



**RIO DELL CITY COUNCIL AGENDA**  
**REGULAR MEETING - 6:00 PM**  
**TUESDAY, APRIL 02, 2024**  
City Council Chambers  
675 Wildwood Avenue, Rio Dell

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**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](http://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 ALTERNATIONS TO MEETING FORMAT  
CORONAVIRUS (COVID 19)**

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 (Optimum) 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](mailto: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.](#) 2024/0402.01 - Approve Minutes of the March 19, 2024 regular meeting **(ACTION)** - Pg. #4
- [2.](#) 2024/0402.02 - Approve Resolution No. 1601-2024 Opposing Initiative 21-0042A1 - Taxpayer Deception Act AKA: Taxpayer Protection and Accountability Act **(ACTION)** - Pg. #10
- [3.](#) 2024/0402.03 - Adopt Resolution No. 1600-2024- Resolution to Borrow – Rural Community Assistance Corporation (RCAC) **(ACTION)** - Pg. #13
- [4.](#) 2024/0402.04 - Approve Letter of Support - \$20,000 Start-Up Grant California Veterinary Emergency Team **(ACTION)** - Pg. #18
- [5.](#) 2024/0402.05 - Receive and File General Plan Annual Progress Report **(ACTION)** - Pg. #19
- [6.](#) 2024/0402.06 - Authorize Payment of Invoice to Larry Walker Associates in the Amount of \$12,032.50 **(ACTION)** - Pg. #37

**G. ITEMS REMOVED FROM THE CONSENT CALENDAR**

**H. REPORTS/STAFF COMMUNICATIONS**

- [1.](#) 2024/0402.07 - City Manager/Staff Update **(RECEIVE & FILE)** - Pg. #40

**I. SPECIAL PRESENTATIONS/STUDY SESSIONS**

**J. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS**

- [1.](#) 2024/0402.08 - Authorize the City Engineer to issue bid for the Clean California Eel River Trails Project (**ACTION**) - Pg. #43

**K. ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS**

**L. COUNCIL REPORTS/COMMUNICATIONS**

**M. ADJOURNMENT**

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

**RIO DELL CITY COUNCIL  
REGULAR MEETING MINUTES  
MARCH 19, 2024**

The regular meeting of the Rio Dell City Council was called to order at 6:04 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, Community Development Director Caldwell, Water/Roadways Superintendent Jensen, Senior Fiscal Assistant Maciel, and City Clerk Dunham

Absent: Wastewater Superintendent Kelly (excused)

**PUBLIC PRESENTATIONS**

Mayor Garnes invited public comment on non-agenda matters. No public comment was received.

**CONSENT CALENDAR**

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

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

- 1) Minutes of the March 5, 2024 regular meeting;
- 2) Receive and file FY 2024-25 Operating and Capital Budget Calendar;
- 3) Adopt Resolution No. 1599-2024 amending the City Master Salary Schedule;
- 4) Receive and file Check Register for February 2024.

Motion carried 5-0.

**REPORTS/STAFF COMMUNICATIONS**

City Manager Knopp provided highlights of the staff update and said that the bids for the approximate \$11 million Water Capital Improvement Project would be due in a couple of weeks. He said that staff was recently informed that due to the State’s financing process, there may be extended delays between the actual construction work and billing from the contractor and reimbursement from the State. Since this could lead to cash flow issues for



**MARCH 19, 2024 MINUTES**  
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the City, staff will be looking into bridge financing options and returning to the Council at a future date for possible action.

He reported that staff met with County staff today to discuss a countywide sales tax for roads, and that staff is looking at utilization of technology to create efficiency with the Rental Housing Inspection Program.

He then reported that the City's Measure Z application for the Police Department is still alive and is being reviewed by the Measure Z Committee. He announced that there would be a Nuisance Advisory Committee meeting on Wednesday at 3:00 p.m. followed by a Traffic Committee meeting on Thursday at 3:00 p.m.

Chief Allen commented that he presented the City's case for Measure Z funding for the clerical position in the police department to the committee last week and expected to have any answer on Thursday.

**SPECIAL CALL ITEMS/COMMUNITY AFFAIRS/PUBLIC HEARINGS**

Taxpayer Deception Act AKA: Taxpayer Protection and Accountability Act

City Manager Knopp provided a staff report and said that he recently attended the League of California Cities City Manager's Annual Conference. The central focus was on the upcoming ballot measure proposal called "The Taxpayer Protection and Accountability Act" also referred to by the League of California Cities as "The Taxpayer Deception Act."

He said as the Council is aware, every couple of decades, statewide ballot measures are proposed that put constraints on local government's ability to raise revenue. He commented that one of the core central tenants of the League is to preserve local control.

He said that this Act would amend the California Constitution with provisions that limit voters' authority and input, adopt new and stricter rules for raising taxes and fees, and many make it more difficult to impose fines and penalties for violation of state and local laws.

City Manager Knopp explained that the measure would have significant negative impacts on Rio Dell and would retroactively eliminate the local voter's approval of Measure O since the measure does not have a sunset date. This would eliminate approximately one-fifth of General Fund revenues and impact city services dramatically.

He noted that the Act will take billions of dollars away from local government services statewide including approximately \$300,000 annually from Rio Dell for Police services and street maintenance.

**MARCH 19, 2024 MINUTES**  
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He said that the legislation is very unclear in terms of how this is administered and we can expect to see a series of court decisions and a lot of additional funds spent on attorneys to adjudicate this ballot measure.

He said that this is the highest priority for the League of California Cities and staff wanted to bring it to the City Council for input. He added that staff did not attach a letter of opposition or a Resolution opposing the proposed measure to the agenda item but wanted to receive direction from the City Council.

Mayor Garnes said that this is one of the most important issues facing the City and that she has talking points provided by the League of California Cities, for elected bodies as well as talking points for constituents to make them aware of what this measure would do if passed.

She commented that the title of the measure tends voters to agree with it before reading what it is really about which is why it is vitally important to get the word out to the community how this will negatively impact the City.

City Manager Knopp explained that if the measure passes, and subsequently the City stops generating sales tax effective January 2025, the City would have to wait until November 2026 to resubmit it to the voters, so realistically the financial impact to the City would be \$600,000.

Councilmember Wilson said that he was not clear on how the State is doing this and asked who exactly is taking over the local voter's rights to decide on tax measures.

City Manager Knopp explained that this item is a voter initiative and has been created by the California Business Roundtable which is essentially a group of California based corporations that are interested in pushing this forward. Similar to Measure A, they were able to raise enough signatures to get something on the ballot that creates a law and amends the constitution in a way that the legislature cannot amend without going back to the voters. Again, it would likely spend decades in courts with the big winners being attorneys. He said that it would establish a higher threshold for establishing fees, fines and penalties.

Councilmember Wilson asked for clarification if this is increasing the level of bureaucracy with regard to establishing fees and charges.

City Manager Knopp said that it would, although there are already a lot of protections in terms of setting fees. The City Council safeguards those fees and makes sure they are reasonable. In terms of challenging fees, the Council would lose a lot of discretion in that regard.

**MARCH 19, 2024 MINUTES**  
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Mayor Garnes said that to pass a ballot measure now, it requires 50% plus 1 and if this measure passes it will increase the threshold to a super majority vote.

City Manager Knopp indicated that the legislature is proposing a separate voter initiative that would not allow a ballot proposition to pass by only 50% plus 1, setting a higher threshold for future votes to a super majority.

The City Council opposed the Taxpayer Protection and Accountability Act unanimously.

City Manager Knopp said that staff would come back to the council with a letter of opposition at a future meeting.

**ORDINANCES/SPECIAL RESOLUTIONS/PUBLIC HEARINGS**

Second Reading (by title only) and Adoption of Ordinance No. 404-2024 amending the Rio Dell Municipal Code (RDMC) Establishing a Cannabis Cultivation Tax Guarantee

Community Development Director Caldwell provided a staff report recommending adoption of Ordinance No. 404-2024 amending the Rio Dell Municipal Code (RDMC) establishing a cannabis cultivation tax guarantee.

He said that the ordinance was introduced at the February 20, 2024 regular meeting and is back before the Council for its final reading and adoption. The purpose of the Ordinance is to ensure that the City gets paid its cannabis taxes.

He noted that there were a couple of farmers on the Dinsmore Plateau that had difficulty paying taxes and ultimately, they were paid but there was concern about the possibility that a farmer can “grow and go” without paying cultivation taxes. This ordinance allows the City to establish a tool to ensure the City gets paid by the farmers, particularly those on the Dinsmore Plateau, noting that the cultivators at the Humboldt-Rio Dell Business Park always pay their taxes on time.

He explained that the Ordinance, if approved would allow the City, at its sole discretion, to require either a surety bond, a deposit in escrow, or a letter of credit from a bank or other responsible financial institution guaranteeing that taxes will be paid at the end of the year.

He noted that the City Attorney had some minor changes to the ordinance, insignificant in nature which were incorporated into the ordinance with the ordinance as presented in its final format to be adopted tonight.

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

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A motion was made by Carter/Woodall to adopt Ordinance No. 404-2024 amending the Rio Dell Municipal Code (RDMC) establishing a Cannabis Cultivation Tax Guarantee. Motion carried 5-0.

**COUNCIL REPORTS/COMMUNICATIONS**

Mayor Pro Tem Carter urged everyone to watch for the April Chamber Newsletter and said that she wrote an article related to farrow cats. She announced that she attended the Cal Cities Redwood Division meeting in Willits; attended the Rio Dell School Board meeting last Thursday; attended the Community Resource Center Volunteer Fair on March 13<sup>th</sup>; and announced that there would be a Nuisance Advisory Meeting tomorrow at 3:00 p.m., a Beautification, Walkability and Pride Committee meeting on Friday at 4:00 p.m., and she would be attending a RREDC meeting on Monday.

She asked that a Parks Master Plan be put on a subsequent agenda for discussion. Council concurred.

Councilmember Woodall said that she also attended the Emergency Preparedness Academy put on by Blue Lake Casino which was nice and said even though you know what you're supposed to do during an emergency, sometimes you need to be reminded.

She announced that the Rio Dell Fire Department is sponsoring a Food Truck Eatery on the last Friday in May from 5:30-8:30 p.m. at the Fireman's Park. She said that the Fire Department will also be sponsoring an Easter Egg Hunt on Saturday, March 30<sup>th</sup> at 10:00 a.m.

She announced that she would not be attending the April 2, 2024 regular meeting as she would be out of town.

Councilmember Orr said that he would be attending an HCAOG meeting on Thursday.

Councilmember Wilson announced that he had an RCEA meeting next Thursday and said that Matthew Marshall, the Executive Director submitted his resignation effective the last day of March which will be a big loss to the organization.

Mayor Garnes announced that the League of Women Voters sent an invitation to the Council to attend the 31<sup>st</sup> Annual State of the Community Luncheon on Friday, April 19, 2024 beginning at 11:30 a.m. at the Adorni Center. She said that if anyone is interested in attending, to let the City Clerk know.

She announced that she would be attending the League of California Cities Policy Committee meeting Thursday and Friday in Burbank, CA.

**MARCH 19, 2024 MINUTES**  
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**ADJOURNMENT**

A motion was made by Carter/Woodall to adjourn the meeting at 6:40 p.m. to the April 2, 2024, regular meeting. The motion carried 5-0.

\_\_\_\_\_  
Debra Ganes, Mayor

Attest:

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



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

April 2, 2024

TO: Rio Dell City Council

FROM: Kyle Knopp, City Manager

SUBJECT: Approve Resolution No 1601-2024 Opposing Initiative 21-0042A1 “The Taxpayer Deception Act AKA “The Taxpayer Protection and Accountability Act”

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve Resolution No. 1601-2024

BACKGROUND AND DISCUSSION

The Council received a briefing on this statewide initiative that will appear on the November 2024 ballot. The Council unanimously directed staff to draft the attached resolution of opposition for tonight’s meeting

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RESOLUTION NO. 1601-2024

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL**  
**OPPOSING INITIATIVE #21-0042A1**  
**“THE TAXPAYER PROTECTION AND ACCOUNTABILITY ACT”**  
**ALSO KNOWN AS “THE TAXPAYER DECEPTION ACT”**

**WHEREAS**, an association representing California’s wealthiest corporations is spending tens of millions of dollars to promote a deceptive ballot measure currently eligible for the November 2024 statewide ballot; and

**WHEREAS**, the measure creates constitutional loopholes that allow corporations to pay far less than their fair share for the impacts they have on our communities, which could force residents and taxpayers to pay more to maintain services; and

**WHEREAS**, the measure threatens billions of dollars every year in local government funding for services like fire and emergency response, law enforcement, affordable housing, services to support homeless residents, mental health services, and more; and

**WHEREAS**, the measure threatens to invalidate Measure ‘O’ a locally passed sales tax in November of 2022 that generates \$300,000 annually and represents 20 percent of all General Fund Revenues; and

**WHEREAS**, this measure’s threat to local sales tax represents a direct threat to police and road services which have been the historical beneficiary of these funds producing increased police staffing and a Pavement Condition Index that has increased 24 percent since 2017; and

**WHEREAS**, the measure is an attack on voters’ rights, containing undemocratic provisions that would make it more difficult for local voters to pass measures to fund services, provisions that retroactively cancel measures recently passed by voters, and provisions that prevent voters from passing advisory measures that provide direction on how they want their local tax dollars spent; and

**WHEREAS**, the measure contains intentionally restrictive language that will encourage hundreds of frivolous lawsuits against cities and local governments – costing taxpayers many millions and stopping investments in vital local services; and

**WHEREAS**, the measure would make it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods; and

**WHEREAS**, the measure is opposed by hundreds of local governments, teachers, firefighters, working families and local elected officials.

**THEREFORE, BE IT RESOLVED** that the City of Rio Dell opposes Initiative #21-0042A1;

**BE IT FURTHER RESOLVED**, that the City of Rio Dell will join the “Taxpayer Deception Act” coalition, a growing coalition of public safety, education, labor, local government, and infrastructure groups throughout the state.

We direct staff to email a copy of this adopted resolution to the League of California Cities at [BallotMeasures@calcities.org](mailto:BallotMeasures@calcities.org).

**PASSED AND ADOPTED** by the City Council of the City of Rio Dell, California, on April 2, 2024, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Debra Garnes, Mayor

ATTEST:

I, Karen Dunham, City Clerk for the City of Rio Dell, State of California, hereby certify the above to be a full, true and correct copy of Resolution No. 1601-2024 adopted by the City Council of the City of Rio Dell on April 2, 2024.

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



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



DATE: April 2, 2024

TO: Mayor and Members of the City Council

FROM: Travis Sanborn, Finance Director

THROUGH: Kyle Knopp, City Manager

SUBJECT: Resolution No. 1600-2024 – Resolution to Borrow – Rural Community Assistance Corporation

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the Resolution as drafted.

BACKGROUND AND DISCUSSION

Introduction:

This memo provides an update on the financing strategy for the City of Rio Dell's Water Distribution System Improvement Project (Project), authorized by Agreement No. D2202019 with the California State Water Resources Control Board (State Water Board).

Project Overview:

Total Funding: \$12,862,989  
Construction Budget: \$10,042,590  
Completion Deadline: February 28, 2025

Discussion:

The City is currently soliciting proposals for project completion, with work anticipated to commence in late spring or early summer 2024. As per the agreement, the City is responsible for upfront payments to contractors, with subsequent reimbursement from the State Water Board. The State Water Board anticipates a processing delay, with initial reimbursements not expected before August 2024. The City needs a short-term financing solution to bridge the gap between contractor payments and state reimbursements.

The City has identified RCAC as a potential financing partner based on its expertise in supporting rural communities with infrastructure projects. The City has successfully partnered with RCAC on previous water infrastructure projects (Water Transmission Main, Tank Replacement, and Raw Water Intake System—\$3.6 million).

Staff is currently in discussions with RCAC about finalizing the specific financing terms. Staff anticipates presenting a formal financing proposal to the Council for approval before finalizing any agreements. This proactive approach to financing ensures the timely completion of the Water Distribution System Improvement Project while minimizing any cash flow disruptions. Staff will keep the Council informed of further developments.

ATTACHMENTS

-Resolution No. 1600-2024

-Rural Community Assistance Corporation Application for Infrastructure Construction Loan



**RESOLUTION NO. 1600-2024**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIO DELL**  
**RESOLUTION TO BORROW – RURAL COMMUNITY ASSISTANCE CORPORATION**

*The City Council of the City of Rio Dell hereby authorizes the submission of a loan application, the incurring of an indebtedness, the execution of a loan agreement and any amendments thereto, a promissory note, and any other documents necessary to secure a loan from Rural Community Assistance Corporation.*

**WHEREAS**, the City of Rio Dell (hereinafter referred to as “City”) is a municipality established under the laws of the State of California and empowered to own property, borrow money and give security for loans.

**WHEREAS**, Rural Community Assistance Corporation (hereinafter referred to as “RCAC”) is authorized to make loans for housing, environmental infrastructure and community facilities for low-income people; and

**WHEREAS**, the City wishes to obtain from RCAC a loan for the development of the Rio Dell Water Distribution System Improvement Project (hereinafter referred to as “Project”) on the property located in Rio Dell.

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Rio Dell

- 1) The City shall submit to RCAC an application for a loan for the Project to be developed in the County of Humboldt in the State of California.
  
- 2) If the loan is approved, the City is hereby authorized to incur indebtedness in an amount not to exceed the amount approved by RCAC and to enter into a loan agreement with RCAC for the purposes set forth in the loan application and approved by RCAC. It also may give a promissory note and execute security and other instruments required by RCAC to evidence and secure the indebtedness.

- 3) The City is further authorized to request amendments, including increases in the loan amount up to amounts approved by RCAC, and to execute any and all documents required by RCAC to evidence and secure these amendments.
  
- 4) The City authorizes the City Manager to execute in the name of the City, the loan application and the loan agreement, promissory note, and security and other instruments, and any and all documentation for the disbursement of funds required by RCAC to make and secure the loan and any amendments thereto.
  
- 5) The City authorizes the City Manager to execute in the name of the City, only that documentation required by RCAC for the disbursement of funds during the term of the loan.
  
- 6) The City authorizes the City Manager to confirm City bank account information for loan disbursements and payments.

**PASSED AND ADOPTED** by the City of Rio Dell on this 2nd day of April, 2024 by the following roll call vote:

Ayes:  
Noes:  
Abstain:  
Absent:

\_\_\_\_\_  
Debra Garnes, Mayor

*ATTEST: The undersigned Karen Dunham, City Clerk of the City of Rio Dell heretofore named, does hereby attest and certify that the foregoing is a true and full copy of a resolution of the City Council of the City of Rio Dell adopted at a duly convened meeting on the date mentioned above, and that said resolution has not been altered, amended or repealed.*

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

\_\_\_\_\_  
Date



# Rural Community Assistance Corporation

## Application for Infrastructure Construction Loan

Section F, Item 3.

If your organization has already received an infrastructure feasibility loan or predevelopment loan from RCAC, complete only the organizations name, any changes in other borrower information, the amount needed and term requested, provide any changes or updates to the previous attachments, date and sign. Attach items 8 through 12 below (if not already provided) and a new Resolution to Borrow. Applicants who have not had a previous feasibility loan or predevelopment loan must complete the full application information and provide all attachments.

BORROWER INFORMATION		Date:	
Name of Borrower :		Type of Organization:	<input type="checkbox"/> Nonprofit (Mutual)
Mailing Address:			<input type="checkbox"/> Public Body
Street Address (if different):			<input type="checkbox"/> Tribal
City:		Contact Person:	
County:		Title:	
State:		Telephone:	
Zip Code:		Fax:	
Tax ID Number:		Cell:	
DUNS #:		E-mail:	

PROJECT INFORMATION	
Loan Amount:	
Term Requested:	
Median Household Income:	
Population Served:	
# of Jobs Created:	
# of Jobs Retained:	
Technical Assistance Provider:	

- Please attach the following documents to the application:**
1. Formation documents applicable to type of entity.
  2. Resolution to Borrow (format attached).
  3. Board roster with names, addresses, occupations.
  4. Last two years financial statements (audited if available) and current interim financial statements. If not available discuss alternatives with loan officer.
  5. Current operating budget and rate structure.
  6. Brief system history, current staffing, income levels served, etc.
  7. For public body applicants – Attorney’s opinion letter as to ability of organization to incur loan obligation. For nonprofits, complete attached Assurances Statement.
  8. Letter of Conditions from permanent financing lender.
  9. Full copy of Preliminary Engineering Report (PER).
  10. Engineering Agreement with permanent lender approval.
  11. Construction documents with permanent lender approval.
  12. Proposed form of security for interim construction financing.

**Credit:** I hereby grant Rural Community Assistance Corporation permission to obtain credit information and general references, and to contact borrower’s accountant.

**Certification:** I certify that I am the person authorized by the Board of Directors to execute a loan application and other documents in connection with this request and that the information on this loan application and attachments hereto is complete and current to the best of my knowledge. Furthermore, I understand that intentional misrepresentation of facts may be a basis for denial of credit or an “event of default” as described in the Promissory Note which will evidence the loan request, if approved.

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Recommended (RCAC or other TA provider)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



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



April 2, 2024

HumCART  
1120 Hunts Drive  
McKinleyville, CA 95519

**RE: Letter of Support for Humboldt Community Animal Response Team Grant Application**

Dear HumCART

The City Council of the City of Rio Dell supports the award of a start-up grant of \$20,000 by the California Veterinary Emergency Team to the newly established Humboldt Community Animal Response Team (HumCART) with the funds fiscally managed by COAD until HumCART is granted nonprofit status by the California Secretary of State.

Living in a remote rural county in California with a six-hour drive from San Francisco or Sacramento, a local CART within our county would be of significant benefit to owners of small and large domestic animals during times of emergency when the capacity of our local county animal control is exceeded. The safety of our citizens and their pets will be of improved through education of pet owners about how to be ready to evacuate their pets, and, HumCART's ability to provide assistance with evacuation, sheltering, care, and reunification of domestic animals with their owner/companion when activated by county emergency services.

Within the City of Rio Dell there are many creatures who may require evacuation during a disaster. Cats, Horses, Cows, Chickens, Turkeys and a myriad of other species call this community home. Rio Dell is also no stranger to disasters, being subject to earthquakes, floods and fires. During our recent earthquake experience, congregate sheltering options for community members did not allow for pets to be co-located with human disaster survivors. HumCART represents a new approach for the broader community to better address how creatures of all shapes and sizes can be dealt with in an emergency situation.

Sincerely,


Debra Garnes  
Mayor  
City of Rio Dell

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



**For Meeting of: April 2, 2024**

Consent Item;  Public Hearing Item

To: City Council  
From: Kevin Caldwell, Community Development Director   
Through: Kyle Knopp, City Manager  
Date: March 28, 2024  
Subject: General Plan Annual Progress Report

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**Recommendation:**

That the City Council:

1. Receive and file the General Plan Annual Progress Report.

**Discussion:**

Every jurisdiction in the State is required to prepare a General Plan Annual Progress Report. The report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for preparation of the report is provided by the Governor's Office of Planning and Research (OPR).

The purpose of the document is to report on the City of Rio Dell's progress in implementing its General Plan. The document will also be provided to the Planning Commission for their review on April 23, 2024. The report was submitted to OPR and the Department of Housing and Community Development as required by State law.

**Attachment 1: General Plan Annual Progress Report**

# City of Rio Dell General Plan Annual Progress Report Year 2023



**Prepared by the  
Community Development Department**

*March 19, 2024*



# City of Rio Dell General Plan Annual Progress Report Year 2023

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**I. Introduction**

This report has been prepared pursuant to the requirements of Government Code Section 65400. Guidance for the preparation of the report is provided by the Governor’s Office of Planning and Research (OPR).

The purpose of the document is to report on the City of Rio Dell’s progress in implementing its General Plan. The document was provided to the City Council and Planning Commission for their review on March 19, 2024, and April 23, 2024, respectively, and will be submitted to OPR and the Department of Housing and Community Development following these reviews.

**Background**

The City adopted a comprehensive update to the General Plan in 2008. The Plan replaced, reformatted, and updated the previous General Plan in its entirety. As a result of many meetings, the General Plan was updated to include new land use designations and associated zoning text amendments.

The City’s Circulation, Open Space and Conservation Elements were updated in 2013. The Safety Element was updated and adopted in 2016 and amended in 2023. The Housing Element was updated in November of 2020 and again in 2022.

All of the City’s General Plan Elements and Zoning Regulations can be found at the City’s website: <https://cityofriodell.ca.gov/>

**Informational Document**

This document is a reporting document and does not create or alter policy. The content is provided for informational purposes only and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306, Information Collection.

**Organization**

After the previous introductory section, a summary of projects and issues addressed in the last year is provided, and then each General Plan element is addressed. Following these topics, the City’s continuing efforts to address minor implementation issues, compliance activities, and changes in state law requiring updates to the General Plan and Zoning Ordinance are addressed.

**II. Plans, Projects, and Accomplishments**

During 2023 the City processed numerous projects, including Building Permits, Use Permits, Lot Line Adjustments, Subdivisions(s) text amendments to both the City’s Zoning Regulations and General Plan. The following summaries provide a brief overview of these projects and

programs, and are not intended to be exhaustive.

### **Building Permits**

The Building Division of the Community Development Department issued 232 Building Permits in 2023. Total valuation of these projects was \$5,255,690.00. Building permits were issued for 1 new single-family home, and 1 Accessory Dwelling Unit (ADU). The total valuation for the new homes was \$624,547.00. Thirty-One (31) permits were issued for new roofs and seven (7) permits for new solar systems. The City is thirty (30) other permits for electrical panel upgrades, HVAC systems, hot water heaters, and siding replacement among other things. The City received approximately \$97,109.00 in Building Permit Fees in 2023.

### **Planning Projects**

The Planning Division processed a variety of planning projects during 2023, including Use Permits, Design Review, General Plan and Zoning Amendments, the Dog Park project, updating the City's CDBG Guidelines, and establishing a Rental Housing Inspection Program. Of the projects heard by the Planning Commission, General Plan and Zoning Amendments are sent to the City Council with a recommendation of approval for the Council to consider the applications.

### **Projects Reviewed During 2023**

The following projects were reviewed by the Planning Commission and/or the City Council in 2023.

**1. Applicant: Humboldt 454, File No. 205-111-068; Case No. CCLUO 23-01 Modification.** An application for a Modification to an existing Conditional Use Permit (CUP) to convert approximately 1,692 sq. ft. of drying area to a nursery. Relocate the drying area to four (4) 8' x 40' cargo containers placed on the north side of the existing building. The cargo containers will be provided power for heating, cooling, and humidity control. Cargo containers to be anchored and electrical services and appliances will be located above the base flood elevation.

***Result:*** The Planning Commission approved the modification with findings and conditions of approval.

**2. Mingo's/Patron Building Façade Improvement Program (FIP) Grant Application.** The Façade Improvement Program (FIP) is a reimbursement grant program provided to a business and/or property owner for the improvement of existing commercial buildings throughout the City of Rio Dell. The program provides a matching grant of 50% of the façade improvement cost to the business and/or owner up to a maximum dollar amount \$15,000 per approved project.

***Result:*** The Planning Commission approved the Design Review of the project.

**3. Discussion of the proposed Rental Housing Inspection Program.** Staff will provide an overview of the proposed Rental Housing Inspection Program and ask that the Commission make a recommendation to the City Council.

**Result:** The Planning Commission approved the proposed ordinance and recommended that the City Council approve the ordinance. The City Council approved and adopted the ordinance at their meeting on January 16, 2024.

**4. Text amendments to the Zoning Regulations to (1)** define and allow for residential care homes with six or fewer persons by right in all residential zones subject only to the same restrictions in that zone.; **(2)** Update the definition of family to state the following. Family -- “one or more persons living together in a dwelling unit.”; and **(3)** provide for farm employee housing in zones that allow agriculture as a permitted use pursuant to the State Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6.

**Result:** The Planning Commission approved the proposed text amendments and recommended that the City Council approve the text amendments. The City Council approved and adopted the recommended text amendments.

**5. Safety Element Amendment.** The City amended the Safety Element to include a brief discussion on the December 20, 2022 and January 1, 2023 earthquakes and to incorporate the County Local Hazard Mitigation Plan (LHMP) by reference and to include the Rio Dell element of the LHMP in the Safety Element.

The current Safety Element was approved in 2016. The Safety Element is one of seven mandated elements of the General Plan. The purpose of the Safety Element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, earthquakes, landslides, and other hazards. The safety element overlaps topics also mandated in the land use, conservation, and open-space elements.

The Safety Element identifies hazards and hazard abatement (mitigation) provisions to guide local decisions related to zoning, subdivisions, and entitlement permits. The element contains general hazard and risk reduction strategies and policies supporting hazard mitigation measures. Policies address the identification of hazards and emergency response, as well as mitigation through avoidance of hazards by new projects and reduction of risk in developed areas. The Safety Element is being amended to reflect the recent earthquakes that caused more than 30 million dollars in damage and to incorporate the County Local Hazard Mitigation Plan (LHMP) by reference and to include the Rio Dell element of the LHMP.

On December 20, 2022, a magnitude 6.4 earthquake occurred approximately 8 miles west of Ferndale and at a depth of approximately 10 miles. The initial earthquake was followed by multiple aftershocks, with the largest being a magnitude 5.4 that occurred about nine (9) miles southeast of Rio Dell on January 1, 2023. These two earthquakes resulted in over 250 structures “yellow tagged” (requiring repairs), over 90 structures “red tagged” (unsafe to enter), and over



90 households displaced.



For the initial 6.4 magnitude earthquake on December 20, 2022, more than 5,900 people have responded on the United States Geological Survey’s (USGS) “Did You Feel It?” report. More than half of those reports came in within an hour of the earthquake. Respondents in Eureka, the closest city to the epicenter, reported very strong shaking, but people hundreds of miles away in San Jose, CA, Reno, NV, and Klamath Falls, OR also reported weak shaking.

This region has a history of abundant seismic activity; a sequence of overlapping earthquakes of magnitude 6.2 and 5.7 occurred nearby almost exactly a year ago on December 20, 2021. Earthquakes are common in this area because it’s close to where the Pacific, North America, and Juan de Fuca plates meet; a spot known as the Mendocino Triple Junction. In the past century, there have been at least 40 other earthquakes of magnitude 6 or larger, including six earthquakes magnitude 7 or larger, that have occurred within roughly 150 miles of the Ferndale earthquake

**Local Hazard Mitigation Plan** - The City of Rio Dell is one of 23 local jurisdictions that participated in the development in the 2020 Local Hazard Mitigation Plan (LHMP) for Humboldt County. The City, the Humboldt County Office of Emergency Services and our planning partners worked with bay area consultant Tetra Tech in developing the LHMP.



Hazard mitigation planning reduces loss of life and property by minimizing the impact of disasters. It begins with state, tribal and local governments identifying natural disaster risks and vulnerabilities that are common in their area. After identifying these risks, they develop long-term strategies for protecting people and property from similar events. Mitigation plans are key to breaking the cycle of disaster damage and reconstruction. The City’s Safety Element of the General Plan is a key local tool in reducing risks associated with disasters, including flooding, earthquakes and fire.

It is impossible to predict exactly when and where all disasters will occur or the extent to which they will impact an area, but with careful planning and collaboration among public agencies, stakeholders and citizens, it is possible to minimize losses.

Jurisdictions with FEMA-approved and formally adopted mitigation plans are eligible to apply for funding under FEMA’s hazard mitigation assistance programs, including Hazard Mitigation

Grant Program, Pre-Disaster Mitigation and Flood Mitigation Assistance grant programs.

The Federal Emergency Management Agency (FEMA) encourages multi-jurisdictional planning for hazard mitigation. All participating jurisdictions must meet the requirements of Chapter 44 of the Code of Federal Regulations (44 CFR):

*“Multi-jurisdictional plans (e.g. watershed plans) may be accepted, as appropriate, as long as each jurisdiction has participated in the process and has officially adopted the plan.” (Section 201.6(a)(4)).*

For the Humboldt County Hazard Mitigation Plan, a planning partnership was formed to leverage resources and to meet requirements of the federal Disaster Mitigation Act for as many eligible local governments as possible. The Disaster Mitigation Act defines a local government as follows:

*“Any county, municipality, city, town, township, public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a nonprofit corporation under State law), regional or interstate government entity, or agency or instrumentality of a local government; any Indian tribe or authorized tribal organization, or Alaska Native village or organization; and any rural community, unincorporated town or village, or other public entity.”*

Two types of planning partners participated in this process for the Humboldt County Hazard Mitigation Plan, with distinct needs and capabilities:

- Incorporated municipalities
- Special districts

Each participating planning partner prepared a jurisdiction-specific annex to the LHMP. The City of Rio Dell’s annex is included in Chapter 7 of Volume 2 of the Humboldt County Operational Area Hazard Mitigation Plan and is incorporated into the City Safety Element and was included as Appendix A.

The Humboldt County Operational Area Hazard Mitigation Plan was approved by the California Governor’s Office of Emergency Services (Cal OES) on 10/24/2019 and submitted to the Federal Emergency Management Agency (FEMA) for approval. On 1/2/2020, FEMA determined the Hazard Mitigation Plan is eligible for approval pending adoption by participating jurisdictions. A copy of the approved Hazard Mitigation Plan can be found here: <https://humboldt.gov/3011/County-Emergency-Plans>.

The Planning Commission considered and approved the minor amendments to the Safety element at their meeting of February 8, 2023. The City Council approved and adopted the amendments at their meeting of February 13, 2023.

**5. Community Development Block Grant (CDBG) Owner Occupied and Owner Investor Guidelines.** The City updated our CDBG Owner Occupied Rehabilitation (OOR) guidelines in 2023. The City also expanded the program to add Owner Investor Rehabilitation properties as well. In addition, the City and County recently executed a Memorandum of Understanding (MOU) where the County is currently administering the City’s CDBG program.

**Result:** The Planning Commission and City Council reviewed and approved the revised Guidelines and the Memorandum of Understanding with the County.

**6. 2022 Housing Element and General Plan Annual Progress Report:** Every jurisdiction in the State is required to prepare a General Plan Annual Progress Report. The 2022 report was prepared pursuant to the requirements of Government Code Section 65400. Guidance for the preparation of the report is provided by the Governor’s Office of Planning and Research (OPR).

**Result:** The Planning Commission and City Council received and discussed the reports.

### **Other Plans and Projects**

The following discussion summarizes other projects that involved efforts from the Community Development Department, Planning Division staff in 2023.

● **Cannabis** - The City allows and taxes commercial cannabis activities. The Council recognized the state of the cannabis industry has changed dramatically over the past few years. The City has three outdoor farms located on the Dinsmore Plateau. In addition, there are two indoor cultivation facilities located at the Humboldt Rio Dell Business Park. There are also two cannabis retail facilities in the City. Staff continually monitors the activity of the cannabis operations within the City.

● **Climate Action Plan Update**

In November of 2023, staff presented an update to the City Council on the status of the Regional Climate Action Plan (CAP).

The City has been collaborating with the County of Humboldt, the City of Eureka, the City of Arcata, the City of Blue Lake, the City of Trinidad, the City of Ferndale, the City of Fortuna to craft a regional approach for addressing the challenges of climate change through the development of a Regional Climate Action Plan (CAP).

This regional approach enables improved coordination and maximizes the effectiveness of Green House Gas (GHG) reduction measures. Throughout the development process of the draft CAP, all jurisdictions have been included in the conversations around decision-making.

The completion of the Humboldt Region Climate Action Plan (CAP) encountered complications that require attention. Specifically, the consultants (Rincon) hired to conduct the environmental review for the Draft CAP requested supporting information to demonstrate the existing strategies can be achieved. Rincon concluded that the draft CAP is overly ambitious and the goals cannot be achieved. Attachment 1 is a detailed discussion explaining the complications that have been encountered in proceeding to the adoption of the CAP. These limitations prevent the Draft CAP from meeting the State requirements for a “qualified” CAP. A qualified CAP is one that meets State requirements so that future development projects requiring environmental review under State law can streamline greenhouse gas (GHG) impact analyses by demonstrating consistency with the qualified CAP. A qualified CAP also allows opportunities for potential grant funds for local jurisdictions.

In order to produce a qualified CAP, Rincon recommended modifying the inventory of greenhouse gases to eliminate those baseline emissions that are not under local government control, and; design measures and goals to achieve a qualified CAP. A point of controversy has been whether to include point sources in the inventory. In consultation with Rincon, it is debatable whether there is sufficient local control over these emissions so point source emissions are not being included in the CAP.

The Board of Supervisors (BOS) received a report from the County Planning Department regarding the complications associated with the draft CAP on October 17, 2023. At that meeting, the BOS approved the request to move to the preparation of a qualified CAP.

It is anticipated that the draft CAP will be completed by the end of March 2024, the Draft Environmental Impact Report (DEIR) completed by the end of September 2024, the Final EIR (FEIR) completed by the end of 2024, and the public hearings to begin in January 2025.

● **Dog Park**

The Planning Department assumed the lead role in the grant from the California Department of Parks and Recreation application for a proposed Dog Park. Staff prepared the Request For Proposals. Construction is to begin in the spring of this year.

● **Nuisance Committee**

The Community Development staff provides support to the City’s Nuisance Committee which meets monthly. The Nuisance Committee provides oversight and advice to the Code Compliance Manager and the Police Chief on priorities and courses of action.

● **CDBG Loan Committee**

The Community Development Director along with the City Manager and Finance Director make up the City’s CDBG Loan Committee. Committee members consider applications for low- to moderate-income families homebuyer and rehabilitation loans under CDBG grant programs.



### III. General Plan Elements

California state law requires that every city adopt a General Plan to guide the physical development of both public and private lands within the city limits. The role of a community's general plan is to act as a "constitution;" a basis for rational decisions regarding a city's long-term physical development.

The General Plan details the City's goals and guiding principles for a variety of planning topics and is the constitution for future development. California Government Code Section 65300 et seq. provides direction and specifications for the content of the General Plan. The following seven elements are required:

- Land Use
- Circulation
- Conservation
- Open Space
- Noise
- Safety
- Housing

The elements may be combined or renamed, but basic requirements must be included. An agency may adopt any type of optional element, such as an Economic Element, at its discretion. Only the Housing Element must be certified by another agency (i.e., HCD).

The General Plan is a snap shot of a certain period in time and is both an expression of Rio Dell's community values and a legal document. The General Plan must be comprehensive, long term, and internally consistent. All of the City's other land use regulations, including zoning, subdivisions, specific plans, and redevelopment plans must conform to the General Plan. The General Plan is a bridge between these physical regulations and Rio Dell's community values, visions, and goals.

#### Land Use Element

The City of Rio Dell is required to periodically update their General Plan. The City adopted the current Land Use element in 2008. The prior Land Use Element was revised in 1980.

There have been a number of amendments since the adoption of the current Land Use Element. The most significant amendment occurred in 2012 when the City redesignated approximately 37 acres in the "Avenues" neighborhood from Town Center to Urban Residential. The area was redesignated after residents complained about the ability to insure residences which were considered legal non-conforming uses.

In 2022, staff discovered that residential densities were not included in the Neighborhood Center and Community Commercial designations. In addition, the Town Center designation specified a density range of 10 – 22 units per net acre. The City approved Resolution No. 1542-

2022 specifying a density of up to 20 units per net acre for all three commercial designations and amending the City’s Residential Multifamily and commercial land use designations to include State mandated Supportive and Transitional Housing projects and Low Barrier Navigation Centers.

**Circulation Element**

The Circulation Element was adopted in 2013. The previous Circulation Element was adopted in 1977.

The Circulation Element identifies the guiding principles for moving people and goods within the City and identifies the infrastructure necessary to assure that the transportation network will serve the City at General Plan build-out.

A majority of trips are made by automobile. The Circulation Element identifies the roadway system necessary for automobile traffic by setting levels of service, hierarchy of roads, and areas where road improvements are necessary.

The Circulation Element also identifies alternative travel modes, such as walking, bicycles, bus transit, and rail transit. The alternative transportation is important to reduce pressure on roads, conserve energy, and improve the public health through exercise.

The road system provides many functions in addition to carrying vehicle traffic. It provides open space separating dwelling units and commercial uses. If properly landscaped, streetside landscaping provides location for trees to support the urban forest. If developed with safe pedestrian and bike ways, it serves as a non-motorized transportation corridor, a linear park, and an attractive network for healthy exercise. If properly designed, it provides the background for the community urban design and appearance. Finally, it provides the right of way for most of the City’s public utilities infrastructure.

**Conservation and Open Space Element**

The previous Conservation Element was adopted in 2001 and the previous Open Space Element was adopted in 1972. The current Open Space and Conservation Element was adopted in 2013.

The Open Space and Conservation Element is concerned with the conservation of natural resources and the provision of open space within community. Open Space and Conservation are combined because the natural resources and open space provide the framework for the built areas of the City, and the overall appearance of the City integrates natural and man-made elements.

The primary vision of the Open Space and Conservation element is to maintain and encourage development that compliments the natural visual setting of Rio Dell. The City is located in a portion of the County with high quality aesthetic value due to its many natural and community

resources. The bluffs on the east side of the City provide outstanding aesthetic value. In addition, Rio Dell is at a transition point where the Eel River Valley's redwood covered slopes open up to the broad Eel River delta. Sweeping vistas associated with the Eel River valley contribute to the City aesthetic setting.

The Conservation Element guides the conservation, development, and utilization of natural resources (water, forests, soils, rivers, mineral deposits, and others), while the Open Space Element guides the comprehensive and long-range preservation and conservation of open-space lands, including parks. Together, these elements present a framework of goals and policies for use and protection of all the natural resource and open space assets of the City.

Conservation goals include development, and utilization of natural resources such as water and its hydraulic force, forests, soils, rivers and other waters, fisheries, wildlife, minerals, and cultural resources. Open space goals include limiting hillside development, creek and river setback areas, biologically sensitive habitat, and natural forests.

The Open Space and Conservation elements addresses the conservation of open space lands, including issues related to working lands and park lands, the orderly development of residential land, and coordination with other agency programs related to conserving open space lands.

State planning law provides a detailed description of open space lands and the topics that must be addressed in the Open Space and Conservation Elements. These topics include Open Space for the Preservation of Natural Resources, Open Space for the Managed Production of Resources, Open Space for Outdoor Recreation and Open Space for Public Health and Safety:

State law (Government Code 65560 et seq.) requires a local open-space plan (element) for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction, and that the open space plan contain an action program that identifies how the plan or element is to be implemented.

The City continues to consult with tribal intergovernmental representatives to conserve and protect cultural and historical resources. Cooperation with the two incorporated cities, special districts, and State and Federal agencies continues to preserve the County's cultural heritage, historical and archaeological structures, sites, and landmarks.

### **Noise Element**

The Noise Element is one of the City's older General Plan Elements. It was approved and adopted in August of 2001. Although noise standards have not dramatically changed since 2001, City staff hopes to update the Noise Element in 2024.

Government Code Section 65302(f) requires each California city and county to include within its general plan a noise element that analyzes and quantifies noise levels and the extent of noise exposure in their jurisdictions from the following sources:

- Highways and freeways;
- Primary arterial and major local streets;
- Passenger and freight online railroad operations and ground rapid transit systems;
- Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation;
- Local industrial plants, including, but not limited to, railroad classification yards; and
- Other ground stationary noise sources identified by local agencies as contributing to the community noise environment.

The Noise Element is required to map noise level contours such that it may be used as a basis for land use decisions. It must include implementation measures and possible solutions to existing and foreseeable noise problems. Furthermore, the policies and standards of the Noise Element must be sufficient to serve as a guideline for compliance with sound transmission control requirements.

The Noise Element aims to protect the City’s residents and visitors from the harmful and annoying effects of exposure to excessive noise. The primary source of noise within the City is Highway 101.

**Safety Element**

The Safety Element was updated and adopted in 2016. The purpose of the safety element is to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, earthquakes, landslides, and other hazards. The safety element overlaps topics also mandated in the land use, conservation, and open-space elements. The components of this Element include:

- Geologic/Seismic Hazards
- Flood Hazards
- Fire Hazards
- Airport Safety
- Industrial Hazards
- Hazardous Materials
- Emergency Management

The safety element must identify hazards and hazard abatement provisions to guide local decisions related to zoning, subdivisions, and entitlement permits. The element contains general

hazard and risk reduction strategies and policies supporting hazard mitigation measures. Policies address the identification of hazards and emergency response, as well as mitigation through avoidance of hazards by new projects and reduction of risk in developed areas.

Land development is subject to a number of hazards to life and property, including seismic and non-seismic land instability, flooding, fire, and dangers from airport operations.

The degree of risk associated with these hazards can only be measured in relative terms. What constitutes 'acceptable risk' varies with the type of development involved. For instance, a hospital should meet very strict earthquake standards in order to ensure that it is able to function in the event of a serious earthquake. A warehouse, on the other hand, would not need to be designed to the same rigorous standards because its functions during an earthquake would not be critical to the community's response to the emergency, nor would it pose serious risk to large numbers of people should it fail.

The General Plan manages risk through the use of land use designations to limit exposure to hazardous areas and through policies tailored to specific hazardous conditions. The goals, policies and implementation measures of this Element are many of the same existing policies found in Chapter 5, the Open Space and Conservation Element. All of the goals, policies and implementation measures are designed to proactively improve overall safety conditions within the City.

As mentioned previously, the City Safety Element was updated in 2023 to include a brief discussion on the December 20, 2022 and January 1, 2023 earthquakes and to incorporate the County Local Hazard Mitigation Plan (LHMP) by reference and to include the Rio Dell element of the LHMP in the Safety Element.

### **Housing Element**

The Housing Element identifies existing and projected housing needs and establishes goals, policies, standards, and implementation measures for the preservation, improvement, and development of housing in the City of Rio Dell (City). It meets detailed requirements of state Housing Element law, including requirements for a residential land inventory sufficient to meet the City's share of the state-prescribed regional housing need. The Housing Element is the component of the City's General Plan that provides an eight-year vision for housing.

The California housing element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development. This document presents an effective housing element that discusses the necessary conditions for preserving and producing an adequate supply of affordable housing. Among other things, the housing element provides an inventory of land adequately zoned or

planned to be zoned for housing, certainty in permit processing procedures, and a commitment to assist in housing development through regulatory concessions and incentives.

The California state legislature has identified the attainment of a decent home and suitable living environment for every resident as the state's major housing goal. Recognizing the important role of local planning programs in pursuing this goal, the legislature has mandated that all cities and counties prepare a housing element as part of their comprehensive general plan. Section 65302(c) of the Government Code sets forth the specific components to be contained in a community's housing element.

The primary purpose of a housing element is to:

- Preserve and improve housing and neighborhoods,
- Provide adequate housing sites,
- Assist in the provision of affordable housing,
- Remove governmental constraints to housing investment, and
- Promote fair and equal housing opportunities.

This Housing Element consists of the following sections:

1. Housing Goals, Policies, and Programs
2. Review of the Previous Housing Element Programs
3. Housing Needs Assessment
4. Housing Resources
5. Housing Constraints
6. Quantified Objectives

California law requires that each city and county, when preparing its state-mandated housing element, develop local housing programs to meet its "fair share" of existing and future housing needs for all income groups. This fair-share concept seeks to ensure that each jurisdiction provides housing for its residents with a variety appropriate to their needs. The fair share is allocated to each city and the county by HCD. One of the major goals of the housing element is to develop policies and programs to meet the goals established through the fair-share allocation.

State law requires local governments to provide adequate sites for the construction of housing to meet the Regional Housing Needs Assessment (RHNA) plan. Table 26 presents the fair-share allocation for each city in Humboldt County as well as the unincorporated County area during the sixth-cycle Housing Element planning period, as published in the Humboldt County Association of Governments (HCAOG) Regional Housing Needs Plan (RHNP).

Meeting the housing needs of the City's residents is an important goal for the City. The Housing Element works to provide housing for all of the community, and addresses the needs of specified populations based on income. The City is not obligated to ensure the units are built, the City only needs to ensure that sites are available for the units.

At present, the City is responsible for accounting for potential development sites for both its fifth- and sixth cycle RHNA allocation in this Housing Element Update. Accordingly, the City will need to identify sites for a total of 82 units, as shown in Table 28 of the Housing Element.

**Table 28  
Comparison of the Regional Housing Need and Residential Sites Capacity**

Income Group	Fifth and Sixth Cycle RHNA	Approved Project Capacity	Remaining RHNA	Site Inventory Capacity	Projected ADU Capacity	RHNA Surplus
Very Low	20	25	7	38	30	61
Low	12					
Moderate	13		13	28	10	25
Above Moderate	37	1	36	22	--	0*
<b>Total</b>	<b>82</b>	<b>26</b>	<b>56</b>	<b>88</b>	<b>40</b>	<b>72</b>

*Source: City of Rio Dell 2020; HCAOG.*

*\* It is assumed that surplus from other income categories would provide additional capacity for the above moderate-income group.*

Table 28 of the Housing Element compares the City of Rio Dell’s RHNA to the site inventory capacity. Based on the River Bluff Cottages, and the current sites capacity, the City has a surplus of 61 units available to lower-income households (including extremely low-, very low), 25 units available to moderate-income households. The City’s biggest need for housing is for Above Moderate housing sites.

In 2023, CalFire purchased what is locally known as the Todd property. The Todd property is an 18+/- acre parcel that was and still is designated Community Commercial. The acquisition by CalFire is truly a “game-changer” for the City. Not only was the City’s largest prime commercial site removed from potential commercial, visitor-serving, housing, all tax-generating uses, it also had a significant impact on our Housing Element. Approximately 100 units were identified on the Todd property. Staff plans to initiate a comprehensive General Plan update to redesignate properties in the City in 2025 to make up for the potential loss.

The City continues to work with service providers to provide for the needs of lower- income households, the disabled, and other special needs populations, per the direction provided in the Housing Element.

#### **IV. General Plan and Zoning Code Updates**

In 2023 City staff continued to identify and address minor implementation issues based on specific projects, compliance activities, and changes in state law that affect these land use documents. Amendments to the Zoning Code were completed addressing these issues. This update approach will be repeated on an as-needed basis.

**V. Conclusion**

The General Plan is the City’s constitution, development blue-print and guiding vision. Upkeep and maintenance of the General Plan is a continuous process. The City implements the General Plan’s vision on a day-to-day basis in its many planning projects, and strives to include the public in the decision-making process.

The City conducted many planning activities in 2023, as identified in this report, and continued its project review responsibilities to further the General Plan’s goals, policies, programs, and implementation measures. Updates to the remainder of the General Plan and the zoning ordinance are expected to continue to move forward in 2024.



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



DATE: April 2, 2024  
TO: Mayor and Members of the City Council  
FROM: Travis Sanborn, Finance Director  
THROUGH: Kyle Knopp, City Manager  
SUBJECT: Approval to Pay Invoice to Larry Walker Associates

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize staff to pay invoice to Larry Walker Associates.

BACKGROUND AND DISCUSSION

The City of Rio Dell has partnered with Larry Walker Associates to assist with the National Pollutant Discharge Elimination System (NPDES) Permit Reissuance process.

Per Resolution No. 1227-2014, adopted June 24, 2014, budget transfers over \$10,000 within the same budget and fund require the recommendation of the City Manager and approval of the City Council. No budget adjustment is anticipated for this invoice.

ATTACHMENTS

-Invoice 00663.01 - Assistance During NPDES Permit Reissuance



**LARRY WALKER ASSOCIATES**  
science | policy | solutions

1480 Drew Avenue  
Suite 100  
Davis, CA 95618

530.753.6400  
ar@lwa.com  
lwa.com

City of Rio Dell  
Attn: Derek Taylor, Wastewater Superintendent  
475 Hilltop Drive  
Rio Dell, CA 95562

September 15, 2023  
Project No. - Invoice No: 00663.01-19

ASSISTANCE DURING NPDES PERMIT REISSUANCE  
Project: 00663.01  
For Services Rendered Through 8/31/2023

**Task: 04 Review & Prepare Comments on Tentative Order Permit**

**Professional Personnel**

Employee		Hours	Rate	Amount
Conners, Denise	Associate II	16.50	305.00	\$5,032.50
Donikian, Nubia	Project Engineer I-A	11.25	196.00	\$2,205.00
Krich-Brinton, Airy	Project Engineer II-A	10.75	235.00	\$2,526.25
<b>Total Labor</b>				<b>\$9,763.75</b>
<b>Total This Task</b>				<b>\$9,763.75</b>

**Task: 05 Provide Permit Adoption Hearing Support**

**Professional Personnel**

Employee		Hours	Rate	Amount
Conners, Denise	Associate II	3.50	305.00	\$1,067.50
<b>Total Labor</b>				<b>\$1,067.50</b>
<b>Total This Task</b>				<b>\$1,067.50</b>

**Task: 06 Proof Final Order & Develop Compliance Plan & Monitoring Summary**

**Professional Personnel**

Employee		Hours	Rate	Amount
Conners, Denise	Associate II	.50	305.00	\$152.50
<b>Total Labor</b>				<b>\$152.50</b>
<b>Total This Task</b>				<b>\$152.50</b>

Project 00663.01 ASSISTANCE DURING NPDES PERMIT REISSUANCE

Invoice 00663.01-19

**Task: 07 Project Management & Coordination**

**Professional Personnel**

<u>Employee</u>		<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Conners, Denise	Associate II	2.25	305.00	\$686.25
VanCarpels, Tina	Contract Administrator	2.50	145.00	\$362.50
<b>Total Labor</b>				<b>\$1,048.75</b>
<b>Total This Task</b>				<b>\$1,048.75</b>

**Invoice Amount**

**\$12,032.50**

**Billing Limits**

	<b>Current</b>	<b>Prior</b>	<b>To-date</b>
Total Billings	12,032.50	38,552.00	50,584.50
Limit			70,571.00
Remaining			19,986.50



## Staff Highlights – 2024-04-02

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### City Council

### City Manager

The 2017 Monument Road Storm Damage project appears to have cleared the last FEMA hurdle for funding authorization. Staff will be checking in with the County to identify the timeline. Staff would also like to thank Congressman Huffman and his staff for their attention on this matter.

Flags are out showing the installation locations for the City's new Cherry Tree installation. Work is expected to begin soon and be completed before the end of May.

### City Clerk

#### Processed Nine (9) Building Permit Applications:

145 First Ave. – Sewer Lateral  
1363 Eeloa Ave. – Re-Roof Residence  
1275 Northwestern Ave. – 60' x 200' Concrete Slab/Foundation  
1187 Riverside Dr. – New Water Line  
655 Gunnerson Lane – 200 Amp Service Panel Upgrade  
157 Monument Rd. – Sewer Cleanout and Sewer Lateral  
1213 Riverside Dr. – Re-Roof Residence  
590 Rigby Ave. – Re-Roof Residence  
1109 Tyme Ct. – Re-Roof Residence

#### Processed Four (4) Business License Applications:

Ed the Plumber – Fitz It Right Plumbing – Non-Resident Engineering Contractor  
Timbered Legacies, LLC – Support Services for Forestry and Tree Services  
The Sandwich Shop – 770 Wildwood Ave.  
Flynn's Tree Service – Tree Trimming & Lawn Service

#### Processed One (1) Encroachment Permit Application

157 Monument Rd. – Installing Sewer Cleanout in the Sidewalk

### Misc:

Submitted CHF/CIRB Building Permit Report for March



Attended Beautification, Walkability & Pride Committee Meeting on 3-22-24

Sent Address Verification Letter to Realtor for 145 (111) First Ave.

Submitted ID Fraud Coverage Information to SCORE for Policy Coverage Quote

**City Attorney**

**Human Resources, Risk & Training**

**Finance Department**

Budget Development, proposed staffing plan, salary costs, revenue forecasting, sending budget worksheets to department heads

Execute Representation Letter / Attorney Letters for annual audit

Worked with City contract engineers to get revised QAP to Caltrans.

Meeting with HCD reps and the County of Humboldt on CBDG grants

Worked with the Police Department updating the City of Rio Dell's Annual Traffic Accident Report

Sent Audit RFP to potential candidates – addressing inquiries

Created Press Release for ABC Grant

Hazardous Materials Response Authority (HMRA) contract received from Humboldt Bay Fire

Created Resolution 1600-2024 authorizing the City to apply for financing /bridge loan for the CIP Water Infrastructure project.

Established DIR number for contractors performing work on the Gateway Beautification project.

**Public Works Water**

Find residential backflow devices in town

Work on Backflow Connection Plan with Freshwater Environmental

General Maintenance and testing at Rio Dell Metro Wells Grounds

PC maintenance on Public Works Staff computers

Safety Meeting: Fire extinguisher

Leak on Ogle and creek St. Repaired with 2" clamp

Leak on Nally and creek St. repaired with 2" clamp



Work on water office

**Public Works Wastewater**

Chloramine Project Task #7 Completed.

Annual Sanitary Sewer System Report completed.

Collection system checked weekly.

SOP's being written by staff, and edited by Supervisor.

Lateral Inspection and cleanout installed at 145 1<sup>st</sup> Avenue, Passed inspection.

Chorine Generator project in final stages.

**Public Works Streets, Buildings and Grounds**

Asist sewer crew with installing wiring and plumbing

Water treatment operator office materials

Remove bus stop shelter at Wildwood and Center St.

Remove dead cherry st in front of city hall and replace it with another pulled out from the North gate area

**Public Works City Engineer**

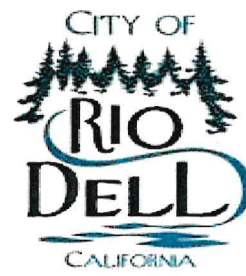
**Public Works Capital Projects**

**Police Department**

**Community Development Department**

**Intergovernmental**

**Humboldt-Rio Dell Business Park**



*Rio Dell City Hall  
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Rio Dell, CA 95562  
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cityofriodell.ca.gov*

April 6, 2024

TO: Rio Dell City Council  
FROM: Kyle Knopp, City Manager  
SUBJECT: Authorize the City Engineer to Issue Bid for the Clean California Eel River Trail Project

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Authorize the City Engineer to issue the bid for the Clean California Eel River Trail Project.

BACKGROUND AND DISCUSSION

In 2021, Governor Gavin Newsom launched Clean California, a \$1.1 billion initiative to revitalize California's streets and public spaces through litter abatement and local beautification projects. The statewide program dedicates nearly a third of the funds towards cities, counties, tribes and transit agencies to clean and enhance local streets and public spaces. Caltrans will awarded some \$296 million in matching grants to fund impactful projects on local streets and roads, tribal lands, parks, pathways and transit centers in underserved, rural and urban communities. The Department developed a needs-based formula that provided additional support to underserved communities, with a goal of funding more than 100 local projects a year. Clean California also includes funding for a public education campaign to foster a sense of shared responsibility for litter prevention to help protect our waterways, natural resources, public safety and health.

Rio Dell staff identified the City as competitive for this grant, meeting the criteria as a disadvantaged community where no match would be required. Additionally the community is bifurcated by US101 and receives heavy commercial and industrial traffic.

The project is now ready to be advertised for bidding. Staff rom GHD will provide a short presentation.

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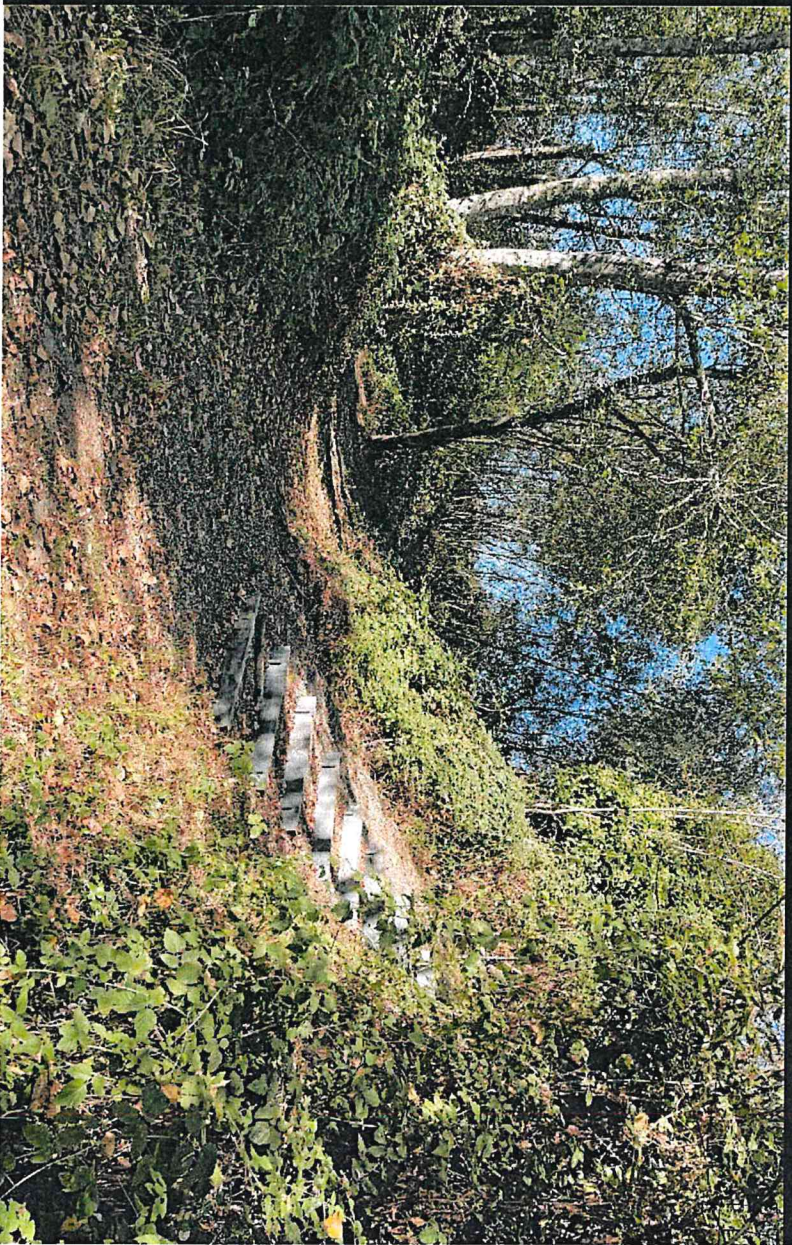




# Eel River Trail Project Update

April 2, 2024

→ Bidding and Construction





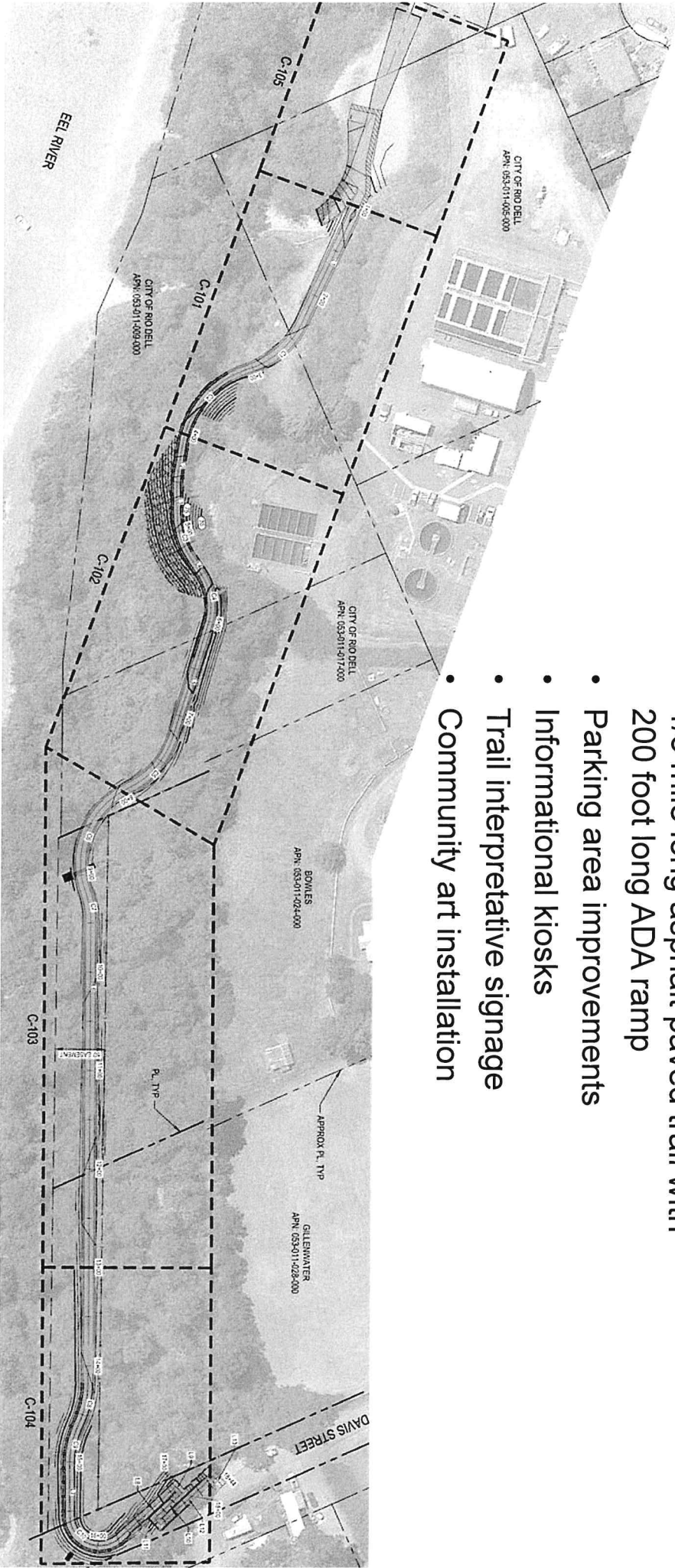
# Eel River Trail

## Project Components

– Class I Trail project from Edwards Drive to Davis Street

Street, includes the following:

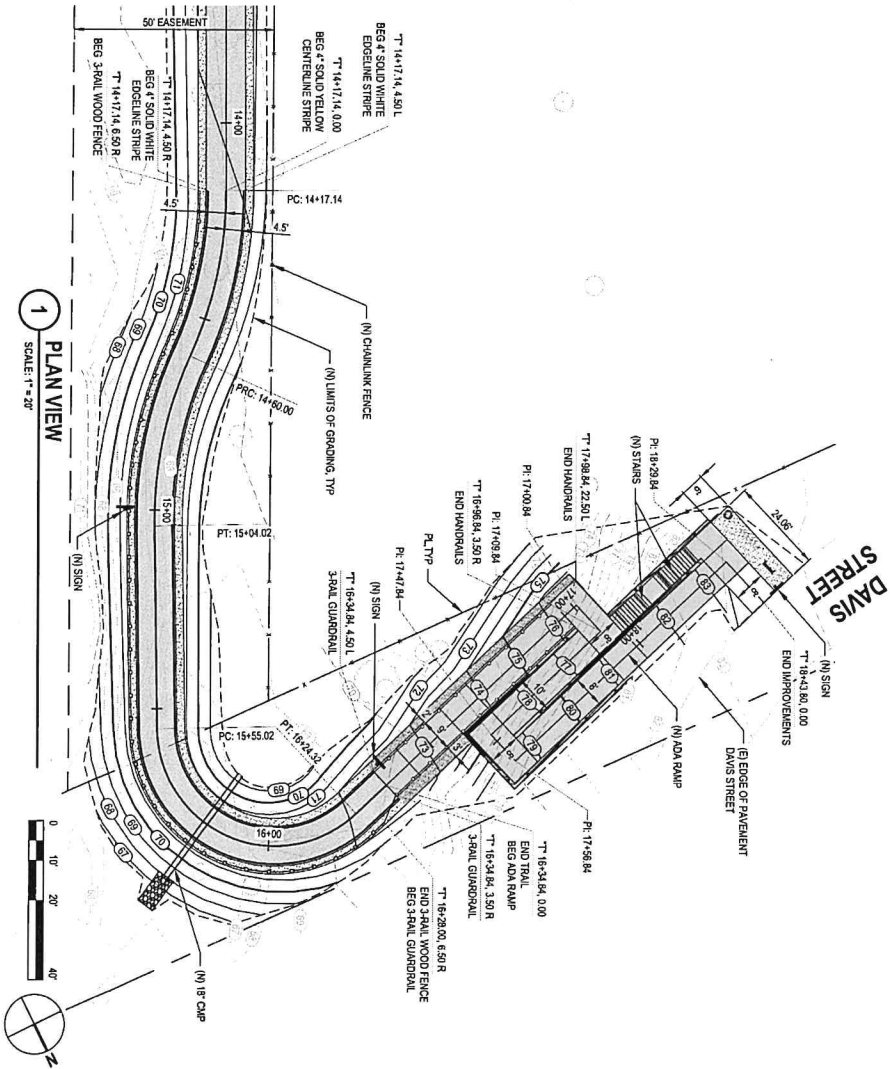
- 1/3 mile long asphalt paved trail with 200 foot long ADA ramp
- Parking area improvements
- Informational kiosks
- Trail interpretative signage
- Community art installation



# Eel River Trail – Bidding Strategy



- Base Bid – Edwards Drive to Davis Street ADA Ramp
- Additive Bid – ADA ramp at Davis Street (shown in red)
- Ramp required to meet ADA compliance due to steep grade change
- If ramp cannot be awarded, it will be phased to a future shovel-ready project
- Clean CA Local Grant Program (CCLGP) approved phasing of ADA ramp to future project
- GHD coordinating with CCLGP and City on connectivity to Davis Street if ramp is not awarded



# Eel River Trail - Schedule



## Bidding

- Advertise: April 3, 2024
- Non-mandatory pre-bid conference: April 16, 2024
- Bid opening: April 25, 2024
- City Council award: May 7, 2024

## Construction (Tentative)

- Notice to Proceed End of May
- Construction June to October
- Closeout November to December

