30.300 of the Rio Dell Municipal Code is hereby amended as follows:

TABLE 17.30.300-7-1 SIGNS PERMITTED BY ZONING DISTRICTS					
Sign Type	Maximum No. Permitted		Maximum Height ⁴	Minimum	Illumination Standards
Town Center and Nei	ghborhood Cen	ter Zones:			
Building signs ¹ :	1 per business 2 per business		Roofline	-	No glare onto residential property
Freestanding signs: Individual businesses	1	50	10	10	Indirect or background
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	1 per project entrance	300 ³	35		No glare onto residential property

Notes:

- 1. Excludes nameplates as described in section 17.30.300(3) of this chapter.
- 2. Refer to Design Review Guidelines.
- 3. Square feet by side.
- 4. On site signs for commercial and industrial zones may exceed the <u>number</u>, height and size limits after showing that the operation on site requires the added visibility and that site topography or other constraints would preclude adequate visibility of the sign and upon issuance of a Conditional Use Permit.

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. CEQA

AYES:

The City of Rio Dell has determined that the proposed amendment is Statutorily Exempt pursuant to Section 15061(b) (3) of the CEQA Guidelines, Title 14, Chapter 3 of the California Code of Regulations.

Section 5. Effective Date

This ordinance becomes effective thirty (30) days after adoption.

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on September 1, 2020 and furthermore the forgoing Ordinance was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the September 15, 2020 by the following vote:

ABSENT: ABSTAIN:	
	Debra Garnes, Mayor
ATTEST:	
I, Karen Dunham, City Clerk for the City of Rio Dell, and foregoing to be a full, true and correct copy of approved and adopted at a regular meeting of the September 15, 2020.	f Ordinance No. 382-2020 which was passed,
Karen Dunham, City Clerk, City of Rio Dell	