



RIO DELL CITY COUNCIL AGENDA
REGULAR MEETING - 6:00 PM
TUESDAY, JANUARY 02, 2024
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)

Effective immediately, the City of Rio Dell will reopen City Council meetings held in City Hall Council Chambers to in-person attendance by the public. The public may also attend these meeting virtually through Zoom. The meetings will also be viewable via livestreaming through our partners at Access Humboldt via their YouTube channel or Suddenlink channels on Cable TV.

Public Comment by Email:

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

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

Zoom Public Comment:

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

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. CEREMONIAL MATTERS

E. PUBLIC PRESENTATIONS

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

F. CONSENT CALENDAR

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

- [1.](#) 2024/0102.01 - Approve Minutes of the December 5, 2023 Regular Meeting **(ACTION)** - Pg. #4
- [2.](#) 2024/0102.02 - Approve Cost Recovery Abatement of 483 Fourth Ave. and Continue the Public Hearing to February 20, 2024 **(ACTION)**- Pg. #14
- [3.](#) 2024/0102.03 - Approve Cost Recovery Abatement of 601 Gunnerson Lane and Continue the Public Hearing to February 20,2024 **(ACTION)** - Pg. #17
- [4.](#) 2024/0102.04 - Approve Cost Recovery Abatement of 289 Berkeley St. and Continue the Public Hearing to February 20, 2024**(ACTION)** - Pg. #19
- [5.](#) 2024/0102.05 - Authorize the City Manager to Draft and Execute an Extension for a 1-Year Extension of the On- Call City Engineering Agreement with GHD **(ACTION)** - Pg. #21
- [6.](#) 2024/0102.06 - Receive & File check Register for November **(ACTION)** - Pg. #24

G. ITEMS REMOVED FROM THE CONSENT CALENDAR

H. SPECIAL PRESENTATIONS/STUDY SESSIONS

I. REPORTS/STAFF COMMUNICATIONS

J. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS

1. 2024/0102.07 - Approve Appointment of an Ad Hoc Committee to Review the Façade Improvement Program for the City of Rio Dell **(DISCUSSION/POSSIBLE ACTION)** - Pg. #29
2. 2024/0102.08 - Discussion on the School Crossing Guard Structure Located at Wildwood Ave. and Center St. **(DISCUSSION/ POSSIBLE ACTION)** - Pg. #30
3. 2024/0102.09 - Approve Budget Amendment – Eel River Trails Project **(ACTION)** - Pg. #31
4. 2024/0102.10 - Award Bid for the Rio Dell Dog Park Project and Approve Associated Budget Adjustment **(DISCUSSION/POSSIBLE ACTION)** - Pg. #44

K. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS

1. 2024/0102.11 - Introduction and First Reading (by title only) of Ordinance No. 401-2024 Establishing Residential Rental Housing Inspection Regulations in Title 8 as Chapter 8.40 of the Rio Dell Municipal Code Program **(DISCUSSION/POSSIBLEACTION)** - Pg. #45

L. COUNCIL REPORTS/COMMUNICATIONS

M. ADJOURNMENT

*The next regular City Council meeting is scheduled for
Tuesday, January 16, 2024 at **6:00 PM.***

**RIO DELL CITY COUNCIL
REGULAR MEETING MINUTES
DECEMBER 5, 2023**

The regular meeting of the Rio Dell City Council was called to order at 6:02 p.m. by Mayor Garnes.

ROLL CALL: Present: Mayor Garnes, Mayor Pro Tem Carter, Councilmembers Orr, Wilson, and Woodall

Others Present: City Manager Knopp, Chief of Police Allen, Finance Director Sanborn, Wastewater Superintendent Taylor, Wastewater Superintendent Kelly, Water/Roadways Superintendent Jensen, Senior Fiscal Assistant Maciel, and City Clerk Dunham

Absent: Community Development Director Caldwell

ANNOUNCEMENTS

Mayor Garnes announced that Agenda Item 2023/1205.07 – *Introduction of Ordinance No. 401-2023 Establishing a Rental Housing Inspection Program* was removed from the agenda and continued to the January 2, 2024 regular meeting.

PUBLIC PRESENTATIONS

Mayor Garnes invited public comment on non-agenda matters.

Peggy Patmore thanked the City Council and staff for their dedication and all of the extra hours spent in the aftermath of the earthquakes. She expressed concern about the Emergency Preparedness Plan for the City’s food supply. She said that as a lifetime resident of Humboldt County and the City of Rio Dell for the past 26 years, she understands the importance of being well prepared for potential disasters. She said that addressing issues with the current emergency plan is crucial in securing the safety and well-being of the community. She mentioned the food supply issues that could arise during and after a disaster. In the event of a major disaster, access to food could be severely limited or cut off because of road and bridge damages. She commented that it is essential that our community is adequately prepared to handle this challenge to avoid hunger, especially with our most vulnerable citizens.

She proposed Council considerations for the enhancement of the City’s Emergency Preparedness Plan with the focus on the food supply. She suggested establishing food storage facilities and strategically locating them to ensure that essential food items are readily available to residents in the aftermath of an emergency. She pointed out that many households don’t have adequate space to stockpile emergency food supplies. She noted that these food facilities could be shipping containers equipped to store non-perishable food items and easily accessible to members of the community upon designated situations. She proposed that each household that chooses to participate to

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gather their own non-perishable items and bring to the food bank for initial storage then for annual rotation for shelf life. She said that if the City would purchase stackable storage totes which could be labeled with the resident's name and address and if the City would purchase shipping containers for food banks, the community would be a safer and more self-efficient community in the event of an emergency.

She also encouraged and supported local initiatives that promote food resilience such as community gardens and local food production. She noted that these programs can play a crucial role in supplementing food supply during emergencies, inflation and in fostering community collaboration.

She commented that public education and awareness is also important and said that the Emergency Preparedness Faire at the Community Resource Center was a valuable event to enhance public awareness. She thought that more campaigns to empower individuals and families is important and essential to better navigate post-emergency scenarios. She said that the Rio Dell Volunteer Fire Department had an instruction sheet on preparing a well-stocked emergency kit and a pamphlet on *Living on Shaky Ground* which is an excellent resource for residents.

She stressed the need for collaboration between the City of Rio Dell, the Rio Dell Fire Department, the Rio Dell School, the Community Resource Center and every resident which can keep the City safe and functioning.

She added that she understands the many responsibilities of the City Council but felt that addressing the food supply issue in the Emergency Preparedness Plan would help significantly in enhancing the overall safety and well-being of the community.

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 a separate discussion. No items were removed.

A motion was made by Woodall/Carter to approve the consent calendar including the following items:

- 1) Minutes of the November 21, 2023 Regular Meeting;
- 2) Resolution No. 1594-2023 Amending the FY 2023-24 Adopted Budget to Increase Appropriations for Code Enforcement in the Police Department

Motion carried 5-0.

REPORTS/STAFF COMMUNICATIONSCity Manager/Staff Update

City Manager Knopp provided highlights of the staff update and said that there would be a meeting at 2:30 p.m. tomorrow in Fortuna and said that the Rohner Community

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Recreation and Park District and LAFCo are potentially looking at some options for the annexation of the recreation district to follow the Fortuna High School boundaries that would include Rio Dell and Scotia as well as some outlying areas. He said that the purpose of which would be to potentially build a community swimming pool. There is not only the capital expense associated with building a pool but also the ongoing maintenance costs. He noted that staff along with Mayor Garnes and Mayor Pro Tem Carter will be attending the meeting to gather information on the proposal and hear about potential advantages to the City.

He said that Chief Allen was a panelist on the Substance Abuse Town Hall in Eureka yesterday and thanked him for participating and the City of Eureka for hosting the event.

He also reported that there was some emergency crack sealing occurring on Blue Slide Rd., Belleview, and Monument which should be completed by the end of the week.

Councilmember Wilson asked for clarification that the proposed annexation was only for the recreation district.

City Manager Knopp said that it is just for the recreation district and staff will learn more about what that means and the process in moving forward after the meeting.

SPECIAL PRESENTATIONS/STUDY SESSIONSPresentation and Update from GHD, City Engineer

City Manager Knopp said that the City has a number of big-scale projects that are coming up for 2024 aside from the earthquake related projects and GHD continues to be on point for much of the work. He introduced the GHD staff; Steven Pearl, Rebecca Crow, and Hannah Gidanian who were present to provide the presentation.

Rebecca Crow said that they would be covering four major areas they are currently working on for the City which included transportation, drinking water, wastewater and earthquake engineering support.

She then turned the presentation over to Steven Pearl to talk about active transportation projects.

Steven explained that he represents the City on the Transportation Committee at HCAOG which is a group of people that come together and review and approve projects countywide which are all part of the Technical Advisory Committee (TAC) with the main source of funding coming from the State Transportation Improvement Program (STIP). He said that every city has a list of projects that are in the Regional Transportation Plan that can be developed into a project study report and submitted to TAC for funding.

He said that he worked with the City Manager on an example list of projects that are readily available to submit for STIP funding, for the Council to consider. Active projects included the following:

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- 2019 Rio Dell Safe Routes to School Project
- 2022 Eel River Trail Project
- 2023 Neighborhood Pedestrian Connectivity Improvements

He said that the Safe Routes to School was funded, they completed the environmental documentation, would begin on the design in the new year, and be ready for construction in the summer of 2024.

He noted that the Eel River Trail Project was also scheduled to begin construction in 2024 along with the Neighborhood Pedestrian Connectivity Improvements.

Steven said that with regard to upcoming projects, no projects have been brought before the Technical Advisory Committee (TAC) for STIP funding. Examples of potential projects to present included:

- Citywide Street Improvements (With preparation of a Project Study Report - PSR)
- Citywide Maintenance Paving and Overlay and PSR

Suggested street improvements included PSR's for Belleview Ave., Spring St. to Creek St., and Blue Slide Rd. to Creek St.

The PSR for citywide maintenance paving and overlay included 8 streets throughout the City for a 2" overlay, select road reconstruction, drainage improvements, and slurry seal to recently paved streets.

Councilmember Wilson referred to the road reconstruction and drainage improvements on Ogle Ave. and asked if there was grant funding available for that work.

City Manager Knopp said that there is no grant funding for that project and what Steven presented was a list of possible projects. Staff will be working with the Council to narrow in on specific projects and provide more detail. This list is illustrative only and explained that part of the problem is that in terms of paving projects, the City has tried to pick relatively simple projects with only minor drainage modifications.

What the City is starting to get into, are the significantly costlier projects that exceed the ability of the City to undertake, in addition to maintaining the existing infrastructure. The first component is to get the streets up to an acceptable level, and then to maintain them. He pointed out that sinking all of the funding into one expensive project would solve one section of the city streets but there is obviously a broader system to maintain. As such, the City will need to be very proactive in terms of pulling down grant funding and other sources to help hold off some of these major reconstruction projects. He said that the drainage component for Ogle Ave. is approximately \$900,000 and that doesn't include street resurfacing.

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Steven explained that STIP funding is the primary funding source for the entire county for these transportation projects. He said that the amount of STIP funding coming to Humboldt County is increasing each year but it is unknown how long the funding will be available.

Rebecca Crow continued with review of the Water Distribution System Upgrade Project. She said that they have been working with the City on this project since 2018. They did a preliminary engineering report along with some design work. The final design will be funded with a 100% grant from the SWRCB Clean Water State Revolving Fund Grant for \$12,862,989. She said that they were able to leverage the State Board funds to increase the amount of data on the system to ensure they understand what is going on in the ground. They conducted GIS surveying of the existing water system and storm drains for field conflicts, including some drone imaging throughout the city. The 95% design package was submitted to the State on November 17, 2023 and they are on target to finish the design in January to keep the project moving forward. Construction is expected to begin in 2024.

Rebecca continued with review of the Eel River Crossing Pipeline Retrofit Project. She explained that the City currently has a pipeline in the Highway 101 southbound bridge across the Eel River. GHD worked with the City in 2020 and submitted a hazard mitigation grant, with funding coming through again this year for the preliminary design. She noted that there will need to be some approvals from FEMA and CalOES so things will move a little slower but they did look at several different scenarios considering potential conflicts with Caltrans as well as future maintenance of the pipeline. The preferred alternative under scenario 1 routes the pipeline around the existing Caltrans area, from the north end of Eeloa Ave. across the river with directional drilling.

Next was review of the Wastewater System. Rebecca reported that GHD has been working on a Sanitary Sewer Evaluation Study (SSES) with the attempt to leverage planning funds to address some of the City's key issues; one of which is compliance with disinfection byproducts. They conducted some initial analysis and testing and it looks like the disinfection system will bring the City into compliance.

She said that there are some other components and are asking the State for additional funding to finalize the areas that were proposed for improvement. One of the things they were able to leverage funds for was to put together a construction application to replace and upsize the Painter Street line. They completed the preliminary design and did some additional field work and should have the report on that done by the end of the week. The project was expected to be funded and move forward in 2024.

The last item to review was Earthquake Engineering Support. Rebecca said that they are looking at putting together Damage Survey Reports (DSR) required by CalOES. She said that they completed the evaluation on the contact basin, and the Metropolitan Wells and are in the process of evaluating the lift stations and analysis on the infiltration gallery which is almost complete. She noted that they are also looking at some of the water line crossings which can be a little difficult since they are underground. She added that they are also accessing damage to the Painter St. Tank. Once CalOES approves the DSR's,

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GHD will be moving forward with the designs.

Presentation – Review of Street Planning and Street Work

City Manager Knopp provided an update on the 5-year Street Improvement Plan. He said that fundamentally in moving forward, a lot of the City’s projects that have been funded in the past included a General Fund contribution. In moving forward, the City has a lowered sales tax rate and also increasing costs and demands on the General Fund, noting that the costs in the Police Department continue to increase and are expecting that trend to continue. He noted that the City also needs to maintain healthy reserves in the event of further economic distress or catastrophes. He added there is an over-arching issue related to the earthquake reimbursement that puts some constraints on City finances.

He said that there are some funds in the City’s streets fund where some projects can be done in the coming years but the Council will need to prioritize the projects. During the last initiation of the 5-year plan, the City Council directed staff to identify projects that would not require immediately tearing up the road in anticipation of the Water Capital Improvement Project (CIP). Those were the streets that were paved and had only minor paving modifications.

He said that earlier this year, the City’s PCI index went from one of the lowest in the County of Humboldt to one of the highest so there has been a tremendous amount of progress made to streets over the past few years.

The City is now getting into projects that far exceed the General Fund’s ability to cover those costs so the City will need to get more creative in pulling down grant funding and having realistic goals in utilizing those grant funds. He noted that low-traffic streets are not necessarily great candidates for grant funding which is certainly a constraint on some of the bigger projects.

With completion of the Water Capital Improvement Project (CIP), several new streets will open up for some of the lower cost basic maintenance paving projects. Some of the other streets have multiple issues such as Second Ave. with significant drainage improvements that need to be done as well as sewer lines that need to be addressed in that corridor.

For Ogle Ave., the water line on that stretch of road will be replaced under the Water Capital Improvement Project (CIP) however; what remains to be corrected is the drainage. He said that Whitchurch Engineering performed a study on the Ogle Ave. drainage and the estimate came in at roughly \$1 million not including the paving. The overall estimate to complete that project is \$1-3 million which exceeds forecasted General Fund revenue and the allotment for capital projects.

City Manager Knopp said that there are other streets that may be more competitive for grant funding such as the designated truck route that runs beside City Hall down Davis St. to the freeway. He said that while that road is in fair condition it will need some work over the next few years. This is also a project that is potentially attractive for regular STIP maintenance funding.

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He said that the two components here are expensive reconstruction and maintenance and the focus should be also include maintenance because when you look at the streets as a whole, many are in good condition but they need to be maintained. He pointed that there is a nexus between economic development and people's perception of a community including the cleanliness of the streets.

He drew the Council's attention to the Draft 5-Year Streets Improvement Plan and said that something the Council might want to consider is the purchase of a street sweeper.

He noted that slurry seal goes a long way in extending the life of a street and reviewed the list of potential streets for slurry seal and prep work in the next 5-year plan. He said that for this construction season, the plan is to take a little pause because of other projects although there will be some maintenance work done on Elm St. and some related earthquake work at random locations.

He said that staff will come back to the Council in January or February to dive into the details and do some additional cost projections and come up with the next 5-year plan.

Mayor Garnes referred to the end of Ogle Ave. and Second Ave. and asked if there is anything the City could do to help make those streets even a little bit better for the time being. She said that making those streets gravel roads would probably not be acceptable but hoped that something could be done to make those areas better.

City Manager Knopp said that several years ago, the idea of de-asphalting some of the roads and having them revert back to gravel was considered but there was not a lot of support. Although there would be benefits cost wise, the deficiency is obviously dust and ongoing maintenance as the City does not have proper equipment to maintain gravel roads.

Water/Roadways Superintendent Jensen said that there is also the noise issue with gravel.

City Manager Knopp said that one potential option would be to prep the streets and do a thick layer of slurry seal however, it would affect the drainage and possibly become a liability issue.

Mayor Pro Tem Carter said that she would love to see Second Ave. be a priority to the extent it can be but also understands the City's limitations.

Councilmember Woodall referred to the staff report where it said that staff recommends issuing a project study report with the engineers to provide a preliminary cost estimate and thought it was a good idea. She said that Second Ave. has needed major repairs for many years and said when the City finally fixes it, she wants to make sure it is fixed right.

She also questioned the responsibility of the County versus the City to maintain Pacific Ave. since it is the designated truck route.

City Manager Knopp explained that it is still the City's responsibility to maintain.

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Councilmember Woodall said that the City explored the possibility of purchasing a street sweeper several years ago but in looking into it, it was determined that there wasn't enough street mileage to warrant the purchase.

City Manager Knopp agreed that the lane mileage for sweeping is fairly small so the idea would be to purchase a smaller more affordable street sweeper. A couple of years ago, the City received a demo on a small sweeper which was more on the scale of what the City needs; having a larger sweeper would not justify the cost.

Councilmember Wilson agreed that Second Ave. should be a priority although the cost is high so was not sure how to get over that hurdle.

He also expressed concern about Blue Slide Rd. and potential for failure of that section of roadway with the slide.

City Manager Knopp said that the slide area is the result of a slide decades ago that was rip rapped and repaired. Failure of that would depend on the situation where there is a catastrophic event. Staff took a look at that area, had some discussions with the city engineer and inspected the culverts which are actually in good condition. That repair was on the original list for the 5-year CIP and what the City is doing is trying to demonstrate that maintenance is being done on the road. The last crack sealing went all the way up to City limits and on Friday the contractor will be completing the last of the earthquake crack sealing repairs.

Mayor Garnes asked if the purchase of a street sweeper was planned for this year or sometime in the future.

City Manager Knopp indicated that the proposal would be to include it in the next 5-year CIP and said that the cost could be spread out in a lease-purchase agreement such as with the purchase of the backhoe. This could be a conversation for staff and the City Council after the new year.

Mayor Garnes called for public comment regarding the streets update. No public comment was received.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS**Provide Staff Direction on Possible Cancellation of the December 19, 2023 Regular Meeting**

City Manager Knopp provided a staff report and said that the last regular meeting in December is sometimes canceled, particularly during non-election years and asked for Council direction.

Consensus of the Council was to cancel the next regular meeting scheduled for December 19, 2023 unless something comes up before then requiring Council action.

DECEMBER 5, 2023 MINUTES**Page 9****COUNCIL REPORTS/COMMUNICATIONS**

Councilmember Woodall commented that the annual tree lighting event held on Saturday, December 2 was very nice despite the rain. She then wished Wastewater Superintendent good luck as this would be his last City Council meeting.

Mayor Pro Tem Carter said that she was very impressed with the Police Department and the Community Resource Center for making the Annual Tree Lighting Event a great small-town event. She reminded everyone of the annual Christmas decorating contest sponsored by the Chamber of Commerce and encouraged residents as well as businesses to participate, noting that there will be prizes given in each of the two categories ranging from \$100-250 offered by the Rio Dell Volunteer Fire Department.

She reported that she attended the Chamber of commerce meeting on Friday with the main topic of discussion being the removal of Christmas decorations after the holiday. Volunteers were invited to help.

She also reported on her attendance at the last RREDC meeting where the main topic of discussion was on the benefits and challenges of Regional Housing Trust Funds.

She then announced that the Nuisance Advisory Committee meeting scheduled for December 20, 2023 was cancelled due to the holidays and said that she would be attending the Rohner Community Recreation and Park District Board meeting in Fortuna tomorrow afternoon.

Councilmember Wilson said that he did not have an HWMA board meeting and that the RCEA meeting was moved up a week so had nothing to report.

Mayor Garnes reported that she would be attending an HTA meeting tomorrow morning and also attending the Rohner Community Recreation and Park District meeting in Fortuna in the afternoon.

She then reminded everyone of the Humboldt Holiday Food Drive taking place on Thursday, December 7 at Safeway in Eureka from 3-6 p.m. Senator McGuire once again teamed up with Food for People, KHUM radio, and six local high schools to put the food drive together to provide food for low-income households. The community was invited to stop by and donate much-needed non-perishable foods and/or funds to help those in need.

She then thanked Wastewater Superintendent Taylor for his service and said that he did a tremendous job for the City. She also thanked the Police Department for decorating a vehicle for the truck parade on Saturday and said that they would also be participating in the Fortuna and Eureka Lighted Truck parades.

ADJOURNMENT

A motion was made by Carter/Woodall to adjourn the meeting at 7:20 p.m. to the January 2, 2024 regular meeting. The motion carried 5-0.

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Attest:

Debra Garnes, Mayor

Karen Dunham, City Clerk



*675 Wildwood Avenue
Rio Dell, CA 95562-1597
(707) 764-5642 Hall*

For Meeting of: January 2, 2024
■ Consent Item; □ Public Hearing Item

To: City Council
From: Mary Clark, Community Service Officer
Through: Kyle Knopp, City Manager
Date: December 26, 2023
Subject: Discussion of Cost Recovery for Abatement at 483 4th Avenue

Recommendation:

That the City Council discuss the cost recovery for the abatement that took place on September 22, 2023, at 483 4th Avenue, Rio Dell, California including any public comment, and approve the placement of a public hearing on the Council’s agenda so that a lien may be placed on the property. The hearing is tentatively scheduled for February 20, 2024. The combined costs for both abatements total \$2,995.51.

Background and Discussion

During the time between September 2020 and December 2021, the City conducted three (3) abatements at 483 4th Avenue in the City of Rio Dell to remove trash and solid waste from the Property. Cost recovery for these three abatements have been placed as a lien on the property. These actions did not modify the behavior of the occupants of the property and trash continued to accumulate.

On September 19, 2023, a fourth abatement warrant was sought from the Humboldt County Superior Court due to the reoccurring violations on the Property. On September 22, 2023, a crew with Redwood Teen Challenge and Community Service Officer Mary Clark completed the abatement by removing all solid waste from the front and side yards. The City’s cost for the fourth abatement were determined to be \$2,995.51.

The cost recovery assessment was sent via certified mail to the property owner on October 11, 2023 and was returned to the City of Rio Dell unclaimed. The property owner has not made any attempt to pay or make a plan with the City for this debt. Rio Dell Municipal Code (RDMC) Sections 8.10.310 through 8.10.330 cover the cost recovery process. RDMC Section 8.10.330 references the California Government Code Section 38773.5 which spells out the process for

establishing taxes and assessments. This process requires two meetings, a public meeting followed by a public hearing. The public hearing is anticipated to be held on February 20, 2024.

Section F, Item 2.

Attachment: Cost recovery assessment

Rio Dell Police Department
 675 Wildwood Avenue, Rio Dell, California 95562
 [707] 764-5642

COST RECOVERY ASSESSMENT

Name: **Jeanie Spier**
 Address: 483 4th Avenue
 Rio Dell, California 95562
 A.P.# 053-075-007
 File # CE18-15
 Location: **483 4th Avenue**
Rio Dell, California

Date	Staff/ Vendor	Staff Time Description	Hours/10ths	Cost
6/23/2023	MC	Inspection	0.50	\$27.98
6/23/2023	MC	Mail Excessive Vegetation Letter	0.25	\$13.99
7/6/2023	MC	Inspection	0.50	\$27.98
7/18/2023	MC	Continuing Violations Letter	1.00	\$55.96
9/6/2023	MC	Additional Complaint	0.50	\$27.98
9/14/2023	MC	Follow Up With Property Owner	1.00	\$55.96
9/18/2023	MC	Inspection	0.50	\$27.98
9/19/2023	MC	Obtain Abatement Warrant	3.00	\$167.88
9/19/2023	MC	Mail Abatement Warrant	0.25	\$13.99
9/21/2023	MC	Posted Abatement Warrant at Property	0.50	\$27.98
9/22/2023	MC	Service of Abatement Warrant	3.00	\$167.88
10/11/2023	MC	Complete and Submit Warrant Return	1.00	\$55.96

SUB-TOTAL - Staff Time **\$671.52**

Contractors and Other Agencies/Departments

CONTRACTORS:
 9/22/2023 Recology 40-yard dumpster \$1,388.40

OTHER AGENCIES/DEPARTMENTS
 9/22/2023 Redwood Teen Challenge- 4 crew members \$210.00
 6/14/2022 Unpaid Administrative Citation \$200.00
 7/6/2023 Unpaid Administrative Citation \$500.00

SUB-TOTAL - Contractors and Other Agencies **\$2,298.40**

Date	Office Costs Description	Amount
7/6/2023	Certified Mail for Administrative Citation	\$8.53
7/18/2023	Certified Mail for Continuing Violations	\$8.53
9/19/2023	Certified Mail for Abatement Warrant	\$8.53

SUB-TOTAL - Office Cost **\$25.59**

TOTAL \$2,995.51



675 Wildwood Avenue
Rio Dell, CA 95562-1597
(707) 764-5642 Hall

For Meeting of: January 2, 2024
■ Consent Item; □ Public Hearing Item

To: City Council
From: Mary Clark, Community Service Officer
Through: Kyle Knopp, City Manager
Date: December 26, 2023
Subject: Discussion of Cost Recovery for the Abatement of 601 Gunnerson Lane

That the City Council review the cost recovery for the abatement that took place on July 28, 2023 at 601 Gunnerson Lane and approve the placement of a public hearing on the Council’s agenda so that a lien may be placed on the property. The hearing is tentatively scheduled for February 20, 2024. The total cost for the abatement was determined to be \$2,037.12.

Background and Discussion

On July 28, 2023, 4 workers from Redwood Teen Challenge and myself conducted an abatement at 601 Gunnerson Lane in the City of Rio Dell. During the abatement, solid waste, scrap metal and excessive vegetation were removed from the Property. The City’s cost for the abatement were determined to be \$2,037.12.

The cost assessment was provided to the Property Owner in person at 601 Gunnerson on November 16, 2023. The property owner has not made any attempt to pay or make a plan with the City for this debt. Rio Dell Municipal Code (RDMC) Sections 8.10.310 through 8.10.330 cover the cost recovery process. RDMC Section 8.10.330 references the California Government Code Section 38773.5 which spells out the process for establishing taxes and assessments. This process requires two meetings, a public meeting followed by a public hearing. The public hearing is anticipated to be held on February 20, 2024.

Attachment: Cost recovery assessment

Rio Dell Police Department
 675 Wildwood Avenue, Rio Dell, California 95562
 [707] 764-5642

COST RECOVERY ASSESSMENT

Name: Janine Busald
Address: 601 Gunnerson Lane
 Rio Dell, California 95562
A.P.# 053-021-048
File # CE21-119
Location: 601 Gunnerson Lane
 Rio Dell, California

Staff/		Staff Time		
Date	Vendor	Description	Hours/10ths	Cost
5/11/2021	JM	Draft Notice of Violation	0.50	\$22.03
3/29/2022	MC	Draft Notice of Nuisance and Order to Abate	0.50	\$22.03
9/2/2022	MC	Draft Abatement Warrant	0.75	\$41.97
7/13/2023	MC	Draft Inspection Warrant	0.75	\$41.97
7/17/2023	MC	Service of Inspection Warrant	0.25	\$13.99
7/25/2023	MC	Draft Abatement Warrant	0.75	\$41.97
7/28/2023	MC	Service of Abatement Warrant	3.00	\$167.88
SUB-TOTAL - Staff Time				\$351.84

Contractors and Other Agencies/Departments

CONTRACTORS:				
7/28/2023		Eel River Transportation- 1.5 hours @\$165/hr delivery of the metal bin		\$247.50
7/28/2023		Eel River Transportation- CREDIT for contents in bin		-\$247.50
7/31/2023		Recology- 20 yard dumpster		\$850.72
7/31/2023		Eel River Transportation- engine removal and vehicle relocation		\$217.50
OTHER AGENCIES/DEPARTMENTS				
7/28/2023		Redwood Teen Challenge Crew- 4 workers		\$600.00
SUB-TOTAL - Contractors and Other Agencies				\$1,668.22

Office Costs		Amount
Date	Description	
7/13/2023	Certified Mail for Inspection Warrant	\$8.53
7/25/2023	Certified Mail for Abatement Warrant	\$8.53
SUB-TOTAL - Office Cost		\$17.06

TOTAL	\$2,037.12
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*675 Wildwood Avenue
Rio Dell, CA 95562-1597
(707) 764-5642 Hall*

For Meeting of: January 2, 2024
■ Consent Item; □ Public Hearing Item

To: City Council
From: Mary Clark, Community Service Officer
Through: Kyle Knopp, City Manager
Date: December 26, 2023
Subject: Discussion of Cost Recovery for the Abatement of 289 Berkeley Street

That the City Council review the cost recovery for the abatement that took place on November 14th, 15th and 17th, 2023 at 289 Berkeley Street and approve the placement of a public hearing on the Council’s agenda so that a lien may be placed on the property. The hearing is tentatively scheduled for February 20, 2024. The total cost for the abatement was determined to be \$10,650.70.

Background and Discussion

On November 14th, 15th, and 17th, 2023, 4 workers from Handle It Junk Removal and myself conducted an abatement at 289 Berkeley Street in the City of Rio Dell. During the abatement, solid waste, large amount of appliances, scrap metal and excessive vegetation were removed from the Property. The City’s cost for the abatement were determined to be \$10,650.70.

The cost assessment was provided to the Property Owner in person at 3000 Newburg Road on November 21, 2023. The property owner has not made any attempt to pay or make a plan with the City for this debt and advised he would be unable to do so. Rio Dell Municipal Code (RDMC) Sections 8.10.310 through 8.10.330 cover the cost recovery process. RDMC Section 8.10.330 references the California Government Code Section 38773.5 which spells out the process for establishing taxes and assessments. This process requires two meetings, a public meeting followed by a public hearing. The public hearing is anticipated to be held on February 20, 2024.

Attachment: Cost recovery assessment

Rio Dell Police Department
 675 Wildwood Avenue, Rio Dell, California 95562
 707-764-5642

COST RECOVERY ASSESSMENT

Name: **Edison Petranoff**
 Address: 289 Berkeley Street
 Rio Dell, California 95562
 A.P.# 053-163-002
 File # CE23-276
 Location: **289 Berkeley Street**
 Rio Dell, California

Date	Staff/ Vendor	Staff Time Description	Hours/10ths	Cost
4/13/2021	JM	Compose and Post Notice of Violation	1.00	\$44.06
6/1/2021	JM	Compose and Post Notice of Nuisance and Order	1.00	\$44.06
2/10/2022	MC	Compose Notice of Violation	0.50	\$27.98
11/7/2022	MC	Compose Notice of Violation	0.50	\$27.98
9/29/2023	MC	Inspection	0.50	\$27.98
10/25/2023	MC	Composed Amended Notice of Nuisance and Order	1.00	\$55.96
11/9/2023	MC	Compose and Post Abatement Warrant	1.00	\$55.96
11/14/2023	MC	Perform Abatement	4.00	\$223.84
11/15/2023	MC	Perform Abatement	4.00	\$223.84
11/17/2023	MC	Perform Abatement	3.00	\$167.88
SUB-TOTAL - Staff Time				\$899.54

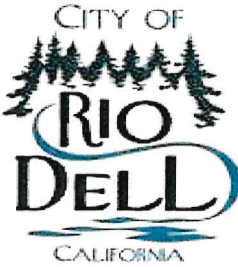
Contractors and Other Agencies/Departments

CONTRACTORS:

11/17/2023	Handle It Junk Removal- Removal and Disposal	\$9,715.00
SUB- TOTAL- Staff Time		\$9,715.00

Date	Office Costs Description	Amount
3/17/2021	1st Class Mail- Notice to Correct	\$0.63
4/13/2021	Certified Mail- Notice of Violation	\$8.10
1/5/2022	1st Class Mail- Notice to Correct	\$0.63
2/10/2022	2- Certified Mail- Notice of Violation	\$16.20
9/1/2022	1st Class Mail- Notice to Correct	\$0.63
11/7/2022	Certified Mail- Notice of Violation	\$8.10
10/25/2023	3- 1st Class Mail- Notice to Correct	\$1.89
SUB-TOTAL - Office Cost		\$36.18

TOTAL COST **\$10,650.70**



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

January 2, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Authorize the City Manager and City Attorney to Draft and Execute an extension for a One-Year Extension of the On Call City Engineering Agreement with GHD Inc. Further Directing Staff to Conduct a solicitation for City Engineering Services Before the End of Calendar Year 2024.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Manager and City Attorney to draft a one year extension and further authorize the City Manager to execute the extension.

BACKGROUND AND DISCUSSION

It is recommended that the City Council authorize a one year extension for on-call City Engineering Services. This will allow sufficient time for the City to conduct another solicitation for these services.

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EXTENSION OF CITY OF RIO DELL PROFESSIONAL SERVICES AGREEMENT FOR CITY ENGINEER SERVICES

This EXTENSION OF CITY OF RIO DELL PROFESSIONAL SERVICE AGREEMENT FOR CITY ENGINEER SERVICES (hereinafter referred by full title or as this "Extension") is made on February ____, 2022, by and between the City of Rio Dell, a California municipality ("City"), and GHD Inc. ("Consultant"). Where collective reference is intended, City and Consultant are hereinafter referred to as the "Parties."

RECITALS

A. WHEREAS, City and Consultant entered into that certain City of Rio Dell Professional Services Agreement for City Engineer Services dated January 1, 2019, a copy of which is attached hereto as **Exhibit "A"** (the "Professional Services Agreement"), pursuant to which Consultant is providing certain professional engineering services to City.

B. WHEREAS, the Initial Term of the Professional Services Agreement expired on December 31, 2021.

C. WHEREAS, the term of the Professional Services Agreement automatically renewed for a period of two (2) years at expiration of the Initial Term pursuant to Paragraph 2 of the Professional Services Agreement.

D. WHEREAS, the Parties wish to memorialize their desire and consent to extend the term of the Professional Services Agreement for a period of two (2) years through December 31, 2023.

NOW, THEREFORE, in consideration of the mutual covenants of the Parties herein, and for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

AGREEMENT

Section 1. Extension of Term

The Term of the Professional Services Agreement shall be extended for a period of two (2) years commencing on January 1, 2022, and ending on December 31, 2023 ("Extension Term"), unless sooner terminated pursuant to the terms and conditions of the Professional Services Agreement or this Extension.

Section 2. Continuation of Terms and Conditions of Agreement

All terms and conditions of the Professional Services Agreement shall continue, in full force and effect, subject to the limited changes recited in this Extension (which are collectively deemed incorporated by reference).

Section 3. Extension Execution

This Extension may be executed in counterparts, the separately executed parts of which shall be considered one whole. Facsimile, electronic and/or scanned signature copies shall be deemed to constitute original signatures.

IN WITNESS WHEREOF, City and Consultant have executed this Agreement as of the date first above written.

“CITY”:

City of Rio Dell

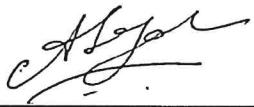
By:  _____

Name: Kyle Knopp

Title: City Manager

“CONSULTANT”:

GHD Inc.

By:  _____

Name: Abhay Hanamsagar

Title: Business Group Leader

City of Rio Dell Check Listing for City Council Meeting

Ref#	Date	Vendor	Description	Amount
12547	11/02/2023	[3975] AT&T - 5709	FAX LINE EXPENSES FOR OCTOBER 2023 - PD, FAX LINE EXPENSES FOR OCTOBER 2023 - CITY HALL	65.83
12548	11/02/2023	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 10/20/2023	120.00
12549	11/02/2023	[7636] CORE-ROSION PRODUCTS	2 Sodium Hypochlorite Tanks with Fittings	9,462.95
12550	11/02/2023	[2356] DOWNEY BRAND LLP	For Services Rendered Through September 30, 2023	127.50
12551	11/02/2023	[2405] FORTUNA ACE HARDWARE	Couplings, Bushings, Adapter, Elbow, Kitchen Bags, Brass Keys, Tie-Downs, Sew, Bolts	122.41
12552	11/02/2023	[5052] GHD, INC	For Professional Services Rendered Through 9/30/23, Professional Services Rendered Through 10/28/23 - Rio Dell Engineer Services, Professional Services Rendered Through 10/28/2023	91,087.77
12553	11/02/2023	[6486] GREEN TO GOLD ENTERPRISES LLC	Gateway Lights, Primer. Glue, PVC Ball Valve	57.22
12554	11/02/2023	[4922] GRUNDMAN'S SPORTING GOODS INC.	3 Cleaning Kits	68.47
12555	11/02/2023	[2460] H.C. SHERIFF ATTN: ADMIN. SERVICES	POST Rifle Course	700.00
12556	11/02/2023	[6612] IBARRA, CONCEPCION	CUSTOMER DEPOSIT	164.79
12557	11/02/2023	[2501] KEENAN SUPPLY	Clamp	1,370.36
12558	11/02/2023	[7220] LARRY WALKER ASSOCIATES, INC.	Assistance During NPDES Permit Reissuance	2,827.50
12559	11/02/2023	[6008] SABRINA M LUMPKIN	Reimbursement for Trunk-n-Treat Supplies	78.58
12560	11/02/2023	[7195] METER, VALVE & CONTROL, Inc	Iron 100W+ Water Meter Endpoint (Encoder)	2,756.55
12561	11/02/2023	[7570] RYAN P MILLER	Boot Repair	83.74
12562	11/02/2023	[2551] MIRANDA'S ANIMAL RESCUE	Animal Control for October 2023	1,900.00
12563	11/02/2023	[3006] MISSION LINEN SUPPLY, INC	CLEAN MOP HEAD, MAINTENANCE & LAUNDRY UTILITY WORKERS SHIRTS; CLEAN MOP HEAD, One Shirt Was Not Returned, ANTIBACTERIAL FOAM HAND SOAP; BATH TISSUES; CLEAN MOP HEAD MAINTENANCE & LAUNDRY UTILITY WORKERS SHIRTS; BATH TISSUES; CLEAN MOP HEAD, MAINTENANCE & LAUNDRY UTILITY WORKERS SHIRTS; CLEAN MOP HEAD	375.76
12564	11/02/2023	[2570] NILSEN COMPANY	Salt Softener Solar 40#	2,334.67
12565	11/02/2023	[2569] NORTH COAST LABORATORIES, INC.	BOD/NFR, ELAP Certification fee	150.00
12566	11/02/2023	[4393] NYLEX.net. Inc.	Install Wireless Access Point for PD	444.00
12567	11/02/2023	[6943] PACE SUPPLY CORP	Clamp, Ball Meter	267.00
12568	11/02/2023	[4338] QUILL CORPORATION	Blank Laser Checks (Both Green and Rose), Return One Set of Green Blank Laser Checks	112.00
12569	11/02/2023	[6349] RECOLOGY EEL RIVER	Trash Bags October 2023	112.00
12570	11/02/2023	[7189] SHARP AUTO GRAPHICS & SIGNS, INC.	Remove and Replace Graphics on Police Interceptor	112.00

Section F, Item 6.

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
12571	11/02/2023	[7185] STAPLES ADVANTAGE	Toner, File Jackets	158.33
12572	11/02/2023	[7585] SWEAT PANDA FORTUNA, LLC	3 Members Unlimited Month to Month Membership w/Auto Renew	477.00
12573	11/02/2023	[3917] VERIZON WIRELESS	Safety Phones PD & PW (& Mayor): Oct 17 - Nov 16, 2023	656.66
12574	11/02/2023	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR NOVEMBER 2023	391.07
12575	11/02/2023	[2772] WENDT CONSTRUCTION, INC	Eeloa Earthquake Repairs	232.50
12576	11/13/2023	[5381] ALTERNATIVE BUSINESS CONCEPTS	MONTHLY MAINTENANCE & COPIER CHARGES FOR OCTOBER 2023 - City Hall & COPIER CHARGES FOR OCTOBER 2023 - PD	657.95
12577	11/13/2023	[2293] CITY OF FORTUNA	Police Dispatch for November 2023, and Livescan Service	6,363.33
12578	11/13/2023	[2302] CLYDE'S TOWING, INC.	Lockout Services - Warrant on Red Dodge in Fortuna	125.00
12579	11/13/2023	[2889] EEL RIVER TRANSPORTATION & SALVAGE	'63 Mirrocraft Boat & Trailer Disposal, Demolition and Towing Charges	507.85
12580	11/13/2023	[6902] FISCH DRILLING	Grundfos Chlorine & Sulfite Pump Rebuild Kits	2,784.14
12581	11/13/2023	[5052] GHD, INC	Professional Services Rendered Through 9/30/23 - SRTS Safety Improvement & Community Outreach Project, Professional Services Rendered Through 10/28/23, Professional Services Rendered Through 10/28/23 - Eel River Trail	73,313.78
12582	11/13/2023	[6998] MAD RIVER COMMUNITY HOSPITAL	Pre-Employment Physical & Evaluation, Rapid 5 Urine Drug Screen	341.25
12583	11/13/2023	[6100] NORTHERN CALIFORNIA GLOVE	Muck Boots, High Vision Pants & Jacket, Nitrile Gloves	552.58
12584	11/13/2023	[4393] NYLEX.net. Inc.	Replaced outdated Router for PD, Ewaste PC and Monitor	301.84
12585	11/13/2023	[6943] PACE SUPPLY CORP	Saddle Straps, Clamps, Angle Ball Meter Valves, Clamps	3,642.86
12586	11/13/2023	[7672] REDWOOD LASER	Engraving - Plaque for Memorial Park (Daggett)	100.00
12587	11/13/2023	[2664] ROGERS MACHINERY INC	Maintenance and Repair of Plant Air Compressor	4,897.01
12588	11/13/2023	[2693] SHELTON'S AUTO LUBE	Oil Change on '21 Ford Explorer	96.24
12589	11/13/2023	[4525] SHERLOCK RECORDS MGMT	STORAGE SERVICE FOR NOVEMBER 2023	147.20
12590	11/13/2023	[2715] STEWART TELECOMMUNICATION	Phone Lines PD - December 2023, Phone Lines City Hall - November/December 2023	622.86
12591	11/13/2023	[6373] THATCHER COMPANY, INC.	Aqua Ammonia, 25% TECH - 375 # Drum; Sodium Bisulfite 25% - 275 G Tote	5,216.74
12592	11/13/2023	[4908] THE MITCHELL LAW FIRM, LLP	LEGAL SERVICES FOR OCTOBER 2023, LEGAL SERVICES FOR OCTOBER 2023, LEGAL SERVICES FOR OCTOBER 2023, LEGAL SERVICES FOR OCTOBER 2023, LEGAL SERVICES FOR OCTOBER 2023	2,340.89
12593	11/13/2023	[2750] USA BLUEBOOK	Hach DPD Sample, TNT + Ammonia Test, Total Chorine Sensor SS Tip	2,600.00
12594	11/13/2023	[2772] WENDT CONSTRUCTION, INC	Generator Rental	2,000.00
12595	11/13/2023	[2787] WYCKOFF'S	Sealtant, Tape, Adapters, Plug, Hose Kit, Pump, Cleaner, Coupling, Spears, Adapter, Primer, Glue, Blade, Valve, Tape, Pipe, Locknuts, Plugs	2,000.00

Section F, Item 6.

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
12596	11/15/2023	[6038] ACCURATE TERMITE & PEST SOLUTIONS	BI-MONTHLY PEST CONTROL @ 675 WILDWOOD AVE	105.00
12597	11/15/2023	[2340] DEPARTMENT OF JUSTICE ACCOUNTING	Fingerprint Apps, Fingerprint - FBI	49.00
12598	11/15/2023	[2405] FORTUNA ACE HARDWARE	Balast Bypass	108.49
12599	11/15/2023	[4922] GRUNDMAN'S SPORTING GOODS INC.	Streamlights, Holosun Red Dots, MOE Polymer Rail, MBUS Front Sight, Aero Precision M4-E1, Install Labor	1,779.66
12600	11/15/2023	[6653] CRYSTAL L LANDRY	Reimbursement 290 Training Meal	30.49
12601	11/15/2023	[7475] LEAF CAPITAL FUNDING LLC	Lease of Kyocera TA 308ci Copier System	28.03
12602	11/15/2023	[6008] SABRINA M LUMPKIN	Reimbursement PD Training Supplies	71.25
12603	11/15/2023	[6825] OPTIMUM	INTERNET SERVICES NOVEMBER 2023	900.00
12604	11/15/2023	[6943] PACE SUPPLY CORP	Nylon Saddle Strapsm, Nylon Saddle, Clamps	647.68
12605	11/15/2023	[2601] PETERSON	Generator Repair	7,311.97
12606	11/21/2023	[0576] 101 AUTO PARTS	Duramax Tail Lights	5.44
12607	11/21/2023	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 11/3/2023	138.90
12608	11/21/2023	[2340] DEPT OF JUSTICE ACCOUNTING OFFICE	Blood Alcohol Analysis for October 2023	35.00
12609	11/21/2023	[2407] FORBUSCO LUMBER	Lumber	251.69
12610	11/21/2023	[2405] FORTUNA ACE HARDWARE	Breakroom White Board: Expo Dryboard Cleaner, Marker Dry Erase, Expo Dry Eraser	19.71
12611	11/21/2023	[5052] GHD, INC	Rio Dell - Engineer Services	2,505.66
12612	11/21/2023	[6486] GREEN TO GOLD ENTERPRISES LLC	T-Post	16.63
12613	11/21/2023	[7678] HANDLE IT JUNK REMOVAL	Removal of Garbage, Green Waste, Scrap Metal Freon & Non-Freon Appliance, Mattress, E-Waste, Tire, Hazardous Waste; Demolition and Bio Hazard	9,715.00
12614	11/21/2023	[2447] HILFIKER PIPE CO.	Grade Ring, Cast Iron Frame & Cover Sanitary Sewer	1,455.21
12615	11/21/2023	[2457] HUMBOLDT COUNTY CLERK-RECORDER	Copies	4.00
12616	11/21/2023	[4393] NYLEX.net. Inc.	MONTHLY MAINTENANCE FOR DECEMBER 2023, New Hard Drive for Karen/City Clerk Computer	3,300.68
12617	11/21/2023	[3343] PITNEY BOWES RESERVE ACCOUNT	Postage Purchased for Reserve on 10/23 & 11/13/2023	600.00
12618	11/21/2023	[7328] PROVIDENCE	SERT - Counseling and Evidence	1,212.00
12619	11/21/2023	[4570] SHRED AWARE	Shredding	74.25
12620	11/21/2023	[7583] SWEIGART, BARBARA	CUSTOMER DEPOSIT REFUND	1,212.00
12621	11/21/2023	[6373] THATCHER COMPANY, INC.	Sierra Sani-Chlor - 330 G Tote	5.99
12622	11/21/2023	[2772] WENDT CONSTRUCTION, INC	Sewer Lateral @ 111 River St	7.33
12623	11/21/2023	[2787] WYCKOFF'S	C12 Tanks: Fittings and Adapters, Sewer Pump, Alum, Hose, Nipple, & Tape	8.00
12624	11/29/2023	[7683] ARMS UNLIMITED	RemArms	4.10

Section F, Item 6.

**City of Rio Dell
Check Listing for City Council Meeting**

Reff#	Date	Vendor	Description	Amount
12625	11/29/2023	[7148] BOB WHITE ELECTRIC	Replace Lighting at 675 Wildwood	4,320.00
12626	11/29/2023	[4892] KEVIN T CALDWELL	Reimbursement - Maps for Dog Park	73.74
12627	11/29/2023	[7681] CALIFORNIA DEPT OF TAX AND FEE ADMIN	Water Rights ID #A023197, Water Rights ID #A031164	1,067.34
12628	11/29/2023	[4937] CALIFORNIA DEPT OF TRANSPORTATION	SIGNALS & LIGHTING BILLING JULY 2023 THROUGH SEPTEMBER 2023	388.08
12629	11/29/2023	[2303] COAST CENTRAL CREDIT UNION	POA Dues for PPE 11/17/2023	138.90
12630	11/29/2023	[2405] FORTUNA ACE HARDWARE	Christmas Lights	69.40
12631	11/29/2023	[5052] GHD, INC	For Professional Services Rendered Through 10/28/2023 - SRTS Safety Improvement & Community Outreach Project	205.70
12632	11/29/2023	[6486] GREEN TO GOLD ENTERPRISES LLC	Sprayer	6.84
12633	11/29/2023	[2474] HUMMEL TIRE & WHEEL, INC	Replace all 4 Tires on '19 Ford F-150	1,047.38
12634	11/29/2023	[2484] INDEPENDENT BUSINESS FORMS	Laser Water Bills, Laser 24 Hour Shutoff Notices	1,346.77
12635	11/29/2023	[2519] LC ACTION POLICE SUPPLY	9mm Glock, Glock Adapter, Holster, Sights,	815.63
12636	11/29/2023	[7604] NEFF, JOSH	Facade Improvement	15,000.00
12637	11/29/2023	[2688] SECURITY LOCK & ALARM	Service Call for Camera Live View Re-Enabled	100.00
12638	11/29/2023	[7185] STAPLES ADVANTAGE	Posted and Star Stamps, Mesh Sorter	74.80
12639	11/29/2023	[7585] SWEAT PANDA FORTUNA, LLC	Unlimited Month to Month Membership w/Auto Renew	477.00
12640	11/29/2023	[3917] VERIZON WIRELESS	Safety Phones PD & PW (& Mayor): Nov 17 - Dec 16, 2023	656.66
12641	11/29/2023	[6037] WELLS FARGO VENDOR FIN SERV	KYOCERA COPIER PAYMENT FOR DECEMBER 2023	391.07
12642	11/29/2023	[2779] WILDWOOD SAW	Trimmer	808.09
12643	11/29/2023	[2787] WYCKOFF'S	Threaded Rod, Coupling, Tee, Union, Spears, Valve, Cutter, Bushing	246.26
Total Checks/Deposits				302,622.18

Reff#	Date	Vendor	Description	Amount
6056342	11/09/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR MISSIONSQUARE RETIREMENT PAYMENT FOR PPE 11/03/2023	-11,778.65
3023667	11/09/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR WEXBANK/SHELL FUEL CO PAYMENT FOR OCT/NOV 2023	-4,191.95
503-184	11/13/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EDD PAYROLL TAXES FOR PPE 11/03/2023	-3,060.34
853955	11/13/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 11/03/2023	-17,306.42
793636	11/13/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR AFLAC INSURANCE ONLINE PAYMENT FOR OCTOBER 2023.	-1,000.00
9837275	11/13/2023	POSTING ADJUSTMENT	INTELLIPAY Deposit from Customer. Later it became and NSF Check.	-900.00
11/13/2023	11/14/2023	WITHDRAWAL	INTELLIPAY WITHDRAWAL: NSF Ach/E-check from customer.	-900.00
9837273	11/14/2023	WITHDRAWAL	ANALYSIS SERVICE CHARGE FOR NOVEMBER 2023.	-900.00
9837274	11/14/2023	ELECTRONIC FUNDS TRANSFER	EFT ALLIED ADMIN-DELTA DENTAL PAYMENT FOR DEC FY2023-2024	-2,000.00
Ac check	11/15/2023	WITHDRAWAL	RETURN ACH/E-CHECK ON 11/13/2023	-900.00
				Section F, Item 6.

**City of Rio Dell
Check Listing for City Council Meeting**

Ref#	Date	Vendor	Description	Amount
9837265	11/17/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR PG&E ONLINE PAYMENT FOR NOVEMBER 2023.	-19,756.87
9837266	11/17/2023	ELECTRONIC FUNDS TRANSFER	EFT BENEFIT BRIDGE/PUBLIC AGENCY PAYMENT FOR DEC- FY 2023-2024	-35,721.33
9837269	11/17/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR DEARBORN LIFE INSURANCE PAYMENT FOR DEC - FY2023-2024.	-540.00
304361	11/21/2023	ELECTRONIC FUNDS TRANSFER	EFT MISSIONSQUARE RETIREMENT PAYMENT FOR PPE 11/17/2023	-12,270.99
9837268	11/21/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR VSP INSURANCE PAYMENT FOR DECEMBER FY2023-2024	-530.24
9837271	11/22/2023	ELECTRONIC FUNDS TRANSFER	EFT BANK OF AMERICA CREDIT CARD PAYMENTS FOR OCT & NOV 2023	-4,418.33
2944956	11/27/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 11/17/2023	-17,867.10
491-792	11/27/2023	ELECTRONIC FUNDS TRANSFER	EFT FOR EFTPS PAYROLL TAXES FOR PPE 11/17/2023	-3,139.25
Total EFT's/Bank Withdrawals				<u>-135,510.26</u>

Ref#	Date	Vendor	Description	Amount
TRX TO PR	11/09/2023	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 11/03/2023	-45,606.85
TRX TO PR	11/22/2023	TRANSFER FROM CHECK TO PAYROLL ACCOUNT	TRANSFER TO PAYROLL ACCT FOR PPE 11/17/2023	-48,996.51
Total Transfer Between Accounts				<u>-94,603.36</u>

Ref#	Date	Vendor	Description	Amount
9837270	11/29/2023	WITHDRAWAL	DEBIT CARD PURCHASE - POSTAGE TO MAIL U/B BILLS FOR NOV 2023	-514.77
Total Debit Card Withdrawals				<u>-514.77</u>

Section F, Item 6.



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

January 2, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Appointment of an Ad Hoc Committee to Review the Façade Improvement Program for the City of Rio Dell

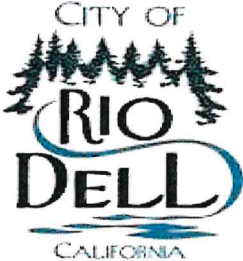
IT IS RECOMMENDED THAT THE CITY COUNCIL:

Appoint two members of the Council to the Ad Hoc Committee

BACKGROUND AND DISCUSSION

As part of the City’s Economic Development Plan and the current Immediate Action Plan (IAP) the Council adopted the development of a Façade Improvement Program as a high priority. Round No. 1 of the program has expired. It is recommended that the Ad Hoc review Round No. 1 and recommend revisions for Round No. 2, if any, or closing/suspension the program. Any action will then be returned to the full Council for consideration.

///



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January 2, 2024

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager
SUBJECT: Discussion and Possible Action Related to Crossing Guard Crossing Guard Box Located on the Corner of Wildwood and Center

IT IS RECOMMENDED THAT THE CITY COUNCIL:

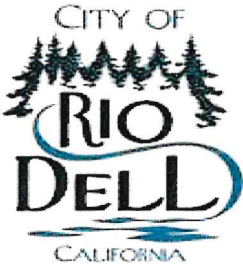
Provide direction to staff.

BACKGROUND AND DISCUSSION

On October 5, 2021 the City Council discussed an agenda item related to the red crossing guard box located on the corner of Wildwood and Center Streets. Discussion on potential removal concluded with a Council referral to the Beautification, Walkability & Pride Committee. The Mayor has requested that this item be placed on the agenda.

The corner of Wildwood and Center Streets is home to a red Sentry Box (a small weather shelter for an individual) that is deteriorating. The Sentry box was originally used for a school crossing guard, however it has fallen into disuses with the electronic crossing guard system that traverses Wildwood Avenue. Ownership of the box is unclear but is ultimately a City responsibility, being within the right-of-way.

///



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(707) 764-3532
cityofriodell.ca.gov*

January 2, 2024

TO: Rio Dell City Council
FROM: Kyle Knopp, City Manager
SUBJECT: Authorize staff to Execute the Amendment to City Engineer’s Scope of Services for the Eel River Trail Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to Execute the Amendment.

BACKGROUND AND DISCUSSION

Staff is proposing that the City prepare to phase the Eel River Trail Project. The project grant has a set amount of resources that Clean California has clearly stated will not be receiving additional funding. Additional unforeseen and necessary cost increases are placing pressure on the project’s nearly \$2.4 million dollar budget. Finally, inflation potentially could add further difficulty when bids are received. In order to maintain a buildable project, it is recommended that the Council approve the attached amendment.

There are two primary factors outside of City control necessitating this amendment.

- 1.) The City’s easement on paper for the old road is more eastern than originally thought and also where the old road was actually used. As such, there is a more significant elevation drop from Davis Street to the main segment of the trail. Clean California requires 100% of what is constructed to be constructed in a manner that complies with ADA. Therefore, a new ADA compliant ramp system must be constructed to meet this environmental reality. Due to the elevation drop this facility is significantly larger than originally anticipated and requires additional design work. Additionally, a licensed engineer is required to meet a certain standard of care in the design of such facilities, including additional geotechnical investigation in order to create the appropriate design that is not over or under engineered.
- 2.) While the overall project is still close to or on budget, these are estimates. We will not know the cost of the project until bids for the project are received. While it is possible that bids may come in at a level that allows the project to be completed without phasing, inflation is a major concern. In consultation with Clean California, it was advised that the City prepare to phase the project. The State has approved a proposal to potentially construct the project from Edwards Drive up to the ADA ramp improvements section.

The ADA ramp would be turned into phase 2 of the project. This amendment allows for that possibility. This amendment also allows for the design of Phase 2 to be completed in Phase 1, creating a shovel ready project that can be shopped around to various granting agencies for additional financial support.

Phase 1: Construction of a fully ADA trail from Edwards Drive to the Davis Street Right-of-Way and also design for the ADA ramp system to Davis Street.

Phase 2: Construction of the ADA ramp to Davis Street.

It should also be noted that construction of the Phase 1 of the trail will likely necessitate a gravel rampway from Davis Street to the construction site, creating a new path for users. However, this path will not meet ADA requirements.

///

Reference No. 12592002

**Amendment to
Agreement between Client and Consultant**

Amendment No. 3 to GHD's Scope of Services Agreement dated December 13, 2023 between GHD Inc. (Consultant) and City of Rio Dell (Client), executed on 9/23/22.

Project: City of Rio Dell's Eel River Trail Project – Permitting, Engineering Design Plans & Specifications, and Construction Support Services.

Client hereby requests and authorizes Consultant to perform additional and/or revised services as set forth in this Amendment.

Scope of services as set forth below or in specified attachment(s).

See attached Exhibit A.

Terms of compensation as set forth below or in specified attachment(s).

See attached Exhibit A.

All provisions specified in the Extension of the City of Rio Dell's Professional Services Agreement for City Engineer Services dated January 1, 2022 are in effect. No other agreements, guarantees, or warranties are in effect.

IN WITNESS WHEREOF, the parties hereby execute this amendment upon the terms and conditions stated above.

Client City of Rio Dell

Consultant GHD Inc.

By _____

By _____

Print Name Kyle Knopp

Print Name Josh Wolf

Title City Manager

Title Business Group Leader/Project Director

Date _____

Date _____

Original Agreement	<u>\$355,000</u>
Amendment No. 1 & 2	<u>\$ -10,500</u>
Amendment No. 3	<u>\$170,000</u>
TOTAL	<u>\$514,500</u>



EXHIBIT A
Scope of Work
For
City of Rio Dell's Eel River Trail Project
Amendment 3 – Extra Work For Trail Realignment and Ramp Design

UNDERSTANDING

This Amendment 3 Scope of Work augments the original Scope of Work executed by the City of Rio Dell (City) on September 21, 2022 for the Eel River Trail project through the Clean California Local Grant Program (CCLGP).

Upon initiation of the project, survey analysis revealed that the historic Edwards Drive easement the City planned to use for the trail occurs further downslope than where the City understood it to be. These findings were presented in the January 30, 2023 memo titled "Eel River Trail – Initial Findings of Review of Historic Edwards Drive Road Easement" previously submitted to the City. Following these findings, the City worked with the two private landowners to secure the use of the recorded road easement at the bottom of the slope for the trail. On a project review call with GHD on March 9, 2023, the City made the decision to realign the trail to be within the existing easement at the bottom of the slope. This change required realigning the trail further downslope than originally scoped, and therefore required the out-of-scope design of an ADA accessible ramp to bring the trail elevation back up to the connecting elevation at Davis Street while staying within the Davis Street right-of-way and the existing recorded easements. This change also required updating some of the environmental studies for the new location of the trail.

This amendment covers the additional work necessary to finalize the design and environmental documentation tasks needed for the revised trail alignment.

SCOPE OF WORK

Task 3 – Additional Environmental Documentation

This task is based on updating the botanical study, wetlands delineation, and Habitat Mitigation Monitoring Program (HMMP) for the revised trail alignment.

On April 4, 2022, GHD entered into an earlier contract with the City to perform botanical study field work for the trail in advance of the CCLGP agreement because it was anticipated the CCLGP schedule would not align with the schedule needed to survey the sensitive plant species along the proposed trail alignment. The botanical study under the current contract was then prepared with the field data obtained during the previous summer based on the originally understood trail alignment location.

Similarly, the wetlands mapping was performed on October 13, 2022 and the associated wetland delineation report was prepared based on the originally understood trail alignment location.

With the City subsequently directing GHD in March 2023 to realign the trail, it was necessary perform additional field work and update the botanical study and the wetlands delineation report for the City's selected revised trail location.

Additionally, with changes to the botanical study and the wetlands delineation, it was necessary to update the HMMP as part of the CEQA environmental documentation.

GHD proceeded with this out-of-scope work as it was necessary for keeping the overall project on schedule.

Deliverables:

- The updated botanical studies, wetlands mapping, and HHMP have already been provided and no new deliverables to Task 3 are required under this Amendment.

Task 5 – Additional Plans, Specifications & Estimate (PS&E)

This task covers the additional work necessary to revise the trail alignment and complete the ADA ramp design as necessitated by the City's decision to move the trail downslope into the recorded easement. With the new trail alignment restricted by the existing historic Edwards Drive easement boundaries and the Davis Street right-of-way boundary, a concrete ADA accessible ramp and stair structure is necessary to provide the ADA connectivity at Davis Street as ultimately required to satisfy the scope of the CCLGP agreement.

Under this task, a new concrete switchback-style ADA ramp and stair structure will be designed to connect the lower trail elevation in the existing easement to the Davis Street elevations.

Since the actual location of the existing easement and the need for a ramp was not known during original scoping, the geotechnical investigations and recommendations were only based on an on-grade asphalt paved trail as originally proposed. The standard of care to design the ramp, which is a substantial concrete structure on a slope, necessitates additional geotechnical investigations involving soil borings and seismic evaluation with recommendations relating to mitigating liquefaction settlement and lateral spreading. This scope therefore includes additional geotechnical investigations necessary to complete the design of the new ramp.

The bid package will be developed with the ADA ramp as an additive bid item to allow awarding or removing it based on actual bids and available funding for construction at the time of award.

Deliverables:

- Geotechnical Evaluation Report in electronic format
- 100% bid-ready set of engineering design plans, specifications, and cost estimate with the ADA ramp as an additive bid item.

Assumptions:

- The 90% engineering design plans, specifications, and cost estimate milestone is to be eliminated due to project budget and schedule constraints.

Task 6 – Additional Construction Engineering and Environmental Monitoring – Optional

This optional task is to be undertaken if the City chooses to award the construction of the additive bid item for the ramp designed under Task 5. Under this task, GHD will provide construction inspection, management, and environmental monitoring associated with the construction of the ramp. If the ADA ramp is not awarded during the construction phase, then this task will not need to be awarded.

Deliverables:

- Standard construction inspection and management documentation as well as environmental monitoring documentation will be provided for the ramp portion of the project if awarded.

COMPENSATION

These additional services will be provided through an augmentation of the existing project budget as follows:

Task	Compensation
Task 3 – Environmental Documentation	\$31,000
Task 5 – Plans, Specifications, and Estimate (PS&E)	\$119,000
Task 6 – Construction Engineering and Environmental Monitoring	\$20,000
Total	\$170,000



IV. PROJECT OUTCOMES

Enter values in the Total column for just the Outputs that apply to your project.

4.1 PROJECT OUTCOMES			
Category	Output	Unit	Total
Litter Abatement	Litter Collected	Cubic Yards	10
	Public Space Cleaned	Square Feet	7000
	Anti-Littering Signs	Number of Signs	0
	Waste Bins	Number of Bins	4 2
Transit Center Improvements	Litter Collected	Cubic Yards	0
	Beautification of Space	Number of Bus Stops Beautified	0
		Number of Transit Centers Beautified	0
	Number of Art Installations	0	
Enhance Public Health	Increased Walking Paths, Bike Paths, Children's Play Areas	Square Feet	14000 15350 w/o ramp, 18440 w/ ramp
Beautification	Art Installations	Number of Installations	1
		Square Footage of Installations	50
	Urban Heat Island Reduction	Decrease in Temperature by Degrees Fahrenheit at each Improved Site, Measured at the Noon Hour	0
	Shade Trees Planted	Number Planted	0
	Drought-Tolerant, Native Plants	Number Planted	0
Enhanced Use	Furniture Added	Number of Seats Added	8
	Play Equipment Installed	Number of Play Equipment Features Installed	0
	Public Space Reclaimed for Public Use or Added for Public Use	Square Feet	28000
	Increased Use of Existing Public Space	Increased Number of Hours per Day Available	24
Enhanced Community Connection	Wayfinding Signage	Number of Signs Added	3
	Community/Historical Signs and Markers	Number of Signs Added	3
Jobs and Volunteer Positions Created	New Permanent or Temporary Jobs Created and Number of Artists Supported by the Prime Awardee and all Consultants/ Contractors to Implement or Maintain the Project(S)	Number of Permanent Persons Hired	0
		Number of Temporary Persons Hired	16
		Number of Artists Supported	1



Category	Output	Unit	Total
Pavement and Support Elements	Enhanced Paving (permeable surface or pavement alternatives, such as wood chips)	Square Feet	0
	Decreased Pavement	Square Feet	0
	Upgraded or Improved Permanent Irrigation Systems	Linear Feet	0
	Bioretention Swales and other Green Street Elements	Each	1
	Energy-Conserving Lighting Installed	Number of Energy-Conserving Lights Installed	1
	Renewable Energy Technologies (e.g. solar panels)	Each	0
	Installations of Water Fountains	Number of Water Fountains Installed	1
	Installation or Refurbishment of Bathrooms	Number of Toilets Installed or Refurbished	0
	Architectural Fencing (not chain-link)	Linear Feet	1400
	Shade Structures (not including shade trees - see Beautification category)	Number of Shade Structures	0
Education	Campaigns	# of Campaigns	4
		Reach of the Campaigns	200
		Frequency of the Campaigns	2
	Community Events	# of Events	3
		# of Attendees	150

Detailed Engineer's Estimate and Total Project Costs

Important: Read the Instructions in the first sheet (tab) before entering data. Do not enter data in shaded fields (with formulas).

Project Information:			
Agency:	City of Rio Dell	Date:	12/11/2023
Project Description:	Construct new Class I shared use path and two trailhead areas with amenities		
Project Title:	Eel River Trail		
Project Location:	In the City of Rio Dell, along the west bank of the Eel River, from Edwards Drive to Davis Street		
Name of Licensed Engineer in responsible charge of preparing or reviewing this PSR-Equivalent Cost Estimate:	Luke Halonen	License #:	C89080

Engineer's Estimate and Cost Breakdown:

Engineer's Estimate (for Construction Items Only)						Cost Breakdown			
Item No.	Item	Quantity	Units	Unit Cost	Total Item Cost	CCLGP Participating Costs/Items		CCLGP Non-participating Costs/Items	
						%	\$	%	\$
General Overhead-Related Construction Items									
1	Mobilization	1	LS	\$89,000.00	\$89,000	100%	\$89,000		
2	Traffic Control	1	LS	\$10,000.00	\$10,000	100%	\$10,000		
3	Stormwater Protection Plan	1	LS	\$40,000.00	\$40,000	100%	\$40,000		
4	Construction Area Signs	1	LS	\$6,000.00	\$6,000	100%	\$6,000		
5	Construction Staking	1	LS	\$25,000.00	\$25,000	100%	\$25,000		
6	Funding Acknowledgement Sign	1	LS	\$2,500.00	\$2,500	100%	\$2,500		
General Construction Items									
7	Remove Tree	49	EA	\$1,200.00	\$58,800	100%	\$58,800		
8	Clearing And Grubbing	1	LS	\$40,000.00	\$40,000	100%	\$40,000		
9	Roadway Excavation	1086	CY	\$100.00	\$108,600	100%	\$108,600		
10	Decorative Boulders	14	EA	\$165.00	\$2,310	100%	\$2,310		
11	Furniture: Bollards	1	EA	\$1,200.00	\$1,200	100%	\$1,200		
12	Furniture: Arcata Bench By Landscape Forms	2	EA	\$4,000.00	\$8,000	100%	\$8,000		
13	Furniture: Cordia Trash/Recycle	2	EA	\$3,200.00	\$6,400	100%	\$6,400		
14	Furniture: MDF Hydration Station	1	EA	\$6,500.00	\$6,500	100%	\$6,500		
15	Interpretive Sign & Post Installation	4	EA	\$500.00	\$2,000	100%	\$2,000		
16	Decomposed Granite	598	SQFT	\$10.00	\$5,980	100%	\$5,980		
17	Metal Edging (Aluminum)	86	LF	\$10.00	\$860	100%	\$860		
18	1" Plastic Pipe (PE Tubing) Lateral Line	20	LF	\$50.00	\$1,000	100%	\$1,000		
19	Service Saddle (Romac)	1	EA	\$2,000.00	\$2,000	100%	\$2,000		
20	Hydroseed	8200	SQFT	\$1.00	\$8,200	100%	\$8,200		
21	Hydromulch	8200	SQFT	\$1.00	\$8,200	100%	\$8,200		
22	Class 2 Aggregate Base	583	CY	\$140.00	\$81,620	100%	\$81,620		
23	Hot Mix Asphalt (Type A)	344	TON	\$220.00	\$75,680	100%	\$75,680		
24	Remove Asphalt Concrete Pavement	8200	SQFT	\$1.10	\$9,020	100%	\$9,020		
25	18" SD HDPE (Includes Excavation, Bedding, Laying, & Backfill)	91	LF	\$300.00	\$27,300	100%	\$27,300		
26	12" SD HDPE (Includes Excavation, Bedding, Laying, & Backfill)	80	LF	\$260.00	\$20,800	100%	\$20,800		
27	Drinking Fountain Drain	1	EA	\$5,000.00	\$5,000	100%	\$5,000		
28	12" Concrete Flared End Section	6	EA	\$1,500.00	\$9,000	100%	\$9,000		
29	18" Concrete Flared End Section	4	EA	\$1,700.00	\$6,800	100%	\$6,800		
30	Rock Slope Protection (20 lb, Class I, Method B)	8.4	CY	\$250.00	\$2,101	100%	\$2,101		
31	Rock Slope Protection (60 lb, Class II, Method B)	300	CY	\$300.00	\$90,000	100%	\$90,000		
32	Rock Slope Protection Fabric (Class 8)	444	SOYD	\$10.00	\$4,444	100%	\$4,444		
33	8" Gravel Filter	3.4	CY	\$250.00	\$849	100%	\$849		
34	Minor Concrete (Wheel Stop)	1	EA	\$800.00	\$800	100%	\$800		
35	Bioretention Pond	152	SQFT	\$32.00	\$4,864	100%	\$4,864		
36	Chain Link Fence (Type CL-6)	950	LF	\$60.00	\$57,000	100%	\$57,000		
37	Roadside Sign - One Post	5	EA	\$400.00	\$2,000	100%	\$2,000		
38	3-Rail Wood Fence/Guardrail	738	LF	\$65.00	\$47,970	100%	\$47,970		
39	Paint Traffic Stripe (2-Coat)	1423	LF	\$4.00	\$5,692	100%	\$5,692		
40	Paint Pavement Marking (2-Coat)	25	SQFT	\$15.00	\$375	100%	\$375		
41	Temporary Inlet Protection	2	EA	\$600.00	\$1,200	100%	\$1,200		
42	Temporary Fiber Roll	620	LF	\$8.00	\$4,960	100%	\$4,960		
43	Temporary Silt Fence, High Visibility Orange	406	LF	\$25.00	\$10,150	100%	\$10,150		
44	Temporary Construction Entrance	2	EA	\$6,250.00	\$12,500	100%	\$12,500		
45	Temporary Concrete Washout	1	LS	\$8,000.00	\$8,000	100%	\$8,000		
46	Contractor Supplied Biologist	1	LS	\$25,000.00	\$25,000	100%	\$25,000		
47	Invasive Species Control	1	LS	\$10,000.00	\$10,000	100%	\$10,000		
48	Temporary High Visibility Fencing	1000	LF	\$8.50	\$8,500	100%	\$8,500		
49	Tree Replacement Planting	49	EA	\$200.00	\$9,800	100%	\$9,800		
50	Parking Lot Solar Light	1	EA	\$25,000.00	\$25,000	100%	\$25,000		
51	Replacement Planting	1	LS	\$10,000.00	\$10,000	100%	\$10,000		
52	Adjust Water Valve Frame And Cover To Grade	1	EA	\$1,000.00	\$1,000	100%	\$1,000		
53	Invasive Plant Removal	500	SF	\$105.00	\$52,500	100%	\$52,500		
54	Environmental Mitigation	1	EA	\$100,000.00	\$100,000	100%	\$100,000		
55	Community Art Installation	1	EA	\$100,000.00	\$100,000	100%	\$100,000		
56	ADA Ramp Subitems:					100%			
57	Structure Excavation (Retaining Wall)	100	CY	\$110.00	\$11,000	100%	\$11,000		
58	Structure Backfill (Retaining Wall)	100	CY	\$140.00	\$14,000	100%	\$14,000		
59	Guardrail With Pickets	158	LF	\$50.00	\$7,900	100%	\$7,900		
60	Structural Concrete	150	CY	\$1,050.00	\$157,500	100%	\$157,500		
61	Concrete Piers, Length Approx 20 Ft	28	EA	\$10,000.00	\$280,000	100%	\$280,000		
62	Minor Concrete (Curb, Sidewalk And Curb Ramp)	42	CY	\$1,500.00	\$63,000	100%	\$63,000		
63	3-Rail (Metal) Guardrail	166	LF	\$75.00	\$12,450	100%	\$12,450		
64	Handrailing	382	LF	\$40.00	\$15,280	100%	\$15,280		
					Subtotal of Construction Items:	\$1,823,605			
						Construction Item Contingencies (% of Construction Items):	30.00%	\$547,081	
						Total (Construction Items & Contingencies) cost:		\$2,370,686	

Detailed Engineer's Estimate and Total Project Costs

Important: Read the Instructions in the first sheet (tab) before entering data. Do not enter data in shaded fields (with formulas).

Project Information:			
Agency:	City of Rio Dell	Date:	12/11/2023
Project Description:	Construct new Class I shared use path and two trailhead areas with amenities		
Project Title:	Eel River Trail		
Project Location:	In the City of Rio Dell, along the west bank of the Eel River, from Edwards Drive to Davis Street		
Name of Licensed Engineer in responsible charge of preparing or reviewing this PSR-Equivalent Cost Estimate:	Luke Halonen	License #:	C89080

Project Delivery Costs:				
Type of Project Cost	Cost \$	CCLGP Participating Costs	CCLGP Non-participating Costs	
Preliminary Engineering (PE)				
Environmental Studies and Permits(PA&ED):	\$ 155,967	\$155,967		
Plans, Specifications and Estimates (PS&E):	\$ 211,000	\$211,000		
Total PE:	\$ 366,967	\$366,967		
Right of Way (RW)				
Right of Way Engineering:	\$ 7,533	\$7,533		
Acquisitions and Utilities:	\$ -			
Total RW:	\$ 7,533	\$7,533		
Total Pre-Construction Costs (PE+RW):	\$374,500	\$374,500		
Construction Engineering (CE)				
Construction Engineering (CE):	\$ 140,000	\$140,000		
Total Construction Costs:	\$2,510,686	\$2,510,686		
Total Project Cost:	\$2,885,186	\$2,885,186		

Documentation of Non-Participating Costs:

The Engineer's logic and/or calculations for splitting costs between CCLGP-Participating and Non-participating costs must be documented in this section of the Estimate form.

Separate logic is required for each item which is partly a participating cost for CCLGP funding or is required for the construction of a non-participating item/element of the project.

Item #:	Description of Engineer's Logic: (See examples shown in the Instructions)

The City of Rio Dell has a rich history as a former home to thriving native populations that was later settled by European settlers who built a town whose "...main businesses were gambling, prostitution, and bootlegging, with fighting and the occasional murder serving as diverting pastimes ("The Bluffs Around Us," Evelyn McCormick, 1981)." In fact, men from the larger city of Eureka would make the 26-mile journey to Rio Dell to enjoy these illegal entertainments, or to engage in recreational fighting, and the downtown became known as Wildwood. To this day, the main street through Rio Dell retains the name Wildwood Avenue.

And to this day, Rio Dell contends with the negative affects brought on by the early settlers of the area. Rio Dell was built on territories previously belonging to the Wiyot, Nongatl, and Mattole Native American tribes. The native population in the area was greatly diminished following the 1860 Wiyot massacre on Indian Island (near Eureka) that extended south to the Eel River valley where Rio Dell is located. Today the native population in Rio Dell is approximately 4% of the total population estimated to be approximately 3,500 people, and the median income for the community is low enough that Rio Dell is considered a Severely Disadvantaged Community (SDAC).

The City of Rio Dell is bisected by Highway 101 and lies in the heart of Humboldt County, bordered by dense redwood forests and the Eel River, which is designated a wild and scenic river. The proposed Eel River Trail project is bordered along the east by the Eel River, and along the west by properties owned and operated by the City of Rio Dell, including the City's wastewater treatment facility. No residential properties directly border the project boundaries, and a handful of residential properties are adjacent to the trail footprint. Two city streets bookend the project site: Edwards Drive to the south and Davis Street to the north, which both dead-end east of Highway 101 near the Eel River.

Currently, Edwards Drive and Davis Street are relatively low-speed and low-volume roadways that are comfortably used as shared space by people walking, bicycling, and driving in Rio Dell. Between the two roads, however, a gap of approximately 1,500 feet exists along the bank of the Eel River. This disconnect currently requires long, circuitous routes to travel between destinations on the northeast and southeast parts of Rio Dell. The shortest route between the two points on the existing road network is about 1.4 miles (about 7,400 feet), a 500% increase in trip distance. This inadequacy creates a significant enough increase in trip distance that likely causes some people to drive to destinations that would otherwise be within comfortable walking or bicycling distance.

The corridor between these streets is a 'paper street' owned by the City, and is densely vegetated with discontinuous, worn-in footpaths. At the southern end, informal vehicular access to the Eel River riverfront area is provided at the end of Edwards Drive. The asphalt-turned-gravel turnaround area, behind a gate that is generally open during daylight hours, has large piles of garbage and greenwaste scattered throughout. At the northern end, a trailhead currently consists of dirt/gravel shoulder used unofficially for parking and an opening in the riparian woodland, with eroded steps down a steep grade to a trail. These steps are hazardous and do not conform with standard tread-riser ratios.

The proposed Eel River Trail project will develop the corridor between Edwards Drive and Davis Street. It will be a 10' paved, ADA-compliant Class I shared-use trail with 2' gravel shoulders. At the southern gateway to the new trail, the remaining dirt and asphalt cul-de-sac will be replaced with an asphalt parking area. Proposed work at the southern gateway includes a bioretention area with drainage infrastructure, waste receptacles, a bench, a water fountain, a kiosk with directional & interpretive signage, and removable bollards at the trail entry point. The Edwards Drive trailhead will provide parking for use of the trail and maintain access to the river bar.

~~Heading north, trail users will find an interpretive sign just before crossing a small creek on a prefabricated bridge. The second pullout provides another interpretive sign and a connection to an existing footpath to the Eel River.~~

At the northern terminus, the Davis Street trailhead improvements include regrading, thinning of dense vegetation, waste receptacles, a bench, directional & interpretive signage, and new concrete stairs and ADA ramp with handrails near the trail entry point. The northern portion of the trail will be further improved by invasive species removal activities that will be implemented by the California Conservation Corps.

The vibrance and benefit of the proposed infrastructure portions of the project will be further enhanced by several exciting non-infrastructure features. These features include:

- A public art contest will be a fun community event where artists will submit proposals for an art installation somewhere within the footprint of the Eel River Trail. The winner of the art installation will be selected by a public vote and the artist will be provided a cash prize to make and install the art piece. The art contest will also indirectly promote the project, create a buzz about the new trail, and will connect the people of Rio Dell to this new place.
- The Redwood Community Action Agency (RCAA), a 501(c)3 non-profit organization based in Eureka, CA (which was founded in 1980 with a mission to support leadership and advocacy, develop community-based coordinated services and activities, and support low-income community members to become self-sufficient in a healthy, sustainable environment) will lead several community engagement events. RCAA's Natural Resources team has supported decades of planning for Safe Routes to Schools in Humboldt County, including education and encouragement activities in Rio Dell and Eel River communities. This team is capable and enthusiastic about implementing many of the non-infrastructure elements of this proposal which include:
 - Outreach meetings at the local schools to promote the trail
 - 3 student-led field trips to the trail to learn about the history of the area and collect accumulated trash
 - Developing curriculum for middle school youth research projects connected to the trail
 - Leading an elementary school trail-related art project
 - Articles in the school newsletter
 - A multimedia trail awareness campaign
 - Spanish language trail outreach
 - Hosting public meetings about the trail
 - Updating the Humboldt County bike map to include the new trail

It is anticipated that bids for project may be greater than the construction allocation for the project due to the addition of the ADA ramp and trail realignment. If it is found that there is insufficient funds available to award the full project, then the project will be split into two phases by removing the ADA ramp from the current project and terminating the trail at the foot of the ADA ramp. In this scenario, Phase 1 of the project would construct an out-and-back pedestrian facility from Edwards Drive to the foot of the ADA ramp under the current agreement, and Phase 2 would be complete the connectivity trail to Davis Street as originally scoped by constructing the ADA ramp under a subsequent funding agreement.



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

January 2, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Award Bid for the Rio Dell Dog Park Project and Approval Associated Budget Adjustment

IT IS RECOMMENDED THAT THE CITY COUNCIL:

- Authorize staff to award the bid; or,
- Direct staff to schedule a special meeting; or,
- Direct staff to continue the agenda item to January 16, 2024.

BACKGROUND AND DISCUSSION

At the time of agenda publication, bids were still being received for the dog park project. This item serves as a placeholder for the award of the dog park bid.

///


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



For the Meeting of January 2, 2024

Consent Item; Public Hearing Item

To: City Council

From: Kevin Caldwell, Community Development Director 

Through: Kyle Knopp, City Manager

Date: December 19, 2023

Subject: Rental Housing Inspection Program



Recommendation:

That the City Council:

1. Allow staff to introduce Ordinance No. 401-2024 establishing Rental Housing Inspection regulations in Title 8 as Chapter 8.40 of the Rio Dell Municipal Code; and
2. Receive comments from the public; and
3. Direct staff to make any recommended changes to the Ordinance; and
4. Continue the public hearing to the January 16, 2024 meeting for approval and adoption of Ordinance No. 401-2023.

Discussion:

In 2011 the City considered establishing a Rental Housing Inspection Program (RHIP) due to complaints from tenants and neighbors. During the public hearing process, realtors and property managers convinced the City Council that the program was not necessary due to the fact that there were already regulations to address substandard conditions. In addition, they argued it would increase the cost of housing for those who could least afford it.

The City continues to receive complaints from tenants over the years. City Council members also hear complaints from the community regarding substandard living units and properties. In addition, CAL-OES inspectors who were here in January conducting earthquake-related inspections informed the City that they inspected a fairly significant number of substandard dwelling units. Habitat for Humanity has also expressed concerns regarding the substandard units within the City. Many tenants will not report substandard conditions because of the fear of losing their housing. On the other hand, some tenants do not properly maintain the units they live in or the property the units are on.

When discussed with the Nuisance Committee, which includes Councilmembers Carter and Woodall and Planning Commission member Knight, the Committee recommended that the City reconsider establishing a Rental Housing Inspection Program. This discussion occurred about the same time the City of Arcata was establishing its rental housing inspection program.

Staff used the City of Arcata's Ordinance and the City of Sacramento's Ordinance as a reference in developing the RHIP regulations. A copy of the Draft Ordinance is included in **Attachment 1**.

Of the City's 1300+/- dwelling units, there are approximately 640 rental units in the City. The Rio Dell Fire Protection District (RDFPD) is responsible for inspecting multifamily properties containing more than three (3) units. As such, the RDFPD is responsible for the 49 unit Rio Dell Apartments, the 26 units at River Bluff Cottages, the 24 units at the Rio Dell Terrace Apartments, the 13 units at the former Eeloa Lodge, the 8 units at the former Scatena Motel, the 6 units at the Grayland Apartments, the 6 units on Wildwood across from

the Rio Dell Mobile Park, the 4-plex on Berkeley Street, the 4-plex at 715 Rigby Avenue, the 4-plex on Elm, the 4-plex at 202 Second Avenue and the 4 units behind Bruner's Mini Storage for a total of 152 units. In addition, staff estimates there are approximately 25 mobilehome rental units in our local mobilehome parks, The Department of Housing and Community Development (HCD) regulates mobilehome parks. That leaves approximately 465 units that the City would be responsible for.

There are some other units that would not be required to be inspected, including:

- Rooms rented to individuals in an owner-occupied single-family residence,
- Hotel or motel units subject to the City's Transient Occupancy Tax,
- And newly constructed dwelling units for a period of five (5) years from the issuance of the Certificate of Occupancy.

Based on conducting 155 inspections in a year, staff anticipates that the City will inspect all required units within the first three years of the program. After the initial inspection, units may either qualify for annual self-certification, continued **City inspections every three** years or require a re-inspection if the unit does not pass the initial inspection. If approved for self-certification the property owner will retain a record of the **annual** self-inspections of every unit and provide that copy to the City upon payment of registration each year or upon request. If the rental unit is occupied at the time of self -self-certification, the tenant is required to attest to the inspection results.

Based on discussions with staff members who will be receiving, reviewing, scanning, and filing, including entering the information in the City's water and sewer bill software the Annual Registration forms, staff believes this task will take approximately fifteen (15) to twenty (20) minutes. Based on the City's current hourly burden rate, staff will be recommending that the City establish a \$15.00 Annual Registration fee.

It's expected that each inspection, including travel time and filing, will take approximately 30 minutes. Inspections will be made by the City Building Inspector and the Community Services Officer. In addition, processing the City Inspection information would require the

same tasks performed by the administrative staff. Based on the average current burdened hourly rates for the Community Development Director/Building Inspector or the Community Services Officer, staff will be recommending that the City establish a \$55.00 Inspection fee.

Processing the Self-Certification Inspection Checklist would require the same tasks performed by the administrative staff. However, the Self-Certification Inspection Checklist must be reviewed and approved by either the Community Development Director/Building inspector or the Community Services Officer as well. Again, based on the City's current hourly burden rate, staff will be recommending that the City establish a \$30.00 Self Certification fee.

The fees for City inspected units, inspected once every three (3) years, including the \$15.00 annual registration fee, would be \$100.00. That's \$2.78 a month. The fees for self-inspected units would be \$45.00 a year or \$3.75 a month.

The Planning Commission considered and discussed the RHIP at their November 28th meeting and unanimously, as does the Nuisance Committee recommends that your Council adopt the RHIP. Staff, the Nuisance Committee and the Planning Commission believes the RHIP will not only benefit tenants and landlords, but the surrounding neighborhoods and the City at large.

Staff, the Nuisance Committee, and the Planning Commission all believe that the adoption and implementation of the Rental Housing Inspection Program will benefit the tenants, landlords, surrounding properties, and the City overall.

Attachment 2 includes a list of anticipated Frequently Ask Questions (FAQs), Attachment 3 is the Inspection Checklist and Attachment 4 is the Registration form.

Attachment 1: Rental Housing Inspection Ordinance, Ordinance No. 401-2023.

Attachment 2: Frequently Ask Questions (FAQ's),

Attachment 3: Inspection Checklist.

Attachment 4: Registration form

ORDINANCE NO. 401-2024



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO DELL
ESTABLISHING RENTAL HOUSING INSPECTION REGULATIONS IN TITLE 8 AS CHAPTER
8.40 OF THE RIO DELL MUNICIPAL CODE**

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

WHEREAS from time to time the City receives complaints from tenants regarding the condition of their rental and landlord's or property managers unwillingness to correct the issues; and

WHEREAS City Council members also hear complaints from the community regarding substandard living units and properties; and

WHEREAS in addition, CAL-OES inspectors who were here in January conducting earthquake-related inspections informed the City that they inspected a fairly significant number of substandard dwelling units; and

WHEREAS many tenants will not report substandard conditions because of the fear of losing their housing; and

WHEREAS when discussed with the Nuisance Committee, the Committee recommended that the City reconsider establishing a Rental Housing Inspection Program; and

WHEREAS the Planning Commission reviewed and discussed the proposed Rental Housing Inspection regulations at their meeting on November 28, 2023; and

WHEREAS after a lengthy discussion, the Planning Commission unanimously recommends that the City Council adopt the draft Rental Housing Inspection regulations.

WHEREAS this ordinance is exempt from the California Environmental Quality Act (CEQA) Guidelines pursuant to Section 15321, 15301, and 15309 (Apartment Association of Greater Los Angeles v. City of Los Angeles (2001) 90 Cal.App.4th 1162) of the CEQA Guidelines.

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

Section 1.

**Residential Rental Housing Inspection Regulations
Title 8**

Article I

Short Title, Purpose, Findings, Scope and Definitions

- 8.40.010 Adoption.
- 8.40.020 Short title.
- 8.40.030 Purpose.
- 8.40.040 Findings
- 8.40.050 Scope
- 8.40.060 Definitions

Article II

Residential Rental Inspection Program Registration and Inspections

- 8.40.070 Registration
- 8.40.080 Residential Rental Inspection Program Initial Phase
- 8.40.090 Rental housing code compliance fee requirement.
- 8.40.100 Payment of a rental housing code compliance fee and provision of contact information as a condition to rental.
- 8.40.110 Property inspections and inspection reports
- 8.40.120 Problem properties.
- 8.40.130 Properties exempt from inspection.
- 8.40.140 Tenant rights and responsibilities.

Article III.

Violations, Authority, Abatement Process and Penalties

- 8.40.140 Violations.
- 8.40.150 Authority.
- 8.40.160 Administration.
- 8.40.170 Authority to Enter and Inspect.

- 8.40.180 Summary abatement.
- 8.40.190 Administrative abatement.
- 8.40.200 Delivery of Notices.
- 8.40.210 Appeal, Public hearing.
- 8.40.220 Form and Contents of Decision; Finality of Decision.
- 8.40.230 Failure to Appeal.
- 8.40.240 Costs on Appeal.
- 8.40.250 Penalties.
- 8.40.260 Cost Recovery.
- 8.40.270 Lien.

Article IV
Rental Housing Inspection Compliance Fees

- 8.40.280 Rental inspection program annual registration fee requirement.
- 8.40.290 Payment of a rental inspection annual registration fee and provision of contact information as a condition to rental.
- 8.40.300 Rental housing code annual registration fee due date.
- 8.40.310 Billing procedure.
- 8.40.320 Determination of rental housing annual registration fees.
- 8.40.330 Inspection fee
- 8.40.340 Reinspection fee
- 8.40.350 Building Permit Fee
- 8.40.360 Hourly burdened rate.
- 8.40.370 Appeal fee.
- 8.40.380 Late fee.
- 8.40.390 Notice fee.

Title 8
RESIDENTIAL RENTAL INSPECTION PROGRAM
Chapter 8.40

Article I
Short Title, Purpose, Findings, Scope and Definitions

Sections:

- 8.40.010 Adoption.
- 8.40.020 Short title.
- 8.40.030 Purpose.
- 8.40.040 Findings.
- 8.40.050 Scope.
- 8.40.060 Definitions.

8.40.010 Adoption.

(1) There is hereby adopted a Rental Housing Inspection ordinance for the City of Rio Dell, State of California, as provided pursuant to the provisions of State of California State Housing Law, Division 13, Part 1.5 of the State of California Health and Safety Code, Division 13, Housing, and the Health and Safety Code itself, all as amended from time to time by the Legislature of the State of California.

(2) This chapter incorporates by reference the State Housing Law and the Health and Safety Code, including administrative and enforcement mechanisms of Health and Safety Code Chapters 5 and 6 of Division 13, Part 1.5, as amended from time to time by the Legislature.

(3) These State of California Laws and Codes preempt other provisions of this chapter in the event of differing or conflicting provisions. This chapter makes no local changes to the State Housing Law or State Housing Code due to local climatic, geographical or topographical conditions under Health and Safety Code Section 17958.5. Accordingly, no local legislative findings or filings are required under Health and Safety Code Section 17958.7

(4) The provisions of this title shall apply to all lands and all owners of lands within all the incorporated area of the City of Rio Dell.

8.40.020 Short title.

This title shall be known and cited as the “Residential Rental Housing Program.” In any administrative action taken by any public official under the authority set forth in this title the use of the term “housing ordinance,” unless further modified, shall also refer to and mean this title.

8.40.030 Purpose.

(1) This title is adopted to promote and protect the public, health, safety, morals, comfort, convenience and general welfare and to ensure social and economic stability within the City of Rio Dell. Substandard housing has caused health risks to its occupants and those who reside in the surrounding neighborhood. Additionally, substandard housing has significantly contributed to neighborhood blight. As a result, substandard housing is a nuisance that threatens the public health, safety, and welfare of the citizens and community of Rio Dell.

(2) To eliminate this nuisance it is imperative to establish enforceable minimum standards for residential buildings. The purpose of this chapter is to establish such standards for maintaining all residential buildings within the City of Rio Dell and thereby safeguard life, limb, health, property, safety, and welfare of the public.

(3) The City is under a state mandate to have a program to enforce the provisions of the State Housing Law. Unsafe and substandard housing is a community blight often associated with unlawful activity. While the cost of enforcement is significant, the result of failing to abate substandard housing has more adverse and far reaching consequences such as loss of housing and displaced individuals.

(4) Complaint initiated enforcement actions are sufficient to provide the essential level of abatement of substandard housing conditions needed by this community. An increased level of service which includes routine inspections of rental housing units has been determined to be necessary to eliminate substandard housing in the City.

(5) Having determined the appropriate level of service to be provided by a housing code enforcement program, it is also determined that those persons who violate the State Housing Law should bear the greatest practical share of the costs of operating such a program through enforcement fees and penalties. However, the establishment of such a program requires revenue to fund its implementation costs and to fund the difference between the ongoing costs of such a program and the revenue collected from violators through enforcement fees and penalties. The source of this revenue must be reliable if such a program is to achieve its objectives. Collection of enforcement fees and penalties is inherently unreliable as a funding source, and therefore cannot be relied upon either to establish the initial operating revenue for such a program or to fully support its ongoing operational costs.

(6) It is therefore necessary to levy a Residential Rental Housing Program Fee for the purpose of generating the revenue required to fund the implementation and ongoing operating costs of such a program. The Residential Rental Housing Program Fee may be adjusted annually, as necessary, for the purpose of ensuring adequate funding for the program. The Residential Rental Housing Program Compliance Fee is a supplemental funding source for this program, intended to make up for any actual or forecast deficiencies in total program costs not generated from the collection of business license fees, enforcement fees and penalties from violators.

8.40.040 Findings.

The Rio Dell City Council finds as follows:

- (1) It is imperative to establish enforceable minimum standards for residential buildings and to provide a program for enforcing these standards which is self-supporting.
- (2) Complaint-initiated enforcement actions are sufficient to provide the essential level of abatement of substandard housing conditions needed by this community.
- (3) Violators of the State Housing Law must bear the largest feasible share of the cost of housing code enforcement.
- (4) Rental property owners derive a substantial benefit from a housing Code enforcement program and should therefore contribute to a portion of program costs.
- (5) Residents of rental property also benefit from a housing Code enforcement program and should therefore contribute to program costs indirectly through the cost of renting such housing.
- (6) It is necessary to establish an operating fund, which is separate from the City's general fund, for the purpose of implementing a housing code enforcement program and operating it on an ongoing basis. It is necessary that this source of funds be predictable and reliable for the efficient and continued operation of such a program. The imposition of a Rental Housing Code Compliance Fee is an appropriate means to accomplish this purpose.
- (7) It is recognized that the majority of rental housing property owners comply with the State Housing Law and applicable City ordinances, and that only a relatively small percentage violate these laws. And while it is the intent of this chapter that this group of violators should pay for as much of the cost of a housing Code enforcement program as is practical and feasible, it is also recognized that the collection of enforcement fees and penalties from violators can be a protracted and costly process, and that reliance thereupon as the sole source to fund such a program is inherently speculative and unrealistic. Therefore, while the primary source of revenue for this housing code enforcement program is intended to come from the collection of enforcement fees and penalties from violators, in their absence, the Rental Housing Code Compliance Fee is intended to make up program cost deficiencies. The reliance of such a program on the City's general fund for its cost of operation shall be minimized to the greatest extent possible.
- (8) This chapter satisfies the City's legal obligations under the State Housing Law.

8.40.50 Scope.

The provisions of this chapter shall apply to all residential rental dwelling units. This chapter is not an exclusive regulation of housing within the City of Rio Dell. It shall supplement, be

accumulative with, and be in addition to any and all regulatory ordinances and State or Federal law existing or hereafter enacted by the City, the State or Federal government or any other legal entity that may have jurisdiction.

8.40.60 Definitions.

For purposes of this chapter, the following definitions shall apply:

“Boarded Building” means a building in which at least 30 percent of the window and/or door surface has been covered with plywood or other material for the purpose of preventing entry into the building by persons or animals.

“Building” means any structure having a roof used or intended to be used for the shelter or enclosure of persons, animals, or property.

“Building, accessory” means a detached subordinate building located on the same building site as the main building and designed and intended for a use that is subordinate to the main building.

“Building Code” is the California Building Code adopted pursuant to Chapter 15.05 of the Rio Dell Municipal Code.

“Building, main” means a building in which is conducted the principal use of the building site on which it is situated.

“Building Official” means the City of Rio Dell Building Official established pursuant to Chapter 15.05 of the Rio Dell Municipal Code or his designee.

“Building, vacant” means a building that has been standing vacant for more than 90 consecutive days.

“City Council” shall mean the City Council of Rio Dell.

“City Manager” means the City Manager of Rio Dell, or his or her designated representatives.

“Clean and Sanitary” means interior walls, surfaces, appliances, plumbing fixtures are clean, free of trash, rubbish, debris, dead vegetation, dismantled or inoperable motor vehicles, including trailers and boats, mold, etc., which may affect the health of the resident or a condition tending to reduce the value of private property and the surrounding neighborhood.

“Clerk” means the Clerk of the Rio Dell City Council, or his or her designated representative.

“Complaint” means notification by any person, filed with the City of Rio Dell, of a violation or a suspected violation of the Rio Dell Municipal Code or this chapter.

“Council” means the City Council of Rio Dell.

“County” means the County of Humboldt.

“Demolish” means to destroy a building and to remove all debris and waste materials from the lot on which the building stood.

“Director” means the City of Rio Dell Housing Director and/or Community Development Director.

“Displaced” mean if a tenant is ordered to move out of a rented dwelling unit or structure by an order to vacate issued by the City.

“Dwelling” means any building or portion thereof containing one or more dwelling units designed or used exclusively as a residence for one or more families, but not including a tent, boat, trailer, mobile home, dormitory, labor camp, hotel or motel.

“Dwelling, multiple-family” means a building or portion thereof containing three or more dwelling units.

“Dwelling, single-family” means a building containing exclusively one dwelling unit.

“Dwelling, two-family” or “duplex” means a building containing exclusively two dwelling units under a common roof.

“Dwelling unit” means one room, or a suite of two or more rooms, designed and intended for occupancy or a place of residence by one family, and which unit has one kitchen or kitchenette.

“Family” means a person living alone, or two or more persons related by blood, marriage or adoption, or a group of not more than five unrelated persons living together as a single nonprofit housekeeping unit in a dwelling unit.

“Electrical Code” is the National Electrical Code adopted pursuant to Chapter 15.05 of the Rio Dell Municipal Code.

“Enforcement” means diligent effort to secure compliance or abatement, including review of plans and permit applications, response to complaints, citation of violations, and other legal process. Except as otherwise provided in this chapter, “enforcement” may, but need not, include inspections of existing buildings on which no complaint or permit application has been filed, and effort to secure compliance as to such existing buildings.

“Fire Code” is the Uniform Fire Code adopted pursuant to Chapter 15.05 of the Rio Dell Municipal Code.

“Fiscal Year” means the year beginning July 1 and ending June 30.

“Garbage” means any refuse and waste material derived from the preparation, use and consumption of meats and food and all dead fish, animals, fowl, fruits, vegetables, and other noxious or offensive matter or material usually and ordinarily referred to as garbage or market refuse.

“Hearing Officer” means the City Council to hear matters as provided for and described in this chapter. The hearing officer (City Council) shall also serve as the housing appeals board as that term is used in the State Housing Law.

“International Property Maintenance Code” (IPMC) adopted pursuant to Chapter 15.05 of the Rio Dell Municipal Code.

“Landlord” means an owner, lessor, or sublessor (including any person, firm, corporation, partnership, or other entity) who receives or is entitled to receive rent for the use of any dwelling, or the agent, representative, or successor of any of the foregoing.

“Mechanical Code” is the Uniform Mechanical Code adopted pursuant to Chapter 15.05 of the Rio Dell Municipal Code.

“Notice and Order” means a written notice served by an authorized City official to the owner and posted on the affected property declaring that the nuisance and/or substandard condition be repaired, removed or demolished to the satisfaction of the City.

“Notice to Abate Nuisance” means a written notice served by an authorized City official to the owner and posted on the affected property declaring that the if the nuisance and/or substandard condition has not been repaired, removed or demolished within the timeframe established in the Notice of Nuisance to the satisfaction of the City, the City shall file and record such notice with the Humboldt County Recorder’s Office.

“Notice of Nuisance” means that if the nuisance and/or substandard condition is not repaired, removed or demolished within the timeframe established in the Notice and Order to the satisfaction of the City, the City shall file and record such notice with the Humboldt County Recorder’s Office.

“Notice of Release of Nuisance” means that nuisance and/or substandard condition has been repaired, removed or demolished to the satisfaction of the City. The City shall file and record such notice with the Humboldt County Recorder’s Office.

“Nuisance” or “public nuisance” includes any public nuisance known at common law or in equity jurisprudence; any attractive nuisance which endangers health and safety and may prove detrimental to infants and other minors, whether in a building, on the premises of a building, or upon an unoccupied lot including any abandoned wells, shafts, basements and excavations; abandoned refrigerators; abandoned, dismantled or inoperable motor vehicles or parts thereof or machinery; any unsound fences or structures; any lumber, trash, fences, debris, or vegetation

which may prove a hazard for inquisitive minors; whatever is dangerous to human life or is detrimental to health; any condition, matter, or thing declared by any law of the City of Rio Dell or the State of California to be a nuisance; abandoned buildings or structures in such neglected condition that the owner's intention to relinquish all further rights or interests in them may be reasonably concluded; abandoned structures or property that create a condition tending to reduce the value of private property; promote blight and deterioration; invite plundering; create fire hazards; harbor rodents and insects; jeopardize health, safety and general welfare; annoy, injure or endanger the safety, health, or offend the public decency; unlawfully interfere with, obstruct or render dangerous for passage any public park, square, street, alley or highway. -

"Nuisance Abatement" means the correction, removal, stoppage, demolition or destruction of that which causes a nuisance.

"Nuisance Abatement Revolving Fund" means the fund established by this chapter, of that name, which shall be maintained by the City Finance Department either as an account or a fund, and may, for the purpose of accounting records, any audits thereof and any reports or statements with respect thereto, be treated either as an account or a fund. All such records with respect to any such fund shall at all times be maintained in accordance with sound accounting practice.

"Order to Vacate" is a written notice served by an authorized City official on the owner and posted on the affected property declaring that, due to failure to repair or maintain, the dwelling shall be vacated.

"Occupant" means any person over one year of age living, sleeping, cooking, or eating in, or having actual possession of a dwelling unit.

"Owner" means the owner of the fee title to a dwelling unit.

"Parties in interest" means all persons, businesses, partnerships, and corporations who have a mortgage or other interest of public record in a dwelling or dwelling unit, or who are in possession thereof.

"Person" shall include any person, firm, company, corporation, partnership, association, organization or entity, however formed, as well as trustees, heirs, executors, administrators, or assigns, or any combination of such persons. The terms "person", "owner", "operator, property manager" and "landlord" may herein be used interchangeably.

"Planning Commission" shall mean the Planning Commission of the City of Rio Dell.

"Plumbing Code" is the Uniform Plumbing Code adopted pursuant to Chapter 15.05 of the Rio Dell Municipal Code.

"Private Property" means such property as belongs absolutely to an individual, and of which he or she has the exclusive right of disposition. Property of a specific, fixed and tangible nature,

capable of being in the possession of an individual and transmitted to another, such as houses, lands, vehicles, etc.

“Program” means the Housing Code enforcement program created under this chapter.

“Proof of Compliance” is documentation, on such form and in such manner as the City may provide that the deficiencies noted in the order or citation issued by the City has been corrected.

“Public Property” is a designation of those things which are considered as being owned by the public, the entire state or community, and not restricted to dominion of a private person. The term may also apply to any property owned by a state, nation or municipality

“Public Record” means deeds, mortgages and other instruments of record relating to land titles and recorded by the Humboldt County Recorder.

“Rental dwelling unit” means the dwelling unit rented for any tenure, type or price.

“Rental Housing Business License Fee” means the fee assessed and adopted pursuant to Chapter 5.05 of the Rio Dell Municipal Code.

“Rental Housing Code Compliance Fee” means the fee assessed under this chapter for each rental dwelling unit.

“Residential Rental Inspection Program” (RRIP) means the rental inspection program created by this Chapter.

“Responsible Fire Chief” means the chief of the Rio Dell Fire Protection District.

“Rubbish” means refuse matter, combustible and noncombustible, including tin cans, bottles, papers, ashes, wire, box strapping’s, packing materials, lawn trimmings, trees, plants and other nursery stock, crockery, glass, brick, cement, motor vehicle bodies and discarded mechanisms, sawdust, mill trimmings, waste and all other material and matter similar to that herein mentioned. [Ord. 23 § 1, 1965.]

“Self-Certification Program” means the program created by this Chapter by which the Owner or Operator of a Property or RDU certifies that the Property and its occupancy comply with all applicable Building, Housing and Sanitation Codes or Ordinances.

“State Housing Law” means Division 13, Part 1.5 of the Health and Safety Code (commencing at Section 17913) and Article 1 (commencing at Section 1) of Chapter 1, Title 25 of the California Code of Regulation.

“Substandard dwelling” has the same meaning as substandard building as set forth in Health and Safety Code Section 17920.3, or any successor statute.

“Summary Abatement” means the abatement of the nuisance by the City, or a contractor of the City, by removal, demolition, repair or other acts with or without notice to the owner, agent or occupant of the property when the City determines that the public nuisance constitutes an immediate and/or imminent peril to public health, safety or general welfare.

“Tenant” means the individual or individuals occupying a rental dwelling unit.

“Uniform Housing Code” adopted pursuant to Chapter 15.05 of the Rio Dell Municipal Code.

“Untenantable Rental Dwelling Unit” means a rental dwelling unit deemed untenantable for the purposes of this chapter, if it or the common area of the dwelling, structure, or premises in which it is located is the subject of a Housing Code citation or order pursuant to this chapter and substantially lacks any of the affirmative standard characteristics set forth in Civil Code Section 1941.1.

“Vacation Date” means the date by which a tenant is required to vacate a rental dwelling unit, pursuant to an order by an authorized City official.

Article II
Residential Rental Inspection Program Registration and Inspections

SECTIONS

- 8.40.070 Registration
- 8.40.080 Residential Rental Inspection Program Initial Phase
- 8.40.090 Property inspections and inspection reports
- 8.40.100 Other Inspections.
- 8.40.110 Problem properties.
- 8.40.130 Properties exempt from inspection.
- 8.40.140 Tenant rights and responsibilities.

8.40.070 Registration.

(1) Every Owner or Operator shall register each RDU with the RRIP on a form provided by the City. Initial registration applications shall be due within six (6) months after the Effective Date of this Chapter. Newly created RDUs shall be registered no later than sixty (60) days after the Owner first acquires or converts the RDU.

(a) At the time of registration, the owner shall also provide information, on a form provided by the City, giving contact information for the owner, management and their authorized representatives. Such contact information shall include, at a minimum, the name, telephone number, email address, facsimile number and mailing address of at least one record owner of the property being rented as well as that of the property manager; the address or addresses of such property; a description of the types of dwellings being rented; the number of residential units at the property; and, a name, including a business name if applicable, address and telephone number to be used for emergency contacts. The owners and managers shall notify the City within sixty (60) days of any changes to the information provided pursuant to this subsection.

(b) When ownership of an RDU changes, the RDU seller shall notify, or shall cause the notification to, the Director of the change of ownership no later than sixty (60) calendar days after consummation of the sale. If the Director is not so notified, the existing rental housing inspection certification for the RDU shall automatically terminate and be null and void. The new Owner will not have to pay the program fees until the following fiscal year provided all current fees were paid for the RDU.

(2) RDU registration applications shall be subject to verification by the Director. All information on registration applications shall be submitted under penalty of perjury. Any person who makes a false statement in the registration application or submits false information in connection with registration shall be guilty of an infraction.

(3) An Owner or Property Manager may self-certify compliance with all applicable Building, Housing and Sanitation Codes or Ordinances by applying to the Self-Certification Program pursuant to

Section 8.40.090(2) of this Chapter on a form provided by the City. Self-Certification shall be attested by the tenant if the unit is occupied.

(4) Registration must be renewed each fiscal year.

(5) Any Owner or Operator shall designate a Local Representative who is fully authorized to act for the purposes of this Chapter, including acceptance of service of notices from the City and availability to attend inspections. When so designated, the terms "Owner" and "Operator" as used in this Chapter shall be understood as applying to the Local Representative, as appropriate.

8.40.080 Residential rental inspection program initial phase.

During the first three (3) years after the Effective Date ("Initial Phase") or as soon as feasible, initial inspections by City inspectors will be conducted on all RDUs not exempt from the RRIP.

8.40.090 Property inspections and inspection reports.

(1) At the commencement of any tenancy, but prior to occupancy by the tenant, the owner of the rental property or the manager of such property, shall conduct an inspection of the rental unit. Inspections shall be reported on a form provided by the Department. Inspection reports shall be provided to the occupant(s) prior to occupancy and copies provided to the City within fifteen (15) days of the required inspection.

(2) Subject to the provisions of this chapter, the City, the owner or the owner's authorized representatives shall conduct **annual** inspections of each rental dwelling. At the time of payment of the Rental Housing Code Compliance Fee, an owner may opt for annual self-inspection. Inspections shall be reported on a form provided by the Department. Inspection reports shall be provided to the City within fifteen (15) days of the required inspection.

(3) Notwithstanding subsections (1) and (2) of this section, any rental property that has been subject to a notice and/order more than once in the year immediately prior to the effective date of the ordinance codified in this section and for which corrections were not made within the time permitted by the notice and/order shall be deemed a problem property and shall be subject to the provisions of this chapter.

(4) No sooner than one year from the effective date of the ordinance codified in this section, the City may conduct audits of rental owners to determine compliance with these inspection provisions. Except as provided in this subsection, the City shall review the owner inspection reports when conducting a compliance audit. In the event the City determines that an owner is not in compliance, rental units subject to such noncompliance shall be inspected by the City and the owner shall be required to pay the inspection fee in the amount established by resolution of the City Council.

(5) If the City determines, in its sole and absolute discretion, that there are deficiencies in any inspection report, it may conduct its own inspection of the property. The form used for such inspection shall be the same form required to be used by owners and managers of rental units. An inspection by the City may be conducted without reference to the original inspection report if code violations are visible from the exterior of the property or if the City receives a complaint concerning code violations at a property.

(6) For purposes of any compliance audit, any owner or manager shall provide the inspection report prepared for subsections (1) and (2) of this section to the City and its inspectors. The owner or manager shall provide inspection reports within seventy-two (72) hours from the date they are requested.

(7) A copy of all inspection reports required by this section shall be provided to the tenant no later than ten (10) calendar days from the completion of the inspection.

8.40.100 Other inspections.

The owner, operator, property manager or tenant of an RDU may request additional inspections in accordance with this Section.

(1) An owner, property manager, operator or tenant may request an inspection of an RDU at any time outside of the scheduled inspection calendar. The person requesting the inspection shall be required to pay the inspection fee in the amount established by resolution of the City Council.

8.40.110 Problem properties.

(1) Any rental property subject to a notice and/order more than once in any calendar year and for which corrections are not made within the time permitted by the notice and/order shall be deemed a problem property.

(2) The City shall conduct exterior and interior inspections of such properties at least once per year.

(3) The City may, in its sole discretion, determine to inspect other rental properties of an owner of a problem property.

(4) A problem property shall not be subject to self-inspection pursuant to subsection (2) of Section 8.40.090.

(5) A property shall no longer be classified as a problem property at such time as it consecutively passes two City inspections.

(6) Costs for the inspections required by this subsection shall be billed to and assessed against the specific properties subject to such inspections and shall be in an amount to assure full cost recovery to the City.

8.40.120 Properties exempt from inspection.

The following properties shall be exempt from the initial and annual inspections otherwise required by this chapter:

- (1) Any property during the five years after its initial construction;
- (2) Any property subject to the Federal Housing Choice Voucher Program (formerly known as Section 8);
- (3) Rooms rented to single individuals in an owner-occupied single-family residence;
- (4) Mobilehome Park Units.
- (5) Properties inspected by the Rio Dell Fire Protection District which includes properties containing more than three (3) units.

8.40.130 Tenant rights and responsibilities.

Prior to the commencement of any tenancy, a property owner or manager shall provide the tenant(s) with information concerning tenant rights and responsibilities. Such information shall be provided in a form or forms approved by the City.

**Article III.
Violations, Authority, Abatement Process and Penalties**

SECTIONS

- 8.40.140 Violations.
- 8.40.150 Authority.
- 8.40.160 Administration.
- 8.40.170 Authority to Enter and Inspect.
- 8.40.180 Summary abatement.
- 8.40.190 Administrative abatement.
- 8.40.200 Delivery of Notices.
- 8.40.210 Appeal, Public hearing.
- 8.40.220 Form and Contents of Decision; Finality of Decision.
- 8.40.230 Failure to Appeal.
- 8.40.240 Costs on Appeal.
- 8.40.250 Penalties.
- 8.40.260 Cost Recovery.
- 8.40.270 Lien.

8.40.140 Violations

(1) Existence of a Substandard Dwelling. All dwellings, or portions thereof, shall be maintained, repaired, or reconstructed in accordance with the California Building Codes, California Health and Safety Code, Uniform Housing Code and International Property Maintenance Code. Any dwelling, or portion thereof, which has become a substandard dwelling as defined herein, is declared to be a nuisance and an infraction and shall be abated through correction, repair, reconstruction or demolition in accordance with applicable provisions of this chapter.

(2) Rent or Lease of Substandard Dwelling. It shall be unlawful and a violation of this Code for the owner(s) or parties in interest of any dwelling, or portion thereof, that is a substandard dwelling to rent or lease, or to offer for rent or lease the substandard dwelling, or any portion thereof. Any person violating this subsection may be charged with an infraction as provided in **Section 8.10.080**.

(3) Failure to Obey Notice and/order. It shall be unlawful and a violation of this Code for any owner to fail or refuse to comply with the terms and provisions stated in any notice and order issued under this chapter. Any person violating this subsection may be charged with an infraction as provided in **Section 8.10.080**.

(4) Rental Without Inspection. It shall be unlawful and a violation of this Code for any owner or party in interest to rent to another person a vacant dwelling unit that is the subject of a pending enforcement action under this chapter, until such dwelling unit has been inspected by the City for compliance, and has passed such inspection, and written evidence thereof has been received. For purposes of this section, a dwelling unit is the subject of a pending enforcement

action under this chapter if all repairs and work required by a notice and/order previously issued, amended, or supplemented by the City concerning such dwelling unit have not been completed with all required building permit inspections finalized. Any person violating this subsection may be charged with an infraction as provided in **Section 8.10.080**.

(5) Removing Notice and/order Without Inspection. It shall be unlawful and a violation of this Code for any individual to remove a notice to vacate attached to the structure of a vacant dwelling unit which is the subject of a pending enforcement action under this chapter, until such dwelling unit has been inspected by the City for compliance, and has passed such inspection, and written evidence thereof has been received. For purposes of this section, a dwelling unit is the subject of a pending enforcement action under this chapter if all repairs and work required by a notice and/order previously issued, amended, or supplemented by the City concerning such dwelling unit have not been completed with all required building permit inspections finalized. Any person violating this subsection may be charged with an infraction as provided in **Section 8.10.080 of Chapter 8.10 of this Code**.

8.40.150 Authority.

(1) The California Constitution (Article XI, Section 7) grants cities the police power to enforce their nuisance abatement ordinances.

(2) The Rio Dell Community Development Department and the Community Services Division of the Police Department are hereby authorized and directed to administer and enforce the Residential Rental Inspection Program (RRIP), all of the provisions set forth in this chapter, and all regulations approved and adopted by the City Council as provided in **Section 8.40.100**. For such purposes, the Director or his designee shall have the powers of a law enforcement officer.

(3) Should any public nuisance not be abated within two weeks of the date stated in the notice and order or within the time extension granted by the City Council, the City shall have the authority to enter the property and abate the public nuisance thereon.

(4) In abating the nuisance, the City may go to whatever legal extent necessary to complete the abatement of the public nuisance, including removal and demolishing of the nuisance. All costs shall be recoverable.

8.40.160 Administration.

The Director may present to the City Council for approval and adoption those regulations which seem consistent with the purposes, intent, and express terms of this chapter as he or she deems necessary to implement such purposes, intent, and express terms. No regulation or amendments thereto, shall be enforced or become effective until thirty (30) calendar days following the date on which the proposed regulation or amendment has been approved by the City Council and filed with the Clerk. The Director shall have the power to render interpretations

of this chapter and its regulations in order to clarify the application of its provisions. Such interpretations shall be in conformity with the intent and purpose of this chapter.

8.40.170 Authority to enter and inspect.

(1) The Director, subject to the consent given by an occupant who reasonably appears to be at least eighteen (18) years of age, has the authority to enter and inspect any dwelling or premises whenever necessary to secure compliance with or prevent a violation of, any provision of this chapter and any regulation adopted pursuant to this chapter. In the event consent of the occupant is not available, the Director may obtain an inspection warrant pursuant to the provisions set forth in the California Code of Civil Procedure (commencing at Section 1822.50).

(2) The owner, authorized agent of any owner, or any of the parties in interest of any dwelling, or portion thereof, may enter the dwelling, subject to the consent of the occupant, whenever necessary to carry out any instructions or perform any work required to be done pursuant to this chapter.

(3) Subject to the provisions of California Code of Civil Procedure Section 1822.50 et seq. concerning inspection warrants, no person authorized by this Section to enter dwellings shall enter any dwelling between the hours of 6 o'clock p.m. of any day and 8 o'clock a.m. of the succeeding day, without the consent of the occupants of the dwelling.

8.40.180 Summary abatement.

(1) Summary abatement shall be executed when the City determines that the public nuisance constitutes an immediate and/or imminent peril to public health, safety or general welfare.

(2) Summary abatement is the abatement of the nuisance by the City, or a contractor of the City, by removal, demolition, repair or other acts with or without notice to the owner, agent or occupant of the property. The abatement shall be at the expense of the person causing, committing or maintaining the nuisance or the owner of the property on which it is occurring.

(3) If the Building Official finds from the inspection he/she has made, or caused to be made, of any building that there exists therein or on the premises thereof any conditions imminently dangerous to life should such building be or remain occupied by human beings, he/she may order the immediate evacuation of such building, if occupied, and shall cause to be posted at each entrance thereto a notice reading substantially as follows:

DANGER

DO NOT ENTER

Unsafe to Occupy

Building Official of the City of Rio Dell

Any unauthorized person removing this sign or entering this building shall be prosecuted.

(2) Whenever such notice is posted, the Building Official shall include a notification thereof in the notice and order issued by him/her under this chapter, reciting the emergency and specifying the conditions which necessitate the posting. No person shall remain in or enter any building which has been posted at each entrance door thereof the prescribed notice, except that entry may be made to repair, demolish, or remove such building. No person shall remove or deface any such notice so posted until the required repairs, demolition, or removal has been completed and a certificate of occupancy issued pursuant to the provisions of the building code of the City of Rio Dell.

8.40.190 Administrative abatement.

(1) Administrative abatement proceedings as described in this section will take place when the nuisance is of a nonemergency nature.

(a) Courtesy Letter. Upon determination by an enforcement official that a nuisance exists, a courtesy letter will be delivered to the owner, occupant, lessee and/or agent of the property where the nuisance is occurring. The courtesy letter will:

(i) Give a sufficient description to identify the property where the nuisance is occurring and shall include the parcel number and address;

(ii) Describe the condition causing the nuisance;

(iii) Include a description of corrective action that must occur to remedy the violation;

(iv) Advise the owner/occupant/lessee and/or agent of the property that the nuisance must be abated within four weeks of the date of receipt of the courtesy letter;

(v) Advise the owner/occupant/lessee or agent of the property that failure to abate the nuisance within fifteen (15) calendar days will result in further action.

(b) Notice and Order. If the nuisance is not abated within fifteen (15) calendar days of delivery of the courtesy letter, the City will deliver a notice of violation and order to abate to the owner/lessee/occupant or agent. The notice and order may be recorded in the office of the County Recorder of the County of Humboldt. The notice and order will:

(i) Give a sufficient description to identify the property and its legal owner where the nuisance is occurring including the parcel number and address;

- (ii) Describe the condition causing the nuisance;
- (iii) Include a description of the corrective action that must occur to remedy the violation;
- (iv) Provide dates by which the violation must be commenced and entirely abated.

Commencement must occur within two weeks and abatement must be complete in a specified amount of time no less than four weeks and no more than six weeks from the delivery of the notice and order, depending on the nuisance, unless an extension is granted by the City Council. The dates shall be set by the enforcement official;

(v) Provide a description of the penalties for failure to remedy the nuisance within the specified time defined as \$25.00 per day each day beyond the specified time limits until the nuisance is abated, including \$25.00 per day if the abatement is not commenced within two weeks, and \$25.00 per day if the abatement is not completed within the time period specified in the notice and order, up to a maximum of \$500.00;

(vi) Give notice that if the nuisance has not been abated within fifteen (15) calendar days of the specified time limit, the City shall have the authority to abate the nuisance itself or via a contractor and that the responsibility for the costs of abatement, including the costs of actual removal or demolition and the associated administrative and legal costs, will be assessed to the owner, lessee and/or occupant of the land on which the nuisance is located and that failure to comply may also warrant the pursuit of further civil and/or criminal charges in accordance with the laws of the State of California;

(vii) Describe the rights of the owner, lessee and/or occupant of the land to request a public hearing before the City Council. (Refer to RDMC 8.10.120.)

(2) **Weed Abatement.** The City shall gain the authority to abate/destroy weeds, dry grass, rubbish and other inflammable material or vegetation **10 days** from the delivery of the courtesy letter/notice to destroy weeds. The costs of such abatement, including administrative costs, shall be the responsibility of the property owner.

8.40.200 Delivery of notices.

Any notice or letter required to be delivered by this chapter shall be deemed to have been delivered when a copy of said notice is either served personally or has been deposited in the mail, postage prepaid, certified, return receipt requested to the owner and/or occupant, lessee or agent of the property. A copy of the notice may also be prominently affixed to the premises. The failure of the City to make or attempt to make such service shall not invalidate any proceedings of this chapter. If no address can be found or is known to the City, then any notice shall be so mailed to such person at the address of the premises where the nuisance is occurring. The failure of any person to receive such notice shall not affect the validity of the proceedings of this chapter. [Ord. 239 § 9, 2000.]

8.40.210 Appeal, Public hearing.

(1) Appeal. Within ten (10) calendar days of delivery of the notice and order, the owner, lessee or occupant may appeal any notice and order by filing at the office of the Clerk an appeal fee established by resolution of the City Council and a written appeal. The appeal shall not be deemed filed until payment of the appeal fee has been received; however, the appeal fee required hereby may be waived on the basis of financial hardship. Within the same ten (10) calendar daytime period, the owner, lessee or occupant of the property may submit to the City in writing a sworn declaration that the nuisance does not exist and/or is not their responsibility. In this case, the Director may continue the public hearing to determine the existence and/or responsibility of the nuisance. The written appeal shall contain:

- (a) The names of all appellants participating in the appeal.
- (b) A brief statement setting forth the legal interest of each of the appellants in the building or land described in the notice and/order, determination or action.
- (c) A brief statement in ordinary and concise language of the specific order, determination or action protested, together with any material facts claimed to support the contentions of the appellant(s).
- (d) A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested order, determination or action should be reversed, modified or otherwise set aside.
- (e) The signature of each party named as an appellant and their official mailing address(es).
- (f) The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

(2) Inspection. The City Manager may inspect the premises involved in the appeal hearing prior to, during or after the hearing, provided that:

- (a) Notice of such inspection shall be given to the parties before the inspection is made;
- (b) The parties are given an opportunity to be present during the inspection;
- (c) The City Manager shall state for the record during the hearing, or file a written statement after the hearing for inclusion in the hearing record, upon completion of the inspection, the material facts observed and the conclusion drawn there from; and
- (d) Each party then shall have a right to rebut or explain the matters for the record during the hearing or by filing a written statement after the hearing for inclusion in the hearing record.

(3) Public Hearing. A public hearing shall be scheduled not less than ten (10) calendar days or more than sixty (60) calendar days from the date that the City receives a complete appeal. The Clerk shall give written notice of the time and place of the hearing at least five days prior to the date of the hearing to each appellant by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, certified postage prepaid return receipt requested, addressed to each appellant at his or her address shown on the appeal. Notice shall be effective upon personal delivery or five days after mailing.

(a) Conduct of Hearing. The City Manager may act as the hearing officer or may convene one or more persons to act as the hearing officer.

(b) Persons Affected. Any person affected may be present at such hearing, may be represented by counsel, may present testimony, and may cross-examine the enforcement official and other witnesses.

(c) Determination. The hearing officer shall issue a written decision to uphold or overturn the Director's or City inspector's determination

(4) The appellant may appeal the hearing officer's decision to the City Council. The appeal must contain a written statement of issues on appeal together with supporting documentation and evidence, as well as payment of the appeal fee established by resolution of the City Council. The appeal must be submitted to the City Clerk no later than ten (10) calendar days after the date of notification of the City Manager's decision.

(a) The City Council shall conduct a hearing to hear the appeal no later than thirty (30) days after submittal of a complete appeal. The City Council shall consider all relevant evidence including, but not limited to, the Director's or City inspector's determination with supporting documentation, applicable staff reports, and objections or protests relevant to the determination. The appellant carries the burden to demonstrate with clear and convincing evidence that the determination was erroneous. Both the appellant and Director or City inspector shall be given opportunities to testify and present evidence. The legal rules of evidence shall not apply, and the City Council may rely on any relevant evidence that is material to the Director's or City inspector's determination.

(b) Upon the conclusion of the hearing, the City Council shall, on the basis of clear and convincing evidence presented at the hearing, decide whether the determination should be upheld, or whether the determination was erroneous and therefore should be modified or reversed.

8.40.220 Form and contents of decision; finality of decision.

(1) Form. The decision of the City Manager, City Council or Director shall be in writing, shall contain findings of fact and a determination of the issues presented, and shall be issued no later than thirty (30) days from the date of the hearing, unless the time is waived by the parties.

(2) Possible Orders. If it is shown by a preponderance of the evidence that the condition of the premises constitutes a public nuisance the decision shall require the owner to commence abatement of the nuisance not later than ten (10) calendar days after the issuance of the decision, and that the abatement be completed within such time as specified by the City Manager, City Council, or in the alternative, within the time designated by the Director. If the building, structure, or premises is lawfully occupied, and abatement of the nuisance may not be safely accomplished under the circumstances as a result of such occupancy, the occupants may be ordered to vacate the premises under terms reasonable under the circumstances presented.

The City Manager or City Council may order such remedies as are reasonable under the circumstances for the protection of the public or affected property, and as are otherwise authorized by law or in equity, including the following: The owner shall be responsible for satisfying all relocation benefits, as may be required by law. The premises may be ordered fenced and boarded against entry. Regular patrol of the premises to ensure the integrity of such boarding and fencing measures may be ordered. (It is not the intent of this Code to allow boarding and fencing of premises to substitute for abatement of the public nuisance; such actions are to be merely interim measures, lasting only so long as is necessary to protect the public and property until full abatement may be accomplished.) The City Manager or City Council may order other measures which are reasonable and necessary for the protection of the public or property under the circumstances. The City Manager's or City Council's decision shall inform the owner that if the nuisance is not abated within the time and in the manner specified, the nuisance may be abated by the City, without further notice or consent of the owner or any party in interest, in such manner as may be ordered by the hearing examiner, and the expense thereof, including all costs of enforcement, and relocation benefits required to be paid by the City as a result of the owner's failure to do so, may be made a lien on the subject property.

(3) Decision Final. The decision of the City Council or Director shall be final when signed and issued by the City Council or Director and served as herein provided.

8.40.230 Failure to appeal.

Failure of any person to properly appeal, including making payment of the appeal fee in accordance with the provisions of this chapter, shall constitute a waiver of his or her right to an administrative hearing and adjudication of the notice and/order, determination, or action, or any portion thereof.

8.40.240 Costs on appeal.

The City may be awarded its costs, including attorneys' fees, in defending against an unsuccessful appeal brought without substantial merit, which costs may be charged jointly and severally against the appellants and recovered as costs of enforcement as provided herein. Such an award must be based upon a finding supported by a preponderance of the evidence that the appeal was without substantial merit or was taken for the sole purpose of delay.

8.40.250 Penalties.

(1) Each day in which a violation and/or public nuisance is not abated following the commencement and completion dates specified in the notice and order will constitute a separate infraction of this chapter with a penalty of \$25.00 per day, including \$25.00 per day if not commenced by the specified date and \$25.00 per day each day that the nuisance continues to exist on the property beyond the specified abatement deadline, up to a maximum of \$500.00. Additional civil and criminal charges or penalties may be imposed in accordance with California State law.

(2) Repeat violations of this chapter by the same responsible party within one year of delivery of the first notice and order may result in higher per-day penalties, up to \$50.00 per day, up to a maximum of \$1,000.

(3) Fines. The City may seek, in addition to all other remedies available at law, criminal sanctions, contempt and other penalties provided for under Chapter 6, Division 1.5 of the Health and Safety Code (commencing at Section 17995).

(4) The City may shut off the water supply to any rental units where the owners have failed to pay the required Rental Housing Code Compliance fee or have failed to conduct the required property inspection and the filing of the inspection reports as required by this Chapter.

8.40.260 Cost recovery.

(1) Costs. In the event that the owner/lessee/occupant does not abate the nuisance within the time period specified in the notice and order, the City shall retain the right to abate the public nuisance at the expense of the responsible party. Expenses to the owner/lessee/occupant shall include the actual costs of abatement as well as the associated administrative and legal costs, including court costs and attorneys' fees, and penalties.

(2) Revolving Fund.

(a) The City Council shall create a Housing Code Enforcement Fund revolving fund from which may be paid the costs of enforcing the provisions of this chapter and the City's nuisance abatement program, and into which shall be paid the receipts from the collection of penalties and costs recovered.

(b) The material property retrieved from any nuisance abated by the enforcement official may be sold in the same manner as surplus City personal property is sold, and the proceeds from such sale shall be paid into the revolving fund.

(3) Accounting and Receipts.

(a) The City Finance Department shall keep an itemized account of the expenses incurred by the City in enforcing the provisions of this chapter, including the costs of administering this chapter and actually abating a public nuisance and all administrative, legal and contracting costs.

(b) Upon completion of the abatement, the enforcement official shall cause a public notice to be prepared which will specify the work done and include an itemized account of the costs and receipts of performing the work; an address, legal description or other description sufficient to identify the premises; the amount of the assessment proposed to be levied against the premises; and the time and place when and where the enforcement official will submit the account to the Council.

(4) Assessment of Costs and Penalties. At a regularly scheduled City Council meeting, of which responsible parties will be notified, the Council shall hear and consider the account, penalties and proposed assessment, together with objections and protests thereto. The Council may make such modifications and revisions of the proposed assessment as it deems just, and may order the account and proposed assessment confirmed or denied, in whole or in part, or as modified and revised. The determination of the Council shall be final and conclusive.

(5) Penalties and/or costs will be billed directly to the responsible party. Failure to pay will result in the preparation and recording of a lien.

8.40.270 Lien.

(1) Upon failure of the responsible party to pay penalties and costs, and upon confirmation by the Council, the enforcement official shall cause to be prepared and recorded in the office of the County Recorder of the County of Humboldt a notice of lien. Said notice shall contain the following:

(a) An address, parcel number, legal description or other description sufficient to identify the premises;

(b) A description of the proceedings under which the special assessment was made, including the order of the Council confirming the assessment;

(c) The amount of the assessment;

(d) A claim of lien upon the described premises.

(2) Lien. Upon the recordation of such notice of lien, the amount claimed shall constitute a lien upon the described premises.

(a) Collection with Ordinary Taxes. The notice of lien, after recordation, shall be delivered to the County Auditor, who shall enter the amount of the lien on the assessment roll as special assessments. Thereafter the amount set forth shall be collected at the same time and in the same manner as ordinary City taxes are collected, and shall be subject to the same penalties and interest, and to the same procedures for foreclosure and sale in case of delinquency, as is provided for ordinary City taxes, and all laws applicable to the levy, collection and enforcement of City taxes are hereby made applicable to such assessment.

Article IV
Rental Housing Inspection Compliance Fees

SECTIONS

8.40.280	Rental inspection program annual registration fee requirement.
8.40.290	Payment of a rental inspection annual registration fee and provision of contact information as a condition to rental.
8.40.300	Rental housing code annual registration fee due date.
8.40.310	Billing procedure.
8.40.320	Determination of rental housing annual registration fees.
8.40.330	Inspection fee
8.40.340	Reinspection fee
8.40.350	Building Permit Fee
8.40.360	Hourly burdened rate.
8.40.370	Appeal fee.
8.40.380	Late fee.
8.40.390	Notice fee.

8.40.280 Rental Inspection Program Annual Registration Fee Requirement.

No rental dwelling unit shall be occupied by a tenant unless the unit(s) have been registered as required by Section 8.40.070 of this chapter and the annual Rental Inspection Annual Registration Fee has been paid for such rental dwelling unit(s).

8.40.290 Payment of a Rental Inspection Annual Registration Fee and Provision of Contact Information as a Condition to Rental.

(1) There is hereby established, levied, and imposed for each dwelling unit within the City of Rio Dell which is operated as a rental dwelling unit, as defined by this chapter, an annual Residential Rental Inspection Registration Fee. For each such rental dwelling unit, the owner shall pay the Rental Housing Code Annual Registration Fee to the City in an amount established by resolution of the City Council.

(2) At the time required for payment, the owner shall also provide information, on a form approved by the City, giving contact information for the owner, management and their authorized representatives. Such contact information shall include, at a minimum, the name, telephone number, email address, facsimile number and mailing address of at least one record owner of the property being rented as well as that of the property manager; the address or addresses of such property; a description of the types of dwellings being rented; the number of residential units at the property; and, a name, including a business name if applicable, address and telephone number to be used for emergency contacts. The owners and managers shall notify the City within sixty (60) days of any changes to the information provided pursuant to this subsection.

8.40.300 Rental Housing Code Annual Registration Fee Due Date.

The Rental Housing Code Compliance Fee is payable annually on July 1st. The Rental Housing Code Compliance Fee may be increased or decreased by resolution of the City Council after a duly noticed public hearing.

8.40.310 Billing Procedure.

(1) The Rental Housing Annual Registration Fee shall be billed for the fiscal year period to the owner of record on January 1st of each year. All charges for the Rental Housing Code Annual Registration Fee shall be billed to the owner of record of any such parcel having rental dwelling units. The Rental Housing Inspection Annual Registration Fee may be billed directly by the Department and/or as part of the City's consolidated utility billing service.

(2) Adjustments to a Rental Housing Annual Registration and Inspection Fees bill may be made when appropriate. Any amount paid in excess of the actual computed charge shall be refunded. Any deficiency in the amount paid against the actual computed charge shall be added to the charge for the succeeding billing. No deficiencies or refunds shall be made for a period of more than three years prior to the date that the Department determines that a billing discrepancy exists. An application requesting an adjustment of billing and stating grounds for an adjustment of refund shall be made in writing to the City.

8.40.320 Determination of Rental Housing Code Compliance Fees.

The City Manager shall annually review the financial condition of the Program for the purpose of making a recommendation to the City Council as to whether the Rental Housing Inspection Compliance Fee should be adjusted for the next fiscal year, and if so, by what amount. This recommendation shall be presented to the Council at the same time as the City Manager's annual evaluation of the Program. The City Manager shall take into consideration in this review and recommendation process the receipts deposited in the Housing Code Enforcement Fund during the preceding fiscal year from all sources, including, but not limited to, the Rental Housing Inspection Compliance Fees and recovered costs, fines, enforcement and penalties, and the present balance of the Fund in light of maintaining prudent reserves for the next fiscal year's operating expenses.

8.40.330 Inspection Fees

Each unit shall be subject to an inspection fee as determined based on the City's estimated average time at the current hourly burdened rate as adopted via resolution by the City Council.

8.40.340 Reinspection fee.

Where a violation continues to exist following the first inspection and reasonable opportunity to correct as provided in this chapter, there shall be an inspection fee levied against the owner(s).

The fee shall be levied at the current hourly burdened rate as adopted via resolution by the City Council. Reinspection's occurring thereafter to determine whether corrective action has been satisfactorily completed shall be charged to the owner(s) in the amount of the reinspection fee described above for each subsequent inspection required to determine compliance with this chapter.

8.40.350 Building Permit Fee.

Where the issuance of a building permit is required under the Building Code in order to complete work required by a notice and/order which has been issued under this chapter, such permit shall be obtained from the City, and the fee shall be paid to the City in the same amount as would be applicable under the fee schedule for building permits.

8.40.360 Hourly Burdened Rate.

Where the Director finds that additional costs of enforcement are not otherwise recovered by the fees levied by this chapter in association with a dwelling found to constitute a violation, the additional costs of enforcement shall be levied at the current hourly burdened rate as adopted via resolution by the City Council.

8.40.370 Appeal Fee.

The fee for all appeals taken under this chapter shall be determined per the current Fee Schedule as adopted via resolution by the City Council.

8.40.380 Late Fee.

If a fee has not been received by the date upon which it is due under this chapter there shall be imposed a late fee of twenty percent (20%) of the fee on the first day of the month following the due date and ten percent (10%) for each month thereafter while the fee remains unpaid, provided that the amount of the penalty shall not exceed fifty percent (50%) of the amount of the fee due.

8.40.390 Notice Fee.

The owner may be charged for the City's postage or mileage costs for sending or posting notices required to be given pursuant to this chapter.

Section 2. Severability

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

Section 3. Limitation of Actions

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

Section 4. Effective Date

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

I HEREBY CERTIFY that the forgoing Ordinance was duly introduced at a regular meeting of the City Council of the City of Rio Dell on January 2, 2024 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 January 16, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Deborah Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above and foregoing to be a full, true and correct copy of Ordinance No. 401-2024 which was passed, approved and adopted at a regular meeting of the City Council of the City of Rio Dell, held on the January 16, 2024.

Karen Dunham, City Clerk, City of Rio Dell



Community Services Division
675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-5642
cityofriodell.ca.gov

City of Rio Dell Rental Housing Inspection Program FAQ's

What is the Residential Rental Inspection Program (RRIP)?

The purpose of the RHIP is to address the issue of substandard long-term rental properties and to ensure that all rental units in the City of Rio Dell meet existing minimum health, safety, and welfare standards. Property owners of rental units within the City will be required to register and a City inspector will conduct an inspection per the approved ordinance.

What information has led the City to believe that this program is necessary?

The City has received complaints from tenants over the years. City Council members also hear complaints from the community regarding substandard living units and properties. In addition, CAL-OES inspectors who were here in January conducting earthquake-related inspections informed the City that they inspected a fairly significant number of substandard dwelling units. Many tenants will not report substandard conditions because of the fear of losing their housing.

What is AB 838? Does this law affect the City's ability to run a rental inspection program?

AB 838 was passed by the state legislature to compel cities to respond to complaints by the community, cities are required by law to inspect for basic life and safety concerns. Our current practices already comply with these new requirements. AB 838 does not conflict with the proposed RHIP program, and AB 838 specifically allows cities to implement such programs.

Does my rental property need to be registered?

All rental properties must be registered with the program. There are a few exemptions:

- Rooms rented to individuals in an owner-occupied single-family residence,
- Hotel or motel units subject to the City's Transient Occupancy Tax,
- Units inspected for health and safety standards by another governmental authority (such as the Rio Dell Fire Department),
- Mobile home parks,
- And newly constructed dwelling units for a period of five (5) years from the issuance of the Certificate of Occupancy.

How does the City plan to get people registered to sign up for the program? What are the consequences of not registering and not paying?

The City will send out multiple flyers and letters to all residential properties that are not owner-occupied, and work with property management companies and realtors. This flyer will include information directed to tenants, owners, and/or operators. If a property owner or operator willfully chooses not to register they will be sent a notice of violation and fines may be issued.

What are the costs associated with this program?

- \$15.00 Annual Registration Fee per parcel. Based on discussions with staff members who will be receiving, reviewing, scanning, and filing, including entering the information in the City's water and sewer bill software the Annual Registration forms, staff believes this task will take approximately fifteen (15) to twenty (20) minutes. Based on the City's current hourly burden rate, staff will be recommending that the City establish a \$15.00 Annual Registration fee.
- \$55.00 Inspection Fee per unit. It's expected that each inspection, including travel time and filing, will take approximately 30 minutes. Inspections will be

made by the Community Development Director/Building Inspector and the Community Services Officer. The fee was developed based on the average current burdened hourly rates for the Community Development Director or the Community Services Officer.

- \$30.00 Self-Certification Fee per unit. Processing the Self-Certification Inspection Checklist would require the same tasks performed by the administrative staff. However, the Self-Certification Inspection Checklist must be reviewed and approved by either the Community Development Director/Building inspector or the Community Services Officer as well. Again, based on the City's current hourly burden rate, staff will be recommending that the City establish a \$30.00 Self Certification fee.

When and how often will my property be inspected?

All required units will be inspected by the City within the first three years of the program. After the initial inspection, units may either qualify for self-certification, continued city inspection every three years, or require a re-inspection if the unit does not pass the initial inspection. If approved for self-certification the property owner will retain record of the annual self-inspections of every unit and provide that copy to the City upon payment of registration each year or upon request.

All units will be inspected by the City at least once every three (3) years or five (5) years depending on if the property is enrolled in the Self-Certification Program. Inspections will be scheduled in coordination property owner and the tenant.

How will the inspections work? How will we know who to call? How will this process work?

Inspections will be scheduled in coordination with city staff, the property owner/manager, and the tenant. The inspector will walk through the unit with the purpose of ensuring that the unit meets existing minimum life, health, and safety

standards. An inspection can be scheduled directly with the Building Division. Ideally, inspections will be scheduled when a unit is in between tenants. All units not enrolled in the self-certification program will require one inspection in a three (3) year cycle. Units in the self-certification program will have one inspection over the course of a five (5) year cycle.

The Fire Department inspects my units, does this mean I qualify for the exemption?

Yes. We will continue to work with the Rio Dell Fire Department (RDFD) to see how and if the programs can be coordinated over time. At this time the RDFD is responsible for parcels with three (3) or more rental units and this program will include parcels with less than three (3) rental units or not inspected by the fire department

Can you clarify what is meant by “another governmental authority”?

Any unit that is regularly inspected by a qualifying governmental agency is exempt from the program. Such as the Rio Dell Fire Department, US Department of Housing and Urban Development (HUD), and the California Department of Housing and Community Development (HCD).

What criteria is being used? What is the program looking for?

The intention of the program is to meet *minimum* health, life, safety, and welfare standards as set by the various codes. The RHIP Inspection checklist will be used by our City Staff and available to those enrolled in the Self-Certification Program. A copy of the checklist can be viewed on the city website.

Does the property owner or their designee need to be present for the inspection?

Either the tenant/designee or the owner/designee must be present for the inspection. The tenant can also act as the authorized agent if arranged by the property owner.

If inspections are missed or entrance is not allowed by tenants, how does the City plan to deal with that?

The property owner will not be penalized for this sort of situation. There are no consequences from the City, and we will work with the property owner to find a solution.

Missed inspection appointments. Is a fee assessed if the missed inspection cannot be made within 7 days due to the city staff?

Re-inspection fees will not be incurred if city staff cannot perform inspections. Nor will they incur fees if inspections need to be rescheduled by the operator or tenant provided notice is given. The ordinance allows the re-inspection fee to be waived at the discretion of the Director. A re-inspection fee will be levied only if warranted.

Who decides and how is it decided if a Rental Dwelling Unit has deteriorated to the point where the health and safety of the tenant are in danger?

Either the Community Development Director/Building Inspector or the Community Services Officer will perform the initial inspection. Depending on the kinds of issues found, the City may refer the results to the State Fire Marshall.

What is the process and timeline for enforcement if a landlord perpetually refuses to make the necessary fixes?

The City has standard Code Enforcement Protocols listed in the Municipal Code that includes a process for administrative citation and enforcement. The language in all initial code compliance letters asks that the responsible party either corrects the problem **or contacts us** within a set timeline, typically thirty (30) days. In the case of this program, the Property Owner will have a reasonable time to complete the repair (times will vary depending upon the repair type). If repairs are not completed in the time frame or an alternate time schedule has not been approved by the City, an Administrative Citation will be issued, and the property owner will begin to incur daily financial penalties.

Are there legal protections against property owner retaliation for anything discovered during an inspection?

If the issue with the unit/property is due to an omission by the owner to fulfil a duty imposed by law, State laws protect the tenant from retaliation. If the issue is generated by the tenant, it is a matter between the owner and the tenant per their rental lease agreement.

What if a property is found to have serious violations? Would the owner have to pay for relocation?

In the rare event that a residential unit is considered “unlivable” (meaning the code violations are so extreme that the unit is deemed unfit for human occupancy) then the owner/manager is responsible for relocation costs, per state law.

What happens when the property is built in an earlier code cycle and has not been remodeled but is found to have items that are not up to the current code, is this considered a code violation?

Assuming everything was built to code at the time it was built/remodeled then it is allowed to remain as-is. Typically, these corrections are often relatively easy to correct. For example, missing smoke/CO alarms, missing earthquake strap on a water heater, or replacing a defective GFCI outlet. More complex corrections are often not because of a code issue, but because of lack of maintenance, such as unsafe stairs, deck, or broken windows.

What recourse do property owners have to appeal decisions made by the Inspector or Department?

Section 8.40.210 of the RHIP regulations identifies the appeal process.

Do my properties qualify for the Self-Certification Program?

Properties that pass the initial inspection and have no existing or past violations of

building, housing and sanitation codes or ordinances within the last three (3) year period may be eligible for the Self-Certification Program.

What is a Self-Inspection?

The owner will be provided with a Self-Inspection checklist and instruction packet by the City. **Each year** the owner or manager must conduct an inspection on each unit on the property. The completed checklists should be kept in your records for at least five (5) years and provided to the City within seven (7) calendar days. If the unit is occupied, the tenant is required to attest the inspection checklist. Failure to conduct self-inspections may result in suspension from the Self-Certification program for a period of three (3) years.

What if one of my properties fails the City inspection? Am I automatically out of the Program?

Depending on the severity of the situation a property may be removed from the Self-Certification Program for three (3) years. For most cases, the City will work with the property owner to set up a reasonable timeframe to correct violations. The unit(s) on the offending properties will be subject to the regular inspection schedule. However, the unit(s) on the properties without existing or past violations will continue to be eligible for the Self-Certification Program.

Does this mean I will not have regular inspections by the City if I am Self-Certifying the units?

No, the City will still conduct one inspection but in a five (5) year period as opposed to three (3). As required by AB 838, the City will continue to respond to complaints received from tenants or other interested parties.



Rental Housing Inspection Program
 675 Wildwood Avenue
 Rio Dell, CA 95562
 (707) 764-5642
 cityofriodell.ca.gov

Rental Housing Inspection Checklist

Inspector: Building Inspector Community Services Officer

Self-Certification – Owner Self-Certification – Owner Authorized Representative

Owner Information (Please print legibly)					
First Name:			Last Name:		
Phone Number:			Email:		
Owner Authorized Representative (Please print legibly)					
First Name:			Last Name:		
Phone Number:			Email:		
Property Information (Please use on from per address or unit)					
Address:			APN:		Unit #:
Item #	Part I Exterior Inspection	PASS	FAIL	N/A	Code & Section
1.1	Address numbers are clearly visible from the street.				IPMC 304.3 CFC 505.1
Comments:					
1.2	Roof components shall not be damaged or missing.				IPMC 304.7 HSC 17920.3(g)
Comments:					
1.3	Exterior property and premises shall be clean, safe, and sanitary.				IPMC 302.1 RDMC 8.10.020
Comments:					
1.4	Exterior property and premises shall be maintained from excess plant/vegetation growth.				IPMC 302.4 RDMC 8.10.200 CFC 14875
Comments:					
1.5	Inoperable or unregistered vehicles must be stored out of the front yard, on an all-weather surface.				IPMC 302.8 RDMC 8.10.020
Comments:					
1.6	Appropriate trash containers, free from overflow, not visible from the public right of way or street.				IPMC 308 RDMC 8.05.070
Comments:					
1.7	Stairways, decks, porches, and balconies should be in good condition/free from visible structural defects and trip or fall hazards.				IPMC 304.10 HSC 17920.3(g)
Comments:					
1.8	Exterior sidewalks and driveways must remain clear at all times and in a safe and sanitary condition.				IPMC 302.3
Comments:					

Item #	Part I Exterior Inspection	PASS	FAIL	N/A	Co	Code & Section
1.9	Luminaires and receptacles shall be protected from water exposure.					IPMC 604.3.1 CEC 406.9
Comments:						
1.10	Door(s) and hardware are in good operable condition. Locks shall tightly secure the door(s). Deadbolts are required at entry/exit doors.					IPMC 304.15 CCC 1941.3
Comments:						
1.11	Window(s) free from leaks or cracks, screens present and undamaged. Window(s) shall be easily openable and held in position by hardware.					IPMC 304.13 IPMC 304.14 HSC 17920.3(g)
Comments:						
1.12	Exterior walls shall be free from holes, breaks, and loose or rotting materials.					IPMC 304.6 HSC 17920.3(g)
Comments:						
1.13	Structures and exterior areas shall be kept free from rodent harborage and infestation.					IPMC 302.5 HSC 17920.3(a)
Comments:						
1.14	Accessory structures shall be maintained structurally sound and in good repair.					IPMC 302.7
Comments:						
1.14	Swimming pools and hot tubs shall be safe and maintained in good repair.					IPMC 303
Comments:						
Item #	Part II Interior Inspection	PASS	FAIL	N/A	Code & Section	Code & Section
2.1	Interior rooms and surfaces shall be maintained in a good clean and sanitary condition.					IPMC 305.1, 305.3, 308.1 HSC 17920.3(a)
Comments:						
2.2	Stairs and walking surfaces shall be maintained in sound condition and in good repair.					IPMC 305.4
Comments:						
2.3	Every handrail and guard shall be maintained in good repair.					IPMC 305.5
Comments:						
2.4	Property must be clear of all infestations - insects, rodents, etc.					IPMC 309.1 HSC 17920.3(a)
Comments:						
2.5	The water supply system shall be installed, maintained, and capable of supplying all fixtures.					IPMC 505.3 HSC 17920.3(a)
Comments:						
2.6	Water heating facilities shall be properly installed with approved relief valves, earthquake straps, and capable of providing and water to every fixture.					IPMC 505.4 HSC 17920.3(a)
Comments:						

Item #	Part II Interior Inspection	PASS	FAIL	N/A	Code
2.7	Plumbing fixtures shall be properly installed and maintained in working order.				IPMC 505.3 HSC 17920.3(a)
Comments:					
2.8	Heating facilities capable of maintaining a minimum temperature of 65° F in all habitable spaces.				IPMC 602.1, 602.2 HSC 17920.3(a)
Comments:					
2.9	Electrical fixtures and/or cover plates are present and undamaged.				CEC 406.5, 406.6
Comments:					
2.10	Receptacles and switches properly installed and operable				CEC 314
Comments:					
2.11	Extension or flexible cord not used as permanent wiring.				CEC 400.12, IPMC 605.4
Comments:					
2.12	A safe, continuous, and unobstructed path of travel shall be provided from any point in a building or structure to the public right of way.				IPMC 702 CRC 310 & 311
Comments:					
2.13	Smoke detectors are present and operable in each sleeping area and adjacent hallway.				IPMC 704.6
Comments:					
2.14	CO detectors are present and operable in each required location.				IPMC 705
Comments:					

Comments _____

Inspector – Print Name: _____

Inspector Signature: _____ Date: _____

Self-Certification – Print Name: _____

Self-Certification – Signature: _____ Date: _____

Tenant- Attesting – Print Name: _____

Tenant- Attesting – Signature: _____ Date: _____

Tenant Attesting is Required if the Unit is Occupied
 Rental Housing Inspection Checklist 2023



Rental Inspection Program
 675 Wildwood Avenue
 Rio Dell, CA 95562
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Residential Rental Housing Inspection Program Registration

Goal of the Residential Rental Inspection Program: The purpose of the Residential Rental Inspection Program is to address the issue of substandard **long-term** rental properties, promote greater compliance with health and safety standards, and preserve/enhance the quality of Rio Dell's neighborhoods and available housing. The program achieves compliance with health, safety, and welfare code violations in/on residential rental properties that are a threat to the occupant's safety, structural integrity of the building, and have a negative impact on the surrounding neighborhoods.

Property Information:					
Address:					
Assessor Parcel Number				Number of Units:	
Property Owner:					
First Name:				Last Name:	
Address:				City:	
State:		ZIP/Postal Code:			Phone:
Email:					
Property Manager:					
Company:					
First Name:				Last Name:	
Address:				City:	
State:		ZIP/Postal Code:			Phone:
Email:					

Fees: \$15.00 Annual Registration Fee per parcel.

Date Paid: _____ Receipt No. _____